

FINAL ACT OF THE UNITED NATIONS CONFERENCE ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS

(Document A/CONF.97/18)

1. The General Assembly of the United Nations, having considered chapter II of the report of the United Nations Commission on International Trade Law on the work of its eleventh session in 1978, which contained a draft Convention on Contracts for the International Sale of Goods, decided, by resolution 33/93 of 16 December 1978, that an international conference of plenipotentiaries should be convened in 1980 at the location of the International Trade Law Branch of the Office of Legal Affairs of the United Nations, or at any other suitable place for which the Secretary-General might receive an invitation, to consider the draft Convention on Contracts for the International Sale of Goods prepared by the United Nations Commission on International Trade Law and to embody the results of its work in an international convention and such other instruments as the conference might deem appropriate. The General Assembly also decided that the conference should consider the desirability of preparing a Protocol to the Convention on the Limitation Period in the International Sale of Goods, adopted at New York on 14 June 1974, which would harmonize the provisions of that Convention with those of the Convention on Contracts for the International Sale of Goods as it might be adopted by the Conference.

2. The United Nations Conference on Contracts for the International Sale of Goods was held at Vienna, Austria, from 10 March to 11 April 1980.

3. Representatives of sixty-two States participated in the Conference, namely, representatives of: Argentina, Australia, Austria, Belgium, Bolivia, Brazil, Bulgaria, Burma, Byelorussian Soviet Socialist Republic, Canada, Chile, China, Colombia, Costa Rica, Cyprus, Czechoslovakia, Denmark, Ecuador, Egypt, Finland, France, German Democratic Republic, Germany, Federal Republic of, Ghana, Greece, Hungary, India, Iran, Iraq, Ireland, Israel, Italy, Japan, Kenya, Libyan Arab Jamahiriya, Luxembourg, Mexico, Netherlands, Nigeria, Norway, Pakistan, Panama, Peru, Philippines, Poland, Portugal, Republic of Korea, Romania, Singapore, Spain, Sweden, Switzerland, Thailand, Tunisia, Turkey, Ukrainian Soviet Socialist Republic, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America, Uruguay, Yugoslavia and Zaire.

4. One State, Venezuela, sent an observer to the Conference.

5. The General Assembly requested the Secretary-General to invite representatives of organizations that have received a standing invitation from the General

Assembly to participate in the sessions and the work of all international conferences convened under its auspices, in the capacity of observers, to participate in the Conference in that capacity in accordance with General Assembly resolutions 3237 (XXIX) of 22 November 1974 and 31/152 of 20 December 1976; to invite representatives of the national liberation movements recognized in its region by the Organization of African Unity to participate in the Conference in the capacity of observers in accordance with General Assembly resolution 3280 (XXIX) of 10 December 1974; to invite the United Nations Council for Namibia to participate in the Conference in accordance with paragraph 3 of General Assembly resolution 32/9 E of 4 November 1977, and to invite the specialized agencies and the International Atomic Energy Agency, as well as interested organs of the United Nations and interested international organizations, to be represented at the Conference by observers. The following intergovernmental and non-governmental organizations accepted this invitation and were represented by observers at the Conference:

Specialized agencies

World Bank

Other intergovernmental organizations

Bank for International Settlements
Central Office for International Railway Transport
Council of Europe
European Economic Community
Hague Conference on Private International Law
International Institute for the Unification of Private Law

Non-governmental organizations

International Chamber of Commerce

6. The Conference elected Mr. Gyula Eörsi (Hungary) as President.

7. The Conference elected as Vice-Presidents the representatives of the following States: Argentina, Belgium, Brazil, Bulgaria, Canada, China, Colombia, Egypt, German Democratic Republic, Germany, Federal Republic of, Greece, Kenya, Libyan Arab Jamahiriya, Pakistan, Peru, Philippines, Republic of Korea, Romania, Spain, Sweden, Union of Soviet Socialist Republics and Zaire.

