

Bonn University / HCCH Conference – The HCCH 2019 Judgments Convention: Cornerstones - Prospects - Outlook, 9 and 10 June 2023



Registration now open

Dates:

Friday and Saturday, 9 and 10 June 2023

Venue:

Universitätsclub Bonn, Konviktstraße 9, D - 53113 Bonn

Registration:

sekretariat.weller@jura.uni-bonn.de

Registration Fee:	€ 220.-
Young Scholars Rate (limited capacity):	€ 110.-
Dinner (optional):	€ 60.-

Registration: Please register with sekretariat.weller@jura.uni-bonn.de. **Please communicate your full name and your postal address (for accounting purposes).** Clearly indicate whether you want to benefit from the young scholars' reduction of the conference fees and whether you want to participate in the conference dinner. You will receive an invoice **invoice per email** for the respective conference fee and, if applicable, for the conference dinner. **Please make sure that we receive your payment at least two weeks in advance to the conference (26 May 2023 at the latest).** After receiving your payment we will send out a confirmation of your registration. This confirmation will allow you to access the conference hall and the conference dinner.

Please note: Access will only be granted if you are vaccinated against Covid-19. Please confirm in your registration that you are, and attach an e-copy of your vaccination document. Please follow further instructions on site, e.g. prepare for producing a current negative test, if required by University or State regulation at that moment. We will keep you updated. Thank you for your cooperation.

Accommodation: We have blocked a larger number of rooms in the newly built hotel **"MotelOne Bonn-Beethoven"**, <https://www.motel-one.com/de/hotels/bonn/hotel-bonn-beethoven/>, few minutes away from the conference venue. The hotel's address is: Berliner Freiheit 36, D - 53111 Bonn. The contact details are: bonn-beethoven@motel-one.com, +49 228 9727860. These rooms need to be booked on your own initiative and account by making reservation with the Hotel and by referring to „Universität Bonn“. These rooms will be **blocked until 22 April 2023 at the latest.** As there will be several larger events in town at the date of our conference we recommend making arrangements for accommodation quickly.

Programme

Friday, 9 June 2023

8.30 a.m. Registration

9.00 a.m. Welcome notes

Prof Dr Matthias Weller, Director of the Institute for German and International Civil Procedural Law, Rheinische Friedrich-Wilhelms-Universität Bonn;
Dr Christophe Bernasconi, Secretary General, HCCH

Moderators: Prof Dr Moritz Brinkmann, Prof Dr Nina Dethloff, Prof Dr Matthias Weller, University of Bonn; Prof Dr Matthias Lehmann, University of Vienna; Dr João Ribeiro-Bidaoui, Former First Secretary, HCCH; Melissa Ford, Secretary, HCCH

Part I: Cornerstones

1. Scope of application

Prof Dr Xandra Kramer, Erasmus University Rotterdam, Utrecht University, The Netherlands

2. Judgments, Recognition, Enforcement

Prof Dr Wolfgang Hau, Ludwig-Maximilians-Universität Munich, Germany

3. The jurisdictional filters

Prof Dr Pietro Franzina, Catholic University of Milan, Italy

4. Grounds for refusal

Adj Prof Dr Marcos Dotta Salgueiro, University of the Republic, Montevideo; Director of International Law Affairs, Ministry of Foreign Affairs, Uruguay

5. Article 29: From a Mechanism on Treaty Relations to a Catalyst of a Global Judicial Union

Dr João Ribeiro-Bidaoui, Former First Secretary, HCCH

Dr Cristina Mariottini, Senior Research Fellow at the Max Planck Institute for International, European and Regulatory Law, Luxembourg

1.00 p.m. Lunch Break

6. The HCCH System for choice of court agreements: Relationship of the HCCH Judgments Convention 2019 to the HCCH 2005 Convention on Choice of Court Agreements

Prof Dr Paul Beaumont, University of Stirling, United Kingdom

Part II: Prospects for the World

1. European Union

Dr Andreas Stein, Head of Unit, DG JUST – A1 “Civil Justice”, European Commission

2. Perspectives from the US and Canada

Professor Linda J. Silberman, Clarence D. Ashley Professor of Law, Co-Director, Center for Transnational Litigation, Arbitration, and Commercial Law, New York University School of Law, USA

Professor Geneviève Saumier, Peter M. Laing Q.C. Professor of Law, McGill Faculty of Law, Canada

3. Southeast European Neighbouring and EU Candidate Countries

Prof Dr Ilija Rumenov, Associate Professor at Ss. Cyril and Methodius University, Skopje, North Macedonia

8.00 p.m. Conference Dinner (€ 60.-)

Dinner Speech

Prof Dr Burkhard Hess, Director of the Max Planck Institute for International, European and Regulatory Law, Luxembourg

Saturday, 10 June 2023

9.00 a.m. Part II continued: Prospects for the World

4. Perspectives from the Arab World

Prof Dr Béligh Elbalti, Associate Professor at the Graduate School of Law and Politics at Osaka University, Japan

5. Prospects for Africa

Prof Dr Abubakri Yekini, University of Manchester, United Kingdom

Prof Dr Chukwuma Okoli, University of Birmingham, The Netherlands

6. Gains and Opportunities for the MERCOSUR Region

Prof Dr Verónica Ruiz Abou-Nigm, Director of External Relations, Professor of Private International Law, University of Edinburgh, United Kingdom

7. Perspectives for ASEAN

Prof Dr Adeline Chong, Associate Professor of Law, Yong Pung How School of Law, Singapore Management University, Singapore

8. China

Prof Dr Zheng (Sophia) Tang, University of Newcastle, United Kingdom

1.00 p.m. Lunch Break

Part III: Outlook

1. Lessons Learned from the Genesis of the HCCH 2019 Judgments Convention

Dr Ning Zhao, Principal Legal Officer, HCCH

2. International Commercial Arbitration and Judicial Cooperation in civil matters: Towards an Integrated Approach

José Angelo Estrella-Faria, Principal Legal Officer and Head, Legislative Branch, International Trade Law Division, Office of Legal Affairs, United Nations; Former Secretary General, UNIDROIT

3. General Synthesis and Future Perspectives

Hans van Loon, Former Secretary General, HCCH



The HCCH 2019 Judgments Convention: Cornerstones – Prospects – Outlook

Moderators: Prof Dr Moritz Brinkmann, Prof Dr Nina Dethloff, Prof Dr Matthias Weller, University of Bonn;
Prof Dr Matthias Lehmann, University of Vienna;
Dr João Ribeiro-Bidaoui, Former First Secretary, Melissa Ford, Secretary, HCCH

Dates: Friday and Saturday, 9 and 10 June 2023

Venue: Universitätsclub Bonn, Konviktstraße 9, D – 53113 Bonn

8.30 a.m. Registration

9.00 a.m.

