Monitoring the application of Community law. 18th annual report 2000, 19th annual report 2001

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The nineteenth annual report reports on the Commission's activities in connection with monitoring the application of Community law in 2001. With a view to addressing Parliament's call for a more analytical, less descriptive approach to the Commission's work in this field, this report places the Commission's monitoring of the application of Community law, where possible, in the context of the Community's political and legislative programme. A general description of the use made by the Commission of the infringement procedure as a prelude to formal proceedings takes the following form: -a statistical overview showing the various stages involved in monitoring the application of Community law and statistical trends in relation to the previous year; -improvements in the pre-litigation procedure; -transposition by the Member States of Community Directives; -applications for derogations from harmonisation measures - Article 95 of the EC Treaty; this section is in response to Parliament's requests; -application of international agreements adopted by the Community and the law derived from those agreements. This section is in response to Parliament's request. -a graphical overview, by Member State, of all the infringement proceedings commenced or handled by the Commission during 2001; -an overview of the use made by the Commission, since the entry into force of the Maastricht Treaty, of the penalty mechanism provided for Article 228 of the EC Treaty. The statistics may be summed up as follows: -the total number of infringement cases initiated is down 11.65%, the lowest figure since 1999. -the number of complaints registered by the Commission increased in 2001 (6.12% up on 2000) but remains slightly below the 1999 record. In 2001 complaints accounted for six infringement cases out of ten initiated by the Commission in that year. The number of letters of formal notice is lower than last year, a decrease of 25.43%. The number of reasoned opinions rose by 23.7%. Cases referred to the Court of Justice fell by 5.82%, and processing times have increased slightly for letters of notice. The Commission has built on the improvements in the pre-litigation procedure described in the last report. With regard to the transposition of directives, Member States had on average notified 97.41% of the national measures needed to implement the directives. This represents a clear improvement and is the highest rate achieved since 1992. It is below the target of 98.5% set by the Stockholm European Council for the transposition internal market legislation. In terms of all Community legislation for transposition, only Denmark and Spain have reached that target. The report goes on to outline the 7 notifications under article 95(a) and (b) that were submitted by the Member States. On the law derived form international agreements, the Commission mentions proceedings against Ireland for infringement of the Agreement on the EEA, as well as proceedings against the UK and the Netherlands in connection with the Europe Agreement with Poland. The Commission adopted three second referral decisions with demands for penalty payments from Spain (environment), France(fisheries) and Luxembourg (transport). Finally, the bulk of the report deals with an examination of thesituation sector by sector.