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REPLIES BY STATES CONCERNING THE HAGUE CONVENTION OF 1955
ON THE LAW APPLICABLE TO INTERNATIONAL SALE OF GOODS

Note by the Secretary-General

Addendum

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I. INTRODUCTION

In his notes A/CN.9/12 and Addenda 1, 2 and 3 the Secretary-General reproduced the substantive portions of twenty-five replies received from Governments of States Members of the United Nations or members of the specialized agencies to his communication of 3 May 1968 concerning the Hague Convention of 1955 on the Law Applicable to International Sale of Goods. The present addendum reproduces the substantive portions of five additional replies which have been received since the circulation of document A/CN.9/12/Add.3.

II. TEXT OF REPLIES BY STATES

ARGENTINA

[Original: Spanish]
3 April 1969

The Argentine Government wishes to report that it is currently studying a new general review of Argentine trade legislation and that the Conventions mentioned will be taken into account in that context.

AUSTRIA

[Original: English]
25 February 1969

Austria does not intend to sign or ratify in the near future the Convention of 15 June 1955 on the law applicable to international sales of movable goods. The main reason determining the Austrian attitude is that Austria considers the unification of the substantive law of the sale of goods and the unification of conflicting rules (collision rules) concerning the sale of goods to be incompatible. Even the reservations concerning conflicting rules which are contained in article IV of the two Hague Conventions on the sale of goods of 1964 do not change the situation, as the eventual unification of the substantive law would seem to leave the unification of the conflicting rules without purpose. The reservation in

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article IV unnecessarily weakens the unification of the substantive law by leading to agreements concerning collision norms the appearance of continued existence.

Austria therefore intends to consider the signature and ratification of the Convention of 15 June 1955 only if either the unification of the substantive law of the sale of goods has proven to be unattainable, or if the unification has resulted in a solution unacceptable to Austria.

GREECE

Original: French
5 March 1969

The question of ratifying the Convention on the Law Applicable to International Sale of Goods, done at The Hague in 1955, is still under examination.

GUYANA

Original: English
12 March 1969

Guyana does not intend at the present time to adhere to the Convention on the Law Applicable to International Sale of Goods done at The Hague in 1955.

The Government of Guyana does recognize that the Convention could play a very useful role in encouraging and facilitating international trade, but would like to consider the implications adherence to this Convention might have for its local laws and for commercial relations among the members of the Caribbean Free Trade Association. Since it does not appear that separate consideration of this Convention by members of the Association would be an uneconomic allocation of resources, the Government of Guyana intends to recommend this Convention for study by its Regional Secretariat. A final decision to participate in or remain outside of the régime established by this Convention will therefore have to await the results of the proposed study.

JAPAN

Original: English
4 March 1969

The Hague Convention of 1955 on the Law Applicable to International Sale of Goods and the two Hague Conventions of 1 July 1964 (i.e., the Convention relating to a Uniform Law on the International Sale of Goods and the Convention relating to a Uniform Law on the Formation of Contracts for the International Sale of Goods), which are the results of many years of strenuous works by UNIDROIT and the Hague Conference on Private International Law, will no doubt play a significant role in creating favourable conditions for smoother international sales transactions. Therefore, the Government of Japan has studied the provisions of the Conventions. However, because of the broad scope covered by these Conventions, the Government of Japan has not yet completed detailed examination of these Conventions. It considers that further thorough study of them is indispensable in the light of actual practice of international trade transactions and of customary trade terms, taking into account advantages and disadvantages of solutions provided in these Conventions and uniform laws, and is studying what adjustments will be required before ratifying these Conventions.
