



International Conventions

United Kingdom: ratified the 2019 Judgments Convention

On June 27, 2024, the United Kingdom of Great Britain and Northern Ireland deposited its instrument of ratification of the Convention of 2 July 2019 on the Recognition and Enforcement of Foreign Judgments in Civil or Commercial

Matters (2019 Judgments Convention). The 2019 Judgments Convention will enter into force for the United Kingdom on July 1, 2025. The United Kingdom has made one declaration:

The United Kingdom declares, in accordance with Article 25, that the Convention shall extend to England and Wales only, and that it may at any time submit other declarations or modify this declaration in accordance with Article 30 of the Convention.

For the announcement, see <https://www.hcch.net/en/news-archive/details/?varevent=985> For the official notification, see

https://repository.overheid.nl/frbr/vd/013672/1/pdf/013672_Notificaties_12.pdf (Editor: Mukarrum Ahmed)

United Kingdom: signed the United Nations Convention on International Settlement Agreements Resulting from Mediation

On May 3, 2023, the UK signed the United Nations Convention on International Settlement Agreements Resulting from Mediation, also known as the "Singapore Convention on Mediation".

For the status table of the Singapore Convention on Mediation, see https://uncitral.un.org/en/texts/mediation/conventions/international_settlement_agreements/status. (Editor: Jie (Jeanne) Huang)

Malta: the 2000 Protection of Adults Convention entered into force

On July 1, 2023, the Convention of 13 January 2000 on the International Protection of Adults (2000 Protection of Adults Convention) entered into force for the Republic of Malta following the deposit of its instrument of ratification on March 8, 2023.

For the official announcement, see <https://www.hcch.net/en/news-archive/details/?varevent=924> (Editor: Jie (Jeanne) Huang)

Curaçao: acceded to the 1980 Child Abduction Convention and the 1985 Trusts Convention

On November 27, 2023, the 1980 Child Abduction Convention and the 1985 Trusts Convention, to which the

Netherlands is a Contracting Party, were applied to Curaçao.

For the official announcement, see <https://conflictoflaws.net/2023/hcch-monthly-update-november-2023/> (Editor: Jie (Jeanne) Huang)

Albania: signed the 2005 Choice of Court Convention and the 2007 Maintenance Obligations Protocol

On February 13, 2024, the Republic of Albania signed the Convention of 30 June 2005 on Choice of Court Agreements (2005 Choice of Court Convention) and the Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations (2007 Maintenance Obligations Protocol).

For the official announcement, see <https://www.hcch.net/en/news-archive/details/?varevent=962> (Editor: Jie (Jeanne) Huang)

Moldova: deposited its instrument of accession to the 2005 Choice of Court Convention

On March 14, 2024, the Republic of Moldova deposited its instrument of accession to the Convention of 30 June 2005 on Choice of Court Agreements (2005 Choice of Court Convention).

For the official announcement, see <https://www.hcch.net/en/news-archive/details/?varevent=969>. (Editor: Jie (Jeanne) Huang)

Georgia: ratified the 2007 Child Support Convention and the 2007 Maintenance Obligations Protocol

On May 14, 2024, Georgia deposited its instruments of ratification of the Convention of 23 November 2007 on the International Recovery of Child Support and Other Forms of Family Maintenance (2007 Child Support Convention) and of the *Protocol of 23 November 2007 on the Law Applicable to Maintenance Obligations* (2007 Maintenance Obligations Protocol).

For the official announcement, see <https://www.hcch.net/en/news-archive/details/?varevent=974>. (Editor: Jie (Jeanne) Huang)

European Union Legislation

EU: Directive (EU) 2024/1069 of the European Parliament and of the Council of 11 April 2024 on protecting persons who engage in public participation from manifestly unfounded claims or abusive court proceedings ('Strategic lawsuits against public participation')

The Directive seeks to ensure that individuals and organisations working on matters of public interest such as fundamental rights, allegations of corruption, protection of democracy or the fight against disinformation are given EU protection against unfounded and abusive lawsuits. The protection will apply to all cross-border cases except when both the defendant and claimant are from the same EU Member State or when the case is only relevant to one Member State.

See, https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=OJ:L_202401069 (Editor: Mukarrum Ahmed).

