



## Recueil Des Cours, Collected Courses, Tome/Volume 358 (Collected Courses of the Hague Academy of International Law)

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### Product Description

Transaction Planning Using Rules on Jurisdiction and the Recognition and Enforcement of Judgments by Ronald A. Brand, Professor at the University of Pittsburgh: Private international law is normally discussed in terms of rules applied in litigation involving parties from more than one State. Those same rules are fundamentally important, however, to those who plan crossborder commercial transactions with a desire to avoid having a dispute arise - or at least to place a party in the best position possible if a dispute does arise. This makes rules regarding jurisdiction, applicable law, and the recognition and enforcement of judgments vitally important contract negotiations. It also makes the consideration of transactional interests important when developing new rules of private international law. These lectures examine rules of jurisdiction and rules of recognition and enforcement of judgments in the United States and the European Union, considering their similarities, their differences, and how they affect the transaction planning process. The Emancipation of the Individual from the State under International Law by G. Hafner, Professor at the University of Vienna: Present international law is marked by two different tendencies: a State oriented and an individual oriented one. Due to these two orientations, the international legal status of the individual is not unequivocally defined. The legal status of individuals widely differs depending on the particular legal order, regional, sub-regional or universal. Hence, the assertion that present international law has already endowed individuals with the status as subjects of international law must be replaced by the acknowledgement that the personality of individuals as a reflection of their emancipation from the States under international law is a relative one, depending on the particular applicable legal regime.

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