

*Article 91*

(1) This Convention is open for signature at the concluding meeting of the United Nations Conference on Contracts for the International Sale of Goods and will remain open for signature by all States at the Headquarters of the United Nations, New York until 30 September 1981.

(2) This Convention is subject to ratification, acceptance or approval by the signatory states.

(3) This Convention is open for accession by all States which are not signatory States as from the date it is open for signature.

(4) Instruments of ratification, acceptance, approval and accession are to be deposited with the Secretary-General of the United Nations.

## OVERVIEW

1. The Convention was opened for signature at the concluding meeting of the United Nations Conference on Contracts for the International Sale of Goods held in Vienna from 10 March to 11 April 1980, and remained open for signature at the United Nations Headquarters in New York until 30 September 1981. Under article 91 (2) all states that signed the Convention were able to ratify, accept or approve it. Only after acceptance, ratification or approval does a State become a Contracting State. By 30 September 1981, 18 States signed the Convention.<sup>1</sup> All of the signatory States, except Ghana and Venezuela, subsequently ratified, accepted or approved the Convention.

2. Article 91 (3) grants the right to all States that are not signatory states to accede to the Convention.<sup>2</sup> Ratification, acceptance, approval and accession have the same effect under the Convention. Many more States beyond the original signatories have acceded to the Convention.<sup>3</sup>

3. Article 91 (4) is self-explanatory. Obligations and functions of the depositary are performed by: Depositary Functions of the Treaty Section, Office of Legal Affairs, United Nations, New York, NY 10017. See also the discussion of the depositary's functions and obligations in the Digest for article 89.

4. Court decisions referring to article 91 are extremely rare.<sup>4</sup>

**Notes**

<sup>1</sup>The 18 Signatory States are: Austria, Chile, People's Republic of China, Denmark, Finland, France, Germany, Ghana, Hungary, Italy, Lesotho, Netherlands, Norway, Poland, Singapore, Sweden, United States of America and Venezuela (Bolivarian Republic of). The Convention was also signed by three additional states which no longer exist: the former German Democratic Republic signed the Convention on 13 August 1981 and ratified on 23 February 1989, with the Convention entering into force for the former German Democratic Republic on 1 March 1990; the former Czechoslovakia signed the Convention on 1 September 1981 and deposited an instrument of ratification on 5 March 1990, with the Convention entering force for the former Czechoslovakia on 1 April 1991; the former Yugoslavia signed and ratified the Convention on 11 April 1980 and 27 March 1985, respectively, with the Convention entering into force for the former Yugoslavia on 1 April 1986.

<sup>2</sup>Non-member States may accede to the Conventions as well. See Vienna Convention on the Law of Treaties, article 6.

<sup>3</sup>For a list of Contracting States on the Internet, see the website for the United Nations Commission on International Trade Law (UNCITRAL) at [www.uncitral.org/uncitral/en/uncitral\\_texts/sale\\_goods/1980CISG\\_status.html](http://www.uncitral.org/uncitral/en/uncitral_texts/sale_goods/1980CISG_status.html).

<sup>4</sup>For a decision that cites article 91 (4), see CLOUT case No. 170, [Landgericht Trier, Germany, 12 October 1995], English translation available on the Internet at [www.cisg.law.pace.edu](http://www.cisg.law.pace.edu). For a decision for which article 91 appears relevant, see Higher Court in Koper, Slovenia, 4 May 1993, [www.cisg.law.pace.edu](http://www.cisg.law.pace.edu).