

## **Abstract**

This study aimed to focus on the subject of "executing the foreign judging decisions in Palestine", through the legislations in connection, which are Palestinian judging law number (3) year (2000) and its executive list number (39) year (2004), Palestinian executive law number (23) year (2005) and international agreements specially Alreyadh agreement year (1983), New York agreement year (1958), referring to some articles in Washington agreement year (1965) and the national legislations still working in Egypt and Jordan, supporting by the comparing analysis between national and international legislations .

This study was divided into three main articles, the first article was about what is the foreign judging decision and its legal nature, second article was about the methods and conditions for executing the foreign judging decision, and the third article was about the procedure for executing the foreign judging decision and when its forbidden

Through the first article this study worked to reach to a clear identification for the foreign judging decision by means of legislation, law, and education to reach to clear the legal nature of this decision. dealing with its standards which are: geographic standard and the legal standard, focusing on the geographic standard which is the main standard to make it foreign, it's the only standard that was adopted by the Palestinian judging law to extinguish the foreign judging decision from other judging decisions, furthermore that it was adopted by Alreyadh and New York agreements .

Second article deal with the foreign judging decision executing methods which are : the method of raising a new case, and the order to execute method which is common adopted by the Palestinian judging law and Palestinian executive law. the study also deal with the direct execution which was adopted by Washington agreement, but this method is not common in the practical reality . Before the order to execute a foreign judging decision there are some non formal conditions which must be found in the foreign judging decision limited by the law where the

foreign decision was published according to, this was approved by the Palestinian judging law and its executive list.

The executive law and the executive list of the judging law put some formal conditions to execute the foreign judging decision, but the state of the mentioned legislations on this conditions made a lot of problems and question marks, the most important was that there is no legal value in facing a judging law which adopt the cases for not executing the foreign judging decision. The study compared between the attitude of Alreyadh and New York agreements and both the judging law and its executive list from the formal conditions and the forbidden cases, the study reached that the adoption of the judging law to the forbidden cases was fulfilling with Alreyadh and New York agreements which adopted the forbidden cases as an alternative to the formal conditions.

The third article focused on the procedure for executing the foreign judging decisions, which is under the executing laws in the country that we need to execute the decision in, and this was confirmed by Alreyadh and New York agreements, the Palestinian judging law and its executive list put an executive roles to execute the foreign judging decision which was cleared by the study clearing the most important problems, obstacles and how to avoid them.

The study concluded some results and recommendations which are the matter of executing the foreign judging decision in one law, which is the judging law as a private law, further to know that its recognition for this matter came to fulfill the Reyadh and New York agreements, and cancelling the private judgments for executing the foreign judging decisions which stated by the execution law, and the rest of the recommendations which concluded by this study in the middle and the end .