Monitoring of the application of Community law . 16th annual report 1998

1999/2168(COS) - 16/06/2000 - Text adopted by Parliament, single reading

In adopting the report drafted by Mrs. Françoise GROSSETÊTE (EPP-ED, Fr), the European Parliament accepted the resolution on the 16th annual report from the Commission on monitoring the application of Community law (1998). The European Parliament calls on the Commission to state reasons for its decision to propose that cases be terminated in order to keep the complainants fully informed throughout the process. Furthermore, it repeats the request to the Commission to take account of the following criteria when dealing with complaints: - the loss of own resources suffered by the Community; - the impact of infringement on the functioning of the Community; - damage to human health or the environment; - economic or other damage suffered by individuals or economic operators; - the financial and economic advantages which Member States or economic operators of Member States might gain as a result of failure to transpose Community law; - the number of people affected by the infringement. With regard to petitions, the Parliament recalls the efforts of the European Parliament's Committee on Petitions to ensure the effective and rapid consideration of the petitions which they are receiving from the public in ever greater numbers. It calls on the Commission to take the necessary steps to reduce the time-frames for the infringement procedure, especially for its pre-judicial phase. In addition, the Commission is called upon to undertake a full-scale information campaign targeted on citizens of Europe on the subject of their right to petition the Parliament and to lodge complaints with the European Ombudsman, and to release the necessary funds for this purpose. It is also called for to include a section on petitions in the next annual reports on the application of Community law. The European Parliament calls on the Commission to place more emphasis on a homogenous presentation of the report, for all areas of Community law, setting out the monitoring of notification of national implementing measures (NIMs), the examination of whether they conform to the directives they are transposing and the monitoring of the practical application of the directives and regulations. It also calls for the Commission to be less timid in the use of the penalty payment procedure. As regards the monitoring of decisions by national courts concerning state liability for breaches of Community law, the Parliament repeats its request to the Commission to monitor these decisions extensively and report the results in the forthcoming annual reports. Moreover, the European Parliament stresses the need for clear, precise and harmonised administrative rules to regulate relations between public administrations and the citizen. In addition, the Parliament calls on the creation, in due course of a genuine body of European administrative law in order to ensure the fuller protection of the subjective rights which are enshrined in the Treaties or which emerge from derived law. With regard to EUR-LEX, the Commission is called upon to set an example and improve the system in order that members of the public have easy on-line access to complete, consolidated Community acts. It also calls on the Commission to consider granting universities and non-profit-making organisations free access to CELEX. Lastly, it asks the Commission to produce a report in future on the application of European Union law including a second and third pillar matters and repeats, in particular, its requests for an evaluation of the application of the international agreements to which the Community is a party and legislation based on such agreements.