Civil judicial cooperation: European enforcement order for uncontested claims

2002/0090(COD) - 09/02/2004 - Commission communication on Council's position

The Commission accepts the common position in the light of the fact that it includes the key elements contained in its initial proposal and in Parliament's amendments as incorporated into its amended proposal. It remains faithful to the ambitious goal of the abolition of exequatur including any public policy-related control and strikes a fair balance between a major simplification of crossborder enforcement for creditors and the adequate protection of the debtors' rights. The Commission is of the opinion that the text represents a fair and balanced compromise and marks a major step ahead in the implementation of the principle of mutual recognition by allowing a considerable proportion of decisions on civil and commercial claims to circulate freely and without any intermediate measures in Member States other than the one where a judgement has been delivered as a prerequisite for enforcement there.