

Lecture

**United Nations Convention on Contracts for the International Sale of Goods (CISG)  
in comparison to German Law**

University of Lisbon, School of Law

October 2015

**Abstract**

The lecture is on the United Nations Convention on Contracts for the International Sale of Goods (CISG) in comparison to German Law. The CISG is a sales law treaty with acceptance on a worldwide scale. Globalisation of markets demands international unification of the law of sales contracts. Disparities in national laws governing international trade create obstacles to the flow of trade. The CISG can provide legal certainty for contract parties and predictability of legal decisions.

The 21st century can be regarded as the era of globalisation. It first of all means the international integration of markets and economies. Meanwhile globalisation has also generated its own legal aspects. As a consequence of the economic changes over the last years, globalisation has led to a competition of legal systems. This competition does not only concern the competition between two national legal systems but also the competition between national and international legal systems.

This lecture will deal with such a competition in the latter sense. The compared legal systems shall be the United Nations Convention on Contracts for the International Sale of Goods (CISG) and the sales law under the German Civil Code (Bürgerliches Gesetzbuch; BGB). First of all, the scope of application will be explained. Afterwards, the CISG and the German domestic law will be compared in different areas. Finally, recent developments in consumer law and its impact on German sales law have to be analysed.

The aim of this lecture is to acquaint the students with the CISG on the one hand and the German sales law on the other hand. Students are supposed to learn how CISG and German sales law regulate the international sale of goods.

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- II. When does the CISG/ BGB apply (Overview)?
- III. History and background: CISG/ BGB
- IV. Structure of the CISG/ BGB

**§ 2 Scope of application of the Convention**

- I. Contract of sale of goods
- II. Internationality
- III. Connection to a contracting state
- IV. Temporal scope of application
- V. Party autonomy

**§ 3 General provisions**

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- II. Gap filling
- III. Interpretation of declarations of parties
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- V. Usages and trade practices
- VI. Form requirements

**§ 4 Formation of the contract**

- I. Offer
- II. Acceptance
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- IV. Modification of the contract

**§ 5 Obligations of the parties/ Comparison**

- I. General provisions
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- I. Rights of the buyer
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