

IUS COMMUNITATIS



The Treaty of Amsterdam confers to the European Union the competence to establish an Area of Justice, Freedom and Security. Articles 61 and 65 EC-Treaty empower the European Union to harmonize the national laws of civil procedure in cross-border situations. Since 1999, the European Community has used its powers to create a densely woven net of community rules, governing a multitude of civil proceedings in the Member States.

Europäisches Zivilprozessrecht is an invaluable source of information for legal practitioners, scholars and students alike, willing to expand their knowledge in the highly relevant field of European civil procedure.

The new publication provides a thorough and comprehensive analysis of the European law of civil procedure as it stands today. It analyses all relevant legal instruments, such as

- the Regulations Brussels-I and Brussels II
- the legal instruments on Judicial Assistance (Service of Documents, Taking of Evidence, Legal Aid)
- the Regulation on Insolvency Proceedings
- the European Order of Payment Procedure
- the European Enforcement Order for Uncontested Claims
- the Small Claim Procedure
- the Maintenance Regulation
- and the Directive on Mediation.

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In addition, the author explains the legislative competences of the European Community, the different instruments of European procedural law, the hierarchy between these instruments, their interpretation and the effects of the European instruments in relation to third states. Furthermore, the book discusses the preliminary reference procedure contained in Art. 234 EC and the (private) enforcement of EU law by the Member States' civil courts. Finally, the author gives an outlook on the prospects of the European law of civil procedure including the possibility of creating a uniform code of European civil procedure.

