



COUNCIL OF
THE EUROPEAN UNION



Brussels, 6 December 2012
16599/12
PRESSE 483

Recast of the Brussels I regulation: towards easier and faster circulation of judgments in civil and commercial matters within the EU

The Council adopted today the recast of a regulation on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (the so-called "Brussels I" regulation¹) ([PE-CONS 56/12](#)). The purpose of this regulation is to make the circulation of judgments in civil and commercial matters easier and faster within the Union, in line with the principle of mutual recognition and the Stockholm Programme guidelines.

The recast regulation will substantially simplify the system put in place by "Brussels I" as it will abolish *exequatur*, i.e. the procedure for the declaration of enforceability of a judgment in another member state. According to the new provisions, a judgment given in a member state will be recognised in the other member states without any specific procedure and, if enforceable in the member state of origin, will be enforceable in the other member states without any declaration of enforceability.

The recast regulation will provide that no national rules of jurisdiction may be applied any longer by member states in relation to consumers and employees domiciled outside the EU. Such uniform rules of jurisdiction will also apply in relation to parties domiciled outside the EU in situations where the courts of a member state have exclusive jurisdiction under the recast regulation or where such courts have had jurisdiction conferred on them by an agreement between the parties.

¹ Regulation 44/2001 ([OJL 012, 16.1.2001](#))

P R E S S

Another important change will be a rule on international *lis pendens* which will allow the courts of a member state, on a discretionary basis, to stay the proceedings and eventually dismiss the proceedings in situations where a court of a third state has already been seized either of proceedings between the same parties or of a related action at the time the EU court is seized.

The recast regulation will start applying two years after its entry into force. The United Kingdom and Ireland have decided to take part in the adoption and application of the recast regulation. Once adopted, it will also be applicable to Denmark in the context of the 2005 agreement between the EU and Denmark in this area.
