Monitoring of the application of Community law. 15th annual report 1997

1998/2120(COS) - 23/02/1999

The Committee has adopted that report by Angela Sierra Gonzalez (GUE/NGL, E) on the Commission·s annual report on monitoring the Community law (1997). The Committee considers in particular that more needs to be done to simplify European legislation, and calls on the Commission to take appropriate measures. As concerns the transposition of Community rules by the member states, the Committee notes that though the directive incorporation rate increased in all the Member States in 1997, most states do still not succeed in adopting measures by the deadline set. The Committee suggests that more extensive links should be established between the Member States and the Commission in order to make Community Law to be more successfully applied and that technical assistance from the Commission should be made available both to the Member State bodies responsible with incorporating Community rules and to applicant countries. In order to gain the public's confidence and improve the democratic character of the EU, the Committee also demands more transparency in the decision-making process, that the institutions do not refuse public access to documents and undertakes to improve its own drafting of legislative texts in order to make them more comprehensible. From a procedural point of view, the Committee welcomes the fact that the Commission for the first time in 1997 has used its right to propose to the Court of Justice that a Member State failing to implement a judgement should be required to pay a daily penalty until it does comply, which clearly had a strong deterrent effect. The Committee considers, however, that stricter deadlines must be introduced for the application of Article 169; for example, the Committee considers that a decision to refer a case to the ECJ should be taken within twelve months. Furthermore, the Committee demands that the teaching of Community Law should be made compulsory in all Member States on a university level, and that greater priority is given to facilitating access to Community Law in order to allow greater awareness amongst the public and legal professionals on the application of Community law.