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Celebrating the 40<sup>th</sup> Anniversary of the CISG: 6,421,000

# CISG as a Tool for Global Trade

– Theory and Practice

**27<sup>th</sup>**  
October, 2020  
**LIVE CAST**

## ABOUT THE CONFERENCE

The United Nations Convention on Contracts for the International Sale of Goods (“CISG”) will celebrate its 40<sup>th</sup> anniversary in 2020 (“CISG@40”). It provides a uniform text of law for international sales of goods and currently has 93 Contracting States from diverse legal traditions and levels of economic development, which together represent over two-thirds of the global economy.

To mark CISG@40, this conference will explore the CISG as a tool for global trade from both the theoretical and practical perspectives. Expert speakers will share their insights on the past, present and future contributions of the CISG to the development of international sales law, with a focus on: how the CISG has modernised and harmonised international contract law; how it could simplify the process of international sales of goods by, for example, offering a choice of “neutral” governing law; as well as the recent developments and current trends in CISG jurisprudence.

The conference will also examine the use of the CISG in practice, such as when and how the CISG comes into play in the negotiation and contract formation stages of international sales of goods, how the CISG would affect the drafting of transaction documents as well as the relevant best practice. Particular attention will be given to contract management (including contractual remedies) and the relationship between the CISG and the dispute resolution process in courts and in arbitration.

The conference, co-organised by the United Nations Commission on International Trade Law, the Department of Justice of the Hong Kong SAR, and the Asian Academy of International Law, will provide a timely opportunity for all involved in cross-boundary sales of goods to share insights and exchange views on the impact of the CISG on global trade.

[Join us to celebrate this special occasion!](#)

ENQUIRIES: [events@aail.org](mailto:events@aail.org)

REGISTRATION: <https://events.aail.org/en/event/CISG@40/>



# TENTATIVE PROGRAMME

27th October 2020  
15:00 – 18:00 (GMT+8)

## WELCOME ADDRESS

### SESSION 1 – CISG'S CONTRIBUTION TO THE DEVELOPMENT OF INTERNATIONAL SALES LAW – PAST, PRESENT AND FUTURE

#### MODERATOR

Professor Michael BRIDGE QC (Hon)

Professor Emeritus of Law, London School of Economics, the United Kingdom and  
Geoffrey Bartholomew Professor of Law, National University of Singapore

#### Topic 1 – Simplification of the Commercial Process for the International Sales of Goods

#### SPEAKER

Professor Ulrich G. SCHROETER

Professor of Private Law, University of Basel, Switzerland

The speaker will look at how the adoption of the CISG could simplify the process of international sales of goods by, inter alia, offering a choice of a 'neutral' governing law during contract negotiations and providing a flexible and dynamic legal framework for contemporary legal needs in the context of global supply chains. The speaker will also examine how the adoption of the CISG could increase the predictability of the law applicable to those contracts by simplifying the application of conflict of laws rules. In this regard, the approaches taken by courts and arbitrators in deciding whether the CISG applies to a transaction will be discussed.

#### Topic 2 – CISG - Challenges of the 2020s

#### SPEAKER

Professor Ingeborg SCHWENZER

Professor Emerita of Private Law, University of Basel, Switzerland

The speaker will analyse key topical issues (and related case law) arising under the CISG concerning, for example, the scope of the CISG (including the applicability of the CISG to services contracts, distribution and framework contracts and e-commerce transactions), the remedies system in the CISG, and the CISG's interaction with national/local laws. In light of this analysis, key trends and developments of the CISG will be discussed.

### SESSION 2 – WILLEM C. VIS MOOT ALUMNI ASSOCIATION SESSION: CISG IN PRACTICE (I): SCOPE OF APPLICATION OF THE CISG AND CONTRACT FORMATION AND DRAFTING ISSUES

This session will discuss, from the practitioners' perspective:

- scope of application of the CISG;
- when and how the CISG comes into play in the negotiation and contract formation stages of an international sale of goods;
- how the negotiated outcome concerning the application of the CISG would affect the drafting of transaction documents, including the traps and key drafting tips in this regard; and
- in view of the above, the best practice for practitioners.

#### MODERATOR

Ms Sherlin TUNG

President, Willem C. Vis Moot Alumni Association; Partner, International Arbitration and Litigation, Withersworldwide

#### PANEL OF SPEAKERS

Mr Eric NG

Managing Counsel, Hong Kong International Arbitration Centre

Dr Rajesh SHARMA

Senior Lecturer, RMIT University, Australia

Dr NGUYEN Minh Hang

Dean, Law Faculty, Foreign Trade University, Vietnam

### SESSION 3 – CISG IN PRACTICE (II): CONTRACT MANAGEMENT AND DISPUTE RESOLUTION

This session will consider contract management (including contractual remedies), which is a special and significant aspect of CISG, the relationship between the CISG and the dispute resolution process in courts and in arbitration, and how disputes arising from contracts utilising the CISG are resolved as compared to those arising from contracts subject to other governing laws. Topical issues such as the applicability of the CISG to Dispute Settlement Clauses and smart contracts in the CISG context will also be discussed.

#### MODERATOR

Dr James DING

Commissioner, Inclusive Dispute Avoidance and Resolution Office, Department of Justice, Government of the HKSAR

#### PANEL OF SPEAKERS

Professor HAN Shiyuan [TBC]

Professor of Law, Tsinghua University, China

Mr Mark WALTER

Senior Principal Global Practice Specialist, DAI Inc

Professor Camilla BAASCH ANDERSEN

Professor, the University of Western Australia, Australia

Professor Hiroo SONO

Professor of Law, University of Hokkaido, Japan

## CONCLUSIONS AND CLOSING