EU: Recent Development of the proposed EU legislation on the recognition of parenthood

The proposed EU legislation on the recognition of parenthood aims to ensure that parenthood established in one EU member state is recognized across all member states. This proposal seeks to protect children's rights and provide legal clarity for families, addressing issues of discrimination regardless of how children were conceived or the nature of their family. The European Parliament has adopted an opinion on this proposal, which emphasizes that the law does not require member states to accept practices such as surrogacy. Final decisions on the legislation will be made by EU governments. For more details, visit [Planned EU-wide recognition of parenthood](#) (January 31, 2024); and the European Parliament [legislative resolution](#) of December 14, 2023 on the proposal for a Council regulation on jurisdiction, applicable law, recognition of decisions and acceptance of authentic instruments in matters of parenthood and on the creation of a European Certificate of Parenthood. (Editors: George Tian and Jie (Jeanne) Huang)

EU: First official messages exchanged through iSupport

On January 9, 2024, Germany and Sweden exchanged several official messages under the EU 2009 Maintenance Regulation using iSupport's e-CODEX system, the secure digital communication solution developed by the European Union.

For the official announcement, see <https://www.hcch.net/en/news-archive/details/?varevent=952> (Editor: Jie (Jeanne) Huang)

EU: MEPs Adopt Landmark Artificial Intelligence Act

On March 8, 2024, the European Parliament passed the Artificial Intelligence Act, marking a significant milestone in the regulation of AI technologies within the European Union. This comprehensive legislation aims to set global standards for the development and deployment of AI, ensuring that all AI systems are safe, transparent, and accountable. The Act categorizes AI applications according to their risk levels, with stringent requirements imposed on high-risk applications in critical sectors such as healthcare, policing, and transport. Additionally, it bans certain practices deemed unacceptable, like social scoring and indiscriminate surveillance that could violate fundamental rights. The law also emphasizes the importance of data governance and the ethical use of AI, setting a precedent for other regions to follow. This legislative action underscores the EU's commitment to leading in ethical AI governance, promoting innovation while safeguarding citizen's rights.

More information can be found here: <https://www.europarl.europa.eu/news/en/press-room/20240308IPR19015/artificial-intelligence-act-meps-adopt-landmark-law#:~:text=On%20Wednesday%2C%20Parliament%20approved%20the,46%20against%20and%2049%20abstentions>.

EU Parliament Approves Supply Chain Law

On April 24, 2024, the European Parliament approved a new law focused on regulating supply chains, a significant step towards ensuring ethical practices in global trade. This legislation requires companies operating within the EU to conduct thorough due diligence on their supply chains to prevent human rights abuses and environmental damage. The law applies to a wide range of sectors, including electronics, clothing, and food, mandating transparency and accountability in business operations from raw material extraction to final product delivery. It also includes

provisions for penalties and legal remedies for violations, thereby strengthening enforcement mechanisms. This law represents the EU's robust commitment to promoting sustainable business practices and protecting human rights across international supply chains.

More information can be found here: <https://www.hrw.org/news/2024/04/24/eu-parliament-approves-supply-chain-law>

EU: New EU Rules Criminalizing the Violation of EU Sanctions

Effective from May 19, 2024, the European Union has implemented new rules that harmonize criminal offenses and penalties across member states for violations of EU sanctions. These regulations aim to uniformly criminalize and enhance the prosecution capabilities concerning breaches of EU restrictive measures, such as failing to freeze assets, breaching travel bans and arms embargoes, or providing false information to conceal funds. Notably, the rules establish a consistent framework for penalties applicable to both individuals and corporations and strengthen mechanisms for asset freezing and confiscation. This move is part of a broader effort to ensure rigorous enforcement of sanctions, particularly in light of ongoing geopolitical tensions, and to facilitate better cooperation among member states' authorities. The directive also aligns with the EU's objectives to deter sanction violations and secure the integrity of its financial and economic systems. Member states are required to incorporate these rules into their national laws by May 20, 2025.

More information can be found here: https://neighbourhood-enlargement.ec.europa.eu/news/new-eu-rules-criminalising-violation-eu-sanctions-enter-force-2024-05-17_en.

EU: New EU Due Diligence Law Governing Big Business

On May 24, 2024, ministers from the 27 EU member states passed a groundbreaking law, the Corporate Sustainability Due Diligence Directive (CSDDD), mandating large businesses to actively identify and mitigate adverse human rights and environmental impacts in their operations. This directive, heralded as a significant step in international business and human rights legislation, requires these companies to not only scrutinize their direct operations but also their extensive supply chains, including activities outside Europe. Set to be integrated into national laws of the

member states soon, this legislation aims to elevate corporate accountability and ensure that businesses operating within the EU uphold stringent human rights standards, thereby setting a global benchmark for responsible business conduct.

