

Second Issue of 2019's *Revue Critique de Droit International Privé*

The last issue of the *Revue Critique de Droit International Privé* will shortly be released. This is a special edition composed of four articles on Brexit. It also contains several case notes, inter alia, a commentary by Horatia Muir Watt on *Vedanta v Lungowe*, major decision on the parent company's duty of care and private international law, rendered by the Supreme Court of the United Kingdom on 10 April 2019 (see also [here](#)).

The first article is authored by Paul James Cardwell (“Naviguer en eaux inconnues. Les défis rencontrés par la recherche juridique au Royaume-Uni à l’heure du Brexit”). The abstract reads as follows: *“The consequences of the United Kingdom’s decision to leave the European Union (Brexit) remain uncertain still. For legal scholars, Brexit has posed a series of complex legal questions, some of which have not been considered for over 40 years, if at all. This article aims to consider some of the main questions that have arisen during the Brexit process, and some of the potential responses. The article also evaluates the challenges that Brexit represents for researchers and teachers in the various sub-disciplines within legal scholarship, including the fast-paced, ever changing legal landscape. Although only a small number of the questions and challenges can be considered here, it goes without say that Brexit will undoubtedly have significant consequences for the UK, the EU and its Member States as well as for the systems of global governance, in which private international lawyers are inherently linked”*.

The second article (“Le Brexit et les conventions de La Haye”) is written by Hans van Loon. The abstract reads as follows: *“There are two possible scenarios at present for the immediate future of private international law in the relationship between the United Kingdom and the European Union of Twenty-seven in the event of Brexit. Under the first, the “Withdrawal Agreement” approved by the European Council on 25th November 2018 enters into force; under the second (the “no-deal” scenario) the status quo will end abruptly on 31st October 2019. Both of these hypotheses have important and complex implications. Under the*

Withdrawal agreement, a transition period is organised and when this period ends, specific transitory provisions take over. In such a regime, the law issuing from the conventions has a significant role to play. But in the event of a no-deal Brexit, all the treaties establishing, and concluded by, the European Union, and, as a result, European Union secondary law, including the regulations on private international law cease immediately to apply to the United Kingdom. The Hague conventions, including the new convention of 2 July 2019 on the recognition and enforcement of foreign judgments in civil or commercial matters will fill this gap to a large extent. However, the consequences may nevertheless be brutal for citizens, and in order to mitigate these, the transitory provisions of the Withdrawal agreement should be applied here by analogy”.

The third article, written by Uglješa Grušić (“L’effet du Brexit sur le droit international privé du travail”), describes the likely effect of the withdrawal of the United Kingdom from the European Union on the private international law of employment. *“More specifically, it deals with the likely effect of Brexit on employment law, the law of international jurisdiction in employment matters and the law on choice of law for employment matters in the United Kingdom and the European Union, with particular emphasis on private international law in England”.*

The fourth article is authored by Louise Merrett (“La reconnaissance et l’exécution en Angleterre des jugements venant des États de l’Union européenne, post-Brexit”). It describes the likely effect of the withdrawal of the United Kingdom from the European Union on the recognition and enforcement of judgments from EU Members States: *“If the UK leaves the European Union without any new agreement in place allowing for mutual recognition and enforcement, the recognition and enforcement of judgments from EU Members States will prima facie only be possible under the existing common law rules. This article will describe the common law rules and draw attention to the key differences between them and the rules which currently apply to the enforcement of judgments under the Brussels I Regulation recast”.*

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