Cross-Border Enforcement is enjoying something of a moment. Over the last few years, we have witnessed sustained efforts to improve enforcement across borders. The New York Convention continues to gain signatories, with only a handful of jurisdictions now outside its scope. The Hague Convention on Choice of Court Agreements, which allows judgments of one jurisdiction to be enforced in another, provided a choice of court clause exists, has gained significant momentum, with numerous new signatories and its first enforcement case. The more ambitious Hague Judgments Convention, which allows for cross-border recognition of judgments in specified situations, even without a choice of court clause, was concluded in July 2019, after 27 years in development, and now has its first signatories. The Singapore Mediation Convention, which aims to ensure cross-border enforceability of settlement agreements arising from mediation, was launched last year and has been ratified by several jurisdictions.

It is in this context that I am particularly pleased to share with you this new and expanded edition of Baker McKenzie’s Cross-Border Enforcement Center. We have drawn upon the expertise of our global dispute resolution team, consisting of over 1,000 lawyers in 78 offices, to provide you with a high-level comparative analysis of the enforcement of court judgments and arbitration awards across 44 jurisdictions, 13 of which are new for this edition. For the first time, we are pleased to offer this important information in an electronic handbook format, as well as the existing interactive website format. If you have any additional questions, please do not hesitate to contact our practitioners listed throughout the document.
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JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

- **Montevideo Convention 1979:** Bolivia, Brazil, Colombia, Ecuador, Mexico, Paraguay, Peru, Uruguay, Venezuela.
- **Buenos Aires Agreement 2002:** Bolivia, Brazil, Chile, Paraguay, Uruguay
- **Las Leñas Protocol:** Brazil, Paraguay, Uruguay
- **Bilateral:** Brazil, China, France, Italy, Russia, Tunisia

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes – Foreign judgments and arbitral awards can be recognized and enforced by Argentine Courts even if there is no reciprocal arrangement in force. The Argentine Republic has a federal system of government; the judiciary organization and litigation procedural matters are, in principle, local, absent a federal matter granting jurisdiction to federal judges. Thus, each province has enacted its own procedural code, which in each case will regulate the procedure to recognize and enforce a foreign court ruling or arbitral award. Recognition and enforcement of foreign court rulings pending before the Civil and Commercial Courts of the City of Buenos Aires are governed by the National Civil and Commercial Procedural Code.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

No less than 6 months.
4. What is the approximate time required to register and enforce a foreign judgment if opposed?

No less than 18 months.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

Registering and enforcing a foreign judgment may entail different costs or expenses (e.g. litigation tax, legal fees, additional expenses). The litigation costs and expenses will vary depending on the value of the judgment subject to recognition and enforcement.

At a national level, as a general rule, if the judgment subject to recognition and enforcement can be subject to pecuniary appreciation, the requesting party will have to pay a litigation tax, equivalent to 3% of the total amount involved in the foreign judgment.

On the other hand, if the subject of the judgment is not subject to pecuniary appreciation, the requesting party will have to pay a non-significant fixed amount in the concept of litigation tax.

Please note that the aforementioned response is only applicable at a federal level. Given Argentina’s federal system of government, each province has its own regulations regarding litigation fees, which apply to their respective courts, within their respective jurisdictions, and which may vary from the ones informed above.

In any case (i.e. federal or provincial courts), litigation costs and expenses incurred in the first instance, including legal fees, should never exceed the maximum amount of 25% of the total amount of the judgment, award, transaction, or instrument that ends the dispute.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

If the first instance judgment is subject to appeal, the litigation costs and expenses may increase from a maximum of 25% to a maximum of 33% of the total value of the judgment, award, transaction, or instrument that ends the dispute.

In this regard, please note that under Law No. 27,423 of Professional Fees for Lawyers, Attorneys and Assistants of the National and Federal Judiciary, the legal fees payable to the parties’ attorneys for their intervention on the second instance will be between a 30% and a 35% of the fees awarded in the first instance.

Litigation costs and expenses may increase if either one of the parties files an extraordinary appeal before the Supreme Court.
Argentina

7. Are there any unusual difficulties in enforcing a foreign judgment?
   No.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?
   Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?
   No less than 6 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?
    No less than 12 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?
    Please refer to the answer provided for the question regarding costs of registering and enforcing a foreign judgment if unopposed, above.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?
    Please refer to the answer provided for the question regarding costs of registering and enforcing a foreign judgment if opposed, above.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?
    No.
Argentina

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Under Argentine International Private Law regulations, the statute of limitations for registering a foreign judgment or arbitration award is the one established in the law that applies to the merits of the litigation (Civil and Commercial Code, article 2671).

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

If the applicable law to the merits of the litigation is the Argentine Law, then the statute of limitations to request the recognition and enforcement of a foreign judgment would be 5 years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

If the applicable law to the merits of the litigation is the Argentine Law, then the statute of limitations to request the recognition and enforcement of a foreign arbitral award would be 5 years.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes. Under Argentine procedural laws, as a principle, the losing party must bear all the costs and expenses that arise from the litigation. Hence, the judge may order such party to bear the costs and expenses that arise from the recognition and enforcement of the foreign judgment or arbitral award, in which case the fees and additional costs would be recovered by the party requesting the recognition and enforcement.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes. But subject to certain limitations established by Law No. 20,744 of Labor Contract and Executive Order No. 484/1987 and other complementary regulations. The maximum amount available for attachment is 20% of the debtors’ earnings.
20. Is attachment of third party debts available as an enforcement method?

Yes. Under Argentine law, the creditor of certain credit, enforceable or not, can judicially exercise the patrimonial rights of his debtor, if he is reluctant to do so and that omission affects the collection of his credit (i.e. acción subrogatoria). However, the creditor will not be granted preference over other creditors regarding the assets obtained by said means.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

No.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes. However, the party seeking enforcement would have to follow the same procedures applicable to other creditors and submit the request for admittance as a creditor to be able to enforce the judgment or award using the insolvency proceeding.

23. Can a receiver be appointed by way of enforcement?

This measure is not expressly regulated under Argentine laws. However, Argentine Courts are empowered to grant various interim measures that are not necessarily provided for in law or statute. In other words, the parties may ask the court to designate a receiver even if the said measure is not expressly contemplated on the applicable laws, provided it is compatible with the generic rules for interim measures provided for in such laws and regulations.

24. Any other method of enforcement?

In all cases, the measures require the prior recognition of the foreign judgment or award. If the recognized judgment or award is not spontaneously complied with by the obligated party, the other party may request:

- Compliance by a third party at the debtor’s expense;
- Attachment and sale of personal and real property;
- General inhibition of recordable assets
- Discovery procedures to locate the judgment debtor’s property;
- Judicial Administration;
- Penalties for contempt of court orders (astreintes);
Argentina

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Luis E. Dates  
Partner, Buenos Aires  
Dispute Resolution  
+54 11 5776 2367  
luis.dates@bakermckenzie.com

Bruno Lucietti  
Attorney-at-law, Buenos Aires  
Dispute Resolution  
+54 11 4310 2258  
bruno.lucietti@bakermckenzie.com

28. What papers will be needed?

- At a national level, the requesting party will need to submit the legalized (by means of Apostille) and translated testimony of the judicial sentence and of other procedural acts that prove that the judgment is enforceable (i.e. is not subject to further appeals) and that the other requirements outlined in the National Civil and Commercial Procedural Code have been met if the compliance of said requirements does not arise from the judgment or award itself.

- As we have indicated above, Argentina has a federal system, and consequently, each province has enacted its own procedural code. Thus, depending on the province in which the requesting party intends for the judgment or award to be enforced, additional documents may be requested.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Argentina has reciprocal enforcement arrangements for court judgments.

### Important Note
This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.

<table>
<thead>
<tr>
<th>Agreement</th>
<th>Jurisdictions</th>
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<tr>
<td>Montevideo Convention 1979</td>
<td>Bolivia, Brazil, Chile, Paraguay, Uruguay</td>
<td>Italy, Russia, Tunisia</td>
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<td>Las Leñas Protocol</td>
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<td>Buenos Aires Agreement 2002</td>
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<td>Bilateral</td>
<td>Brazil, China, France</td>
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</table>
Argentina

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Argentina has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

   Bilateral:
   Alberta, Bahamas, British Columbia, British Virgin Islands, Cayman Islands, Dominica, Falkland Islands, Fiji, France, Germany, Gibraltar, Grenada, Hong Kong SAR, Israel, Italy, Japan, Malawi, Manitoba, Montserrat, New Zealand, Papua New Guinea, Poland, St Helena, St Kitts and Nevis, St Vincent and the Grenadines, Seychelles, Singapore, Solomon Islands, South Korea, Sri Lanka, Switzerland, Taiwan, Tonga, Tuvalu, United Kingdom, Western Samoa

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

   Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

   For registration of a judgment, 10-16 weeks. At common law, 4-6 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

   Generally likely to be in the range of 6 to 12 months.
Australia

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   USD 10,000 - 50,000.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   USD 100,000 - 150,000.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   Not in particular.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   For registration of an award under the New York Convention, 6-10 weeks.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

    Generally likely to be in the range of 6 to 12 months.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

    USD 10,000 - 50,000.
12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 100,000 - 150,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Not in particular.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

For registering a judgment under the Foreign Judgments Act 1991 (Cth), 6 years after the date of foreign judgment or after the appeal is complete (if any), whichever is the later. More generous time limits apply for enforcement of judgments under the common law and vary depending on each State and Territory.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

The limitation period for enforcing an award is usually 6 years except in the Northern Territory where it is 3 years. The limitation period may be up to 12 years in some States or territories where the arbitration agreement is made or contained in a deed rather than an agreement.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes.
Australia

18. Is seizure of goods available as an enforcement method?
   Yes.

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Moderate.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

   - **Jo Delaney**  
     Partner, Sydney  
     Dispute Resolution  
     +61 2 8922 5467  
     jo.delaney@bakermckenzie.com

   - **Peter Lucarelli**  
     Partner, Melbourne  
     Dispute Resolution  
     +61 3 9617 4407  
     peter.lucarelli@bakermckenzie.com

28. **What papers will be needed?**
   
   - Copy of the judgment/award (originals where possible) and certified translations if not in English.
   
   - Details of the judgment debtor, including any relevant assets within the jurisdiction (e.g. bank account details, property, chattels, etc.).
Australia

**Reciprocal Enforcement of Court Judgments**

Jurisdictions with which Australia has reciprocal enforcement arrangements for court judgments.

| Bilateral                          | Israel | Italy | Japan | Malawi | Montserrat | New Zealand | Papua New Guinea | Poland | St Helena | St Kitts and Nevis | St Vincent and the Grenadines | Seychelles | Singapore | Solomon Islands | South Korea | Sri Lanka | Switzerland | Taiwan | Tonga | Tuvalu | United Kingdom | Western Samoa |
|------------------------------------|--------|-------|-------|--------|------------|-------------|------------------|--------|-----------|-------------------|---------------------------------|------------|-----------|-------------------|-----------|---------|-----------|-------------|----------------|
| Bahamas                            |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| British Virgin Islands             |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Canada*                            |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Cayman Islands                     |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Dominican Republic                 |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Falkland Islands                   |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Fiji                               |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| France                             |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Germany                            |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Gibraltar                          |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Grenada                            |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |
| Hong Kong                          |        |       |       |        |            |             |                  |        |           |                   |                                 |            |           |                   |           |         |           |             |          |

*Provinces of Alberta, British Columbia and Manitoba only

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Australia has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

![Map of Reciprocal Enforcement of Arbitration Awards](image)

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

- **Brussels Regulations:** Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom
- **Lugano Convention 2007:** Denmark, Iceland, Norway, Switzerland
- **Hague Choice of Court Convention 2005:** Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom
- **Bilateral:** Israel, Liechtenstein, Tunisia, Turkey

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

No. A declaration of enforceability by an Austrian court will be required.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

6-12 months.
4. What is the approximate time required to register and enforce a foreign judgment if opposed?

1-2 years.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 5,000 - 10,000, assuming an amount at issue of USD 1 million.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 10,000 - 50,000, assuming an amount at issue of USD 1 million.

7. Are there any unusual difficulties in enforcing a foreign judgment?

No.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

6-12 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

1-2 years.
Austria

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 5,000 - 10,000, assuming an amount at issue of USD 1 million.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 10,000 - 50,000, assuming an amount at issue of USD 1 million.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law applicable to the dispute.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A
17. **Are fees and costs of enforcement typically recoverable?**

   Yes. Claims for fees and costs for enforcement can usually be enforced together with the relevant judgment/arbitration award.

18. **Is seizure of goods available as an enforcement method?**

   Yes.

19. **Is attachment of earnings available as an enforcement method?**

   Yes.

20. **Is attachment of third party debts available as an enforcement method?**

   Yes.

21. **Are charging orders or orders for sale of land, goods etc available as an enforcement method?**

   Yes.

22. **Can a judgment or award be enforced by way of insolvency proceedings?**

   Yes.

23. **Can a receiver be appointed by way of enforcement?**

   No.

24. **Any other method of enforcement?**

   - Attachment of debtor’s claims against third party debtors for surrender of movable property;
   - orders for the evacuation of land;
   - administration of a property;
   - orders for the division of partnership assets;
orders to act or to refrain from particular actions or the obligation to tolerate particular actions or behavior. Such orders can be enforced by substitute performance or penalties for violations.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Easy.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Alexand...
Austria

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Austria has reciprocal enforcement arrangements for court judgments.

<table>
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<tr>
<th>Brussels Regulations</th>
<th>Lugano Convention 2007</th>
<th>Hague Choice of Court Convention 2005</th>
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<tr>
<td>Belgium</td>
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Reciprocal Enforcement of Arbitration Awards

Juridictions with which Austria has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
Belarus

JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

   Armenia, Azerbaijan, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

   Bilateral:
   Bulgaria, China, Cuba, Czech Republic, Egypt, Hungary, Iran, Italy, Latvia, Lithuania, Mongolia, Pakistan, Poland, Russia, Serbia, Slovakia, Syria, Turkey, Vietnam

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

   Yes, based on the principle of recipro

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

   One month from the date of filing the application (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

   Around 3-3.5 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).
5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   USD 5,000-8,000 (including relevant legal fees and other disbursements)

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   USD 10,000-25,000 (including relevant legal fees and other disbursements)

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   Local courts may still be influenced by local state authorities. Therefore, recognition and enforcement of a foreign judgment against state companies may be unreasonably rejected by local courts.

### ARBITRATION AWARDS

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   One month from the date of filing the application (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

    Around 3-3.5 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

    USD 5,000-8,000 (including relevant legal fees and other disbursements)
Belarus

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 10,000-25,000 (including relevant legal fees and other disbursements)

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Local courts may still be influenced by local state authorities. Therefore, recognition and enforcement of a foreign judgment against state companies may be unreasonably rejected by local courts.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date when the foreign award came into effect.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date when the foreign award came into effect.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes, but court and/or court bailiff fees only.
18. Is seizure of goods available as an enforcement method?
   Yes.

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   For a judgment or award of a non-monetary nature, reinstatement of employment, or eviction from apartment.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   If there is a treaty, it is easy (subject to potential political issues with local courts). If there are no treaties, it may be more difficult.
Belarus

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Usually, it is easy (subject to potential political issues with local courts).

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Alexander Korobeinikov
Partner, Almaty
Dispute Resolution
+7 727 3300500
alexander.korobeinikov@bakermckenzie.com

28. What papers will be needed?

A properly verified copy of the judgment/award that needs to be recognized and enforced and the power of attorney for representation in the court proceedings.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Belarus has reciprocal enforcement arrangements for court judgments.

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| | Lithuania | Mongolia | Pakistan | Poland | Russia | Serbia | Slovakia | Syria | Turkey | Vietnam |

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Belarus has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.*
Belgium

JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Bilateral:**
Hong Kong, Mexico, Morocco, Poland

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes. The Belgian Code of Private International Law of 16 July 2004 allows a foreign judgment to be enforced based on an ex parte application before the court of first instance of the place of domicile or habitual residence of the defendant, and in the absence of domicile or residence in Belgium, the court of the place of enforcement.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

1-3 months.
4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

3-12 months.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

USD 4,000 or more, depending inter alia on the complexity of the case and the resistance shown by the other party (or parties). This includes registry fees, a contribution to the budgetary fund for judicial assistance, the costs for obtaining an authenticated copy of the order, legal fees and, if applicable, the costs of translation and legalization, and bailiff’s fees.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

USD 8,000 or more, depending inter alia on the complexity of the case and the resistance shown by the other party (or parties). This includes registry fees, a contribution to the budgetary fund for judicial assistance, the costs for obtaining an authenticated copy of the order, legal fees and, if applicable, the costs of translation and legalization, and bailiff’s fees.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

No, aside from some practical formalities (see below), the application procedure for a declaration of enforceability (exequatur) is relatively straightforward. The process for enforcing foreign judgments in Belgium differs depending on the country of origin of the judgment. Note that under the Brussels Ibis Regulation the enforcing party must no longer first apply for an exequatur but may immediately take enforcement measures based on the foreign judgment.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

1-3 months.
10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

3-12 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 4,000 or more, depending inter alia on the complexity of the case and the resistance shown by the other party (or parties). This includes registry fees, a contribution to the budgetary fund for judicial assistance, the costs for obtaining an authenticated copy of the order, legal fees and, if applicable, the costs of translation and legalization, and bailiff’s fees.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 8,000 or more, depending inter alia on the complexity of the case and the resistance shown by the other party (or parties). This includes registry fees, a contribution to the budgetary fund for judicial assistance, the costs for obtaining an authenticated copy of the order, legal fees and, if applicable, the costs of translation and legalization, and bailiff’s fees.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No, aside from some practical formalities (see below), the application procedure is relatively straightforward.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

10 years (renewable).
16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

10 years from the notification of the arbitration award to the opposing party.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes, the fees and costs mentioned above are recoverable from the defendant as part of the payment requested under the foreign judgment.

18. Is seizure of goods available as an enforcement method?

Yes, a creditor may freeze assets located in Belgium pending the enforcement proceedings.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.

23. Can a receiver be appointed by way of enforcement?

Yes.
24. Any other method of enforcement?
   No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Koen De Winter  
Partner, Antwerp  
IPTech  
+32 3 213 40 40  
koen.dewinter@bakermckenzie.com

Michael De Vroey  
Associate, Antwerp  
IPTech  
+32 3 213 40 40  
michael.devroey@bakermckenzie.com
28. What papers will be needed?

- a authenticated original copy of the judgment or arbitration award;
- a sworn translation of the judgment or arbitration award with apostille in the language of the court where enforcement is sought;
- if the court of origin is an EU court: the certificate concerning a judgment in civil and commercial matters from the court of origin;
- if the court is a third jurisdiction court: original proof that the introductory writ was notified to, or served on the opposing party (in case of judgment by default) and any document establishing that the decision is enforceable and has been notified to, or served on the opposing party.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Belgium has reciprocal enforcement arrangements for court judgments.

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</table>

| Lugano Convention 2007    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Denmark                   |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Iceland                   |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Norway                    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Switzerland               |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |

| Hague Choice of Court Convention 2005 |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Austria                    |      |       |       |       |       |       |       |       |       |       |       |       |       |       |       |

| Netherlands               |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Bulgaria                  |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Croatia                   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Cyprus                    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Czech Republic            |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Denmark                   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Estonia                   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Finland                   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| France                    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Germany                   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Greece                    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Hungary                   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Ireland                   |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Italy                     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Latvia                    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Lithuania                 |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Luxembourg                |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Malta                     |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Mexico                    |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |
| Montenegro                |       |       |       |       |       |       |       |       |       |       |       |       |       |       |       |

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Belgium

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Belgium has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

Montevideo Convention 1979:
Argentina, Bolivia, Brazil, Colombia, Ecuador, Mexico, Paraguay, Peru, Uruguay, Venezuela.

Buenos Aires Agreement 2002:
Argentina, Bolivia, Chile, Paraguay, Uruguay

Las Leñas Protocol:
Argentina, Paraguay, Uruguay

Bilateral:
Argentina, Bolivia, Chile, China, Colombia, Ecuador, France, Italy, Lebanon, Mexico, Spain, Paraguay, Peru, Uruguay, Costa Rica

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Typically 2 months to 1 year, but can be longer in some circumstances.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Typically 18 months to 2 years, but can be longer in some circumstances.
5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

Under USD 1,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

Under USD 1,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

No, but it may be time-consuming depending on the circumstances of the case.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

Typically 02 months to 1 year, but can be longer in some circumstances.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Typically 18 months to 2 years, but can be longer in some circumstances.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

Under USD 1,000.
12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Under USD 1,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No, but it may be time-consuming depending on the circumstances of the case.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the forum of the judgment/award.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.
Brazil

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   N/A

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Easy.
CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Andrea Zoghbi Brick  
Partner, Rio de Janeiro  
Dispute Resolution  
+55 21 2206 4911  
andrea.brick@trenchrossi.com

Marcio Polto  
Partner, Sao Paulo  
Dispute Resolution  
+55 11 3048 6923  
marcio.polto@trenchrossi.com

28. What papers will be needed?

Copies of key documents in the proceeding, especially initial petition, all decisions rendered, proof that decision is not subject to further appeals and power of attorney.
Brazil

Reciprocal Enforcement of Court Judgments
Jurisdictions with which Brazil has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Montevideo Convention 1979</th>
<th>Buenos Aires Agreement 2002</th>
<th>Bilateral</th>
</tr>
</thead>
<tbody>
<tr>
<td>Argentina</td>
<td>Argentina</td>
<td>China</td>
</tr>
<tr>
<td>Bolivia</td>
<td>Bolivia</td>
<td>Costa Rica</td>
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<tr>
<td>Colombia</td>
<td>Chile</td>
<td>France</td>
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<tr>
<td>Ecuador</td>
<td>Paraguay</td>
<td>Italy</td>
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<tr>
<td>Mexico</td>
<td>Uruguay</td>
<td>Lebanon</td>
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<tr>
<td>Paraguay</td>
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<td>Spain</td>
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<td>Peru</td>
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<td>Uruguay</td>
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<td>Venezuela</td>
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<tr>
<td>Las Leñas Protocol</td>
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<tr>
<td>Argentina</td>
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<td>Paraguay</td>
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<tr>
<td>Uruguay</td>
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</table>

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Brazil

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Brazil has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan
Albania
Algeria
American Samoa
Andorra
Antigua and Barbuda
Angola
Argentina
Armenia
Aruba
Australia
Austria
Azerbaijan
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Benin
Bermuda
Bhutan
Bolivia
Bonaire
Bosnia & Herzegovina
Botswana
Bulgaria
Burkina Faso
Burundi
Cabo Verde
Cambodia
Cameroon
Cayman Islands
Central African Republic
Chile
China
Christmas Island
Cocos (Keeling) Islands
Colombia
Comoros
Cook Islands
Costa Rica
Côte d’Ivoire
Croatia
Cuba
Curacao
Cyprus
Czech Republic
Denmark
Djibouti
Dominica
Dominican Republic
Republic of Congo
Ecuador
Egypt
El Salvador
England and Wales
Ethiopia*
Faroe Islands
Fiji
Finland
France
Gabon
Georgia
Germany
Ghana
Gibraltar
Greece
Greenland
Guam
Guatemala
Guernsey
Guinea
Guyana
Haiti
Holy See
Honduras
Hong Kong
Hungary
Iceland
India
Indonesia
Iran
Ireland
Isle of Man
Israel
Italy
Jamaica
Japan
Jersey
Jordan
Kazakhstan
Kenya
Kuwait
Kyrgyzstan
Laos
Latvia
Lebanon
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg
Macau
Macedonia
Madagascar
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Moldova
Monaco
Mongolia
Montenegro
Morocco
Mozambique
Myanmar
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norfolk Island
Northern Ireland
Ireland
Norway
Oman
Pakistan
Palau
Palestine
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Portugal
Puerto Rico
Qatar
Romania
Russia
Romania
Russia
Sao Tome and Principe
Saint Vincent and the Grenadines
San Marino
Sao Tome and Principe
Saudi Arabia
Scotland
Senegal
Senegal
Serbia
Seychelles
Singapore
Sint Eustatius Islands
Slovakia
Slovenia
Somalia
Sudan
Switzerland
Syria
Tajikistan
Tanzania
Thailand
Trinidad and Tobago
Tunisia
Turkey
Uganda
Ukraine
United Arab Emirates
United Kingdom
United States of America
Uruguay
US Virgin Islands
Uzbekistan
Venezuela
Vietnam
Zambia
Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   **Canada-UK Convention:**
   England & Wales, Northern Ireland, Scotland

   **Bilateral:**
   Australia*, Austria**, France***, Germany*, United States****

   *BC, Alberta, Manitoba and Newfoundland & Labrador only, **British Columbia only, ***Manitoba only, ****BC, Alberta, Manitoba and PEI only, applies only to certain US states

   N.B. Canada is a federal state. The provinces have jurisdiction over commercial disputes. Other matters, like maritime law are in the jurisdiction of the federal government. Treaties that relate to commercial matters must be implemented through provincial laws. In Canada, regard must always be had to the subject matter and place where you are seeking enforcement.

   Canadian provinces and territories have adopted enforcement treaties in their jurisdictions. The legislation implementing these arrangements supplements but does not override the common law on enforcing foreign judgments.

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   In general, 10-12 months provided that the matter is straightforward and foreign service is not required.
Canada

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   This depends on the complexity of the issues. It could generally vary from 1 to 3 years.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   USD 50,000 - 100,000.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   Over USD 100,000.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   No, as long as the foreign court had a real and substantial connection to the action or the parties to the proceeding, the foreign judgment is for a definite sum of money (but not a sum payable in respect of taxes, a fine or other penalty), and the judgment is final and conclusive.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   In general, 6-8 months provided that the matter is straightforward and foreign service is not required.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

    This depends on the complexity of the issues. It could generally vary from 1 to 3 years.
11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 50,000 - 100,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Over USD 100,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No, Canadian courts are 'arbitration-friendly' and routinely enforce foreign arbitration awards, absent very limited defenses.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

In Ontario, the general limitation period is two years beginning from the time that the judgment creditor discovered, or could have discovered using reasonable diligence, that the judgment debtor possessed assets in Ontario. For other provinces and territories of Canada, this period generally varies from one to two years.
If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

In Ontario, there is a ten year limitation period from the date the award was made, or, where there was a proceeding to set aside an award, 10 years from the date on which the proceeding concluded. For other provinces and territories of Canada, this period generally varies from one to two years. It is important to seek legal advice promptly as this law is evolving in Canada and failure to enforce within the applicable limitation period will bar enforcement.

**ENFORCEMENT**

Are fees and costs of enforcement typically recoverable?

Yes. If successful, the enforcing party would generally be awarded partial legal costs. These will vary from province to province and are typically 50% or less of its actual legal costs. In rare cases, recovery of a higher percentage of legal costs can be possible.

Is seizure of goods available as an enforcement method?

Yes.

Is attachment of earnings available as an enforcement method?

Yes.

Is attachment of third party debts available as an enforcement method?

Yes.

Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

Can a judgment or award be enforced by way of insolvency proceedings?

An unsecured creditor may attempt to enforce a judgment or award against an insolvent debtor, however, once formal insolvency proceedings are commenced the unsecured creditor’s claim will rank equally with other unsecured claims and the prospects of full recovery will diminish materially.
23. Can a receiver be appointed by way of enforcement?
   
   Yes.