Welcome notes

Prof Dr Matthias Weller, Director of the Institute for German and International Civil Procedural Law, Rheinische Friedrich-Wilhelms-Universität Bonn;
Dr Christophe Bernasconi, Secretary General, HCCH

Part I: Cornerstones

1. Scope of application

Prof Dr Xandra Kramer, Erasmus University Rotterdam, Utrecht University, The Netherlands

2. Judgments, Recognition, Enforcement

Prof Dr Wolfgang Hau, Ludwig-Maximilians-Universität Munich, Germany

3. The jurisdictional filters

Prof Dr Pietro Franzina, Catholic University of Milan, Italy

4. Grounds for refusal

Adj Prof Dr Marcos Dotta Salgueiro, University of the Republic, Montevideo; Director of International Law Affairs, Ministry of Foreign Affairs, Uruguay

5. Article 29: From a Mechanism on Treaty Relations to a Catalyst of a Global Judicial Union

Dr João Ribeiro-Bidaoui, Former First Secretary, HCCH; Dr Cristina Mariottini, Senior Research Fellow at the Max Planck Institute for International, European and Regulatory Law, Luxembourg

1.00 p.m.

Lunch Break

6. The HCCH System for choice of court agreements: Relationship of the HCCH Judgments Convention 2019 to the HCCH 2005 Convention on Choice of Court Agreements

Prof Dr Paul Beaumont, University of Stirling, United Kingdom

Part II: Prospects for the World

1. European Union

Dr Andreas Stein, Head of Unit, DG JUST - A1 "Civil Justice", European Commission

2. Perspectives from the US and Canada

Professor Linda J. Silberman, Clarence D. Ashley Professor of Law, Co-Director, Center for Transnational Litigation, Arbitration, and Commercial Law, New York University School of Law, USA
Professor Geneviève Saumier, Peter M. Laing Q.C. Professor of Law, McGill Faculty of Law, Canada

3. Southeast European Neighbouring and EU Candidate Countries

Prof Dr Ilija Rumenov, Assistant Professor at Ss. Cyril and Methodius University, Skopje, North Macedonia

8.00 p.m.

Conference Dinner (€ 60.-)

Dinner Speech

Prof Dr Burkhard Hess, Director of the Max Planck Institute for International, European and Regulatory Law, Luxembourg

9.00 a.m.

Part II continued: Prospects for the World

4. Perspectives from the Arab World

Prof Dr Bélgil Elbalti, Associate Professor at the Graduate School of Law and Politics at Osaka University, Japan

5. Prospects for Africa

Prof Dr Abubakri Yekini, University of Manchester, United Kingdom

Prof Dr Chukwuma Okoli, University of Birmingham

6. Gains and Opportunities for the MERCOSUR Region

Prof Dr Verónica Ruiz Abou-Nigm, Director of Internationalisation, Professor in International Private Law, School of Law, University of Edinburgh, United Kingdom

7. Perspectives for ASEAN

Prof Dr Adeline Chong, Associate Professor of Law, Yong Pung How School of Law, Singapore Management University, Singapore

8. China

Prof Dr Zheng (Sophia) Tang, University of Newcastle, United Kingdom

1.00 p.m.

Lunch Break

Part III: Outlook

1. Lessons Learned from the Genesis of the HCCH 2019 Judgments Convention

Dr Ning Zhao, Principal Legal Officer, HCCH

2. International Commercial Arbitration and Judicial Cooperation in civil matters: Towards an Integrated Approach

José Angelo Estrella-Faria, Principal Legal Officer and Head, Legislative Branch, International Trade Law Division, Office of Legal Affairs, United Nations; Former Secretary General, UNIDROIT

3. General Synthesis and Future Perspectives

Hans van Loon, Former Secretary General, HCCH

Registration Fee:	€ 220.-
Young Scholars Rate (limited capacity):	€ 110.-
Dinner (optional):	€ 60.-

Registration: Please register with sekretariat.weller@jura.uni-bonn.de. Please communicate your full name and your postal address (for accounting purposes). Clearly indicate whether you want to benefit from the young scholars' reduction of the conference fees and whether you want to participate in the conference dinner. You will receive an invoice per email for the respective conference fee and, if applicable, for the conference dinner. Please make sure that we receive your payment at least two weeks in advance to the conference (26 May 2023 at the latest). After receiving your payment, we will send out a confirmation of your registration. This confirmation will allow you to access the conference hall and the conference dinner.

Please note: Access will only be granted if you are vaccinated against Covid-19. Please confirm in your registration that you are, and attach an e-copy of your vaccination document. Please follow further instructions on site. Thank you for your cooperation. **Accommodation:** We have blocked a larger number of rooms in the newly built hotel "Motel One Bonn-Beethoven", <https://www.motel-one.com/de/hotels/bonn/hotel-bonn-beethoven/>, few minutes away from the conference venue. The hotel's address is: Berliner Freiheit 36, D – 53111 Bonn. The contact details are: bonn-beethoven@motel-one.com, +49 228 9727860. These rooms need to be booked on your own initiative and account by making reservation with the Hotel and by referring to „Universität Bonn“. These rooms will be blocked until 22 April 2023 at the latest. As there will be several larger events in town at the date of our conference we recommend making arrangements.

<https://www.jura.uni-bonn.de/professur-prof-dr-weller/the-hcch-2019-judgments-convention-cornerstones-prospects-outlook-conference-on-9-and-10-june-2023>

Download poster as a PDF Document.