The CSDDD can be found at: https://commission.europa.eu/business-economy-euro/doing-business-eu/corporate-sustainability-due-diligence_en.

European Case Law

EU: Case C-566/22 Inkreal

The CJEU decided that parties to a contract established in the same EU Member State are not restricted from being able to agree on the jurisdiction of the courts of another Member State to settle their disputes, even if the contract has no other connection with the chosen Member State. In doing so, the CJEU gives precedence to an unfettered jurisdictional party autonomy for an otherwise entirely domestic contract. This instance of regulatory escape may give rise to more serious ramifications in matters of jurisdiction than choice of law. In matters of choice of law, Articles 3(3) and 3(4) of the Rome I Regulation make express provision for reconciling competing Member State and European Union interests that are extrinsic to the will of the contracting parties involved in a cross-border contract by tempering the application of the chosen law. No similar restraints for choice of court agreements may be identified. Article 1(2) of the Hague Convention on Choice of Court Agreements 2005 also contradicts the CJEU's interpretation of Article 25(1) of the Brussels Ia Regulation in *Inkreal* as 'a case is international unless the parties are resident in the same Contracting State and the relationship of the parties and all other elements relevant to the dispute, regardless of the location of the chosen court, are connected only with that State'.

For the judgment see, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=282586&pageIndex=0&doclang=EN&mode=req&dir=&occ=first&part=1&cid=11586199> (Editor: Mukarrum Ahmed)

EU: Joined Cases C-345/22 and C-347/22 Maersk A/S v Allianz Seguros y Reaseguros SA and Case C-346/22 Mapfre España Compañía de Seguros y Reaseguros SA v MACS Maritime Carrier Shipping GmbH & Co.

The CJEU decided that the enforceability of a choice of court clause against the third-party holder of the bill of lading is not governed by the law of the Member State designated by that clause. That clause is enforceable against that third party if, on acquiring that bill of lading, it is subrogated to all the rights and obligations of one of the original parties to the contract, which must be assessed in accordance with national substantive law as established by applying the rules of private international law of the Member State of the court seised of the dispute. Moreover, it was held that Article 25(1) of the Brussels Ia Regulation must be interpreted as precluding national legislation under which a third party to a contract for the carriage of goods concluded between a carrier and a shipper, who acquires the bill of lading evidencing that contract and thereby becomes a third-party holder of that bill of lading, is subrogated to all of the shipper's rights and obligations, with the exception of those arising under a choice of court clause incorporated in the bill of lading, where that clause is enforceable against that third party only if the third party has negotiated it separately.

For the judgment see, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=285187&pageIndex=0&doclang=en&mode=lst&dir=&occ=first&part=1&cid=2850148>; For analytical commentary see, <https://conflictoflaws.net/2024/who-is-bound-by-choice-of-court-agreements-in-bills-of-lading/> (Editor: Mukarrum Ahmed)

EU: Case C-590/21 Charles Taylor Adjusting Ltd

The question of the compatibility of the right to damages for breach of settlement and exclusive choice of court agreements with EU public policy during the recognition and enforcement of an English High Court decision in Greece was settled by this CJEU ruling. The CJEU's decision in *Charles Taylor Adjusting* confirmed the characterisation of an English judgment awarding damages for breach of settlement and exclusive choice of court agreements as a 'quasi anti-procedural injunction' ('quasi' injonctions anti-procédure) and therefore contrary to public policy.

For the judgment see,
<https://curia.europa.eu/juris/document/document.jsf?text=&docid=277063&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=12724505> (Editor:
Mukarrum Ahmed)

EU: Case C-753/22 (Bundesrepublik Deutschland)

On June 18, 2024, the CJEU decided the Case C-753/22, where the Bundesgerichtshof (Federal Court of Justice, Germany) sought a preliminary ruling on whether Germany must recognize refugee status granted by another EU member state. The case involved a refugee granted asylum in one member state seeking recognition in Germany. The CJEU ruled that EU member states are not automatically required to recognize refugee status from another member state. While mutual recognition is a core EU principle, it does not unconditionally apply to asylum decisions. Member states can assess individual cases, particularly if there are concerns about the conditions or procedures under which the original status was granted. This ruling clarifies that member states retain discretion in handling asylum claims, ensuring they can address national security and public policy concerns while maintaining procedural safeguards.