24. Any other method of enforcement?
   
   No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   
   Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   
   Easy.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

   John Pirie  
   Partner, Toronto  
   Dispute Resolution  
   +1 416 865 2325  
   john.pirie@bakermckenzie.com  

   Matt Latella  
   Partner, Toronto  
   Dispute Resolution  
   +1 416 865 6985  
   matthew.latella@bakermckenzie.com

28. What papers will be needed?
   
   A certified copy of the judgment from the foreign court or arbitral tribunal, with a translation into English if necessary.
# Reciprocal Enforcement of Court Judgments

Jurisdictions with which Canada has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Canada-UK Convention</th>
<th>France**</th>
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<tbody>
<tr>
<td>England &amp; Wales</td>
<td>Germany***</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>United States****</td>
</tr>
<tr>
<td>Scotland</td>
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</table>

<table>
<thead>
<tr>
<th>Bilateral</th>
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<tbody>
<tr>
<td>Australia***</td>
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<tr>
<td>Austria*</td>
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*British Columbia only  
**Manitoba only  
***BC, Alberta, Manitoba and Newfoundland & Labrador only  
****BC, Alberta, Manitoba and PEI only  
^Applies only to certain US states

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Canada has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  Botswana  Cyprus  Guam  Lebanon  Niger  Sao Tome and Principe  Turkey
Albania  Brazil  Czech Republic  Guatemala  Lesotho  Nigeria  Uganda
Algeria  British Virgin Islands  Djibouti  Guernsey  Liberia  Norfolk Island  United States of America
American Samoa  Brunei  Dominican Republic  Guyana  Liechtenstein  Northern Ireland  United Arab Emirates
Andorra  Bulgaria  Democratic Republic of Congo  Haiti  Lithuania  Ireland  Emirates
Antigua and Barbuda  Burkina Faso  Ecuador  Holy See  Luxembourg  Iran  Seychelles
Argentina  Burundi  El Salvador  Honduras  Macau  Iraq
Armenia  Cameroon  Egypt  Hong Kong  Madagascar  Jordan
Aruba  Cayman Islands  England and Wales  Iceland  Malaysia  Kazakhstan
Australia  Central African Republic  Ireland  India  Maldives  Kenya
Austria  Chad  Indonesia  Iran  Malta  Kuwait
Azerbaijan  China  Isle of Man  Iraq  Marshall Islands  Kyrgyzstan
Bahamas  Christmas Island  Israel  Italy  Mauritania  Laos
Bahrain  Comoros  Japan  Jamaica  Mauritius  Latvia
Bangladesh  Cocos (Keeling) Islands  Fiji  Jordan  Mexico  Lebanon
Barbados  Colombia  Finland  Kenya  Mongolia  Libya
Belarus  Comoros  France  Kuwait  Montenegro  Libya
Belgium  Cook Islands  Gabon  Kyrgyzstan  Morocco  Libya
Benin  Costa Rica  Georgia  Laos  Mozambique  Libya
Bermuda  Côte d’Ivoire  Ghana  Kenya  Namibia  Libya
Bhutan  Croatia  Gibraltar  Kuwait  Nepal  Libya
Bolivia  Croatia  Greece  Kyrgyzstan  Netherlands  Libya
Bosnia & Herzegovina  Cuba  Greenland  Laos  New Zealand  Libya

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

   Bustamante Code 1928:
   Bahamas, Bolivia, Brazil, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru, Venezuela*

   *Although in force in Venezuela, the provisions on recognition and enforcement of foreign judgments (Articles 423435) were reserved by Venezuela.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

   Yes. Whether the foreign judgment comes from a jurisdiction party of the Bustamante Code or not, foreign judgments could be enforceable in Chile through an exequatur procedure. This procedure is revised by the Supreme Court and it’s established by the Chilean Organic Code of Courts.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

   In general, 10 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

   In general, 10 months.
Chile

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?
   Under USD 3,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?
   Under USD 10,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?
   No.

ARBITION AWARDS

8. Is this jurisdiction a party to the New York Convention?
   Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?
   In general, 10 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?
    In general, 10 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?
    Under USD 3,000.
12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

Under USD 10,000.

**LIMITATION**

13. **Are there any unusual difficulties in enforcing a foreign arbitration award?**

No.

14. **Which law governs the limitation period for registering a foreign judgment or arbitration award?**

The law of the place of enforcement.

15. **If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

3 years from the date when the judgment became enforceable.

16. **If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

3 years from the date when the award became enforceable.

**ENFORCEMENT**

17. **Are fees and costs of enforcement typically recoverable?**

Yes. Enforcement costs and fees are recoverable if the Supreme Court considers that the defendant was totally defeated in the procedure and had no plausible reason to litigate against the execution of the foreign sentence or arbitration award.

18. **Is seizure of goods available as an enforcement method?**

Yes.
19. Is attachment of earnings available as an enforcement method?
Yes.

20. Is attachment of third party debts available as an enforcement method?
No.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
Yes.

23. Can a receiver be appointed by way of enforcement?
Yes.

24. Any other method of enforcement?
- Attachment and sale of personal and real property;
- Attachment of income, including wages;
- Attachment of tax devolution saving of the debtor;
- Receiverships.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
Moderate.
26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Rodrigo Díaz de Valdés
Partner, Santiago
Dispute Resolution
+56 2 2367 7066
rodrigo.diazdevaldes@bakermckenzie.com

Ignacio Naudon
Partner, Santiago
Dispute Resolution
+56 2 2367 7028
ignacio.naudon@bakermckenzie.com

28. What papers will be needed?

Judgment or Arbitral award, along with the main files of the case.
### Reciprocal Enforcement of Court Judgments

Jurisdictions with which Chile has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th><strong>Bustamante Code 1928</strong></th>
<th>Honduras</th>
<th>Nicaragua</th>
<th>Panama</th>
<th>Peru</th>
<th>Venezuela*</th>
</tr>
</thead>
<tbody>
<tr>
<td>Bahamas</td>
<td></td>
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*Although in force in Venezuela, the provisions on recognition and enforcement of foreign judgments (Articles 423435) were reserved by Venezuela.

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Chile has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.*
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

Bilateral:
Algeria, Argentina, Belarus, Bosnia & Herzegovina, Brazil, Bulgaria, Cuba, Cyprus, Greece, Egypt, Ethiopia, France, Hong Kong, Hungary, Italy, Kazakhstan, Kuwait, Kyrgyzstan, Laos, Lithuania, Macau, Morocco, Mongolia, North Korea, Peru, Poland, Romania, Russia, Spain, Taiwan, Tajikistan, Tunisia, Turkey, United Arab Emirates, Ukraine, Uzbekistan, Vietnam

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

No.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

The law does not provide a clear timeline for the court to follow in the recognition and enforcement of foreign judgments. Practices of different courts vary, so it is hard to estimate the time.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

The law does not provide a clear timeline for the court to follow in the recognition and enforcement of foreign judgments. Practices of different courts vary, so it is hard to estimate the time.
5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

Enforcements are too rare to permit an estimate.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

Enforcements are too rare to permit an estimate.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

Yes. Foreign judgments are rarely enforced in China, except for those based on treaties or divorce matters.

### ARBITRATION AWARDS

8. **Is this jurisdiction a party to the New York Convention?**

Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

The current laws do not impose a timeline whereby the court should follow in recognizing and enforcing the foreign arbitration award. In practice, the time needed may vary from case to case depending on the complexity of the case and different practice/caseload of each court.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

The current laws do not impose a timeline whereby the court should follow for recognizing and enforcing the foreign arbitration award. In practice, the time needed may vary from case to case depending on the complexity of the case and different practice/caseload of each court.
China

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

Enforcements are too rare to permit an estimate.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Enforcements are too rare to permit an estimate.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No. Chinese courts have relatively good records in terms of enforcing foreign awards.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

2 years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

2 years.
China

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?
   No.

18. Is seizure of goods available as an enforcement method?
    Yes.

19. Is attachment of earnings available as an enforcement method?
    Yes.

20. Is attachment of third party debts available as an enforcement method?
    Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
    Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
    Yes.

23. Can a receiver be appointed by way of enforcement?
    No.

24. Any other method of enforcement?
    No.
China

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Difficult without a bilateral treaty; Easy with a bilateral treaty

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Simon Hui  
Partner, Shanghai  
Dispute Resolution  
+86 21 6105 5996  
simon.hui@bakermckenzie.com

28. What papers will be needed?

The effective judgment or arbitral award, a valid arbitration clause or agreement, a brief of the matter, and the certificate of incorporation and good standing of the client.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which China has reciprocal enforcement arrangements for court judgments.

Bilateral

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<tr>
<th>Bilateral</th>
<th>China</th>
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<td>Algeria</td>
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<td>Argentina</td>
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<td>Uzbekistan</td>
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<td>Vietnam</td>
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China

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which China has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan
Albania
Algeria
American Samoa
Andorra
Antigua and Barbuda
Argentina
Armenia
Aruba
Australia
Austria
Azerbaijan
Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Benin
Bermuda
Bhutan
Bolivia
Bonaire
Bosnia & Herzegovina
Botswana
Brazil
British Virgin Islands
Brunei
Bulgaria
Burkina Faso
Burundi
Cabo Verde
Cambodia
Cameroon
Central African Republic
Christmas Island
Cayman Islands
Czech Republic
Denmark
Dominica
Dominican Republic
Democratic Republic of Congo
Ecuador
Egypt
El Salvador
England and Wales
Estonia
Ethiopia
Faroe Islands
Fiji
Finland
France
Gabon
Georgia
Germany
Ghana
Gibraltar
Greece
Guatemala
Guernsey
Guinea
Guyana
Haiti
Holy See
Honduras
Hong Kong
Hungary
Iceland
India
Indonesia
Iran
Ireland
Isle of Man
Israel
Italy
Jamaica
Japan
Jersey
Jordan
Kazakhstan
Kenya
Kuwait
Kyrgyzstan
Laos
Latvia
Lebanon
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg
Macau
Macedonia
Madagascar
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Moldova
Monaco
Mongolia
Montenegro
Morocco
Mozambique
Myanmar
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Northern Ireland
Norway
Oman
Pakistan
Palau
Palestine
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Puerto Rico
Qatar
Romania
Russia
 Rwanda
Saba
Saint Vincent and the Grenadines
San Marino
Sao Tome and Principe
Saudi Arabia
Scania
Senegal
Serbia
 Seychelles
Singapore
Sint Eustatius
Sint Maarten
Slovenia
Slovakia
Somalia
South Africa
South Korea
Spain
Sri Lanka
Sweden
Switzerland
Syria
Tajikistan
Tanzania
Thailand
Trinidad and Tobago
Tonga
Tunisia
Turkey
Ukraine
United Arab Emirates
United States of America
Uruguay
US Virgin Islands
Uzbekistan
Venezuela
Vietnam
Zambia
Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Montevideo Convention 1979:**
Argentina, Bolivia, Brazil, Colombia, Ecuador, Mexico, Paraguay, Peru, Uruguay, Venezuela.

**Bolivian Accord 1911:**
Bolivia, Colombia, Ecuador, Peru, Venezuela

**Bilateral:**
Bolivia, Ecuador, Peru, Spain

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes. In the absence of an international treaty, recognition of foreign judgments will be governed by reciprocity, in accordance with Articles 605 through 609 of the General Code of Procedure.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

In Colombia registration of foreign judgments is not applicable. Before enforcing a judgment, however, it is necessary to exhaust an *exequatur* process before the Supreme Court to obtain its recognition. Once the foreign judgment has been recognized, the interested party may enforce it through collection proceedings before Colombian courts.

The recognition of a foreign judgment should approximately take from 10 months to 1 year, and its enforcement approximately 1 to 2 years.
4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   Please see the previous section.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   Access to justice is a fundamental civil right in Colombia and free of charge. Thus, there are no costs for filing recognition or enforcement proceedings in Colombia of foreign judgments. This excludes attorney’s fees, which will depend on the respective arrangement.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   Please see the previous section.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   The excessive workload of Colombian courts, the lack of bilateral arrangements, and the difficulty in determining the existence of reciprocity with other countries.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   In Colombia registration of foreign arbitration awards is not applicable. In order to be enforced, an arbitral award rendered in another jurisdiction has to be recognized according to Article 116 of Law 1563 of 2020. Recognition claims of foreign arbitral awards must be submitted before the Civil Chamber of the Supreme Court of Justice or the State Council if the award involves a public entity. Once the foreign award has been recognized, the interested party may enforce it through collection proceedings before Colombian courts.

   According to Article 111 of Law 1563 of 2012, the recognition of foreign arbitration awards can take up to 30 business days. However, in practice, it can take between 1-2 years. In respect of the enforcement, the proceeding can take also approximately 1 to 2 years.
10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Please see the previous section.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

Access to justice is a fundamental civil right in Colombia and free of charge. Thus, there are no costs for filing recognition or enforcement proceedings in Colombia of foreign arbitral awards. This excludes attorney’s fees, which will depend on the respective arrangement.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Please see the previous section.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

The excessive workload of Colombian courts.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

N/A

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A
Colombia

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes. Legal fees spent on a collection proceeding are recoverable. However, this is limited to the statutory legal fees which typically correspond to a percentage of the relief sought set by the High Council of the Judiciary.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

In Colombia, there are no charging orders or orders for the sale of land. Within enforcement proceedings, it is possible to attach the assets of the debtor by means of a precautionary measure. Typically available precautionary measures are the attachment of assets (real or movable property), attachment of earnings, seizure of goods and lawsuit registering within certain types of assets (real property or stocks).

22. Can a judgment or award be enforced by way of insolvency proceedings?

Provided that the foreign judgment or award is recognized in Colombia and contains an obligation against the insolvent company, it is possible to enforce the respective judgment within the insolvency proceeding according to the rules governing such type of process.
23. **Can a receiver be appointed by way of enforcement?**

Yes. In Colombia, a receiver is a public official assigned by the Court, whose fees and expenses must be borne by the interested party.

24. **Any other method of enforcement?**

In Colombia, the pledge over movable property can also be enforced through an expedited procedure.

**RATING**

25. **Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?**

Moderate.

26. **Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?**

Moderate.

**CONTACTS**

27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

Claudia Benavides  
Partner, Bogota  
Dispute Resolution  
+57 1 634 1563  
claudia.benavides@bakermckenzie.com
28. **What papers will be needed?**

In the case of a judgment:

- Certified copy of the judgment.
- Official translation of the judgment, if the judgment was rendered in a language other than Spanish.
- Evidence that the judgment is final and enforceable.
- Evidence that the judgment was notified to the parties.

In the case of an arbitration award:

- The award (original or a copy)
- Official translation of the award, if the award was rendered in a language other than Spanish.
Colombia

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Colombia has reciprocal enforcement arrangements for court judgments.

Montevideo Convention
1979
Argentina
Bolivia
Brazil
Ecuador
Mexico
Paraguay
Peru
Uruguay
Venezuela

Bolivian Accord 1911
Bolivia
Colombia
Ecuador
Peru
Venezuela

Bilateral
Bolivia
Ecuador
Peru
Spain

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Colombia has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan, Albania, Algeria, American Samoa, Andorra, Antigua and Barbuda, Angola, Argentina, Armenia, Aruba, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Belgium, Benin, Bermuda, Bhutan, Bolivia, Bonaire, Bosnia & Herzegovina, Botswana, Brazil, British Virgin Islands, Brunei, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Cayman Islands, Central African Republic, China, Christmas Island, Costa Rica, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, England and Wales, Fiji, Finland, France, Gabon, Georgia, Germany, Ghana, Gibraltar, Greece, Greenland, Guam, Guatemala, Guernsey, Guinea, Guyana, Haiti, Holy See, Honduras, Hong Kong, Hungary, Iceland, India, Indonesia, Iran, Ireland, Isle of Man, Israel, Italy, Jamaica, Japan, Jersey, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Laos, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Macau, Macedonia, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Moldova, Monaco, Mongolia, Montenegro, Morocco, Mozambique, Myanmar, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norfolk Island, Northern Ireland, Norway, Oman, Pakistan, Palau, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Polo, Portugal, Puerto Rico, Qatar, România, Russian Federation, Rwanda, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Scotland, Senegal, Serbia, Seychelles, Singapore, Sri Lanka, Sudan, Swaziland, Sweden, Switzerland, Syrian Arab Republic, Tajikistan, Tanzania, Thailand, Trinidad and Tobago, Tonga, Tunisia, Turkey, Ukraine, United Arab Emirates, United States of America, Uruguay, Uzbekistan, Venezuela, Viet Nam, Zambîe, Zimbabwe.

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
Czech Republic

**JUDGMENTS**

1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   **Brussels Regulations:**
   Austria, Belgium, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

   **Lugano Convention 2007:**
   Denmark, Iceland, Norway, Switzerland

   **Hague Choice of Court Convention 2005:**
   Austria, Belgium, Bulgaria, Croatia, Cyprus, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

   **Bilateral:**
   Brussels and Lugano Regime countries, Afghanistan, Switzerland, Tunisia, Mongolia, Russia, Belarus, Kyrgyzstan, Georgia, Moldova, Ukraine, Albania, Algeria, Bosnia and Herzegovina, Montenegro, People’s Republic of Korea, Kosovo, Cuba, Northern Macedonia, Syria, Uzbekistan, Vietnam

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes, provided that reciprocity is guaranteed.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   **Brussels and Lugano Regime:** approx. 6 months

   **Other countries:** approx. 12 months
4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

Brussels and Lugano Regime: approx. 1-2 years

Other countries: approx. 2 years

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

The costs vary depending on whether the creditor chooses to enforce the judgment by judicial enforcement or execution enforcement. In both cases the creditor must cover the costs for the official translation into Czech language and lawyer’s fee. The court fee is 5% of the claimed amount. In the execution enforcement, the executor’s remuneration is 15% of the amount actually recovered. There is no court fee for the application, but the creditor may be charged a deposit for the costs of execution.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

The costs vary depending on whether the creditor chooses to enforce the judgment by judicial enforcement or execution enforcement. In both cases the creditor must cover the costs for the official translation into Czech language and lawyer’s fee. The court fee is 5% of the claimed amount. In the execution enforcement, the executor’s remuneration is 15% of the amount actually recovered. There is no court fee for the application, but the creditor may be charged a deposit for the costs of execution.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

The process of enforcing foreign judgments in the Czech Republic is quite unpredictable, as the possibility of enforcement depends on many factors, for example, the country of origin of the judgement, arrangements on reciprocity, communication with the foreign authorities, etc. We are not aware of any particular difficulties apart from the fact that the process may be, in some cases, time consuming.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

Yes.
9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   Approx. 6-12 months

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

    Approx. 1-2 years

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

    The costs consist of a) court fees, b) official translation of the arbitration agreement and arbitration award to Czech language, and c) lawyer’s fee. For official translation and lawyer’s fee the price may vary. The court fee is 5% of the claimed amount.

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

    The costs consist of a) court fees, b) official translation of the arbitration agreement and arbitration award to Czech language, and c) lawyer’s fee. For official translation and lawyer’s fee the price may vary. The court fee is 5% of the claimed amount.

13. **Are there any unusual difficulties in enforcing a foreign arbitration award?**

    The Supreme Court case law does not allow the foreign arbitration awards to be directly enforceable by means of execution proceedings. Thus, the foreign arbitration award must be enforced through the judicial execution procedure. The latter requires the creditor to specify the method of enforcement and to specify the property / estate of the liable party on which the enforcement shall take place. This altogether may lead to difficulties and delays in enforcing the arbitration award. However, the Chamber of Deputies discusses at the moment new amendment that would allow enforcement of foreign arbitration awards in execution proceedings.
LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The governing law of the decision.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

N/A

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes, in case of successful enforcement.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.
21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

No, but enforcement may trigger the debtor’s insolvency.

23. Can a receiver be appointed by way of enforcement?

Yes.

24. Any other method of enforcement?

Judicial lien on immovable property, administration of business enterprise and administration of immovable property.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate. The disadvantage is that foreign arbitration awards are currently enforceable only in the judicial execution procedure.
27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

**Martin Hrodek**  
Partner, Prague  
Dispute Resolution  
+420 236 045 001  
martin.hrodek@bakermckenzie.com

**Martina Marchand**  
Associate, Prague  
Dispute Resolution  
+420 236 045 001  
martina.marchand@bakermckenzie.com

28. What papers will be needed?

- In both cases power of attorney for legal representation in front of a court.
- For enforcement of foreign judicial decision the original judicial decision or a duly certified copy, including its certified translation into Czech language and other instruments relating to the recognition of the decision (e.g. exequatur, if mandatory).
- For enforcement of arbitral award the original arbitration agreement and arbitration award or a duly certified copy thereof, including certified translations into Czech language.
Czech Republic

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Czech Republic has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Brussels Regulations</th>
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<th>Hague Choice of Court Convention 2005</th>
<th>Bilateral</th>
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<td>Austria</td>
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<td>Spain</td>
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Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Juridictions with which Czech Republic has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.*
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden

**Bilateral:**
Australia, Anguilla, Antigua and Barbuda, Bahamas, Barbados, Belize, Bermuda, Botswana, British Indian Ocean Territory, British Virgin Islands, Canada, Cayman Islands, Christmas Island, Cocos (Keeling) Islands, Dominica, Falkland Islands, Fiji, Gambia, Ghana, Grenada, Guernsey, Guyana, India, Isle of Man, Israel, Jamaica, Jersey, Kenya, Kiribati, Lesotho, Malawi, Malaysia, Mauritius, Montserrat, Northern Ireland, New Zealand, Nigeria, Norfolk Island, Pakistan, Papua New Guinea, St Christopher and Nevis, St Helena, St Lucia, St Vincent and the Grenadines, Scotland, Seychelles, Sierra Leone, Singapore, Solomon Islands, Sovereign Base Areas of Akrotin and Dhekelia in Cyprus, Sri Lanka, Suriname, Swaziland, Tanzania, Tonga, Trinidad and Tobago, Turks and Caicos Islands, Tuvalu, Uganda, Zambia, Zimbabwe

N.B. Whilst the UK left the European Union on 31 January 2020, EU law (including the Brussels Regulations) continues to apply during the transitional period (due to end on 31 December 2020), unless such period is further extended.
2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

1 - 2 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

3 - 6 months.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 20,000 - 50,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 50,000 - 150,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

Recognition is usually granted ex parte. The other party then has 1 month from service to apply to set aside registration (2 months if the other party is outside the UK).

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.
9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?
   1 - 2 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?
    3 - 6 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?
    USD 20,000 - 50,000

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?
    USD 50,000 - 150,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?
    Recognition is usually granted ex parte. The other party then has 14 days from service to apply to set aside registration (sometimes longer if the other party is outside the UK).

**LIMITATION**

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?
    Law of forum for Brussels Regime judgments; place of enforcement for all other judgments and awards.
15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

6 years for enforcement by action on the writ; 12 months for judgments from Australia, Canada, Guernsey, Isle of Man, Jersey, India, Pakistan, Surinam and Tonga; 6 years for most other Commonwealth jurisdictions.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

6 years.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.
22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Easy.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

   **Steve Abraham**  
   Partner, London  
   Dispute Resolution  
   +44 20 7919 1440  
   steve.abraham@bakermckenzie.com

   **Ed Poulton**  
   Partner, London  
   Dispute Resolution  
   +44 20 7919 1606  
   ed.poulton@bakermckenzie.com
28. **What papers will be needed?**

- Copy of the judgment/award
- Copy of any document referred to in the judgment/award
- Evidence showing that the judgment/award is enforceable in its forum of origin and has been served
- In the case of default judgments, evidence that the original proceedings were served
- Translations of the above if not in English (preferably certified by a notary).
England & Wales

Reciprocal Enforcement of Court Judgments

Jurisdictions with which England & Wales has reciprocal enforcement arrangements for court judgments.

**Brussels Regulations**
- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovakia
- Slovenia
- Spain
- Sweden

**Hague Choice of Court Convention 2005**
- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Mexico
- Montenegro
- Netherlands
- Poland
- Portugal
- Romania
- Singapore
- Slovakia
- Slovenia
- Spain

**Switzerland**

**Bilateral**
- Australia
- Anguilla
- Antigua and Barbuda
- Bahamas
- Barbados
- Belize
- Bermuda
- Botswana
- British Indian Ocean Territory
- British Virgin Islands
- Canada
- Cayman Islands
- Christmas Island
- Cocos (Keeling) Islands
- Dominica
- Falkland Islands
- Fiji
- Gambia
- Ghana
- Grenada
- Guernsey
- Guyana
- India
- Isle of Man
- Israel
- Jamaica
- Jersey
- Kenya
- Kiribati
- Lesotho

**Sweden**

**Malawi**
- Malaysia
- Mauritius
- Montserrat
- Northern Ireland
- New Zealand
- Nigeria
- Norfolk Island
- Pakistan
- Papua New Guinea
- St Christopher and Nevis
- St Helena
- St Lucia
- St Vincent and the Grenadines
- Scotland
- Seychelles
- Sierra Leone
- Singapore
- Solomon Islands
- Sovereign Base Areas of Akrotiri and Dhekelia in Cyprus

**Lugano Convention 2007**
- Denmark
- Iceland
- Norway

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which England & Wales has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Bilateral:**
Algeria, Argentina, Austria*, Belgium*, Benin, Bosnia, Brazil, Bulgaria*, Burkina Faso, Cameroon, Canada, Central African Republic, Chad, China, Congo, Côte d’Ivoire, Croatia*, Czech Republic*, Djibouti, Egypt, Gabon, Hungary*, Italy*, Laos, Macedonia, Madagascar, Mali, Mauritania, Monaco, Mongolia, Montenegro, Morocco, Niger, Poland*, Portugal*, Romania*, San Marino, Senegal, Slovakia*, Slovenia*, Spain*, Togo, Tunisia, United Arab Emirates, United Kingdom, United States, Uruguay, Vietnam

*only relevant to matters not covered by the Brussels regimes*
2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Under French law, the enforcement procedure is provided for in Articles 509 et seq. of the French Code of Civil Procedure, which states that "Judgments handed down by foreign courts and documents received by foreign officers shall be enforceable in the territory of the Republic in the manner and in the cases provided for by law". This legal provision is implemented by the exequatur judge. French case law has set the conditions for enforcing a foreign decision in the absence of a multilateral or bilateral convention.

In this respect, the cumulative conditions of the Cornelissen decision issued by the French Cour de Cassation of 20 February 2007 (Cass. Civ. 1. 20 February 2007, N°05-14082; more recently Cass. Civ. 1. 29 January 2014 N°12-28953 & Cass. Civ. 1. 17 December 2014, N°13-21365) must be applied. French courts will verify:

- The jurisdiction of the foreign court, based on the connection of the dispute with the court seized;
- The compliance with international substantive and procedural public policy;
- And the absence of fraud.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Save the situation where a specific regulation or treaty exists such as the European Regulations (where the proceedings are ex parte), the proceedings to obtain the exequatur of a foreign judgment may last 1 year. Enforcing thereafter said judgment after obtention of the exequatur may last 3 to 6 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

If opposed, the proceedings to obtain the exequatur of a foreign judgment may last 2 to 3 years. The enforcement measures may also take 2 to 3 years if opposed.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

There are no court fees. Lawyers' fees will vary from a law firm to another.
6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

There are no court fees. Lawyers' fees will vary from a law firm to another.

7. Are there any unusual difficulties in enforcing a foreign judgment?

There does not seem to be any unusual difficulty for the enforcement of foreign judgments under French law.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

France is a party to the New York Convention since 26 June 1959, when the Convention was ratified.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

Article 1516, paragraph 2 of the French Code of Civil Procedure provides that "Exequatur proceedings shall not be adversarial."

Paragraph 3 of the Same Article specifies that "Application for exequatur shall be filed by the most diligent party with the Court Registrar" of the Court of Paris.

In practice, the application for exequatur consists of a few hand-written lines through which a party asks the judge to enforce a foreign award.

Such an application is filed "together with the original award and arbitration agreement, or duly authenticated copies of such documents." (Article 1506, paragraph 3 of the French Code of Civil Procedure).

The Court will issue the enforcement order within approximately fifteen (15) days.
10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

The same procedural frame as above applies in case that a foreign award is opposed.

Article 1525 paragraph 1 of the French Code of Civil Procedure provides that “An order granting or denying recognition or enforcement of an arbitral award made abroad may be appealed.”

From a procedural point of view, “The appeal shall be brought within one month following service (signification) of the order” (Article 1525 paragraph 2 of the French Code of Civil Procedure).

The appeal will be held before the Paris Court of Appeal, where proceedings usually last around 18 months.

In any event, Article 1526 paragraph 1 of the French Code of Civil Procedure provides “Neither an action to set aside an award nor an appeal against an enforcement order shall suspend enforcement of an award.”

