

WRITTEN QUESTION E-0962/09

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to the Commission

Subject: Commission Green Paper on consumer collective redress

In November 2008, the Commission presented a Green Paper on consumer collective redress (COM(2008)0794). The approach of the Green Paper is welcome, in saying that the planned measures for collective redress should not encourage a 'litigation culture' in the EU (Green Paper, paragraph 48). Nevertheless, the following questions remain:

In the Commission's view, what is the legal basis for the introduction of collective redress instruments on a European level?

In the Commission's view, what practical mechanisms would prevent the misuse of a system for collective redress? How does the Commission intend to ensure that the introduction of the proposed measures will not lead to a situation like that in America, especially with regard to the agreement of contingency fees, in the European Union?

What measures does the Commission intend to take to ensure that the introduction of collective redress instruments does not lead to a significant cost increase for the parties and the courts?

How does the Commission intend to ensure that possible different collective redress instruments on a European level are compatible with one another (the Directorate-General for Competition recently put forward proposals in a White Paper for collective redress for victims of cartel law infringements) and to prevent the development of an opaque system for collective redress?