



## PRACTICE BRIEF

### Doing Business in Libya



The Eren Law Firm Advises US and Other Companies on Doing Business in Libya

#### **US/Libya Law & Strategic Advice Practice**

The Eren Law Firm, through US attorneys based in Washington DC and Libyan attorneys in Tripoli, Libya, provides advice to US and non-US clients with respect to Libyan law, US law and strategic advice with respect to business conditions in Libya.

#### **We ensure that contemplated contracts:**

- reflect the commercial goals of our clients and the understanding between the parties
- are the product of intensive due diligence
- are consistent with applicable law and valid and enforceable
- satisfy the legal and ethical requirements of US as well as Libyan law
- embody elements that minimize risk and facilitate financing -- structuring financing contracts -- the form, timing, source and security of payments under contracts (how do I get paid, what is the collection risk?)

#### **We advise and counsel clients on:**

- applicable US and Libyan law, assist clients in negotiations, and document agreements
- assessing the potential market and the opportunities in various sectors in Libya
- identification of broad strategic, legal and business considerations and risks
- commercial strategy and tactics
- the conduct of due diligence on companies and individuals - the selection and appointment of agents, representatives and consultants in Libya (due diligence) (who should I deal with and how?) (thorough vetting of issues and individuals and companies), and on transactions, governmental registrations and approvals
- establishing relationships and a presence in Libya
- understanding the Libyan business culture and customs
- dealings with and selling to the Libyan government and military
- obtaining Libyan governmental approvals, registrations
- obtaining Libyan visas

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- implementation of contracts
- intellectual property protection in Libya
- among others, Libya's Foreign Investment Law and related incentives; Libya's laws governing the oil and gas sector; and Libya's new banking law
- dispute resolution (negotiation, conciliation, mediation, litigation, arbitration)

### **We also advise clients on US laws and regulations, including:**

- US anti boycott laws (Israel)/Libyan boycott conditions
- US laws against bribery of foreign government officials (FCPA)
- availability of US export credit cover (US Eximbank, OPIC, TDA Programs) for Libya
- US export and reexport licensing of US-origin sensitive items such as aircraft, avionics, and electronics
- US visas for Libyan citizens
- donations from and financial transactions with the Libyan government
- US anti-money laundering and other laws and regulations affecting US financial institutions in their dealings with Libyan banks, e.g. , establishment of correspondent accounts, commercial and credit arrangements, transactions

To find out more about and take advantage of The Eren Law Firm's knowledge, and capabilities regarding business with or in Libya, including Libyan customer/client due diligence, and other matters related to business between Libya and the United States, please visit [www.erenlaw.com](http://www.erenlaw.com) or e-mail

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In addition to its practice in the area of areas of economic sanctions, anti-money laundering, bank regulation and supervision, and related enforcement defense, The Eren Law Firm represents clients in connection with disputes involving transnational banking, finance and investment matters. The Firm's corporate and transactional practice involves assisting U.S. and other companies on doing business in various countries. The Firm's select and diverse group of clients includes U.S. and non-U.S. financial institutions, U.S. and non-U.S. companies, and sovereign governments. Find out more about The Eren Law Firm at: [www.erenlaw.com](http://www.erenlaw.com)

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