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

There are no court fees. Lawyers’ fees will vary from a law firm to another. Translation fees could be needed and would depend on the length of the document to be translated.

Approximately, for a simple straightforward exequatur, the cost could be evaluated to USD 6,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

There are no court fees. Lawyers’ fees will vary from a law firm to another.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No. Overall, the French legal system has adopted a comprehensive pro-arbitration stance.
14. **Which law governs the limitation period for registering a foreign judgment or arbitration award?**

Under French law, there is no limitation period for registering a foreign judgment or arbitration award. However, if an exequatur order is issued, Article L. 111-4 of the French Code of Civil Enforcement Procedures provides that the enforcement of this decision may only be pursued for ten years.

Also, limitation periods exist in relation to the appeal against the enforcement order or the setting aside proceedings. In both cases, this limitation period is equal to one month.

15. **If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

Not applicable.

16. **If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

Not applicable.

**ENFORCEMENT**

17. **Are fees and costs of enforcement typically recoverable?**

Under French law, Article L. 111-8, paragraph 1 of the French Code of Enforcement Procedure provides that “the costs of forced execution shall be borne by the debtor unless it is obvious that they were not necessary at the time they were incurred. Disputes are decided by the judge.”

Of course, the “costs of recovery undertaken without an enforcement title ("titre exécutoire") shall remain the responsibility of the creditor, unless they relate to an act the performance of which is prescribed by law to the creditor. Any stipulation to the contrary shall be deemed to be unwritten unless otherwise provided by law” (Article L. 111-8, paragraph 2 of the French Code of Enforcement Procedure).
18. **Is seizure of goods available as an enforcement method?**

Under French law, the seizure of goods as an enforcement method is available with regards to the moveable property, which the debtor is bound to deliver or return to the creditor, under the conditions outlined under Article L. 222-1 of the French Code of Enforcement Procedures ("saisie-appréhension").

19. **Is attachment of earnings available as an enforcement method?**

Attachment of earnings is available in France ("saisie des rémunérations"). Article L. 3252-1 of the French Labor Code sets forth the conditions, limits and the proportions of earnings that could be subject to an attachment.

20. **Is attachment of third party debts available as an enforcement method?**

French law allows attachment of third party debts ("saisie entre les mains d'un tiers"), as provided by Articles L. 211-1 through L. 211-5 and R. 211-1 through R. 211-23 of the French Code of Enforcement Proceedings.

21. **Are charging orders or orders for sale of land, goods etc available as an enforcement method?**

Under French law, charging orders and orders for sale of goods are available as enforcement method at the conditions outlined at Articles L. 221-1 through L. 221-6 of the French Code of Enforcement Procedures ("saisie-vente").

Special procedures also exist in relation to the issuance of charging orders of of vehicles, or intangible property.

Immovable property can also be subject to orders for sale, pursuant to Articles L. 311-1 through L. 334-1 of the French Code of Enforcement Procedures ("saisie immobilière").

22. **Can a judgment or award be enforced by way of insolvency proceedings?**

French law does not allow the enforcement of judgments or awards by way of insolvency proceedings.

In this respect, The Paris Court of Appeal ruled that an order authorizing the enforcement of an award against a company involved in restructuring proceedings is contrary to international public policy insofar as it infringes the mandatory rules of the law of insolvency proceedings (Paris Court of Appeal, 12 May 2011, n°10/10078).
23. **Can a receiver be appointed by way of enforcement?**

Yes. Under French law, creditors can take their debtor to court by summoning him into recovery proceedings (Article L.631-5, French Commercial Code) or liquidation proceedings (Article L.640-5, French Commercial Code). If the court grants the request, it will then appoint a receiver.

24. **Any other method of enforcement?**

No.

**RATING**

25. **Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?**

In light of the numerous multilateral and bilateral enforcement treaties to which France is a party and the flexible criteria established by the French Cour de Cassation where these treaties cannot be applied, French law seems to allow foreign judgments to be easily enforced.

26. **Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?**

Overall, the enforcement of foreign arbitration awards in France is easy.

**CONTACTS**

27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

Karim Boulmelh  
Counsel, Paris  
Dispute Resolution  
+33 1 44 17 59 83  
karim.boulmelh@bakermckenzie.com

Jean-Dominique Touraille  
Partner, Paris  
Dispute Resolution  
+33 1 44 17 53 91  
jean-dominique.touraille@bakermckenzie.com
28. What papers will be needed?

The decision itself in original mainly.
France

Reciprocal Enforcement of Court Judgments

Jurisdictions with which France has reciprocal enforcement arrangements for court judgments.

Brussels Regulations
Austria
Belgium
Bulgaria
Cyprus
Croatia
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Netherlands
Poland
Portugal
Romania
Singapore
Slovakia
Slovenia
Spain
Sweden
United Kingdom

Lugano Convention 2007
Austria
Belgium
Bulgaria
Croatia
Czech Republic
Denmark
Estonia
Finland
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Monaco
Montenegro
Netherlands
Poland
Portugal
Romania
Switzerland
United Kingdom

Hague Choice of Court Convention 2005
Austria
Belgium
Bulgaria
Croatia
Czech Republic
Denmark
Estonia
Finland
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Monaco
Netherlands
Poland
Portugal
Romania
Singapore
Slovakia
Slovenia
Spain
Sweden
United Kingdom

Bilateral
Algeria
Argentina
Austria*
Belgium*
Benin
Bosnia
Brazil
Bulgaria*
Burkina Faso
Cameroon
Canada
Central African Republic
Chad
China
Congo
Côte d’Ivoire
Croatia*
Czech Republic*
Denmark
Estonia
Finland
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Monaco
Montenegro
Netherlands
Poland
Portugal
Romania
Singapore
Slovakia
Slovenia
Spain
Sweden
Switzerland
United Kingdom
United Arab Emirates
United Kingdom
United States

*only relevant to matters not covered by the Brussels regimes

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which France has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.*

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Bilateral:**
Israel, Mexico, Montenegro, Singapore, Tunisia

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes, if German judgments are similarly recognized in the jurisdiction of origin (as is the case e.g. for the USA, Australia, and Japan).

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Brussels/Lugano regime: 2 - 4 months. No registration is required under the Brussels regime.

Other jurisdictions: 4 - 8 months
4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Brussels/Lugano regime: 6 - 12 months. No registration is required under the Brussels regime.
Other jurisdictions: 8 - 18 months

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

EUR 240 (approximately USD 280) court fees for recognition, independent of the amount at issue. Attorneys usually charge by the hour.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

EUR 240 (approximately USD 280) court fees for recognition, independent of the amount at issue, plus moderate court fees for enforcement. Attorneys usually charge by the hour.

7. Are there any unusual difficulties in enforcing a foreign judgment?

There are hardly any unusual difficulties. However, note that the German Federal Supreme Court of Justice has held that judgments for punitive or treble damages violate German public policy. Due to the limited reasons which render a foreign judgment unenforceable, defendants opposing the recognition and enforcement of a foreign judgment frequently argue that the foreign court was misled by the plaintiff and that recognition and enforcement of the foreign judgment would thus violate the German public policy.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

4 to 8 months.
10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

8 to 18 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 12,000 in court fees, assuming an amount at issue of USD 1 million. Attorneys usually charge by the hour.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 12,000 in court fees, assuming an amount at issue of USD 1 million. Attorneys usually charge by the hour.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

There is no limitation period for such registration, as statutory limitation is a matter of substantive law in Germany. The substantive law governing the limitation period for the claim(s) (that are the subject matter of the judgment or award) is determined through ordinary conflicts of laws principles.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

There is no limitation period for such registration. The limitation period for claims confirmed by judgment or arbitral award is 30 years.
Germany

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

There is no limitation period for such registration. The limitation period for claims confirmed by judgment or arbitral award is 30 years.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

No, but enforcement may trigger the debtor’s insolvency. The creditor must then cease individual enforcement and file the claim in the insolvency proceedings.

23. Can a receiver be appointed by way of enforcement?

No.
24. Any other method of enforcement?

No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Easy to moderate, depending on the facts of the case.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Easy to moderate, depending on the facts of the case.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Günter Pickrahn
Partner, Frankfurt
Dispute Resolution
+49 69 2 99 08 232
guenter.pickrahn@bakermckenzie.com

Heiko Haller
Partner, Dusseldorf
Dispute Resolution
+49 211 3 11 16 113
heiko.haller@bakermckenzie.com

28. What papers will be needed?

Foreign judgment/arbitral award, contractual documents in the case (in particular to review the jurisdiction of the foreign court).
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Germany has reciprocal enforcement arrangements for court judgments.

### Brussels Regulations
- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta

### Lugano Convention 2007
- Denmark
- Iceland
- Norway
- Switzerland

### Hague Choice of Court Convention 2005
- Austria

### Bilateral
- Israel
- Mexico
- Montenegro
- Singapore
- Tunisia

### Important Note:
This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Germany has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
JUDGMENTS

1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   **Bilateral:**
   Australia (part only), Belgium, Brunei, China, France, Germany, India, Israel, Italy, Malaysia, the Netherlands, New Zealand, Singapore

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   Registration under the Foreign Judgments (Reciprocal Enforcement) Ordinance is about 2 weeks. The time required to enforce will depend on the method of enforcement used and will take between 1 to 2 months.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   Usually around 6 to 9 months, depending on the court diary. However, depending on the complexity, this can take up to years.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   USD 10,000 - 50,000.
6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 50,000 - 150,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

Generally no.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes (While Hong Kong itself is not a party to the New York Convention, it enjoys New York Convention status as a Special Administrative Region of the PRC).

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

2-4 weeks.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

4 to 15 months depending on court availability.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 10,000 - 50,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 50,000 - 150,000.
13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

**LIMITATION**

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Six years from the date of the judgment.

The time limit for making an application for the registration of a Mainland judgment is two years from the date of the judgment taking effect or, where a period for performance has been specified in the judgment, from the last day of that period.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Six years from the time when the award debtor fails to honor its implied undertaking in the arbitration agreement to perform the arbitration award.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.
20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.

23. Can a receiver be appointed by way of enforcement?

Yes.

24. Any other method of enforcement?

No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Easy.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

- **Cynthia Tang**  
  Partner, Hong Kong  
  Dispute Resolution  
  +852 2846 1708  
  cynthia.tang@bakermckenzie.com

- **Gary Seib**  
  Partner, Hong Kong  
  Dispute Resolution  
  +852 2846 2112  
  gary.seib@bakermckenzie.com

- **Bryan Ng**  
  Partner, Hong Kong  
  Dispute Resolution  
  +852 2846 2923  
  bryan.ng@bakermckenzie.com

- **Philipp Hanusch**  
  Special Counsel, Hong Kong  
  Dispute Resolution  
  +852 2846 1665  
  philipp.hanusch@bakermckenzie.com

28. **What papers will be needed?**

The judgment or arbitral award sought to be enforced; agreement containing the arbitration clause; background to the matter; summary details of the various parties, including any known assets, bank accounts and/or place(s) of business in Hong Kong; reason why enforcement is sought in Hong Kong.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Hong Kong has reciprocal enforcement arrangements for court judgments.

### Bilateral

- Australia (parts only)
- Belgium
- Brunei
- China
- France
- Germany
- India
- Israel
- Italy
- Malaysia
- Netherlands
- New Zealand
- Singapore

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Hong Kong has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
Hungary

JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

Brussels Regulations:
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

Lugano Convention 2007:
Denmark, Iceland, Norway, Switzerland

Hague Choice of Court Convention 2005:
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

Bilateral:
Albania, Algeria, Belarus, Bosnia & Herzegovina, Chile, China, Czech Republic, Cuba, Egypt, Georgia*, Honduras*, Ireland*, Iraq, Kosovo, Lesotho*, Macedonia, Mexico, Moldova, Monaco*, Mongolia, Montenegro, North Korea, Cyprus, Russia, Serbia, Syria, Tunisia, Turkey*, Ukraine, Uruguay*, USA*, Vietnam

*Limited scope

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.
3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

   The time required to register a foreign judgment is approximately 6 months.
   The time required to enforce a foreign judgment is approximately 6 months to one year.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

   The time required to register a foreign judgment is approximately between 6 months and 2 years.
   The time required to enforce a foreign judgment is approximately between 1 and 2 years.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

   USD 1,000 - 4,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

   USD 1,000 - 4,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

   Not in particular.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

   Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

   The time required to register a foreign judgment is approximately 6 months.
   The time required to enforce a foreign judgment is approximately 6 months to one year.
10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

   The time required to register a foreign judgment is approximately between 6 months and 2 years.
   The time required to enforce a foreign judgment is approximately between 1 and 2 years.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

   USD 10,000 - 50,000.

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

   USD 50,000 - 100,000.

13. **Are there any unusual difficulties in enforcing a foreign arbitration award?**

    Not in particular.

**LIMITATION**

14. **Which law governs the limitation period for registering a foreign judgment or arbitration award?**

    The law of the place of enforcement.

15. **If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

    5 years.
16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

5 years.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.

23. Can a receiver be appointed by way of enforcement?

Yes.

24. Any other method of enforcement?

No.
Hungary

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Zoltán Hegymegi-Barakonyi  
Partner, Budapest  
Antitrust & Competition  
+36 1 302 3330  
zoltan.barakonyi@bakermckenzie.com

28. What papers will be needed?

- Copy of the judgment/award (originals where possible) and certified translations if not in Hungarian.
- Details of the judgment debtor, including any relevant assets within Hungary (e.g. bank account details, property, chattels, etc.).
Hungary

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Hungary has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Brussels Regulations</th>
<th>Sweden</th>
<th>Lithuania</th>
<th>Egypt</th>
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<td>Austria</td>
<td>United Kingdom</td>
<td>Luxembourg</td>
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<th>Albania</th>
<th>Algeria</th>
<th>Belarus</th>
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<td>Bosnia &amp; Herzegovina</td>
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<td>Cuba</td>
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*Limited scope

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Hungary

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Hungary has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan
Albania
Algeria
American Samoa
Andorra
Antigua and Barbuda
Angola
Argentina
Armenia
Aruba
Australia
Austria
Azerbaijan
Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Benin
Belize
Bhutan
Bolivia
Bonaire
Bosnia & Herzegovina
Botswana
Brazil
British Virgin Islands
Brunei
Bulgaria
Burkina Faso
Burundi
Cambodia
Cameron
Cayman Islands
Central African Republic
Christmas Island
Cocos (Keeling) Islands
Congo
Congo, Democratic Republic of
Costa Rica
Côte d’Ivoire
Croatia
Cuba
Curacao
Cyprus
Czech Republic
Denmark
Djibouti
Dominica
Dominican Republic
Ecuador
Egypt
El Salvador
England and Wales
Estonia
Ethiopia
Faroe Islands
Fiji
Finland
France
Gabon
Georgie
Germany
Ghana
Gibraltar
Greece
Greenland
Guam
Guatemala
Guernsey
Guinea
Guyana
Haiti
Holy See
Honduras
Hong Kong
Iceland
India
Indonesia
Iran
Ireland
Isle of Man
Israel
Italy
Jamaica
Japan
Jersey
Jordan
Kazakhstan
Kenya
Kuwait
Kyrgyzstan
Laos
Latvia
Lebanon
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg
Macau
Macedonia
Madagascar
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Moldova
Monaco
Mongolia
Montenegro
Morocco
Mozambique
Myanmar
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norfolk Island
Northern Ireland
Ireland
Norway
Oman
Pakistan
Palau
Palestine
Panama
Papua New Guinea
Peru
Paraguay
Peru
Philippines
Poland
Portugal
Puerto Rico
Qatar
Romania
Russia
Rwanda
Saba
Saint Vincent and the Grenadines
San Marino
Sao Tome and Principe
Saudi Arabia
Scotland
Senegal
Serbia
Seychelles
Singapore
Sint Eustatius
Sint Maarten
Slovakia
Slovenia
South Africa
South Korea
Spain
Sri Lanka
Sudan
Sweden
Switzerland
Syria
Tajikistan
Tanzania
Thailand
Trinidad and Tobago
Tonga
Tunisia
Turkey
Uganda
United Arab Emirates
United States of America
Uruguay
Uzbekistan
Venezuela
Vietnam
Zambia
Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

None.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

No.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Not applicable.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Not applicable.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

Not applicable.
Indonesia

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

Not applicable.

7. Are there any unusual difficulties in enforcing a foreign judgment?

Not applicable.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

In general, it will take around 4 months to 9 months to obtain the Court’s exequatur.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

It may take around 3 years to obtain the Court’s exequatur depending on nature of appeals etc.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

Generally, the court fees and disbursements are nominal.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Generally, the court fees and disbursements are nominal.
13. Are there any unusual difficulties in enforcing a foreign arbitration award?

The foreign arbitration award must be registered at the Jakarta District Court by the arbitrator(s) or their proxies.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Foreign judgment cannot be enforced in Indonesia. There is no statutory limitation period for registering foreign arbitration award in Indonesia.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

There is no statutory limitation period for registering foreign arbitration award in Indonesia.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Fees and costs are not recoverable.

18. Is seizure of goods available as an enforcement method?

Yes it is available.

19. Is attachment of earnings available as an enforcement method?

The issue is unsettled in Indonesia.
20. Is attachment of third party debts available as an enforcement method?
   The issue is unsettled in Indonesia.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   The issue is unsettled in Indonesia.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   The issue is unsettled in Indonesia.

23. Can a receiver be appointed by way of enforcement?
   No.

24. Any other method of enforcement?
   No.

**RATING**

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Not applicable.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Moderate.
Indonesia

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Andi Kadir
Partner, Jakarta
Dispute Resolution
+62 21 2960 8511
andi.kadir@bakermckenzie.com

28. What papers will be needed?

- Consularized Powers of attorney from arbitrators
- Original arbitration award together with sworn Indonesian translation
- Agreement that is used as the basis of the award or authentic copy of the agreement, together with its sworn Indonesian translation
- Declaration from the diplomatic envoy of the Republic of Indonesia that Indonesia and the country of seat of arbitration are parties to the New York Convention.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Indonesia has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

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*The New York Convention will enter into force for Ethiopia on 22/11/2020.
1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

*Brussels Regulations:*
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

*Lugano Convention 2007:*
Denmark, Iceland, Norway, Switzerland

*Hague Choice of Court Convention 2005:*
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

*Bilateral:*
Argentina, Brazil, Egypt, Russia, Turkey, Tunisia, Kuwait, Moldavia, Morocco, Lebanon, China.

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

Yes.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

In general, 6-10 months.
4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

1-4 years, depending on the nature of the opposition and on the Court’s workload.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

Fixed Court fee equal to EUR 98 (approximately USD 115) and docket fee equal to EUR 27 (approximately USD 32). Additional costs will be incurred for the Italian translation of the foreign award as well as of the agreements including the arbitration clause (to be made by a certified translator).

Furthermore, once the exequatur is granted, the registry tax will be due (fixed at EUR 250 (approximately USD 300) or at 3% of judgment value, depending of case by case tax qualification).

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

Same as above.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

No.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

5-20 weeks.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

1-4 years, depending on the nature of the opposition and on the Court’s workload.
11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

Fixed Court fee equal to EUR 98 (approximately USD 115) and docket fee equal to EUR 27 (approximately USD 32). Additional costs will be incurred for the Italian translation of the foreign award as well as of the agreements including the arbitration clause (to be made by a certified translator).

Furthermore, once the exequatur is granted, the registry tax will be due (fixed at EUR 250 (approximately USD 300) or at 3% of judgment value, depending of case by case tax qualification).

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Same as above.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place where the judgment/award has been issued.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.
ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?
   Yes.

18. Is seizure of goods available as an enforcement method?
   Yes, creditors can attach both movable goods and real estates belonging to the debtor.

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   No, but enforcement may trigger the debtor’s insolvency. The creditor must then cease individual enforcement and file the claim in the insolvency proceedings.

23. Can a receiver be appointed by way of enforcement?
   No.

24. Any other method of enforcement?
   No.
25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Easy/Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Easy/Moderate.

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Lorenzo de Martinis  
Partner, Milan  
IPTech  
+39 02 76231334  
lorenzo.demartinis@bakermckenzie.com

Eliana Fruncillo  
Associate, Milan  
Dispute Resolution  
+39 02 76231306  
eliana.fruncillo@bakermckenzie.com

28. What papers will be needed?

Award/Judgment and relevant agreement/s.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Italy has reciprocal enforcement arrangements for court judgments.

**Brussels Regulations**
- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Latvia
- Lithuania
- Luxembourg
- Malta
- Netherlands
- Poland

**Lugano Convention 2007**
- Denmark
- Iceland
- Norway
- Switzerland

**Hague Choice of Court Convention 2005**
- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus

- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Latvia
- Lithuania
- Luxembourg
- Malta
- Mexico
- Montenegro
- Netherlands
- Poland
- Portugal
- Romania
- Singapore
- Slovakia

**Slovenia**
- Spain
- Sweden
- United Kingdom

**Bilateral**
- Argentina
- Brazil
- China
- Egypt
- Kuwait
- Lebanon
- Moldavia
- Morocco
- Russia
- Tunisia
- Turkey

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Italy has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?
   
   **Bilateral:**
   Australia*, England and Wales, Germany, Singapore, South Korea, Switzerland**, United States***
   
   *New South Wales only, **Zurich only, ***New York, California, Washington DC, Nevada and Hawaii only

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?
   
   Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?
   
   3-4 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?
   
   6 months or more depending on the strength of the opposing argument.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?
   
   USD 10,000 - 50,000.
6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 50,000 - 100,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

No.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

3-4 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

6 months or more depending on the strength of the opposing argument.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 10,000 - 50,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 50,000 - 100,000.
13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

No registration system of a foreign judgment or arbitration award in Japan and thus no law governs the limitation period for such registration in Japan.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes but no legal fee and costs (i.e. attorney’s fee and costs) is recoverable.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.
20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   No.

23. Can a receiver be appointed by way of enforcement?
   No.

24. Any other method of enforcement?
   Cease and desist order.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Moderate.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

**Hiroshi Kasuya**  
Partner, Tokyo  
Mergers & Acquisitions  
+81 3 6271 9515  
hiroshi.kasuya@bakermckenzie.com

**Takeshi Yoshida**  
Partner, Tokyo  
Dispute Resolution  
+81 3 6271 9723  
takeshi.yoshida@bakermckenzie.com

28. **What papers will be needed?**

The foreign judgment or arbitration award.
Japan

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Japan has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Bilateral</th>
</tr>
</thead>
<tbody>
<tr>
<td>Australia*</td>
</tr>
<tr>
<td>England and Wales</td>
</tr>
<tr>
<td>Germany</td>
</tr>
<tr>
<td>Singapore</td>
</tr>
<tr>
<td>South Korea</td>
</tr>
<tr>
<td>Switzerland**</td>
</tr>
<tr>
<td>United States***</td>
</tr>
</tbody>
</table>

*New South Wales only
**Zurich only
***New York, California, Washington DC, Nevada and Hawaii only

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Japan has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   Armenia, Azerbaijan, Belarus, Georgia, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

   **Bilateral:**
   Azerbaijan, China, Georgia, India, Kyrgyzstan, Lithuania, Mongolia, North Korea, Pakistan, Turkey, Turkmenistan, United Arab Emirates, Uzbekistan, Vietnam

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes, based on the principle of reciprocity.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   15 business days from the date of filing the application (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   Around 2–2.5 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).
Kazakhstan

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 5,000-8,000 (including relevant legal fees and other disbursements)

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 10,000-25,000 (including relevant legal fees and other disbursements)

7. Are there any unusual difficulties in enforcing a foreign judgment?

Local courts may still be influenced by local state authorities or tycoons, or corrupted. Therefore, recognition and enforcement of a foreign judgment against state companies or local oligarchs may be unreasonably rejected by local courts.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

15 business days from the date of filing the application (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Around 2–2.5 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 5,000-8,000 (including relevant legal fees and other disbursements)
12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 10,000-25,000 (including relevant legal fees and other disbursements)

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Local courts may still be influenced by local state authorities or tycoons, or corrupted. Therefore, recognition and enforcement of a foreign judgment against state companies or local oligarchs may be unreasonably rejected by local courts.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date when the foreign judgment came into effect.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date when the foreign award came into effect.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes, but court and/or court bailiff fees only.
Kazakhstan

18. **Is seizure of goods available as an enforcement method?**
   Yes.

19. **Is attachment of earnings available as an enforcement method?**
   Yes.

20. **Is attachment of third party debts available as an enforcement method?**
   Yes.

21. **Are charging orders or orders for sale of land, goods etc available as an enforcement method?**
   Yes.

22. **Can a judgment or award be enforced by way of insolvency proceedings?**
   Yes.

23. **Can a receiver be appointed by way of enforcement?**
   Yes.

24. **Any other method of enforcement?**
   For a judgment or award of a non-monetary nature, reinstatement of employment, or eviction from apartment.

**RATING**

25. **Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?**
   If there is a treaty, it is easy. If there are no treaties, it may be more difficult.
Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Usually, it is easy (subject to potential political issues and corruption influence over local courts).

CONTACTS

Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Alexander Korobeinikov
Partner, Almaty
Dispute Resolution
+7 727 3300500
alexander.korobeinikov@bakermckenzie.com

Alissa Inshakova
Associate, Almaty
Dispute Resolution
+7 727 3 300 500
alissa.inshakova@bakermckenzie.com

What papers will be needed?

A copy of the judgment/award that needs to be recognized and enforced and the power of attorney for representation in the court proceedings.
Reciprocal Enforcement of Court Judgments
Jurisdictions with which Kazakhstan has reciprocal enforcement arrangements for court judgments.

Kiev Convention 1992,
Minsk Convention 1993,
Moscow Convention 1998
and Chisinau Convention 2002

Armenia
Azerbaijan
Belarus
Georgia
Kyrgyzstan
Moldova
Russia
Tajikistan
Turkmenistan

Ukraine
Uzbekistan

Pakistan
Turkey
Turkmenistan
United Arab Emirates
Uzbekistan
Vietnam

Bilateral
Azerbaijan
China
Georgia
India
Kyrgyzstan
Lithuania
Mongolia
North Korea

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Kazakhstan

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Kazakhstan has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  Botswana  Cyprus  Guam  Lesotho  Nigeria  Saudi Arabia  United Arab Emirates
Albania  Brazil  Czech Republic  Guatemala  Liberia  Norfolk Island  Scotland  Emirates
American Samoa  British Virgin Islands  Djibouti  Guernsey  Liechtenstein  Northern Ireland  Senegal
Andorra  Bulgaria  Dominican Republic  Guiana  Luxembourg  Ireland  Senegal
Antigua and Barbuda  Burkina Faso  Republic of Congo  Haiti  Macau  Lebanon  Seychelles
Argentina  Cabo Verde  Congo  Holy See  Macedonia  Malawi  Singapore
Armenia  Cameroon  Ecuador  Honduras  Madagascar  Malaysia  Slovakia
Aruba  Cayman Islands  Egypt  Hong Kong  Maldives  Slovenia
Australia  Central African Republic  El Salvador  Hungary  Mali  South Africa
Austria  Chile  England and Wales  Iceland  Malta  South Korea
Azerbaijan  China  Estonia  India  Marshall Islands  Spain
Bahamas  Christmas Island  Ethiopia*  Indonesia  Mauritania  Sri Lanka
Bahrain  Cayman Islands  Faroe Islands  Iran  Mauritius  Sudan
Bangladesh  Central African Republic  Fiji  Ireland  Mexico  Sweden
Barbados  Christmas Island  France  Isle of Man  Moldova  Switzerland
Belarus  Islands  England  Israel  Monaco  Syria
Belgium  Colombia  Gabon  Italy  Mongolia  Tajikistan
Benin  Comoros  Georgia  Israel  Iran  Tanzania
Bermuda  Cook Islands  Germany  Jamaica  Iraq  Thailand
Bhutan  Costa Rica  Ghana  Japan  Jordan  Trinidad and Tobago
Bolivia  Croatia  Gibraltar  Kenya  Japan  Tunisia
Bonaire  Cuba  Greece  Kuwait  Morocco  Tonga
Bosnia & Herzegovina  Curacao  Greenland  Kyrgyzstan  Mozambique  Uganda

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*The New York Convention will enter into force for Ethiopia on 22/11/2020.
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Bilateral:**
Austria

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

1 to 2 months.
Luxembourg

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

3 to 12 months.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 2,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 4,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

No.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

1 to 3 weeks.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

2 to 8 months.
Luxembourg

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 4,000 (with translation costs).