Conference on “The HCCH 2019 Judgments Convention: Cornerstones, Prospects, Outlook” - Rescheduled to 9 and 10 June 2023

Dear Friends and Colleagues,

UNIVERSITÄT BONN **HCCH** **Bundesministerium der Justiz und für Verbraucherschutz**

The HCCH 2019 Judgments Convention: Cornerstones – Prospects – Outlook

Moderators: Prof Dr Moritz Brinkmann, Prof Dr Nina Dethloff, Prof Dr Matthias Weller, University of Bonn; Prof Dr Matthias Lehmann, University of Vienna; Dr João Ribeiro-Bidaoui, HCCH

Dates and Times: Friday and Saturday, 9 and 10 September 2022, 9 a.m. to 7 p.m.
Venue: Universitätsclub Bonn, Konviktsstraße 9, D – 53113 Bonn

NEW DATE: 9 AND 10 JUNE 2023

8.30 a.m. Registration
9.00 a.m. Welcome notes
Prof Dr Wulf-Henning Roth, Director of the Zentrum für Europäisches Wirtschaftsrecht
Prof Dr Moritz Brinkmann, University of Bonn
Prof Dr Nina Dethloff, University of Bonn
Prof Dr Matthias Weller, University of Bonn
Part I
1. Scope of the Convention
Prof Dr Paul Beaumont, University of Cambridge
2. Judicial cooperation
Prof Dr Paul Beaumont, University of Cambridge
3. Individual cases
Prof Dr Paul Beaumont, University of Cambridge
4. Grounds for non-recognition
Prof Dr Paul Beaumont, University of Cambridge
5. Information on the Convention
Prof Dr Paul Beaumont, University of Cambridge
6. Foreign Affairs
Prof Dr Paul Beaumont, University of Cambridge
7. Between the Convention and the Convention
Prof Dr Paul Beaumont, University of Cambridge
8. Between the Convention and the Convention
Prof Dr Paul Beaumont, University of Cambridge
9. Between the Convention and the Convention
Prof Dr Paul Beaumont, University of Cambridge
10. Between the Convention and the Convention
Prof Dr Paul Beaumont, University of Cambridge
1.00 p.m. Lunch
Part II: Prospects
1. The HCCH 2019 Judgments Convention
Prof Dr Paul Beaumont, University of Cambridge
2. European Union
Prof Dr Paul Beaumont, University of Cambridge
3. Canada, USA
Prof Dr Paul Beaumont, University of Cambridge
4. Southeast European Neighbouring and EU Candidate Countries
Prof Dr Paul Beaumont, University of Cambridge
8.00 p.m. Conference Dinner (€ 50.-)

Registration Fee: € 200.-
Young Scholars Rate (limited capacity): € 100.-
Dinner (optional): € 50.-

Registration: Please register with sekretariat.weller@uni-bonn.de. Clearly indicate whether you want to benefit from the young scholars' reduction of the conference fees and whether you want to participate in the conference dinner. You will receive an invoice for the respective conference fee and, if applicable, for the conference dinner. Please make sure that you receive the invoice at least two weeks in advance. After receiving your payment, we will send out a confirmation of your registration. This confirmation will allow you to access the conference hall and the conference dinner.

Please note: Access will only be granted if you are fully vaccinated against Covid-19. Please confirm to your registration that you are and attach to a copy of your vaccination certificate. Please also confirm to your registration that you are and attach to a copy of your vaccination certificate. Please also confirm to your registration that you are and attach to a copy of your vaccination certificate.

Further information: <https://www.uni-bonn.de/preseminar/prof-dr-matthias-weller/hcch-2019-judgments-convention-cornerstones-prospects-outlook-conference-on-9-and-10-june-2023>

Due to a conflicting conference on the previously planned date (9 and 10 September 2022) and with a view to ongoing developments on the subject-matter in the EU, we have made the decision to reschedule our Conference to **Friday and Saturday, 9 and 10 June 2023**. This new date should bring us closer to the expected date of accession of the EU and will thus give the topic extra momentum. Stay tuned and register in time (registration remains open)!

On 23 June 2022, the European Parliament by adopting JURI Committee Report A9-0177/2022 gave its consent to the accession of the European Union to the HCCH 2019 Judgments Convention. The Explanatory Statement describes the convention with a view to the “growth in international trade and investment flows” as an “instrument [...] of outmost importance for European citizenz ans businesses” and expressed the hope that the EU’s signature will set “an example for other countries to join”. However, the Rapporteur, Ms. Sabrina Pignedoli, also expresses the view that the European Parliament should maintain a strong role when considering objections under the bilateralisation mechanism provided for in Art. 29 of the Convention. Additionally, some concerns were raised regarding the protection of employees and consumers under the instrument. For those interested in the (remarkably fast) adoption process, the European Parliament’s vote can be rewatched [here](#). Given these important steps towards accession, June 2023 should be a perfect time to delve deeper into the subject-matter, and the Conference is certainly a perfect opportunity for doing so:

The list of speakers of our conference includes internationally leading scholars, practitioners and experts from the most excellent Universities, the Hague Conference on Private International Law (HCCH), the United Nations Commission on International Trade Law (UNCITRAL), and the European Commission (DG Trade, DG Justice). The Conference is co-hosted by the Permanent Bureau of the HCCH.

The Organizers kindly ask participants to contribute with EUR 200.- to the costs of the event and with EUR 50.- to the conference dinner, should they wish to participate. There is a limited capacity for young scholars to contribute with EUR 100.- to the conference (the costs for the dinner remain unchanged).

Please register with sekretariat.weller@jura.uni-bonn.de. Clearly indicate whether you want to benefit from the young scholars’ reduction of the conference fees and whether you want to participate in the conference dinner. You will

receive an invoice for the respective conference fee and, if applicable, for the conference dinner. Please make sure that we receive your payment at least two weeks in advance. After receiving your payment we will send out a confirmation of your registration. This confirmation will allow you to access the conference hall and the conference dinner.

Please note: Access will only be granted if you are fully vaccinated against Covid-19. Please confirm in your registration that you are, and attach an e-copy of your vaccination document. Please follow further instructions on site, e.g. prepare for producing a current negative test, if required by University or State regulation at that moment. We will keep you updated. Thank you for your cooperation.

Dates and Times:

Friday, 9 June 2023, and Saturday, 10 September 2023, 9 a.m. to 7 p.m.

Venue:

Universitätsclub Bonn, Konviktstraße 9, D - 53113 Bonn

Registration:

sekretariat.weller@jura.uni-bonn.de

Registration fee: EUR 200.-

Programme

Friday, 9 June 2023

8.30 a.m. Registration

9.00 a.m. Welcome notes

Prof Dr Wulf-Henning Roth, Director of the Zentrum für Europäisches Wirtschaftsrecht, Rheinische Friedrich-Wilhelms-Universität Bonn, Germany

Dr Christophe Bernasconi, Secretary General of the HCCH

Part I: Cornerstones

1. Scope of application

Prof Dr Xandra Kramer, Erasmus University Rotterdam, Netherlands

2. Judgments, Recognition, Enforcement

Prof Dr Wolfgang Hau, Ludwig-Maximilians-Universität Munich, Germany

3. Indirect jurisdiction

Prof Dr Pietro Franzina, Catholic University of Milan, Italy

4. Grounds for refusal

Dr Marcos Dotta Salgueiro, Adj. Professor of Private International Law, Law Faculty, UR, Uruguay; Director of International Law Affairs, Ministry of Foreign Affairs, Uruguay

