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The European Commission has published a Recommendation consisting of a number of common principles for developing a coherent horizontal framework for collective redress for breaches of a number of EU laws. Its stated objective is to facilitate access to justice and ensure a high level of consumer protection. This article critically examines the main principles that underpin the Recommendation, discusses the legislative responses of Member States since the Recommendation was published and concludes that unless the Commission and Member States are prepared to compromise on their historical aversion to anything resembling so-called US-style “entrepreneurial litigation”, the Recommendation is unlikely to achieve its main objective of increasing access to justice via a horizontal national collective redress scheme in Europe.

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