

Volume 2, Issue 1 of UCC Law Journal 2022

I was recently alerted to the publication of Volume 2, Issue 1 of UCC Law Journal 2022, which contains articles on Ghanaian law. One article in the journal is focused on our beloved subject of private international law:

S Okorley, The Possible Impact of The 2019 Hague Convention on The Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters on the Grounds of International Competence in Ghana

The 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters is a product of the Judgments Project of the Hague Conference on Private International Law. The Hague Judgment Convention has the advantage of providing business partners with a simple, efficient, and predictable structure with regards to the recognition and enforcement regime; as well as reducing related cost. More specifically, the convention fosters predictability and certainty in international commercial relations by enabling international commercial partners to be precisely informed of the grounds on which the decision of the court of one contracting state will be recognised or enforced in the territory of another contracting state. The Convention offers a wide range of jurisdictional filters for the purposes of recognition and enforcement of judgments from Contracting States. This article discusses the modern and innovative grounds of international competence introduced by the Hague Convention and its potential impact on the grounds of international competence for Ghana if Ghana ratifies the convention. The article recommends the ratification of the 2019 Hague Judgment Convention as it would be of enormous benefit to Ghana whose grounds of international competence when it comes to recognition and enforcement of foreign judgments seems antiquated and confined only to residence, submission and more controversially, the presence of the judgment debtor in the jurisdiction of the foreign court.

The article is freely accessible, or open access. The article is based on the author's LL.M dissertation that was undertaken at the University of Johannesburg under the supervision of Professor Jan Neels.