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 6,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

30 years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

30 years, save for awards including a penalty payment for which the limitation period is of 6 months.
ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?
   Partially.

18. Is seizure of goods available as an enforcement method?
   Yes.

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   No.
25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Easy, but moderate where the enforcement of the foreign judgment is sought while there is no reciprocal arrangement.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Easy.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Annie Elfassi
Partner, Luxembourg
Dispute Resolution
+352 261844 209
annie.elfassi@bakermckenzie.com

Sabrina Salvador
Associate, Luxembourg
International Commercial & Trade
+352 26 18 44 305
sabrina.salvador@bakermckenzie.com
28. What papers will be needed?

- an authenticated original copy of the judgment or arbitral award;
- a sworn translation of the judgment or arbitral award in French or German;
- for the arbitral award, the agreement evidencing and documenting the agreement on arbitration and a sworn translation thereof in French or German;
- for the arbitral award, the letter of notification of the arbitral award by the arbitration court to the parties;
- if the court of origin is an EU court: the EU certificate issued by the clerk of the court of origin;
- if the court is a third country court: proof that the initial writ of summons was notified to, or served on the opposing party and any document establishing that the decision is enforceable and has been notified to, or served on the opposing party.
## Reciprocal Enforcement of Court Judgments

Jurisdictions with which Luxembourg has reciprocal enforcement arrangements for court judgments.

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<th>Brussels Regulations</th>
<th>Lugano Convention 2007</th>
<th>Hague Choice of Court Convention 2005</th>
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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Luxembourg has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  Botswana  Cyprus  Guam  Lebanon  Lesotho  Libya
Albania     Brazil     Czech Republic  Guatemala  Guernsey  Guinean  Guyana  Haiti
American Samoa  Brunei  Dominican Republic  Holy See  Honduras  Hong Kong  Hungary
Armenia     Bulgaria  Ecuador  Iceland  Indonesia  Iran  Ireland  Isle of Man
Aruba       Burkina Faso  El Salvador  England and Wales  Iraq  Israel  Italy  Jamaica
Australia   Cameroon  Central African Republic  England  Iran  Ireland  Isle of Man
Austria     Cape Verde  Christmas Island  Estonia  Ethiopia*  Faroe Islands  Fiji  Finland
Azerbaijan  Chad  Colombia  Fiji  France  Gabon  Georgia  Ghana
Bahamas     China     Colombia  Fiji  France  Gabon  Georgia  Ghana
Bahrain     Christmas Island  Cocos (Keeling) Islands  Fiji  France  Gabon  Georgia  Ghana
Bangladesh  Christmas Island  Cocos (Keeling) Islands  Fiji  France  Gabon  Georgia  Ghana
Barbados    Christmas Island  Cocos (Keeling) Islands  Fiji  France  Gabon  Georgia  Ghana
Belarus      Costa Rica  Cuba  Croatia  Curacao  Cyprus  Czech Republic  Denmark
Benin       Cook Islands  Curacao  Cyprus  Czech Republic  Denmark  Djibouti
Bhutan      Costa Rica  Cuba  Croatia  Curacao  Cyprus  Czech Republic  Denmark
Bolivia     Costa Rica  Cuba  Croatia  Curacao  Cyprus  Czech Republic  Denmark
Bonaire     Croatia  Curacao  Cyprus  Czech Republic  Denmark  Djibouti
Bosnia & Herzegovina  Croatia  Curacao  Cyprus  Czech Republic  Denmark  Djibouti

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Bilateral:**
Brunei, Hong Kong, India (parts only), New Zealand, Singapore, Sri Lanka, United Kingdom.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

3 to 6 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

6 months to 1 year.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 1,000 - 4,000.
Malaysia

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 5,000 - 10,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

No.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

3 to 6 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

6 months to 1 year.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 1,000 - 4,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 5,000 - 10,000.
Malaysia

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Where a foreign judgment or arbitration award is sought to be registered for enforcement in Malaysia, the Malaysian Reciprocal Enforcement of Judgments Act 1958 and the Limitation Act 1953 will apply.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

6 years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

6 years.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

No.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.
20. Is attachment of third party debts available as an enforcement method?
Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
Yes.

23. Can a receiver be appointed by way of enforcement?
Yes.

24. Any other method of enforcement?
No.

**RATING**

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
Moderate.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

- **Chew Kherk Ying**  
  Partner, Kuala Lumpur  
  IPTech  
  +60 3 2298 7933  
  kherkying.chew@wongpartners.com

- **Mohd Arief Emran Arifin**  
  Partner, Kuala Lumpur  
  Dispute Resolution  
  +60 3 2298 7925  
  ariefemran.arifin@wongpartners.com

- **Eddie Chua**  
  Partner, Kuala Lumpur  
  Dispute Resolution  
  +60 3 2298 7939  
  eddie.chuah@wongpartners.com

28. **What papers will be needed?**

The cause papers and the sealed judgment or award, notarised documents (if necessary under the law of the place of award or court order).
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Malaysia has reciprocal enforcement arrangements for court judgments.

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<th>Bilateral</th>
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*Parts only

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Malaysia has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   **Montevideo Convention 1979:**
   Argentina, Bolivia, Brazil, Colombia, Ecuador, Paraguay, Peru, Uruguay, Venezuela.

   **La Paz Convention 1984:**
   Uruguay

   **Hague Choice of Court Convention 2005:**
   Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

   **Bilateral:**
   Spain

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   Approximately 3 to 9 months.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   Approximately 18 to 24 months.
5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

USD 35,000 - 70,000.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

Over USD 100,000.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

Foreign judgments must meet several conditions, which however are similar to those imposed by many other jurisdictions. Judgments which comply with the conditions may still be refused enforcement if it is proved that the jurisdiction of origin does not enforce foreign judicial decisions in similar cases.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

Approximately 3 to 9 months.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

Approximately 12 to 24 months.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

USD 35,000 - 70,000.
12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

   Over USD 100,000.

13. **Are there any unusual difficulties in enforcing a foreign arbitration award?**

   Foreign awards must meet several conditions, which however are similar to those imposed by many other jurisdictions. Awards which comply with the conditions may still be refused enforcement if it is proved that the jurisdiction of origin does not enforce foreign awards in similar cases.

   The Supreme Court issued a precedent (1a./J. 87/2019 (10a.)) indicating that the resolution issued within a proceeding aimed to enforce (or annul) an award, could be challenged through an "indirect" amparo, and through a motion for review afterward, as opposed to the previous mechanism that only permitted a "direct" amparo (with no further recourse after that). With this precedent (which is binding for all local courts), the proceeding to enforce an award now takes longer to be completed.

### LIMITATION

14. **Which law governs the limitation period for registering a foreign judgment or arbitration award?**

   Depending on the nature of the proceeding, it would be the Commercial Code (if the dispute derives from a commercial matter); or the Federal Civil Code or the Civil Codes of the States in which the foreign judgment would be enforced.

15. **If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

   In general terms, 10 years; however, another period could apply depending on the nature of the proceeding.

16. **If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

   10 years.
ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

In our opinion, no. The law does not establish the possibility to recover these costs. There is a precedent issued by a Circuit Court in Mexico City (I.11o.C.142 C, registry 175635), indicating that this kind of proceedings does not give the enforcing party the right to recover its costs.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.

23. Can a receiver be appointed by way of enforcement?

Yes, provided certain conditions are met

24. Any other method of enforcement?

No.
Mexico

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Javier Navarro Velasco  
Partner, Monterrey  
Dispute Resolution  
+52 81 8399 1333  
javier.navarro-velasco@bakermckenzie.com

Alfonso Cortez Fernández  
Partner, Monterrey  
Dispute Resolution  
+52 81 8399 1341  
alfonso.cortez-fernandez@bakermckenzie.com

28. What papers will be needed?

Depending on the applicable treaty. In general, the following documents are needed:

- Certified copy of the judgment / authentic copy of the award.
- Certified copies of the documents evidencing that the defendant was properly served to the proceeding.
- Translation into Spanish of all documents.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Mexico has reciprocal enforcement arrangements for court judgments.

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<th>Hague Choice of Court Convention 2005</th>
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**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Mexico has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.

*The New York Convention will enter into force for Ethiopia on 22/11/2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

None.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes, by filing a suit in Myanmar, as plaintiff, against the judgment debtor, as defendant. Section 13 of the Civil Procedure Code set out certain conditions for foreign judgments to be considered conclusive to the Myanmar courts.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Around 6-12 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Around 24-48 months, depending on nature of the opposition.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

It is not possible to provide an approximate cost without ascertaining the full particulars of the subject matter.
Myanmar

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

It is not possible to provide an approximate cost without ascertaining the full particulars of the subject matter.

7. Are there any unusual difficulties in enforcing a foreign judgment?

No recent development or precedent in this area.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

Around 6–9 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Around 18–36 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

It is not possible to provide an approximate cost without ascertaining the full particulars of the subject matter.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

It is not possible to provide an approximate cost without ascertaining the full particulars of the subject matter.
13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No recent development or precedent in this area.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement. In Myanmar, this will be the Limitation Act 1908.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Article 117 of the First Schedule of the Limitation Act 1908 provides that a suit must be filed within 6 years from the date of the foreign judgment.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not expressly stipulated under the Limitation Act 1908. The Arbitration Law 2016 provides for foreign awards to be enforced under the Civil Procedure Court in the same manner as if it were a decree of the court. In that regard, it may be likely that the suit must be filed within 6 years from the date of the foreign arbitral award.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

No.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.
20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   Detention in prison under certain circumstances.

**RATING**

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Difficult, particularly due to lack of recent development or precedent in this area.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Difficult, particularly due to lack of recent development or precedent in this area.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

Andre Gan  
Partner, Kuala Lumpur  
+60 3 2298 7828  
andre.gan@wongpartners.com

Kenneth See  
Partner, Yangon  
+95 1 9255 095 X 8853  
kenneth.see@bakermckenzie.com

28. **What papers will be needed?**

The following documents are required to be produced before the court: (a) the original award or a copy thereof, duly authenticated in the manner required by the law of the country in which it was made; (b) the original agreement for arbitration or a duly certified copy thereof; and (c) such evidence as may be necessary to prove that the award is a foreign award.

Where the award or arbitration agreement is in a foreign language, the party seeking to enforce the award shall produce a translation into English certified as correct by the ambassador or consular of the country to which that party belongs or certified as correct in such other manner as may be sufficient according to Myanmar laws.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Myanmar has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  
Albania  
Algeria  
American Samoa  
Andorra  
Antigua and Barbuda  
Angola  
Argentina  
Armenia  
Aruba  
Australia  
Austria  
Azerbaijan  
Bahamas  
Bahrain  
Bangladesh  
Barbados  
Belarus  
Belgium  
Benin  
Bermuda  
Bhutan  
Bolivia  
Bonaire  
Côte d’Ivoire  
Croatia  
Cuba  
Curacao  
Cyprus  
Czech Republic  
Denmark  
Dominica  
Dominican Republic  
Democratic Republic of Congo  
Ecuador  
Egypt  
El Salvador  
England and Wales  
Estonia  
Ethiopia*  
Faroe Islands  
Fiji  
Finland  
France  
Gabon  
Gabon  
Georgia  
Germany  
Ghana  
Gibraltar  
Greece  
Greenland  
Guam  
Guatemala  
Guernsey  
Guinea  
Guyana  
Haiti  
Holy See  
Honduras  
Hong Kong  
Hungary  
Iceland  
Indonesia  
Iran  
Ireland  
Isle of Man  
Israel  
Italy  
Jamaica  
Japan  
Jersey  
Jordan  
Kazakhstan  
Kenya  
Kuwait  
Kyrgyzstan  
Laos  
Latvia  
Lebanon  
Lesotho  
Liberia  
Liechtenstein  
Lithuania  
Luxembourg  
Macau  
Macedonia  
Madagascar  
Malaysia  
Maldives  
Mali  
Malta  
Marshall Islands  
Mauritania  
Mauritius  
Mexico  
Moldova  
Monaco  
Montenegro  
Morocco  
Mozambique  
Nepal  
Netherlands  
New Zealand  
Nicaragua  
Niger  
Nigeria  
Norfolk Island  
Northern Ireland  
Norway  
Oman  
Pakistan  
Palau  
Palestine  
Panama  
Papua New Guinea  
Paraguay  
Peru  
Philippines  
Poland  
Portugal  
Puerto Rico  
Qatar  
Romania  
Russia  
Rwanda  
Saba  
Saint Vincent and the Grenadines  
San Marino  
Sao Tome and Principe  
Saudi Arabia  
Scotland  
Senegal  
Seychelles  
Singapore  
Sint Eustatius  
Sint Maarten  
Slovakia  
Slovenia  
South Africa  
South Korea  
Spain  
Sri Lanka  
Sweden  
Switzerland  
Syria  
Tajikistan  
Tanzania  
Thailand  
Trinidad and Tobago  
Tonga  
Turkey  
Uganda  
Ukraine  
United Arab Emirates  
United Kingdom  
United States of America  
Uruguay  
Uzbekistan  
Venezuela  
Vietnam  
Zambia  
Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Hague Judgments Convention 1971:**
Albania, Cyprus, Kuwait, Portugal

**Bilateral:**
Albania, Aruba, Bonaire, Chile, Curacao, Guernsey, Isle of Man, Jersey, Kuwait, Liechtenstein, Mexico, Saba, Sint Eustatius, Sint Maarten, Suriname, United Kingdom.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Not really, to enforce a judgment given in a jurisdiction that does not have any reciprocal agreement with the Netherlands, the case will have to be re-litigated. However, it is not uncommon for courts to only perform a (marginal) review of some minimum requirements for recognition of the foreign judgment.
3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   This depends largely on the origin of the foreign judgment. Judgments rendered in Brussels I recast jurisdictions may be enforced without delay, as these judgments may be enforced in the same manner as national judgments. For judgments rendered in jurisdictions that are party to an enforcement treaty, first a declaration of enforceability (“exequatur”) must be acquired. If the judgment complies with the requirements for enforcement, the exequatur can be acquired within a few months. Time-wise, the same goes for judgments rendered in jurisdictions that do not have an enforcement treaty with the Netherlands, although these cases will have to be re-litigated. If the judgment complies with enforcement requirements, enforcement will be possible in a few months.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   This again depends on the origin of the judgment. Enforcement for judgments rendered in Brussels I recast jurisdictions may only be refused on the limited grounds provided for in the Brussels I recast regulation. Therefore enforcement of such a judgment should in principle not prove to be too time-consuming. The enforcement of judgments rendered in states that are members of an enforcement treaty could take up to six months because an exequatur has to be acquired. Enforcement of judgments rendered in other jurisdictions could take up a minimum of a year because these cases will have to be re-litigated.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   Under USD 1,000.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   Under USD 1,000.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   No other difficulties exist than the ones listed above.
The Netherlands

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

An exequatur will have to be acquired to enforce the arbitral award. This should not prove to be too time-consuming if unopposed. An estimate of a few months would be reasonable.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

The time needed for the acquirement of an exequatur can vary greatly if opposed, but in principle, the proceedings could take up to a year.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

Under USD 1,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Under USD 1,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.
15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

20 years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

20 years.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes, partly.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

No.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.
23. **Can a receiver be appointed by way of enforcement?**

   Yes.

24. **Any other method of enforcement?**

   No.

**RATING**

25. **Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?**

   Moderate.

26. **Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?**

   Easy.

**CONTACTS**

27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

   **Frank Kroes**
   Partner, Amsterdam
   Dispute Resolution
   +31 20 551 7435
   frank.kroes@bakermckenzie.com

   **Robert van Agteren**
   Partner, Amsterdam
   Dispute Resolution
   +31 20 551 7459
   robert.vanagteren@bakermckenzie.com
28. What papers will be needed?

Officially certified copy of the foreign judgment or the arbitration award, evidence to support the ascertaining of the enforceability of the judgment or award.

The court may require the above documents not only in the original language but also a translation in Dutch.
The Netherlands

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Netherlands has reciprocal enforcement arrangements for court judgments.

| Brussels Regulations | Austria | Belgium | Bulgaria | Croatia | Cyprus | Czech Republic | Denmark | Estonia | Finland | France | Germany | Greece | Hungary | Ireland | Italy | Latvia | Lithuania | Luxembourg | Malta | Mexico | Montenegro | Poland | Portugal | Romania | Singapore | Slovakia | Slovenia | Spain | Sweden | United Kingdom |
|----------------------|---------|---------|----------|---------|--------|----------------|---------|---------|---------|-------|---------|--------|---------|---------|------|--------|-----------|-------------|------|--------|-------------|---------|---------|---------|-----------|--------|--------|---------|-----------|---------|---------|
| Austria              | Bulgaria | Croatia | Cyprus | Czech Republic | Denmark | Estonia | Finland | France | Germany | Greece | Hungary | Ireland | Italy | Latvia | Lithuania | Luxembourg | Malta | Mexico | Montenegro | Poland | Portugal | Romania | Singapore | Slovakia | Slovenia | Spain | Sweden | United Kingdom |
| Luxembourg           | Malta    | Portugal | Romania | Slovakia | Slovenia | Spain | Sweden | United Kingdom |

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Netherlands has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

   Montevideo Convention 1979:
   Argentina, Bolivia, Brazil, Colombia, Ecuador, Mexico, Paraguay, Peru, Uruguay, Venezuela.

   Bustamante Code 1928:
   Bahamas, Bolivia, Brazil, Costa Rica, Cuba, Dominican Republic, Ecuador, El Salvador, Guatemala, Haiti, Honduras, Nicaragua, Panama, Peru, Venezuela*

   *Although in force in Venezuela, the provisions on recognition and enforcement of foreign judgments (Articles 423435) were reserved by Venezuela.

   Bolivian Accord 1911:
   Ecuador, Bolivia, Peru, Colombia, Venezuela

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

   Yes. It is possible, by means of a judicial process of Exequatur. However, if the country that rendered the judgment does not recognize Peruvian judgments, the exequatur would be denied.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

   The estimated time is 2 years not including the collection stage. It is first required to follow an Exequator process for official recognition and then an enforcement process, which includes a final stage for collection. If unopposed, it shouldn’t take more than one year each without considering collection in the latter. The collection stage could take between 3 months and 2 plus years, depending on the kind of assets owned by the defendant, if any.
**Peru**

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   It is usually 4 to 6 years without considering the collection stage. It is first required to follow a process of Exequatur for official recognition and then an enforcement process, which includes a final stage for collection. If opposed, the recognition process may take one and a half to two years and a half and the enforcement process from two and a half to four years without considering collection. The collection stage could take 3 months to 2 plus years, depending on the kind of assets owned by the defendant, if any.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   The cost varies depending on the amount of the claim. Court fees are approximately USD 1200.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   If opposed, court fees are approximately USD 1500.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   Peruvian courts deal with an excessive load of cases and there are usually delays in handling them. If the enforcement is against State entities, a specific procedure for collection should be followed which, depending on the amount, could take up to 5 years only for this stage.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   The usual time frame is 2 years without considering collection. It is first required to follow a process of Exequator for official recognition and then an enforcement process, which includes a final stage for collection. If unopposed, they shouldn’t take more than one year each without considering collection in the latter. The collection stage could take 3 months to 2 years or more, depending on the kind of assets owned by the defendant, if any.
10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

If opposed, the time frame is 4 to 6 years without considering collection. It is first required to follow a process of Exequatur for official recognition and then an enforcement process, which includes a final stage for collection. If opposed, the recognition process may take one and a half to two years and a half and the enforcement process from two and a half to four years without considering collection. The collection stage could take 3 months to 2 years or more, depending on the kind of assets owned by the defendant, if any.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

The cost varies depending on the amount of the claim. Court fees are approximately USD 1200.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

If opposed, the court fees are approximately USD 1500.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Peruvian courts deal with an excessive load of cases and there are usually delays in handling them. If the enforcement is against State entities, a specific procedure for collection should be followed which depending on the amount could take up to 5 years only for this stage.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Peruvian Law.
If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

A 10 year period to enforce the judgment from its expedition. This period may be suspended and/or interrupted.

If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

A 10 year period to enforce the award from its expedition. This period may be suspended and/or interrupted.

**ENFORCEMENT**

Are fees and costs of enforcement typically recoverable?

In theory yes, however in the practice it is complicated to recover them.

Is seizure of goods available as an enforcement method?

Yes, however, the goods have to be sold in an auction and only if there are no bids can the requesting party retain the good as payment.

Is attachment of earnings available as an enforcement method?

Yes, however only the part that exceeds USD 611. The amount that exceeds USD 611 is only seizable in one-third of the total.

Is attachment of third party debts available as an enforcement method?

Yes, credits are seizable.

Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.
22. Can a judgment or award be enforced by way of insolvency proceedings?

Awards that were previously recognized in Peru can be used to ask the beginning of an insolvency proceeding as long as the credit fulfills some legal requirements. If there is an ongoing proceeding, credits contained in such award can be claimed.

23. Can a receiver be appointed by way of enforcement?

Yes.

24. Any other method of enforcement?

Seizure of valuable securities and of goods within a production facility. Moreover, judges can grant other non-specifically regulated measures.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

   Ana María Arrarte  
   Partner, Lima  
   Dispute Resolution  
   +51 1 618 8505  
   anamaria.arrarte@bakermckenzie.com

28. **What papers will be needed?**

   A full copy of the judgment duly legalized by a consular agent or certified with an apostille and officially translated into Spanish. In the case of awards, it is possible to file the original and a non-official translation, although judges can request an official version.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Peru has reciprocal enforcement arrangements for court judgments.

Montevideo Convention 1979
- Argentina
- Bolivia
- Brazil
- Colombia
- Ecuador
- Mexico
- Paraguay
- Uruguay
- Venezuela

Bustamante Code 1928
- Bahamas
- Bolivia
- Brazil
- Chile
- Costa Rica
- Cuba
- Dominican Republic
- Ecuador
- El Salvador
- Guatemala

Haiti
- Honduras
- Nicaragua
- Panama
- Peru
- Venezuela*

Colombia
- Venezuela

Bolivian Accord 1911
- Ecuador
- Bolivia
- Peru

*Although in force in Venezuela, the provisions on recognition and enforcement of foreign judgments (Articles 423435) were reserved by Venezuela.

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Peru has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  Botswana  Cyprus  Guam  Lebanon  Niger  Saudi Arabia  United Arab Emirates
Albania  Brazil  Czech Republic  Guatemala  Lesotho  Nigeria  Scotland  Emirates
Algeria  British Virgin Islands  Denmark  Guernsey  Liberia  Norfolk Island  Senegal  United States
American Samoa  Djibouti  Dominican Republic  Guinea  Liechtenstein  Northern  Seychelles  of America
Andorra  Ecuador  Dominican Republic  Haiti  Lithuania  Norway  Singapore  Uruguay
Antigua and Barbuda  El Salvador  Dominican Republic  Holy See  Luxembourg  Oman  Sri Lanka
Argentina  England and Wales  Democratic Republic of Congo  Honduras  Macau  Pakistan  Sudan
Armenia  Estonia  Congo  Hong Kong  Macedonia  Palau  Switzerland
Aruba  Estonia  Ecuador  Hungary  Madagascar  Panama  Syria
Australia  Ethiopia*  Fiji  Iceland  Maldives  Papua New Guinea  Tajikistan
Austria  Faroe Islands  Fiji  Indonesia  Mali  Paraguay  Tanzania
Azerbaijan  Christmas Island  Finland  Iran  Malta  Paraguay
Bahamas  France  Ireland  Marshall Islands  Mauritania  Peru  Saudi Arabia
Bahrain  Gabon  Isle of Man  Mauritius  Mexico  Qatar  Senegal
Bangladesh  Georgia  Israel  Moldova  Monaco  Philippines  Seychelles
Barbados  Ghana  Italy  Montenegro  Mexico  Poland  Singapore
Belarus  Gibraltar  Japan  Morocco  Mongolia  Portugal  Sint Eustatius
Belgium  Georgia  Jordan  Mozambique  Myanmar  Portugal  Sint Maarten
Bermuda  Ghana  Kazakhstan  Namibia  Nepal  Puerto Rico  Slovakia
Bhutan  Gibraltar  Kenya  Netherlands  Nepal  Qatar  Slovenia
Bolivia  Gibraltar  Kuwait  New Zealand  Nicaragua  Spain  South Africa
Bosnia & Herzegovina  Croatia  Kyrgyzstan  Norfolk Island  Nigeria  Spain  South Korea
Brunei  Croatia  Laos  Northern Ireland  South Korea  Spain  Sri Lanka
Burma  Croatia  Libya  South Korea  Spain  Sri Lanka
Burundi  Ecuador  Libya  South Korea  Spain  Sri Lanka
Cameroon  Egypt  Liechtenstein  Sri Lanka  Spain  Sudan
Canary Islands  England  Liechtenstein  Singapore  Tanzania  Sudan
Cayman Islands  England and Wales  Lithuania  South Africa  Sri Lanka  Syria
Central African Republic  England and Wales  Luxembourg  South Africa  Sudan  Tanzania
Chile  Estonia  Macau  South Africa  Thailand  Trinidad and Tobago
China  Estonia  Malta  South Korea  Thailand  Tunisia
Christmas Island  Ethiopia*  Marshall Islands  South Korea  Trinidad and Tobago  Turkey
Cocos Islands  Fiji  Mauritius  South Korea  Trinidad and Tobago  Uganda
Colombia  Finland  Mauritania  South Korea  Trinidad and Tobago  Ukraine
Comoros  Fiji  Mauritius  South Korea  Trinidad and Tobago  Ukraine
Cook Islands  Fiji  Mauritania  Sudan  Tunisia  Ukraine
Costa Rica  Fiji  Mauritania  Thailand  Turkey
Cote d’Ivoire  Finland  Mauritania  Tonga  Turkey
Croatia  Finland  Mauritania  Trinidad and Tobago  Uganda
Cuba  France  Montenegro  Tunisia  Ukraine
Curacao  Gabon  Montenegro  Tobago
Cyprus  Gabon  Morocco  Ukraine
*The New York Convention will enter into force for Ethiopia on 22/11/2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

None.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

1 year

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

2-3 years

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 10,000 – 50,000
Philippines

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   USD 50,000 - 100,000

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   The Philippine legal system is not known to be efficient and cost-effective.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   1 year

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

    2-3 years

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

    USD 10,000 - 50,000

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

    USD 50,000 - 100,000
13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Not all local court judges are familiar with the intricacies of arbitration and the provisions of the New York Convention. Such lack of familiarity may result in unnecessary delays in the enforcement process.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

10 years from the time the right of action accrues (i.e., the finality of the judgment).

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

5 years from the time the right of action accrues (i.e., the finality of the foreign judgment or the issuance of the final arbitral award)

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.
20. Is attachment of third party debts available as an enforcement method?
Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
Yes.

23. Can a receiver be appointed by way of enforcement?
Yes.

24. Any other method of enforcement?
Not applicable.

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
Moderate

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
Moderate
27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Donemark Calimon  
Partner, Manila  
Dispute Resolution  
+63 2 8819 4920  
donemark.calimon@quisumbingtorres.com

Michael Macapagal  
Partner, Manila  
Dispute Resolution  
+63 2 8819 4942  
michael.macapagal@quisumbingtorres.com

28. What papers will be needed?

- For enforcement of foreign judgments, we will need an authentic copy of the judgment sought to be enforced. For enforcement of foreign arbitral awards, we will need authentic copies of (a) the arbitration agreement; and (b) the arbitral award.

- In either case, if the relevant documents are not in English, we will need a translation that is certified by an official or sworn translator or by a diplomatic or consular agent.

