



"The voice of crafts and SMEs in Europe"

SMEs say no to collective redress, but react positively on antitrust damage proposal

UEAPME stresses that there is no need for a collective redress system, but welcomes the proposal that antitrust damages should be ruled at national level

Brussels, 12 June 2013 –The European Commission published yesterday a Recommendation on the creation of a collective redress system at national level and a proposal for a Directive on antitrust damages. In a first reaction, UEAPME, the European craft and SME employers' organisation, positively welcomes the antitrust proposal but states its doubts on the necessity of national collective redress systems. Indeed, UEAPME believes that the latter could harm SMEs in lengthy legal processes and questions the need of such a system in general. As regards the antitrust damages proposal, UEAPME welcomes the proposal to implement the antitrust damages measures at national level, but demands prior impact assessments.

Following the recommendation to create a collective redress mechanism at national level, published yesterday by European Commission DG Justice, Enterprise and Legal Affairs Director **Luc Hendrickx** stated that *"UEAPME still questions whether the need for creating a collective redress mechanism has been established, both at Member States level and European level. Such a system could be, in particular, harmful for SMEs due to a high risk of insolvency resulting of the lengthy legal processes, even in cases where no violation on the business side is found"*. Despite the fact that the recommendation has set out a series of non-binding principles for a horizontal collective redress system, it calls on Member States to put in place collective redress mechanisms within 24 months. *"We acknowledge that at least some safeguards were introduced to prevent frivolous claims but consider sections, such as the funding paragraphs, to be too vague to prevent abusive litigation"*. UEAPME therefore questions the necessity of creating such a collective redress mechanism and rejects the time-binding implementation of it.

A positive reaction came from UEAPME concerning the proposal on antitrust damages published by European Commission DG Competition, Mr. Hendrickx said, *"UEAPME welcomes the fact that the DG Competition proposals leaves is up to Member States to decide whether to implement the collective redress mechanism in the context of private enforcement of competition law. However we urge Member States to make an impact assessment and to prove its necessity, before introducing such a system"*. UEAPME

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EDITORS' NOTES: UEAPME is the employers' organisation representing exclusively crafts, trades and SMEs from the EU and accession countries at European level. UEAPME has 80 member organisations covering over 12 million enterprises with 55 million employees. UEAPME is a European Social Partner. For further information please visit <http://www.ueapme.com/> or follow [@UEAPME](https://twitter.com/UEAPME) on Twitter.

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