



Technical survey on the application of the Brussels Ia Regulation

Fields marked with * are mandatory.

About the survey

This survey is part of the project *Study to support the preparation of a report on the application of Regulation (EU) No. 1215/2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters (Brussels Ia Regulation)*, carried out by Milieu Consulting SRL for the European Commission.

Aim of the study

The overall aim of the study is to provide solid evidence and analysis of legal and practical issues to assist the European Commission in preparing a report to the European Parliament, the Council and the European Economic and Social Committee on the application of the [Brussels Ia Regulation](#). To this end, the study will analyse the application of the Brussels Ia Regulation in the Member States and identify the **main legal difficulties** and **practical challenges** encountered in practice. It will also analyse how recent socio-economic changes may pose challenges to the Brussels Ia Regulation's rules, well-established terms, and connecting factors, and assess the interaction of the Brussels Ia Regulation with relevant EU and international instruments in sectors covered by the Regulation or on private international law. Based on this work, the study will propose appropriate solutions to improve the Regulation.

Please see attached **accreditation letter** from the European Commission.

Target group and dissemination

This targeted survey aims to gather detailed quantitative and qualitative information on the application of the Brussels Ia Regulation in Member States. It consists of two questionnaires addressed to two types of stakeholders:

- Legal practitioners (i.e., judges; lawyers; notaries; bailiffs), academia (i.e., scholars in private international law and relevant sectors, such as consumer protection or business and human rights),

and national authorities (i.e., ministries of justice, ministries in charge with consumer protection, ministries of economy) in each Member State;

- Litigants (i.e., businesses and individuals) or their representatives (e.g., consumer protection organisations), and organisations working on subject-matters falling within the scope of the Brussels Ia Regulation and with knowledge and experience of its application (e.g., business organisations; business and human rights NGOs)

To disseminate the survey to these target groups, we have asked for the support of national associations and networks of legal practitioners and of the European Judicial Network in Civil and Commercial Matters (EJN) to share it with their networks. The project team also did a mapping of publicly available contact details and the European Commission is supporting the dissemination to national authorities. If you received this survey, your contact details have been identified either from publicly available sources or through the intermediary of the bodies mentioned above.

Instructions for completing the survey

Questions marked with a red asterisk are mandatory. This survey is in English; however, **answers can be provided in any of the official EU languages**. You may interrupt your session at any time and continue answering at a later stage by clicking 'Save draft'. **If you do so, please remember to save the link to your answers as this is the only way to access them**. Once you have submitted your answers online, you will be able to download a copy of the completed questionnaire.

We kindly ask you to fill in the questionnaire by **22 May 2022**.

Privacy Statement and confidentiality

When completing this survey, you may want to share some of your personal data with us, such as your name, contact details, position, the organisation you work for, as well as your personal views and opinions. Please be reassured that any personal data you provide will be treated in conformity with Regulation (EU) 2018/1725 of the European Parliament and of the Council of 23 October 2018 on the protection of natural persons with regard to the processing of personal data by the Union institutions, bodies, offices and agencies and on the free movement of such data and, where applicable, with Regulation (EU) 2016/679 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data (G D P R) .

Any personal data you provide when responding to this survey will be used solely for the purposes of conducting the study. For more information on the processing of your personal data, please see the **specific Privacy Statement attached to this survey** (please see section 'background documents' on the right of your screen) .

Concerning the confidentiality of your responses, please note that your answers will be treated as confidential and shared with the European Commission only. Moreover, your responses may be used in the study and published anonymously. Please be mindful not to include information in the open text questions that could lead to the identification of your organisation or yourself. Please note that your answers may be subject to a request for public access to documents under Regulation (EC) No 1049/2001 of the European Parliament and of the Council of 30 May 2001 regarding public access to European Parliament, Council

If you have any questions, please do not hesitate to contact the project team at Brusselsla@milieu.be.

Thank you very much for your valuable contribution!



By checking this box, I confirm that I have read the specific Privacy Statement and agree with the processing of my personal data for the purposes stated therein.

