



**British Institute of  
International and  
Comparative Law**

# Collective Redress & International ADR

A new research programme  
at BIICL



## Collective redress

The increasingly global nature of economic transactions triggers a vast potential for damage claims by many people in different countries.

While collective redress is well developed in the US, Canada and Australia, the situation is different in Europe, where appropriate procedural solutions to deal with these claims effectively are still developing. Mass claims jeopardise the traditional rules of civil procedure based on two-party proceedings, and the lack of appropriate mechanisms tailored to mass claims is currently receiving an unprecedented level of attention both at national and EU levels.

### Focus on Collective Redress at BIICL

From 2012 to 2014, the British Institute of International and Comparative Law (BIICL) received a grant from the European Commission for a study on collective redress mechanisms in different EU Member States.

This project provides comprehensive, neutral and systematic information on collective redress mechanisms throughout the EU and is known as Focus on Collective Redress. It consists of:

- A comprehensive website;
- A seminar series; and
- Publications and research.

The unique website provides information on, and links to, legislation and case law, research and publications on collective redress in the EU which is not available in a comprehensive way from other sources.

This provides a world-leading resource for practitioners, the judiciary, legislators, policy-makers, litigation funders, businesses, consumers and SME representative bodies, as well as all others with an interest in the area.

BIICL developed the project in collaboration with a diverse range of partners which include:

- Wirtschaftsuniversität Wien (AT);
- Universidade de Santiago de Compostela (ES);
- Istituto Universitario di Studi Europei (IT);
- Vilniaus Universiteas Teises Fakultetas (LT);
- Faculdade de Direito da Universidade de Coimbra (PT);
- Juridicum, Institutionen for Juridik, Psykiologisk Socialt Arbete, Örebro (SE); and
- Stichting Katholieke Universiteit Brabant (NL).

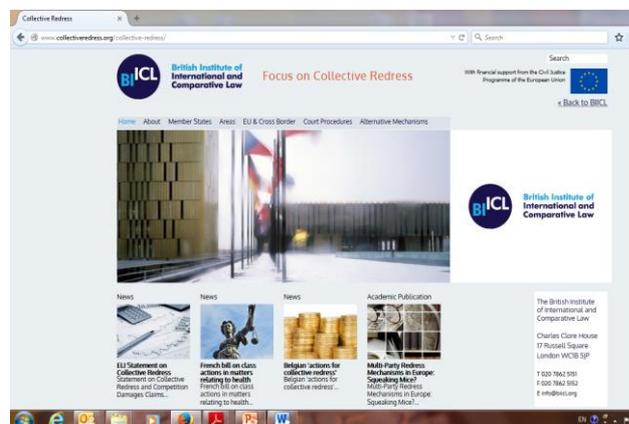


**This project was supported by the  
Civil Justice Programme of the European Union**

## Focus on Collective Redress website

In outline, the website:

- Consistently occupies a top slot in the search engine rankings for this topic;
- Provides comprehensive and regularly updated information (including links to other relevant resources) on collective redress procedures (legislation, proposals and cases) both at the EU level and in the courts of the EU Member States;
- Covers all of the major fields of law where collective redress is relevant in Europe – consumer, competition, financial services, product liability, environment – with others to be added as the law on collective redress develops in those fields;
- Is impartial, as the website ensures that links to academic work, opinion pieces and sponsors reflect the whole spectrum of views on collective redress in Europe;
- Is available freely to practitioners and academics because it is intended that the website should act as a forum for those who wish to access it and use it to guide their own work.



[www.collectiveredress.org/](http://www.collectiveredress.org/)

## Focus on Collective Redress seminar series

BIICL has hosted a number of events on collective redress including;

- Securities Claims: A Trans-national Perspective (December 2015)
- Funding Collective Redress: A Trans-national Perspective (July 2015)
- Consumer Rights Act 2015 - The UK Class Action (April 2015)
- International Environmental Mass Litigation – Lessons for Europe (December 2014)
- Class Actions and Product Liability Litigation: An Australian Perspective (September 2014)
- Collective Redress in Europe – Why? (June 2014)
- A European Code for Competition Litigation? (June 2014)
- The Commission Recommendation on Collective Redress (October 2013)

