Monitoring of the application of Community law. 12th annual report 1994

1995/2195(COS) - 21/12/1995

With only one abstention, the committee unanimously adopted the resolution on the Commission's Twelfth Annual Report on monitoring the application of Community law - 1994 (rapporteur: Mr Giorgios ANASTASSOPOULOS (PSE, G)). The main points in the resolution were as follows: - a warning against a non-uniform application of Community law: the rapporteur immediately drew attention to the risks involved in monitoring carried out by the national constitutional courts of the validity of Community legislative acts in the light of their respective constitutions; - a dynamic interpretation of Community law: the report called on the Commission to step up its efforts in this area; - transparency: the Committee on Legal Affairs pointed out that the transparency of the Community's decision-making process was an integral part of the democratic nature of the EU. It reiterated its previous requests seeking to ensure that the Council legislated in public and again deplored the Council's habit of inserting in its minutes unilateral declarations on legislation in the course of adoption, particularly under the codecision procedure; - codification: the committee called on the Commission to submit as soon as possible all the proposals for legislative codification listed in the 1995 legislative programme; - transposition of Community law: the committee noted that some progress had been made but regretted that in some sectors (the environment, public contracts, insurance, intellectual property and pharmaceuticals) there was still a backlog, and deplored the excessively long time taken by the Commission before initiating infringement proceedings against the Member States; - providing information to individuals: the committee took note of the Court of Justice's latest judgments and considered that the Commission would be well advised to draw up a practical guide for individuals listing the main rights and obligations deriving from Community law. It also called on the Commission to look into the practical difficulties encountered by individuals in gaining access to the European courts and the length of the procedure involved; - training in Community law: the Committee on Legal Affairs recommended that the Member States include a study of the disciples of Community law as a compulsory requirement for access to the legal professions.