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Høyring - forslag om å trekkje den norske reservasjonen mot FN-konvensjonen 11. april 1980 om kontraktar for internasjonale lausøyrekjøp (CISG) del II om avtaleinngåing m.m.

Since its establishment in 1966, the United Nations Commission on International Trade Law (UNCITRAL) has prepared various instruments to foster the progressive harmonization and unification of international trade law. UNCITRAL texts provide a modern framework for international trade and complement and support existing trends in global economic integration.

The mandate of UNCITRAL includes the promotion of the adoption and uniform interpretation of the United Nations Convention on Contracts for the International Sale of Goods, 1980 (CISG). In this framework, the UNCITRAL Secretariat welcomes the Norwegian proposal to consider withdrawing the Article 92 declaration concerning Part II of the treaty and the significant work that has been done in that direction.

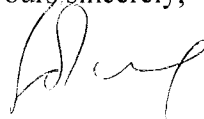
With the withdrawal of similar declarations by Denmark, Finland and Sweden, Norway is currently the only State to maintain a declaration under Article 92 CISG. The withdrawal of this declaration would represent a step forward in the consistent application of the CISG, enabling a uniform approach to Part II on contract formation across the treaty's 78 State parties and maximizing its potential economic benefits. Consequently, it would be a key development in further cementing the CISG as the common sales law among trading nations in Europe and around the world.

As a result of its harmonizing impact, withdrawal of the Article 92 declaration has also frequently been cited as an effective method for increasing legal certainty, reducing forum shopping and decreasing legal transactions costs. In combination with a declaration under Article 94, it can be accomplished without disturbing the legal regime for the sale of goods established among the Nordic countries.

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The above considerations seem to support Norway's withdrawal of its Article 92 declaration. We remain at your disposal for any further assistance on this or other matters relating to the mandate and work of UNCITRAL.

Yours sincerely,



Renaud Sorieul
The Secretary

United Nations Commission
on International Trade Law