5. Trust management: Establishment of relations between Contracting States

Dr João Ribeiro-Bidaoui, First Secretary, HCCH / Dr Cristina Mariottini, Senior Research Fellow at the Max Planck Institute for International, European and Regulatory Law Luxemburg

1.00 p.m. Lunch Break

Part II: Prospects for the World

1. The HCCH System for choice of court agreements: Relationship of the HCCH Judgments Convention 2019 to the HCCH 2005 Convention on Choice of Court Agreements

Prof Dr Paul Beaumont, University of Stirling, United Kingdom

2. European Union

Dr Andreas Stein, Head of Unit, DG JUST - A1 "Civil Justice", European Commission

3. Canada, USA

Prof Linda J. Silberman, Clarence D. Ashley Professor of Law, Co-Director, Center for Transnational Litigation, Arbitration, and Commercial Law, New York

University School of Law, USA

Prof Geneviève Saumier, Peter M. Laing Q.C. Professor of Law, McGill Faculty of Law, Canada

4. Southeast European Neighbouring and EU Candidate Countries

Ass. Prof. Dr.sc Ilija Rumenov, Assistant Professor at Ss. Cyril and Methodius University, Skopje, Macedonia

8.00 p.m. Conference Dinner (EUR 50.-)

Saturday, 10 June 2023

9.00 a.m. Part II continued: Prospects for the World

5. Middle East and North Africa (including Gulf Cooperation Council)

Prof Dr Béligh Elbalti, Associate Professor at the Graduate School of Law and Politics at Osaka University, Japan

6. Sub-Saharan Africa (including Commonwealth of Nations)

Prof Dr Abubakri Yekini, University of Manchester, United Kingdom

Prof Dr Chukwuma Okoli, University of Birmingham, United Kingdom

7. Southern Common Market (MERCOSUR)

Prof Dr Verónica Ruiz Abou-Nigm, Director of Internationalisation, Senior Lecturer in International Private Law, School of Law, University of Edinburgh, United Kingdom

8. Association of Southeast Asian Nations (ASEAN)

Prof Dr Adeline Chong, Associate Professor of Law, Yong Pung How School of Law, Singapore Management University, Singapore

9. China (including Belt and Road Initiative)

Prof Dr Zheng (Sophia) Tang, University of Newcastle, United Kingdom

1.00 p.m. Lunch Break

Part III: Outlook

1. Lessons from the Genesis of the Judgments Project

Dr Ning Zhao, Senior Legal Officer, HCCH

2. International Commercial Arbitration and Judicial Cooperation in civil matters: Towards an Integrated Approach

José Angelo Estrella-Faria, Principal Legal Officer and Head, Legislative Branch, International Trade Law Division, Office of Legal Affairs, United Nations; Former Secretary General of UNIDROIT

3. General Synthesis and Future Perspectives

Hans van Loon, Former Secretary General of the HCCH

Save the date: University of Bonn/HCCH Conference “The HCCH 2019 Judgments Convention: Cornerstones - Prospects - Outlook”, 9 and 10 September 2022, Bonn University, Germany



Dear Friends and Colleagues,

During the ongoing pandemic, the University of Bonn has remained very careful

and did not allow on-site events of a larger scale so far. We have therefore once again made the decision to reschedule our Conference (originally planned for the 25/26 September 2020, and postponed to 13/14 September 2021) now to **Friday and Saturday, 9 and 10 September 2022**. Let's hope the best that the pandemic will have withdrawn to an extent that allows our conference taking place as now planned.

As there are reasonable expectations for the HCCH 2019 Judgments Convention to enter into force by the end of 2022 or early 2023, we are confident – especially with a view to the latest Proposal of the European Commission – that we will experience an even more focused and rewarding discussion of our topic.

The list of speakers includes internationally leading scholars, practitioners and experts from the most excellent Universities, the Hague Conference on Private International Law (HCCH), the United Nations Commission on International Trade Law (UNCITRAL), and the European Commission (DG Trade, DG Justice). The Conference is co-hosted by the Permanent Bureau of the HCCH.

The Organizers kindly ask participants to contribute with EUR 200.- to the costs of the event and with EUR 50.- to the conference dinner, should they wish to participate. There is a limited capacity for young scholars to contribute with EUR 100.- to the conference (the costs for the dinner remain unchanged).

Please register with sekretariat.weller@jura.uni-bonn.de. Clearly indicate whether you want to benefit from the young scholars' reduction of the conference fees and whether you want to participate in the conference dinner. You will receive an invoice for the respective conference fee and, if applicable, for the conference dinner. Please make sure that we receive your payment at least two weeks in advance. After receiving your payment we will send out a confirmation of your registration. This confirmation will allow you to access the conference hall and the conference dinner.

Please note: Access will only be granted if you are fully vaccinated against Covid-19. Please confirm in your registration that you are, and attach an e-copy of your vaccination document. Please follow further instructions on site, e.g. prepare for producing a current negative test, if required by University or State regulation at that moment. We will keep you updated. Thank you for your cooperation.

Further

information:

<https://www.jura.uni-bonn.de/professur-prof-dr-weller/the-hcch-2019-judgments-convention-cornerstones-prospects-outlook-conference-on-9-and-10-september-2022>

Dates: **Friday, 9 September 2022, and Saturday, 10 September 2022**

Venue: **Universitätsclub Bonn, Konviktstraße 9, D - 53113 Bonn**

Registration: **sekretariat.weller@jura.uni-bonn.de**

Registration fee: **€ 200.-**

Young Scholars rate (limited capacity): **€ 100.-**

Dinner: **€ 50.-**

Programme

Friday, 9 September 2022

8.30 a.m. Registration

9.00 a.m. Welcome notes

Prof Dr Wulf-Henning Roth, Director of the Zentrum für Europäisches Wirtschaftsrecht, Rheinische Friedrich-Wilhelms-Universität Bonn, Germany

Dr Christophe Bernasconi, Secretary General of the HCCH

Part I: Cornerstones

1. Scope of application

Prof Dr Xandra Kramer, Erasmus University Rotterdam, Utrecht University, Netherlands

2. Judgments, Recognition, Enforcement

Prof Dr Wolfgang Hau, Ludwig-Maximilians-Universität Munich, Germany

3. Indirect jurisdiction

Prof Dr Pietro Franzina, Catholic University of Milan, Italy

4. Grounds for refusal

Dr Marcos Dotta Salgueiro, Adj. Professor of Private International Law, Law Faculty, UR, Uruguay; Director of International Law Affairs, Ministry of Foreign Affairs, Uruguay

