

Haggai Carmon

Foreign Judgments in Israel

Recognition and Enforcement

 Springer

Foreign Judgments In Israel Recognition And Enforcement

**Herbert Kronke, Patricia
Nacimiento, Dirk Otto**



Foreign Judgments In Israel Recognition And Enforcement:

Foreign Judgments in Israel Haggai Carmon, 2012-12-11 A judgment in a civil matter rendered in a foreign country is not automatically recognized in Israel. Before a judgment will be recognized or enforced it must first undergo a domestic integration process. A declaration that a foreign judgment is enforceable in Israel is dependent upon its meeting certain conditions specified by statute irrespective of whether recognition of the foreign judgment is indirect or direct. These conditions serve as the main route for giving validity to foreign in rem judgments and to personal status judgments which cannot otherwise be enforced. Recognition of a judgment as enforceable however enables it to be executed. The book integrates lucid theoretical analysis of the issues of enforcement and recognition of foreign judgments with practical instructions. It thus serves as a valuable guide for anyone seeking answers to the questions examined in the book whether in the context of international commerce or to resolve transnational legal disputes. Despite the complexity of the questions addressed in the book they are given accurate and easily understandable answers. Haggai Carmon's book grapples with the range of issues arising from the recognition of foreign judgments and their enforcement i.e. the declaration that they are enforceable judgments. The book thoroughly and methodically examines these issues. Haggai Carmon has outstanding expertise in international law. He has a breadth of legal knowledge and extensive experience in both the theoretical and practical aspects of both private and public international law. He serves as legal counsel to commercial entities as well as foreign governmental agencies amongst others he is an outside legal counsel to the government of the United States. As this text reflects Haggai Carmon is also a first rate scholar and he shares his knowledge in a style that is suitable to every reader. Eliezer Rivlin Deputy Chief Justice the Israel Supreme Court

A Lawyer's Handbook for Enforcing Foreign Judgments in the United States and Abroad Robert E. Lutz, 2007 Publisher Description [Recognition and Enforcement of Foreign Arbitral Awards](#) George A. Bermann, 2017-07-17 This book examines how the Convention on the Recognition and Enforcement of Foreign Arbitral Awards commonly known as The New York Convention has been understood and applied in insert number jurisdictions including virtually all that are leading international arbitration centers. It begins with a general report surveying and synthesizing national responses to a large number of critical issues in the Convention's interpretation and application. It is followed by national reports all of which are organized in accordance with a common questionnaire raising these critical issues. Following introductory remarks each report addresses the following aspects of the Convention which include its basic implementation within the national legal system enforcement by local courts of agreements to arbitrate including grounds for withholding enforcement recognition and enforcement of foreign awards by local courts under the Convention including grounds for denying recognition and enforcement and essential procedural issues in the courts conduct of recognition and enforcement. Each report concludes with an overall assessment of the Convention's interpretation and application on national territory and recommendations if any for reform. The New York Convention was

intended to enhance the workings of the international arbitral system primarily by ensuring that arbitral awards are readily recognizable and enforceable in States other than the State in which they are rendered subject of course to certain safeguards reflected by the Convention's limited grounds for denying recognition or enforcement. It secondarily binds signatory states to enforce the arbitration agreements on the basis of which awards under the Convention will be rendered. Despite its exceptionally wide adoption and its broad coverage, the New York Convention depends for its efficacy on the conduct of national actors and national courts in particular. Depending on the view of international law prevailing in a given State, the Convention may require statutory implementation at the national level. Beyond that, the Convention requires of national courts an apt understanding of the principles and policies that underlie the Convention's various provisions. Through its in-depth coverage of the understandings of the Convention that prevail across national legal systems, the book gives practitioners and scholars a much improved appreciation of the New York Convention on the ground.

Cross-border Insolvency : National and Comparative Studies : Reports Delivered at the XIII International Congress of Comparative Law, Montreal, 1990 Ian F. Fletcher, 1992. Reports primarily in English, some in French or Spanish.

