Save the Date: German Conference for Young Scholars in Private International Law 2023

Following successful conferences in Bonn, Würzburg and Hamburg, please save the date for the 4th German-speaking Conference for Young Scholars in Private International Law, which will take place on 23 and 24 February 2023 at Sigmund Freud University in Vienna.

The theme of the conference will be

Deference to the foreign – empty phrase or guiding principle of private international law?

The organisors explain: “As part of the legal system, rules of private international law are bound by the principles of their national jurisdiction, but they also open up the national system to foreign rules. Is the claim of deference to the foreign merely an empty phrase or, at best, a working hypothesis, or can it serve as a meaningful guiding principle of private international law? Are there tendencies within or across specific areas of private international law to move away from deference to, and towards a general suspicion against, the foreign? To what extent does (mutual) trust become the basis of deference to the foreign in the process of internationalisation and Europeanisation? What, if any, is the relationship between deference to the foreign and the methods of private international law?

We would like to explore these and many other related questions at the 4th German-speaking Conference for Young Scholars in Private International Law. We are inviting contributions from all areas of private international law, including but not limited to contract and tort law, company law, family and succession law as well as international procedural law, international arbitration and uniform law. The written contributions will be published in an edited conference volume. The conference will be held in German, but English presentations are also welcome. The call for papers will be released in spring 2022 and we expect the submission of abstracts until late summer 2022.

We cordially invite all interested scholars to save the date of the conference. Please feel free to contact us with any questions (ipr@sfu.ac.at). Further information on the conference is available at https://tinyurl.com/YoungPIL.

Andreas Engel, Florian Heindler, Katharina Kaesling, Ben Köhler,
Martina Melcher, Bettina Rentsch, Susanna Roßbach, Johannes Ungerer."

For the German text of the note, please consult the attached pdf: Save-the-date-IPR-2023_DE

UNIVERSITÄT GRAZ

SIGMUND FREUD PRIVATUNIVERSITÄT WIEN

Save the Date: German Conference for Young Scholars in Private International Law 2023

Following successful conferences in Bonn, Würzburg and Hamburg, we are pleased to announce the 4th German-speaking Conference for Young Scholars in Private International Law, which will take place on **23 and 24 February 2023** at Sigmund Freud University in Vienna.

The theme of the conference will be

Deference to the foreign –
empty phrase or guiding principle of private international law?

As part of the legal system, rules of private international law are bound by the principles of their national jurisdiction, but they also open up the national system to foreign rules. Is the claim of deference to the foreign merely an empty phrase or, at best, a working hypothesis, or can it serve as a meaningful guiding principle of private international law? Are there tendencies within or across specific areas of private international law to move away from deference to, and towards a general suspicion against, the foreign? To what extent does (mutual) trust become the basis of deference to the foreign in the process of internationalisation and Europeanisation? What, if any, is the relationship between deference to the foreign and the methods of private international law?

We would like to explore these and many other related questions at the 4th German-speaking Conference for Young Scholars in Private International Law. We are inviting contributions from all areas of private international law, including but not limited to contract and tort law, company law, family and succession law as well as international procedural law, international arbitration and uniform law.

The written contributions will be published in an edited conference volume. The conference will be held in German, but English presentations are also welcome. The call for papers will be released in spring 2022 and we expect the submission of abstracts until late summer 2022.

We cordially invite all interested scholars to save the date of the conference. Please feel free to contact us with any questions (ipr@sfu.ac.at). Further information on the conference is available at https://tinyurl.com/YoungPIL.

Kind regards,

Andreas Engel *Florian Heindler* *Katharina Kaesling* *Ben Köhler*

Martina Melcher *Bettina Rentsch* *Susanna Roßbach* *Johannes Ungerer*

Update: HCCH 2019 Judgments Convention Repository

Rescheduled: "The HCCH 2019 Judgments Convention: Prospects for Judicial Cooperation in Civil Matters between the EU and Third Countries" – Conference on 9 and 10 September 2022, University of Bonn, Germany

In preparation of the Conference on the HCCH 2019 Judgments Convention on 9/10 September 2022, planned to be taking place on campus of the University of Bonn, Germany, we are offering here a Repository of contributions to the HCCH 2019 Judgments Convention. Please email us if you miss something in it, we will update immediately…

Update of 12 January 2022: New entries are printed bold.

Please also check the "official" Bibliography of the HCCH for the instrument.

I. Explanatory Reports

Garcimartín Alférez, Francisco; Saumier, Geneviève	„Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters: Explanatory Report", as approved by the HCCH on 22 September 2020 (available here)
Garcimartín Alférez, Francisco; Saumier, Geneviève	"Judgments Convention: Revised Draft Explanatory Report", HCCH Prel.-Doc. No. 1 of December 2018 (available here)

Nygh, Peter; Pocar, Fausto	“Report of the Special Commission”, HCCH Prel.-Doc. No. 11 of August 2000 (available here), pp 19-128

II. Bibliography

Badr, Yehya Ibrahim	**“The Hague 2019 Convention for the Recognition and Enforcement of Foreign Judicial Decisions: A Comparative Study”, International Journal of Doctrine, Judiciary, and Legislation (IJDJL) 2 (2021), pp. 427-468 (available here)**
Balbi, Francesca	“La circolazione delle decisioni a livello globale: il rogetto di convenzione della Conferenza dell’Aia per il riconoscimento e l’esecuzione delle sentenze straniere” (Tesi di dottorato, Università degli Studi di Milano-Bicocca, 2019; available: here)
Beaumont, Paul	“*Forum non Conveniens* and the EU rules on Conflicts of Jurisdiction: A Possible Global Solution”, Revue Critique de Droit International Privé 2018, pp 433-447
Beaumont, Paul R.	“Judgments Convention: Application to Governments”, Netherlands International Law Review (NILR) 67 (2020), pp 121-137
Beaumont, Paul; Holliday, Jane (eds.)	“A Guide to Global Private International Law”, Oxford 2022, forthcoming.
Biresaw, Samuel Maigreg	“Appraisal of the Success of the Instruments of International Commercial Arbitration vs. Litigation and Mediation in the Harmonization of the Rules of Transnational Commercial Dispute Settlement”, preprint (DOI:10.21203/rs.3.rs-953987/v1).
Blanquet-Angulo, Alejandra	“Les Zones d’ombre de la Convention de La Haye du 2 Juillet 2019”, Revue Internationale de Droit Comparé (RIDC), 73 (2021), pp. 53-71

Blom, Joost	“The Court Jurisdiction and Proceedings Transfer Act and the Hague Judgments and Jurisdictions Projects”, Osgoode Hall Law Journal 55 (2018), pp 257-304
Bonomi, Andrea	“European Private International Law and Third States”, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2017, pp 184-193
Bonomi, Andrea	“Courage or Caution? – A Critical Overview of the Hague Preliminary Draft on Judgments”, Yearbook of Private International Law 17 (2015/2016), pp 1-31
Bonomi, Andrea; Mariottini, Cristina M.	“(Breaking) News From The Hague: A Game Changer in International Litigation? – Roadmap to the 2019 Hague Judgments Convention”, Yearbook of Private International Law 20 (2018/2019), pp 537-567
Borges Moschen, Valesca Raizer; Marcelino, Helder	“Estado Constitutional Cooperativo e a conficaçao do direito internacional privado apontamentos sobre o ’Judgement Project’ da Conferência de Haia de Direito Internacional Privado”, Revista Argumentum 18 (2017), pp 291-319 (Cooperative Constitutional State and the Codification of Private International Law: Notes on the “Judgment Project” of the Hague Conference on Private International Law)
Borisov, Vitaly Nikolaevich	**“2019 Hague Judgments Convention: Global Recognition and Enforcement of Civil and Commercial Judgments (Review of the International Conference held in Hong Kong on September 9, 2019), Journal of Foreign Legislation and Comparative Law 2020-03, pp. 166-172 (available here)**
Brand, Ronald A.	“The Circulation of Judgments Under the Draft Hague Judgments Convention”, University of Pittsburgh School of Law Legal Studies Research Paper Series No. 2019-02, pp 1-35

Brand, Ronald A.	"Jurisdictional Developments and the New Hague Judgments Project", in HCCH (ed.), A Commitment to Private International Law – Essays in honour of Hans van Loon, Cambridge 2013, pp 89-99
Brand, Ronald A.	"New Challenges in Recognition and Enforcement of Judgments", in Franco Ferrari, Diego P. Fernández Arroyo (eds.), Private International Law – Contemporary Challenges and Continuing Relevance, Cheltenham/Northampton 2019, pp 360-389
Brand, Ronald A.	"Jurisdiction and Judgments Recognition at the Hague Conference: Choices Made, Treaties Completed, and the Path Ahead", Netherlands International Law Review (NILR) 67 (2020), pp 3-17
Brand, Ronald A.	"The Hague Judgments Convention in the United States: A 'Game Changer' or a New Path to the Old Game?", University of Pittsburgh Law Review 82 (2021), pp. 847-880 (available here)
Cai, Ya-qi	**"Feasibility Study on China's Ratification of the HCCH Judgment Convention from the Perspective of Indirect Jurisdiction", Journal of Taiyuan Normal University (Social Science Edition) 2021-04, pp. 74-80**
Çaliskan, Yusuf; Çaliskan, Zeynep	"2 Temmuz 2019 Tarihli Yabanci Mahkeme Kararlarinin Taninmasi ve Tenfizine Iliskin Lahey Anlasmasinin Degerlendirilmesi", Public and Private International Law Bulletin 40 (2020), pp 231-245 (available here) (An Evaluation of 2 July 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters)

Celis Aguilar, María Mayela	“El convenio de la haya de 30 de junio de 2005 sobre acuerdos de elección de foro y su vinculación con el ‘proyecto sobre Sentencias’ (y viceversa)”, Revista mexicana de Derecho internacional privado y comprado N°40 (octubre de 2018), pp. 29-51 (available here)
Chai, Yuhong; Qu, Zichao	“The Development and Future of the Hague Jurisdiction Project”, Wuhan University International Law Review 2021-05, pp. 27-52 (online first)
Chen, Wendy	“Indirect Jurisdiction over the Recognition and Enforcement of Judgments of Foreign Courts in Compulsory Counterclaims”, Journal of Xingtai University 2019-04, pp. 106-110
Cheng, Xian-ping; Liu, Xian-chao	“On the Application of the Severable Clause in The Hague Judgments Convention”, Harbin Normal University Social Science Journal 2021-05, pp. 30-34
Choi, Sung-Soo	“Review of the several issues of the Convention on the Recognition and Enforcement of Foreign Judgments”, Gachon Law Review 14 (2021), pp. 37-68 (available here)
Clavel, Sandrine ; Jault-Seseke, Fabienne	“La convention de La Haye du 2 juillet 2019 sur la reconnaissance et l’exécution des jugements étrangers en matière civile ou commerciale : Que peut-on en attendre ?”, Travaux du comité français de Droit international privé, Vol. 2018-2020, Paris 2021 (Version provisoire de la communication présentée le 4 octobre 2019, available here)
Clover Alcolea, Lucas	“The 2005 Hague Choice of Court and the 2019 Hague Judgments Conventions versus the New York Convention – Rivals, Alternatives or Something Else?”, Mc Gill Journal of Dispute Resolution 6 (2019-2020), pp. 187-214

Coco, Sarah E.	“The Value of a New Judgments Convention for U.S. Litigants”, New York University Law Review 94 (2019), pp 1210-1243
Cong, Junqi	“Reinventing China’s Indirect Jurisdiction over Civil and Commercial Matters concerning Foreign Affairs – Starting from the Hague Judgment Convention” (Master’s Thesis, National 211/985 Project Jilin University; DOI: 10.27162/d.cnki.gjlin.2020.001343)
Contreras Vaca, Francisco José	“Comentarios al Convenio de la Haya del 2 de julio de 2019 sobre Reconcimiento y Ejecución de Sentencias Extranjeras en materia civil y comercial”, Revista mexicana de Derecho internacional privado y comprado N°45 (abril de 2021), pp. 110-127 (available here)
Cui, Zhenghao	“On the Coordination between the Draft Convention on Judicial Sale of Ships and the related Conventions of the Hague Conference on Private International Law”, China Ship Survey 2021-04, pp. 65-68
Cuniberti, Gilles	“Signalling the Enforceability of the Forum’s Judgments Abroad”, Rivista di diritto internazionale private e processuale (RDIPP) 56 (2020), pp 33-54
DAV (German Bar Association)	“Position Paper on the EU’s possible accession to the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters of the Hague Conference on Private International Law”, Berlin 2020 (available here)
de Araujo, Nadia ; de Nardi, Marcelo ; Spitz, Lidia	“A nova era dos litígios internacionais”, Valor Economico 2019

de Araujo, Nadia ; de Nardi, Marcelo ; Lopes Inez ; Polido, Fabricio	„Private International Law Chronicles“, Brazilian Journal of International Law 16 (2019), pp 19-34
de Araujo, Nadia ; de Nardi, Marcelo	„Consumer Protection Under the HCCH 2019 Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 67-79
de Araujo, Nadia ; de Nardi, Marcelo	„22ª Sessão Diplomática da Conferência da Haia e a Convenção sobre sentenças estrangeiras : Primeiras reflexões sobre as vantagens para o Brasil da sua adoção“, Revista de la Secretaría del Tribunal Permanente de Revisión 7 No. 14 (2019), páginas 198-221 (22nd Diplomatic Session of The Hague Conference and the Convention on Foreign Judgments: First Reflections on the Advantages for Brazil of their Adoption)
de Araujo, Nadia; De Nardi, Marcelo	“International Jurisdiction in Civil or Commercial Matters: HCCH’s New Challenge”, in Magdalena Pfeiffer, Jan Brodec, Petr B?íza, Marta Zavadilová (eds.), Liber Amicorum Monika Pauknerová, Prague 2021, pp. 1-11
Dlmoska, Fani	“Would the Judgments Convention lead to unification of the ratification and enforcement of foreign judgments in the SEE Countries: The possible impact of the Judgments Convention”, SEELJ Special Edition No. 8 (2021), pp. 81-103
Dordevic, Slavko	“Country Report Serbia”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 180-202

Dotta Salgueiro, Marcos	“Article 14 of the Judgments Convention: The Essential Reaffirmation of the Non-discrimination Principle in a Globalized Twenty-First Century”, Netherlands International Law Review (NILR) 67 (2020), pp 113-120
Douglas, Michael; Keyes, Mary; McKibbin, Sarah; Mortensen, Reid	“The HCCH Judgments Convention in Australian Law”, Federal Law Review 47 (2019), pp 420-443
Du, Tao	“Frontiers of Private International Law Around the World: An Annual Review (2019-2020)”, Chinese Review of International Law 2021-04, pp. 103-128 (available here)
Echegaray de Maussion, Carlos Eduardo	“El Derecho Internacional Privado en el contexto internacional actual : Las reglas de competencia judicial indirecta en el Convenio de la Haya de 2 de Julio de 2019 y el accesso a la justicia” Revista mexicana de Derecho internacional privado y comprado N°45 (abril de 2021), pp. 128-139 (available here)
Efeçinar Süral	Possible Ratification of the Hague Convention by Turkey and Its Effects to the Recognition and Enforcement of Foreign Judgments, Public and Private International Law Bulletin 40 (2020), pp. 775-798 (available here)
EGPIL/GEDIP	Observations on the possible accession of the European Union to the Hague Convention of 2 July 2019 on the Recognition of Foreign Judgments, Text adopted on 9 December 2020 following the virtual meeting of 18-19 September 2020 (available here)

