



The Nature and Enforcement of Choice of Court Agreements

A Comparative Study

Mukarrum Ahmed

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PRAISE FOR THE BOOK

“This constitutes a work of impressive scholarship that will become a major reference point for future discourse on choice of court agreements. Dr Ahmed advances a firm thesis in a lucid manner that will satisfy both academics and practitioners. The discussion is supported by a monumental foundation of underpinning research. Ahmed’s monograph throughout shows clear understanding of underlying substantive laws and in Chapter 11 displays a refreshing willingness to engage in intelligent speculation on the implications of Brexit.”

Professor David Milman, University of Lancaster

This book examines the fundamental juridical nature, classification and enforcement of choice of court agreements in international commercial litigation. It is the first full-length attempt to integrate the comparative and doctrinal analysis of choice of court agreements under the Brussels I Recast Regulation, the Hague Convention on Choice of Court Agreements (‘Hague Convention’) and the English common law jurisdictional regime into a theoretical framework. In this regard, the book analyses the impact of a multilateral and regulatory conception of private international law on the private law enforcement of choice of court agreements before the English courts. In the process, it both pre-empts and offers innovative solutions to issues that may arise under the jurisprudence of the emergent Brussels I Recast Regulation and the Hague Convention. The need to understand the nature and enforcement of choice of court agreements before the English courts from the perspective of the EU private international law regime and the Hague Convention cannot be understated. This important new study aims to fill an existing gap in the literature in relation to an account of choice of court agreements which explores and reconnects arguments drawn from international legal theory with legal practice. However, the scope of the work remains most relevant for cross-border commercial lawyers interested in crafting pragmatic solutions to the conflicts of jurisdictions.

THE AUTHOR

Mukarrum Ahmed is Lecturer in Business Law at Lancaster University and a barrister of Lincoln’s Inn.

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