Conflicts in a Conflict Michael Mousa Karayanni, 2014. Conflicts in a Conflict outlines and analyzes the legal doctrines instructing the Israeli courts in private and civil disputes involving the Occupied Palestinian Territories of the West Bank and the Gaza Strip since 1967 until the present day. This book's compelling thesis is the existence of a close relationship between conflict of laws doctrines as they developed over the years and Israeli policies generally in respect of the Palestinian Territories. This study of the conflict of laws in a war setting and conflict of laws in a jurisdictionally ambiguous location will greatly serve scholars and practitioners in similarly troubled and complex legal situations elsewhere.

Private International Law in Israel Talia Einhorn, 2022-09-20. Derived from the renowned multi-volume International Encyclopaedia of Laws, this book provides ready access to the law applied to cases involving cross border issues in Israel. It offers every lawyer dealing with questions of conflict of laws much needed access to these conflict rules presented clearly and concisely by a local expert. Beginning with a general introduction, the monograph goes on to discuss the choice of law technique, sources of private international law and the relevant connection with other laws. Then follows clear description and analysis of the rules of choice of law on natural and legal persons, contractual and non-contractual obligations, movable and immovable property, intangible property, rights, company law, family law, marriage, cohabitation, registered partnerships, matrimonial property, maintenance, child law and succession law, including testamentary dispositions. The presentation concludes with an overview of relevant civil procedure, examining *lex fori* and issues of national and international jurisdiction, acceptability and enforcement of foreign judgements and international arbitration. Its succinct yet scholarly nature, as well as the practical quality of the information it provides, make this book a valuable resource for lawyers handling cases in Israel. Academics and researchers, as well as judges, notaries, public marriage registrars, youth welfare officers, teachers, students and local and public authorities will welcome this very

useful guide and will appreciate its value in the study of private international law from a comparative perspective **2010**

Andrea Bonomi, Gian Paolo Romano, 2011-11-14 The current rich volume of the Yearbook of Private International Law includes a special section on actual issues on conflict of laws and jurisdictions in the United States Another special section is devoted to the revision of the Brussels I Regulation in particular after the recent proposal by the European Commission National reports and court decisions complete the book Recent highlights include the new Chinese Statute on Private International Law the Rome III Regulation on the Law Applicable to Separation and Divorce the recent CJUE decisions on jurisdiction in contractual disputes in particular in the case of e commerce the law applicable to the actio pauliana national reports from Egypt Iran Israel and Norway

International Enforcement of Foreign Judgments B International Business Law Consortium, 2006 The purpose of this directory is to briefly explain and summarise in an easy to follow question and answer format the law and procedures on enforcement of foreign civil and commercial judgments in key jurisdictions around the world It is not intended to specifically cover family law or arbitration although in some instances references are made to relevant conventions and regulations in these areas The jurisdictions and the corresponding questions and answers are set out alphabetically

Recueil des Cours - Collected Courses Academie De Droit International De Le Haye, 1990-03-01 The Academy is an institution for the study and teaching of public and private international law and related subjects Its purpose is to encourage a thorough and impartial examination of the problems arising from international relations in the field of law The courses deal with the theoretical and practical aspects of the subject including legislation and case law All courses at the Academy are in principle published in the language in which they were delivered in the Collected Courses of the Hague Academy of International Law

Jewish and Israeli Law - An Introduction Shimon Shetreet, Walter Homolka, 2017-05-08 This book provides a concise introduction to the basics of Jewish law It gives a detailed analysis of contemporary public and private law in the State of Israel as well as Israel's legal culture its system of government and the roles of its democratic institutions the executive parliament and judiciary The book examines issues of Holocaust law and religion constitutionalization and equality It is the ultimate book for anyone interested in Israeli Law and its politics Authors Shimon Shetreet is the Greenblatt Professor of Public and International Law at the Hebrew University of Jerusalem Israel He is the President of the International Association of Judicial Independence and World Peace and heads the International Project of Judicial Independence In 2008 the Mt Scopus Standards of Judicial Independence were issued under his leadership Between 1988 and 1996 Professor Shetreet served as a member of the Israeli Parliament and was a cabinet minister under Yitzhak Rabin and Shimon Peres He was senior deputy mayor of Jerusalem between 1999 and 2003 He was a Judge of the Standard Contract Court and served as a member of the Chief Justice Landau Commission on the Israeli Court System The author and editor of many books on the judiciary Professor Shetreet is a member of the Royal Academy of Science and Arts of Belgium Rabbi Walter Homolka PhD King's College London 1992 PhD University of Wales Trinity St David 2015 DHL Hebrew

