

## **Abstract**

This thesis deals with the topic „ Recognition and enforcement of foreign judgements in the European Union (International civil procedure law in the European Union – selected issues). Aim of my thesis is to provide systematic overview of legal rules directly applicable on recognition and enforcement of foreign judgements.

The text is divided into eight main chapters, introduction and conclusion. The introduction of the thesis describes purpose of the text that is to compare particular regulations governing these questions and also defines basic terminology important for this topic. Following chapters focus on relevant regulations and have uniform structure. Opening of each chapter explains elementary characteristics of applicable regulation, reception of this regulation and its main goal. Next subchapters contain demarcation of the material competence of regulation, after that follows procedure of recognition and enforcement of foreign judgements. The chapter ends with relations to other instruments.

Chapter Two concentrates on the recognition and enforcement of foreign judgements pursuant to Brussels I Regulation (Council Regulation (EC) No 44/2001 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters) which is the first legal instrument in this area and some kind of model for other instruments. Third chapter analyses the recognition and enforcement of foreign judgements under Brussels IIa Regulation (Council Regulation (EC) No 2201/2003 concerning jurisdiction and the recognition and enforcement of judgments in matrimonial matters and the matters of parental responsibility, repealing Regulation (EC) No 1347/2000). Distinguishing for the recognition and enforcement under these two regulations is a necessity to issue a declaration of enforceability. Chapter Four contains latest passed Council Regulation (EC) No 4/2009 on jurisdiction, applicable law, recognition and enforcement of decisions and cooperation in matters relating to maintenance obligations.

Following Chapter Five concerns with the European Enforcement Order for uncontested claims (Regulation (EC) No 805/2004 of the European Parliament and of the Council creating a European Enforcement Order for uncontested claims). Chapters Six and

Seven describe two new types of proceeding (European Payments Procedure and European Small Claims Procedure). Titles issued in these proceedings are enforceable without issuing a declaration of enforceability (Regulation (EC) No 1896/2006 of the European Parliament and of the Council creating a European order for payment procedure and Regulation (EC) No 861/2007 of the European Parliament and of the Council establishing a European Small Claims Procedure). Chapter Eight briefly explains process of the recognition and enforcement of foreign judgements pursuant to national laws. The last Chapter Nine attempts to summarize the recognition and enforcement of foreign judgements in matters of succession under prepared proposal of new regulation (Proposal for a Regulation of the European Parliament and of the Council on jurisdiction, applicable law, recognition and enforcement of decisions and authentic instruments in matters of succession and the creation of a European Certificate of Succession).

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