



Acción pauliana e integración europea: una propuesta de ley aplicable [

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Analítica

The actio pauliana is a rara avis within Private Law, the principle of which is to uphold sound private relationships. The principle, however, is called into question by acts of fraudulent transfer - the challenging of a valid and effective act in order to recover a creditor's losses involves two conflicting interests that makes identification of the law applicable to the actio pauliana a difficult question to remedy. This paper deals with this longstanding problem by examining new EU conflict of laws instruments, which provide the basis for determining the allocation of a debtor's insolvency among his creditors

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Baratz Innovación Documental

- Gran Vía, 59 28013 Madrid
- (+34) 91 456 03 60
- informa@baratz.es