

Hague Convention on Choice of Court Agreements

Nov 12, 2015

Reading Time : **1 min**

The purpose of the Convention is to create an international legal platform for choice of court agreements similar to the platform established for enforcement of arbitration agreements by the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. Indeed, the Convention aims to increase the enforceability of forum selection clauses entered into by parties to international commercial contracts in which they agree to submit their disputes to the courts of a specific nation.

The enforceability of choice of court agreements and judgments rendered under the Convention relies on three pillars: the court which the parties contractually selected must hear the dispute (Article 5), other courts must suspend or dismiss proceedings to which an exclusive choice of court agreement applies (Article 6), and a judgment issued by the chosen court will be recognized and enforced by the courts of other Contracting States (Articles 8 and 9).

It may be useful to note that the Convention does not apply to consumer or employment contracts; a number of other subject matters, including intellectual property rights, insolvency matters, most family matters and tort claims unrelated to a contractual relationship; and interim measures of protection.

By providing greater certainty on jurisdictional issues, court judgments and enforcement between contracting State parties, the Convention thus improves the effectiveness of exclusive choice of court agreements in international litigation and constitutes, in that sense, a step toward international enforcement of judgments rendered under exclusive choice of court agreements for a wide scope of commercial contracts.

Categories

Policy & Regulation

© 2025 Akin Gump Strauss Hauer & Feld LLP. All rights reserved. Attorney advertising. This document is distributed for informational use only; it does not constitute legal advice and should not be used as such. Prior results do not guarantee a similar outcome. Akin is the practicing name of Akin Gump LLP, a New York limited liability partnership authorized and regulated by the Solicitors Regulation Authority under number 267321. A list of the partners is available for inspection at Eighth Floor, Ten Bishops Square, London E1 6EG. For more information about Akin Gump LLP, Akin Gump Strauss Hauer & Feld LLP and other associated entities under which the Akin Gump network operates worldwide, please see our Legal Notices page.