





CISG as Secret Weapon in a Fight for a Fairer World



Overview of the discussion

Question: → What kind of future do we envisage?

Safeguard of citizens and their well-being → Primary duty of the states

New "kid on the block" → Multinational initiatives, e.g. UN Global Compact

Can CISG, as a *commercial international treaty*, be used in the fight for a fairer world?

CISG in the fight for a fairer world

Art. 7.1 CISG: Self reference within the international community

International human rights framework

International conventions and treaties

Customary international human rights

Do we need to interpret the CISG in light of the principles set out in the international human rights instruments?

Effect of human rights instruments on the CISG

Art. 35.1 - quality of the goods

Minimal ethical standards = rights under customary law

e.g., prohibition of child labor, or promotion of sustainable development

Seller is required to produce goods in line with these standards

Non-minimal ethical standards

Art. 8 - Have the parties agreed on using these rights?

Art. 9.1 and Art. 9.2 - use of trade usages that are industry specific (e.g. electric industry)

The idea:

Because the CISG is part of the international legal framework,
human rights have to be used to interpret the CISG



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