- If the jurisdiction from where the relevant document originates is also a contracting party to the Apostille Convention, it need not undergo the process of authentication and legalization by a diplomatic or consular agent. The Philippines became a party to the Apostille Convention as of 14 May 2019.
Philippines

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Philippines has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan      Bosnia & Herzegovina
Albania          Botswana
Algeria          Brazil
American Samoa   British Virgin Islands
Andorra          Brunei
Antigua and Barbuda
Angola           Bulgaria
Argentina        Burundi
Armenia          Cambodia
Aruba            Cameroon
Austria          Cayman Islands
Azerbaijan       Central African Republic
Bahamas          Chile
Bahrain          China
Barbados         Christmas Island
Belarus          Cocos (Keeling) Islands
Belgium          Colombia
Benin            Comoros
Bermuda          Cook Islands
Bhutan           Costa Rica
Bolivia          Côte d’Ivoire
Bonaire

France          Gabon
                Croatia
                Cuba
                Curacao
                Cyprus
                Czech Republic
                Denmark
                Djibouti
                Dominica
                Dominican Republic
                Ecuador
                Egypt
                El Salvador
                England
                Wales
                Estonia
                Ethiopia
                Faroe Islands
                Fiji
                Finland
                Gabon
                Georgia
                Germany
                Ghana
                Gibraltar
                Greece
                Greenland
                Guam
                Guatemala
                Guernsey
                Guinea
                Guyana
                Haiti
                Holy See
                Honduras
                Hong Kong
                Hungary
                Iceland
                India
                Indonesia
                Iran
                Ireland
                Isle of Man
                Israel
                Italy
                Jamaica
                Japan
                Jersey
                Jordan
                Kazakhstan
                Kenya
                Kuwait
                Kyrgyzstan
                Laos
                Latvia
                Lebanon
                Lesotho
                Liberia
                Liechtenstein
                Lithuania
                Luxemburg
                Macau
                Macedonia
                Madagascar
                Malaysia
                Maldives
                Mali
                Malta
                Marshall Islands
                Mauritania
                Mauritius
                Mexico
                Moldova
                Monaco
                Mongolia
                Montenegro
                Morocco
                Mozambique
                Myanmar
                Nepal
                Netherlands
                New Zealand
                Nicaragua
                Niger
                Nigeria
                Norfolk Island
                Northern Ireland
                Norway
                Oman
                Pakistan
                Palau
                Palestine
                Panama
                Papua New Guinea
                Paraguay
                Peru
                Poland
                Portugal
                Puerto Rico
                Qatar
                Romania
                Russia
                Rwanda
                Saba
                Saint Vincent and the Grenadines
                Saudi Arabia
                Scotland
                Senegal
                Serbia
                Seychelles
                Singapore
                Sri Lanka
                Sudan
                Sweden
                Switzerland
                Syria
                Tajikistan
                Tanzania
                Thailand
                Trinidad and Tobago
                Tonga
                Tunisia
                Turkey
                Uganda
                Ukraine
                United Arab Emirates
                United Kingdom
                United States
                of America
                Uruguay
                United States
                of States
                USB
                US Virgin Islands
                Uzbekistan
                Slovakia
                Slovenia
                Venezuela
                Viet Nam
                Zambia
                Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United Kingdom

**Bilateral:**
Algeria, Belarus, Bosnia and Herzegovina, Bulgaria, China, Cuba, Cyprus, Denmark, Egypt, Estonia, Hungary, Iraq, Latvia, Lithuania, Macedonia, Mongolia, Montenegro, Morocco, Romania, Russia, Syria, Tunisia, Turkey, Ukraine, Vietnam

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Up to a year.
4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Between half a year and three years.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

The court fee is approximately USD 75. Costs of sworn translation of the judgment to Polish should also be taken into account.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

The court fee for the initial application is approximately USD 75. The court fee for an appeal in case the court of first instance refuses to enforce the judgment is approximately USD 15. Costs of sworn translation of the judgment to Polish should also be taken into account.

7. Are there any unusual difficulties in enforcing a foreign judgment?

No.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

Between half a year and three years.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

6-9 months.
Poland

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

The court fee is approximately USD 75. Costs of sworn translation of the judgment to Polish should also be taken into account.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

The court fee for the initial application is approximately USD 75. The court fee for an appeal in case the court of first instance refuses to enforce the arbitration award is approximately USD 75. Costs of sworn translation of the judgment to Polish should also be taken into account.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law that applies to the claim that the judgment/award concerns.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.
17. **Are fees and costs of enforcement typically recoverable?**
   Yes. However, the amounts of legal representation costs that can be recovered are limited by statute.

18. **Is seizure of goods available as an enforcement method?**
   Yes.

19. **Is attachment of earnings available as an enforcement method?**
   Yes.

20. **Is attachment of third party debts available as an enforcement method?**
    Yes.

21. **Are charging orders or orders for sale of land, goods etc available as an enforcement method?**
    Yes.

22. **Can a judgment or award be enforced by way of insolvency proceedings?**
    Yes.

23. **Can a receiver be appointed by way of enforcement?**
    Yes.

24. **Any other method of enforcement?**
    No.
RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Easy in relation to the Brussels regime jurisdictions, Moderate in relation to non-Brussels regime jurisdictions

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Łukasz Hejmej  
Partner, Warsaw  
Dispute Resolution  
+48 22 4453147  
lukasz.hejmej@bakermckenzie.com

Alicja Szczęśniak  
Associate, Warsaw  
Dispute Resolution  
+48 22 4453163  
alicja.szczesniak@bakermckenzie.com
28. What papers will be needed?

- Arbitral award: Original of an arbitration award together with original of the arbitration agreement, an official sworn translation of the award and the agreement to Polish, apostilled excerpt from the commercial register in case of a corporate Client, power of attorney to act on behalf of the Client in the proceedings.

- Foreign judgment: Original judgment together with an official confirmation that the judgment is enforceable in the jurisdiction where it was issued, an official sworn translation of the judgment and the confirmation, apostilled excerpt for the commercial register, in case of a corporate Client, power of attorney to act on behalf of the Client in the proceedings. If the judgment was issued without the defendant filing a defense as to the merits of the dispute, additionally, one has to produce a confirmation that the defendant received a statement of claim.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Poland has reciprocal enforcement arrangements for court judgments.

Brussels Regulations
Austria
Belgium
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Netherlands
Portugal
Romania
Slovakia

Lugano Convention 2007
Denmark
Iceland
Norway
Switzerland

Hague Choice of Court Convention 2005
Austria
Belgium
Bulgaria
Croatia
Cyprus
Czech Republic
Denmark
Estonia
Finland
France
Germany

Hague Choice of Court Convention 2005
Greece
Hungary
Ireland
Italy
Latvia
Lithuania
Luxembourg
Malta
Mexico
Montenegro
Netherlands
Portugal
Romania
Singapore
Slovakia
Slovenia
Spain
Sweden
United Kingdom

Bilateral
Algeria
Belarus
Bosnia and Herzegovina

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Poland

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Poland has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan
Albania
Algeria
American Samoa
Andorra
Antigua and Barbuda
Angola
Argentina
Armenia
Aruba
Australia
Austria
Azerbaijan
Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Belgium
Benin
Bermuda
Bhutan
Bolivia
Bonaire
Bosnia & Herzegovina
Botswana
Brazil
British Virgin Islands
Brunei
Bulgaria
Burkina Faso
Burundi
Cabo Verde
Cameroon
Cayman Islands
Central African Republic
Christmas Island
Cocos (Keeling) Islands
Colombia
Comoros
Cook Islands
Costa Rica
Côte d’Ivoire
Croatia
Cuba
Curacao
Cyprus
Czech Republic
Denmark
Djibouti
Dominica
Dominican Republic
Republic
Democratic Republic of Congo
Ecuador
Egypt
El Salvador
England and Wales
Estonia
Ethiopia
Faroe Islands
Fiji
Finland
France
Gabon
Georgia
Germany
Ghana
Gibraltar
Greece
Greenland
Guam
Guatemala
Guernsey
Guinea
Guyana
Haiti
Holy See
Honduras
Hong Kong
Hungary
Iceland
India
Indonesia
Iran
Ireland
Isle of Man
Israel
Italy
Japan
Jersey
Jordan
Kazakhstan
Kenya
Kuwait
Kyrgyzstan
Laos
Latvia
Lebanon
Lesotho
Liberia
Liechtenstein
Lithuania
Luxembourg
Macau
Macedonia
Madagascar
Malaysia
Maldive
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Moldova
Monaco
Mongolia
Montenegro
Morocco
Mozambique
Myanmar
Nepal
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norfolk Island
Northern Ireland
Northern Ireland
Norway
Oman
Pakistan
Palau
Palestine
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Portugal
Puerto Rico
Qatar
Romania
Russia
Rwanda
Saba
Saint Vincent and the Grenadines
San Marino
Sao Tome and Principe
Saudi Arabia
Scotland
Senegal
Serbia
Seychelles
Singapore
Sint Eustatius
Sint Maarten
Slovakia
Slovenia
South Africa
South Korea
Spain
Sri Lanka
Sudan
Sweden
Switzerland
Syria
Tajikistan
Tanzania
Thailand
Trinidad and Tobago
Tonga
Tunisia
Turkey
Uganda
Ukraine
United Arab Emirates
United States of America
Uruguay
US Virgin Islands
Uzbekistan
Venezuela
Vietnam
Zambia
Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

   Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

   Bilateral:
   Albania, Algiers, Argentina, Bulgaria, China, Cuba, Cyprus, Czech Republic, Egypt, Estonia, Greece, Hungary, India, Iran, Iraq, Italy, Latvia, Lithuania, Mongolia, North Korea, Poland, Romania, Slovakia, Spain, Tunisia, Yemen, and Vietnam.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

   Yes. Foreign court judgments might be enforced on the basis of international comity and reciprocity. However, the number of judgments enforced on the basis of reciprocity is very limited.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

   The statutory time period for the first instance court to consider the application is one month as from its filing with an arbitrazh (state commercial) court of a constituent entity (for commercial disputes), and two months as from filing with a district court of general jurisdiction (for non-commercial disputes). In practice, the court review may take longer, depending on particular circumstances of the dispute and court workload.
4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

Where the enforcement of a foreign judgment is opposed, the proceedings both at arbitrazh (state commercial) courts and courts of general jurisdiction as a rule last from 6 to 14 months. If there is no bilateral treaty, the proceedings in practice may take longer. Also, the duration of proceedings depends on the workload of judges at a particular court, which is higher in Moscow.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

State duty for filing an application is USD 50, other expenses may include costs for translating and certifying the documents, as well as preparing witness evidence. As a rule, expenses do not exceed USD 1,000. The approximate amount of legal fees ranges from approximately USD 25,000 to USD 40,000.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

State duty for filing an application is approximately USD 50, other expenses may include costs for translating and certifying the documents, as well as preparing witness evidence. State duty for the review of court decisions is unsubstantial. Expenses will likely exceed USD 1,000 where the proceedings are lengthy, and especially in case of re-trial. The approximate amount of legal fees starts from approximately USD 45,000 and can exceed approximately USD 150,000, especially in case of re-trial.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

If there is no relevant international treaty between Russia and a relevant foreign jurisdiction, the court might enforce the judgment on the basis of international comity and reciprocity. In such case, a party would need to prove that Russian court judgments were or at least can be enforced by the courts of the relevant foreign jurisdiction. However, this process is costly and may not be effective. Due to a new law in effect on 19 June 2020 granting Russian state courts exclusive competence in disputes involving Russian sanctioned entities or in disputes based on sanctions, the enforcement of foreign court judgments issued in such disputes may in certain circumstances be refused based on the violation of the exclusive competence of Russian state courts and/or public policy grounds.
Russia

ARBITRATION AWARDS

8. **Is this jurisdiction a party to the New York Convention?**
   
   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**
   
   The statutory time period for the court to consider the application is one month as from its filing with an arbitrazh (state commercial) court of a constituent entity (for commercial disputes), and two months as from its filing with a district court of general jurisdiction (for non-commercial disputes). In practice, such enforcement can take up to 3 - 4 months.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**
   
   The proceedings as a rule may take from 10 months to 2 years (especially in instances where the case was sent to re-trial).

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**
   
   State duty for filing an application is approximately USD 50, other expenses may include costs for translating and certifying the documents, as well as preparing witness evidence. As a rule, expenses do not exceed USD 1,000. The approximate amount of legal fees ranges from approximately USD 25,000 to USD 40,000.

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**
   
   State duty for filing an application is approximately USD 50, other expenses may include costs for translating and certifying the documents, as well as preparing witness evidence. State duty for the review of court decisions is unsubstantial. Expenses will likely exceed USD 1,000 where the proceedings are lengthy, and especially in case of re-trial. The approximate amount of legal fees starts from approximately USD 45,000 and can exceed approximately USD 150,000, especially in case of re-trial.
13. Are there any unusual difficulties in enforcing a foreign arbitration award?

So far there is no established court practice of enforcing awards in various types of arbitrable corporate disputes concerning Russian legal entities. Certain difficulties may also arise in the event the dispute involves a public law element, for example, the use of public funds or a Russian legal entity as the award debtor, in which case Russian courts may consider the dispute to be non-arbitrable. Court practice on this issue is not uniform.

Due to a new law in effect on 19 June 2020 granting Russian state courts exclusive competence in disputes involving Russian sanctioned entities or in disputes based on sanctions, the enforcement of foreign arbitral awards issued in such disputes may in certain circumstances be refused based on exclusive competence or public policy grounds.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date of the foreign judgment’s entry into force.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date of the foreign arbitral award’s entry into force.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.
19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   No.

**RATING**

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Moderate.
27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Vladimir Khvalei  
Partner, Moscow  
Dispute Resolution  
+7 495 787 2724  
vladimir.khvalei@bakermckenzie.com

Edward Bekeschenko  
Partner, Moscow  
Dispute Resolution  
+7 495 787 2717  
ed.bekeschenko@bakermckenzie.com

Anton Maltsev  
Partner, Moscow  
Dispute Resolution  
+7 495 787 9764  
anton.maltsev@bakermckenzie.com
28. What papers will be needed?

For enforcement of a foreign arbitral award:

- A duly certified original arbitral award or its duly certified copy.
- An original arbitration agreement or its duly certified copy.
- A duly certified translation of the above documents into Russian.

For enforcement of a foreign court judgment:

- A certified copy thereof.
- A certified document confirming that the foreign judgment entered into force, except when it is stated in the judgment.
- A document certifying and confirming that a debtor was duly notified of the proceedings in the foreign court.
- A power of attorney or other duly certified document confirming the signatory’s authority.
- Documents certifying that a copy of the application was sent to the debtor.
- A duly certified translation of all the documents above into Russian.
- A document certifying the payment of the filing fee.

For non-commercial disputes, the confirmation of enforcement of the foreign judgment in a foreign jurisdiction should be enclosed, if applicable.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Russia has reciprocal enforcement arrangements for court judgments.

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Russia has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Riyadh Convention 1983:**
Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Somalia, Sudan, Syria, Tunisia, United Arab Emirates, Yemen

**GCC Convention 1995:**
Bahrain, Kuwait, Oman, Qatar, United Arab Emirates

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Per the Enforcement Law issued according to Royal Decree M/53 dated 3/7/2012G (the "Enforcement Law"), to enforce a court judgment from a jurisdiction other than those with which Saudi Arabia has agreements for the mutual enforcement of judgments, the enforcement court must have evidence that the issuing jurisdiction enforces Saudi judgments, i.e., the reciprocity principle. From our experience, obtaining such evidence can be difficult and involves sending a request to the Saudi Ministry of Justice to verify reciprocity, which can take considerable time to respond to and confirmations may change from time to time. Historically, attempts to enforce foreign judgments in Saudi Arabia have generally been unsuccessful.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

If the foreign judgment was issued from a Jurisdiction with which Saudi Arabia has an agreement for the mutual enforcement of judgments and the judgment meets certain criteria (e.g., does not contravene Sharia Law or public policy, is final (non-appealable), and proper notification to the respondent had been given in the underlying proceeding), then enforcement could occur within a few months of initiating the enforcement process.
For foreign judgments issued from a jurisdiction with which Saudi Arabia does not have any bilateral enforcement agreement, it is extremely difficult to provide a timeline. The process can be very protracted and may take several years and such a judgment may ultimately not be enforceable if the reciprocity principle is not met.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

If the foreign judgment was issued from a jurisdiction with which Saudi Arabia has an agreement for the mutual enforcement of judgments and the judgment meets certain criteria (e.g., does not contravene Sharia Law or public policy, is final (non-appealable), and proper notification to the respondent had been given in the underlying proceeding), it may take several months to years depending on the factual and legal issues that are raised by the respondent.

For foreign judgments issued from a jurisdiction with which Saudi Arabia does not have any bilateral enforcement agreement, it is extremely difficult to provide a timeline. The process can be very protracted and may take several years and such a judgment may ultimately not be enforceable if the reciprocity principle is not met.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

Court fees are minimal in Saudi Arabia. Legal fees would vary significantly depending on whether travel is necessary to attend hearings, duration of the proceeding, availability of enforceable assets, and complexity of underlying issues.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

Court fees are minimal in Saudi Arabia. Legal fees would vary significantly depending on whether travel is necessary to attend hearings, duration of the proceeding, availability of enforceable assets, and complexity of underlying issues.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

According to the Enforcement Law, to enforce court judgments from a jurisdiction that does not have an agreement with Saudi Arabia for the mutual enforcement of judgments, the enforcement court must have evidence that the issuing jurisdiction enforces Saudi judgments (the reciprocity principle). Obtaining such evidence can be very difficult and involves sending a request to the Saudi Ministry of Justice to verify reciprocity, which can take considerable time to respond to.
Moreover, Saudi Enforcement courts will not enforce a foreign judgment if the enforcement is contrary to Sharia (Islamic law) or public policy. The list of matters that would be deemed to contravene public policy is not well-defined and individual judges may reach conflicting results in similar cases. However, from our experience, enforcement judges tend to enforce an award unless it contravenes a fundamental principle of Sharia. An award of interest, for example, is prohibited by Sharia and thus is unenforceable. An award of interest is severable, however, and does not invalidate the enforcement of other portions of the award.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   Generally speaking, it can take 3 to 6 months to enforce a straightforward, unopposed foreign arbitration award.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

    It is extremely difficult to provide an approximate time to enforce a foreign arbitration award that is being opposed because it would depend on several factors such as the factual background, complexity of legal issues used to oppose, and so forth.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

    Court fees are minimal in Saudi Arabia. Legal fees would vary significantly depending on whether travel is necessary to attend hearings, duration of the proceeding, availability of enforceable assets, and complexity of underlying issues.

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

    The cost would depend on several factors, including the complexity of the issues, the level of opposition.
13. **Are there any unusual difficulties in enforcing a foreign arbitration award?**

Saudi courts will not enforce arbitration awards that are contrary to Sharia (Islamic law) or public policy.

Award of interest is prohibited under Sharia, and thus unenforceable. An award of interest is, however, severable and does not invalidate the enforcement of other portions of the award. The list of matters that would be deemed to contravene public policy is not well-defined and individual judges may reach conflicting results in similar cases. However, from our experience, enforcement judges tend to enforce an award unless it contravenes a fundamental principle of Sharia.

**LIMITATION**

14. **Which law governs the limitation period for registering a foreign judgment or arbitration award?**

Saudi law would govern the limitation period for enforcing a foreign judgment or arbitration award in Saudi Arabia. There is no statute of limitations under Saudi law for the enforcement of a foreign judgment or arbitration award.

15. **If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

There is no statute of limitations under Saudi law for the enforcement of a foreign judgment or arbitration award. Generally speaking, Sharia (Islamic law) does not recognize that legal rights may terminate simply due to the passage of time.

16. **If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

Not applicable.

**ENFORCEMENT**

17. **Are fees and costs of enforcement typically recoverable?**

Generally, no.
18. Is seizure of goods available as an enforcement method?
Yes. Enforcement judges in Saudi have broad authority to seize assets to ensure compliance, including seizure of monetary and non-monetary assets.

19. Is attachment of earnings available as an enforcement method?
Yes, but with certain limitations taking into consideration familial obligations.

20. Is attachment of third party debts available as an enforcement method?
Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
Yes, but recovery would depend on the availability of assets and the claims of other creditors.

23. Can a receiver be appointed by way of enforcement?
Yes.

24. Any other method of enforcement?
No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
Difficult, if the judgment was issued in a jurisdiction with which Saudi Arabia does not have an arrangement with Saudi Arabia for the mutual enforcement of judgments. Moderate, if the jurisdiction has an arrangement with Saudi Arabia for the mutual enforcement of judgments.
26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate, if the issuing jurisdiction is a signatory to the New York Convention or other treaties for the enforcement of arbitration awards.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Abdulrahman AlAjlan
Partner, Riyadh
Dispute Resolution
+966 11 265 8948
abdulrahman.alajlan@legal-advisors.com

Mikel Anton
Partner, Riyadh
Dispute Resolution
+966 11 265 8940
anton.mikel@legal-advisors.com

28. What papers will be needed?

A power of attorney; the original of the instrument to be enforced; and, in the case of companies, a copy of the claimant’s commercial registration certificate and its bylaws.
Saudi Arabia

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Saudi Arabia has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Riyadh Convention 1983</th>
<th>Palestine</th>
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<tbody>
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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Saudi Arabia has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

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**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.

*The New York Convention will enter into force for Ethiopia on 22/11/2020.*
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

Hague Choice of Court Convention 2005:
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

Bilateral:
Australia, Brunei, Hong Kong, India*, Malaysia, New Zealand, Pakistan, Papua New Guinea, Sri Lanka, United Kingdom, Windward Islands

*Excludes the State of Jammu and Kashmir

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes. The judgment creditor can commence a common law action for the judgment debt and apply for summary judgment on the basis that there is no defense to the claim.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

1-2 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

2-4 months, if the Court’s schedule permits.
Singapore

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD10,000 - 50,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD50,000 - 100,000

7. Are there any unusual difficulties in enforcing a foreign judgment?

No.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

1 - 3 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

3-6 months, if the Court's schedule permits.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD10,000 - 50,000.
12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD100,000+

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement and in some cases, the law governing the dispute, depending on whether the limitation of rights is substantive or procedural.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Under the Reciprocal Enforcement of Foreign Judgments Act, the registration needs to be done within 6 years of the date of judgment (section 4(1)(a) REFJA). Under the Reciprocal Enforcement of Commonwealth Judgments Act, the registration needs to be done within 12 months of the date of judgment (section 3(1) RECJA). Under the Choice of Courts Act, an application for the recognition and enforcement of a judgment may be made any time so long as the judgment is enforceable in the state of origin (section 13(2) CCAA).

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

6 years.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes.
18. Is seizure of goods available as an enforcement method?
   Yes.

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes, by way of garnishee proceedings.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   Not applicable.

**RATING**

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Easy.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

Nandakumar Ponniya  
Partner, Singapore  
Dispute Resolution  
+65 6434 2663  
nandakumar.ponniya@bakermckenzie.com

Celeste Ang  
Partner, Singapore  
Dispute Resolution  
+65 6434 2753  
celeste.ang@bakermckenzie.com

28. **What papers will be needed?**

Under O 67 r 3(1) of the Rules of Court, an application for the registration of a foreign judgment must be supported by an affidavit:

- exhibiting the judgment or a verified or certified or otherwise duly authenticated copy thereof, and where the judgment is not in the English language, a translation thereof in that language certified by a notary public or authenticated by affidavit;

- stating the name, trade or business and the usual or last known place of abode or business of the judgment creditor and the judgment debtor respectively, so far as known to the deponent;

- stating to the best of the information or belief of the deponent —
  - that the judgment creditor is entitled to enforce the judgment;
  - as the case may require, either that at the date of the application the judgment has not been satisfied, or the amount in respect of which it remains unsatisfied;
Under O 69A r 6(1A), an application for leave to enforce a foreign award may be made ex parte and must be supported by an affidavit —

- exhibiting the arbitration agreement and the duly authenticated original award or, in either case, a duly certified copy thereof and where the award or agreement is in a language other than English, a translation of it in the English language, duly certified in English as a correct translation by a sworn translator or by an official or by a diplomatic or consular agent of the country in which the award was made;

- stating the name and the usual or last known place of abode or business of the applicant (referred to in this Rule as the creditor) and the person against whom it is sought to enforce the award (referred to in this Rule as the debtor) respectively; and

- as the case may require, stating either that the award has not been complied with or the extent to which it has not been complied with at the date of the application.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Singapore has reciprocal enforcement arrangements for court judgments.

**Hague Choice of Court Convention 2005**

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta
- Mexico
- Montenegro
- Netherlands
- Portugal
- Romania
- Singapore
- Slovakia
- Slovenia
- Spain
- Sweden
- United Kingdom

**Bilateral**

- Australia
- Brunei
- Hong Kong
- India*
- Malaysia
- New Zealand
- Pakistan
- Papua New Guinea
- Sri Lanka
- United Kingdom
- Windward Islands

*Excludes the State of Jammu and Kashmir

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Singapore has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

There are no bilateral treaties or multilateral conventions in force between South Africa and any other jurisdiction on reciprocal recognition and enforcement of judgments.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

The present position in South Africa is that a foreign judgment is not directly enforceable, but constitutes a cause of action and will be enforced by our courts on application provided that:

- that the court that pronounced the judgment had jurisdiction to entertain the case according to the principles recognized by South African law concerning the jurisdiction of foreign courts (sometimes referred to as “international jurisdiction or competence”);
- the judgment is final and conclusive in its effect and has not become superannuated;
- the recognition and enforcement of the judgment by our courts would not be contrary to public policy;
- the judgment was not obtained by fraudulent means;
- the judgment does not involve the enforcement of a penal or revenue law of the foreign state; and
- enforcement of the judgment is not precluded by the provisions of the Protection of Business Act, No. 99 of 1978, as amended.

Apart from this, our courts will not go into the merits of the case adjudicated upon by the foreign court and will not attempt to review or set aside its findings of fact or law.
3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

1 to 3 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

12 to 18 months.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 6,000 - USD 9,000.

The typical costs incurred in enforcement procedures are attorney’s fees and disbursements, which includes advocates’ fees. The fees of attorneys and advocates depend on various factors including the time involved and the complexity of the matter as well as the amount claimed and the problems that may arise during enforcement.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 29,000 - USD 87,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

According to the Protection of Businesses Act, no foreign judgment in respect of multiple or punitive damages may be recognized or enforced in the Republic. “Multiple or punitive damages” is defined as that part of the amount of damages awarded which exceeds the amount determined by the court as compensation for the damage or loss actually sustained by the person to whom the damages have been awarded. South African defendants who qualify in terms of the Protection of Businesses Act (that is, principally natural or juristic persons who at the material time were resident in the Republic or carried on business there) may “recover back” from assets within the jurisdiction of courts of the Republic the amounts of multiple or punitive damages awarded against them under foreign antitrust judgments and enforced against their overseas assets.
Attempts to enforce certain foreign money judgments, whether indirectly under the common law, may be hit by the provisions of the Protection of Businesses Act, which provides that, except with the permission of the appropriate minister, no judgment, order, direction, interrogatory, commission rogatoire, letters of request, or any other request delivered, given or issued or emanating from outside the Republic in connection with any civil proceedings may be enforced in the Republic if it arises from an act or transaction which took place at any time, whether before or after the commencement of the Protection of Businesses Act, and which is connected with the mining, production, importation, exportation, refinement, possession, use or sale of, or ownership to, any matter or material, of whatever nature, whether within, outside, into or from the Republic.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?
   
   Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?
   
   1 to 3 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

   6 to 12 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

   USD 9,000 - USD 12,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

   USD 29,000 - USD 87,000.
13. Are there any unusual difficulties in enforcing a foreign arbitration award?

There are no unusual difficulties in enforcing such arbitration awards. The Protection of Businesses Act does not apply to foreign arbitration awards.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law that applies to the underlying transaction or occurrence.

In terms of section 11(d) of the Prescription Act, No. 68 of 1969, claims are extinguished by prescription three years after they arise. In terms of section 12(3) of the Act, prescription begins to run (i.e., a claim arises) from the date on which the creditor knows the identity of the debtor and of the facts from which the debt arose.