Glossary

- Artificial intelligence

[Artificial intelligence](#) refers to the ability of a digital computer or computer-controlled robot to perform tasks commonly associated with intelligent beings. The [Proposal for a Regulation](#) laying down harmonised rules on artificial intelligence defines 'artificial intelligence system' as 'software that is developed with one or more of the techniques and approaches listed in Annex I and can, for a given set of human-defined objectives, generate outputs such as content, predictions, recommendations, or decisions influencing the environments they interact with'.

- Brussels I Regulation

Refers to Council Regulation (EC) No 44/2001 of 22 December 2000 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters.

- Brussels Ia Regulation

Brussels Ia Regulation refers to Regulation (EU) No 1215/2012 of the European Parliament and of the Council of 12 December 2012 on jurisdiction and the recognition and enforcement of judgments in civil and commercial matters. It is also known as Brussels Ibis Regulation. It applies from 10 January 2015.

- Business and human rights lawsuit

A business and human rights lawsuit is a lawsuit that arises from the civil liability of one or more companies in a corporate group (e.g., parent company; subsidiary) or of a contracting company and its subcontractors and/or suppliers for human rights abuses or environmental harm that occurred outside the EU.

- Cloud computing

Cloud computing means accessing computer capacity and programming facilities online or 'in the cloud'. It can be understood as the storing, processing and use of data on remotely located computers accessed over the internet.

- Court settlement

Article 2(b) of the Brussels Ia Regulation defines 'court settlement' as 'a settlement which has been

approved by a court of a Member State or concluded before a court of a Member State in the course of proceedings'.

- Cultural object

Article 7(4) of Brussels Ia Regulation refers to a 'cultural object' as defined in Article 1(1) of Council Directive 93/7/EEC of 15 March 1993 on the return of cultural objects unlawfully removed from the territory of a Member State. This directive was recast by Directive 2014/60/EU of the European Parliament and of the Council of 15 May 2014 on the return of cultural objects unlawfully removed from the territory of a Member State, which defines a cultural object as *"an object which is classified or defined by a Member State, before or after its unlawful removal from the territory of that Member State, as being among the 'national treasures possessing artistic, historic or archaeological value' under national legislation or administrative procedures within the meaning of Article 36 TFEU"*.

- Exequatur procedure

Exequatur procedure is a separate procedure in the requested State for a declaration of enforceability of the foreign judgment in that state. It enables a judicial decision rendered abroad to be made enforceable in a state. It was abolished by Brussels Ia Regulation.

- Forum necessitatis

Forum necessitatis can be used by a court that lacks territorial jurisdiction to assume jurisdiction over the dispute where the court considers that there is no other forum in which the dispute may be adjudicated or in which the plaintiff may reasonably be expected to initiate the suit. A court exercising such jurisdiction is said to be acting as a forum of necessity.

- Geo-blocking

Geo-blocking is a practice that prevents online customers from accessing and purchasing products or services from a website based in another Member State. The EU recently adopted the [Geo-blocking Regulation](#), which prevents unjustified geo-blocking and other forms of discrimination based, directly or indirectly, on customers' nationality, place of residence or location, in online and off-line transactions within the EU.

- Highly mobile workers

Highly mobile workers are workers whose place of employment is not in a single Member State. They either cross borders on a regular basis due to the nature of their work, work in multiple Member States, or cross a border every day in order to work in a Member State other than the one where they permanently reside. [Examples of highly mobile workers](#) include international transport workers (i.e., drivers, air crew members), seasonal workers, or border workers.

- Insolvency Regulation

Refers to Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings. It repealed Council Regulation (EC) No 1346/2000 of 29 May 2000 on insolvency proceedings. It applies to insolvency proceedings opened after 26 June 2017.

