

THE VINDOBONA JOURNAL

OF INTERNATIONAL COMMERCIAL LAW AND ARBITRATION

VOLUME 28 ISSUE 1 (2024)

MOOT ALUMNI ASSOCIATION
ALUMNI ASSOCIATION OF THE WILLEM C. VIS
INTERNATIONAL COMMERCIAL ARBITRATION MOOT

Bridging the Gap: Why India Should Adopt the CISG for International Sale of Goods

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India, as a major G20 economy and one of the world's leading exporters, faces pressing challenges in reconciling its outdated domestic contract regime with the realities of modern international trade. This paper critically examines India's continued non-accession to the United Nations Convention on Contracts for the International Sale of Goods (CISG), despite its widespread adoption among India's principal trading partners. The analysis explores the inadequacies of the Indian Contract Act, 1872 and the Sale of Goods Act, 1930, in governing cross-border commercial transactions, emphasising their limitations in addressing technological advancements, international trade usages, and dispute resolution complexities. The paper presents the benefits of CISG adoption, including harmonisation with global partners, reduction in legal uncertainties, enhanced predictability, streamlined dispute resolution, and increased trade volumes. Key objections to the CISG – such as its perceived incompleteness, incompatibility with Indian jurisprudence, and concerns over legal sovereignty – are evaluated and rebutted through comparative analysis and recent statutory reforms.

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