

Rühl on European Sales Law and PIL

Giesela Rühl (Jena University) has posted *The Common European Sales Law: 28th Regime, 2nd Regime or 1st Regime?* on SSRN. The abstract reads:

The article analyses three basic models that can be applied to determine the relationship between the proposed Common European Sales Law (CESL) and the rules of private international law: the '28th regime-model', the '2nd regimemodel', and the '1st regime-model'. It argues that both the '28th regime-model' and the model favoured by the European Commission, the '2nd regime-model', endanger the overall objective of the CESL because Article 6 Rome I Regulation will continue to apply. The '1st regime-model', in contrast, avoids application of Article 6 Rome I-Regulation because it classifies the CESL as a uniform law that takes precedence over the rules of private international law. The article, therefore, concludes that the European Commission should rethink its position and apply the '1st regime-model' instead of the '2nd regime-model'.