A Seminar on the International Sales Code – the UN Convention for the International Sale of Goods (CISG)

at the **New York State Judicial Institute**

on **September 26, 2003**

Sponsored by

Institute of International Commercial Law, Pace Law School,

International Law and Practice Section of the New York State Bar Association

and

Practising Law Institute

Agenda:

11:00-11:15	Introduction *Speaker* Hal Burman, Office of the Legal Advisor for Private International Law, US Dept. of State
11:15-11:50	Introduction to the CISG: History of the CISG and its scope of application *Speaker* Professor Alejandro Garro, Columbia Law School
11:50-12:30	Primary differences between the UCC and CISG *Speaker* Jack McMahon, Chair of the Committee on International Sales and Related Commercial Transactions, International Law & Practice Section, New York State Bar Association
12:30-1:00	*Speaker* Honorable Charles L. Brieant (handed down first substantive opinion on the CISG in the US: Filanto v. Chilewich, 789 F. Supp. 1229 (S.D.N.Y. 1992)).
1:00-2:00	Lunch *Keynote speaker* Professor Peter Schlechtriem, Albert-Ludwigs University of Freiburg) *Introduction by* Honorable Stewart F. Hancock Jr., New York State Court of Appeals (ret.)
2:00 - 3:00	"Electronic Communications under the CISG" -- Presentation of first opinion by the ***CISG Advisory Council*** *Speaker* Professor Jan Ramberg, University of Stockholm

About the CISG Advisory Council

In a world of countless legal abbreviations, one more is being added in our jargon. CISG-AC stands for Advisory Council on the United Nations Convention on Contracts for the International Sale of Goods (CISG). This is an unusual Convention and this is an unusual Council.

The CISG is one of the most successful international instruments which produce uniform substantive rules for international trade. It is often pointed out that, world-wide two thirds of international sale transactions are conducted between parties based in CISG countries. In addition more than 1,100 judicial and arbitral decisions have been identified and are now featured in the relevant databases, such as <cisgw3.law.pace.edu>. In this sense, CISG is a successful and mature text of protean nature, which has been supported and enhanced by legal practice over the last 15 years. Most recently, UNCITRAL, the CISG formulating agency, has completed a digest which provides a comprehensive presentation of case law on the CISG and aims at assisting courts in the application of the Convention.

The CISG-AC has been established in 2001 as a private initiative to respond to the emerging need to address some controversial, unresolved issues relating to the CISG which would merit interpretative guidance. In a meeting in Paris in June 2001 some of the most eminent scholars in CISG gathered to explore the possibility of creating a CISG interpretative council.

The idea received warm support. The founding members of the CISG-AC are *Professor Dr. Eric E. Bergsten*, Emeritus of Pace University, formerly Secretary General of UNCITRAL, *Professor Dr. Michael Joachim Bonell*, University of Rome La Sapienza, formerly Secretary General of UNIDROIT, *Professor E. Allan Farnsworth*, Columbia University, New York, *Professor Dr. Alejandro Garro*, Columbia University, *Professor Sir Roy Goode*, University of Oxford, *Professor Dr. Sergei N. Lebedev*, Moscow Institute of International Relations, *Professor Dr. Jan Ramberg*, Emeritus, Stockholm University, *Professor Dr. Dr. h.c. Peter Schlechtriem*, Emeritus, University of Freiburg, *Professor Hiroo Sono*, Kyushu University and *Professor Dr. Claude Witz*, Universität des Saarlandes and Université Robert Schuman, Strasbourg. The meeting was also attended by *Albert Kritzer*, Pace, and *Dr. Loukas Mistelis*, Clive M. Schmitthoff Senior Lecturer in International Commercial Law, Centre for Commercial Law Studies, Queen Mary, University of London who represented the two sponsoring institutions. *Professor Schlechtriem* was elected as the first Chair, and *Dr. Mistelis* as the Secretary of CISG-AC. Two more members were added in June 2003, *Professor Dr. Mª del Pilar Perales Viscasillas*, Universidad Carlos III, Madrid, and *Professsor Dr. Ingeborg Schwenzer*, University of Basel.