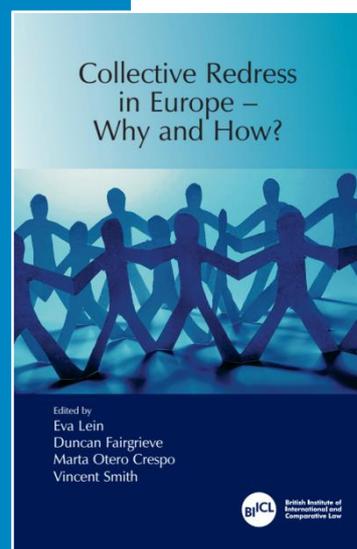


**Publication:**

***Collective Redress in Europe – Why and How?***

The book explores the need for mass litigation mechanisms in Europe from a series of interdisciplinary perspectives (economics, behavioural sciences, lawyers' and judicial perspectives). It also analyses the current collective redress landscape in Europe in light of the Commission Recommendation of June 2013; this includes an assessment of national collective redress mechanisms; views from overseas on the present and future of collective litigation in Europe; commentary on various specific areas of collective redress – including competition law, product liability and consumer protection; and the options for, and relevance of, collective ADR mechanisms.

**ISBN 978-1-905221-56-1**



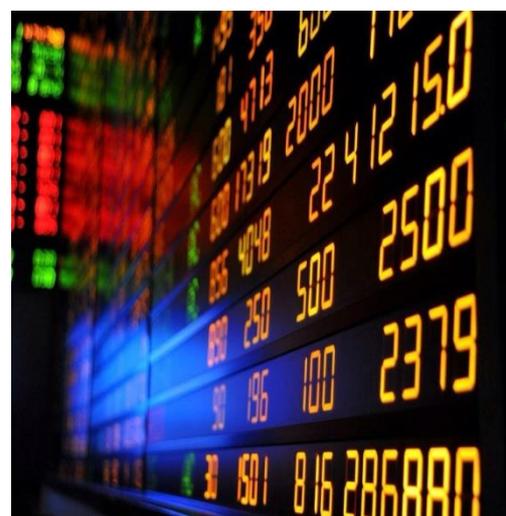
## **BIICL's new research programme on collective redress & international ADR**

The EU grant has enabled BIICL to create a unique resource for all those involved in collective redress. The Institute would now like to build on the work it has been doing in this area over the past two years with a new research programme.

European reform work has prompted developments at a national level, with an increasing number of European jurisdictions legislating in this sphere, including the UK, France, Belgium and the Netherlands.

Claims have now started to be brought under the new procedural mechanisms, and further reform efforts are already being considered so as to extend collective procedures to other sectors (e.g., in France and Germany).

The current Volkswagen case, which gave rise to collective claims in several countries, illustrates the pertinence of the topic and the need for further analysis from a comparative and European perspective.



## Why BIICL?

BIICL is a leading independent legal research organisation with charitable status, unaffiliated to any university.

It is the only body of its kind in the UK, and one of very few in the world. BIICL has a long tradition of working on comparative procedural issues including research and publications on the future of transnational civil litigation. The EU-funded project has enabled BIICL to establish itself as a world-leading source of information on collective redress.

### Partnership opportunities

In order to build on the significant work we have already done in this area, we now plan to recruit a full-time research fellow who will work exclusively on Collective Redress & International ADR, planning and implementing a comprehensive and unique programme of work including the website, events and publications.

BIICL is committed to supporting this initiative and has set aside funds to cover part of the cost of employing a full time research fellow to develop the programme further.

However BIICL is a charity with limited resources and we are looking to form a small consortium of firms to match the BIICL funding with an annual donation of £7,500 each towards the cost of the programme.

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Consortium members will be listed on the website (ranked #1 for 'collective redress'), offered speaking slots at events and acknowledged on all publications and materials.

This will provide an excellent opportunity to associate your firm with this topic and to raise your profile throughout the BIICL network of legal practitioners, judges, in-house counsel, government officials, NGOs, international organisations, consultants and academics worldwide.

By providing a modest annual donation, your firm will be supporting a unique and substantial programme of work on the development and practical application of collective redress and international ADR, while giving your lawyers and clients access to leading-edge research and opportunities to contribute their expertise.

**Thank you for considering our request.**

**We would be pleased to discuss this proposal with you and provide further information on our work.**

**Please contact Sarah Taylor on 020 7862 5433 or email [s.taylor@biicl.org](mailto:s.taylor@biicl.org)**