Ermakova, Elena ; Frovola, Evgenia ; Sitkareva, Elena	“International Economic Integration and the Evolution of the Principles of Civil Procedure”, in Elena G. Popkova, Bruno S. Sergi, Modern Global Economic System, Basel 2021, pp. 1589-1597
European Union (EU)/ European Commission	“Proposal for a Council Decision on the accession by the European Union to the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, COM(2021) 388 final (available here)
Fan, Jing	“On the Jurisdiction over Intellectual Property in the Draft Hague Convention on the Recognition and Enforcement of Foreign Judgments”, Chinese Yearbook of Private International Law and Comparative Law 2018-02, pp. 313-337
Fan, Jing	“Reconfiguration on Territoriality in Transnational Recognition and Enforcement of Intellectual Property Judgments”, Chinese Review of International Law 2021-01, pp. 90-112 (available here)
Farnoux, Étienne	“Reconnaissance et exécution des jugements étrangers en matière civil ou commerciale : À propos de la Convention de La Haye du 2 juillet 2019”, La Semaine Juridique 2019, pp. 1613-1617
Forner Delaygua, Joaquim-Joan	“El Convenio de La Haya de 2 julio 2019 como nuevo marco normativo de las sentencias en materia de contractual comercial”, in Pérez Vera et al. (eds.), El Derecho internacional privado entre la tradición y la innovación – Obra homenaje al Profesor doctor José María Espinar Vicente, Madrid 2020, pp. 307-325
Franzina, Pietro; Leandro, Antonio	“La Convenzione dell’Aja del 2 luglio 2019 sul riconoscimento delle sentenze straniere : una prima lettura”, Quaderni di SIDIblog 6 (2019), pp 215-231 (available here) (The Hague Convention of 2 July 2019 on the Recognition of Foreign Judgments: A First Appraisal)

Fuchs, Felix	“Das Haager Übereinkommen vom 2. Juli 2019 über die Anerkennung und Vollstreckung ausländischer Urteile in Zivil- oder Handelssachen“, Gesellschafts- und Wirtschaftsrecht (GWR) 2019, pp 395-399
Garcimartín, Francisco	“The Judgments Convention: Some Open Questions”, Netherlands International Law Review (NILR) 67 (2020), pp 19-31
Garnett, Richard	“The Judgments Project: fulfilling Assers dream of free-flowing judgments”, in Thomas John, Rishi Gulati, Ben Koehler (eds.), The Elgar Companion to the Hague Conference on Private International Law, Cheltenham/Northampton 2020, pp. 309-321
Goddard, David	„The Judgments Convention – The Current State of Play”, Duke Journal of Comparative & International Law 29 (2019), pp 473-490
Gu, Weixia	“A Conflict of Laws Study in Hong Kong-China Judgment Regionalism: Legal Challenges and renewed Momentum”, Cornell International Law Journal 52 (2020), pp. 591-642
Guez, Philippe; de Berard, François; Malet-Deraedt, Fleur; Roccati, Marjolaine; Sinopoli, Laurence; Slim, Hadi; Sotomayor, Marcelo; Train, François-Xavier	“Chronique de droit international privé appliqué aux affaires, Revue de droit des affaires internationales – 1 décembre 2018 au 31 décembre 2019”, Revue de Droit des Affaires Internationales 2020, pp. 237-274

Gugu Bushati, Aida	“Country Report Albania”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 16-41 (available here)
Guide, Jia [Foreign Ministry of the People’s Republic of China]	“Address by the Director of the Department of Treaty and Law of the Ministry of Foreign Affairs Jia Guide at the Opening Ceremony of the International Symposium on the Hague Judgment Convention (9 September 2019)”, Chinese Yearbook of International Law 2019, pp. 503-505
He, Qisheng	“The HCCH Judgments Convention and the Recognition and Enforcement of Judgments pertaining to a State”, Global Law Review 3 (2020), pp 147-161 (available here)
He, Qisheng	“Unification and Division: Immovable Property Issues under the HCCH Judgement Convention”, Journal of International Law 1 (2020), pp 33-55
He, Qisheng	“The HCCH Judgments Convention and International Judicial Cooperation of Intellectual Property”, Chinese Journal of Law 2021-01, pp. 139-155
He, Qisheng	“Latest Development of the Hague Jurisdiction Project”, Wuhan University International Law Review 2020-04, pp. 1-16
He, Qisheng	“ ’Civil or Commercial Matters’ in International Instruments Scope and Interpretation”, Peking University Law Review 2018-02, pp. 1-25 (available here)
He, Qisheng	“A Study on the Intellectual Property Provisions in the ’Hague Convention on Judgment’ – On the Improvement of Transnational Recognition and Enforcement of Intellectual Property Judgments in China”, Journal of Taiyuan University (Social Science Edition) 2020-05, pp. 40-47

Herrup, Paul; Brand, Ronald A.	“A Hague Convention on Parallel Proceedings”, University of Pittsburgh School of Law Legal Studies Research Paper Series No. 2021-23, pp. 1-10 (available here)
Jacobs, Holger	“Der Zwischenstand zum geplanten Haager Anerkennungs- und Vollstreckungsübereinkommen – Der vorläufige Konventionsentwurf 2016“, Zeitschrift für Internationales Privatrecht & Rechtsvergleichung (ZfRV) 2017, pp 24-30
Jacobs, Holger	“Das Haager Anerkennungs- und Vollstreckungsübereinkommen vom 2. Juli 2019 – Eine systematische und rechtsvergleichende Untersuchung“, Tübingen 2021
Jang, Jiyong	“Conditions and Procedure for Recognition and Enforcement of Foreign Judgments”, Korea Private International Law Journal 2021-01, pp. 399-430
Jang, Junhyok	“The Public Policy Exception Under the New 2019 HCCH Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 97-111
Jang, Junhyok	“2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Korea Private International Law Journal 2019-02, pp. 437-510.
Jang, Junhyok	“Practical Suggestions for Joining the 2019 Judgments Convention and Its Implications for Korean Law and Practice”, Korea Private International Law Journal 2020-02, pp. 141-217
Jovanovic, Marko	Thou Shall (Not) Pass – Grounds for Refusal of Recognition and Enforcement under the 2019 Hague Judgments Convention, YbPIL 21 (2019/2020), pp. 309 – 332
Jueptner, Eva	“The Hague Jurisdiction Project – what options for the Hague Conference?”, Journal of Private International Law 16 (2020), pp 247-274

Jueptner, Eva	“A Hague Convention on Jurisdiction and Judgments: why did the Judgments Project (1992-2001) fail?”, (Doctoral Thesis, University of Dundee, 2020)
Kasem, Rouzana	“The Future of Choice of Court and Arbitration Agreements under the New York Convention, the Hague Choice of Court Convention, and the Draft Hague Judgments Convention”, Aberdeen Student Law Review 10 (2020), pp. 69-115
Kessedjian, Catherine	“Comment on the Hague Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters. Is the Hague Convention of 2 July 2019 a useful tool for companies who are conducting international activities?“, Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 19-33
Khanderia, Saloni	„The Hague judgments project: assessing its plausible benefits for the development of the Indian private international law”, Commonwealth Law Bulletin 44 (2018), pp 452-475
Khanderia, Saloni	“The Hague Conference on Private International Law’s Proposed Draft Text on the Recognition and Enforcement of Foreign Judgments: Should South Africa Endorse it?”, Journal of African Law 63 (2019), pp 413-433
Khanderia, Saloni	“The prevalence of ‘jurisdiction’ in the recognition and enforcement of foreign civil and commercial judgments in India and South Africa: a comparative analysis”, Oxford University Commonwealth Law Journal 2021
Kindler, Peter	“Urteilsfreizügigkeit für derogationswidrige Judikate? – Ein rechtspolitischer Zwischenruf auf dem Hintergrund der 2019 HCCH Judgments Convention“, in Christoph Benicke, Stefan Huber (eds.), Festschrift für Herbert Kronke zum 70. Geburtstag, Bielefeld 2020, pp 241-253

Kostic-Mandic, Maja	“Country Report Montenegro”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 114-137 (available here)
Landbrecht, Johannes	“Commercial Arbitration in the Era of the Singapore Convention and the Hague Court Conventions”, ASA Bulletin 37 (2019), pp. 871-882 (available here)
Lee, Gyooho	“The Preparatory Works for the Hague Judgment Convention of 2019 and its Subsequent Developments in terms of Intellectual Property Rights”, Korea Private International Law Journal 2020-02, pp. 85-140
Liu, Guiqiang	“Limitation Period for the Enforcement of Foreign Judgments”, China Journal of Applied Jurisprudence 2020-04, pp. 109-124
Liu, Yang; Xiang, Zaisheng	“The No Review of Merit Clause in the Hague Judgments Convention”, Wuhan University International Law Review 2020-05, pp. 44-65
Malachta, Radovan	“Mutual Trust between the Member States of the European Union and the United Kingdom after Brexit: Overview”, in Ji?í Valdhans (ed.), COFOLA International 2020: Brexit and its Consequences – Conference Proceedings, Brno 2020, pp. 39-67 (available here)
Mariottini, Cristina	„Establishment of Treaty Relations under The 2019 Hague Judgments Convention“, YbPIL 21 (2019/2020), pp. 365-380
Mariottini, Cristina	“The Exclusion of Defamation and Privacy from the Scope of the Hague Draft Convention on Judgments, YbPIL 19 (2017/2018), pp 475-486.

Martiny, Dieter	“The Recognition and Enforcement of Court Decisions Between the EU and Third States”, in Alexander Trunk, Nikitas Hatzimihail (eds.), EU Civil Procedure Law and Third Countries – Which Way Forward?, Baden-Baden 2021, pp 127-146
Maude, L. Hunter	“Codifying Comity: The Case for U.S. Ratification of the 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters”, Wisconsin International Law Review 38 (2021), pp. 108-138
Meier, Niklaus	“Notification as a Ground for Refusal”, Netherlands International Law Review (NILR) 67 (2020), pp 81-95
Muir Watt, Horatia	“Le droit international privé au service de la géopolitique : les enjeux de la nouvelle Convention de la Haye du 2 juillet 2019 sur la reconnaissance et l’exécution des jugements étrangers en matière civile ou commerciale”, Revue Critique de Droit International Privé 2020, pp. 427-448
Nielsen, Peter Arnt	“The Hague 2019 Judgments Convention – from failure to success”, Journal of Private International Law 16 (2020), pp 205-246
Nielsen, Peter Arnt	“A Global Framework for International Commercial Litigation”, in Christoph Benicke, Stefan Huber (eds.), Festschrift für Herbert Kronke zum 70. Geburtstag, Bielefeld 2020, pp 415-433
Nishimura, Yuko	“Indirect Jurisdiction at the Place where the Immovable Property is situated in HCCH 2019 Judgments Convention”, Seinan Gakuin University Graduate School Research Review N°13, pp. 1-20 (available here)
North, Cara	“The 2019 HCCH Judgments Convention: A Common Law Perspective”, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2020, pp 202-210

North, Cara	“The Exclusion of Privacy Matters from the Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 33-48
Oestreicher, Yoav	“ ’We’re on a Road to Nowhere’ – Reasons for the Continuing Failure to Regulate Recognition and Enforcement of Foreign Judgments”, The International Lawyer 42 (2008), pp 59-86
Okorley, Solomon	“The possible impact of the Hague Convention on the Recognition and Enforcement of foreign Judgments in Civil or Commercial Matters on Private International Law in Common Law West Africa”, (Master’s Dissertation, University of Johannesburg, 2019; available: here)
Pasquot Polido, Fabrício B.	“The Judgments Project of the Hague Conference on Private International Law: a way forward for a long-awaited solution”, in Verónica Ruiz Abou-Nigm, Maria Blanca Noodt Taquela (eds.), Diversity and integration in Private International Law, Edinburgh 2019, pp. 176-199
Payan, Guillaume	“Convention de La Haye du 2 juillet 2019 sur la reconnaissance et l’exécution des jugements étrangers en matière civile ou commerciale”, in Hubert Alcarez, Olivier Lecucq (eds.), L’exécution des décisions de justice, Pau 2020, pp 167-183
Pertegás Sender, Marta	“The 2019 Hague Judgments Convention: Its Conclusion and the road ahead”, in Asian Academy of International Law (publ.), Sinergy and Security: the Keys to Sustainable Global Investment: Proceedings of the 2019 Colloquium on International Law, 2019 Hong Kong, pp 181-190 (available here)
Pertegás, Marta	“Brussels I Recast and the Hague Judgments Project”, in Geert Van Calster (ed.), European Private International Law at 50: Celebrating and Contemplating the 1968 Brussels Convention and its Successors, Cambridge 2018, pp 67-82

Pocar, Fausto	“Riflessioni sulla recente convenzione dell’Aja sul riconoscimento e l’esecuzione delle sentenze straniere”, Rivista di diritto internazionale privato e processuale 57 (2021), pp. 5-29
Pocar, Fausto	“Brief Remarks on the Relationship between the Hague Judgments and Choice of Court Conventions”, in in Magdalena Pfeiffer, Jan Brodec, Petr B?íza, Marta Zavadilová (eds.), Liber Amicorum Monika Pauknerová, Prague 2021, pp. 345-353
Poesen, Michiel	“Is specific jurisdiction dead and did we murder it? An appraisal of the Brussels Ia Regulation in the globalizing context of the HCCH 2019 Judgments Convention”, Uniform Law Review 26 (2021), pp. 1-13
Popov, Vasiliy	“Grounds for Recognition and Enforcement of Foreign Judgments in Russia”, Issues of Russian Justice 15 (2021), pp. 137-152
Povlakic, Meliha	“Country Report Bosnia and Herzegovina”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 42-81 (available here)
Qerimi, Donikë	“Country Report Kosovo”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 82-113 (available here)
Qian, Zhenqiu	“On the Common Courts Provision under the Draft Hague Convention on the Recognition and Enforcement of Foreign Judgments”, Wuhan University International Law Review 2019-01, pp. 59-74 (available here)

Qian, Zhenqiu; Yang, Yu	“On the Interpretation and Application of the Cost of Proceedings Provision under the Hague Judgment Convention”, China Journal of Applied Jurisprudence 2020-04, pp. 96-108
Reisman, Diana A. A.	“Breaking Bad: Fail –Safes to the Hague Judgments Convention”, Georgetown Law Journal 109 (2021), pp. 880-906
Reyes, Anselmo	„Implications of the 2019 Hague Convention on the Enforcement of Judgments of the Singapore International Commercial Court”, in Rolf A. Schütze, Thomas R. Klötzel, Martin Gebauer (eds.), Festschrift für Roderich C. Thümmel zum 65. Geburtstag, Berlin 2020, pp 695-709
Ribeiro-Bidaoui, João	“The International Obligation of the Uniform and Autonomous Interpretation of Private Law Conventions: Consequences for Domestic Courts and International Organisations”, Netherlands International Law Review 67 (2020), pp 139 – 168
Rumenov, Ilija	“Implications of the New 2019 Hague Convention on Recognition and Enforcement of Foreign Judgments on the National Legal Systems of Countries in South Eastern Europe”, EU and Comparative Law Issues and Challenges Series (ECLIC) 3 (2019), pp 385-404
Rumenov, Ilija	“Country Report North Macedonia”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 138-179 (available here)
Rumenov, Ilija	“The indirect jurisdiction of the 2019 Hague Convention on recognition and enforcement of foreign judgments in civil or commercial matters – Is the “heart” of the Convention”, SEELJ Special Edition No. 8 (2021), pp. 9-45

Sachs, Klaus; Weiler, Marcus	“A comparison of the recognition and enforcement of foreign decisions under the 1958 New York Convention and the 2019 Hague Judgments Convention”, in Rolf A. Schütze, Thomas R. Klötzel, Martin Gebauer (eds.), Festschrift für Roderich C. Thümmel zum 65. Geburtstag, Berlin 2020, pp 763-781
Saito, Akira	“Advancing Recognition and Enforcement of Foreign Judgments: Developments of Inter-Court Diplomacy and New Hague Judgments Convention”, Kobe Law Journal 2019-03, pp. 59-110 (available here)
Sánchez Fernández, Sara	“El Convenio de la Haya de Reconocimiento y Ejecución de Sentencias”, Revista Española de Derecho Internacional 73 (2021), pp. 233-252
Saumier, Geneviève	“Submission as a Jurisdictional Basis and the HCCH 2019 Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 49-65
Schack, Haimo	“Wiedergänger der Haager Konferenz für IPR: Neue Perspektiven eines weltweiten Anerkennungs- und Vollstreckungsübereinkommens?“, Zeitschrift für Europäisches Privatrecht (ZeuP) 2014, pp 824-842
Schack, Haimo	„Das neue Haager Anerkennungs- und Vollstreckungsübereinkommen“, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2020, pp 1-96
Senicheva, Marina	“The Relevance and Problems of the Hague Convention of July 2, 2019 on the Recognition and Enforcement of Foreign Judgments Ratification by the Russian Federation”, Advances in Law Studies 8 (2020), online (available: here)

