

Propositions

1. The purpose of the European uniform procedures is to insure the effective enforcement of rights cross-border.
2. The harmonious application of a European uniform procedure can be undermined by an extensive (direct or indirect) reliance on national procedural rules that are not clearly singled out.
3. Access to specific information on domestic rules that are relevant for the application of the European uniform procedures is a crucial element in securing parties' access to justice and the effective application of the European uniform procedures.
4. The diverse approaches to the application of the European Order for Payment and European Small Claims Procedures add an additional layer of complexity to procedures that aims to be simple and fast.
5. The lack of consistent and detailed statistical data makes the process of assessing the functioning of the European uniform procedure a difficult exercise; qualitative empirical findings can complement quantitative data, but cannot fill out this deficiency.
6. Common (minimum) procedural standards can set the basis for greater trust between the judiciaries of the Member States and create the grounds for developing a common legal culture.
7. The ELI-Unidroit work on European Rules of Civil Procedure may serve as a blueprint for a future European civil procedure; this could bring more architectural coherence and help avoid incidental piecemeal legislative actions.
8. Cross-border procedures might need to be designed digital by default in order to control procedural and administrative complexities resulting from the assemblage of law and technology.
9. Uniformity of concepts is a key pre-requisite to secure comparability of variables and indicators.
10. Three cornerstones are necessary to deliver a justice of quality to court users: legality (principle of legality), efficiency (use of limited resources) and legitimacy (independence, fairness, impartiality).
11. One need not hope in order to undertake, nor succeed in order to persevere. (William the Silent)