5. Trust management: Establishment of relations between Contracting States

Dr João Ribeiro-Bidaoui, First Secretary, HCCH / Dr Cristina Mariottini, Senior Research Fellow at the Max Planck Institute for International, European and Regulatory Law Luxembourg

1.00 p.m. Lunch Break

Part II: Prospects for the World

1. The HCCH System for choice of court agreements: Relationship of the HCCH Judgments Convention 2019 to the HCCH 2005 Convention on Choice of Court Agreements

Prof Dr Paul Beaumont, University of Stirling, United Kingdom

2. The HCCH System and the Brussels System: Relations to the Brussels and Lugano Regime

Prof Dr Marie-Élodie Ancel, Université Paris-Est Créteil, France

3. European Union

Dr Andreas Stein, Head of Unit, DG JUST - A1 "Civil Justice", European Commission

4. Canada, USA

Professor Linda J. Silberman, Clarence D. Ashley Professor of Law, Co-Director, Center for Transnational Litigation, Arbitration, and Commercial Law, New York University School of Law, USA / Professor Geneviève Saumier, Peter M. Laing Q.C. Professor of Law, McGill Faculty of Law, Canada

5. Southeast European Neighbouring and EU Candidate Countries

Prof Dr Ilija Rumenov, Associate Professor at Ss. Cyril and Methodius University, Skopje, Macedonia

8.00 p.m. Conference Dinner (€ 50.-)

Saturday, 10 September 2022

9.00 a.m. Part II continued: Prospects for the World

6. Middle East and North Africa (including Gulf Cooperation Council)

Prof Dr Beligh Elbalti, Associate Professor at the Graduate School of Law and Politics at Osaka University, Japan

7. Sub-Saharan Africa (including Commonwealth of Nations)

Prof Dr Abubakri Yekini, University of Manchester, United Kingdom / Prof Dr Chukwuma Okoli, Postdoctoral Researcher in Private International Law at the T.M.C. Asser Institute, Netherlands

8. Southern Common Market (MERCOSUR)

Prof Dr Verónica Ruiz Abou-Nigm, Director of Internationalisation, Senior

Lecturer in International Private Law, School of Law, University of Edinburgh,
United Kingdom

9. Association of Southeast Asian Nations (ASEAN)

Prof Dr Adeline Chong, Associate Professor of Law, Yong Pung How School of
Law, Singapore Management University, Singapore

10. China (including Belt and Road Initiative)

Prof Dr Zheng (Sophia) Tang, University of Newcastle, United Kingdom

1.00 p.m. Lunch Break

Part III: Outlook

1. Lessons from the Genesis of the Judgments Project

Dr Ning Zhao, Senior Legal Officer, HCCH

2. International Commercial Arbitration and Judicial Cooperation in civil matters: Towards an Integrated Approach

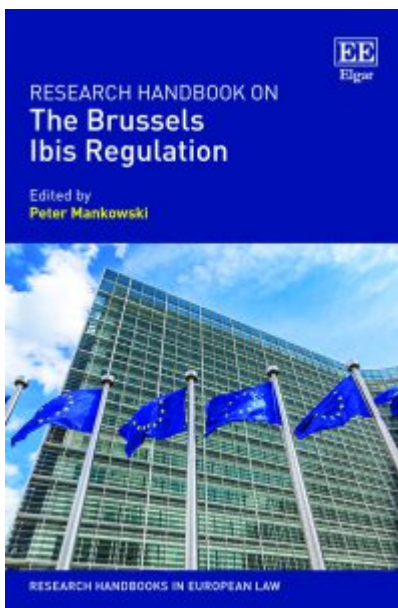
José Angelo Estrella-Faria, Principal Legal Officer and Head, Legislative Branch,
International Trade Law Division, Office of Legal Affairs, United Nations; Former
Secretary General of UNIDROIT

3. General Synthesis and Future Perspectives

Hans van Loon, Former Secretary General of the HCCH

Please also consult our Repository HCCH 2019 Judgments Convention for the
latest publications and materials on our subject-matter.

Out now: Mankowski, Peter (ed.), Research Handbook on the Brussels Ibis Regulation



A most useful new research handbook in European Law is on the table – highly recommended! The publisher's blurb reads:

„The Brussels Ibis Regulation is the magna carta for jurisdiction and the free circulation of judgments in civil and commercial matters in the EU, and forms a cornerstone of the internal market. This timely Research Handbook addresses the cutting edges of the regime, in particular its place within the overall system of EU law and its adaptations in response to specific kinds of lawsuits or the needs of particular industries.

Featuring original research by leading academics from across Europe, chapters take a systematic approach to examining a broad variety of topics in relation to the Brussels Ibis Regulation. Such topics include collective redress, injunctive relief, lis pendens and third states, negotiorum gestio, arbitration, intellectual property lawsuits, and its interface with the European Insolvency Regulation (Recast). Moving beyond what is offered by textbooks and commentaries, this incisive Research Handbook analyses the most recent developments in legislation

and practice, as well as providing an outlook on the future of this field of EU law.

This Research Handbook will prove a critical read for scholars and students of EU law. Judges and practitioners working in this area will also find its insights to be of significant practical relevance.

Contributors: T.M.C. Arons, S. Bollée, T.W. Dornis, P. Franzina, T. Garber, C. Heinze, A. Leandro, L.D. Loacker, P. Mankowski, F. Marougiu Buonaiuti, J. Meeusen, D. Moura Vicente, G. Payan, A. van Hoek, C. Warmuth, M.M. Winkler; Edward Elgar: Cheltenham/Northampton, MA 2020 ISBN 978-1-78811-079-2 392 pp Hardback 978 1 78811 078 5 £165.00 / \$255.00“.

The eBook version is priced from £22/\$31 from Google Play, ebooks.com, and other eBook vendors, while in print the book can be ordered from the Edward Elgar Publishing website.

Review of Stone's EU Private International Law

Book review of Peter Stone, *EU Private International Law Harmonisation of Laws* [Elgar European Law, Cheltenham, 2006, lvi+462pp, ISBN 1-84542-015-2]. (Reviewed by Dr Lorna Gillies, Leicester) 

This book is part of a series collection on European Law by Edward Elgar Publishing. According to the blurb, the book offers a “critical assessment of four main areas of concern: civil jurisdiction and judgments; the law applicable to civil obligations ; family law ; and insolvency.” The premise of the text is the development of EU international private law rules from Article 95 EC. For the first time, principles of international private law are analysed, considered and presented in the context of EU law. This is one of the key strengths of the book. The book will be of particular interest to academics, practitioners and postgraduate students. Whilst a number of key EU proposals had yet (and still

remain) to be finalised when the book was written, this book is nevertheless of significant and relevant interest to the target audience. Whilst the author admittedly does not consider in depth the proposals for the Rome I or II regulations, a further strength of the book is the inclusion of the author's proposed new articles of these instruments in, most often, his concluding analysis of current instruments. Furthermore, the book also makes reference to the EU accession to the Hague Conference on Private International Law.

