

European Commission Rejects UK Application to Join Lugano Convention



On 4 May 2021, the European Commission (the **Commission**) published [a communication](#) which recommends that the European Union (the **EU**) should not approve the United Kingdom's (**UK**) application to accede to the 2007 Lugano Convention (*Convention on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters; the **Lugano Convention***).

The Lugano Convention governs international jurisdiction and the enforcement of judgments in civil and commercial matters between the EU Member States and three of the European Free Trade Association (**EFTA**) States, notably Iceland, Switzerland and Norway.

In its communication to the European Parliament and the Council, the Commission indicated that the Lugano Convention is aimed solely at third countries that have a particularly close regulatory integration with the EU and that "*participate, at least partly, in the EU's internal market*", which is the case for countries that are part of the European Economic Area. By deciding to leave the EU and the Single

Market, the UK has, in the view of the Commission, become a *“third country without a special link to the internal market”*. As a result, the Commission considers that future civil judicial cooperation between the EU and the UK should be governed by the multilateral Hague Conventions, in line with the EU consistent policy towards all third countries.

The Commission’s recommendation is non-binding and the final decision on the UK accession rests on the EU Council.

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