

International Insolvency Law

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National Laws and International Texts

 Springer

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To my parents' memory

Preface

During the last decades, international insolvencies have often been the focus of courts and scholars, obviously because of their multiplication. Books and articles have been written, trying to explain issues or/and offer solutions.

The way I chose to present some of the issues that might arise in an insolvency case that has repercussions in more than one country is a “personal” approach, solidified by many years of reading, writing and teaching international insolvency law.

Obviously, this book has no ambition to present every issue of international insolvency law or detailed international insolvency regulations in the various countries of the world. This was not my aim and, in any case, it would need several tomes of an encyclopedia.

My aim was to isolate the most crucial issues that arise in international insolvency cases and try to find out and present how the national laws and the international texts perceive them and what solutions they offer, if any.

Many pages are dedicated to U.S. insolvency law and U.S. cases—even when the central issues might appear as ones of other countries. The reasons are obvious: (a) most cases were tried there; and (b) the legal transplanting is, not surprisingly, rather almost exclusively one way, that is, from USA to other countries, mostly non-common law countries. So, we need to understand the why and how of these transplants.

International insolvency law is probably very complicated—not least because of the different solutions adopted by the national laws and the international instruments—but at the same time is a challenging field of law that demands hard work and thorough attention, since many interests are at stake.

Once again, I would like to thank Springer and especially Dr. Brigitte Reschke, Springer Executive Editor Law, for her support and confidence.

Athens, Greece

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