The book contains detailed case tables of UK, EU Member State and ECJ cases as well as an international case section listing cases from Singapore and the United States. The table of cases also conveniently provides particular page references throughout the text. Mirroring the influence of EU policy, the book is divided into an introduction and four substantive parts comprising nineteen chapters. Part I contains the introduction which succinctly considers the basis for harmonisation of international private law rules (ie those on civil jurisdiction, choice of law, family law and insolvency) at EU level.

Part II is the largest part of the book and focuses, not surprisingly, on civil jurisdiction and judgments across nine chapters. The main focus of the text in this Chapter is, as expected, Regulation 44/2001. A historical assessment of the changes from the Brussels Convention 1968 to the final version of the Regulation is provided. The Chapter consider the application of English cases with frequent reference to ECJ cases. At the end of Chapter Two there is a helpful table providing all of the commencement dates for the Brussels and Lugano Conventions and Regulation 44/2001. Chapter Three focuses on domicile as the connecting factor in the Brussels Convention and Regulation 44/2001. This Chapter usefully considers the concept of domicile and the application of the concept vis-à-vis local, other European and external (ie non EU) defendants. Chapter Four then considers the alternative grounds of jurisdiction in Regulation 44/2001 and assesses the changes to Article 5 in particular. The author assesses the merits of Article 5(1) and comments on the possible reform of Article 5(3). Unlike many other texts on international private law, a strength of this book is that it offers a separate chapter on the jurisdiction rules for protected contracts, namely consumer, employment and insurance contracts. The jurisdictional and governing laws of such contracts are becoming increasingly important as (the (would-be) "reasonably informed and circumspect") consumers purchase goods and services from sellers in different jurisdictions and as employees move

between (an ever increasing number of) Member States to seek work. This text is different to other international private law texts as it recognises the legal and commercial importance of such (supposedly minor) contracts to EU policy and the application of international private law rules in the day-to-day lives of ordinary EU citizens. As one would expect, there are also chapters on the rules on exclusive jurisdiction, submission and concurrent proceedings. The latter contains an interesting and reflective analysis of the recent cases *Gasser v MISAT* and *Turner v Grovit*. There is also a shorter chapter on provisional measures. The final two chapters in this Part provide an assessment of the rules on recognition and enforcement and enforcement procedure. These succinct chapters provide key summaries of the relevant case law plus, in respect of enforcement an analysis of Regulation 805/2004, the European Enforcement Order for Uncontested Claims.

Part II of the book focuses on the law applicable to civil obligations. Part II contains four chapters which focus on contracts, protected contracts (mirroring Part I), torts and restitution. The main focus on Chapter Twelve is the replacement of the Rome Convention 1980. Regular reference is made in this Part to the proposals for the Rome I Regulation. The basis of the Rome Convention is considered as is its application and relationship with other conventions. The author does comment on the Green Paper which considered the replacement of the Rome Convention with a Community Instrument. The author recommends the further clarification of the rules governing implied choice of law by the inclusion of a range of factors in Article 3(1A) with the emphasis on establishing the commercial expectations of the parties. Articles 3 and 4 of the Rome Convention are considered in depth. The case is then put by the author for possible reform thereof. Importantly, the author devotes Chapter Thirteen separately to protected contracts, in recognition of the important and difficult task in reconciling party autonomy in selecting the governing law with the overriding need to protect consumers, employees and insured parties. The author provides commentary on the replacement of the Rome Convention with the Rome I Regulation and in concluding his analysis suggests in particular, a revised Article 5. On the matter of insurance contracts, Chapter Thirteen assesses and considers possible reform of Directives 88/357 and 90/619 on non-life and life insurance contracts respectively. Chapters Fourteen and Fifteen are devoted to the proposal for the Rome II Regulation. Chapter Fourteen considers the proposed Regulation vis-à-vis torts in depth, including, *inter alia*, its scope and relationship with other international convention. This Chapter also offers critical assessment and

suggested amendments to, *inter alia*, Articles 3(2) and (3) and analysis of a number of specific torts including product liability, unfair competition, intellectual property, defamation, environmental damage, industrial disputes and traffic accidents. Chapter Fifteen provides a concise analysis of the proposals in Rome II vis-à-vis claims in restitution.

Part III of the book contains three, and by comparison shorter, chapters on family matters comprising matrimonial proceedings, parental responsibility and familial maintenance and matrimonial property. Part III of the book focuses on Regulations 1347/2000 (Brussels II) and 2201/2003 (Brussels IIA). Chapter Sixteen includes a table on the transitional operation of these two regulations amongst the Member States. Chapter Seventeen examines parental responsibility and contrasts the Brussels IIA Regulation with the Hague Convention 1996 on Parental Responsibility and Measures for the Protection of Children and the 1980 Child Abduction Convention.

The final part of the book, Part IV, is on the matter of insolvency. Chapter nineteen examines the jurisdiction, choice of law and enforcement aspects of insolvency as contained in Regulation 1346/2000. A noticeable feature of this Chapter is the author's criticism of the rationale for secondary proceedings and his suggestion for harmonisation of "the substantive laws of the Member States as regards the definition and extent of preferential rights [...] by means of a directive under Article 95 EC."

In conclusion, this book is warmly welcomed and will be an important research resource to its readership. Purchase the book from [here](#) or direct from the CONFLICT OF LAWS .NET bookshop.

Research Handbook on EU Private International Law

A new Research Handbook on EU Private International Law, within the Edward Elgar Research Handbooks in European Law series has just been published. It is

edited by *Peter Stone*, Professor and *Youseph Farah*, Lecturer, School of Law, University of Essex, UK.

