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9067041734 - EU Principles on Jurisdiction and Recognition and Enforcement of Judgments
in Civil and Commercial Matters: According to the Case Law of the European Court of Justice

Jannet A. Pontier and Edwige Burg

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PREFACE

The present book offers the reader insight into how the Court of Justice of the European Communities justifies its interpretations of the European legal rules on international jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. Our examination of the more than one hundred decisions which the Court has delivered under the 1968 Brussels Convention shows that the Court uses the principles, which in its opinion underlie the explicit rules, as reasons to justify its decisions. These principles are described in the book and it is shown how they relate to each other.

The system of principles that has been identified in this study forms an important part of the Brussels Convention's legacy for the new Regulation No. 44/2001, which replaced the Convention on March 1, 2002. It constitutes a catalogue of arguments that will be employed by the Court to justify its interpretation of the provisions of the new regulation. As such, this book will be of great value to practitioners in international law as well as to academics and students alike.

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