Summary of the Doctoral Dissertation titled: "Interpretation of Article 7(1) of the United Nations Convention on Contracts for the International Sale of Goods in Court Jurisprudence"

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The subject of the dissertation is the analysis of the results of operative interpretation of the norms contained in Article 7(1) of the United Nations Convention on Contracts for the International Sale of Goods (CISG). The work is divided into five chapters, each discussing a distinct aspect that influences the process of assigning meaning to the interpreted norms. These aspects correspond to various research methods employed in the work, depending on the analyzed material. The main objective of the dissertation is to compare the model approach to interpreting the legislative act based on the intentions of its drafters, as revealed in legislative materials (Chapter I); the established concepts of interpretation in legal doctrine (Chapter II); and the qualification of Article 7(1) norms concerning the legal hierarchy of norms defined in legal theory and doctrine (Chapter III). The findings from Chapters I-III enabled the establishment of a standard for the correct interpretation of Article 7(1) of the CISG. These findings aimed to confront theoretical postulates of dogmatic interpretation with the existing operative interpretation results observed in foreign jurisprudence (USA and Germany, Chapter IV) and domestic jurisprudence (Chapter V). This confrontation facilitated the formulation of research questions discussed in Chapter V, based on the premise that the interpretative process cannot overlook the principles-norms content of the CISG. The realization of this objective involved five research methods: the historical method (Chapter I), the dogmatic method (Chapters II–III), the comparative legal method (Chapter IV), and the empirical method. The empirical method, being key to the dissertation's title, was implemented through quantitative analysis of domestic court rulings. The analysis focuses on the application of Article 7(1) principles-norms and is described in Chapter V of the dissertation. The empirical research outcomes, obtained through quantitative analysis of court rulings (specifically the justification of the judgments), confirm that the application of Article 7(1) norms is not considered a necessary component of proper interpretation of the CISG. Consequently, the principle of uniform interpretation and respect for the international character of the Convention suffers in favor of the model of interpretation shaped by domestic legal procedures. The final conclusions of the dissertation describe the research results and the reasons behind the divergence of judicial interpretation from the one advocated in legal scholarship.