Shan, Juan	“A study on the Anti-trust Provisions in the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Chinese Yearbook of Private International Law and Comparative Law 2019-01, pp. 318-335
Shchukin, Andrey Igorevich	“Indirect International Jurisdiction in the Hague Convention on the Recognition and Enforcement of Foreign Judgments of 2019 (Part 1)”, Journal of Russian Law No. 2020-07, pp. 170-186 (available here)
Shchukin, Andrey Igorevich	“Indirect International Jurisdiction in the Hague Convention on the Recognition and Enforcement of Foreign Judgments of 2019 (Part 2)”, Journal of Russian Law No. 2020-11, pp. 140-54 (available here)
Shen, Juan	“Further Discussion on the Drafts of the Hague Convention on Jurisdiction and Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters and Considerations from Chinese Perspective”, Chinese Review of International Law 2016-06, pp. 83-103 (available here)
Silberman, Linda	“Comparative Jurisdiction in the International Context: Will the Proposed Hague Judgments Convention be Stalled?”, DePaul Law Review 52 (2002), pp 319-349
Silberman, Linda	“The 2019 Judgments Convention: The Need for Comprehensive Federal Implementing Legislation and a Look Back at the ALI Proposed Federal Statute”, NYU School of Law, Public Law Research Paper No. 21-19 (available here)
Skvortsova, Tatyana Aleksandrovna; Denyak, Victoria Yurievna	**“On the issue of Recognition and Enforcement of Court Decisions of a Foreign State in the Russian Federation”, Collection of selected Articles of the International Scientific Conference, Saint Petersburg (2021), pp. 258-261**

Solomon, Dennis	“Das Haager Anerkennungs- und Vollstreckungsübereinkommen von 2019 und die internationale Anerkennungszuständigkeit“, in Rolf A. Schütze, Thomas R. Klötzel, Martin Gebauer (eds.), Festschrift für Roderich C. Thümmel zum 65. Geburtstag, Berlin 2020, pp 873-893
Song, Jianli	“ ‘Convention on the Recognition and Enforcement of Foreign Civil and Commercial Judgments’ and its influence on my country”, People’s Judicature (Application) 2020-01, pp. 88-92 (available here)
Song, Lianbin; Chen, Xi	“The Judicial Difference and International Coordination of the Recognition and Enforcement of Foreign Punitive Damages Judgements: Also on China’s Corresponding Measures Under the Frame of HCCH Convention”, Jiang-Huai Tribune 2021-03, pp. 111-113
Spitz, Lidia	„Homologação De Decisões Estrangeiras No Brasil – A Convenção de Sentenças da Conferência da Haia de 2019 e o contrôle indireto da jurisdição estrangeira”, Belo Horizonte 2021
Spitz, Lidia	„Refusal of Recognition and Enforcement of Foreign Judgments on Public Policy Grounds in the Hague Judgments Convention – A Comparison with The 1958 New York Convention“, YbPIL 21 (2019/2020), pp 333-364
Stein, Andreas	„Das Haager Anerkennungs- und Vollstreckungsübereinkommen 2019 – Was lange währt, wird endlich gut?“, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2020, pp 197-202
Stewart, David P.	„Current Developments: The Hague Conference adopts a New Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, American Journal of International Law (AJIL) 113 (2019), pp 772-783

Stitz, Olivia	“Comity, Tipping Points, and Commercial Significance: What to expect of the Hague Judgments Convention”, Corporate and Business Law Journal (Corp. & Bus. L.J.) 2 (2021), pp. 203-236 (available here)
Storskrubb, Eva	**“The EU Commission’s Proposal for the EU to Accede to the Hague Judgments Convention”, EU Law Live Weekend Edition No. 75 (2021), pp. 10-16 (available here)**
Suk, Kwang-Hyun	“Principal Content and Indirect Jurisdiction Rules of the Hague Judgments Convention of 2019”, Korea Private International Law Journal 2020-02, pp. 3-83
Sun, Jin; Wu, Qiong	“The Hague Judgments Convention and how we negotiated it”, Chinese Journal of International Law 19 (2020) (available here)
Sun, Xiaofei; Wu, Qiong	“Commentary and Outlook on the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Journal of International Law 2019-01, pp. 155-164+170
Symeonides, Symeon C.	“Recognition and Enforcement of Foreign Judgments: The Hague Convention of 2019”, in Symeon C. Symeonides, Cross-Border Infringement of Personality Rights via the Internet, Leiden 2021, pp. 130-144
Takeshita, Keisuke	“The New Hague Convention on Recognition and Enforcement of Foreign Judgments: Analysis on its Relationship with Arbitration”, Japanese Commercial Arbitration Journal (JCA) 2020-02, pp. 10-15 (available here)

Takeshita, Keisuke	“The New Hague Convention on Recognition and Enforcement of Foreign Judgments”, Japanese Commercial Arbitration Journal Part 1: JCA 2020-04, pp. 40-45 (available here) Part 2: JCA 2020-05, pp. 40-45 (available here) Part 3: JCA 2020-06, pp. 42-49 (available here) Part 4: JCA 2020-10, pp. 40-46 (available here) Part 5: JCA 2020-11, pp. 35-41 (available here) Part 6: JCA 2020-12, pp. 43-48 (available here) Part 7: JCA 2021-02, pp. 50-56 Part 8: JCA 2021-04, pp. 45-51 Part 9: JCA 2021-07, pp. 46-53 Part 10: JCA 2021-09, pp. 40-46 Part 11: JCA 2021-10, pp. 48-54
Taquela, María Blanca Noodt ; Abou-Nigm, Verónica Ruiz	“News From The Hague: The Draft Judgments Convention and Its Relationship with Other International Instruments”, Yearbook of Private International Law 19 (2017/2018), pp 449-474
Teitz, Louise Ellen	“Another Hague Judgments Convention? – Bucking the Past to Provide for the Future”, Duke Journal of Comparative & International Law 29 (2019), pp 491-511
Tian, Hongjun	“The Present and Future of the Recognition and Enforcement of Civil and Commercial Judgments in Northeast Asia: From the Perspective of the 2019 Hague Judgments Convention”, Chinese Yearbook of Private International Law and Comparative Law 2019-01, pp. 300-317
Tian, Xinyue; Qian, Zhenqiu; Wang, Shengzhe	“The Hague Convention on the Recognition and Enforcement of Foreign Judgments (Draft) and China’s Countermeasure – A Summary on the Fourth Judicial Forum of Great Powers”, Chinese Yearbook of Private International Law and Comparative Law 2018-01, pp. 377-388

Trooboff, Peter D.; North, Cara; Nishitani, Yuko; Sastry, Shubha; Chanda, Riccarda	"The Promise and Prospects of the 2019 Hague Convention: Introductory Remarks", Proceedings of the ASIL Annual Meeting 114 (2020), pp. 345-357
Tsang, King Fung; Wong, Tsz Wai	"Enforcement of Non-Monetary Judgments in Common Law Jurisdictions: Is the Time Ripe?", Fordham International Law Journal 45 (2021), pp. 379-428 (available here)
UIHJ (ed.); Walker, David (dir.)	"The HCCH 2019 Judgments Convention, adding essential components for an effective international legal framework on recognition and enforcement", in UIHJ (ed.), David Walker (dir.), Cyberjustice, de nouvelles opportunités pour l'huissier de justice / Cyberjustice, New Opportunities for the Judicial Officer – XXIVe Congrès de l'Union Internationale des Huissiers de Justice – Dubai – 22 au 25 Novembre 2021, Bruxelles 2021, pp. 120-133
van der Grinten, Paulien; ten Kate, Noura	„Editorial: The 2019 Hague Judgments Convention", Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 1-3
van Loon, Hans	"Towards a global Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters", Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 4-18
van Loon, Hans	"Towards a Global Hague Convention on the Recognition and Enforcement of Judgments in Civil or Commercial Matters", Collection of Papers of the Faculty of Law, Niš 82 (2019), pp 15-35
van Loon, Hans	"Le *Brexit* et les conventions de La Haye", Revue critique de droit international privé (Rev. Crit. DIP) 2019, pp. 353-365

Viegas Liquidato, Vera Lúcia	“Reconhecimento E Homologação De Sentenças Estrangeiras : O Projeto De Convenção Da Conferência da Haia”, Revista de Direito Brasileira 2019-09, pp. 242-256
Wagner, Rolf	“Ein neuer Anlauf zu einem Haager Anerkennungs- und Vollstreckungsübereinkommen“, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2016, pp 97-102
Wang, Quian	“On Intellectual Property Right Provisions in the Draft Hague Convention on the Recognition and Enforcement of Foreign Judgments”, China Legal Science 2018-01, pp. 118-142 (available here)
Wang, Yahan	“No Review of the Merits in Recognizing and Enforcing Foreign Judgments”, China Journal of Applied Jurisprudence 2020-04, pp. 78-95
Weidong, Zhu	“The Recognition and Enforcement of Commercial Judgments Between China and South Africa: Comparison and Convergence”, China Legal Science 2019-06, pp 33-57 (available here)
Weller, Matthias	“The HCCH 2019 Judgments Convention: New Trends in Trust Management?”, in Christoph Benicke, Stefan Huber (eds.), Festschrift für Herbert Kronke zum 70. Geburtstag, Bielefeld 2020, pp 621-632
Weller, Matthias	“The 2019 Hague Judgments Convention – The Jurisdictional Filters of the HCCH 2019 Judgments Convention”, Yearbook of Private International Law 21 (2019/2020), pp 279-308
Weller, Matthias	“Das Haager Übereinkommen zur Anerkennung und Vollstreckung ausländischer Urteile”, in Thomas Rauscher (ed.), Europäisches Zivilprozess- und Kollisionsrecht, Munich, 5th ed., forthcoming

Weller, Matthias	„Die Kontrolle der internationalen Zuständigkeit im Haager Anerkennungs- und Vollstreckungsübereinkommen 2019“, in Christoph Althammer/Christoph Schärtl (eds.), Festschrift für Herbert Roth, Tübingen 2021, pp. 835-855
Wilderspin, Michael; Vysoka, Lenka	“The 2019 Hague Judgments Convention through European lenses”, Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 34-49
Wu, Qiong	“The Overview of the 22nd Diplomatic Session of the Hague Conference on Private International Law”, Chinese Yearbook of International Law 2019, pp. 337-338
Xie, Yili	“Research on the Intellectual Property Infringment System of the Hague Judgments Convention”, China-Arab States Science and Technology Forum 2021-09, pp. 190-194
Xu, Guojian	“Comment on Key Issues Concerning Hague Judgment Convention in 2019 “, Journal of Shanghai University of Political Science and Law 35 (2020), pp 1-29
Xu, Guojian	“To Establish an International Legal System for Global Circulation of Court Judgments”, Wuhan University International Law Review 2017-05, pp 100-130
Xu, Guojian	“Overview of the Mechanism of Recognition and Enforcement of Judgements Established by HCCH 2019 Judgments Convention”, China Journal of Applied Jurisprudence No. 2020-02, pp 65-77
Xu, Guojian	“On the Scope and Limitation of the Global Circulation of Court Judgments: An Analysis on the Application Scope of the 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Chinese Yearbook of Private International Law and Comparative Law 2019-01, pp. 269-299

Yekini, Abubakri	"The Hague Judgments Convention and Commonwealth Model Law – A Pragmatic Perspective", Oxford 2021.
Yeo, Terence	"The Hague Judgments Convention – A View from Singapore", Singapore Academy of Law Journal (e-First) 3rd August 2020 (available here)
Yuzhakov, D.A.	**"Legal Regulation of the Procedures for Enforcement of Decisions of Foreign Courts in Economic Disputes", Urgent Issues of the Entrepreneurship Law, Civil Litigation and Arbitration (Perm State University) No. 4 (2021), pp. 119-123 (available here)**
Zasemkova, Olesya Fedorovna	" 'Judicial Convention' as a New Stage in the Recognition and Enforcement of Foreign Judgments", Lex Russica 2019-10, pp. 84-103 (available here)
Zasemkova, Olesya Fedorovna	**"Recognition and Enforcement of Foreign Judgments in the Context of the Adoption of the « Judicial Convention » 2019", in Zhuikov V.M., Shchukin A.I. (eds.), Liber Amicorum Natalia Ivanovna Marysheva, pp. 196-211**
Zhang, Chunliang; Huang, Shan	"On the Common Courts Rules in Hague Judgments Convention – China's way for the Judicial Assistance under Belt and Road Initiative", Journal of Henan University of Economics and Law 2020-05, pp. 103-113
Zhang, Lizhen	"On the Defamation Problem in the Hague Judgments Project: Ever In and Now out of the Scope", Wuhan University International Law Review 2019-01, pp. 41-58 (available here)
Zhang, Wenliang	"The Finality Requirement of Recognition and Enforcement of Foreign Judgments", Wuhan University Law Review 2020-02, pp. 19-38

Zhang, Wenliang; Tu, Guangjian	“The Hague Judgments Convention and Mainland China-Hong Kong SAR Judgments Arrangement: Comparison and Prospects for Implementation”, Chinese Journal of International Law 20 (2021), pp. 101-135
Zhang, Wenliang; Tu, Guangjian	“The 1971 and 2019 Hague Judgments Conventions: Compared and Whether China Would Change Its Attitude Towards The Hague”, Journal of International Dispute Settlement (JIDS), 2020, 00, pp. 1-24
Zhang, Zhengyi; Zhang, Zhen	“Development of the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters and Its Implication to China”, International and Comparative Law Review 2020, pp. 112-131
Zhao, Ning	“Completing a long-awaited puzzle in the landscape of cross-border recognition and enforcement of judgments: An overview of the HCCH 2019 Judgments Convention”, Swiss Review of International and European Law (SRIEL) 30 (2020), pp 345-368
Zirat, Gennadii	“Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters: A new Contribution of the Hague Conference on Private International Law to the Unification of International Civil Procedure” Ukrainian Journal of International Law 2020-03, pp. 105-112 (available here)

III. Recordings of Events Related to the HCCH 2019 Judgments Convention

HCCH	“HCCH a|Bridged: Innovation in Transnational Litigation – Edition 2021: Enabling Party Autonomy with the HCCH 2005 Choice of Court Convention”, 1 December 2021 (full recording available here)

UIHJ; HCCH	"3rd training webinar on the Hague Conventions on service of documents (1965) and recognition and enforcement of judgements (2019)", 15/18 March 2021 (full recording available here in French and here in English)
ASADIP; HCCH	"Conferencia Internacional: Convención HCCH 2019 sobre Reconocimiento y Ejecución de Sentencias Extranjeras", 3 December 2020 (full recording available here and here)
ASIL	"The Promise and Prospects of the 2019 Hague Convention", 25-26 June 2020 (full recording available here and here)
JPRI; HCCH; UNIDROIT; UNCITRAL	"2020 Judicial Policy Research Institute International Conference – International Commercial Litigation: Recent Developments and Future Challenges, Session 3: Recognition and Enforcement of Foreign Judgments", 12 November 2020 (recording available here)
University of Bonn; HCCH	"Pre-Conference Video Roundtable on the HCCH 2019 Judgments Convention: Prospects for Judicial Cooperation in Civil and Commercial Matters between the EU and Third Countries", 29 October 2020 (full recording available here)
Department of Justice Hong Kong; HCCH	"Inaugural Global Conference – 2019 HCCH Judgments Convention: Global Enforcement of Civil and Commercial Judgments", 9 September 2019 (recording available here)
HCCH	"22nd Diplomatic Session of the HCCH: The Adoption of the 2019 Judgments Convention", 2 July 2020 (short documentary video available here)

Chronology of Practice: Chinese Practice in Private International Law in 2020

This post has been prepared by He Qisheng, Professor of International Law, Peking University Law School, and Chairman at the Peking University International Economical Law Institute, has published the 7th Survey on Chinese Practice in Private International Law.

