Monitoring of the application of Community law. 14th annual report 1996

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OBJECTIVE: presentation of the Fourteenth Annual Report from the European Commission on monitoring the application of Community law (1996). SUBSTANCE: the Commission believes that the summary of the application of Article 169 of the EC Treaty in 1996 is mainly positive, as shown by the statistical results as well as the initiatives taken by the Commission to improve the operation and effectiveness of the infringement procedure. The Commission had adopted a series of measures to improve its working methods and make management of procedures quicker, simpler and more transparent. These measures have been supported by more specific measures regarding the internal market and the environment. Analysis of the results revealed four major trends: - the number of decisions to serve letters of formal notice or reasoned opinions on Member States had risen sharply: in 1996, the Commission delivered 1 587 formal letters of notice and referred 93 cases to the Court of Justice, which constitutes a record; - the number of complaints fell by 15%, and the number of cases detected by the Commission's own investigations fell by 13%; - the number of cases terminated remained high (1771 decisions in 1996, a decrease of 14% compared to 1995); - sustained activity regarding package meetings (particularly those involving the internal market and the environment) and missions on the transposition of directives: the meetings organized in the three new Member States had contributed to the considerable improvement in the rate of transposition of directives in those countries. As regards the transposition of directives, the Commission noted a slight improvement in the rate of national measures implementing the transposition of directives (92.8% compared with 90.7% in 1995), although the performance of individual Member States was variable. Apart from the improvements in these working methods, the Commission also adopted a communication on the implementation of the second subparagraph of Article 171(2) of the EC Treaty as well as a method for calculating the penalties provided for in this Article. This had allowed the Commission, in January 1997, to proceed with the first applications of this new provision introduced in the Maastricht Treaty. The Commission was finally anxious to ease the task of the European Ombudsman, following his initial inquiries into the Commission's management of infringement proceedings.