Union College New York 2009 is a full professor of Modern Jewish Thought and the executive director of the School of Jewish Theology at the University of Potsdam Germany The rector of the Abraham Geiger College since 2003 is Chairman of the Leo Baeck Foundation and of the Ernst Ludwig Ehrlich Scholarship Foundation in Potsdam In addition he has served as the executive director of the Masorti Zacharias Frankel College since 2013 The author of J disches Eherecht and other publications on Jewish Law holds several distinctions among them the Knight Commander s Cross of the Austrian Merit Order and the 1st Class Federal Merit Order of Germany In 2004 President Jacques Chirac admitted Rabbi Homolka to the French Legion of Honor

Finding, Freezing and Attaching Assets Jacob C. Jørgensen, 2016-03-21 Because of the rise in cross border disputes and due to the ease with which assets can be moved around the world with the help of online banking and fiduciary service providers parties are increasingly finding themselves suing or being sued outside their home jurisdictions This book is about how to find out whether a defendant has any assets before initiating costly litigation arbitration or insolvency proceedings and if so how to freeze such assets with the aim of eventually enforcing a judgment or award Nineteen country chapters by lawyers with decades of hands on experience in helping their clients find freeze and attach defendants assets provide practical guidance to legal professionals representing parties in cross border commercial lawsuits international arbitration proceedings simple debt collection matters enforcement proceedings divorce proceedings inheritance matters and other legal matters where the assets in dispute are thought to be located abroad Each contribution offers an overview of the pre trial asset tracing techniques and rules regulating freezing orders and enforcement methods in the jurisdiction covered describing not just what the law says but how the law actually works The jurisdictions covered include several of the offshore havens that are frequently used to hide assets in The authors attend to such issues and topics as the following investigating whether a potential counterparty owns vessels aircrafts motor vehicles real estate or intellectual property rights locating offshore trusts discovering assets transferred to a family member or corporate entity exposing sham investments designed to generate a fictitious loss of assets and invoking remedies available to a party facing asset shielding manoeuvres This book will quickly become an indispensable tool for international litigators arbitration lawyers and lawyers involved in cross border insolvency and debt recovery proceedings as well as for academics and scholars involved in legal research projects or law reform programs Renowned litigator Robert Shapiro says in his Foreword The authors provide the reader with practical guidance into the complex area of cross border asset tracing and do so in a very down to earth way without the academic hyperbole that generally burdens modern legal textbooks

Commercial Issues in Private International Law Michael Douglas, Vivienne Bath, Mary Keyes, Andrew Dickinson, 2019-06-13 As people business and information cross borders so too do legal disputes Globalisation means that courts need to apply principles of private international law with increasing frequency Thus as the Law Society of New South Wales recognised in its 2017 report The Future of Law and Innovation in the Profession knowledge of private international law is increasingly important to legal

practice In particular it is essential to the modern practice of commercial law This book considers key issues at the intersection of commercial law and private international law The authors include judges academics and practising lawyers from Australia New Zealand Singapore and the United Kingdom They bring a common law perspective to contemporary problems concerning the key issues in private international law jurisdiction choice of law and recognition and enforcement of foreign judgments The book also addresses issues of evidence and procedure in cross border litigation and the impact of recent developments at the Hague Conference on Private International Law including the Convention on Choice of Court Agreements on common law principles of private international law Israel Business Law Handbook Volume 1 Strategic Information and Basic Laws IBP, Inc,2012-05-08

