



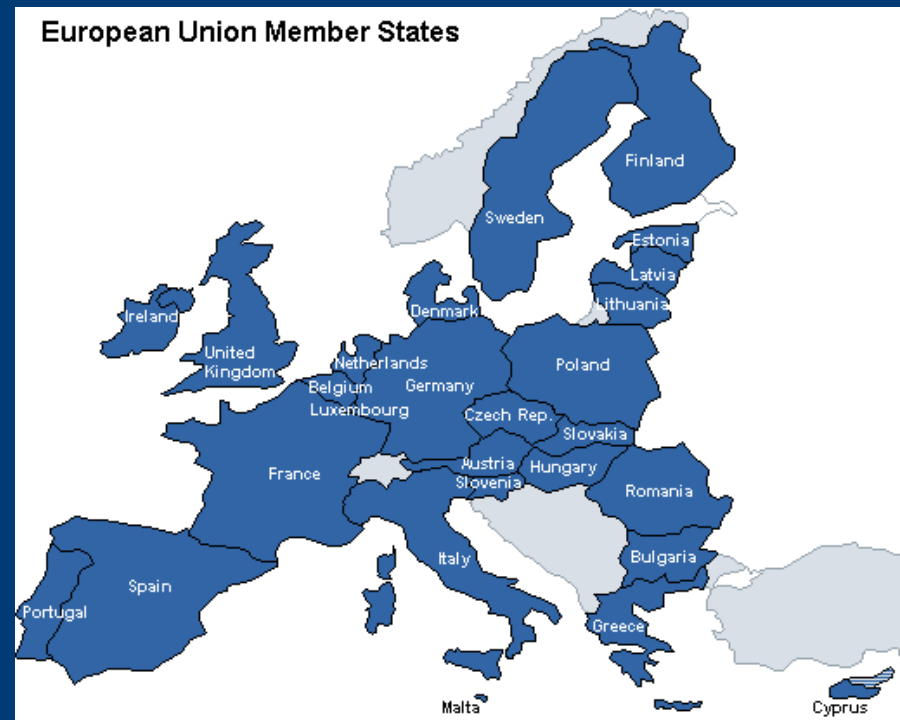
# **AIR TRANSPORT, AIR & SPACE LAW AND REGULATION**

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# EUROPEAN UNION DEVELOPEMENTS CONCERNING CROSS BORDER ACTIONS FOR COLLECTIVE REDRESS

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The European Economic Community was created in 1957 following the Treaty of Rome

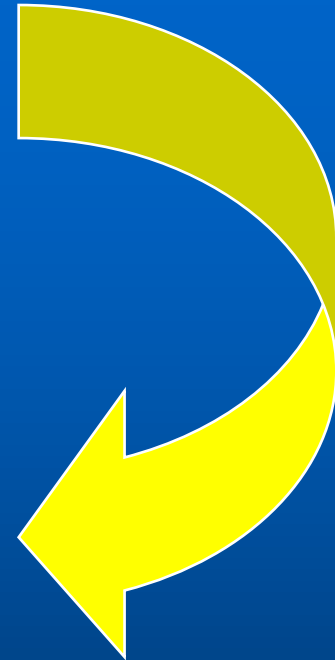
## Scope of the Treaty



It extends far beyond an economic treaty as it includes a number of purely social goals and promotes political cooperations by member states.

# The Institutions of the EU are

- The Assembly
- The Council
- The Commission
- The Court of Justice
- The Economic and Social Committee



*The Commission  
has been described  
as the “guardian  
of the Treaties”*

*Its functions are:*



- ➔ *First, to act as initiator or motor of the Union action*
- ➔ *Secondly, to act as the Union watchdog*
- ➔ *Thirdly, to function as the executive of the Union*

# INTRODUCTION

No common collective  
action for damages in  
Europe at the moment



Opt-in and opt-out systems

# European Initiatives

- A. Injunctions Directive 98/27/EC
- B. Report of University of Leuven (Belgium)
- C. Strategy Policy for 2007/2013
- D. Commissioner Kuneva's view
- E. Evaluation study



# European Initiatives



- F. Problem study
- G. Benchmark procedure
- H. Economic and Social Committee
- I. Commission's position:  
representative actions and opt-in  
collective actions

# CONCLUSIONS

- The EU Commission to confirm need for European Procedure
- Many EU Countries have already introduced domestic legislation
- Psychological resistance to US-style class actions
- Need to make benefits available to individuals
- Question is not if but how soon new procedures will be introduced in the EU