This survey contains materials reflecting the practice of Chinese private international law in 2020. First, regarding changes in the statutory framework of private international law in China, three legislative acts, one administrative regulation on the Unreliable Entity List and ten judicial interpretations of the Supreme People's Court were adopted or amended in 2020 on a wide range of matters, including conflict of laws, punitive damages, international civil procedure, *etc*. Second, 11 typical cases involving Chinse courts' jurisdiction are selected to highlight the development in Chinese private international law, involving standard essential patents, abuse of market dominance, declaration of non-infringement of patent, asymmetric choice of court agreement and other matters. Third, nine cases on choice of law questions relating, in particular, to habitual residence, rights *in rem*, matrimonial property regimes and ascertainment of foreign law, are examined. Fourth, five cases involving anti-suit injunction or anti-enforcement injunction are reported and one introduced in detail. Fifth, the first occasion for on international judicial assistance of extracting DNA, as well as three representative cases on the recognition and enforcement of foreign judgments, are discussed. The Statistics of international judicial assistance cases in China is first released in this survey. Finally, this survey also covers five recent decisions illustrating Chinese courts' pro-arbitration attitude towards the uncertainty brought about by contractual clauses referring to both litigation and arbitration.

Here are the links to the article:

· Standard link (you may share this link anywhere):
https://academic.oup.com/chinesejil/advance-article-abstract/doi/10.1093/chinesejil/jmab031/6449363

· Free-access link (see below for how you may use this link):
https://academic.oup.com/chinesejil/advance-article/doi/10.1093/chinesejil/jmab031/6449363?guestAccessKey=4f7f76a9-41f4-4c46-9366-ea0198ab74ca

Table of Contents

IV.B. Proprietary rights

IV.C. Matrimonial assets

IV.D. Ascertainment of foreign law

1. **International judicial assistance**

V.A. Statistics of judicial assistance in civil or commercial matters

V.B. Taking of evidence for foreign courts

1. **Action preservation and anti-suit Injunction**

VII. Recognition and enforcement of foreign judgments

VIII. International arbitration

VIII.A. Agreements with jurisdiction and arbitration clauses

VIII.B. Construction on “judgment upon the award”

Golan v. Saada: A New Hague Child Abduction Case at the U.S. Supreme Court

Last week, the Supreme Court of the United States agreed to hear a case concerning Hague Convention on the Civil Aspects of International Child Abduction. Amy Howe has an excellent summary of the case on her blog, Howe on the Court.

Under the convention, children who are wrongfully taken from the country where they live must be returned to that country, so that custody disputes can be resolved there. The convention makes an exception for cases in which there is a “grave risk” that returning the child would expose him or her to physical or

psychological harm.

In Golan v. Saada, a U.S. citizen married an Italian citizen in 2015; they had a child, born in Milan, in 2016. The husband was allegedly abusive toward the wife throughout the marriage, but he did not directly abuse their son. In 2018, the wife took the child to the United States and did not return, remaining in a domestic-violence shelter in New York. The husband went to federal court there, trying to compel the child's return to Italy.

The U.S. Court of Appeals for the 2nd Circuit ruled that, when a district court concludes that a child's return would pose a grave risk of harm, the district court must consider measures that would reduce that risk. This holding clashes with the holdings of other courts of appeals, which do not mandate the consideration of such measures, particularly in cases involving domestic violence. The case then went back to the district court, which ordered the child's return to Italy with a variety of protective measures in place – for example, mandatory therapy and parenting classes. The Supreme Court agreed to decide whether courts are required to consider all measures that might reduce the grave risk of harm if the child were to return home.

The case will be argued in the Spring and decided before June 2022; the docket and publicly available filings can be accessed here.

JPIL-SMU Virtual Conference on Conflicts of Jurisdiction on 23 to 24 June 2022 and postponement of the biennial JPIL Conference until

2023

The Journal of Private International Law and the Singapore Management University will hold a virtual conference on 23 to 24 June 2022. The theme of the conference is Conflicts of Jurisdiction. The conference is designed to assist with the ongoing work of the Hague Conference on Private International Law (HCCH) on Jurisdiction. The speakers are leading private international law scholars and experts, many of whom are directly involved in the ongoing negotiations at the HCCH. Registration to attend the conference will open nearer the time.

The biennial Journal of Private International Law Conference has been delayed until 2023 in order to enable it to take place in person at the Singapore Management University. This conference will be based on a call for papers. We will announce further details in due course.

Conference on Conflicts of Jurisdiction

23-24 June 2022

Organised by the Journal of Private International Law and the Singapore Management University

(SGT=Singapore Time; BST=British Summer Time)

Day 1

Session 1 Thursday 23 June 2022 – The Common Law Approaches to Conflicts of Jurisdiction

Chair: Professor Jonathan Harris (QC) (King's College London)

Time	Speaker	Topic

18.00-18.05 SGT 11.00-11.05 BST	Professor Jonathan Harris (QC) (King's College London)	Welcome by Chair
18.05-18.10 SGT 11.05-11.10 BST	Dean of Yong Pung How School of Law, Singapore Management University	Opening comments
18.10-18.35 SGT 11.10-11.35 BST	Professor Campbell McLachlan QC (Victoria University, New Zealand)	Overview of some key issues in relation to conflicts of jurisdiction
18.35-19.00 SGT 11.35-12.00 BST	Dr Ardavan Arzandeh (National University of Singapore)	The Scottish, English and Singapore approach of forum non conveniens in conflicts of jurisdiction cases
19.00-19.25 SGT 12.00-12.25 BST	Professor Ronald Brand (University of Pittsburgh)	The US approach to forum non conveniens in conflicts of jurisdiction cases
19.25-19.50 SGT 12.25-12.50 BST	Professor Mary Keyes (Griffith University)	The Australian approach to forum non conveniens in conflicts of jurisdiction cases
19.50-20.05 SGT 12.50-13.05 BST	Q&A	
20.05-20.20 SGT 13.05-13.20 BST	Break	

Session 2 Thursday 23 June 2022 – Civilian Approaches to Conflicts of Jurisdiction

Chair: Professor Kei Takeshita (Hitotsubashi University and Chair of the HCCH Working Group on Jurisdiction)

Time	Speaker	Topic
20.20-20.25 SGT 13.20-13.25 BST	Professor Kei Takeshita (Hitotsubashi University and Chair of the HCCH Working Group on Jurisdiction)	Welcome by Chair
20.25-20.50 SGT 13.25-13.50 BST	Professor Tanja Domej (University of Zurich)	The EU and Lugano Convention approaches to conflicts of jurisdiction for internal cases (ie within the EU or between Contracting States to the Lugano Convention)
20.50-21.15 SGT 13.50-14.15 BST	Professor Geert Van Calster (KU Leuven)	The EU approach to conflicts of jurisdiction with non-EU and Lugano States (Articles 33 and 34 of Brussels Ia Regulation)
21.15-21.40 SGT 14.15-14.40 BST	Professors Nadia De Araujo and Marcelo De Nardi (Brazil)	Latin American approaches to conflicts of jurisdiction in international cases
21.40-22.05 SGT 14.40-15.05 BST	Professor Zheng (Sophia) Tang (University of Wuhan and Newcastle University)	Chinese and some other civilian approaches in Asia to conflicts of jurisdiction

22.05-22.20 SGT 15.05-15.20 BST	Q&A	

Day 2

Session 3 Friday 24 June 2022 – Work at the Hague Conference on Private International Law on Conflicts of Jurisdiction

Chair: Professor Paul Beaumont (University of Stirling)

Time	Speaker	Topic
18.00-18.05 SGT 11.00-11.05 BST	Professor Paul Beaumont (University of Stirling)	Welcome by Chair
18.05-18.30 SGT 11.05-11.30 BST	Professor Fausto Pocar (University of Milan)	The work on the Judgments Project in the Hague in the 1990s culminating in the interim text of 2001
18.30-18.55 SGT 11.30-11.55 BST	Professor David McClean (University of Sheffield)	Lessons from family law notably the provisions on conflicts of jurisdiction including transfers of jurisdiction in the Child Protection Convention 1996
18.55-19.20 SGT 11.55-12.20 BST	Dr João Ribeiro-Bidaoui (First Secretary, HCCH)	The revived Jurisdiction Project in the Hague – from Experts' Group to Working Group – possible solutions on conflicts of jurisdiction

19.20-19.45 SGT 12.20-12.45 BST	Professor Matthias Lehmann (University of Vienna)	Challenges and opportunities for a new binding global instrument on conflicts of jurisdiction
19.45-20.00 SGT 12.45-13.00 BST	Q&A	
20.00-20.15 SGT 13.00-13.15 BST	Break	

Session 4 Friday 24 June 2022 – Work at the Hague Conference on Private International Law on Conflicts of Jurisdiction (continued)

Chair: Dr Adeline Chong (Singapore Management University)

Time	Speaker	Topic
20.15-20.20 SGT 13.15-13.20 BST	Dr Adeline Chong (Singapore Management University)	Welcome by Chair
20.20-20.45 SGT 13.20-13.45 BST	Professor Trevor Hartley (London School of Economics)	Balancing forum non conveniens and lis pendens (same parties and same subject matter) in a new global instrument on conflicts of jurisdiction
20.45-21.10 SGT 13.45-14.10 BST	Professor Yeo Tiong Min (Singapore Management University)	Dealing with related actions in a new global instrument on conflicts of jurisdiction

21.10-21.35 SGT 14.10-14.35 BST	Professor Franco Ferrari (NYU)	Conflicts between courts and arbitration in international cases and how to resolve them in a new global instrument on conflicts of jurisdiction
21.35-22.00 SGT 14.35-15.00 BST	Justice Anselmo Reyes (Singapore International Commercial Court and Doshisha University)	International commercial courts' approaches to conflicts of jurisdiction and how they fit with a new global instrument on conflicts of jurisdiction
22.00-22.15 SGT 15.00-15.15 BST	Q&A	
22.15-22.20 SGT 15.15-15.20 BST	Professor Jonathan Harris, Professor Paul Beaumont, Dr Adeline Chong	Closing remarks

---

2021 UNCITRAL ASIA PACIFIC DAY UNCITRAL RCAP-UM JOINT CONFERENCE 2021 CONQUERING THE COVID: ENHANCING

ECONOMIC RECOVERY THROUGH HARMONIZATION OF LAW GOVERNING MSMES

On 17 December 2021, the UNCITRAL RCAPUM Joint Conference, an event celebrating the 2021 UNCITRAL Asia Pacific Day, is scheduled in the University of Macau (Macau SAR) under the title "Conquering the COVID: Enhancing Economic Recovery through Harmonization of Law Governing MSMEs". This is the annual conference rising from the successful cooperation between the UNCITRAL Regional Centre for Asia and the Pacific (RCAP) and the University of Macau since 2014. The UNCITRAL RCAP-UM Joint Conference 2021 intends to bring together a group of distinguished experts and scholars to analyze contemporary issues related to the current agenda of UNCITRAL impacting MSMEs and the legal instruments resulting from its previous works. The conference will focus on the following tracks: 1. MSMEs formation: simplification of practices in business registration and transformation of business establishment procedures. 2. Creating congenial legal environment for MSMEs in special economic zones through legal harmonization: regional developments including the Guangdong-Macao in-depth Cooperation Zone. 3. MSME Financing: Financial support, access to credit, and sustainable finance for MSMEs & MSE insolvency, further efforts of UNCITRAL to simplify insolvency procedures, and unify insolvency law. 4. Promotion of viable dispute resolution mechanisms for MSMEs through adaptation of arbitration and mediation. 5. Contemporary legal developments facilitating the establishment and the successful operation of the MSMEs.

As the core legal body of the United Nations system in the field of international trade law, the United Nations Commission on International Trade Law (UNCITRAL) seeks to progressively harmonize and modernize trade laws by preparing and promoting the adoption and use of legislative and nonlegislative instruments in several key areas of commercial law. UNCITRAL RCAP (Incheon, Republic of Korea) was inaugurated in 2012 to promote the work of UNCITRAL in the Asia-Pacific region and provide technical assistance to the states concerning the implementation and uniform interpretation of UNCITRAL texts, thereby diminishing legal obstacles to global commercial transactions. University of

Macau, founded in 1981, is the leading comprehensive public university in Macau. It is a resourceful and ambitious educational institution with unique Sino-European heritage and global connections. In 2017, it was ranked within the top-50 universities in Asia by the Times Higher Education Asia University Rankings. It has also been ranked within the top-100 Asian University Rankings in QS World University Rankings. The Faculty of Law of the University of Macau, responsible for organizing the conference, is the oldest law school in Macau. With its diversemultilingual programs and teaching staff of international background, the Faculty has been playing a vital role in promoting legal education and research in Macau and contributing to the build-up of the local legal system. In addition, the Faculty of Law has also successfully held many high-level international conferences and meetings on a range of legal topics.

The registration for the conference is free of charge. Participants should complete registration in advance and obtain confirmation to secure a place at the conference. The deadline for registration is 15 December 2021. The conference will be held on 17 December 2021 in a mixed format (online and offline). The speakers and participants from outside Macau are invited to take part in the conference via Zoom. The conference will start at 9:30 a.m. (Macau time) and may end late in the evening to accommodate speakers and participants from different time zones.

FOR MORE INFORMATION AND ENQUIRIES, PLEASE CONTACT US AT LAW.UMUNCITRAL@UM.EDU.MO

Conflict of Laws and More at RIDOC 2021

The **RIDOC 2021**: Rijeka Doctoral Conference will be held on Friday 10

December 2021, from 8:30 to 17:30, in 10 sessions (some running parallel), at the University of Rijeka, Faculty of Law and online. The record number of doctoral students and outstanding three-member panels will provide an internationally diverse environment for discussion of various legal topics. Among the topics many of our readers will find something along their interests in conflict of laws, arbitration law, and of course public international law, as the same day we celebrate the international day of human rights.

The special treat is the plenary lecture to be given by the First Advocate General of the CJEU Maciej Szpunar on "The Court of Justice of the European Union and Effects of Research upon its Functioning" which starts at 12:30 at this link.

The programme is available here, and next to each session there is a corresponding link.

Update: HCCH 2019 Judgments Convention Repository

In preparation of the Conference on the HCCH 2019 Judgments Convention on 9/10 September 2022, planned to be taking place on campus of the University of Bonn, Germany, we are offering here a Repository of contributions to the HCCH 2019 Judgments Convention. Please email us if you miss something in it, we will update immediately…

Update of 19 December 2021: New entries are printed bold.

Please also check the "official" Bibliography of the HCCH for the instrument.

