

EN
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Answer given by Mr McGrath
on behalf of the European Commission
(6.10.2025)

The Commission is not familiar with the individual case dealt by the Regional Court of Vienna referred to in the question.

The rules relating to arbitration, including the enforcement of arbitral awards, are not harmonised at EU level. The Brussels Ia Regulation that deals with the recognition and enforcement of judgments in civil and commercial matters¹ explicitly excludes arbitration from its scope. As a result, arbitration is governed by national laws and, where applicable, international treaties, such as the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards of 1958.

According to the Treaties, the national courts have the responsibility to ensure the correct application of EU law. This obligation includes, inter alia, the respect for EU's fundamental rights set out in the Charter of Fundamental rights of the EU², which is addressed to the Member States when they are implementing EU law.

¹ 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 (recast).

² https://eur-lex.europa.eu/eli/treaty/char_2012/oj/eng.