It contains the following contributions:

1. Internet Transactions and Activities

Peter Stone

2. A Step in the Right Direction! Critical Assessment of Forum Selection Agreements under the Revised Brussels I: A Comparative Analysis with US Law

Youseph Farah and Anil Yilmaz-Vastardis

3. Fairy is Back – Have you got your Wand Ready?

Hong-Lin Yu

4. Frustrated of the Interface between Court Litigation and Arbitration? Don't Blame it on Brussels I! Finding Reason in the Decision of West Tankers, and the Recast Brussels I

Youseph Farah and Sara Hourani

5. Does Size Matter? A Comparative Study of Jurisdictional Rules Applicable to Domestic and Community Intellectual Property Rights

Edouard Treppoz

6. Article 4 of the Rome I Regulation on the Applicable Law in the Absence of Choice – Methodological Analysis, Considerations

Gülin Güneysu-Güngör

7. International Sales of Goods and Rome I Regulation"

Indira Carr

8. The Rome I Regulation and the Relevance of Non-State Law"

Olugbenga Bamodu

9. The Interaction between Rome I and Mandatory EU Private Rules – EPIL and EPL: Communicating Vessels?

Xandra E. Kramer

10. Choice of Law for Tort Claims"

Peter Stone

11. Defamation and Privacy and the Rome II Regulation

David Kenny and Liz Heffernan

12. Corporate Domicile and Residence

Marios Koutsias

More information is available on the publisher's website.

Dublin Up on Rome I

Following the conference to take place at University College Dublin this week, details of a second conference to take place in the Irish capital on the subject of the Rome I Regulation have been announced. This conference, organised by Trinity College Dublin, is entitled "The Rome I Regulation on the Law Applicable to Contractual Obligations: Implications for International Commercial Litigation" and includes several of the speakers who participated in the organisers' earlier successful conference on the Rome II Regulation (for the published papers of which, see [here](#)).

The programme is as follows:

FRIDAY 9 OCTOBER

3:30 Registration

4:00 Professor Christopher Forsyth, "The Rome I Regulation: Uniformity, but at What Price?"

4:30 Connection and coherence between and among European Private International Law Instruments in the Law of Obligations

Dr. Janeen Carruthers, "The Connection of Rome I with Rome II"

Professor Elizabeth Crawford, "The Connection of Rome I with Brussels I"

5:15 Tea / Coffee Break

5:30 Professor Ronald Brand, "Rome I's Rules on Party Autonomy For Choice of Law: A U.S. Perspective"

6:00 Mr. Adam Rushworth, "Restrictions in Party Choice under Rome I and Rome II"

6:30 Conclusion of the Session

SATURDAY 10 OCTOBER

9:15 Dr. Alex Mills, "The relationship between Article 3 and Article 4"
9:45 Professor Dr. Thomas Kadner Graziano, "The Relationship between Rome I and the U.N. Convention on Contracts for the International Sale of Goods"
10:15 Professor Franco Ferrari, Article 4:Applicable Law in the Absence of Choice"
10:45 Tea / Coffee Break
11:10 Professor Jonathan Harris, "Mandatory Rules and Public Policy"
11:40 Professor Xandra Kramer, "The Interaction between Mandatory EU Laws and Rome I"
12:10 Professor Francisco Garcimartin Aflérez, "Article 6: Consumer Contracts"
12:50 Lunch
1:30 Professor Peter Stone, "Article 7: Insurance Contracts"
2:00 Professor Dr. Jan von Hein, "Article 8: Individual Employment Contracts"
2:30 Dr. Andrew Scott, "Characterization Problems in Employment Disputes"
3:00 Mr Richard Fentiman The Assignment of Debts, Articles 14 and 27: Implications for Debt Wholesalers in the Factoring and Securitisation Industries
3:30 Questions and Discussion
4:00 Conference Ends

Further details and a booking form are available on the TCD website.

First Issue of 2007's LMCLQ and Private International Law

There is a veritable feast of articles, casenotes and book reviews in the latest issue of the *Lloyd's Maritime & Commercial Law Quarterly*. They are:

"Piercing the corporate veil: searching for appropriate choice of law rules" by Chee Ho Tham (*L.M.C.L.Q.* 2007, 1(Feb), 22-43)

Analyses case law on whether the English courts will exceptionally disregard the separate legal personality of foreign incorporated entities in litigation, applying English or foreign company law. Discusses the jurisdiction to order

remedies against shareholders on the ground that incorporation was a sham. Considers the nature of limited liability under English law.

“Substance and procedure and choice of law in torts” by Andrew Scott (L.M.C.L.Q. 2007, 1(Feb), 44-62)

*Discusses the House of Lords judgment in *Harding v Wealands* on the choice of law in actions for tort under the Private International Law (Miscellaneous Provisions) Act 1995 s.14. Interprets the scope of procedural matters to be determined in accordance with the laws of the forum. Reviews UK and Commonwealth cases. Considers potential problems if substantive and procedural issues must be determined according to different national laws.*

“EU Private International Law: Harmonization of Laws, 2006, Peter Stone”
Reviewed by Adrian Briggs (L.M.C.L.Q. 2007, 1(Feb), 123-126) (see our items on this publication [here](#)).

“Concise Introduction to EU Private International Law, 2006, Michael Bogdan” Reviewed by Adrian Briggs (L.M.C.L.Q. 2007, 1(Feb), 123-126)

“EU Private International Law: An EC Court Casebook, 2006, Edited by Michael Bogdan and Ulf Maunsbach” Reviewed by Adrian Briggs (L.M.C.L.Q. 2007, 1(Feb), 123-126)

The LMCLQ isn't available online - paper subscription only.

Publication: EU Private International Law

✖ Peter Stone (University of Essex, UK) has published ***EU Private International Law: Harmonization of Laws***, part of the Elgar European Law Series.

This book focuses on harmonization of conflict laws at the European Community level, which has been driven by the introduction of a series of conventions and regulations. It offers critical assessment of these advances across four main areas of concern: civil jurisdiction and judgments; the law applicable to civil obligations; family law; and insolvency.

Specifically, the measures examined and evaluated include:

- the Brussels I Regulation on civil jurisdiction and judgments
- the Regulation on uncontested claims
- the Rome Convention 1980 on contracts
- the Rome II Proposal on torts and restitution
- the Brussels IIA Regulation on matrimonial proceedings and parental responsibility
- the Regulation on insolvency proceedings.

Contents: Preface Part I: Introduction 1. Introduction Part II: Civil Jurisdiction and Judgements 2. History, Outline and Scope 3. Domicile 4. Alternative Jurisdiction 5. Protected Contracts 6. Exclusive Jurisdiction 7. Submission 8. Concurrent Proceedings 9. Provisional Measures 10. Recognition and Enforcement of Judgements 11. Enforcement Procedure Part III: Choice of Law in Respect of Obligations 12. Contracts 13. Protected Contracts 14. Torts 15. Restitution Part IV: Family Matters 16. Matrimonial Proceedings 17. Parental Responsibility 18. Familial Maintenance and Matrimonial Property Part V: Insolvency 19. Insolvency Index

The book is priced at £99.00. More information can be found on the publisher's website.