I. Explanatory Reports

Garcimartín Alférez, Francisco; Saumier, Geneviève	„Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters: Explanatory Report“, as approved by the HCCH on 22 September 2020 (available here)
Garcimartín Alférez, Francisco; Saumier, Geneviève	“Judgments Convention: Revised Draft Explanatory Report”, HCCH Prel.-Doc. No. 1 of December 2018 (available here)
Nygh, Peter; Pocar, Fausto	“Report of the Special Commission”, HCCH Prel.-Doc. No. 11 of August 2000 (available here), pp 19-128

II. Bibliography

Badr, Yehya Ibrahim	“The Hague 2019 Convention for the Recognition and Enforcement of Foreign Judicial Decisions: A Comparative Study”, International Journal of Doctrine, Judiciary, and Legislation (IJDJL) 2 (2021), pp. 427-468 (available here)
Balbi, Francesca	“La circolazione delle decisioni a livello globale: il rogetto di convenzione della Conferenza dell’Aia per il riconoscimento e l’esecuzione delle sentenze straniere” (Tesi di dottorato, Università degli Studi di Milano-Bicocca, 2019; available: here)
Beaumont, Paul	“*Forum non Conveniens* and the EU rules on Conflicts of Jurisdiction: A Possible Global Solution”, Revue Critique de Droit International Privé 2018, pp 433-447
Beaumont, Paul R.	“Judgments Convention: Application to Governments”, Netherlands International Law Review (NILR) 67 (2020), pp 121-137

Beaumont, Paul; Holliday, Jane (eds.)	“A Guide to Global Private International Law”, Oxford 2022, forthcoming.
Biresaw, Samuel Maigreg	“Appraisal of the Success of the Instruments of International Commercial Arbitration vs. Litigation and Mediation in the Harmonization of the Rules of Transnational Commercial Dispute Settlement”, preprint (DOI:10.21203/rs.3.rs-953987/v1).
Blanquet-Angulo, Alejandra	“Les Zones d’ombre de la Convention de La Haye du 2 Juillet 2019”, Revue Internationale de Droit Comparé (RIDC), 73 (2021), pp. 53-71
Blom, Joost	“The Court Jurisdiction and Proceedings Transfer Act and the Hague Judgments and Jurisdictions Projects”, Osgoode Hall Law Journal 55 (2018), pp 257-304
Bonomi, Andrea	“European Private International Law and Third States”, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2017, pp 184-193
Bonomi, Andrea	“Courage or Caution? – A Critical Overview of the Hague Preliminary Draft on Judgments”, Yearbook of Private International Law 17 (2015/2016), pp 1-31
Bonomi, Andrea; Mariottini, Cristina M.	“(Breaking) News From The Hague: A Game Changer in International Litigation? – Roadmap to the 2019 Hague Judgments Convention”, Yearbook of Private International Law 20 (2018/2019), pp 537-567
Borges Moschen, Valesca Raizer; Marcelino, Helder	“Estado Constitutional Cooperativo e a conficaçao do direito internacional privado apontamentos sobre o ’Judgement Project’ da Conferência de Haia de Direito Internacional Privado”, Revista Argumentum 18 (2017), pp 291-319 (Cooperative Constitutional State and the Codification of Private International Law: Notes on the “Judgment Project” of the Hague Conference on Private International Law)

Brand, Ronald A.	“The Circulation of Judgments Under the Draft Hague Judgments Convention”, University of Pittsburgh School of Law Legal Studies Research Paper Series No. 2019-02, pp 1-35
Brand, Ronald A.	“Jurisdictional Developments and the New Hague Judgments Project”, in HCCH (ed.), A Commitment to Private International Law – Essays in honour of Hans van Loon, Cambridge 2013, pp 89-99
Brand, Ronald A.	“New Challenges in Recognition and Enforcement of Judgments”, in Franco Ferrari, Diego P. Fernández Arroyo (eds.), Private International Law – Contemporary Challenges and Continuing Relevance, Cheltenham/Northampton 2019, pp 360-389
Brand, Ronald A.	“Jurisdiction and Judgments Recognition at the Hague Conference: Choices Made, Treaties Completed, and the Path Ahead”, Netherlands International Law Review (NILR) 67 (2020), pp 3-17
Brand, Ronald A.	“The Hague Judgments Convention in the United States: A ‘Game Changer’ or a New Path to the Old Game?“, University of Pittsburgh Law Review 82 (2021), pp. 847-880 (available here)
Çaliskan, Yusuf; Çaliskan, Zeynep	“2 Temmuz 2019 Tarihli Yabanci Mahkeme Kararlarinin Taninmasi ve Tenfizine Iliskin Lahey Anlasmasinin Degerlendirilmesi”, Public and Private International Law Bulletin 40 (2020), pp 231-245 (available here) (An Evaluation of 2 July 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters)

Celis Aguilar, María Mayela	“El convenio de la haya de 30 de junio de 2005 sobre acuerdos de elección de foro y su vinculación con el ‘proyecto sobre Sentencias’ (y viceversa)”, Revista mexicana de Derecho internacional privado y comprado N°40 (octubre de 2018), pp. 29-51 (available here)
Chai, Yuhong; Qu, Zichao	“The Development and Future of the Hague Jurisdiction Project”, Wuhan University International Law Review 2021-05, pp. 27-52 (online first)
Chen, Wendy	“Indirect Jurisdiction over the Recognition and Enforcement of Judgments of Foreign Courts in Compulsory Counterclaims”, Journal of Xingtai University 2019-04, pp. 106-110
Cheng, Xian-ping; Liu, Xian-chao	“On the Application of the Severable Clause in The Hague Judgments Convention”, Harbin Normal University Social Science Journal 2021-05, pp. 30-34
Choi, Sung-Soo	“Review of the several issues of the Convention on the Recognition and Enforcement of Foreign Judgments”, Gachon Law Review 14 (2021), pp. 37-68 (available here)
Clavel, Sandrine ; Jault-Seseke, Fabienne	“La convention de La Haye du 2 juillet 2019 sur la reconnaissance et l’exécution des jugements étrangers en matière civile ou commerciale : Que peut-on en attendre ?”, Travaux du comité français de Droit international privé, Vol. 2018-2020, Paris 2021 (Version provisoire de la communication présentée le 4 octobre 2019, available here)
Clover Alcolea, Lucas	“The 2005 Hague Choice of Court and the 2019 Hague Judgments Conventions versus the New York Convention – Rivals, Alternatives or Something Else?”, Mc Gill Journal of Dispute Resolution 6 (2019-2020), pp. 187-214

Coco, Sarah E.	“The Value of a New Judgments Convention for U.S. Litigants”, New York University Law Review 94 (2019), pp 1210-1243
Cong, Junqi	“Reinventing China’s Indirect Jurisdiction over Civil and Commercial Matters concerning Foreign Affairs – Starting from the Hague Judgment Convention” (Master’s Thesis, National 211/985 Project Jilin University; DOI: 10.27162/d.cnki.gjlin.2020.001343)
Contreras Vaca, Francisco José	“Comentarios al Convenio de la Haya del 2 de julio de 2019 sobre Reconcimiento y Ejecución de Sentencias Extranjeras en materia civil y comercial”, Revista mexicana de Derecho internacional privado y comprado N°45 (abril de 2021), pp. 110-127 (available here)
Cui, Zhenghao	“On the Coordination between the Draft Convention on Judicial Sale of Ships and the related Conventions of the Hague Conference on Private International Law”, China Ship Survey 2021-04, pp. 65-68
Cuniberti, Gilles	“Signalling the Enforceability of the Forum’s Judgments Abroad”, Rivista di diritto internazionale private e processuale (RDIPP) 56 (2020), pp 33-54
DAV (German Bar Association)	“Position Paper on the EU’s possible accession to the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters of the Hague Conference on Private International Law”, Berlin 2020 (available here)
de Araujo, Nadia ; de Nardi, Marcelo ; Spitz, Lidia	“A nova era dos litígios internacionais”, Valor Economico 2019

de Araujo, Nadia ; de Nardi, Marcelo ; Lopes Inez ; Polido, Fabricio	„Private International Law Chronicles“, Brazilian Journal of International Law 16 (2019), pp 19-34
de Araujo, Nadia ; de Nardi, Marcelo	„Consumer Protection Under the HCCH 2019 Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 67-79
de Araujo, Nadia ; de Nardi, Marcelo	„22ª Sessão Diplomática da Conferência da Haia e a Convenção sobre sentenças estrangeiras : Primeiras reflexões sobre as vantagens para o Brasil da sua adoção“, Revista de la Secretaría del Tribunal Permanente de Revisión 7 No. 14 (2019), páginas 198-221 (22nd Diplomatic Session of The Hague Conference and the Convention on Foreign Judgments: First Reflections on the Advantages for Brazil of their Adoption)
de Araujo, Nadia; De Nardi, Marcelo	“International Jurisdiction in Civil or Commercial Matters: HCCH’s New Challenge”, in Magdalena Pfeiffer, Jan Brodec, Petr B?íza, Marta Zavadilová (eds.), Liber Amicorum Monika Pauknerová, Prague 2021, pp. 1-11
Dlmoska, Fani	“Would the Judgments Convention lead to unification of the ratification and enforcement of foreign judgments in the SEE Countries: The possible impact of the Judgments Convention”, SEELJ Special Edition No. 8 (2021), pp. 81-103
Dordevic, Slavko	“Country Report Serbia”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 180-202

Dotta Salgueiro, Marcos	“Article 14 of the Judgments Convention: The Essential Reaffirmation of the Non-discrimination Principle in a Globalized Twenty-First Century”, Netherlands International Law Review (NILR) 67 (2020), pp 113-120
Douglas, Michael; Keyes, Mary; McKibbin, Sarah; Mortensen, Reid	“The HCCH Judgments Convention in Australian Law”, Federal Law Review 47 (2019), pp 420-443
Du, Tao	“Frontiers of Private International Law Around the World: An Annual Review (2019-2020)”, Chinese Review of International Law 2021-04, pp. 103-128 (available here)
Echegaray de Maussion, Carlos Eduardo	“El Derecho Internacional Privado en el contexto internacional actual : Las reglas de competencia judicial indirecta en el Convenio de la Haya de 2 de Julio de 2019 y el accesso a la justicia” Revista mexicana de Derecho internacional privado y comprado N°45 (abril de 2021), pp. 128-139 (available here)
Efeçinar Süral	Possible Ratification of the Hague Convention by Turkey and Its Effects to the Recognition and Enforcement of Foreign Judgments, Public and Private International Law Bulletin 40 (2020), pp. 775-798 (available here)
EGPIL/GEDIP	Observations on the possible accession of the European Union to the Hague Convention of 2 July 2019 on the Recognition of Foreign Judgments, Text adopted on 9 December 2020 following the virtual meeting of 18-19 September 2020 (available here)

Ermakova, Elena ; Frovola, Evgenia ; Sitkareva, Elena	“International Economic Integration and the Evolution of the Principles of Civil Procedure”, in Elena G. Popkova, Bruno S. Sergi, Modern Global Economic System, Basel 2021, pp. 1589-1597
European Union (EU)/ European Commission	“Proposal for a Council Decision on the accession by the European Union to the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, COM(2021) 388 final (available here)
Fan, Jing	“On the Jurisdiction over Intellectual Property in the Draft Hague Convention on the Recognition and Enforcement of Foreign Judgments”, Chinese Yearbook of Private International Law and Comparative Law 2018-02, pp. 313-337
Fan, Jing	“Reconfiguration on Territoriality in Transnational Recognition and Enforcement of Intellectual Property Judgments”, Chinese Review of International Law 2021-01, pp. 90-112 (available here)
Farnoux, Étienne	“Reconnaissance et exécution des jugements étrangers en matière civil ou commerciale : À propos de la Convention de La Haye du 2 juillet 2019”, La Semaine Juridique 2019, pp. 1613-1617
Forner Delaygua, Joaquim-Joan	“El Convenio de La Haya de 2 julio 2019 como nuevo marco normativo de las sentencias en materia de contractual comercial”, in Pérez Vera et al. (eds.), El Derecho internacional privado entre la tradición y la innovación – Obra homenaje al Profesor doctor José María Espinar Vicente, Madrid 2020, pp. 307-325
Franzina, Pietro; Leandro, Antonio	“La Convenzione dell’Aja del 2 luglio 2019 sul riconoscimento delle sentenze straniere : una prima lettura”, Quaderni di SIDIblog 6 (2019), pp 215-231 (available here) (The Hague Convention of 2 July 2019 on the Recognition of Foreign Judgments: A First Appraisal)

Fuchs, Felix	“Das Haager Übereinkommen vom 2. Juli 2019 über die Anerkennung und Vollstreckung ausländischer Urteile in Zivil- oder Handelssachen“, Gesellschafts- und Wirtschaftsrecht (GWR) 2019, pp 395-399
Garcimartín, Francisco	“The Judgments Convention: Some Open Questions”, Netherlands International Law Review (NILR) 67 (2020), pp 19-31
Garnett, Richard	“The Judgments Project: fulfilling Assers dream of free-flowing judgments”, in Thomas John, Rishi Gulati, Ben Koehler (eds.), The Elgar Companion to the Hague Conference on Private International Law, Cheltenham/Northampton 2020, pp. 309-321
Goddard, David	„The Judgments Convention – The Current State of Play”, Duke Journal of Comparative & International Law 29 (2019), pp 473-490
Gu, Weixia	“A Conflict of Laws Study in Hong Kong-China Judgment Regionalism: Legal Challenges and renewed Momentum”, Cornell International Law Journal 52 (2020), pp. 591-642
Guez, Philippe; de Berard, François; Malet-Deraedt, Fleur; Roccati, Marjolaine; Sinopoli, Laurence; Slim, Hadi; Sotomayor, Marcelo; Train, François-Xavier	“Chronique de droit international privé appliqué aux affaires, Revue de droit des affaires internationales – 1 décembre 2018 au 31 décembre 2019”, Revue de Droit des Affaires Internationales 2020, pp. 237-274

Gugu Bushati, Aida	“Country Report Albania”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 16-41 (available here)
Guide, Jia [Foreign Ministry of the People’s Republic of China]	“Address by the Director of the Department of Treaty and Law of the Ministry of Foreign Affairs Jia Guide at the Opening Ceremony of the International Symposium on the Hague Judgment Convention (9 September 2019)”, Chinese Yearbook of International Law 2019, pp. 503-505
He, Qisheng	“The HCCH Judgments Convention and the Recognition and Enforcement of Judgments pertaining to a State”, Global Law Review 3 (2020), pp 147-161 (available here)
He, Qisheng	“Unification and Division: Immovable Property Issues under the HCCH Judgement Convention”, Journal of International Law 1 (2020), pp 33-55
He, Qisheng	“The HCCH Judgments Convention and International Judicial Cooperation of Intellectual Property”, Chinese Journal of Law 2021-01, pp. 139-155
He, Qisheng	“Latest Development of the Hague Jurisdiction Project”, Wuhan University International Law Review 2020-04, pp. 1-16
He, Qisheng	“ ’Civil or Commercial Matters’ in International Instruments Scope and Interpretation”, Peking University Law Review 2018-02, pp. 1-25 (available here)
He, Qisheng	“A Study on the Intellectual Property Provisions in the ’Hague Convention on Judgment’ – On the Improvement of Transnational Recognition and Enforcement of Intellectual Property Judgments in China”, Journal of Taiyuan University (Social Science Edition) 2020-05, pp. 40-47

Herrup, Paul; Brand, Ronald A.	“A Hague Convention on Parallel Proceedings”, University of Pittsburgh School of Law Legal Studies Research Paper Series No. 2021-23, pp. 1-10 (available here)
Jacobs, Holger	“Der Zwischenstand zum geplanten Haager Anerkennungs- und Vollstreckungsübereinkommen – Der vorläufige Konventionsentwurf 2016“, Zeitschrift für Internationales Privatrecht & Rechtsvergleichung (ZfRV) 2017, pp 24-30
Jacobs, Holger	“Das Haager Anerkennungs- und Vollstreckungsübereinkommen vom 2. Juli 2019 – Eine systematische und rechtsvergleichende Untersuchung“, Tübingen 2021
Jang, Jiyong	“Conditions and Procedure for Recognition and Enforcement of Foreign Judgments”, Korea Private International Law Journal 2021-01, pp. 399-430
Jang, Junhyok	“The Public Policy Exception Under the New 2019 HCCH Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 97-111
Jang, Junhyok	“2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Korea Private International Law Journal 2019-02, pp. 437-510.
Jang, Junhyok	“Practical Suggestions for Joining the 2019 Judgments Convention and Its Implications for Korean Law and Practice”, Korea Private International Law Journal 2020-02, pp. 141-217
Jovanovic, Marko	Thou Shall (Not) Pass – Grounds for Refusal of Recognition and Enforcement under the 2019 Hague Judgments Convention, YbPIL 21 (2019/2020), pp. 309 – 332
Jueptner, Eva	“The Hague Jurisdiction Project – what options for the Hague Conference?”, Journal of Private International Law 16 (2020), pp 247-274

