

Editorial Note

We end the year with three thought provoking articles.

In his piece “Should Malaysia join the CISG (UN Convention on the International Sale of Goods)”, Howard Hunter advocates for Malaysia acceding to the above UN Convention based primarily on two grounds; first the portions of the CISG which differ from the norms of the common law are relatively few in number and could be easily addressed. Secondly, the CISG is a neutral law that has been adopted and regularly used by both civil and common law states. Haezreena Begum Abdul Hamid’s article “A Review of the Anti Sex-Trafficking Approach in Malaysia” analyses the issues and problems surrounding sex trafficking involving migrant women in Malaysia. The author argues for the better protection of such women, and proposes, among others, for the amendment of the definition of “trafficking” to clarify any ambiguities and for the decriminalisation of sex work.

Last but not least, Sharyn Wong on her case note on the Federal Court judgment in *Cubic Electronics Sdn Bhd (in liquidation) v Mars Telecommunications Sdn Bhd*, proposes that Malaysian law on liquidated damages clauses (LAD) could be further improved by adopting the Indian position of requiring actual proof of loss whenever possible in order to prove an innocent party’s legitimate interest.

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