

## **Abstract**

The purpose of the thesis is to offer a comprehensive commentary of the choice-of-court agreements under the *Brussels I bis regulations* and the *2005 Convention on Choice of Court Agreements* (“*Convention*”) and to refer to the main problems which may arise during the application of these instruments to the disputes arising from relationships in which the choice-of-court agreement was concluded. The paper is composed of five main chapters. The first four chapters deal with the framework of the *Brussels I bis*, the fifth chapter illustrates the rules of the *Convention*.

Chapter one is dedicated to the fundamental characteristics of the *Brussels I bis*. It compares the rules contained therein with the previous legislation, analyses its principles and purposes, the interpretation of the terms contained therein and the relation to the other instruments. Chapter two deals with the detailed analysis of the choice-of-court agreements under the *Brussels I bis*, particularly with the scope of effect of art. 25, the effect of jurisdictional agreements, their characteristics, formalities necessary for their creations, their extent, forms, formal and material validity, cases where the *Brussels I bis* restricts the effect of the choice-of-court agreements and the consequences of such violation. Chapter three explains in detail the issue of the establishment of the jurisdiction by submission to the jurisdiction of the court. The study is particularly concerned with the essentials necessary for the establishment of such jurisdictions and with the ways to prevent it. Chapter four contains an interpretation of the *lis pendens* rule, particularly in relation to the choice-of-court agreements. The author raises the question of whether the international *lis pendens* rule should apply also to previously initiated litigation before the courts of the third states that were chosen in the exclusive jurisdiction agreement. Chapter five investigates in detail the *Convention*, its fundamental characteristics, relation to other instruments, scope of effect, formalities of the conclusion of the jurisdictional agreements and their effect, questions of their validity, recognition and enforcement and regime of non-exclusive choice-of-court agreements. The summary of the thesis, reminder of the possible problems, ambiguous places in legislations and the evaluation of the benefits of the adoption of relevant instruments for the international trade are discussed in the conclusion.