Jueptner, Eva	“A Hague Convention on Jurisdiction and Judgments: why did the Judgments Project (1992-2001) fail?”, (Doctoral Thesis, University of Dundee, 2020)
Kasem, Rouzana	“The Future of Choice of Court and Arbitration Agreements under the New York Convention, the Hague Choice of Court Convention, and the Draft Hague Judgments Convention”, Aberdeen Student Law Review 10 (2020), pp. 69-115
Kessedjian, Catherine	“Comment on the Hague Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters. Is the Hague Convention of 2 July 2019 a useful tool for companies who are conducting international activities?“, Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 19-33
Khanderia, Saloni	„The Hague judgments project: assessing its plausible benefits for the development of the Indian private international law”, Commonwealth Law Bulletin 44 (2018), pp 452-475
Khanderia, Saloni	“The Hague Conference on Private International Law’s Proposed Draft Text on the Recognition and Enforcement of Foreign Judgments: Should South Africa Endorse it?”, Journal of African Law 63 (2019), pp 413-433
Khanderia, Saloni	“The prevalence of ‘jurisdiction’ in the recognition and enforcement of foreign civil and commercial judgments in India and South Africa: a comparative analysis”, Oxford University Commonwealth Law Journal 2021
Kindler, Peter	“Urteilsfreizügigkeit für derogationswidrige Judikate? – Ein rechtspolitischer Zwischenruf auf dem Hintergrund der 2019 HCCH Judgments Convention“, in Christoph Benicke, Stefan Huber (eds.), Festschrift für Herbert Kronke zum 70. Geburtstag, Bielefeld 2020, pp 241-253

Kostic-Mandic, Maja	“Country Report Montenegro”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 114-137 (available here)
Landbrecht, Johannes	“Commercial Arbitration in the Era of the Singapore Convention and the Hague Court Conventions”, ASA Bulletin 37 (2019), pp. 871-882 (available here)
Lee, Gyooho	“The Preparatory Works for the Hague Judgment Convention of 2019 and its Subsequent Developments in terms of Intellectual Property Rights”, Korea Private International Law Journal 2020-02, pp. 85-140
Liu, Guiqiang	“Limitation Period for the Enforcement of Foreign Judgments”, China Journal of Applied Jurisprudence 2020-04, pp. 109-124
Liu, Yang; Xiang, Zaisheng	“The No Review of Merit Clause in the Hague Judgments Convention”, Wuhan University International Law Review 2020-05, pp. 44-65
Malachta, Radovan	“Mutual Trust between the Member States of the European Union and the United Kingdom after Brexit: Overview”, in Ji?í Valdhans (ed.), COFOLA International 2020: Brexit and its Consequences – Conference Proceedings, Brno 2020, pp. 39-67 (available here)
Mariottini, Cristina	„Establishment of Treaty Relations under The 2019 Hague Judgments Convention“, YbPIL 21 (2019/2020), pp. 365-380
Mariottini, Cristina	“The Exclusion of Defamation and Privacy from the Scope of the Hague Draft Convention on Judgments, YbPIL 19 (2017/2018), pp 475-486.

Martiny, Dieter	“The Recognition and Enforcement of Court Decisions Between the EU and Third States”, in Alexander Trunk, Nikitas Hatzimihail (eds.), EU Civil Procedure Law and Third Countries – Which Way Forward?, Baden-Baden 2021, pp 127-146
Maude, L. Hunter	“Codifying Comity: The Case for U.S. Ratification of the 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters”, Wisconsin International Law Review 38 (2021), pp. 108-138
Meier, Niklaus	“Notification as a Ground for Refusal”, Netherlands International Law Review (NILR) 67 (2020), pp 81-95
Muir Watt, Horatia	“Le droit international privé au service de la géopolitique : les enjeux de la nouvelle Convention de la Haye du 2 juillet 2019 sur la reconnaissance et l’exécution des jugements étrangers en matière civile ou commerciale”, Revue Critique de Droit International Privé 2020, pp. 427-448
Nielsen, Peter Arnt	“The Hague 2019 Judgments Convention – from failure to success”, Journal of Private International Law 16 (2020), pp 205-246
Nielsen, Peter Arnt	“A Global Framework for International Commercial Litigation”, in Christoph Benicke, Stefan Huber (eds.), Festschrift für Herbert Kronke zum 70. Geburtstag, Bielefeld 2020, pp 415-433
Nishimura, Yuko	“Indirect Jurisdiction at the Place where the Immovable Property is situated in HCCH 2019 Judgments Convention”, Seinan Gakuin University Graduate School Research Review N°13, pp. 1-20 (available here)
North, Cara	“The 2019 HCCH Judgments Convention: A Common Law Perspective”, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2020, pp 202-210

North, Cara	“The Exclusion of Privacy Matters from the Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 33-48
Oestreicher, Yoav	“ ’We’re on a Road to Nowhere’ – Reasons for the Continuing Failure to Regulate Recognition and Enforcement of Foreign Judgments”, The International Lawyer 42 (2008), pp 59-86
Okorley, Solomon	“The possible impact of the Hague Convention on the Recognition and Enforcement of foreign Judgments in Civil or Commercial Matters on Private International Law in Common Law West Africa”, (Master’s Dissertation, University of Johannesburg, 2019; available: here)
Pasquot Polido, Fabrício B.	“The Judgments Project of the Hague Conference on Private International Law: a way forward for a long-awaited solution”, in Verónica Ruiz Abou-Nigm, Maria Blanca Noodt Taquela (eds.), Diversity and integration in Private International Law, Edinburgh 2019, pp. 176-199
Payan, Guillaume	“Convention de La Haye du 2 juillet 2019 sur la reconnaissance et l’exécution des jugements étrangers en matière civile ou commerciale”, in Hubert Alcarez, Olivier Lecucq (eds.), L’exécution des décisions de justice, Pau 2020, pp 167-183
Pertegás Sender, Marta	“The 2019 Hague Judgments Convention: Its Conclusion and the road ahead”, in Asian Academy of International Law (publ.), Sinergy and Security: the Keys to Sustainable Global Investment: Proceedings of the 2019 Colloquium on International Law, 2019 Hong Kong, pp 181-190 (available here)
Pertegás, Marta	“Brussels I Recast and the Hague Judgments Project”, in Geert Van Calster (ed.), European Private International Law at 50: Celebrating and Contemplating the 1968 Brussels Convention and its Successors, Cambridge 2018, pp 67-82

Pocar, Fausto	“Riflessioni sulla recente convenzione dell’Aja sul riconoscimento e l’esecuzione delle sentenze straniere”, Rivista di diritto internazionale privato e processuale 57 (2021), pp. 5-29
Pocar, Fausto	“Brief Remarks on the Relationship between the Hague Judgments and Choice of Court Conventions”, in in Magdalena Pfeiffer, Jan Brodec, Petr B?íza, Marta Zavadilová (eds.), Liber Amicorum Monika Pauknerová, Prague 2021, pp. 345-353
Poesen, Michiel	“Is specific jurisdiction dead and did we murder it? An appraisal of the Brussels Ia Regulation in the globalizing context of the HCCH 2019 Judgments Convention”, Uniform Law Review 26 (2021), pp. 1-13
Popov, Vasiliy	“Grounds for Recognition and Enforcement of Foreign Judgments in Russia”, Issues of Russian Justice 15 (2021), pp. 137-152
Povlakic, Meliha	“Country Report Bosnia and Herzegovina”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 42-81 (available here)
Qerimi, Donikë	“Country Report Kosovo”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 82-113 (available here)
Qian, Zhenqiu	“On the Common Courts Provision under the Draft Hague Convention on the Recognition and Enforcement of Foreign Judgments”, Wuhan University International Law Review 2019-01, pp. 59-74 (available here)

Qian, Zhenqiu; Yang, Yu	“On the Interpretation and Application of the Cost of Proceedings Provision under the Hague Judgment Convention”, China Journal of Applied Jurisprudence 2020-04, pp. 96-108
Reisman, Diana A. A.	“Breaking Bad: Fail –Safes to the Hague Judgments Convention”, Georgetown Law Journal 109 (2021), pp. 880-906
Reyes, Anselmo	„Implications of the 2019 Hague Convention on the Enforcement of Judgments of the Singapore International Commercial Court”, in Rolf A. Schütze, Thomas R. Klötzel, Martin Gebauer (eds.), Festschrift für Roderich C. Thümmel zum 65. Geburtstag, Berlin 2020, pp 695-709
Ribeiro-Bidaoui, João	“The International Obligation of the Uniform and Autonomous Interpretation of Private Law Conventions: Consequences for Domestic Courts and International Organisations”, Netherlands International Law Review 67 (2020), pp 139 – 168
Rumenov, Ilija	“Implications of the New 2019 Hague Convention on Recognition and Enforcement of Foreign Judgments on the National Legal Systems of Countries in South Eastern Europe”, EU and Comparative Law Issues and Challenges Series (ECLIC) 3 (2019), pp 385-404
Rumenov, Ilija	“Country Report North Macedonia”, in GIZ (ed.), Cross-Border Recognition and Enforcement of Foreign Judicial Decisions in South East Europe and Perspectives of HCCH 2019 Judgments Convention, Skopje 2021, pp. 138-179 (available here)
Rumenov, Ilija	“The indirect jurisdiction of the 2019 Hague Convention on recognition and enforcement of foreign judgments in civil or commercial matters – Is the “heart” of the Convention”, SEELJ Special Edition No. 8 (2021), pp. 9-45

Sachs, Klaus; Weiler, Marcus	“A comparison of the recognition and enforcement of foreign decisions under the 1958 New York Convention and the 2019 Hague Judgments Convention”, in Rolf A. Schütze, Thomas R. Klötzel, Martin Gebauer (eds.), Festschrift für Roderich C. Thümmel zum 65. Geburtstag, Berlin 2020, pp 763-781
Saito, Akira	“Advancing Recognition and Enforcement of Foreign Judgments: Developments of Inter-Court Diplomacy and New Hague Judgments Convention”, Kobe Law Journal 2019-03, pp. 59-110 (available here)
Sánchez Fernández, Sara	“El Convenio de la Haya de Reconocimiento y Ejecución de Sentencias”, Revista Española de Derecho Internacional 73 (2021), pp. 233-252
Saumier, Geneviève	“Submission as a Jurisdictional Basis and the HCCH 2019 Judgments Convention”, Netherlands International Law Review (NILR) 67 (2020), pp 49-65
Schack, Haimo	“Wiedergänger der Haager Konferenz für IPR: Neue Perspektiven eines weltweiten Anerkennungs- und Vollstreckungsübereinkommens?“, Zeitschrift für Europäisches Privatrecht (ZeuP) 2014, pp 824-842
Schack, Haimo	„Das neue Haager Anerkennungs- und Vollstreckungsübereinkommen“, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2020, pp 1-96
Senicheva, Marina	“The Relevance and Problems of the Hague Convention of July 2, 2019 on the Recognition and Enforcement of Foreign Judgments Ratification by the Russian Federation”, Advances in Law Studies 8 (2020), online (available: here)

Shan, Juan	“A study on the Anti-trust Provisions in the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Chinese Yearbook of Private International Law and Comparative Law 2019-01, pp. 318-335
Shchukin, Andrey Igorevich	“Indirect International Jurisdiction in the Hague Convention on the Recognition and Enforcement of Foreign Judgments of 2019 (Part 1)”, Journal of Russian Law No. 2020-07, pp. 170-186 (available here)
Shchukin, Andrey Igorevich	“Indirect International Jurisdiction in the Hague Convention on the Recognition and Enforcement of Foreign Judgments of 2019 (Part 2)”, Journal of Russian Law No. 2020-11, pp. 140-54 (available here)
Shen, Juan	“Further Discussion on the Drafts of the Hague Convention on Jurisdiction and Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters and Considerations from Chinese Perspective”, Chinese Review of International Law 2016-06, pp. 83-103 (available here)
Silberman, Linda	“Comparative Jurisdiction in the International Context: Will the Proposed Hague Judgments Convention be Stalled?”, DePaul Law Review 52 (2002), pp 319-349
Silberman, Linda	“The 2019 Judgments Convention: The Need for Comprehensive Federal Implementing Legislation and a Look Back at the ALI Proposed Federal Statute”, NYU School of Law, Public Law Research Paper No. 21-19 (available here)
Solomon, Dennis	“Das Haager Anerkennungs- und Vollstreckungsübereinkommen von 2019 und die internationale Anerkennungszuständigkeit“, in Rolf A. Schütze, Thomas R. Klötzel, Martin Gebauer (eds.), Festschrift für Roderich C. Thümmel zum 65. Geburtstag, Berlin 2020, pp 873-893

Song, Jianli	“ ‘Convention on the Recognition and Enforcement of Foreign Civil and Commercial Judgments’ and its influence on my country”, People’s Judicature (Application) 2020-01, pp. 88-92 (available here)
Song, Lianbin; Chen, Xi	“The Judicial Difference and International Coordination of the Recognition and Enforcement of Foreign Punitive Damages Judgements: Also on China’s Corresponding Measures Under the Frame of HCCH Convention”, Jiang-Huai Tribune 2021-03, pp. 111-113
Spitz, Lidia	„Homologação De Decisões Estrangeiras No Brasil – A Convenção de Sentenças da Conferência da Haia de 2019 e o contrôle indireto da jurisdição estrangeira”, Belo Horizonte 2021
Spitz, Lidia	„Refusal of Recognition and Enforcement of Foreign Judgments on Public Policy Grounds in the Hague Judgments Convention – A Comparison with The 1958 New York Convention“, YbPIL 21 (2019/2020), pp 333-364
Stein, Andreas	„Das Haager Anerkennungs- und Vollstreckungsübereinkommen 2019 – Was lange währt, wird endlich gut?“, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2020, pp 197-202
Stewart, David P.	„Current Developments: The Hague Conference adopts a New Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, American Journal of International Law (AJIL) 113 (2019), pp 772-783
Stitz, Olivia	“Comity, Tipping Points, and Commercial Significance: What to expect of the Hague Judgments Convention”, Corporate and Business Law Journal (Corp. & Bus. L.J.) 2 (2021), pp. 203-236 (available here)

Suk, Kwang-Hyun	“Principal Content and Indirect Jurisdiction Rules of the Hague Judgments Convention of 2019”, Korea Private International Law Journal 2020-02, pp. 3-83
Sun, Jin; Wu, Qiong	“The Hague Judgments Convention and how we negotiated it”, Chinese Journal of International Law 19 (2020) (available here)
Sun, Xiaofei; Wu, Qiong	“Commentary and Outlook on the Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Journal of International Law 2019-01, pp. 155-164+170
Symeonides, Symeon C.	“Recognition and Enforcement of Foreign Judgments: The Hague Convention of 2019”, in Symeon C. Symeonides, Cross-Border Infringement of Personality Rights via the Internet, Leiden 2021, pp. 130-144
Takeshita, Keisuke	“The New Hague Convention on Recognition and Enforcement of Foreign Judgments: Analysis on its Relationship with Arbitration”, Japanese Commercial Arbitration Journal (JCA) 2020-02, pp. 10-15 (available here)
Takeshita, Keisuke	“The New Hague Convention on Recognition and Enforcement of Foreign Judgments”, Japanese Commercial Arbitration Journal Part 1: JCA 2020-04, pp. 40-45 (available here) Part 2: JCA 2020-05, pp. 40-45 (available here) Part 3: JCA 2020-06, pp. 42-49 (available here) Part 4: JCA 2020-10, pp. 40-46 (available here) Part 5: JCA 2020-11, pp. 35-41 (available here) Part 6: JCA 2020-12, pp. 43-48 (available here) Part 7: JCA 2021-02, pp. 50-56 Part 8: JCA 2021-04, pp. 45-51 Part 9: JCA 2021-07, pp. 46-53 Part 10: JCA 2021-09, pp. 40-46 Part 11: JCA 2021-10, pp. 48-54

