Civil judicial cooperation: European enforcement order for uncontested claims

2002/0090(COD) - 05/06/2003

The Council had an orientation debate on the draft Council Regulation creating a European enforcement order (EEO) for uncontested claims. The debate focused on the following key issues: - the definition of an uncontested claim, - the minimum standards on the service of documents, - the possibility of appealing against the decision certifying a judgement as a EEO, - the enforceability of the judgement in the Member State of origin as a sufficient requirement for certification as a EEO, - the possibility of a refusal of enforcement in the Member State of enforcement, including on the basis of the "public policy" criteria, and - the inclusion or not of consumer cases in the scope of application of the Regulation. In the light of the discussion, the Council agreed on general guidelines for future work and consequently instructed the preparatory instances of the Council to further examine the draft Regulation.