



The execution of judicial decisions between member states (Regulation 1215/2012)

Many clients have a favorable resolution issued by the Courts of a Member State and they come to us to initiate the execute procedure in Spain.

For these cases, there is **Regulation 1215/2012 of December 12, 2012 on jurisdiction, recognition and enforcement of judicial decisions in civil and commercial matters**.

Unlike Exequatur, a procedure that we already discussed in our [article 135/19](#), Regulation 1215 allows the direct execution of European Resolutions.

I.- Territorial and material scope of application.

Regulation 1215/2012 is applicable to all EU Member States including Denmark.

As we said, the regulation will be applied in civil and commercial matters.

Regarding the concept of "resolution" established in Article 2, it refers to any form of resolution - sentence, order, precautionary measures etc.-

II.- Competent Court and procedure.

The competent Court will be the "*Juzgado de Primera Instancia*" of the domicile of the party against whom the execution is requested or place where it must be executed.

Regarding the procedure, the executive lawsuit must be presented together with the resolution that we want to execute.

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Likewise, it is established that the documents must be provided translated into the official language of the Member State.

Once the application for execution has been filed, the judge will review whether the formal and procedural requirements are met and will issue an execution notice.

Under no circumstances may a judgment given in a Member State be reviewed as to its substance in the Member State addressed.

The executed may oppose the execution, and finally the Judge will enforcement the resolution. This resolution is appealable.

You can consult the full text of Regulation 1215/2012 at the following link:

<https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32012R1215&from=ES>

