ABSTRAK

Tesis ini membahas urgensi aksesi Indonesia terhadap *Convention on the International Sale of Goods* (CISG) Vienna 1980 sebagai upaya harmonisasi hukum kontrak nasional dalam sektor perdagangan internasional. Studi ini mengkaji dua fokus utama: pertama, implikasi aksesi CISG terhadap penentuan choice of law dalam kontrak komersial internasional, dan kedua, bagaimana harmonisasi hukum kontrak perdagangan internasional dapat dilakukan dengan mengacu pada CISG. Melalui analisis yuridis normatif dan telaah literatur, penelitian ini menemukan bahwa aksesi CISG akan memberikan kepastian hukum dan keseragaman standar dalam pengaturan kontrak jual beli internasional sehingga memudahkan pelaku usaha Indonesia dalam bertransaksi lintas negara. CISG memungkinkan terwujudnya prinsip kebebasan berkontrak yang diiringi dengan pengaturan hak dan kewajiban seimbang antara para pihak, sekaligus mengurangi potensi konflik hukum melalui choice of law yang lebih jelas dan netral. Di sisi lain, harmonisasi hukum nasional melalui aksesi CISG mendorong modernisasi sistem hukum kontrak Indonesia, memperkecil kesenjangan dengan praktik hukum internasional dan ASEAN Economic Community. Oleh karena itu, aksesi CISG bukan hanya menjadi langkah strategis dalam integrasi ekonomi global, tetapi juga sebagai instrumen efektif harmonisasi hukum kontrak komersial internasional yang dapat meningkatkan daya saing hukum dan ekonomi Indonesia di pasar global.

Kata Kunci: Urgensi, Aksesi CISG, Harmonisasi Hukum Kontrak

ABSTRACT

This thesis discusses the urgency of Indonesia's accession to the Vienna Convention on the International Sale of Goods (CISG) 1980 as an effort to harmonize national contract law in the international trade sector. This study examines two main focuses: first, the implications of CISG accession on the determination of choice of law in international commercial contracts, and second, how the harmonization of international trade contract law can be carried out with reference to the CISG. Through normative legal analysis and literature review, this study finds that accession to the CISG will provide legal certainty and uniformity of standards in the regulation of international sales contracts, thereby facilitating Indonesian businesses in conducting cross-border transactions. The CISG enables the realization of the principle of freedom of contract accompanied by the regulation of balanced rights and obligations between the parties, while reducing the potential for legal conflicts through a clearer and more neutral choice of law. On the other hand, the harmonization of national law through accession to the CISG encourages the modernization of Indonesia's contract law system, narrowing the gap with international legal practices and the ASEAN Economic Community. Therefore, accession to the CISG is not only a strategic step in global economic integration, but also an effective instrument for the harmonization of international commercial contract law that can enhance Indonesia's legal and economic competitiveness in the global market.

Keywords: Urgency, Accession to CISG, Harmonization of Contract Law