Article 2(a) of the Brussels Ia Regulation defines judgment as “any judgment given by a court or tribunal of a Member State, whatever the judgment may be called, including a decree, order, decision or writ of execution, as well as a decision on the determination of costs or expenses by an officer of the court”. However, “For the purposes of Chapter III, ‘judgment’ includes provisional, including protective, measures ordered by a court or tribunal which by virtue of this Regulation has jurisdiction as to the substance of the matter. It does not include a provisional, including protective, measure which is ordered by such a court or tribunal without the defendant being summoned to appear, unless the judgment containing the measure is served on the defendant prior to enforcement”.

Persons performing platform work

According to the Proposal for a directive on improving working conditions in platform work, ‘person performing platform work’ means ‘any individual performing platform work, irrespective of the contractual designation of the relationship between that individual and the digital labour platform by the parties involved’. Platform work is [defined as](#) ‘any work organised through a digital labour platform and performed in the Union by an individual on the basis of a contractual relationship between the digital labour platform and the individual, irrespective of whether a contractual relationship exists between the individual and the recipient of the service’.

Public policy clause

Article 45(1)(a) of the Brussels Ia Regulation contains a mandatory ground for refusal of the recognition of a foreign judgment if such recognition is manifestly contrary to public policy (*ordre public*) in the Member State addressed.

Smart contracts using blockchain technology

The term ‘smart contract’ refers to contractual arrangements that rely on self-executing computer protocols supported on Distributed Ledger Technology (DLT) or blockchains systems. Blockchains offer the possibility to memorialise contractual obligations. In this type of contract, parties can rely on the execution of certain contractual arrangements without the need of further human intervention nor a necessity to have recourse to courts or enforcement mechanisms under state law.

Strategic Lawsuits Against Public Participation (SLAPPs)

A Strategic Lawsuit Against Public Participation (SLAPP) can be defined as a lawsuit that arises from civil liability that arises from a defendant’s public participation on matters of public interest and which is either fully or partially unfounded, and is characterised by elements indicative of abuse of rights or of process laws. SLAPPs are frequently filed in the form of libel or defamation lawsuits, but they can also be based on other tort, labour, privacy, and data protection law provisions. Their goal is to intimidate or harass their target in order to prevent, restrict or penalize public participation.

About the respondent

* 1. Are you responding to the survey as?

- A judge
- A lawyer
- A notary
- A bailiff
- An arbitrator
- A national bar association
- A national association representing judges
- A national association representing notaries
- A national association representing bailiffs
- A national association representing arbitrators
- A Ministry of justice
- A Ministry or another state office in charge of consumer protection
- A Ministry of economy
- An academic
- A research centre
- Other

* If other, please specify.

*** 2. Please provide the name of your organisation and department in the box below (where possible, please include a translation in English).**

*** 3. Where are you or your organisation based?**

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czechia
- Denmark
- Estonia
- Finland
- France
- Germany
- Greece
- Hungary
- Ireland
- Italy
- Latvia
- Lithuania
- Luxembourg
-

- Malta
- Netherlands
- Poland
- Portugal
- Romania
- Slovak Republic
- Slovenia
- Spain
- Sweden
- EU level
- Other

* If other, please specify.

Based on the information that you will provide to us in this survey, we might contact you for a potential follow-up interview on a need-to-have basis. Please enter your contact details if you would be willing to participate in a follow-up interview:

Name:

Position within the organisation:

Email address:

Phone number:

Scope and definitions of the Brussels Ia Regulation

* 1. The Brussels Ia Regulation is concerned with cross-border civil and commercial litigation. **Is the concept of “cross-border elements” causing any issues in your Member State?**

- Yes
- No
- Do not know

1.1 If yes, could you please explain how the concept of “cross-border elements” is interpreted in your Member State and describe issues arising from the concept of “cross-border elements”? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 2. Article 1(1) of the Brussels Ia Regulation provides that the Brussels Ia Regulation applies in civil and commercial matters whatever the nature of the court or tribunal. However, it does not apply to the specific civil and commercial matters listed in Article 1(2). **Is the interpretation of the notion of “civil and commercial matters” raising issues in your Member State?****

