

Article: The Liberalization of the French Law of Foreign Judgments

An interesting article commenting some significant changes in the French rules on recognition of foreign judgments, as established by recent case law of the French *Cour de Cassation*, has been published in the latest issue of the *International and Comparative Law Quarterly* (no. 4/2007: see our post here).

The note has been written by *Gilles Cuniberti* (University of Paris Val-de-Marne), editor of *conflictoflaws.net* for France, who has extensively reported on these landmark judgments for our site (see his posts on the *Prieur*, *Avianca* and *Fontaine Pajot* cases).

An abstract of the article (“The Liberalization of the French Law of Foreign Judgments”, 56 INT’L & COMP. L. Q. 931 (2007)) has been kindly provided by the author:

The French highest court for private matters (the Cour de Cassation) has significantly liberalized the French law of foreign judgments between 2006 and 2007. In Prieur, it overruled a century-old precedent which had interpreted Article 15 of the Civil Code as preventing the recognition of foreign judgments when the defendant was a French citizen. In Avianca, it partly overruled a 45-year-old precedent which prohibited the recognition of foreign judgments which had not applied the law applicable pursuant to the French choice-of-law rule.

The note presents this evolution and discusses its implications.

The full article is available for download to *ICLQ* and *Westlaw* subscribers. Highly recommended.

The text of the judgments of the Cour de Cassation is available at the following links: Prieur, Avianca, Fontaine Pajot.