According to the principles of South African private international law, matters of procedure are governed by the domestic law of the country in which the relevant proceedings are instituted (lex fori). Matters of substantive law, however, are governed by the law that applies to the underlying transaction or occurrence (lex causae). In South African law, prescription is regarded as substantive.

Therefore, a South African court seized with the question of whether a claim to the enforcement of a foreign judgment has prescribed will apply the relevant foreign law.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Generally, three years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Generally, three years.
ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes, if unsuccessfully opposed, the unsuccessful party is usually liable for legal costs, but as a general rule, only according to an outdated tariff, which refers to costs recoverable on various scales. These are significantly lower than actual costs incurred, particularly where recovered on the usual, non-punitive so-called party and party cost scale (such as may be taxed and allowed).

18. Is seizure of goods available as an enforcement method?

Yes. Execution of property is provided for.

19. Is attachment of earnings available as an enforcement method?

Yes. Emoluments attachment orders: Relate to the attachment of the salary or wages owing or accruing to the judgment debtor by a third party.

20. Is attachment of third party debts available as an enforcement method?

Yes. Garnishee orders: Relate to the attachment of all the other kinds of debts that may be owed to the judgment debtor by a third party.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes. Sale in execution can follow to enforce a court order.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.

23. Can a receiver be appointed by way of enforcement?

Yes.

24. Any other method of enforcement?

Contempt of court proceedings may be brought should the party against whom judgment was given fails or refuses to comply with the order.
South Africa

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Easy.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Darryl Bernstein
Partner, Johannesburg
Dispute Resolution
+27 11 911 4367
darryl.bernstein@bakermckenzie.com

John Bell
Partner, Johannesburg
Dispute Resolution
+27 11 911 4366
john.bell@bakermckenzie.com

Jackie Lafleur
Associate, Johannesburg
Dispute Resolution
+27 11 911 4427
jackie.lafleur@bakermckenzie.com
28. What papers will be needed?

- Application proceedings:
  - proceedings are brought by way of affidavit; and
  - the dispute is determined on the papers before the court.
- Action proceedings:
  - these proceedings are brought by way of summons and culminate in a trial where oral evidence is led.

In both of these procedures, the papers instituting the matter must be accompanied by a copy of the judgment; where the judgment is not in English, it must be translated by a sworn translator.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which South Africa has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

- Afghanistan
- Albania
- Algeria
- American Samoa
- Andorra
- Antigua and Barbuda
- Angola
- Argentina
- Armenia
- Aruba
- Australia
- Austria
- Azerbaijan
- Bahamas
- Bahrain
- Bangladesh
- Barbados
- Belarus
- Belgium
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire
- Côte d’Ivoire
- Croatia
- Cuba
- Cyprus
- Czech Republic
- Denmark
- Djibouti
- Dominica
- Dominican Republic
- Ecuador
- Egypt
- El Salvador
- Estonia
- Ethiopia
- Fiji
- Finland
- France
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
- Greenland
- Guam
- Guatemala
- Guernsey
- Guinea
- Guyana
- Haiti
- Holy See
- Honduras
- Hong Kong
- Hungary
- Iceland
- Indonesia
- Iran
- Ireland
- Isle of Man
- Israel
- Italy
- Jamaica
- Japan
- Jersey
- Jordan
- Kazakhstan
- Kenya
- Kuwait
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Liechtenstein
- Lithuania
- Luxembourg
- Macau
- Madagascar
- Malaysia
- Maldives
- Mali
- Malta
- Marshall Islands
- Mauritania
- Mauritius
- Mexico
- Moldova
- Monaco
- Mongolia
- Montenegro
- Morocco
- Mozambique
- Myanmar
- Nepal
- Netherlands
- New Zealand
- Nicaragua
- Niger
- Nigeria
- Northern Ireland
- Norway
- Oman
- Pakistan
- Palau
- Palestine
- Panama
- Papua New Guinea
- Paraguay
- Peru
- Philippines
- Poland
- Portugal
- Puerto Rico
- Qatar
- Romania
- Russia
- Rwanda
- Saba
- Saint Vincent and the Grenadines
- San Marino
- Sao Tome and Principe
- Saudi Arabia
- Scotland
- Senegal
- Serbia
- Seychelles
- Singapore
- Sint Eustatius
- Sint Maarten
- Slovakia
- Slovenia
- South Korea
- Spain
- Sri Lanka
- Sudan
- Sweden
- Switzerland
- Syria
- Tajikistan
- Tanzania
- Thailand
- Trinidad and Tobago
- Tonga
- Tunisia
- Turkey
- Uganda
- United Arab Emirates
- United Kingdom
- United States
- United States of America
- Ukraine
- Uruguay
- US Virgin Islands
- Uzbekistan
- Venezuela
- Vietnam
- Zambia
- Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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Spain

JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

**Brussels Regulations:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Sweden, United Kingdom

**Lugano Convention 2007:**
Denmark, Iceland, Norway, Switzerland

**Hague Choice of Court Convention 2005:**
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro, Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Sweden, United Kingdom

**Bilateral:**
Brazil, China, Colombia, El Salvador, Israel, Mexico, Morocco, Tunisia

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Judgments within the EU: usually 1-2 months, but may be quicker or slower depending on the court.

Judgments from states with no recognition agreement: 2 months - 1 year (service to the defendant can delay the proceedings)
4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Judgments within the EU: usually 2-5 months, depending on the court.

Judgments from states with no recognition agreement: 2 months - 1 year (service to the defendant can delay the proceedings).

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 10,000 - 50,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 30,000 - 70,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

There are no unusual difficulties with EU judgments. Concerning judgments from jurisdictions with no reciprocal enforcement agreement, the relevant procedural law is been recently passed (International Legal Cooperation Law on civil matters, 29/2015 of 30 July) which repeals the previous one of 1881. The Court of First Instance of the defendant’s domicile is in charge of the recognition and enforcement. The reciprocity principle applies. In addition to the defendant, the public prosecutor has the right to be heard before the recognition and enforcement decision is issued. There is a possibility of appeal.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

2-4 months (until recognition).

1-2 months (until enforcement).
Spain

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

2-4 months (until recognition).
1-2 months (until enforcement).

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 20,000 - 50,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 30,000 - 70,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

The relevant procedural law is been recently passed (International Legal Cooperation Law on civil matters, 29/2015 of 30 July) which repeals the previous one of 1881. The High Court of Justice of the defendant’s domicile is in charge of the recognition. The reciprocity principle applies. In addition to the defendant, the public prosecutor has the right to be heard before the recognition decision is issued. There is no possibility of appeal. Once the award is recognized, the Court of First Instance of the defendant’s domicile is the one in charge of its enforcement.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

5 years from the date when the judgment is final.
16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

5 years from the date when the arbitration award is final.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes with certain limitations (national minimum wage)

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.

23. Can a receiver be appointed by way of enforcement?

No.

24. Any other method of enforcement?

No.
Spain

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Victor Mercedes
Partner, Barcelona
Dispute Resolution
+34 93 206 08 20
victor.mercedes@bakermckenzie.com

Gemma Aquillué
Partner, Barcelona
Dispute Resolution
+34 93 206 08 46
gemma.aquillue@bakermckenzie.com

Marta Martinez
Associate, Barcelona
Dispute Resolution
+34 93 255 11 28
marta.martinez@bakermckenzie.com
28. **What papers will be needed?**

- Original judgment/award to be enforced.
- Evidence of judgment/award being served to the party to be enforced.
- Certification that judgment/award is final.
Reciprocal Enforcement of Court Judgments
Jurisdictions with which Spain has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Brussels Regulations</th>
<th>Lugano Convention 2007</th>
<th>Hague Choice of Court Convention 2005</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>Czech Republic</td>
<td>Austria</td>
</tr>
<tr>
<td>Belgium</td>
<td>Denmark</td>
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<td>Czech Republic</td>
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<td>Germany</td>
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<td>Greece</td>
<td>Latvia</td>
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<tr>
<td>Hungary</td>
<td>Lithuania</td>
<td>Hungary</td>
</tr>
<tr>
<td>Iceland</td>
<td>Luxembourg</td>
<td>Iceland</td>
</tr>
<tr>
<td>Norway</td>
<td>Malta</td>
<td>Malta</td>
</tr>
<tr>
<td>Switzerland</td>
<td>Mexico</td>
<td>Singapore</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Montenegro</td>
<td>Singapore</td>
</tr>
<tr>
<td>Portugal</td>
<td>Netherlands</td>
<td>Spain</td>
</tr>
<tr>
<td>Romania</td>
<td>Poland</td>
<td>Spain</td>
</tr>
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<td>Slovakia</td>
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<td>Romania</td>
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<tr>
<td>Sweden</td>
<td>Singapore</td>
<td>Spain</td>
</tr>
<tr>
<td>United Kingdom</td>
<td>Spain</td>
<td></td>
</tr>
</tbody>
</table>

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Spain has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan
Albania
Algeria
American Samoa
Andorra
Antigua and Barbuda
Argentina
Armenia
Aruba
Australia
Austria
Azerbaijan
Bahamas
Bahrain
Bangladesh
Barbados
Belarus
Benin
Bermuda
Bhutan
Bolivia
Bonaire
Bosnia & Herzegovina
Botswana
Brazil
British Virgin Islands
Brunei
Bulgaria
Burkina Faso
Burundi
Cabo Verde
Cambodia
Cameroon
Cayman Islands
Central African Republic
Chile
China
Christmas Island
Cocos (Keeling) Islands
Colombia
Comoros
Cook Islands
Costa Rica
Côte d’Ivoire
Croatia
Cuba
Curaçao
Cyprus
Czech Republic
Denmark
Djibouti
Dominica
Dominican Republic
Democratic Republic of Congo
Ecuador
Egypt
El Salvador
England and Wales
Estonia
Ethiopia
Faroe Islands
Fiji
Finland
France
Gabon
Georgia
Germany
Ghana
Gibraltar
Greece
Greenland
Guam
Guatemala
Guernsey
Guinea
Guyana
Haiti
Holy See
Honduras
Hong Kong
Hungary
Iceland
India
Indonesia
Iran
Ireland
Isle of Man
Israel
Italy
Jamaica
Japan
Jersey
Jordan
Kazakhstan
Kenya
Kuwait
Kyrgyzstan
Laos
Latvia
Lebanon
Liberia
Liechtenstein
Lithuania
Luxembourg
Macau
Macedonia
Madagascar
Malaysia
Maldives
Mali
Malta
Marshall Islands
Mauritania
Mauritius
Mexico
Moldova
Monaco
Monaco
Monaco
Montenegro
Morocco
Mozambique
Myanmar
Namibia
Netherlands
New Zealand
Nicaragua
Niger
Nigeria
Norfolk Island
Northern Ireland
Ireland
Oman
Pakistan
Palau
Palestine
Panama
Papua New Guinea
Paraguay
Peru
Philippines
Poland
Portugal
Puerto Rico
Qatar
Romania
Russia
Rwanda
Saba
Saint Vincent and the Grenadines
San Marino
Spain
Sao Tome and Principe
Ukraine
United Arab Emirates
Scotland
Senegal
Serbia
Seychelles
Singapore
Sint Eustatius
Sint Maarten
Slovakia
Slovenia
Somalia
South Africa
South Korea
St. Lucia
St. Vincent and the Grenadines
San Marino
Sao Tome and Principe
Ukraine
United Arab Emirates
United States of America
Uruguay
US Virgin Islands
Venezuela
Vietnam
Zambia
Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

Brussels Regulations:
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France,
Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands,
Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

Lugano Convention 2007:
Denmark, Iceland, Norway, Switzerland

Hague Choice of Court Convention 2005:
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France,
Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Mexico, Montenegro,
Netherlands, Poland, Portugal, Romania, Singapore, Slovakia, Slovenia, Spain, Sweden, United
Kingdom

Bilateral:
Australia, Austria, Canada, Denmark, Finland, India, Japan, Norway, Switzerland, Thailand, United
States of America

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

In practice, Swedish courts are likely to enforce a foreign judgment unless there is legislation that
conflicts with the foreign judgment.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

In instances where there exists a reciprocal enforcement agreement, a judgment may be recognized
and enforced without any undue delay. Approximately 2-14 months.
4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   Approximately 6-14 months.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   There are generally no court fees for a declaration of enforceability. Having a judgment enforced by the Enforcement Authority costs USD 60 as well as other fees such as translation fees.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   There are generally no court fees for a declaration of enforceability in the court. Legal fees will generally be borne by the losing party. If the judgment is enforced by the Enforcement Authority a cost of USD 60 will apply as well as translation fees. Legal fees will depend on the work performed by the legal representatives but the Swedish Bar Association’s Code of Conduct for lawyers provides that legal fees must be reasonable.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   Foreign judgments that fall within the Brussels Regime and the Lugano Convention are relatively easy to secure enforcement of as long as the judgment does not fall within the recognized grounds for refusal.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   Approximately 2-14 months.
10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

   Approximately 4-14 months.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

   Court fees of USD 280. Court fees are in addition to fees payable for legal advice and assistance.

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

   Court fees are charged of USD 280. Court fees are in addition to fees payable for legal advice and assistance.

   Legal fees will depend on the work performed by the legal representatives but the Swedish Bar Association’s Code of Conduct for lawyers provides that legal fees must be reasonable.

13. **Are there any unusual difficulties in enforcing a foreign arbitration award?**

   Foreign awards are generally recognized and enforced in Sweden unless there is a ground for refusal in e.g. in the New York Convention or in the Swedish Arbitration Act.

**LIMITATION**

14. **Which law governs the limitation period for registering a foreign judgment or arbitration award?**

   The question of limitation periods is somewhat complicated. Swedish case law varies on the determination of the limitation period. The Swedish courts have, generally, considered that the limitation period is governed by the law applicable to the legal relationship between the parties. The Supreme court has in some instances decided that the limitation periods under foreign law should be applied (see e.g., NJA 2009 N 42, NJA 1992 C 167 and the Supreme Court’s decision in NJA 1984 s 25).
If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

The limitation period in Sweden is generally 10 years but the period can be extended if interrupted. The Swedish Act on Limitation (1981:130) (Preskriptionslagen) only applies to proceedings where Swedish law is the applicable substantive law.

If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

The limitation period in Sweden is generally 10 years but the period can be extended. The Swedish Act on Limitation (1981:130) (Preskriptionslagen) only applies to proceedings where Swedish law is the applicable substantive law.

**ENFORCEMENT**

Are fees and costs of enforcement typically recoverable?

Yes.

Is seizure of goods available as an enforcement method?

Yes.

Is attachment of earnings available as an enforcement method?

Yes.

Is attachment of third party debts available as an enforcement method?

Yes.

Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.
Sweden

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   No.

24. Any other method of enforcement?
   No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Easy.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Easy.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Stefan Bessman
Partner, Stockholm
Dispute Resolution
+46 8 56617772
stefan.bessman@bakermckenzie.com

Farzad Niroumand
Associate, Stockholm
Dispute Resolution
+46 8 566 177 46
farzad.niroumand@bakermckenzie.com
Sweden

28. **What papers will be needed?**

- Copy of the judgment/award
- Copy of any document referred to in the judgment/award
- Evidence showing that the judgment/award is enforceable in its forum of origin and has been served
- In the case of default judgments, evidence that the original proceedings were served
- Translations of the above if not in Swedish
Sweden

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Sweden has reciprocal enforcement arrangements for court judgments.

### Brussels Regulations
- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czech Republic
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Iceland
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
- Malta

### Lugano Convention 2007
- Denmark
- Iceland
- Norway
- Switzerland

### Hague Choice of Court Convention 2005
- Austria
- Belgium
- Bulgaria

### Bilateral
- Australia
- Austria
- Canada
- Denmark
- Finland
- India
- Japan
- Norway
- Switzerland
- Thailand
- United States of America

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Sweden has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan, Albania, Algeria, American Samoa, Andorra, Antigua and Barbuda, Angola, Argentina, Armenia, Aruba, Australia, Austria, Azerbaijan, Bahamas, Bahrain, Bangladesh, Barbados, Belarus, Benin, Bermuda, Bhutan, Bolivia, Bonaire, Bosnia & Herzegovina, Botswana, Brazil, British Virgin Islands, Brunei, Bulgaria, Burkina Faso, Burundi, Cabo Verde, Cambodia, Cameroon, Cape Verde, Cameroon, Central African Republic, Chile, China, Christmas Island, Colombia, Comoros, Cook Islands, Costa Rica, Côte d’Ivoire, Croatia, Cuba, Cyprus, Czech Republic, Denmark, Djibouti, Dominica, Dominican Republic, Ecuador, Egypt, El Salvador, England, Estonia, Ethiopia*, Fiji, Finland, Gabon, Georgia, Germany, Ghana, Gibraltar, Greece, Greenland, Guam, Guatemala, Guernsey, Guinea, Guyana, Haiti, Holy See, Honduras, Hong Kong, Hungary, Iceland, Indonesia, Iran, Isle of Man, Israel, Italy, Jamaica, Japan, Jersey, Jordan, Kazakhstan, Kenya, Kuwait, Kyrgyzstan, Laos, Latvia, Lebanon, Liberia, Liechtenstein, Lithuania, Luxembourg, Macau, Macedonia, Madagascar, Malaysia, Maldives, Mali, Malta, Marshall Islands, Mauritania, Mauritius, Mexico, Moldova, Monaco, Morocco, Mozambique, Myanmar, Namibia, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norfolk Island, Northern Ireland, Norway, Oman, Pakistan, Palau, Palestine, Panama, Papua New Guinea, Paraguay, Peru, Philippines, Poland, Portugal, Puerto Rico, Qatar, Romania, Russia, Rwanda, Saba, Saint Vincent and the Grenadines, San Marino, Sao Tome and Principe, Saudi Arabia, Scotland, Senegal, Serbia, Seychelles, Singapore, Sint Eustatius, Sint Maarten, Slovak, Slovenia, South Africa, South Korea, Spain, Sri Lanka, Sudan, Switzerland, Syria, Tajikistan, Tanzania, Thailand, Trinidad and Tobago, Tunisia, Turkey, Uganda, Ukraine, United Arab Emirates, United States of America, Uruguay, US Virgin Islands, Uzbekistan, Venezuela, Vietnam, Zambia, Zimbabwe.

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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SWITZERLAND

JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

Brussels Regulations:
Austria, Belgium, Bulgaria, Croatia, Cyprus, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Latvia, Lithuania, Luxembourg, Malta, Netherlands, Portugal, Poland, Romania, Slovakia, Slovenia, Spain, Sweden, United Kingdom

Lugano Convention 2007:
Denmark, Iceland, Norway, Switzerland

Bilateral:
Liechtenstein

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Under the Lugano Convention or reciprocal agreement: Approximately 3 to 6 months.
Other: Approximately 6 to 15 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Under the Lugano Convention or reciprocal agreement: Approximately 6 to 12 months.
Other: Approximately 9 to 24 months.
5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 5,000 to 10,000

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 10,000 - 50,000

7. Are there any unusual difficulties in enforcing a foreign judgment?

In general, there are no unusual difficulties in enforcing a foreign judgment in Switzerland if all required documents are available and submitted to the court together with the appropriate translation (French, German or Italian, depending on the area of the court).

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

Approximately 6 to 12 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Approximately 6 to 18 months.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 5,000 to 10,000
Switzerland

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 10,000 - 50,000

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

In general, there are no unusual difficulties in enforcing a foreign arbitration award in Switzerland if all required documents are available and submitted to the court, with due translations depending on the area.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Not applicable.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes.

18. Is seizure of goods available as an enforcement method?

Yes.
Switzerland

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   Yes.

**RATING**

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Moderate.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

- **Urs Zenhausern**  
  Partner, Zurich  
  Dispute Resolution  
  +41 44 384 12 43  
  urs.zenhausern@bakermckenzie.com

- **Luca Beffa**  
  Partner, Geneva  
  Dispute Resolution  
  +41 22 707 98 00  
  luca.beffa@bakermckenzie.com

- **Philippe Monnier**  
  Associate, Zurich  
  Employment & Compensation  
  +41 44 384 13 67  
  philippe.monnier@bakermckenzie.com

28. **What papers will be needed?**

- Certified copy of the judgment or the award
- Certified copy of the arbitration agreement, if applicable
- Information on any assets of the debtor in Switzerland (attachment)
- Statement confirming the final and binding nature of the judgment or of the award
- Evidence that the decision has been duly notified to the other party
- Certificate according to the Lugano Convention 2007 (Annex V, if applicable)
- Sworn translations of the above-mentioned documents, if applicable.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Switzerland has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Lugano Convention 2007</th>
<th>Bilateral</th>
</tr>
</thead>
<tbody>
<tr>
<td>Denmark</td>
<td>Liechtenstein</td>
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<tr>
<td>Iceland</td>
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<tr>
<td>Norway</td>
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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Switzerland has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   *Bilateral:* China, Vietnam

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   6 months to 1 year for recognition proceedings and 2 weeks to 2 months for commencing the enforcement proceedings and attaching the assets.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   3 to 5 years for recognition proceedings and 2 weeks to 2 months for commencing enforcement proceedings and attaching the assets.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

   USD10,000 - 50,000 for legal fees, subject the complexity of the case and the assets involved. Court fees for recognition and execution will be charged separately by the court. The recognition fee is approx. 1% of the claim and the execution fee is 0.8%.
6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

USD50,000 - 100,000 for legal fees, subject the complexity of the case and the assets involved. Court fees for recognition and execution will be charged separately by the court. The recognition fee is approx. 1% of the claim and an additional 1.5% for each appellate instance. The execution fee is 0.8%.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

Since the value of the claim may be relatively high, the recognition and enforcement fee, which constitutes some 1.8% of the total value of the claim (fees for multiple appellate instances not included), as well as the payment made to the attorneys might increase the cost of the whole procedure.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

No.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

6 months for recognition proceedings and 2 weeks to 2 months for commencing the enforcement proceedings and attaching assets.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

3 to 5 years for recognition proceedings and 2 weeks to 2 months for commencing the enforcement proceedings and attaching assets.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

USD10,000 - 50,000 for legal fees. Court fees for recognition and execution will be charged by the court separately. The highest recognition fee is merely NT5000 (approximately USD167) and the execution fee is 0.8% of the claim amount.
12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

USD50,000 - 100,000 for legal fees. Court fees for recognition and execution will be charged by the court separately. The highest recognition fee is NT5000 (approximately USD 167) and additional NT1000 (approximately USD 33) for each appellate instance. The execution fee is 0.8%.

13. **Are there any unusual difficulties in enforcing a foreign arbitration award?**

The recognition fee for a foreign arbitration award is not as high as that for a foreign judgment. The highest recognition fee is NT5000 (approximately USD167). Nonetheless, the execution fee is calculated according to the same “0.8% rule” as that for a foreign judgment. As a result, it might also be a considerable amount in case of huge claims.

**LIMITATION**

14. **Which law governs the limitation period for registering a foreign judgment or arbitration award?**

The law of the place of enforcement.

15. **If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

There is no limitation period for recognition of a foreign judgment. However, once the foreign judgment is recognized and becomes an executive title under Taiwan law, the prescription period of the law where the foreign judgment is rendered still applies. If this period is not complied with, the other party may file an objection lawsuit and apply for suspension of the enforcement procedure.

16. **If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?**

There is no limitation period for recognition of a foreign arbitration award. However, once the arbitration award is recognized and becomes an executive title under Taiwan law, the prescription period of the governing law still applies. If this period was not complied with, the other party may file an objection lawsuit and apply for suspension of the enforcement procedure.
17. Are fees and costs of enforcement typically recoverable?
   Yes.

18. Is seizure of goods available as an enforcement method?
   Yes.

19. Is attachment of earnings available as an enforcement method?
   Yes.

20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   No.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   Fines and Custody
Taiwan

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

David Liou
Partner, Taipei
Dispute Resolution
+886 2 2715 7238
david.liou@bakermckenzie.com
28. What papers will be needed?

For judgment: The original judgment or an authenticated copy.

- For an arbitration award:
  - The original arbitral award or an authenticated copy;
  - The original arbitration agreement or an authenticated copy;
  - The full text of the foreign arbitration law and regulation, the rules of the foreign arbitration institution or the rules of the international arbitration institution which applied to the foreign arbitral award.

Note:

- If the documents above are made in a foreign language, a copy of the Chinese translation of the same shall be submitted.
- "Authenticated" means the authentication made by embassies, consulates, representative offices, liaison offices or any other organizations authorized by the government of Taiwan.
Taiwan

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Taiwan has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Bilateral</th>
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<tbody>
<tr>
<td>China</td>
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<td>Vietnam</td>
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Taiwan

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Taiwan has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  Botswana  Cyprus  Guam  Lebanon  Niger  Sao Tome and Principe  Turkey
Albania  Brazil  Czech Republic  Guatemala  Lesotho  Nigeria  Uganda
American Samoa  British Virgin Islands  Djibouti  Guernsey  Liberia  Norway  United Arab Emirates
Andorra  Bulgaria  Dominica  Guyana  Liechtenstein  Oman  United States
Antigua and Barbuda  Burundi  Dominican Republic  Haiti  Lithuania  Pakistan  Uru
Austria  Cabo Verde  Ecuador  Holy See  Luxembourg  Palau  Uruguay
Australia  Cameroon  El Salvador  Hong Kong  Macedonia  Panama  Venezuela
Azerbaijan  Central African Republic  England and Wales  Indonesia  Madagascar  Papua New Guinea  Vietnam
Bahamas  Chad  Estonia  Iran  Malawi  Maldives  Zambia
Bahrain  Christmas Island  Ethiopia*  Ireland  Marshall Islands  Mauritania  Zimbabwe
Bangladesh  Cocos (Keeling) Islands  Fiji  Isle of Man  Mauritius  Mexico  Saba
Barbados  Christmas Island  Fiji  Israel  Martinique  Mauritius  Saint Vincent and the Grenadines
Belarus  Christmas Island  Fiji  Italy  Marshall Islands  Mauritius  Senegal
Belgium  Colombia  France  Japan  Montenegro  Netherlands  Sao Tome and Principe
Benin  Comoros  Gabon  Jersey  Morocco  New Zealand  Saint Vincent and the Grenadines
Bermuda  Cook Islands  Georgia  Jordan  Mozambique  Nicaragua  Saint Vincent and the Grenadines
Bhutan  Costa Rica  Ghana  Kazakhstan  Myanmar  Nepal  Saint Vincent and the Grenadines
Bolivia  Croatia  Gibraltar  Kuwait  Nepal  Saint Vincent and the Grenadines
Bonaire  Cuba  Greece  Kyrgyzstan  Nepal  Saint Vincent and the Grenadines
Bosnia & Herzegovina  Curacao  Greenland  Laos  New Zealand  Saint Vincent and the Grenadines

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.

*The New York Convention will enter into force for Ethiopia on 22/11/2020.
JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

None.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

No.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

Not applicable.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Not applicable.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

Not applicable.
Thailand

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

Not applicable.

7. Are there any unusual difficulties in enforcing a foreign judgment?

Not applicable.

**ARBITRATION AWARDS**

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

3 - 6 months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

6 months to 1.5 years.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 50,000 - 100,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Over USD 100,000.
Thailand

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Not applicable.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

3 years from the date the award became enforceable.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

No.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.
Thailand

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes.

23. Can a receiver be appointed by way of enforcement?

Yes.

