**RECOMMENDED FORM**

**UNDER THE CONVENTION OF 2 JULY 2019 ON THE**

**RECOGNITION AND ENFORCEMENT OF FOREIGN JUDGMENTS
IN CIVIL OR COMMERCIAL MATTERS**

**(“THE CONVENTION”)**

Recommended form containing information about the existence, issuance and content of a judgment given by the court of origin for the purposes of recognition and enforcement in another Contracting State under the Convention[[1]](#footnote-2)\*

1. **DETAILS OF THE COURT OF ORIGIN**

Name of Court

City (and state / province, if applicable)

Country

1. **court of origin Case reference / Docket Number**
2. **PARTIES**
	1. Contact information of the claimant(s)

Claimant(s):

Address:

Telephone:

Fax (if applicable):

E-mail (if applicable):

* 1. Contact information of the defendant(s)

Defendant(s):

Address:

Telephone:

Fax (if applicable):

E-mail (if applicable):

1. **JUDGMENT**
	1. The proceedings were instituted (Art. 16) on *(dd/mm/yyyy)*
	2. The judgment (Art. 3(1)(b)) was given on *(dd/mm/yyyy)*
	3. The judgment was given by default (Art. 12(1)(b)):

[ ]  YES

[ ]  NO

1. **the effect of THE judgment**

5.1 This judgment has effect in the State of origin (Art. 12(1)(c)):

[ ]  YES (Art. 4(3)) [ ]  NO

[ ]  YES, but only the following part:

[ ]  Unable to confirm

5.2 This judgment is enforceable in the State of origin (Art. 12(1)(c)):

[ ]  YES (Art. 4(3)) [ ]  NO

[ ]  YES, but only the following part:

[ ]  Unable to confirm

5.3 If there is more than one person who is held liable, this judgment is enforceable against:

[ ]  All of them

[ ]  The following person(s):

5.4 This judgment (or a part thereof) is currently the subject of review in the State of origin:

[ ]  YES (please specify the nature and status of such review) (Art. 4(4)):

[ ]  NO

[ ]  Unable to confirm

5.5 The time limit for seeking ordinary review of this judgment has expired:

[ ]  YES (Art. 4(4)) [ ]  NO

[ ]  Unable to confirm

1. **judicial settlement (*transaction judiciaire*) AND the effect of THE judicial settlement, where applicable**

6.1 The judicial settlement (Art. 11) was approved by the court, or was concluded in the course of proceedings before the court on *(dd/mm/yyyy)*

6.2 This judicial settlement is enforceable in the same manner as a judgment in the State of origin (Art. 11)

[ ]  YES

[ ]  YES, but only the following part:

[ ]  NO

[ ]  Unable to confirm

1. **Obligations imposed by the judgment (or the judicial settlement, where applicable)**

According to the judgment given by the Court (Art. 3(1)(b)) (or where applicable, the judicial settlement approved by the court or concluded in the course of proceedings before the court (Art. 11)),

* 1. the following amount of money has to be paid:

to be paid by:

to be paid to:

Where applicable, please indicate any relevant categories of damages, including which are exemplary or punitive damages; the currency of the award; and any prescribed terms of payment of the monetary award such as the date and amount of any instalments:

* 1. the following non-monetary reliefhas to be performed:
	2. the following costs and expenses relating to the proceedings (Art. 3(1)(b)) have to be paid: ……………………………………………………………………………………………………………

Please specify, where applicable, any amount(s) included within a monetary award but not mentioned explicitly which is / are intended to cover costs and expenses relating to the proceedings:

to be paid by:

to be paid to:

* 1. the following interest has to be paid:

to be paid by:

to be paid to:

Please specify the rate(s) of interest; the portion(s) of the award, including the part awarding cost and expenses, if applicable, to which interest applies; the date from and until which interest is computed; and any further information regarding interest that would assist the court addressed.

* 1. If more than one person has been held liable for one and the same claim, the whole amount may be collected from any one of them.

[ ]  YES (please specify to which (part of the) claim this applies to money award, interest, costs and expenses, as applicable, and the corresponding amount):

[ ]  NO

1. **ANY OTHER RELEVANT INFORMATION**
2. Dated this day of , 20 at
3. Signature and / or stamp by the Court or officer of the Court:
4. **CONTACT DETAILS**

CONTACT PERSON IN THE COURT OF ORIGIN:

TEL.:

FAX:

E-MAIL:

CONTACT PERSON COMMUNICATION LANGUAGE(S):

\* \* \* \* \*

Note that: in accordance with Article 12 of the Convention, parties seeking recognition or applying for enforcement under the Convention shall produce:

* a complete and certified copy of the judgment (Art. 12(1)(a));‬ ‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬
* if the judgment was given by default, the original or a certified copy of a document establishing that the document which instituted the proceedings or an equivalent document was notified to the defaulting party (Art. 12(1)(b));
* ‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬any documents necessary to establish that the judgment has effect or, where applicable, is enforceable in the State of origin (Art. 12(1)(c));‬ ‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬
* in the case referred to in Article 11 of the Convention, a certificate of a court (including an officer of the court) of the State of origin stating that the judicial settlement or a part of it is enforceable in the same manner as a judgment in the State of origin (Art. 12(1)(d));‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬‬
* if the above attached documents are not in an official language of the requested State, the party seeking recognition or applying for enforcement of the judgment shall provide a certified translation into an official language of the requested State, unless the law of the requested State provides otherwise (Art. 12(4)).
1.  A final determination regarding whether there is an obligation under the Convention should be made based on the provisions of the Convention. [↑](#footnote-ref-2)