

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 34th 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 also 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 contains many illustrative contract clauses, along with detailed analysis and discussion of each clause. Commentary and analysis on contracting considerations and practices is also covered in this volume. Finally, a section dedicated to compliance analysis covers 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.

Volumes 3 and 4 contain country handbooks which provide detailed yet concise summaries of the most important sales and trade laws of over 40 different countries throughout the world. Countries covered range from Afghanistan to Italy and Japan to Vietnam.

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 begins 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 of the CISG 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 this article-by-article discussion covering Articles 53 to 101 of the CISG, 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.

It is our hope that this important work will continue to serve professionals engaged in international commerce.