For the judgment, see <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:62022CN0753> (Editors: George Tian and Jie (Jeanne) Huang)

EU: Case C-296/23 (dm-drogerie markt)

On June 20, 2024, in Case C-296/23, the Court of Justice of European Union (CJEU) ruled on the compliance of dm-drogerie markt's "skin friendly" advertising for biocidal products with EU regulations. The Bundesgerichtshof in Germany requested a preliminary ruling on whether such claims adhered to Regulation (EU) No 528/2012. On 20 June 2024, the CJEU emphasized that advertising must be substantiated by scientific evidence and should not mislead consumers about product safety and efficacy, reinforcing the importance of accurate advertising and consumer protection within the EU. For more details, visit: [CJEU Case C-296/23](#); and [EU Regulation on Biocidal Products](#) (Editors: George Tian and Jie (Jeanne) Huang)

EU: Case C-90/22 'Gjensidige' ADB

The CJEU decided that Article 45(1)(a) and (e)(ii) of the Brussels Ia Regulation does not allow a Member State court to refuse to recognise the judgment of another Member State court where the latter court declared itself to have jurisdiction to adjudicate on a contract of international

carriage of goods by road, in breach of a choice of court agreement under Article 25, that forms part of that contract.

For the judgment see, <https://curia.europa.eu/juris/document/document.jsf?text=&docid=284084&pageIndex=0&doclang=EN&mode=lst&dir=&occ=first&part=1&cid=12725823> (Editor: Mukarrum Ahmed)

National Legislation

UK: Retained EU Law (Revocation and Reform) Act 2023

The Retained EU Law (Revocation and Reform) Act 2023 ('the Act') revokes certain retained EU law, makes provision for the interpretation of retained EU law and its relationship with other law and creates powers to modify, restate, replace or update retained EU law. Notably, this is a compromise from the incessant political rhetoric desirous of an all-encompassing sunset clause that would have abolished the last vestiges of retained EU law in the UK. The Act has removed the special features of EU law that governed its interpretation and application. This includes revoking the duty that required UK courts to interpret domestic legislation consistently with EU laws. Retained EU law has been renamed 'assimilated law' as of 1 January 2024.

The retained Rome I Regulation and the retained Rome II Regulation are not on the list of revoked legal instruments in Schedule 1 of the Act. Section 6 of the Act provides for new tests for departure from retained CJEU case law and retained domestic EU case law, but these provisions will enter into force in the future via regulations pursuant to Section 22(3) of the Act.

For further details see, <https://www.legislation.gov.uk/ukpga/2023/28> (Editor: Mukarrum Ahmed).

England and Wales and Northern Ireland: Arbitration Bill

On September 6, 2023, the Law Commission of England and Wales published its final report, recommending targeted reforms to the Arbitration Act 1996. These recommendations follow an extensive review process that

began in March 2021. Key reforms include codifying the duty of disclosure (as decided by the UK Supreme Court in *Haliburton v Chubb* [2020] UKSC 48), enhancing arbitrator immunity, introducing a power for summary disposal of disputes, and clarifying court powers in support of arbitration proceedings. The report also suggests new rules for determining the governing law of arbitration agreements, aiming to align the approach in England and Wales with international practice and improving legal certainty. Under the proposed statutory provision, the arbitration agreement would be governed by the law of the seat of arbitration absent any agreement between the parties, simplifying the composite legal test laid down by the UK Supreme Court in *Enka v Chubb* [2020] UKSC 38. These changes are expected to modernize the arbitration framework and maintain London's status as a leading arbitration centre.

The Arbitration Bill reforming the Arbitration Act 1996 has not been included in the 'wash-up' period which allows certain bills to be enacted on a fast-track basis after a general election has been called. Whether similar legislation will be introduced in the next Parliament will be a decision for the new government.

For more details, please visit <https://lawcom.gov.uk/project/review-of-the-arbitration-act-1996/>; <https://researchbriefings.files.parliament.uk/documents/LLN-2023-0047/LLN-2023-0047.pdf>; (Editors: Mukarrum Ahmed, George Tian, and Jie (Jeanne) Huang)

England and Wales: Litigation Funding Bill

On 19 March 2024, the Litigation Funding Agreements (Enforceability) Bill was introduced in Parliament, aiming to reverse the effect of the UK Supreme Court decision in *Paccar* [2023] UKSC 28. In the latter decision, it was held that litigation funding agreements that provide for the funder to receive a share of damages are Damages-Based Agreements (or DBAs) and are therefore unenforceable unless they comply with the restrictive regulatory regime that applies to such agreements.