- Yes
- No
- Do not know

2.1 If yes, could you please describe these issues? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 3. According to Article 1(2)(b), the Brussels Ia Regulation does not apply to bankruptcy, proceedings relating to the winding-up of insolvent companies or other legal persons, judicial arrangements, compositions and analogous proceedings. These proceedings should be covered by Regulation (EU) 2015/848 of the European Parliament and of the Council of 20 May 2015 on insolvency proceedings. **Does the delineation of insolvency-related claims that do and do not fall within the scope of the Brussels Ia Regulation raise issues in your Member State?****

- Yes
- No
- Do not know

3.1 If yes, could you please describe these issues? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 3.2 In your Member State, are there issues arising from the treatment of restructuring procedures that do not fall within the scope of Regulation (EU) 2015/848 on insolvency proceedings?**

- Yes
- No
- Do not know

3.3 If yes, could please describe these issues? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 4. According to Article 1(2)(d), the Brussels Ia Regulation does not apply to arbitration. Are there any issues in your Member State related to the exclusion of arbitration from the scope of the Brussels Ia Regulation?**

- Yes
- No
- Do not know

4.1 If yes, could please describe these issues? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

5. Article 2(a) and Article 3 of the Brussels Ia Regulation define “judgment”, “court settlement” and “court”. Do the notions of “judgment”, “court settlement”, and “court” as defined in the Brussels Ia Regulation raise issues in your Member State?

	Yes	No	Do not know
* Definition of ‘Judgment’	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Definition of ‘Court settlement’	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Definition of ‘Court’	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

5.1 If yes, could you please describe these issues? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

Jurisdiction

*** 6. As a general rule, persons domiciled in a Member State, regardless of nationality, must be sued in the courts of that Member State. If the defendant is not domiciled in a Member State, the jurisdiction of the courts of each Member State is determined by the law of that Member State. Has the fact that in general the Brussels Ia Regulation does not apply to third-country defendants caused any issues (e.g., in cases of tort committed by parties from outside the EU law; damages resulting from infringement of competition law, etc.) in your Member State?**

- Yes
- No
- Do not know

6.1 If yes, could you please describe these issues?

750 character(s) maximum

7. A defendant not domiciled in a Member State should in general be subject to the national rules of jurisdiction applicable in the territory of the Member State of the court seised. However, in order to ensure the protection of consumers and employees, to safeguard the jurisdiction of the courts of the Member States in situations where they have exclusive jurisdiction and to respect the autonomy of the parties, certain rules of jurisdiction in the Brussels Ia Regulation apply to defendants domiciled in third countries. **What has been the impact (including positive impact) of the Brussels Ia Regulation’s application to defendants domiciled in third countries in specific circumstances in your Member State? Please explain.**

750 character(s) maximum

7.1 Have any issues arisen in your Member State as a result of the application of the Brussels Ia Regulation to defendants domiciled in third countries in areas where the Brussels Ia Regulation applies to such defendants?

	Yes	No	Do not know
* Insurance matters (Art. 10-16)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Consumer contracts (Art. 17-19)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Employment contracts (Art. 20-23)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Areas of exclusive jurisdiction (Art. 24)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Choice-of-court agreements (Art. 25)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

7.2 If yes, could you please give examples (including information on which area of law was concerned) and describe the issues that occurred?

750 character(s) maximum

Special jurisdiction

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8. The Brussels Ia Regulation makes a distinction between contract cases under Article 7(1) of the Brussels Ia Regulation (i.e., matters relating to a contract) and tort cases under Article 7(2) of the Brussels Ia Regulation (i.e., matters relating to tort, delict or quasi-delict). **In your experience, have the concept of “contract” and the distinction between contract cases and tort cases caused issues in your Member State?**

- Yes
- No
- Do not know

8.1 If yes, could you please describe these issues? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 9. Has the application of the Brussels Ia Regulation in cross-border cases of violations of personality rights, particularly on the Internet, including defamation, caused particular issues in your Member State?**

