

Title:

Recognition and enforcement: EU decisions vs. non-EU decisions. Mentions to peculiar approaches.

ABSTRACT:

This paper opens with a brief introduction on the recognition of EU-decisions under the EU Recast Regulation no. 1215/2012 (“**the Recast Regulation**”) and their enforcement in Italy. In this scenario, a mention to the never-ending quarrel concerning the non-enforcement of arbitral awards and pragmatic approach to overcome the issue.

The analysis then focuses the recognition of the non-EU decisions under a different domestic regulatory framework, namely the Italian Statute on Private International Law no. 218 dated 31st May 1995 (“**Law no. 218/95**”). In this scenario, it is worth mentioning two peculiar and different topics: (i) the recognition of extra-EU insolvency procedures and relevant stay order (Hanjin Shipping Co. Ltd case); (ii) the ground-breaking decision rendered by the Joint Sections of Italian Supreme Court on 5th July 2017 which enforced three US decisions relevant to punitive damages based on the concept of “international public order”.