Forum Shopping Carel Baron van Lynden,2013-12-13 This reference book arranged alphabetically by country describes how to found jurisdiction in over 20 jurisdictions A questionnaire based analysis ensures consistent headings are used throughout to allow cross referencing and points of comparison between the various jurisdictions covered Despite the existence of various international conventions designed to ensure uniformity of approach significant differences in the laws of various countries exist which make it possible to create jurisdiction in one country which is not possible elsewhere This reference book arranged alphabetically by country describes in a clear but concise manner how to found jurisdiction in over 20 jurisdictions A questionnaire based analysis ensures consistent headings are used throughout to allow easy cross referencing and points of comparison between the various jurisdictions covered

Recognition and Enforcement of Foreign Arbitral Awards Herbert Kronke,Patricia Nacimiento,Dirk Otto,2010-01-01 The analysis thoroughly covers the major issues that have arisen in the application of the Convention including the following the use of reservations made by Contracting States the distinctions between recognition and enforcement and between recognition sought at the seat of the arbitration and outside the seat the role of the courts in reviewing arbitral awards and in particular the Convention s focus on safeguarding due process standards the more favourable rightsA principle embodied in Article VII 1 the relevance of forum shopping and asset spotting to the application of the Convention and the role of formalities and formalism The end result is an invaluable work that will prove enormously useful to all international commercial arbitration practitioners and scholars regardless of location

International Bank and Other Guarantees Handbook Yann Aubin,Louis de Longeaux,2011-09-23 The International Bank and Other Guarantees Handbook provides a practical examination of the laws of 19 countries and groups of countries in the Middle East and Africa regions in respect to bank and other guarantees It also contains among other things various guarantees forms The aim of each country specific chapter of the Handbook is to provide actionable information designed to guide legal or other practitioners in such jurisdiction The editors Mr Yann Aubin Mr Jean Claude Vecchiatto and Mr Louis de Longeaux deal with guarantees in an international context on a daily basis in the course of their respective positions as in house lawyers of Fortune 500 multinational companies and partner of a

multinational law firm Yann Aubin is the Director of Legal Operations and Deputy General Counsel at Schlumberger based in Paris He is the co editor of the Export Control Laws and Regulations Handbook Jean Claude Vecchiatto is Vice President Head of Corporate Project Finance Legal Affairs at the European Aeronautic Defence and Space Company EADS based in France and Germany Louis de Longeaux is a partner with Orrick Herrington Sutcliffe law firm based in China England France Germany Italy Japan Russia Taipei and USA The International Bank and Other Guarantees Handbook is invaluable to any international trade professional lawyer finance manager project manager etc or entity with a need to know the specific requirements to be complied within the jurisdiction in question for the efficient use of bank or other related guarantees

International Law and Domestic Legal Systems Dinah Shelton, 2011-09-29 Different countries incorporate and interpret international law in different ways This book provides a systematic analysis of the domestic constitutional regime of over two dozen countries setting out the status accorded to international law in those countries and its normative weight as well as problems relating to its implementation This country by country comparison allows the book to examine how the international legal order and domestic legal systems interact and influence each other Through a series of chapters on the role of international law in 27 countries throughout the world it shows a growing tendency towards greater democratic participation in treaty making coupled with a significant utilization of informal agreements that by pass such participation as well as a role for non binding normative instruments as persuasive authority in domestic judicial decision making The chapters suggest a stronger attachment to international law in legal systems that have survived a period of repression resulting in many cases in a higher normative status for international human rights instruments in those states The impact of the European Union on the constitutional order of its member states is also examined

Enforcing Foreign Judgments in the United States and United States Judgments Abroad Ronald A. Brand, American Bar Association. Section of International Law and Practice, 1992 This volume contains commentaries on the third restatement of the foreign relations law of the United States

Statutory Instruments Great Britain, 1971

Law and Justice in a Multistate World: Essays in Honor of Arthur T. von Mehren James Nafziger, Symeon Symeonides, 2022-06-08 For over half a century Arthur T von Mehren has been a luminary in the fields of comparative law private international law and legal education Here fifty eight of the world s leading scholars and jurists honor his work and outstanding contributions to the advance of knowledge and reform The volume is divided into four illuminating sections Part I Jurisdiction Judgment Part II Choice of Law Part III International Arbitration Part IV Comparative European Law Published under the Transnational Publishers imprint

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