8. The following Committees were set up by the Conference:

General Committee

Chairman: The President of the Conference

Members: The President and Vice-Presidents of the

Conference, and the Chairmen of the First and Second Committees

First Committee

Chairman: Mr. Roland Loewe (Austria)

Vice-Chairman: Mr. Peter K. Mathanjuki (Kenya)

Rapporteur: Mr. Shinichiro Michida (Japan)

Second Committee

Chairman: Mr. Roberto Luis Mantilla-Molina (Mexico)

Vice-Chairman: Mr. Mikola P. Makarevitch (Ukrainian Soviet Socialist Republic)

Rapporteur: Mr. Venkataramiah Kuchibhotla (India)

Drafting Committee

Chairman: Mr. Warren Khoo Leang Huat (Singapore)

Vice-Chairman: Mr. Leif Sevon (Finland)

Rapporteur: Mr. Ludvik Kopač (Czechoslovakia)

Members: Brazil, Chile, China, Czechoslovakia, Ecuador, Egypt, Finland, France, Libyan Arab Jamahiriya, Republic of Korea, Singapore, Union of Soviet Socialist Republics, United Kingdom of Great Britain and Northern Ireland, United States of America and Zaire

Credentials Committee

Chairman: Mr. Peter K. Mathanjuki (Kenya)

Members: Belgium, China, Ecuador, Libyan Arab Jamahiriya, Kenya, Mexico, Pakistan, Union of Soviet Socialist Republics and United States of America

9. The Secretary-General of the United Nations was represented by Mr. Erik Suy, The Legal Counsel. Mr. Willem Vis, Chief of the International Trade Law Branch, Office of Legal Affairs of the United Nations, was Executive Secretary.

10. The General Assembly, by resolution 33/93 of 16 December 1978 convening the Conference, referred to the Conference, as the basis for its considerations, the draft Convention on Contracts for the International Sale of Goods approved by the United Nations Commission on International Trade Law, together with a commentary (A/CONF.97/5), the text of draft provisions concerning implementation, declarations, reservations and other final clauses prepared by the Secretary-General (A/CONF.97/6), a report on the relationship of the draft Convention on Contracts for the International Sale of Goods to the Convention on the Limitation Period in the International Sale of Goods prepared by the Secretary-General (A/CONF.97/7), the comments and proposals by Governments and international organizations on the draft Convention on Contracts for the International Sale of Goods (A/CONF.97/8 and Add.1—7) and an analysis of these comments and proposals prepared by the Secretary-General (A/CONF.97/9).

11. The Conference assigned to the First Committee articles 1 to 82 of the draft Convention on Contracts for

the International Sale of Goods and the article "Declarations relating to contracts in writing" of the draft provisions concerning implementation, declarations, reservations and other final clauses of the draft Convention prepared by the Secretary-General. The Conference assigned to the Second Committee the other draft provisions concerning implementation, declarations, reservations and other final clauses of the draft Convention prepared by the Secretary-General and entrusted the Second Committee with the consideration of the draft Protocol to the Convention on the Limitation Period in the International Sale of Goods prepared by the Secretary-General.

12. On the basis of the deliberations recorded in the summary records of the Conference ((A/CONF.97/SR.1 to 11), the summary records of the First Committee (A/CONF.97/C.1/SR.1 to 38) and its report (A/CONF.97/11 and Add.1—2), and the summary records of the Second Committee (A/CONF.97/C.2/SR.1—9) and its report (A/CONF.97/12), the Conference drew up the UNITED NATIONS CONVENTION ON CONTRACTS FOR THE INTERNATIONAL SALE OF GOODS and the PROTOCOL AMENDING THE CONVENTION ON THE LIMITATION PERIOD IN THE INTERNATIONAL SALE OF GOODS.

13. The United Nations Convention on Contracts for the International Sale of Goods, the text of which is annexed to this Final Act (Annex I), was adopted by the Conference on 10 April 1980 and was opened for signature at the concluding meeting of the Conference on 11 April 1980. It will remain open for signature at United Nations Headquarters in New York until 30 September 1981. It was also opened for accession on 11 April 1980.

14. The Convention is deposited with the Secretary-General of the United Nations.

15. The Protocol amending the Convention on the Limitation Period in the International Sale of Goods, the text of which is annexed to this Final Act (Annex II), was adopted by the Conference on 10 April 1980 and was opened for accession at the concluding meeting of the Conference on 11 April 1980, in accordance with its provisions.

16. The Protocol is deposited with the Secretary-General of the United Nations.

IN WITNESS WHEREOF the representatives have signed this Final Act.

DONE at Vienna, Austria, this eleventh day of April, one thousand nine hundred and eighty, in a single copy in the Arabic, Chinese, English, French, Russian and Spanish languages, each text being equally authentic.

President

Executive Secretary