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Introduction to CISG Articles

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INTRODUCTION TO CISG ARTICLES

With this issue, The Pace International Law Review is introducing a new section. Many of our articles, in the past, have dealt with public international law. This new section deals with private international law, more specifically, the United Nations Convention on Contracts for the International Sale of Goods (CISG).¹ Each issue will include commentaries and case extracts taken from the Pace CISG Internet website.

The Pace Institute of International Commercial Law² established and maintains a comprehensive electronic database for the CISG. The Convention is the uniform law of countries accounting for more than two-thirds of all world trade³ and is the uniform law of all fifty states of the United States and most of our major trading partners. This database is located at <http://www.law.pace.edu> on the internet. Since its unveiling in March, 1996, the site has received more than 300,000 visits by persons from more than 52 countries.

In order to assist our readers in utilizing this valuable tool in their research, we have included an extract from a database case presentation and examples of commentaries commissioned for the database. The presentation will walk you through the steps in researching one of the more than 300 CISG cases⁴ in the database. Because this case is taken from the Internet, we will be foregoing some of the Law Review and bluebook conventions in order to maintain the flavor of what you would actually

¹ United Nations Convention on Contracts for the International Sale of Goods, opened for signature Apr. 11, 1980, 19 I.L.M. 668 [hereinafter CISG or Vienna Convention (referred to in cases under both names)].

² Co-founded at Pace University School of Law by Willem C. Vis and Albert H. Kritzer, the Institute was established to join the insights of practicing attorneys with the expertise of law faculty members and participants in international organizations that serve the world trade community. Prior to joining the Pace faculty, Willem Vis headed UNCITRAL and served as Executive Secretary of the Vienna Diplomatic Conference at which the CISG was promulgated; author of texts on the CISG, Albert Kritzer formerly served as International Sales Council of the General Electric Company. An affiliated Institute activity is the International Commercial Arbitration Moot on the CISG administered by Pace Professor Eric E. Bergsten who, like Willem Vis, formerly headed UNCITRAL.

³ As of February 1997, 48 countries have adopted the CISG.

⁴ As of this date, approximately 320 recorded CISG cases have been reported.

see on the web-page. Hypertext⁵ links (usually noted in blue on the internet) will be surrounded by the < > symbols, so that you will see the actual format of the research. The addendum, following the case *Delchi Carrier, S.p.A. v. Rotorex Corp.*, is in the format of a brief rather than an article.

The illustrative commentaries (cross-reference editorial analysis of CISG Articles 65 and 74) are by authors from the United States and Norway. These commentaries are presented in conventional Law Review and blue book format.

For the uninitiated, there are certain acronyms used, other than CISG, that you will need to understand:

- UNCITRAL** - United Nations Commission on International Trade Law.
- CLOUT** - Case Law on UNCITRAL Texts (A case abstract service provided by UNCITRAL).
- ULIS**⁶ - Uniform Law for International Sale of Goods under the 1964 Hague Sales Convention.
- ULF**⁷ - Uniform Law on the Formation of Contracts for the International Sale of Goods, also under the 1964 Hague Sales Convention (along with ULIS, the predecessor of CISG).
- UNIDROIT**⁸ - International Institute for the Unification of Private Law.

If you have any questions about the website, the material, or the Pace Institute of International Commercial Law please contact: Professor Nicholas Triffin, Institute Director or Professor Albert H. Kritzer, Institute Executive Secretary at (914) 422-4159, E-mail: cisg@genesis.law.pace.edu. If you have any comments or suggestions about our presentation of this case, please let us know.

David M. Sobel
Articles Editor

⁵ In the actual Internet presentation, the citations are within the text itself, conforming more to the style of a brief.

⁶ Convention Relating to a Uniform Law on the International Sale of Goods, *done on July 1, 1964*, Vol. 834 U.N.T.S. 107 [hereinafter ULIS].

⁷ Convention Relating to a Uniform Law on the Formation of Contracts for the International Sales of Goods, *Done on July 1, 1964*, Vol. 834 U.N.T.S. 169 [hereinafter ULF].

⁸ Among other important contributions, UNIDROIT has produced the UNIDROIT Principles of International Commercial Contracts (1994).