EU Policy on Collective Redress

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COLLECTIVE REDRESS IN EUROPE TODAY

- Many EU Member States have some procedures for collective claims or are considering to introduce such procedures.

- **Wide variety** throughout the EU on collective compensatory redress:
  - Substantive scope
  - Who can claim – on behalf of whom
EU POLICY INITIATIVES

• How to improve access to justice for European citizens and businesses harmed by breaches of EU law?

• Matter of fundamental rights:
  - Right to effective remedy
  - Principle of effective judicial protection

• Matter of effective enforcement of EU law
EU POLICY INITIATIVES

• Need for **collective redress** in cases of mass harm?

• 2008 White Paper on **antitrust damages actions**:  
  - number of policy suggestions, mostly competition-specific  
  - individual + collective damages actions

• 2008 Green Paper on **consumer collective redress**
TOWARDS A COHERENT APPROACH

- Demand from the European Parliament (2009)
- Joint information note by Reding, Almunia and Dalli (2010)
- Launch of a public consultation on 4 February 2011:
  ‘Towards a coherent European approach to collective redress’
CONSULTATION GOALS

• To gather stakeholders’ views on:
  
  - **practical experience** with collective redress systems that already exist in some Member States
  
  - **added value of collective redress** (in general or in concrete EU policy fields)
  
  - **general principles that should guide any EU initiatives on collective redress**
MAIN TOPICS

• How to achieve effective and efficient redress?
• What safeguards are needed to avoid abusive litigation?
• Who should have standing to bring collective actions?
• How to approach the issue of funding?
• Role of collective consensual (out of court) dispute resolution
• Enforcement of collective damages awards across the EU
HOW CAN YOU SHAPE THE POLICY?

• Send us your **comments** to the public consultation (deadline: 30 April)

• Attend a **public hearing** on collective redress that will take place on 5 April (deadline for applications: today)

THANK YOU FOR YOUR ATTENTION!