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The latest issue of Journal of Private International Law is out. It features the following articles:

Matthias Lehmann – Regulation, global governance and private international law: squaring the triangle

Abstract
Regulatory rules are omnipresent today. Increasingly, they also influence private rights and obligations, from employment contracts to competition law and data protection. Private international law traditionally treats them with a certain reserve because they do not fit its paradigms of "neutral" and "interchangeable" rules of law. This article argues that it is time to change this attitude. Regulatory rules often protect global public goods, such as the environment, or shield against global bads, such as pandemics. Others serve aims shared between different countries, like the fight against money laundering and tax evasion. For these reasons, administrative authorities around the world cooperate in the enforcement of regulation. Private international law should open up its methodology to this new reality. After exploring the traditional ways in which regulation has been dealt with, this article makes concrete proposals for changes. Besides overcoming the "public law taboo", these include the more liberal application of foreign public law and foreign overriding mandatory rules, the development of multilateral conflicts rules for areas permeated by regulation, the recognition of foreign administrative decisions, and the development of a global public policy.

Adeline Chong – Moving towards harmonisation in the recognition and enforcement of foreign judgment rules in Asia

Abstract
This paper provides a comparative overview of the laws on the recognition and enforcement of foreign judgments in ASEAN and Australia, China, India, Japan and South Korea. It considers the principles which are shared in common and the significant differences in the laws on foreign judgments in the region. This paper

argues that the laws which are canvassed here share many principles, albeit the interpretation on certain aspects may differ. Though differences exist, the differences are becoming less sharp. Further, there is a practical need for harmonisation given the plans for closer economic integration in the region. This paper argues that harmonisation is possible and should be pursued.

Maisie Ooi – Re-enfranchising the investor of intermediated securities

Abstract
Efforts to devise a choice-of-law rule for intermediated securities in the last two decades have almost entirely been centred on issues of property and title. Intermediation of securities does not, however, give rise to issues of property alone, even as they are mostly represented as such. The Court of Appeal's decision in Secure Capital SA v Credit Suisse AG (hereinafter referred to as "Secure Capital") signals a possibly larger problem of the disenfranchisement of the investor of intermediated securities. Consideration of Secure Capital and its implications on choice-of-law have however been curiously sparse. This article seeks to bring the debate which still continues for issues of property to the issues of disenfranchisement, and to demonstrate why they are no less problematic, complex and in urgent need of a viable solution.

Mekuria Tsegaye Setegn – Legislative inaction and judicial legislation under the Ethiopian private international law regime: an analysis of selected decisions of the Federal Supreme Court's Cassation Division

Abstract
The Cassation Division of the Ethiopian Federal Supreme Court has the power to review any court decision containing a basic error of law. The interpretations of the Division reviewing such decisions are binding on all other courts. So far, the Division has rendered a handful of binding precedents pertaining to private international law. Nevertheless, the appropriateness of the Division's decisions in some private international law cases is questionable, let alone correcting errors committed by other courts. In two employment cases, the Division utterly invalidated choice of law agreements concluded by the parties. In another case, it characterized a dispute involving a foreigner as a purely domestic case. Through a critical analysis of the case laws, this Article strives to answer the question of whether the Division's decisions are consonant to the foundational principles of private international law such as party autonomy. It also examines the validity of

the precedents in light of the doctrine of separation of powers. The absence of a dedicated private international law statute and the bindingness of the Division's decisions make the second question worthwhile. The Article will argue that the Division's decisions undermine some generally accepted principles such as party autonomy: the decisions involve a judicial invention of eccentric norms. Hence, they also encroach on the lawmaking power of the Legislature.

Sharon Shakargy – Choice of law for surrogacy agreements: in the in-between of status and contract

Abstract

Surrogacy agreements regulate various matters, including parentage, consent to medical procedures, the performance of a very personal service, and monetary compensation. All these questions, which jointly structure the surrogacy, are bundled up together, separated only by extremely fine lines. Collectively, they comprise the basis upon which local and transnational surrogacies are executed. Legislators world-wide hold different positions on the matter of surrogacy in general and on the regulation of each sub-issue in particular; thus, the enforceability and possible outcomes of the procedure vary, depending on the law governing it. As such, it is crucial for the parties to know which law will apply to the surrogacy they are planning. Application of law is usually made by each country's choice-of-law rules, which at this time are generally non-existent. This paper suggests guidelines for drafting rules to regulate these special agreements and adequately balance the different interests involved.

Felix M. Wilke – Dimensions of coherence in EU conflict-of-law rules

Abstract
EU conflict-of-law rules are contained mainly in six separate Regulations, with several others flanking them. This complex picture raises the questions of how easy access to this area of law is and to what extent it promotes legal certainty and predictability of results. Both issues link to the idea of coherence. Against this background, this article employs several different perspectives to examine the current level of coherence in EU conflict-of-laws rules analytically, also taking into account the recent Commission Proposal for a further Regulation. The article shows that, in particular, many structural and topical parallels exist, and argues that many remaining inconsistencies can easily (and should) be corrected because

they are obvious and in part nearly inexplicable outliers.

Chukwuma Samuel Adesina Okoli – International commercial litigation in English-speaking Africa: a critical review (Review Article)