Civil and commercial judicial cooperation, enforcement of judgments: Brussels I, Lugano Conventions

1999/0154(CNS) - 04/09/2000

The committee adopted the report (under the consultation procedure) by Diana WALLIS (ELDR, UK) significantly amending the Commission proposal to convert the 1968 Brussels Convention on the recognition and enforcement of judgements in civil and commercial matters into a regulation. The committee decided by one vote to change the jurisdiction clause so as to allow a company to choose jurisdiction so that it may only be sued where it has its registered office. Websites must, however, warn consumers about this. Other amendments called for an extensive use of extrajudicial dispute resolution, arguing that the judicial system was inappropriate for consumer claims relating to transactions concluded on-line, especially where the parties were domiciled in different Member States, in view of the costs and delays entailed thereby and the stigma often associated with going to court. It was further suggested that extrajudicial dispute resolution schemes should be accredited and that the grant of trust marks by national authorities, trade and consumer associations and, possibly, the Commission itself should be conditional upon the site in question providing for an extrajudicial dispute resolution system accredited under a scheme approved by the Commission.