

**Question for written answer E-002994/2024/rev.1
to the Commission**
Rule 144
Erik Kaliňák (NI)

Subject: Impact of the Court of Justice's judgment in the Inkreal case on the jurisdiction of courts in the Member States

Clear rules for the resolution of cross-border disputes of a civil and commercial nature are important for the functioning of the internal market. Recently, however, we have witnessed a relativisation or obfuscation of the rules, in particular as a result of the broadening of the interpretation of the concept of 'international element', which has recently been interpreted to include the expression of the will of the parties to a purely national legal relationship (all elements of which are linked to a single state) that disputes arising out of their legal relationship should be resolved by the courts of another Member State.

1. Has an impact assessment been carried out on the judgment?
2. Is the Commission not concerned that the interpretation of Regulation (EU) No 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial cases, including in the light of the Inkreal case, or the further extension of the concept of 'international element', will lead to a relativisation of the rules on the establishment of international jurisdiction laid down in the Regulation and thus to a disproportionate burden on the courts of the Member States associated with the hearing of cases which would not otherwise fall within their jurisdiction?
3. Does the Commission intend to respond to the situation triggered by the Inkreal judgment by, for example, amending Regulation No 1215/2012 to restrict the choice of court in the same way as the Hague Convention on Choice of Court Agreements?

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