



*Train 2 EN4CE Project is being funded by the
European Union's Justice Programme (2014-2020)*



Concluding project meeting

24 March 2022

University of Rijeka, Faculty of Law



Sustainability of the project in Croatia

- **Raised awareness** on EOP and ESCP among judges, practitioners and in-house lawyers
- **Enhanced knowledge** on EOP and ESCP among judges, practitioners and in-house lawyers
- **Widened research** in EOP and ESCP by the project team:
 - Prof. Dr. Eduard Kunstek, Prof. Dr. Ivana Kunda, Assoc. Prof. Dr. Gabriјela Mihelcic, Assist. Prof. Dr. Danijela Vrbljanac
 - Doctoral candidate Martina Ticic added member o the project team – funded by the Croatian Science Foundation
- **More profound treatment** of EOP and ESCP in teaching PIL



Main activities affecting Croatian participants

- Needs Assessment Questionnaire – Croatia
- Handbook on EOP & ESCP practical cases
- Online Seminar on EOP 7-8 Dec 2020: 41 participants
- Online Seminar on ESCP 17-18 Feb 2021: 135 participants
- Hybrid Seminar on EOP & ESCP 30 Sept – 1 Oct 2021: 88 participants
- Online Seminar on EOP & ESCP 28-29 Oct 2021: 35 participants



Main takeaways from Croatian activities

- participants' feedback shows the **hypothetical and real practical examples** were the most useful part of the seminars
- **accessibility of seminars** (online or hybrid, free-of-charge) was crucial for the excellent turnout of participants
- from 2016 to December 2020, there were about **670 cases** on the matters of EOP and ESCP were received by the Commercial Court in Zagreb; around **97 percent of those cases refer to the EOP**
- E-communication not used in EOP and ESCP



Main takeaways

- *European Small Claims Procedure*
- practically **unknown** and **rarely used** in Croatia
- incomplete data for the payment of fees on E-Justice portal
- **instructions** for the payment of court's fees from abroad should also be provided on the **courts' website**
- **instructions** should be accessible via the **courts' website or the e-notice board** (e-Oglasna ploča); the forms could be provided under the 'documents – forms for parties' section
- lack of information on the **enforcement** of judgments abroad



Main takeaways

- ***European Order for Payment***
- inaccurate information in regards to the competent court and E-Justice Portal
- Practical guide on the EOP Regulation not available in Croatian
- **most common reasons** for the court's requests **for completing and/or rectifying the application for the EOP** include: application filled out using an incorrect language; lack of jurisdiction; missing power of attorney; issues with the *locus standi*; unspecified amount of claim or lack of the starting date for the calculation of interest
- the **most common reason for rejecting the EOP** applications is lack of jurisdiction; **other reasons** include instances where the claim is obviously unfounded; application not being corrected within the given deadline, mostly related to the language issues; and request not being in the scope of the EOP Regulation, usually because the plaintiff already has a different enforcement document to collect the claim in question



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Thank you all
for the cooperation!

PRAVNI

Pravni fakultet Faculty of Law



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