The Dubai Supreme Court on the

Enforcement of Canadian (Ontario) Enforcement Judgment

Can an enforcement judgment issued by a foreign court be recognized and enforced in another jurisdiction? This is a fundamental question concerning the recognition and enforcement of foreign judgments. The answer appears to be relatively straightforward: “No”. Foreign enforcement judgments are not eligible to be recognized and enforced as they are not decisions on the merits (see in relation with the HCCH 2019 Convention, F Garcimartín and G Saumier, *Explanatory Report* (HCCH 2020) para. 95, p. 73; W Hau “Judgments, Recognition, Enforcement” in M Weller *et al.* (eds.), *The HCCH 2019 Judgments Convention: Cornerstones, Prospects, Outlooks* (Hart 2023) 25). This is usually referred to as the “prohibition of double *exequatur*” or, following the French adage: “*exequatur sur exequatur ne vaut*”. This question was recently presented to the Dubai Supreme Court (DSC), and its decision in the *Appeal No. 1556 of 16 January 2024* offers some useful insights into the status foreign enforcement (*exequatur*) decisions in the UAE.

I - Facts

In 2012, X (appellee) obtained a judgment of rehabilitation from the United States District Court for the Eastern District of New York ordering Y (appellant, residing and working in Dubai) to pay a certain amount of money. X later sought to enforce the American judgment in Canada (Ontario) via summary judgment procedures. In 2020, the Ontario court ordered enforcement of the American judgment, in addition to the payment of other fees and interests. The judgment was later amended by a judgment entered in 2021. X then sought enforcement of the Canadian judgment in Dubai by filing an application with the Execution Court of the Dubai Court of First Instance. The Enforcement Court issued an order declaring the Canadian judgment enforceable in Dubai. The enforcement order was later upheld on appeal. Y appealed to the DSC.

Before the DSC, Y argued that (1) the American judgment was criminal in nature, not civil; (2) the Canadian judgment was merely a summary order declaring the American judgment enforceable in Ontario; and (3) the Ontario judgment did not

resolve any dispute between the parties, as it was a declaration that the American judgment was enforceable in Ontario.

II - Ruling

The DSC found merit in Y's arguments. In particular, the DSC held that the Court of Appeal erred in allowing the enforcement of the Canadian judgment in Dubai despite Y's arguments that the Canadian judgment was a summary judgment enforcing an American judgment. The Supreme Court reversed and remanded the appealed decision.

III - Comments

The case commented here is particularly interesting because, to the best of the author's knowledge, it is the first case in which a UAE Supreme Court (it should be remembered that, there are four independent Supreme Courts in the UAE. For an overview, see [here](#)) has been called to rule on the issue of double exequatur. In this regard, it is remarkable that the issue of double exequatur is rarely discussed in the literature, both in the UAE and in the other Arab Middle Eastern jurisdictions. Nevertheless, it is widely accepted that a judgment a foreign court declaring enforceable a foreign judgment cannot be eligible to recognition and enforcement in other jurisdictions. (For some recent applications of this principle by some European courts, see *eg.* the Luxembourg Court of Appeal decision of 13 January 2021; the Court of Milan in a case rendered in February 2023. *Comp.* with the CJEU judgment of 7 April 2022, C-568/20, *J v. H Limited*. For a brief discussion on this issue in this blog, see [here](#)). This is because a judgment declaring enforceable a foreign judgment "is, by its own terms, self-limited to the issuing state's territory, or: as a sovereign act it could not even purport to create effects in another sovereign's territory" (Peter Hay, "Recognition of a Recognition Judgment within the European Union: "Double Exequatur" and the Public Policy Barrier" in Peter Hay et al. (eds.), *Resolving International Conflicts - Liber Amicorum Tibor Várady* (CEU Press, 2009) 144).

The present case highlights a possible lack of familiarity with this principle within the Dubai courts. Specifically, the lower courts overlooked the nature of the

Canadian judgment and declare it enforceable in Dubai. In its appeal, the judgment debtor did not *explicitly* avail itself with the prohibition of double *exequatur* although it argued that the Canadian judgment was “not a judgment on the merits”. The judgment debtor merely stated the Ontario court’s judgment was a summary judgment declaring a foreign judgment of criminal rather than civil nature enforceable in Canada and not abroad .

While the Supreme Court acknowledged the merits of the judgment debtor’s arguments, its language also might suggest some hesitation or unfamiliarity with the legal issue involved. Indeed, although the Court did not dispute the judgment debtor’s assertions that the “Canadian judgment was a summary judgment declaring enforceability and an American reorganization judgment,” it reversed the appealed decision and remanded the case, stating that the judgment debtor’s arguments were likely – “if they appeared to be true” – to lead to different results.

In the author’s view, such a remand may have been unnecessary. The court could have simply declared the Ontario enforcement order unenforceable in Dubai on the basis of the “*exequatur sur exequatur ne vaut*” principle.

One might question the rationale behind the judgment creditor’s choice to seek the enforcement of the Canadian judgment rather than the original American judgment in this case. One might speculate that the judgment creditor sought to avoid enforcement of an order to pay a specific sum arising out of a criminal proceeding. However, it is recognized in the UAE that civil damages awarded in criminal proceedings are likely to be considered enforceable (see, eg., the *Federal Supreme Court’s decision, Appeal No. 247 of November 6, 2012*, regarding the enforcement of civil damages awarded by an Uzbek criminal court).

Another possible consideration is that the judgment creditor sought to increase the likelihood that its application would be granted, as Dubai courts have shown reluctance to enforce American judgments in the past (see eg., *Dubai Court of Appeal, Appeal No. 717 of December 11, 2013*, concerning a Nevada Court judgment; *DSC, Appeal No. 517 of August 28, 2016*, concerning a California court judgment). In both cases, enforcement of the American judgments was refused due to the lack of reciprocity with the United States (however, in the first case, on a later stage of the proceeding, the DSC treated the Nevada judgment as sufficient proof of the existence of the judgment creditor’s debt in a new action on the foreign judgment (*DSC, Appeal No. 125/2017 of 27 April 2017*)). The first case

is briefly introduced here).

The positive outcomes at both the first and second instance levels may lend credence to this hypothesis. In general, however, there is no inherent reason why a Canadian judgment would be treated differently in the absence of a relevant treaty between the UAE and Canada (on the challenges of enforcing foreign judgments in the UAE, particularly in Dubai, in the absence of a treaty, please see our previous posts [here](#) and [here](#)).