- Yes
- No
- Do not know

9.1 If yes, could you please explain how the Brussels Ia Regulation applies in cross-border cases of violations of personality rights, particularly on the Internet, including defamation, in your Member State and describe the issues? Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 10. Have any so-called “Strategic Lawsuits Against Public Participation” (SLAPPs), mostly consisting of defamation lawsuits, been filed in your Member State? For a definition of SLAPPs, please see the glossary.**

- Yes
- No
- Do not know

*** 10.1 If yes, have those lawsuits raised any specific issues regarding jurisdiction or recognition and enforcement of judgments in cross-border cases?**

- Yes
- No
- Do not know

10.2 If yes, please describe these issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

* 11. Article 7(2) of the Brussels Ia Regulation provides that in matters relating to tort, delict or quasi-delict, a person domiciled in a Member State may be sued in another Member State in the courts for the place where the harmful event occurred or may occur. **In your experience, has the application of Article 7(2) of the Brussels Ia Regulation in cases of purely financial loss given rise to particular issues in your Member State?**

- Yes
- No
- Do not know

11.1 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

* 12. Article 7(4) of the Brussels Ia Regulation provides that as regards a civil claim for the recovery, based on ownership, of a cultural object (see glossary for definition) initiated by the person claiming the right to recover such an object, a person domiciled in a Member State may be sued in another Member State in the courts for the place where the cultural object is situated at the time when the court is seized. **Have there been any cases based on Article 7(4) of the Brussels Ia Regulation concerning claims for the recovery of cultural objects in your Member State?**

- Yes
- No
- Do not know

12.1 If yes, please provide a short description and references.

750 character(s) maximum

* 13. **In your experience, do cases concerning multiple defendants pose any specific issues in your Member State (e.g., connected claims with defendants domiciled in the EU and outside the EU)?**

- Yes
- No
- Do not know

13.1 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

* 14. Articles 10 to 16 of the Brussels Ia Regulation determine rules on jurisdiction in matters relating to insurance. **In your experience, has the application of the Brussels Ia Regulation's rules on insurance contracts raised any issues in your Member State?**

- Yes
- No
- Do not know

14.1 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

Jurisdiction over consumer contracts

* 15. Articles 17 to 19 of the Brussels Ia Regulation determine rules on jurisdiction in matters relating to consumer contracts. **Have any issues arisen from the application of the Brussels Ia Regulation's rules on consumer contracts and the national legislation transposing EU consumer law legislation (e.g., Council Directive 93/13/EEC on unfair terms in consumer contracts as regards jurisdiction clauses)?**

- Yes
- No
- Do not know

15.1 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

* 16. According to Article 17(3) of the Brussels Ia Regulation, Section 4 of Chapter II of the Brussels Ia Regulation on jurisdiction over consumer contracts does not apply to a contract of transport other than a contract which, for an inclusive price, provides for a combination of travel and accommodation. **Has the exclusion of transport contracts from the scope of rules on jurisdiction over consumer contracts by Article 17(3) of the Brussels Ia Regulation raised any issues in your Member State?**

- Yes
- No

Do not know

16.1 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 16.2 Have any issues arisen in your Member State as a result of the interaction between the Brussels Ia Regulation and the Regulation (EC) No 261/2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delay of flights?**

- Yes
- No
- Do not know

16.3 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 17. Has the application of the Brussels Ia Regulation's rules on consumer contracts raised any other issues in your Member State?**

- Yes
- No
- Do not know

17.1 If yes, please describe those issues.

750 character(s) maximum

*** 18. Articles 20 to 23 of the Brussels Ia Regulation determine rules on jurisdiction in matters relating to individual contracts of employment. Have any issues arisen regarding jurisdiction in cross-border cases on employment matters in your Member State?**

- Yes
- No
- Do not know

18.1 If yes, have any issues of jurisdiction arisen in cross-border cases on employment matters for:

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	Yes	No	Do not know
* Highly mobile workers (e.g., workers in the aviation sector) (see glossary for a definition of highly mobile workers)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Persons performing platform work (see glossary for a definition of persons performing platform work)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Other	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

18.2 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

Jurisdictional issues arising from new developments

Digital economy

* 19. In your experience, has the practice of geo-blocking in online sales affected the application of the Brussels Ia Regulation's rules on jurisdiction over consumer contracts in your Member State (for instance, the directness criteria in Article 17(1)(c) of the Brussels Ia Regulation)? For a definition of geo-blocking, please see the glossary.