Taquela, María Blanca Noodt ; Abou-Nigm, Verónica Ruiz	"News From The Hague: The Draft Judgments Convention and Its Relationship with Other International Instruments", Yearbook of Private International Law 19 (2017/2018), pp 449-474
Teitz, Louise Ellen	"Another Hague Judgments Convention? – Bucking the Past to Provide for the Future", Duke Journal of Comparative & International Law 29 (2019), pp 491-511
Tian, Hongjun	"The Present and Future of the Recognition and Enforcement of Civil and Commercial Judgments in Northeast Asia: From the Perspective of the 2019 Hague Judgments Convention", Chinese Yearbook of Private International Law and Comparative Law 2019-01, pp. 300-317
Tian, Xinyue; Qian, Zhenqiu; Wang, Shengzhe	"The Hague Convention on the Recognition and Enforcement of Foreign Judgments (Draft) and China's Countermeasure – A Summary on the Fourth Judicial Forum of Great Powers", Chinese Yearbook of Private International Law and Comparative Law 2018-01, pp. 377-388
Trooboff, Peter D.; North, Cara; Nishitani, Yuko; Sastry, Shubha; Chanda, Riccarda	"The Promise and Prospects of the 2019 Hague Convention: Introductory Remarks", Proceedings of the ASIL Annual Meeting 114 (2020), pp. 345-357
Tsang, King Fung; Wong, Tsz Wai	**"Enforcement of Non-Monetary Judgments in Common Law Jurisdictions: Is the Time Ripe?", Fordham International Law Journal 45 (2021), pp. 379-428 (available here)**

UIHJ (ed.); Walker, David (dir.)	**“The HCCH 2019 Judgments Convention, adding essential components for an effective international legal framework on recognition and enforcement”, in UIHJ (ed.), David Walker (dir.), Cyberjustice, de nouvelles opportunités pour l’huissier de justice / Cyberjustice, New Opportunities for the Judicial Officer – XXIVe Congrès de l’Union Internationale des Huissiers de Justice – Dubai – 22 au 25 Novembre 2021, Bruxelles 2021, pp. 120-133**
van der Grinten, Paulien; ten Kate, Noura	„Editorial: The 2019 Hague Judgments Convention”, Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 1-3
van Loon, Hans	“Towards a global Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters”, Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 4-18
van Loon, Hans	“Towards a Global Hague Convention on the Recognition and Enforcement of Judgments in Civil or Commercial Matters”, Collection of Papers of the Faculty of Law, Niš 82 (2019), pp 15-35
van Loon, Hans	“Le *Brexit* et les conventions de La Haye”, Revue critique de droit international privé (Rev. Crit. DIP) 2019, pp. 353-365
Viegas Liquidato, Vera Lúcia	“Reconhecimento E Homologação De Sentenças Estrangeiras : O Projeto De Convenção Da Conferência da Haia”, Revista de Direito Brasileira 2019-09, pp. 242-256
Wagner, Rolf	“Ein neuer Anlauf zu einem Haager Anerkennungs- und Vollstreckungsübereinkommen“, Praxis des Internationalen Privat- und Verfahrensrechts (IPRax) 2016, pp 97-102

Wang, Quian	“On Intellectual Property Right Provisions in the Draft Hague Convention on the Recognition and Enforcement of Foreign Judgments”, China Legal Science 2018-01, pp. 118-142 (available here)
Wang, Yahan	“No Review of the Merits in Recognizing and Enforcing Foreign Judgments”, China Journal of Applied Jurisprudence 2020-04, pp. 78-95
Weidong, Zhu	“The Recognition and Enforcement of Commercial Judgments Between China and South Africa: Comparison and Convergence”, China Legal Science 2019-06, pp 33-57 (available here)
Weller, Matthias	“The HCCH 2019 Judgments Convention: New Trends in Trust Management?”, in Christoph Benicke, Stefan Huber (eds.), Festschrift für Herbert Kronke zum 70. Geburtstag, Bielefeld 2020, pp 621-632
Weller, Matthias	“The 2019 Hague Judgments Convention – The Jurisdictional Filters of the HCCH 2019 Judgments Convention”, Yearbook of Private International Law 21 (2019/2020), pp 279-308
Weller, Matthias	“Das Haager Übereinkommen zur Anerkennung und Vollstreckung ausländischer Urteile”, in Thomas Rauscher (ed.), Europäisches Zivilprozess- und Kollisionsrecht, Munich, 5th ed., forthcoming
Weller, Matthias	„Die Kontrolle der internationalen Zuständigkeit im Haager Anerkennungs- und Vollstreckungsübereinkommen 2019“, in Christoph Althammer/Christoph Schärtl (eds.), Festschrift für Herbert Roth, Tübingen 2021, pp. 835-855
Wilderspin, Michael; Vysoka, Lenka	“The 2019 Hague Judgments Convention through European lenses”, Nederlands Internationaal Privaatrecht (NIPR) 2020, pp 34-49

Wu, Qiong	"The Overview of the 22nd Diplomatic Session of the Hague Conference on Private International Law", Chinese Yearbook of International Law 2019, pp. 337-338
Xie, Yili	"Research on the Intellectual Property Infringment System of the Hague Judgments Convention", China-Arab States Science and Technology Forum 2021-09, pp. 190-194
Xu, Guojian	"Comment on Key Issues Concerning Hague Judgment Convention in 2019 ", Journal of Shanghai University of Political Science and Law 35 (2020), pp 1-29
Xu, Guojian	"To Establish an International Legal System for Global Circulation of Court Judgments", Wuhan University International Law Review 2017-05, pp 100-130
Xu, Guojian	"Overview of the Mechanism of Recognition and Enforcement of Judgements Established by HCCH 2019 Judgments Convention", China Journal of Applied Jurisprudence No. 2020-02, pp 65-77
Xu, Guojian	"On the Scope and Limitation of the Global Circulation of Court Judgments: An Analysis on the Application Scope of the 2019 Hague Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters", Chinese Yearbook of Private International Law and Comparative Law 2019-01, pp. 269-299
Yekini, Abubakri	"The Hague Judgments Convention and Commonwealth Model Law – A Pragmatic Perspective", Oxford 2021.
Yeo, Terence	"The Hague Judgments Convention – A View from Singapore", Singapore Academy of Law Journal (e-First) 3rd August 2020 (available here)
Zasemkova, Olesya F.	" 'Judicial Convention' as a New Stage in the Recognition and Enforcement of Foreign Judgments", Lex Russica 2019-10, pp. 84-103 (available here)

Zhang, Chunliang; Huang, Shan	“On the Common Courts Rules in Hague Judgments Convention – China’s way for the Judicial Assistance under Belt and Road Initiative”, Journal of Henan University of Economics and Law 2020-05, pp. 103-113
Zhang, Lizhen	“On the Defamation Problem in the Hague Judgments Project: Ever In and Now out of the Scope”, Wuhan University International Law Review 2019-01, pp. 41-58 (available here)
Zhang, Wenliang	“The Finality Requirement of Recognition and Enforcement of Foreign Judgments”, Wuhan University Law Review 2020-02, pp. 19-38
Zhang, Wenliang; Tu, Guangjian	“The Hague Judgments Convention and Mainland China-Hong Kong SAR Judgments Arrangement: Comparison and Prospects for Implementation”, Chinese Journal of International Law 20 (2021), pp. 101-135
Zhang, Wenliang; Tu, Guangjian	“The 1971 and 2019 Hague Judgments Conventions: Compared and Whether China Would Change Its Attitude Towards The Hague”, Journal of International Dispute Settlement (JIDS), 2020, 00, pp. 1-24
Zhang, Zhengyi; Zhang, Zhen	“Development of the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters and Its Implication to China”, International and Comparative Law Review 2020, pp. 112-131
Zhao, Ning	“Completing a long-awaited puzzle in the landscape of cross-border recognition and enforcement of judgments: An overview of the HCCH 2019 Judgments Convention”, Swiss Review of International and European Law (SRIEL) 30 (2020), pp 345-368

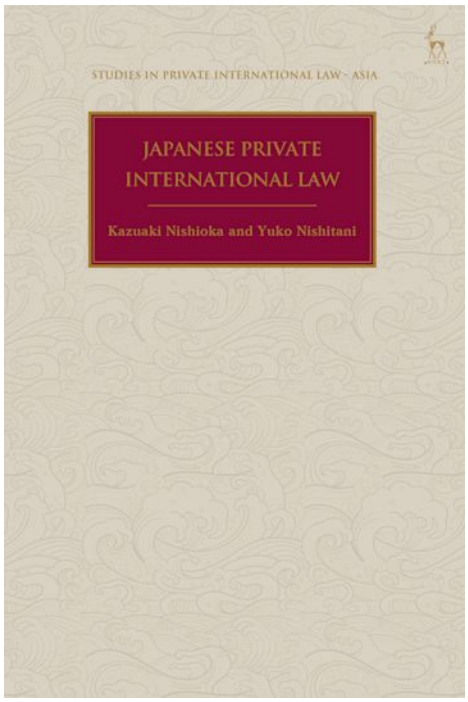
Zirat, Gennadii	“Convention on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial Matters: A new Contribution of the Hague Conference on Private International Law to the Unification of International Civil Procedure” Ukrainian Journal of International Law 2020-03, pp. 105-112 (available here)

III. Recordings of Events Related to the HCCH 2019 Judgments Convention

HCCH	**“HCCH a|Bridged: Innovation in Transnational Litigation – Edition 2021: Enabling Party Autonomy with the HCCH 2005 Choice of Court Convention”, 1 December 2021 (full recording available here)**
UIHJ; HCCH	“3rd training webinar on the Hague Conventions on service of documents (1965) and recognition and enforcement of judgements (2019)”, 15/18 March 2021 (full recording available here in French and here in English)
ASADIP; HCCH	“Conferencia Internacional: Convención HCCH 2019 sobre Reconocimiento y Ejecución de Sentencias Extranjeras”, 3 December 2020 (full recording available here and here)
ASIL	“The Promise and Prospects of the 2019 Hague Convention”, 25-26 June 2020 (full recording available here and here)
JPRI; HCCH; UNIDROIT; UNCITRAL	“2020 Judicial Policy Research Institute International Conference – International Commercial Litigation: Recent Developments and Future Challenges, Session 3: Recognition and Enforcement of Foreign Judgments”, 12 November 2020 (recording available here)

University of Bonn; HCCH	“Pre-Conference Video Roundtable on the HCCH 2019 Judgments Convention: Prospects for Judicial Cooperation in Civil and Commercial Matters between the EU and Third Countries”, 29 October 2020 (full recording available here)
Department of Justice Hong Kong; HCCH	“Inaugural Global Conference – 2019 HCCH Judgments Convention: Global Enforcement of Civil and Commercial Judgments”, 9 September 2019 (recording available here)
HCCH	“22nd Diplomatic Session of the HCCH: The Adoption of the 2019 Judgments Convention”, 2 July 2020 (short documentary video available here)

Out now: Nishioka / Nishitani, “Japanese Private International Law”; Jolly / Khanderia, “Indian Private International Law”

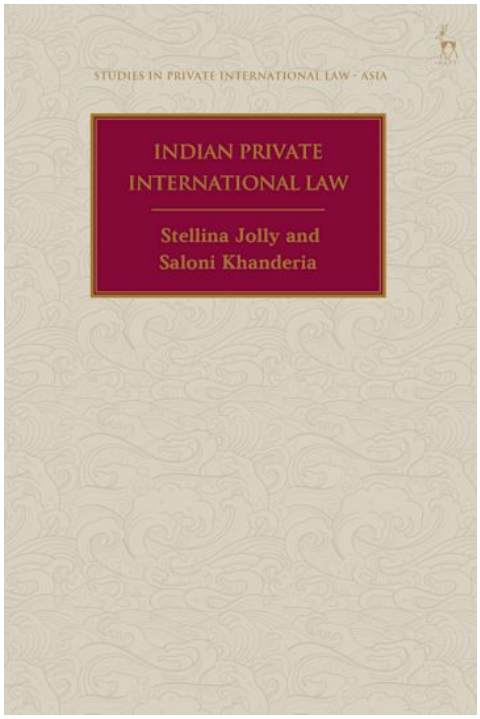


"Japanese Private International Law" certainly contains the currently leading reference to Japanese private international law in English.

The blurb reads: "The chapters systematically cover the whole of Japanese private international law, not just questions likely to arise in commercial matters, but also in family, succession, cross-border insolvency, intellectual property, competition (antitrust), and environmental disputes. The chapters do not merely cover the traditional conflict of law areas of jurisdiction, applicable law (choice of law), and enforcement. The chapters also look into conflict of law questions arising in arbitration and assess Japanese involvement in the global harmonisation of private international law. In addition to summarising relevant principles and scholarly views, the authors discuss case law whenever possible and identify deficiencies and anticipate difficulties in the existing law. The book thus presents the Japanese conflict of laws through a combination of common and civil law analytical techniques and perspectives, providing readers worldwide with a more profound and comprehensive understanding of the subject."

For those who are particularly interested in unified or harmonized global PIL Chapter 6, still rather short (pp. 258 – 262), is recommended, dealing with Japan's role in the works of the HCCH, UNICTRAL and UNIDROIT. For all others who are interested in comparative private international law, this book is an indispensable tool and combines most valuable information with most thorough analysis. The text is precisely structured which helps a lot to find one's way directly to the issue in question. It also covers international alternative dispute resolution, in particular arbitration and mediation. The book is an admirable cooperative effort between Dr Kazuaki Nishioka (full text draft) and Professor Yuko Nishitani

(comments and revision), as is explained in the foreword.



Likewise, "Indian Private International Law" certainly contains the currently leading reference to Indian private international law in English.

The blurb reads: "This book provides an authoritative account of the evolution and application of private international law principles in India in civil commercial and family matters. Through a structured evaluation of the legislative and judicial decisions, the authors examine the private international law in the Republic and whether it conforms to international standards and best practices as adopted in major jurisdictions such as the European Union, the United Kingdom, the United States, India's BRICS partners – Brazil, Russia, China and South Africa and other common law systems such as Australia, Canada, New Zealand, and Nepal.

Divided into 13 chapters, the book provides a contextualised understanding of legal transformation on key aspects of the Indian conflict-of-law rules on jurisdiction, applicable law and the recognition and enforcement of foreign judgments or arbitral awards. Particularly fascinating in this regard is the discussion and focus on both traditional and contemporary areas of private international law, including marriage, divorce, contractual concerns, the fourth industrial revolution, product liability, e-commerce, intellectual property, child custody, surrogacy and the complicated interface of 'Sharia' in the conflict-of-law

framework.

The book deliberates the nuanced perspective of endorsing the Hague Conference on Private International Law instruments favouring enhanced uniformity and predictability in matters of choice of court, applicable law and the recognition and enforcement of foreign judgments.

The book's international and comparative focus makes it eminently resourceful for legislators, the judges of Indian courts and other interested parties such as lawyers and litigants when they are confronted with cross-border disputes that involve an examination of India's private international law. The book also provides a comprehensive understanding of Indian private international law, which will be useful for academics and researchers looking for an in-depth discussion on the subject." Saloni Khanderia is of course known to CoL readers as one of the blog's editors.

"Japanese Private International Law" (Volume 5) and "Indian Private International Law" (Volume 6) continue Hart's Series on Studies in Private International Law – Asia, run by Anselmo Reyes (editor) and Paul Beaumont (advisory editor), after equally eminent publications (Volumes 1 to 4) on the recognition and enforcement of judgments in Civil and Commercial Matters, edited by Anselmo Reyes, Indonesian Private International Law by Afifah Kusumadara, Chinese Private International Law, edited by Xiaohong Liu and Zhengyi Zhang, and, last not least, Direct Jurisdiction: Asian Perspectives, edited by Anselmo Reyes and Wilson Lui.

All highly recommended!

