

## PREFACE

This handbook was first published in 1991 born out of the need and frustrations that Al Kritzer experienced as general counsel for General Electric at the time when negotiating international transactions. In its 33rd consecutive year of publication, this important work remains a necessity for those forming contracts with international business partners. It discusses the pitfalls involved in international commercial transactions and assists contract managers and lawyers in making correct contract drafting decisions.

With characteristic foresight, Al Kritzer realized soon after the adoption of the Vienna Convention for the International Sale of Goods, 1980 (CISG) that the convention was likely to have a large impact on sales law not only in the United States but worldwide despite the fact that only 23 countries had adopted the CISG at that time. He reasoned that a detailed commentary should form part of the work. Today 97 countries, representing more than 80% of international trade, have adopted the CISG. The convention applies autonomously as part of the domestic law of each of these countries. In the US it applies to international transactions to the exclusion of the UCC unless changed expressly by the parties.

Although the handbook continues with the same general organization that it has had since the outset, it underwent a major overhaul in 2008 with the introduction of new authors assisting Al Kritzer. Initially published in two volumes, it now consists of five volumes. Volume 1 consists of illustrative contracts and contract clauses. There is an extensive list of contract clauses that operates as a checklist for any international sales agreement along with a detailed analysis of each suggested clause. The text assists contract managers and lawyers in making correct contract drafting decisions.

Volume 2 deals with the regulatory environment for international sales agreements including anti-boycott compliance, export controls and a guide to United States and European Union trade and custom laws. Volume 2 also contains “country handbooks” which provide a summary of the most important sales and trade laws of a select number of countries varying from Afghanistan, China, England, the European Union, France and Germany, concluding with Honduras.

Volume 3 continues with the country handbooks ranging from India, Italy, Japan, Russia, and the United States, amongst others.

Volumes 4 and 5 represent the first comprehensive English commentary on the CISG on an article-by-article basis, not only in the United States but throughout the common law world and remains the

leading commentary in the United States.

Volume 4 starts out with a general introduction to the CISG and a summary of its most important principles and provisions. This is followed by a detailed analysis of each article focusing on the legislative history, the purpose and relevance of each article of the CISG and an in-depth discussion of issues related to that article. Volume 4 covers Articles 1 to 52 dealing with scope of application, precontractual statements, formalities, formation of the contract, obligations of the seller, conformity of the goods and buyer's remedies for breach of contract.

Volume 5 follows the same pattern of discussion as the article-by-article discussion in Volume 4. It covers Articles 53 to 101, dealing with obligations of the buyer and seller's remedies, passing of risk, repudiation, damages, *force majeure* and hardship, the effects of avoidance (cancellation) and the final provisions customary in conventions. Volume 5 also contains Appendices including an annotated export contract, the text of the CISG, its current status, a comparative table between provisions of the CISG And Uniform Commercial Code and lastly all of the CISG Advisory Council Opinions and a comprehensive index.