The CISG-AC is a private initiative which aims at *promoting a uniform interpretation* of the CISG. It is a private initiative in the sense that its members do not represent countries or legal cultures; they are scholars who look beyond the cooking pot for ideas and for a more profound understanding of issues relating to CISG. Accordingly, the group is afforded the luxury of being critical of judicial or arbitral decision and of addressing issues not dealt with previously by adjudicating bodies. The Council is guided by the mandate of Article 7 of the Convention as far its interpretation and application are concerned: the paramount regard to international character of the Convention and the need to promote uniformity.

The primary purpose of the CISG-AC is to issue opinions relating to the interpretation and application of the Convention on request or on its own initiative. Requests may be submitted to the CISG-AC, in particular, by international organizations, professional associations and adjudication bodies. The first opinion is a response to an informal request by the International Chamber of Commerce for the Council to reflect on issue of electronic communications and the ability of the CISG to respond to such challenges.

Dr Loukas Mistelis
Secretary, CISG-AC
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Registration Form

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☐ I will attend the conference and luncheon on September 26th

☐ I am a New York federal or state judge

Name _____

Court _____

Address _____

☐ I am not a New York federal or state judge
Enclosed please find my payment of $40

Name _____

Firm/Institution _____

Position _____

Address _____

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Email Address _____

Credit Card No. _____

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Credit Card type VISA MC American Express

Signature _____

Registration forms should be faxed to the attention of Vikki Rogers-Faupel
(914) 422-4405

For payment by check, please mail check and registration form to: Pace Law School; Institute of International Commercial Law; Attn: Professor Vikki Rogers-Faupel; 78 North Broadway; White Plains, New York 10603. *Please make checks payable to Pace University School of Law.*

Please register by September 17th

Directions to the New York State Judicial Institute at Pace University School of Law

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at the **New York State Judicial Institute**

on **September 26, 2003, 11am- 3pm**

By Auto
From I-287. (Cross Westchester Expressway.) If traveling east, take Exit 6 and turn right at the light onto North Broadway (South 22). Proceed to the fifth light and turn left onto campus.

If traveling west, take Exit 6 and turn left at exit light. Turn left at next light onto North Broadway and proceed to sixth light. Turn left onto campus.

From Long Island. Throgs Neck or Whitestone Bridge onto I-95 (New England Thruway); take Exit 8 onto I-287, westbound.

From New York City. Major Deegan Expressway onto I-87 (New York Thruway); take Exit 8 onto I-287, eastbound.

From New Jersey. Garden State Parkway onto I-87 (New York Thruway) across Tappan Zee Bridge; take Exit 8 onto I-287, eastbound -- or George Washington Bridge onto Henry Hudson Parkway onto Saw River Mill Parkway; take Exit 20 onto I-87 (New York Thruway); exit immediately at Exit 8 onto I-287, eastbound.

From Upstate New York. New York Thruway across Tappan Zee Bridge; take Exit 8 onto I-287, eastbound.

From Connecticut. I-95 (New England Thruway) or Merritt Parkway or I-684 onto I-287, westbound.

By Bus
The County of Westchester operates an extensive bus system. Information on routes and schedules can be obtained by calling the Westchester County Transportation Center at (914) 682-2020.

By Train
Harlem Division of Metro North stops in White Plains. The train departs from Grand Central and arrives at White Plains. The station you need for the law school is on the blue line running up the center of the map. The distance is about 20 miles and it is a 35-minute train ride.

Airport Information
Westchester County Airport (914) 285-4860
(Five miles from campus; taxis are available)
Laguardia Airport: (718) 533-3400
JFK Airport: (718) 244-4444
Newark Airport: (973) 961-6000 or (800) EWR-INFO
Connecticut Limo: (800) 472-5466 (Airport Shuttle Service)