24. Any other method of enforcement?

No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Difficult.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

Pisut Attakamol  
Partner, Bangkok  
Dispute Resolution  
+66 2636 2000 x3131  
pisut.attakamol@bakermckenzie.com

Wasin Leotwalaipong  
Partner, Bangkok  
Dispute Resolution  
+66 2 666 2824 x3102  
wasin.leotwalaipong@bakermckenzie.com

28. **What papers will be needed?**

Original or certified copy of the arbitral award and arbitration agreement.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Thailand has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
Turkey

JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

   Bilateral:
   Albania, Algeria, Austria, Azerbaijan, Bosnia & Herzegovina, Belarus, China, Croatia, Georgia, Iran, Iraq, Italy, Kazakhstan, Kyrgyzstan, Lithuania, Macedonia, Moldova, Mongolia, Northern Cyprus, Oman, Poland, Romania, Serbia, Slovakia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

   No. As per Article 54 of International Private and Procedural Law No. 5718 ("IPPL"), reciprocity must exist between Turkey and the country in which the foreign judgment/award was delivered. Reciprocity may be contractual, actual or legal. In other words, Turkey and the country in which the foreign award was delivered may have executed a bilateral agreement regarding the enforcement of court decisions; Turkey and the country in question may not have an agreement but there is a de facto reciprocity between them or Turkey and the country in question may have legislation regarding the enforcement of decisions.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

   In the case of undisputed claims, an application to enforce a foreign court decision is usually concluded between 6 months to 1 year.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

   If there are disputed claims, an application to enforce a foreign judgment is usually concluded between 1.5 to 2 years at the court of first instance. In the event of an appeal, the appeal stage is usually concluded within a period of 1 to 2 years.
5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

The filing of the lawsuit for the enforcement of foreign monetary judgments is subject to the payment of the court fee equal to 1.7% of the value of the judgment. The court fee for the enforcement of non-monetary foreign judgments, however, is approximately USD 25 as a fixed fee. The claimant has to make an advance payment to the court’s cashier for the legal costs and expenses such as service of court papers, expert examination, etc. in the amount of USD 500-1,000.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

Regardless of being opposed, the enforcement claims require the same costs above.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

A decision subject to enforcement must be “conclusive and final” in terms of the laws of the country where the decision was rendered. In other words, there should be no more legal remedies available for such a decision. In practice, Turkish courts require the submission of a finalization statement of the relevant foreign court stating that the decision has become final. However, some foreign legal systems do not have such practice and do not issue any finalization statements. In such cases, even though it is not a strict legal requirement, Turkish courts do not enforce the decision unless the requesting party can submit such a finalization statement. This is partly due to judges not being fully aware of procedures regarding the enforcement of court judgments.

The foreign judgment must not relate to a subject falling under the exclusive jurisdiction of the Turkish courts (e.g. lawsuits related to real estates located in Turkey) and must not have been rendered through the exercise of exorbitant.

Also, the foreign judgment should not explicitly violate Turkish public policy. The examination of the violation of the public policy includes an examination of whether the implementation of the foreign judgment in Turkey gives rise to any contradiction of public policy. Defendants in enforcement suits often invoke the violation of public policy as a ground for questioning the merits of the foreign judgment. However, as the courts are barred from going into the merits of a dispute in enforcement suits (prohibition of *révision au fond*), such objections are only rarely addressed in commercial enforcement suits.
8. Is this jurisdiction a party to the New York Convention?

Yes. Turkey ratified the Convention with two reservations: Turkey will only recognize and enforce arbitral awards that are made in other contracting states of the Convention, and the award must be related to a commercial dispute or must be of a commercial nature to be subject to the Convention.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

In the case of undisputed claims, an application to enforce an arbitral award is usually concluded between 6 months to 1 year.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

If there are disputed claims, an application to enforce an arbitral award is usually concluded between 1.5 to 2 years at the first instance court. In the event of an appeal, the appeal stage is usually concluded within a period of 1 to 2 years.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

The approximate cost of registering and enforcing a foreign arbitral award is the same as that of a foreign court judgment. Hence, we hereby refer to our answer under question regarding approximate cost of registering and enforcing a foreign court judgment.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Having the enforcement request opposed to does not change the cost. Hence, we also hereby refer to our answer under question regarding the approximate cost of registering and enforcing a foreign court judgment.
Turkey

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

The award should be binding on the parties, should not have been set aside or suspended by a competent authority of the country in which, or under the laws of which, the award was made. In practice, as explained above, Turkish courts require the submission of a finalization statement of the relevant foreign arbitral seat stating that the decision has become final. However, some foreign legal systems do not have such practice and do not issue any finalization statements. In such cases, Turkish courts do not enforce the award generally unless the claimant can submit such a finalization statement.

The subject matter of the dispute should be capable of being resolved by arbitration under the laws of Turkey.

Moreover, the enforcement of the award should not be contrary to the public policy of Turkey. The examination on the violation of the public policy includes an examination of whether the results of the implementation of the foreign arbitral award in Turkey would give rise to any contradiction of public policy. Violation of public policy is often invoked by defendants in enforcement suits as grounds for questioning the merits of the foreign arbitral awards. However, as the courts are barred from going into the merits of a dispute in enforcement suits (prohibition of revision au fond), these objections are rarely addressed in commercial recognition and enforcement suits.

Arbitral awards delivered in countries that are not a party to the Convention will be enforced as per IPPL in Turkey. Even though IPPL does not regulate reciprocity as a requirement for enforcement of foreign arbitral awards, several Court of Cassation decisions points out to the reciprocity requirement in their decisions regarding enforcement of foreign arbitral awards.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Turkish law does not regulate time limitations for the enforcement of foreign arbitral awards. There are conflicting Court of Cassation and doctrine opinions on this matter. One opinion states that the foreign judgment or arbitral award must be enforced in Turkey within the time limit foreseen in the laws of the jurisdiction where the court rendered the judgment. Another opinion states that the time limit for enforcement of foreign judgment or award is the period regulated under the Turkish law for initiation of execution proceedings for court judgments in Turkey, i.e. 10 years under Article 39 of the Execution and Bankruptcy Law.
15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

In light of the foregoing explanations, if it is accepted that the law of the place of enforcement, and therefore the Turkish Law will apply regarding the statute of limitations for the enforcement of a foreign judgment, the limitation period is 10 years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

In light of foregoing explanations, if it is accepted that the law of the place of enforcement, and therefore the Turkish Law will apply regarding the statute of limitations for the enforcement of a foreign arbitral award, the limitation period is 10 years.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes, if a judgment results in the enforcement of the judgment or the award, the defendant will have to pay the entirety of the court fees.

18. Is seizure of goods available as an enforcement method?

Yes. Execution proceedings may be initiated based on the foreign court judgment/arbitral award of which an enforcement decision is rendered by Turkish courts. In this regard, execution office sends a payment order to the debtor upon requested by the creditor, and if the debtor does not make payment within seven days, the debtors’ goods may be seized accordingly.

19. Is attachment of earnings available as an enforcement method?

Yes, an attachment may be exercised over the debtor’s earnings.

20. Is attachment of third party debts available as an enforcement method?

Yes, unless the debtor’s receivables from the third parties are based on negotiable instruments, the debtor’s rights and receivables from third parties may be attached.
21. **Are charging orders or orders for sale of land, goods etc available as an enforcement method?**

Yes. The debtor’s receivables from companies may be attached as well. The debtor’s immovables may also be sold by auction in the proceedings.

22. **Can a judgment or award be enforced by way of insolvency proceedings?**

Yes. Article 177 of the Execution and Bankruptcy Law regulates cases where the creditor may request direct insolvency proceedings. As per Article 177(4) of the EBL, if a payment order was served on the creditor but they failed to make payment, then the creditor may directly request the insolvency of the debtor.

23. **Can a receiver be appointed by way of enforcement?**

No.

24. **Any other method of enforcement?**

Execution and insolvency proceedings may be initiated against the debtor wherein the creditor may request attachment over the debtor’s goods, immovable, receivables and earnings.

**RATING**

25. **Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?**

Moderate.

26. **Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?**

Moderate.
27. **Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?**

Koray Sögüt  
Partner, Istanbul  
Dispute Resolution  
+90 212 376 64 22  
koray.sogut@esin.av.tr

28. **What papers will be needed?**

Regarding the enforcement of a foreign judgment, the following documents are required under the IPPL:

- the original copy of the court judgment certified by the authorities of the foreign state or an official copy of the judgment and a certified translation thereof;
- a document or a written statement from the authorities of the state which officially confirms that the court judgment is final and a certified translation thereof.

Regarding the enforcement of an arbitral award under the IPPL:

- the original or an official copy of the arbitration agreement or clause and a certified translation thereof;
- the original or an official copy of the arbitral award which confirms that the award is final and enforceable or binding for the parties and a certified translation thereof.

Regarding the enforcement of an arbitral award under the New York Convention:

- the original or an official copy of the arbitration agreement and a certified translation thereof;
- the original or an official copy of the arbitral award and a certified translation thereof.

Please note that for enforcement of foreign arbitral awards, Turkish courts generally require the submission of a finalization statement of the relevant foreign arbitral seat stating that the decision has become final.
Turkey

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Turkey has reciprocal enforcement arrangements for court judgments.

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<thead>
<tr>
<th>Bilateral</th>
<th>Croatia</th>
<th>Macedonia</th>
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<tbody>
<tr>
<td>Albania</td>
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Turkey

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Turkey has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  Botswana  Cyprus  Guam  Lebanon  Niger  Sao Tome and Principe
Albania  Brazil  Czech Republic  Guatemala  Lesotho  Nigeria  United Arab Emirates
Algeria  British Virgin Islands  Djibouti  Guernsey  Liberia  Norway  United States
American Samoa  Burkina Faso  Dominican Republic  Guyana  Liechtenstein  Oman  Senegal
Andorra  Cabo Verde  Democratic Republic of Congo  Haiti  Lithuania  Pakistan  Seychelles
Antigua and Barbuda  Cameroon  Ecuador  Holy See  Luxembourg  Panama  Singapore
Argentina  Cape Verde  Congo  Hong Kong  Madagascar  Palestine  Sint Eustatius
Armenia  Central African Republic  Costa Rica  Hungary  Malaysia  Peru  Slovakia
Aruba  Chad  Cuba  Iceland  Maldives  Poland  Slovenia
Australia  China  Egypt  India  Malta  Portugal  South Africa
Austria  Christmas Island  El Salvador  Indonesia  Marshall Islands  Paraguay  South Korea
Azerbaijan  Réunion  England and Wales  Iran  Mauritius  Peru  Spain
Bahamas  Ethiopia*  Equatorial Guinea  Israel  Mexico  Philippines  Sri Lanka
Bahrain  Falkland Islands  Eritrea  Italy  Monaco  Poland  Sudan
Bangladesh  Fiji  Estonia  Ireland  Isle of Man  Qatar  Sweden
Barbados  Christmas Island  Ethiopia*  Israel  Jordan  Saint Vincent and the Grenadines  Switzerland
Belarus  Cocos (Keeling) Islands  Falkland Islands  Iraq  Kazakhstan  Saint Vincent and the Grenadines  Syria
Benin  Comoros  Comoros Islands  Japan  Jordan  Saint Vincent and the Grenadines  Tajikistan
Bermuda  Cook Islands  Georgia  Kenya  Kyrgyzstan  Saint Vincent and the Grenadines  Tanzania
Bhutan  Costa Rica  Germany  Korea, South  Saint Vincent and the Grenadines  Tonga
Bolivia  Croatia  Gibraltar  Kuwait  Saint Vincent and the Grenadines  Trinidad and Tobago
Bosnia & Herzegovina  Cuba  Greece  Laos  Saint Vincent and the Grenadines  Tunisia

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
JUDGMENTS

1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Uzbekistan

   **Bilateral:**
   Albania, Algeria, Bosnia and Herzegovina, Bulgaria, China, Cuba, Cyprus, Czech Republic, Estonia, Finland, Georgia, Germany, Greece, Hungary, Iran, Iraq, Latvia, Libya, Lithuania, Macedonia, Moldova, Mongolia, Montenegro, North Korea, Poland, Romania, Serbia, Syria, Tunisia, Turkey, Vietnam, Yemen.

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   Approximately three months.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   Normally from six months to one year.
Ukraine

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 15,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 50,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

The counterparty may use guerilla tactics to disrupt the enforcement of decisions.

There are significant limitations on enforcement against certain categories of debtors (e.g., state-owned companies, bodies, etc.)

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

Approximately three months.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Normally from six months to one year.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 15,000.
12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 50,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

The counterparty may use guerilla tactics to disrupt the enforcement of decisions.

There are significant limitations on enforcement against certain categories of debtors (e.g., state-owned companies, bodies, etc.)

**LIMITATION**

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date when the judgment became effective.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Three years from the date when the award was rendered.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes.
18. Is seizure of goods available as an enforcement method?  
   Yes.

19. Is attachment of earnings available as an enforcement method?  
   Yes.

20. Is attachment of third party debts available as an enforcement method?  
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?  
   Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?  
   Yes.

23. Can a receiver be appointed by way of enforcement?  
   No.

24. Any other method of enforcement?  
   No.

**RATING**

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?  
   Moderate.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?  
   Moderate.
27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Ihor Siusel  
Partner, Kyiv  
Dispute Resolution  
+380 44 590 0101  
ihor.siusel@bakermckenzie.com

Anna Boyko  
Associate, Kyiv  
Dispute Resolution  
+380 44 590 0101  
an.boyko@bakermckenzie.com

28. What papers will be needed?

To commence the procedure of enforcement of the arbitral award, the following documents will be required:

- duly certified original award or a notarized copy thereof;
- original arbitration agreement or a notarized copy thereof, and
- original power of attorney apostilled or otherwise legalized.

Before submission, all of the above documents will require certified translation into Ukrainian or another language, provided by an international treaty.

In order to commence the procedure of enforcement of a foreign judgment, unless otherwise is determined by an international treaty, the following documents will be required:

- duly certified copy of the judgment;
- official document confirming that the judgment entered into legal force (unless respectively indicated in the judgment itself);
- document confirming that the party, in respect of which the judgment was rendered and which failed to participate in the consideration of the case, was duly notified on time and place of such consideration;
Ukraine

- should the judgment be enforced previously, the documents determining in which part or starting from which period such judgment shall be enforced, and
- document confirming the authority of the attorney applying for enforcement.

Before submission, all of the above documents will require certified translation into Ukrainian or another language, provided by an international treaty.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Ukraine has reciprocal enforcement arrangements for court judgments.

**Kiev Convention 1992,**
**Minsk Convention 1993,**
**Moscow Convention 1998**
**and Chisinau Convention 2002**

Armenia
Azerbaijan
Belarus
Georgia
Kyrgyzstan
Moldova
Russia
Tajikistan
Turkmenistan
Uzbekistan

**Hague Judgments Convention**

Uruguay

**Bilateral**

Albania
Algeria
Bosnia and Herzegovina
Bulgaria
China
Cuba
Cyprus
Czech Republic
Estonia

Finland
Georgia
Germany
Greece
Hungary
Iran
Iraq
Latvia
Libya
Lithuania
Macedonia
Moldova
Mongolia
Montenegro

North Korea
Poland
Romania
Serbia
Syria
Tunisia
Turkey
Vietnam
Yemen

*Not yet in force

**Important Note:** This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Ukraine

Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Ukraine has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).


*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   **Riyadh Convention 1983:**
   Algeria, Bahrain, Djibouti, Egypt, Iraq, Jordan, Lebanon, Libya, Mauritania, Morocco, Oman, Palestine, Qatar, Saudi Arabia, Somalia, Sudan, Syria, Tunisia, Yemen

   **GCC Convention 1995:**
   Bahrain, Kuwait, Oman, Qatar, Saudi Arabia

   **Bilateral:**
   China, Egypt, France, Nigeria, Pakistan, Sudan, Tajikistan.

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   It is possible by declaring the judgment enforceable in the UAE. The local courts will need to assess the following elements before they can approve the enforcement of a foreign judgment:

   - Whether the foreign judgment is a final and binding judgment that exhausted all means of appeal in the foreign jurisdiction.
   - Whether the parties were properly represented during the proceedings in the foreign court.
   - Whether the foreign court, which issued the judgment, has reciprocal means of enforcing UAE judgments or not.
   - Whether the judgment is in conformity with public policy and morals.
   - Whether the matter is subject to the jurisdiction of the UAE courts.
   - Whether the foreign judgment is contradictory to a final binding judgment issued by the UAE courts.
3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

The overall period for recognition and execution of judgments usually ranges between 6 to 8 months.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

If the adverse party challenged the enforcement proceedings, the period for execution of judgments may take up between 1 to 1.5 years.

5. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?**

The standard court fees are usually capped at AED 40,000 (around USD 10,890), excluding counsel’s fees.

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

The standard court fees are usually capped at AED 40,000 (around USD 10,890).

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

Not really, just the usual difficulties of locating the funds subject to the execution. Parties wishing to enforce need to be mindful of potential grounds for resisting enforcement, such as public policy defenses. These are often run but seldom accepted.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

To have the award recognized: seventy days (ten days to file and sixty days to have the recognition/ratification order issued).
10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Same as above, as the action for recognition/ratification of the foreign award is requested and ordered on an *ex parte* basis.

If the recognition order is then opposed by way of Grievance (which must be filed within thirty days of the date of the ratification order), the approximate time would be three to five months for the Grievance to be ruled on. Enforcement begins after the recognition/ratification order is upheld at the Grievance stage.

A Cassation Appeal can also be filed within sixty (60) days thereafter. The duration of these proceedings is usually between three to six months and enforcement can be suspended depending on the Cassation Court’s order. It can also be canceled if the recognition order from the lower court is overturned at the Cassation stage.

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

Between AED 5,550 and AED 6,000 (between USD 1,510 and USD 1,633), excluding counsel’s fees.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

Same as above. If a Grievance is filed there would be an additional charge of AED 520 (USD 142) and if a Cassation Appeal is filed, this would cost AED 5,020 (USD 1,367), excluding counsel’s fees.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Interest granted in an Award can be deemed unrecognizable due to Sharia (public order) principles, particularly in the Courts of Emirates other than Dubai. Any other aspects of the Award contravening Sharia principles could be deemed unrecognizable.

**LIMITATION**

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Place of enforcement
15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

There is no specific prescribed period.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

There is no specific prescribed period.

**ENFORCEMENT**

17. Are fees and costs of enforcement typically recoverable?

Yes, but not attorney fees.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Yes, but rules of insolvency would need to apply (e.g. default for more than thirty (30) business days when the debtor is classified as a merchant under UAE law).
23. Can a receiver be appointed by way of enforcement?

Yes.

24. Any other method of enforcement?

No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate, compared to other jurisdictions. Unless there is a treaty of reciprocity between the UAE and the State that issued the judgment, the UAE Courts may not recognize the judgment and force the parties to litigate the matter again. The foreign judgment will be considered persuasive, but it will not be considered final and binding until the UAE Court issues its judgment on the matter.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate, compared to other jurisdictions. The UAE Arbitration Law is relatively new and thus is still being tried and test. As a result, the Courts have occasionally issued judgments that run counter to the UAE’s position that it is an arbitration-friendly jurisdiction. This has increased the complexity and time for the proper enforcement of arbitral awards.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Mohamed El Khatib
Partner, Dubai
Dispute Resolution
+971 4 423 0056
mohamed.elkhatib@bakermckenzie.com

Andrew Mackenzie
Partner, Dubai
Dispute Resolution
+971 4 423 0068
andrew.mackenzie@bakermckenzie.com
28. **What papers will be needed?**

Preliminary note: All documents submitted to the UAE Courts must include Arabic translations, by a certified and accredited entity, and attested before the UAE Ministry of Justice.

For a foreign judgment:

- Legalized and attested foreign judgment
- Relevant laws evidencing that the foreign court has reciprocal means of enforcing UAE judgments.
- Parties’ corporate documents including trade licenses, commercial registers, bylaws and Articles of Association.
- The court may also request a certificate from the foreign court that the judgment is final and binding.

For foreign arbitral awards (Article 55 of the UAE Arbitration Law):

- Original or photocopy of the award
- Copy of the Arbitration Agreement
- Copy of the minutes of deposit of the award in Court.
United Arab Emirates

Reciprocal Enforcement of Court Judgments

Jurisdictions with which United Arab Emirates has reciprocal enforcement arrangements for court judgments.

Bilateral
China
Egypt
France
Nigeria
Pakistan
Sudan
Tajikistan

Riyadh Convention 1983
Algeria
Bahrain
Djibouti
Egypt
Iraq
Jordan
Lebanon

Libya
Mauritania
Morocco
Oman
Palestine
Qatar
Saudi Arabia
Somalia
Sudan

Syria
Tunisia
Yemen

GCC Convention 1995
Bahrain
Kuwait
Oman
Qatar
Saudi Arabia

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. The above map may not cover all types of claim. Some of the arrangements depicted do not involve full reciprocity of enforcement. Reciprocal enforcement may still be possible with jurisdictions not highlighted above, depending on local and national laws. Not all dependent territories or equivalents may be shown. For Canada, India, and Australia, reciprocal arrangements may not apply to the entire territory. In some cases, judgments may only be enforceable in certain territories within a jurisdiction. Correct as at 1 September 2020.
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which United Arab Emirates has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

*The New York Convention will enter into force for Ethiopia on 22/11/2020.*

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

None.

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes. Foreign judgments are routinely recognized in the United States through statutes enacted in each state. The defenses to recognition are limited in these proceedings. This principle originated with the Supreme Court's 1895 decision in *Hilton v. Guyot*, and has since been codified in various uniform acts that have been adopted by the states in different forms.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

In general, 6-12 months.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

1-5 years, depending on the nature of appeals or subsequent proceedings.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 50,000-100,000.
United States

6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

   Over USD 100,000, depending on the nature of the opposition.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

   No. Foreign judgments are generally enforced under uniform acts, which have limited defenses. Depending on the defenses raised, this could require discovery and could extend the timetable, but the defenses to enforcement are generally difficult to establish.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

   Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

   In general, 6-12 months.

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

    1-5 years, depending on the nature of appeals or subsequent proceedings.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

    USD 50,000-100,000.

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

    Over USD 100,000, depending on the nature of the opposition.
United States

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

No. Arbitration awards are enforced under the New York Convention.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

Usually both the law of the issuing and enforcing jurisdiction. While this can vary by state, many states preclude enforcement after the earlier of the expiration of the statute of limitations of the issuing jurisdiction or a set period of time ranging from 3 to 15 years.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

The limitations period varies by state. It can range from 3 to 15 years.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Enforcement proceedings under the New York and Panama Conventions must be initiated within three years of the award.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

In the United States, fees and costs are typically not recoverable. However, they may be recoverable in certain circumstances including if there is a contractual agreement for the payment of fees or if the court deems the actions of the opposing party to be frivolous or taken in bad faith.

18. Is seizure of goods available as an enforcement method?

Yes, although the procedures for doing so vary by state.
19. Is attachment of earnings available as an enforcement method?

Yes, attachment of earnings is generally available as an enforcement method, although the procedures for doing so vary by state and some states may limit the amount or type of earnings that may be attached.

20. Is attachment of third party debts available as an enforcement method?

Yes, although the procedures for doing so vary by state.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes, although the procedures for doing so vary by state.

22. Can a judgment or award be enforced by way of insolvency proceedings?

In practice, it is relatively difficult to compel involuntary bankruptcy unless the judgment creditor is a substantial creditor as compared to others. Of note, the U.S. Bankruptcy Code allows debtors to discharge obligations as part of bankruptcy, so it is important for judgment or award creditors to assert a claim in any bankruptcy proceeding that is initiated by the debtor or a third party to avoid loss of their future ability to enforce.

23. Can a receiver be appointed by way of enforcement?

Yes, although the procedures for doing so vary by state.

24. Any other method of enforcement?

- Attachment and sale of personal and real property;
- Attachment of income, including wages;
- Discovery procedures to locate the judgment debtor’s property, including examination of the judgment debtor under oath;
- Receiverships;
- Turnover orders;
- Asset freezes
- Penalties for contempt of court orders;
- And, in limited cases, arrest of the judgment debtor
United States

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Easy

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Easy

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Nicholas Kennedy
Partner, Dallas
Dispute Resolution
+1 214 978 3081
nicholas.kennedy@bakermckenzie.com

28. What papers will be needed?

- Copy of arbitration award or judgment
- Copy of arbitration agreement (if applicable).
Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which United States has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  
Albania  
Algeria  
American Samoa  
Antigua and Barbuda  
Angola  
Argentina  
Aruba  
Australia  
Austria  
Azerbaijan  
Bahamas  
Bahrain  
Bangladesh  
Barbados  
Belarus  
Belgium  
Benin  
Bermuda  
Bhutan  
Bolivia  
Bonaire  
Bosnia & Herzegovina  
Botswana  
Brazil  
British Virgin Islands  
Brunei  
Bulgaria  
Burkina Faso  
Burundi  
Cambodia  
Cameroon  
Cayman Islands  
Central African Republic  
Chile  
China  
Christmas Island  
Cocos (Keeling) Islands  
Colombia  
Comoros  
Cook Islands  
Costa Rica  
Côte d’Ivoire  
Croatia  
Cuba  
Curacao  
Cyprus  
Czech Republic  
Denmark  
Djibouti  
Dominica  
Dominican Republic  
Democratic Republic of Congo  
Ecuador  
Egypt  
El Salvador  
England and Wales  
Estonia*  
Ethiopia*  
Faroe Islands  
Fiji  
Finland  
France  
Gabon  
Georgia  
Germany  
Ghana  
Gibraltar  
Greece  
Greenland  
Guam  
Guatemala  
Guernsey  
Guinea  
Guyana  
Haiti  
Holy See  
Honduras  
Hong Kong  
Hungary  
Iceland  
India  
Indonesia  
Iran  
Ireland  
Isle of Man  
Israel  
Italy  
Jamaica  
Japan  
Jersey  
Jordan  
Kazakhstan  
Kenya  
Kuwait  
Kyrgyzstan  
Laos  
Latvia  
Lebanon  
Lesotho  
Liberia  
Liechtenstein  
Lithuania  
Luxembourg  
Macau  
Macedonia  
Madagascar  
Malaysia  
Maldives  
Mali  
Malta  
Marshall Islands  
Mauritania  
Mauritius  
Mexico  
Moldova  
Monaco  
Mongolia  
Montenegro  
Morocco  
Mozambique  
Myanmar  
Nepal  
Netherlands  
New Zealand  
Nicaragua  
Niger  
Nigeria  
Norfolk Island  
Northern Ireland  
Norway  
Oman  
Pakistan  
Palau  
Palestine  
Panama  
Papua New Guinea  
Paraguay  
Peru  
Philippines  
Poland  
Portugal  
Puerto Rico  
Qatar  
Romania  
Russia  
Rwanda  
Saint Vincent and the Grenadines  
San Marino  
Sao Tome and Principe  
Saudi Arabia  
Scotland  
Senegal  
Serbia  
Seychelles  
Singapore  
Sint Eustatius  
Sint Maarten  
Somalia  
South Africa  
South Korea  
Spain  
Sri Lanka  
Sweden  
Switzerland  
Syria  
Tajikistan  
Tanzania  
Thailand  
Trinidad and Tobago  
Tonga  
Tunisia  
Turkey  
Uganda  
United Arab Emirates  
Ukraine  
United Kingdom  
Uruguay  
US Virgin Islands  
Uzbekistan  
Venezuela  
Vietnam  
Zambia  
Zimbabwe

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

Important Note: This is a simplified guide. The map above refers to jurisdictions rather than States. Some borders are disputed and the above map should not be considered an endorsement of any particular territorial claim. Not all dependent territories or equivalents may be shown. Some jurisdictions apply the New York Convention only to certain types of claim. Correct as at 1 September 2020.
1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   Armenia, Azerbaijan, Belarus, Georgia, Kazakhstan, Kyrgyzstan, Moldova, Russia, Tajikistan, Turkmenistan, Ukraine, Uzbekistan

   **Hague Judgments Convention:***
   Uruguay

   *Not yet in force

   **Bilateral:**
   Azerbaijan, Bulgaria, China, Czech Republic, Georgia, India, Kazakhstan, Kyrgyzstan, Latvia, Lithuania, Russia, Turkey, Turkmenistan, Ukraine

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   No.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   Around 2-3 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).
4. What is the approximate time required to register and enforce a foreign judgment if opposed?