- Yes
 No
 Do not know

19.1 If yes, please describe those impacts. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

* 20. In your experience, have any specific issues arisen in this context of the application of the Brussels Ia Regulation's rules on jurisdiction to digital consumer-to-consumer and consumer-to-business contracts in your Member State?

- Yes
 No
 Do not know

20.1 If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 21. Has the existence of various types of intermediary services provided by online platforms affected the application of the Brussels Ia Regulation's rules on jurisdiction over consumer contracts in your Member State?**

- Yes
- No
- Do not know

21.1 If yes, please explain and describe any issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 22. In your experience, has the application of the jurisdiction rules of the Brussels Ia Regulation to contracts between business users (especially small and medium enterprises) and online intermediation services, such as those covered by Regulation 2019/1150 on promoting fairness and transparency for business users of online intermediation services (e.g., online platforms such as Facebook), given rise to any issues in your country?**

- Yes
- No
- Do not know

22.1. If yes, please describe those issues. Please provide reference to the relevant national case-law as relevant.

750 character(s) maximum

*** 23. In your experience, has the application of the Brussels Ia Regulation's rules on jurisdiction (in particular Articles 7(1) and 7(2)) to cross-border disputes involving the use of artificial intelligence and cloud computing given rise to any issues in your Member State? For a definition of artificial intelligence and cloud computing, please see the glossary.**

- Yes
- No
- Do not know

23.1 If yes, please describe the situations you may have encountered as well as any relevant issues.

750 character(s) maximum

*** 24. In your experience, have any issues arisen from the application of the Brussels Ia Regulation’s rules on jurisdiction (in particular Articles 7(1) and 7(2)) to the practice of smart contracts using blockchain technology in your Member State? For a definition of smart contracts using blockchain technology, please see the glossary.**

- Yes
- No
- Do not know

24.1 If yes, please describe the situations you may have encountered as well as any relevant issues.

750 character(s) maximum

*** 25. In your experience, have any issues arisen from the application of the Brussels Ia Regulation to cross-border disputes involving violations of personal data protection and privacy rules under the General Data Protection Regulation (GDPR) in your Member State?**

- Yes
- No
- Do not know

25.1 If yes, please describe those issues.

750 character(s) maximum

*** 26. In your experience, have any issues arisen from the application of the Brussels Ia Regulation to cross-border disputes involving intellectual property rights, in particular the application of Article 7 (2) in relation to online infringements, in your Member State?**

- Yes
- No
- Do not know

26.1 If yes, please describe those issues.

750 character(s) maximum

Business and human rights

*** 27. In your experience, have cross-border business and human rights lawsuits been filed in your Member States? For a definition of business and human rights lawsuits, please see glossary.**

- Yes
- No
- Do not know

27.1 If yes, please explain and cite relevant case-law.

750 character(s) maximum

*** 27.2 Have those cases raised any specific jurisdictional issues?**

- Yes
- No
- Do not know

27.3 If yes, please describe those issues.

750 character(s) maximum

*** 27.4 Is the definition of a company's domicile under Article 63 of the Regulation causing any issues in cross-border business and human rights cases?**

- Yes
- No
- Do not know

27.5 If yes, please describe those issues.

750 character(s) maximum

Collective redress and representative action

*** 28. Does your Member State allow collective redress and/or representative actions?**

- Yes
- No
- Do not know

*** 28.1 If yes, have any specific jurisdictional issues arise when collective redress mechanisms are used in the context of cross-border civil cases in your Member State?**

- Yes
- No

Do not know

28.2 If yes, please describe those issues.

750 character(s) maximum

Recognition and enforcement

* 29. The Brussels Ia Regulation abolished the exequatur procedure. **What has been the impact of the abolition of exequatur in your Member State? Please explain.**

750 character(s) maximum

* 30. In your experience, have any issues arisen in your Member State as a result of the abolition of the exequatur procedure (see the glossary for a definition of exequatur procedure)?

