



# Das UN-Kaufrecht (CISG) (German Edition)

*Melanie Klein*

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## **Das UN-Kaufrecht (CISG) (German Edition)** Melanie Klein

Studienarbeit aus dem Jahr 2011 im Fachbereich BWL - Recht, Note: 1,7, FOM Hochschule für Oekonomie & Management gemeinnützige GmbH, Köln, Veranstaltung: Aufbaumodul III: International Contracts, Sprache: Deutsch, Abstract: „Dieser Vertrag unterliegt den Anwendungen des deutschen Rechts unter Ausschluss der Bestimmungen des EGBGB und des Wiener UN-Übereinkommens vom 11. April 1980 über Verträge über den internationalen Warenkauf (CISG).“ So oder so ähnlich lauten Regelungen in den Schlussbestimmungen über die Rechtswahl in vielen Verträgen und in Allgemeinen Geschäftsbedingungen (AGB) von Unternehmen.

Warum wurde ein einheitliches Kaufrecht für grenzüberschreitende Kauf- und Werklieferungsverträge erstellt und was beinhaltet es? Wann findet es Anwendung? Welche Unterschiede bestehen zu den kaufrechtlichen Regelungen im BGB und im HGB und wieso wird die Anwendung des UN-Kaufrechts immer noch von vielen Unternehmen ausgeschlossen? Antworten auf diese Fragen werden im Rahmen dieser Seminararbeit beantwortet.

Zu Beginn werden die Entstehungsgeschichte der CISG sowie die Mitglieds-, Vorbehalts- und Nichtvertragsstaaten aufgezeigt. Darauf folgend wird der Aufbau der CISG erklärt. Im zweiten Teil werden die Anwendungsbereiche des UN-Kaufrechts erläutert. Im dritten Teil erfolgt ein Vergleich zwischen deutschem Kaufrecht gemäß BGB und den Regelungen des Kaufrechts gemäß CISG. Am Schluss dieser Seminararbeit folgt im Rahmen des Fazits eine kritische Auseinandersetzung mit der Thematik.

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