The Litigation Funding Agreements (Enforceability) Bill has not been included in the "wash-up" period which allows

certain bills to be enacted on a fast-track basis after a general election has been called. Whether similar legislation will be introduced in the next Parliament will be a decision for the new government.

For further details see, <https://bills.parliament.uk/publications/54762/documents/4592> (Editor: Mukarrum Ahmed).

Association and Events

The Permanent Bureau of the Hague Conference on Private International Law released its annual report

In March 2024, The Permanent Bureau is pleased to announce the publication of the HCCH 2023 Annual Report.

For the report, see <https://assets.hcch.net/docs/38e412a5-f4b0-48cb-a5ea-5e3e076bdfe9.pdf>. (Editor: Jie (Jeanne) Huang)

The Hague Academy of International Law appointed a new president of the Curatorium

In May 2024, The Hague Academy of International Law appointed Prof. Fernández Arroyo as the president of the Curatorium. He is the first Latin American to ever hold that position. (Editor: Jie (Jeanne) Huang)

The Hague Academy of International Law – Summer Courses

The Hague Academy of International Law's Private International Law Summer Courses will be held on-site from July 29, 2024, to August 16, 2024. Further information on The Hague Academy is found here: <https://www.hagueacademy.nl/programmes/the-summer-courses>. (Editor: Jie (Jeanne) Huang)

The Hague Academy of International Law – Winter Courses

The Hague Academy of International Law's renowned Winter Courses on International Law will be offered from January 16-24, 2025. In contrast to the summer courses, this program combines aspects of both Public and Private International Law and therefore provides for a particularly valuable academic experience.

Further information on The Hague Academy is found here: <https://www.hagueacademy.nl/programmes/the-winter-courses/>. (Editor: Jie (Jeanne) Huang)

Selected Private International Law Conferences

On 21 June 2023, Lancaster University organized a Conference on Challenges in Contemporary International Litigation, which facilitated the engagement/exchange of expertise on a broad range of private international law topics of contemporary practical significance.

On 6 December 2023, and 19 January 2024, the University of Stirling's Seminar Series on International Perspectives on Scots Law was organized on topics of the internationalisation of Scots Law from the perspective of private international law.

For further details of both events, see <https://www.lancaster.ac.uk/law/news/leading-experts-converge-in-lancaster-to-discuss-contemporary-challenges-in-international-litigation>; <https://www.stir.ac.uk/about/faculties/arts-humanities/law-and-philosophy/law-research/international-perspectives-on-scots-law/> (Editor: Mukarrum Ahmed).

Recent Scholarly Works

Here are some scholarly books on private international law published in 2024 by publishers located in Europe:

"European Private International Law – Commercial Litigation in the EU" by Geert van Calster, published in January 2024. This fourth edition provides a thorough overview of European private international law, addressing key regulations such as the Brussels I, Rome I, and Rome II Regulations, as well as private international law and insolvency, freedom of establishment, and the impact of Brexit ([EAPIL](#)). (Editors: George Tian and Jie (Jeanne) Huang)

"Research Methods in Private International Law – A Handbook on Regulation, Research and Teaching" edited by Xandra Kramer and Laura Carballo Piñeiro, published in May 2024. This book offers perspectives on the diverse methodological approaches to private international law, examining both regulatory and educational aspects. Contributors include prominent scholars such as Ralf Michaels and Christoph A. Kern ([EAPIL](#)). (Editors: George Tian and Jie (Jeanne) Huang)

"Private International Law – Idealism, Pragmatism, Eclecticism" by Symeon C. Symeonides, published in 2024. This book compares the historical and modern developments in private international law, focusing on the

transition from the idealism of the nineteenth century to the pragmatic eclecticism of the twenty-first century. It provides a detailed analysis of the progress and changes in private international law over the last fifty years ([Brill](#)). (Editors: George Tian and Jie (Jeanne) Huang)

Academic Position Paper on the Reform of the Brussels Ibis Regulation by Burkhard Hess and team at the University of Vienna may be accessed [here](#). (Editor: Mukarrum Ahmed)