- Yes
 No
 Do not know

30.1 If yes, please describe those issues.

750 character(s) maximum

* 31. Articles 45 to 51 of the Brussels Ia Regulation establish grounds for refusing recognition or enforcement of a judgment. In your experience, have any issues arisen in your Member State as a result of the application of the grounds for refusing recognition and enforcement of decisions, including the “public policy clause” (see the glossary for a definition of public policy clause)?

- Yes
 No
 Do not know

31.1 If yes, please describe those issues.

750 character(s) maximum

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32. Articles 37, 42 and 43 of the Brussels Ia Regulation require the provision of a certificate concerning the judgment (pursuant to Article 53 of the Brussels Ia Regulation). **In your experience, are there any**

specific issues related to the issuance of certificates under the Brussels Ia Regulation in your Member State?

- Yes
- No
- Do not know

32.1 If yes, please describe those issues.

750 character(s) maximum

*** 33. What are the remedies available in your Member State to challenge the issuance of certificates or the refusal to issue them? Please explain.**

750 character(s) maximum

34. Have issues arisen in your Member State as a result of:

	Yes	No	Do not know
* The design of the forms and certificates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* The accessibility of the forms and certificates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
* Processing requests for the issuance of the certificates	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

34.1 If yes, please describe those issues.

750 character(s) maximum

Overall questions on application

*** 35. In your opinion, what has been the impact of the amendments brought by the Brussels Ia Regulation in general (e.g., extension of the Brussels Ia Regulation's application to third-country domiciled defendants in specific situation; abolition of exequatur...)? Have they facilitated the application of the Regulation?**

1000 character(s) maximum

*** 36. In your opinion, what are the main issues when applying the Brussels Ia Regulation?**

1000 character(s) maximum

*** 37. Do you believe there are any issues arising from the interaction of the Brussels Ia Regulation with EU and national legal instruments in your Member State?**

- Yes
- No
- Do not know

37.1 If yes, please explain.

1000 character(s) maximum

*** 38. Have any other issues concerning the application of the Brussels Ia Regulation that were not addressed in the previous questions given rise to case law and/or doctrinal debate in your Member State?**

- Yes
- No
- Do not know

38.1 If yes, please briefly mention those below, and where possible, provide links to case law or articles. You may also attach documents below.

1000 character(s) maximum

*** 39. In your opinion, to what extent has the Brussels Ia Regulation facilitated access to justice in cross-border civil and commercial cases?**

- To a very large extent
- To a large extent
-

- To some extent
- To a limited extent
- Not at all
- Do not know

Statistics

40. Between 2015 and 2021, how many national judgments in your Member State refer to the application of the Brussels I and/or Brussels Ia Regulations? Please include statistics on the use of the Brussels I and Brussels Ia Regulations in national judgments in your Member State in the table below.

	2015	2016	2017	2018	2019	2020	2021	Overall
* Total number of civil and commercial judgments								
* Total number of judgments referring to 2001 BI Regulation								
* Total number of judgments referring to 2012 BIa Regulation								

40.1 Please provide the relevant url to the source of the statistics.

Looking forward

*** 41. In your opinion, what solutions would facilitate the application of the Brussels Ia Regulation in your Member State? Please explain.**

1000 character(s) maximum

42. Please let us know if you have any final remarks.

750 character(s) maximum

If you wish to submit additional documentation in support of your responses, please upload your files here (1 MB maximum). If you would like to provide document beyond the authorised limit, please send them at: BrusselsIa@milieu.be

Thank you for participating in this survey!