The Nigerian Court of Appeal declines to enforce an Exclusive

English Choice of Court Agreement

The focus of this write-up is a case note on a very recent decision of the Nigerian Court of Appeal that declined to enforce an exclusive English choice of court agreement.[1] In this case the 1st claimant/respondent was an insured party while the defendant/appellant was the insurer of the claimant/respondent. The insurance agreement between the 1st claimant/respondent and defendant/appellant provided for both an exclusive choice of court and choice of law agreement in favour of England. The claimants/respondents issued a claim for significant compensation before the High Court of Cross Rivers State, Nigeria for breach of contract and negligence on the part of the defendant/appellant for failure to fully perform the terms of the insurance contract during the period the 1st claimant/respondent was sick in Nigeria. The defendant/appellant challenged the jurisdiction of the High Court of Cross Rivers State, and asked for a stay of proceedings on the basis that there was an exclusive choice of court agreement in favour of England. The 1st claimant/respondent in a counter affidavit stated mainly at the trial court that he was critically ill, and the 2nd claimant/respondent (the employer of the 1st claimant/respondent) had serious financial difficulties in paying the 1st claimant/respondent's salaries, so in the interest of justice a stay should not be granted.

Both opposing parties were in agreement throughout the case that it was the Brandon test,[2] as applied by the Nigerian Supreme Court[3] that was applicable in this case to determine if a stay should be granted in the enforcement of a foreign choice of court agreement. Now the Brandon test (named after an English judge called Brandon J, who formulated the test) as applied in the Nigerian context is as follows:

"1. Where plaintiffs sue in Nigeria in breach of an agreement to refer disputes to a foreign court, and the defendants apply for a stay, the Nigerian court, assuming the claim to be otherwise within the jurisdiction

is not bound to grant a stay but has a discretion whether to do so or not. 2. The discretion should be exercised by granting a stay unless strong cause for not doing it is shown. 3. The burden of proving such strong cause is on the plaintiffs. 4. In exercising its discretion the court should take account of all the circumstances of the particular case. 5. In particular, but without prejudice to (4), the following matters where they arise, may be properly regarded: (a) In what country the evidence on the issues of fact is situated, or more readily available, and the effect of that on the relative convenience and expense of trial as between the Nigerian and foreign courts. (b) Whether the law of the foreign court applies and, if so, whether it differs from Nigerian law in any material respects. (c) With what country either party is connected and how closely (d) Whether the defendants genuinely desire trial in the foreign country, or are only seeking procedural advantages. (e) Whether the plaintiff s would be prejudiced by having to sue in the foreign country because they would (i) be deprived of security for that claim; (ii) be unable to enforce any judgment obtained; (iii) be faced with a time-bar not applicable in Nigeria; or (iv) for political, racial, religious, or other reasons be unlikely to get a fair trial (v) the grant of a stay would amount to permanently denying the plaintiff any redress."

The reported cases where the plaintiff(s) have successfully relied on the Brandon test to oppose the enforcement of a foreign jurisdiction clause are where their claim is statute barred in the forum chosen by the parties.[4] Indeed, the burden is on the plaintiff to show strong cause as to why Nigerian proceedings should be stayed in breach of a choice of court agreement; if not, Nigerian courts will give effect to the foreign choice of court agreement.[5]

The High Court (Ayade J) relying on the Nigerian Supreme Court's decision on the application of the Brandon tests declined to uphold the exclusive choice of court agreement in the interest of justice. It is fair to say that the trial judge applied a very flexible approach on the issue of whether the exclusive English choice of court agreement should be enforced. Indeed, he was very focused on substantial justice (rather than the strong cause test), thereby stretching the criteria provided in the Brandon test.[6] Ayade J's judgment is worth quoting thus:

"This Court is fully aware of the principles of party autonomy, freedom and sanctity of contract, the doctrine that parties should be held to their

contract (pacta sunt servanda) and this puts the burden on the plaintiff to show why the proceedings should continue in Nigeria inspite of the foreign jurisdiction clause, which in the opinion of this Court, the plaintiff has rightly done."[7]

He also interestingly remarked that:

"Let it be remarked that this Court is not unmindful, and there is no doubt that in an area of globalization, the issue of foreign jurisdiction clause and the subject of conflict of laws has a future and one of growing importance, see MORRIS: The conflict of laws, 7th Edition, Sweet and Maxwell, 2010 page 16. This is reflected in the expanded membership of the specialist international bodies such as the Hague Conference on Private International Law: Rome Convention on Contractual Obligations 1980, Convention on Choice of Court, 1965, Convention on the Recognition and Enforcement of Foreign Judgments in Civil and Commercial Matters, 1971, Convention on International Access to Justice, The Brussel Convention and the Lugano Convention, Convention on the Law Applicable to Contractual Obligation, Organization for the Harmonization of Business Law in Africa (OHADA), and the various efforts at Harmonization and Unification of Law are still in the inchoate stage in this part of the world. We shall get there at a time when there shall be one law, one forum and one world.
It is for the above reasons that I am of the view that the current attitude of the Nigerian Courts to foreign jurisdiction clauses remains as stated in the Norwind. Thus, I am inclined to agree that Courts are not bound to stay its proceedings on account of a foreign jurisdiction clause in a Court."[8]

In the final analysis, he held as follows:

"Applying the law as declared above to the instant case and after due consideration of all the circumstances of this case, and in the exercise of discretion as to whether or not to do so in this case and this Court, which endeavoured always to do substantial justice between the parties. The sole issue raised by the claimants/respondents is therefore resolved in their favour against the defendant/applicant. Accordingly, this application is hereby dismissed."[9]

On appeal, the defendant/appellant argued that in reality the test the High Court (Ayade J) applied was one of balance of convenience, and did not properly follow the strong cause test as stipulated by the Nigerian Supreme Court in applying the Brandon test.

The claimant/respondent brilliantly filed a respondent's notice to justify the High Court's decision on other grounds. The core argument was that the action will be statute-barred in England if the action was stayed before the Nigerian Court. This argument was clearly supported by the Brandon test as applied by the Nigerian Supreme Court.[10]

The Court of Appeal unanimously dismissed the appeal. Shuaibu JCA in his leading judgment held that:

"In exercising its discretion to grant a stay of proceedings in a case filed in breach of an agreement to refer disputes to a foreign country, the Court would take into consideration a situation where the granting would spell injustice to the plaintiff as where the action is already time barred in the foreign country and the grant of stay would amount to permanently denying the plaintiff any redress."[11]

In analysing the Brandon test, as applied by the Nigerian Supreme Court he held that:

"It is imperative to state here that the Brandon Test is basically a guideline to judges in exercising their discretionary power to order a stay of proceedings where as in the present case, there is a foreign jurisdiction clause in the contract. It is to be noted however that like every discretion, the judge must exercise it judicially and judiciously based on or guided by law and discretion according to sound and well considered reason. Perhaps, the most noticeable guideline which I consider more novel is that the Brandon Test enjoins Court to exercise its discretion in favour of the applicant unless strong cause for not doing so is shown which places the burden of showing such strong cause for not granting the application on the respondent (claimant)."[12]

After referring to the counter-affidavit of the claimant/respondent where they mainly alleged at the trial court that the 1st claimant/respondent was sick and had

financial difficulties, Shuaibu JCA adopted a similar flexible approach to the Brandon tests as Ayade J. He held that:

"What is discernible from the above is that the evidence on the issues of fact is situated and more readily available, in Nigeria and the lower Court, was therefore right in refusing to adhere to foreign jurisdiction clause on the basis that the case is more closely connected to Nigeria. In effect, the trial Court has taken into account the peculiar circumstances of the case vis-à-vis the guidelines in the Brandon Test and thus exercised its discretion judicially and judiciously in refusing to grant stay of proceedings."[13]

Owoade JCA in his concurring judgment held that:

"In the instant case, more particularly by paragraphs 6, 7 and 8 of the Respondents counter-affidavit in opposition to the Appellant's motion for an order for stay, the Respondents have established that they would suffer injustice if the case is stayed. This is more so in the instant case where the Plaintiffs/1st Respondent action was statute barred in the foreign Court and the grant of stay would amount to permanently denying the Plaintiff/1st Respondent any redress."[14]

It is difficult to fault the decision of the High Court and Court of Appeal in this case, except for Shuaibu JCA's occasional confusion of choice of court with choice of law (a conceptual mistake some Nigerian judges make). An additional observation is that this procedural issue on foreign choice of court agreement took over 5 years to resolve so far. The issue of delay is something to look into in the Nigerian legal system – a topic for another day.

The standard test for determining if a stay should be granted in breach of a foreign jurisdiction clause is the Brandon test as applied by the Nigerian Supreme Court.[15] I am in total agreement with Shuaibu JCA that the Brandon test is a guideline. In other words, it must not be followed slavishly by Nigerian courts or indeed courts of other common law countries in Africa. A judge should be able to consider the facts of the instant case and decide if there is a strong cause for not granting a stay in breach of a foreign jurisdiction clause. In this case, the fact that the action will be statute-barred was a strong ground not to grant a stay in breach of the exclusive choice of court agreement in favour of England. The financial

difficulties and sickness of the claimant/respondent were also factors that could be taken into account in the interest of justice, although they are not as strong as the claim that the action was statute-barred in a foreign forum. Indeed, I have argued elsewhere that the test of the interest of justice should not be excluded from the Brandon test analysis.[16] Of course, I agree this might create uncertainty and undermine party autonomy in some cases, but this problem can be curtailed if the burden is firmly placed at the door steps of the claimant as to why a foreign jurisdiction clause should not be enforced.

Nigeria is a growing economy, and its lawyers, arbitrators and judges should be able to benefit from international commercial litigation and arbitration business like developed countries such as England. Of course, the best way to do this is to make Nigeria attractive for litigation in matters of speed, procedural rules, content of applicable laws, honesty of judges, and competence of judges to handle cases etc. However, Nigerian courts should not blindly apply party autonomy in the enforcement of choice of court agreements despite the certainty and predictability it offers to international commercial actors.

This brings me to an even more important issue. This case involved an insurance contract. The insured party – the 1st claimant/respondent – was obviously the weaker party in this case. The traditional common law in Nigeria has not created a clear exception for the protection of weaker parties in the enforcement of foreign choice of court agreements. The European Union has done that in the case of employees, consumers and insured persons.[17] Nigeria and the rest of common law Africa's legal system is not an island of its own. We can learn from the EU experience and borrow some good things from them. Indeed, the Nigerian Supreme Court had held that there is nothing wrong with borrowing from another legal system.[18] I will add there should be good reasons for borrowing from another legal system especially former colonial powers.

In this connection, it is proposed that in the case of weaker parties such as insured, consumers and employees, a party domiciled or habitually resident in Nigeria should be able to sue in Nigerian courts in breach of a foreign jurisdiction clause. In addition, the common law concept of undue influence could be applied so that cases where a party is presumably weak in the contractual relationship, such a party should not be bound by the foreign jurisdiction clause. Of course, there is a danger that this could create uncertainty. So I propose that in cases of business to business contracts, Nigerian and African courts should be more

willing to enforce foreign choice of court agreements strictly.

Back to the case at hand, it is not unlikely that this case might come before the Nigerian Supreme Court on appeal. The Nigerian Court of Appeal has applied varied approaches to the enforcement of foreign choice of court agreements in Nigeria. Indeed, I noted three inconsistent decisions of the Nigerian Court of Appeal in this area of the law as recent as 2020.[19] On the one extreme hand, there is the contractual approach that strictly treats a choice of court agreement like any ordinary commercial contract.[20] This approach is good in that it promotes party autonomy, but the problem with this approach is that it ignores the procedural context of a choice of court agreement and might spell injustice due to its rigid approach. On the other extreme hand, there is the ouster clause approach that strictly refuses to enforce a foreign choice of court agreement.[21] Though this approach might favour litigation in Nigeria and other African countries, it dangerously undermines party autonomy, and international commercial actors are likely to lose confidence in a legal system that does not uphold party autonomy. The other approach is the middle ground of the Brandon test, which upholds a choice of court agreement except strong reason is demonstrated to the contrary. This is standard approach the Nigerian Supreme Court has applied.[22]

It is recommended that if this case goes to the Nigerian Supreme Court, it should continue its endorsement of the Brandon test. It should also consider the addition of the interest of justice approach as was utilised by some of the High Court and Court of Appeal judges in this case. What is missing in the Nigerian Supreme Court's jurisprudence is a common law test that protects weaker parties like insured, consumers, and employees, as can be utilised in this case to protect the insured party (the 1st claimant/respondent). The time to act is now.

[1]*BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA).

[2] *The Owners of Cargo Lately Laden on Board the Ship or Vessel ' Elftheria ' v ' The Elftheria ' (Owners), ' The Elftheria '* [1969] 1 Lloyd ' s Rep 237 (Brandon J).

[3] *Sonnar (Nig) Ltd v Norwind* (1987) 4 NWLR 520; *Nika Fishing Company Ltd v Lavina Corporation* (2008) 16 NWLR 509.

[4]*Sonnar (Nig) Ltd v Norwind* (1987) 4 NWLR 520. See also *Hull Blyth (Nig) Ltd v Jetmove Publishing Ltd* (2018) LPELR-44115 (CA).

[5]*Nika Fishing Company Ltd v Lavina Corporation* (2008) 16 NWLR 509. See also *Captain Tony Nso v Seacor Marine* (*Bahamas*) *Inc* (2008) LPELR-8320 (CA); *Beaumont Resources Ltd & Anor v DWC Drilling Ltd* (2017) LPELR-42814 (CA).

[6]Compare *Adesanya v Palm Lines Ltd* (1967) NCLR 133, which is one of the earliest cases where the balance of convenience and interest of justice test was applied in enforcing a foreign choice of court agreement.

[7]Cited in *BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA) 3.

[8]Cited in *BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA) 3-4.

[9] Cited in *BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA) 5.

[10] *Sonnar (Nig) Ltd v Norwind* (1987) 4 NWLR 520.

[11]*BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA).21.

[12]*BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA).

[13] *BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA) 28.

[14] *BUPA Insurance v Chakraverti* & *Anor* (2021) LPELR-55940 (CA) 30.

[15] *Sonnar (Nig) Ltd v Norwind* (1987) 4 NWLR 520; *Nika Fishing Company Ltd v Lavina Corporation* (2008) 16 NWLR 509.

[16]CSA Okoli, "Analysis of Choice of Court Agreements in Nigeria in the Year 2020" (2021) 21 *Dutch Journal of Private International Law* 292, 305.

[17]See Article 10 – 23 of Brussels I Regulation Recast (Council Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 [2012] OJ L351/1.). See also recital 19 to Brussels I Regulation Recast.

[18]*Caribbean Trading & Fidelity Corporation v Nigerian National Petroleum Corporation* (2002) 34 WRN 11 (Ayoola JSC, Mohammed JSC (as he then was), Ejiwunmi JSC).

[19]CSA Okoli, "Analysis of Choice of Court Agreements in Nigeria in the Year 2020" (2021) 21 *Dutch Journal of Private International Law* 292 – 305.

[20] *Damac Star Properties LLC v Profitel Limited* (2020) LPELR-50699(CA). See

also *Conoil Plc v Vitol SA* (2018) 9 NWLR 463, 489 (Nweze JSC), 500-501 (Okoro JSC), 502 (Eko JSC).

[21]*A.B.U. v VTLS* (2020) LPELR-52142 (CA). See also *Conoil Plc v Vitol SA* (2018) 9 NWLR 463, 489 (Nweze JSC); *Sonnar (Nig) Ltd v Partenreedri MS Norwind* (1987) 4 NWLR 520, 544-5 (Oputa JSC); *LAC v AAN Ltd* (2006) 2 NWLR 49, 81 (Ogunbiyi JCA as she then was); *Ventujol v Compagnie Française De L'Afrique Occidentale* (1949) 19 NLR 32; *Allied Trading Company Ltd v China Ocean Shipping Line* (1980) (1) ALR Comm 146.

[22]*Sonnar (Nig) Ltd v Norwind* (1987) 4 NWLR 520; *Nika Fishing Company Ltd v Lavina Corporation* (2008) 16 NWLR 509.