Around 4-5 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

USD 5,000 - 8,000 (including relevant legal fees and other disbursements)

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

USD 10,000 - 25,000 (including relevant legal fees and other disbursements)

7. Are there any unusual difficulties in enforcing a foreign judgment?

Local courts still may be influenced by local state authorities or tycoons or corrupted. Therefore, recognition and enforcement of a foreign judgment against state companies or local oligarchs may be unreasonably rejected by local courts.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

Around 2-3 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

Around 4-5 months (subject to suspension of the proceedings due to procedural reasons like notification of foreign parties, involvement of experts, etc.).
11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

USD 5,000 - 8,000 (including relevant legal fees and other disbursements)

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

USD 10,000 - 25,000 (including relevant legal fees and other disbursements)

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Local courts still may be influenced by local state authorities or tycoons or corrupted. Therefore, recognition and enforcement of a foreign arbitration award against state companies or local oligarchs may be unreasonably rejected by local courts.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

3 years from the date when the foreign judgment came into effect.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

3 year from the date when the foreign award came into effect.
Uzbekistan

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?
   Yes

18. Is seizure of goods available as an enforcement method?
   Yes

19. Is attachment of earnings available as an enforcement method?
   Yes

20. Is attachment of third party debts available as an enforcement method?
   Yes

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   Yes

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes

23. Can a receiver be appointed by way of enforcement?
   Yes

24. Any other method of enforcement?
   N/A
Uzbekistan

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Usually, it is easy (subject to potential political issues and corruption influence over local courts).

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Usually, it is easy (subject to potential political issues and corruption influence over local courts).

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Alexander Korobeinikov  
Partner, Almaty  
Dispute Resolution  
+7 727 3300500  
alexander.korobeinikov@bakermckenzie.com

Saidaziz Alimov  
Associate, Almaty  
Mergers & Acquisitions  
+7 727 3 300 500  
saidaziz.alimov@bakermckenzie.com

28. What papers will be needed?

A copy of the judgement/award which needs to be recognized and enforced and the power of attorney for representing in the court proceedings.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Uzbekistan has reciprocal enforcement arrangements for court judgments.

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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Uzbekistan has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

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Venezuela

JUDGMENTS

1. **With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?**

   **Bolivian Accord 1911:**
   Ecuador, Bolivia, Peru, Colombia, Venezuela

   **Montevideo Convention 1979:**
   Argentina, Bolivia, Brazil, Colombia, Ecuador, Mexico, Paraguay, Peru, Uruguay, Venezuela.

2. **If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?**

   Yes, enforcement of foreign judgments requires a prior declaratory judgment (exequatur) from the Supreme Court following the procedure established by law in which compliance with specific requirements is examined. Once exequatur is granted, a petition for enforcement can then be filed with an enforcement court.

3. **What is the approximate time required to register and enforce a foreign judgment if unopposed?**

   Not less than two years.

4. **What is the approximate time required to register and enforce a foreign judgment if opposed?**

   It is difficult to anticipate, but several years will pass until enforcement is completed.
Venezuela

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

Not less than USD 70,000.

6. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?

Not less than USD 150,000.

7. Are there any unusual difficulties in enforcing a foreign judgment?

Generally, the enforcement of a foreign judgment is a very complicated process, that requires first a declaratory judgment from the Supreme Court, and then an enforcement action before an enforcement court. That is to say, two separate proceedings are necessary for the enforcement of a foreign judgment. During the proceedings, the defendant can file several defenses that would slow down the proceedings and put an enormous burden on the plaintiff.

However, it is possible to request and be granted precautionary measures (seizures, attachments, etc) to secure foreclosure on the defendant’s assets in Venezuela while the recognition and enforcement proceedings are pending.

ARBITRATION AWARDS

8. Is this jurisdiction a party to the New York Convention?

Yes, with two declarations (reciprocity and commerciality) pursuant to Article I.3 of the Convention.

9. What is the approximate time required to register and enforce a foreign arbitration award if unopposed?

About a year.

10. What is the approximate time required to register and enforce a foreign arbitration award if opposed?

This can be a very cumbersome proceeding that could last for years.
Venezuela

11. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?

No less than USD 50,000.

12. What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?

No less than USD 200,000.

13. Are there any unusual difficulties in enforcing a foreign arbitration award?

Venezuelan courts do not have much experience in handling the enforcement of foreign arbitration award, thus it would be difficult to predict how contested it could be until final foreclosure of assets is completed.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?

In a petition for enforcement decided by the Supreme Court on February 5, 1970, the judgment debtor alleged, as a defense for denying exequatur of a Florida judgment, that the cause of action to recover attorneys' fees was barred under the Venezuelan statute of limitations (2 years). The Supreme Court disregarded the defense. In this opinion, the Supreme Court held that the right to recover attorneys' fees derives from the action to enforce the judgment and not from the underlying cause of action. An action to enforce a foreign judgment is subject to the applicable Venezuelan statute of limitations.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Twenty-years from the moment in which the judgment has res judicata effect.
Venezuela

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?

Twenty-years from the moment in which the award has res judicata effect.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?

Yes, but subject to an express request for fees and costs filed by the plaintiff, and provided that the plaintiff is successful in defeating all of the defendant’s defenses.

18. Is seizure of goods available as an enforcement method?

Yes.

19. Is attachment of earnings available as an enforcement method?

Yes.

20. Is attachment of third party debts available as an enforcement method?

Yes, but not commonly seen in practice.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?

Yes.

22. Can a judgment or award be enforced by way of insolvency proceedings?

Difficult to predict. It would be a case of first impression.

23. Can a receiver be appointed by way of enforcement?

Difficult to predict. It would be a case of first impression.
Venezuela

24. Any other method of enforcement?

No.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?

Moderate to difficult.

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?

Moderate to difficult.

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Eugenio Hernández-Bretón
Partner, Caracas
Practice Group
+58 212 276 5085
eugenio.hernandez-breton@bakermckenzie.com

28. What papers will be needed?

In the case of a judgment:

- Certified and legalized/apostilled copy of the judgment.
- Official translation of the judgment by a Venezuelan certified translator, if the judgment was rendered in a language other than Spanish.
- Evidence that the judgment is final and enforceable (res judicata).
Venezuela

- Evidence that the defendant was duly summoned and had sufficient time to present his/her case before the foreign court.

In the case of an arbitration award:

- Copy of the award certified by the arbitral tribunal.
- Official translation of the award by a Venezuelan certified translator, if the award was rendered in a language other than Spanish.
Venezuela

Reciprocal Enforcement of Court Judgments

Jurisdictions with which Venezuela has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Bolivian Accord 1911</th>
<th>Montevideo Convention 1979</th>
<th>Ecuador</th>
</tr>
</thead>
<tbody>
<tr>
<td>Ecuador</td>
<td>Argentina</td>
<td>Mexico</td>
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<tr>
<td>Bolivia</td>
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<td>Venezuela</td>
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Reciprocal Enforcement of Arbitration Awards

Jurisdictions with which Venezuela has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

Afghanistan  Botswana  Cyprus  Guam
Albania  Brazil  Czech Republic  Guatemala
American Samoa  British Virgin Islands  Djibouti  Guernsey
Antigua and Barbuda  Cameroon  Dominican Republic  Guinea
Argentina  Cabo Verde  Democratic Republic of Congo  Guyana
Armenia  Cameroon  Ecuador  Haiti
Aruba  Cayman Islands  Egypt  Holy See
Australia  Central African Republic  El Salvador  Honduras
Austria  Chad  England and Wales  Hungary
Azerbaijan  China  Estonia  Indonesia
Bahamas  Christmas Island  Ethiopia*  Iran
Bahrain  Cocos (Keeling) Islands  Fiji  Iraq
Bangladesh  Christmas Island  Faroe Islands  Israel
Barbados  Colombia  France  Ireland
Belarus  Comoros  Gabon  Isle of Man
Benin  Cook Islands  Georgia  Italy
Bhutan  Costa Rica  Ghana  Japan
Bolivia  Côte d’Ivoire  Gibraltar  Jordan
Bosnia & Herzegovina  Cuba  Greece  Kazakhstan
Brazil  Cyprus  Guatemala  Kenya
British Virgin Islands  Czech Republic  Guernsey  Kuwait
Bulgaria  Democratic Republic of Congo  Guyana  Kyrgyzstan
Burkina Faso  Eritrea  Haiti  Laos
Burundi  Estonia  Holy See  Latvia
Cabo Verde  Ethiopia*  Hong Kong  Lebanon
Cameroon  Fiji  Hungary  Lesotho
Cape Verde  Finland  Indonesia  Liberia
Cayman Islands  England and Wales  Ireland  Liechtenstein
Central African Republic  Falkland Islands  Iran  Lithuania
Chad  Faroe Islands  Iraq  Luxembourg
Chile  Côte d’Ivoire  Ireland  Macau
China  Cymru  Israel  Macedonia
Christmas Island  England  Italy  Madagascar
Cocos (Keeling) Islands  Fiji  Jamaica  Maldives
Colombia  French Guiana  Japan  Mali
Comoros  Gabon  Jordan  Malta
Conor Islands  Georgia  Kazakhstan  Marshall Islands
Cook Islands  Germany  Kenya  Mauritius
Costa Rica  Ghana  Kuwait  Mauritius
Côte d’Ivoire  Gibraltar  Kyrgyzstan  Mexico
Croatia  Greece  Laos  Micronesia
Cuba  Greenland  Lebanon  Niger
Curacao  Guernsey  Libya  Nigeria

*The New York Convention will enter into force for Ethiopia on 22/11/2020.

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JUDGMENTS

1. With which jurisdictions does this jurisdiction have reciprocal arrangements for enforcement of judgments?

Algeria, Belarus, Bulgaria, Cuba, France, Hungary, Kazakhstan, Laos, North Korea, Poland, Russia, Ukraine, Cambodia, China, Czech Republic & Slovakia Republic, Mongolia, Taiwan

2. If there is no reciprocal arrangement, is it still possible to enforce a foreign judgment by means of a writ on the judgment, declaration of enforceability or similar mechanism?

Yes.

3. What is the approximate time required to register and enforce a foreign judgment if unopposed?

7 months or more.

4. What is the approximate time required to register and enforce a foreign judgment if opposed?

12 months or more.

5. What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if unopposed?

A rough estimate of cost would be USD20,000 excluding 10% mandatory VAT, actual travel expenses and translation costs, if incurred.
6. **What is the approximate cost of registering and enforcing a foreign judgment (including court fees and other disbursements) if opposed?**

A rough estimate of cost would be USD50,000 excluding 10% mandatory VAT, actual travel expenses and translation costs, if incurred are exc.

7. **Are there any unusual difficulties in enforcing a foreign judgment?**

Foreign judgments are rarely enforced in Vietnam, except for those based on treaties.

**ARBITRATION AWARDS**

8. **Is this jurisdiction a party to the New York Convention?**

Yes.

9. **What is the approximate time required to register and enforce a foreign arbitration award if unopposed?**

6 - 8 months

10. **What is the approximate time required to register and enforce a foreign arbitration award if opposed?**

12 months or more.

11. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if unopposed?**

A rough estimate of cost would be USD10,000 - 20,000 excluding 10% mandatory VAT, actual travel expenses and translation costs, if incurred.

12. **What is the approximate cost of registering and enforcing a foreign arbitration award (including court fees and other disbursements) if opposed?**

A rough estimate of cost would be USD35,000 - 50,000 excluding 10% mandatory VAT, actual travel expenses and translation costs, if incurred.
Vietnam

13. Are there any unusual difficulties in enforcing a foreign arbitration award?
   No.

LIMITATION

14. Which law governs the limitation period for registering a foreign judgment or arbitration award?
   The law of the place of enforcement.

15. If the limitation period for registering a foreign judgment is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?
   3 years from the date on which the foreign judgment takes legal effect.

16. If the limitation period for registering a foreign arbitration award is governed by the law of the place of enforcement, what is that limitation period in your jurisdiction?
   3 years from the date on which the foreign arbitration award takes legal effect.

ENFORCEMENT

17. Are fees and costs of enforcement typically recoverable?
   No.

18. Is seizure of goods available as an enforcement method?
   Yes.

19. Is attachment of earnings available as an enforcement method?
   No.
20. Is attachment of third party debts available as an enforcement method?
   Yes.

21. Are charging orders or orders for sale of land, goods etc available as an enforcement method?
   No.

22. Can a judgment or award be enforced by way of insolvency proceedings?
   Yes.

23. Can a receiver be appointed by way of enforcement?
   Yes.

24. Any other method of enforcement?
   Freezing the bank accounts and/or Suspending the registration of, transfer of or change in the current state of assets.

RATING

25. Overall, is enforcement of foreign judgments in this jurisdiction easy, moderate or difficult?
   Difficult

26. Overall, is enforcement of foreign arbitration awards in this jurisdiction easy, moderate or difficult?
   Moderate
Vietnam

CONTACTS

27. Who can be contacted to enforce a judgment or arbitration award in this jurisdiction?

Tri Minh Quach  
Partner, Hanoi  
IPTech  
+84 24 3936 9605  
minhtri.quach@bmvn.com.vn

Hoai Quy Nguyen  
Associate, Ho Chi Minh City  
Dispute Resolution  
+84 28 3520 2685  
quyhoai.nguyen@bmvn.com.vn

28. What papers will be needed?

The effective judgment or arbitral award, the relevant agreements involving the dispute resolution clause, a brief of the matter, and the certificate of incorporation of the client.
Reciprocal Enforcement of Court Judgments

Jurisdictions with which Vietnam has reciprocal enforcement arrangements for court judgments.

<table>
<thead>
<tr>
<th>Bilateral</th>
<th>Kazakhstan</th>
<th>Laos</th>
<th>Mongolia</th>
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Reciprocal Enforcement of Arbitration Awards

Juridictions with which Vietnam has reciprocal enforcement arrangements for arbitral awards (via the New York Convention).

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*The New York Convention will enter into force for Ethiopia on 22/11/2020.*
Baker McKenzie Offices

Argentina – Buenos Aires
Cecilia Grierson 255, 6th Floor
Buenos Aires C1107CPE
Argentina
Tel: +54 11 4310 2200
Fax: +54 11 4310 2299

Australia – Brisbane
Level 8
175 Eagle Street
Brisbane QLD 4000
Australia
Tel: +61 7 3069 6200
Fax: +61 7 3069 6201

Australia – Melbourne
Level 19
181 William Street
Melbourne VIC 3000
Australia
Tel: +613 9617 4200
Fax: +613 9614 2103

Australia – Sydney
Tower One - International Towers Sydney
Level 46, 100 Barangaroo Avenue
Sydney NSW 2000
Australia
Tel: +612 9225 0200
Fax: +612 9225 1595

Austria – Vienna
Schottenring 25
1010 Vienna
Austria
Tel: +43 1 24 250
Fax: +43 1 24 250 600

Bahrain – Bahrain
18th Floor
West Tower
Bahrain Financial Harbour
P.O. Box 11981
Manama
Kingdom of Bahrain

Belgium – Antwerp
Meir 24
2000 Antwerp, Belgium
VAT BE 0426.100.511 RPR Brussels
Tel: +32 3 213 40 40
Fax: +32 3 213 40 45

Belgium – Brussels
Louizalaan 149 Avenue Louise
Eleventh Floor
1050 Brussels, Belgium
VAT BE 0426.100.511 RPR Brussels
Tel: +32 2 639 36 11
Fax: +32 2 639 36 99

Brazil – Brasilia
SAF/S Quadra 02,
Lote 04, Sala 203
Ed. Comercial Via Esplanada
Brasilia
DF - 70070-600
Tel.: (55-61) 2102-5000
Fax.: (55-61) 3323-3312

Brazil – Porto Alegre
Av. Borges de Medeiros,
2233 - 4º andar - 90110-150
Porto Alegre - RS
Tel.: (55-51) 3220-0900
Fax: (55-51) 3220-0901

Brazil – Rio de Janeiro
Av. Rio Branco,
1 - 19º andar
Ed. RBI
Setor B - 20090-003
Rio de Janeiro - RJ
Tel.: (55-21) 2206-4900
Fax: (55-21) 2206-4949

Brazil – São Paulo
Rua Arq. Olavo Redig de Campos,
105 – 31º andar - Ed. EZ Towers
Torre A
04711-904
São Paulo - SP
Tel.: (55-11) 3048-6800
Fax: (55-11) 5506-3455
Canada – Toronto
181 Bay Street, Suite 2100
Toronto, Ontario M5J 2T3
Canada
Tel: +1 416 863 1221
Fax: +1 416 863 6275

Chile – Santiago
Avenida Andrés Bello 2457, Piso 19
Providencia, CL 7510689
Santiago
Chile
Tel: +56 2 2367 7000

China – Beijing
Suite 3401, China World Office 2,
China World Trade Centre,
1 Jianguomenwai Dajie,
Beijing 100004
Tel: +86 10 6535 3800
Fax: +86 10 6505 2309

China – Hong Kong
14th Floor, One Taikoo Place,
979 King’s Road, Quarry Bay,
Hong Kong SAR
Tel: +852 2846 1888
Fax: +852 2845 0476

China – Shanghai
Unit 1601, Jin Mao Tower,
88 Century Avenue, Pudong,
Shanghai 200121
Tel: +86 21 6105 8558
Fax: +86 21 5047 0020

Colombia – Bogota
Avenue 82 No. 10–62 6th Floor
Bogota
Colombia
Tel: +57 1 634 1500 / 644 9595
Fax: +57 1 376 2211

Czech Republic – Prague
Praha City Center,
Klimentská 46
Prague 110 02
Czech Republic
Tel: +420 236 045 001
Fax: +420 236 045 055

Egypt – Cairo
Nile City Building, North Tower
21st Floor 2005C, Cornich El Nil
Ramlet Beaulac
Cairo
Egypt
Tel: +20 2 2461 5520
Fax: +20 2 2461 9302

France – Paris
1 rue Paul Baudry
75008 Paris
France
Tel: +33 1 4417 5300
Fax: +33 1 4417 4575

Germany – Berlin
Friedrichstraße 88/Unter den Linden
10117 Berlin
Germany
Tel: +49 30 2 20 02 81 0
Fax: +49 30 2 20 02 81199

Germany – Dusseldorf
Neuer Zollhof 2
40221 Dusseldorf
Germany
Tel: +49 211 3 11 16 0
Fax: +49 211 3 11 16 199

Germany – Frankfurt
Bethmannstrasse 50–54
60311 Frankfurt/Main
Germany
Tel: +49 69 2 99 08 0
Fax: +49 69 2 99 08 108

Germany – Munich
Theatinerstrasse 23
80333 Munich
Germany
Tel: +49 89 5 52 38 0
Fax: +49 89 5 52 38 199

Hungary – Budapest
Dorottya utca 6.
1051 Budapest
Hungary
Tel: +36 1 302 3330
Fax: +36 1 302 3331
Indonesia – Jakarta
HHP Law Firm
Pacific Century Place, Level 35
Sudirman Central Business District Lot 10
Jl. Jendral Sudirman Kav 52-53
Jakarta 12190
Indonesia
Tel: +62 21 2960 8888
Fax: +62 21 2960 8999

Italy – Milan
Piazza Meda, 3
Milan 20121
Tel: +39 02 76231 1
Fax: +39 02 7623 1620

Italy – Rome
Viale di Villa Massimo, 57
Rome 00161
Tel: +39 06 44 06 31
Fax: +39 06 4406 3306

Japan – Tokyo
Ark Hills Sengoku yama Mori Tower, 28th Floor
1-9-10, Roppongi, Minato-ku
Tokyo 106-0032
Japan
Tel: +81 3 6271 9900
Fax: +81 3 5549 7720

Kazakhstan – Almaty
Samal Towers, 8th Floor
97, Zhholdsbekov Street
Almaty Samal-2, 050051
Kazakhstan
Tel: +7 727 330 05 00
Fax: +7 727 258 40 00

Luxembourg – Luxembourg
10 - 12 Boulevard Roosevelt
Luxembourg 2450
Luxembourg
Tel: +352 26 18 44 1
Fax: +352 26 18 44 99

Malaysia – Kuala Lumpur
Wong & Partners, Level 21, The Gardens South Tower
Mid Valley City
Lingkaran Syed Putra
Kuala Lumpur 59200
Malaysia
Tel: + 603 2798 7888
Fax: + 603 2282 2669

Mexico – Guadalajara
Av. Paseo Royal Country 4596
Torre Cube 2, 16th Floor
Fracc. Puerta de Hierro
Zapopan, Jalisco 45116
Mexico
Tel: +52 33 3848 5300
Fax: +52 33 3848 5399

Mexico – Juárez
P.O. Box 9338 El Paso, TX 79995
P.T. de la República 3304, 1st floor
Juárez, Chihuahua 32330
Mexico
Tel: +52 656 629 1300
Fax: +52 656 629 1399

Mexico – Mexico City
Edificio Virreyes
Pedregal 24, 12th floor
Lomas Virreyes / Col. Molino del Rey
México City, 11040
Mexico
Tel: +52 55 5279 2900
Fax: +52 55 5279 2999

Mexico – Monterrey
Oficinas en el Parque
Torre Baker McKenzie, 10th floor
Blvd. Antonio L. Rodríguez 1884 Pte.
Monterrey, N.L. 64650
Mexico
Tel: +52 81 8399 1300
Fax: +52 81 8399 1399
Mexico – Tijuana
P.O. Box 1205 Chula Vista, CA 91912
Blvd. Agua Caliente 10611, 1st floor
Tijuana, B.C. 22420
Mexico
Tel: +52 664 633 4300
Fax: +52 664 633 4399

Morocco – Casablanca
Ghandi Mall - Immeuble 9
Boulevard Ghandi
20380 Casablanca
Morocco
Tel: +212 522 77 95 95
Fax: +212 522 77 95 96

Myanmar – Yangon
Level 18, Unit 18-03
Sule Square
221 Sule Pagoda Road,
Kyauktada Township
Yangon
Myanmar
Tel: +95 1 925 5095

Netherlands – Amsterdam
Claude Debussylaan 54
1082 MD Amsterdam
P.O. Box 2720
1000 CS
Amsterdam
The Netherlands
Tel: +31 20 551 7555
Fax: +31 20 626 7949

Peru – Lima
Av. De la Floresta 497
Piso S San Borja
Lima 41
Peru
Tel: +511 618 8500
Fax: +511 372 7771/ 372 7374

Philippines – Manila
Quisumbing Torres,
12th Floor, Net One Center
26th Street Corner 3rd Avenue
Crescent Park West
Bonifacio Global City
Taguig City 1634
Philippines
Tel: +63 2 819 4700
Fax: +63 2 816 0080; 728 7777

Poland – Warsaw
Rondo ONZ 1
Warsaw 00-124
Poland
Tel: +48 22 445 3100
Fax: +48 22 445 3200

Qatar – Doha
Al Fardan Office Tower, 8th Floor
Al Funduq Street
West Bay
P.O. Box 31316
Doha, Qatar
Tel: +974 4410 1817
Fax: +974 4410 1500

Russia – Moscow
White Gardens
9 Lesnaya Street
Moscow 125196
Russia
Tel: +7 495 787 2700
Fax: +7 495 787 2701

Russia – St. Petersburg
Bolloev Center, 2nd Floor
4A Grivtsova Lane
St. Petersburg 190000
Russia
Tel: +7 812 303 9000
Fax: +7 812 325 6013
Saudi Arabia – Jeddah
Abdulaziz I. Al-Ajlan & Partners,
Bin Sulaiman Center, 6th Floor, Office No. 606,
Al-Khalidiyah District, P.O. Box 128224
Prince Sultan Street and Rawdah Street
Intersection
Jeddah 21362
Saudi Arabia
Tel: +966 12 606 6200
Fax: +966 12 692 8001

Saudi Arabia – Riyadh
Abdulaziz I. Al-Ajlan & Partners,
Olayan Complex
Tower II, 3rd Floor
Al Ahsa Street, Malaz
P.O. Box 69103
Riyadh 11547
Saudi Arabia
Tel: +966 11 1265 8900
Fax: +966 11 1265 8999

Singapore – Singapore
8 Marina Boulevard
#05-01 Marina Bay Financial Centre Tower 1
Singapore 018981
Singapore
Tel: +65 6338 1888
Fax: +65 6337 5100

South Africa – Johannesburg
1 Commerce Square
39 Rivonia Road
Sandhurst
Sandton
Johannesburg
South Africa
Tel: +27 11 911 4300
Fax: +27 11 784 2855

South Korea – Seoul
17/F, Two IFC
10 Gukjegeumyung-ro
Yeongdeungpo-gu
Seoul 150-945
Korea
Tel: +82 2 6137 6800
Fax: +82 2 6137 9433

Spain – Barcelona
Avda. Diagonal, 652
Edif. D, 8th Floor
Barcelona 08034
Spain
Tel: +34 93 206 0820
Fax: +34 93 205 4959

Spain – Madrid
Edificio Beatriz
C/ José Ortega y Gasset, 29
Madrid 28006
Spain
Tel: +34 91 230 4500
Fax: +34 91 391 1549

Sweden – Stockholm
Vasagatan 7, Floor 8
P.O. Box 180
Stockholm SE-101 23
Sweden
Tel: +46 8 566 177 00
Fax: +46 8 566 177 99

Switzerland – Geneva
Rue Pedro-Meylan 5
Geneva 1208
Switzerland
Tel: +41 22 707 9800
Fax: +41 22 707 9801

Switzerland – Zurich
Holbeinstrasse 30
Zurich 8034
Switzerland
Tel: +41 44 384 14 14
Fax: +41 44 384 12 84

Taiwan – Taipei
15F, 168 Dunhua North Road
Taipei 10548
Taiwan
Tel: +886 2 2712 6151
Fax: +886 2 2712 8292
Thailand — Bangkok
25th Floor, Abdulrahim Place
990 Rama IV Road
Bangkok 10500
Thailand
Tel: +66 2666 2824
Fax: +66 2666 2924

Turkey — Istanbul
Ebulula Mardin Cad., Gül Sok. No. 2
Maya Park Tower 2, Akatlar-Beşiktaş
Istanbul 34335
Turkey
Tel: + 90 212 339 8100
Fax: + 90 212 339 8181

Ukraine — Kyiv
Renaissance Business Center
24 Bulvarno-Kudriavska (Vorovskoho) Street
Kyiv 01601
Ukraine
Tel: +380 44 590 0101
Fax: +380 44 590 0110

United Arab Emirates — Abu Dhabi
Level 8, Al Sila Tower
Abu Dhabi Global Market Square
Al Maryah Island, P.O. Box 44980
Abu Dhabi
United Arab Emirates
Tel: +971 2 696 1200
Fax: +971 2 676 6477

United Arab Emirates — Dubai
Level 14, O14 Tower
Al Abraj Street
Business Bay, P.O. Box 2268
Dubai
United Arab Emirates
Tel: +971 4 423 0000
Fax: +971 4 447 9777

United Arab Emirates — Dubai - DIFC
Level 3, Tower 1
Al Fattan Currency House
DIFC, P.O. Box 2268
Dubai
United Arab Emirates
Tel: +971 4 423 0005
Fax: +971 4 447 9777

United Kingdom — London
100 New Bridge Street
London EC4V 6JA
United Kingdom
Tel: +44 20 7919 1000
Fax: +44 20 7919 1999

United Kingdom — Belfast Center
City Quays One
7 Clarendon Road
Belfast BT1 3BG
United Kingdom
Tel: +44 28 9555 5000

United States — Chicago
300 East Randolph Street, Suite 5000
Chicago, Illinois 60601
United States
Tel: +1 312 861 8000
Fax: +1 312 861 2899

United States — Dallas
1900 North Pearl Street, Suite 1500
Dallas, Texas 75201
United States
Tel: +1 214 978 3000
Fax: +1 214 978 3099

United States — Houston
700 Louisiana, Suite 3000
Houston, Texas 77002
United States
Tel: +1 713 427 5000
Fax: +1 713 427 5099

United States — Los Angeles
1901 Avenue of the Stars, Suite 950
Los Angeles, California 90067
United States
Tel: +1 310 201 4728
Fax: +1 310 201 4721

United States — Miami
1111 Brickell Avenue, Suite 1700
Miami, Florida 33131
United States
Tel: +1 305 789 8900
Fax: +1 305 789 8953
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