Basic information

1995/2195(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Monitoring of the application of Community law. 12th annual report 1994 **Subject** 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs, Citizens' Rights	ANASTASSOPOULOS Georgios (PPE)	24/05/1995

Committee for opinion	Rapporteur for opinion	Appointed
AGRI Agriculture and Rural Development		
ECON Economic and Monetary Affairs, Industrial Policy	WATSON Sir Graham (ELDR)	19/07/1995
ENER Research, Technological Development and Energy	SCAPAGNINI Umberto (UPE)	19/07/1995
RELA External Economic Relations	DIMITRAKOPOULOS Giorgos (PPE)	20/07/1995
TRAN Transport and Tourism		
ENVI Environment, Public Health and Consumer Protection	FITZSIMONS James (Jim) (RDE)	27/06/1995
PETI Petitions	DIMITRAKOPOULOS Giorgos (PPE)	17/10/1995

Council of the European Union

Key events

Date	Event	Reference	Summary

07/06/1995	Non-legislative basic document published	COM(1995)0500	Summary
10/07/1995	Committee referral announced in Parliament		
21/12/1995	Vote in committee		Summary
21/12/1995	Committee report tabled for plenary	A4-0001/1996	
13/02/1996	Debate in Parliament		
13/02/1996	End of procedure in Parliament		
04/03/1996	Final act published in Official Journal		

Technical information	
Procedure reference	1995/2195(COS)
Procedure type	COS - Procedure on a strategy paper (historic)
Procedure subtype	Commission strategy paper
Legal basis	Rules of Procedure EP 148
Stage reached in procedure	Procedure completed
Committee dossier	JURI/4/06799

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0001/1996 OJ C 032 05.02.1996, p. 0005	21/12/1995	
Text adopted by Parliament, single reading		T4-0047/1996 OJ C 065 04.03.1996, p. 0021-0037	13/02/1996	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1995)0500 OJ C 254 29.09.1995, p. 0001	07/06/1995	Summary

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

1995/2195(COS) - 07/06/1995 - Non-legislative basic document

The Commission states in its twelfth annual report on monitoring the application of Community law (1994) that it started 974 infringement proceedings (compared with 1209 in 1993), sent out 546 reasoned opinions (compared with 352 in 1993) and referred 89 cases to the Court of Justice (compared with 44 in 1993). Complaints sent to the Commission are still the most important means by which infringements of Community law are detected. The number of presumed cases of infringement detected as the result of complaints remained stable in 1994, while the number of presumed infringements

investigated following petitions or parliamentary questions fell. Finally, the number of cases detected ex officio remained at the same level overall as in 1993. Most infringement proceedings instituted in 1994 were the result of failure to communicate national implementing measures for directives and the fall in the number of proceedings stemmed from the improvement in the conduct of the Member States in introducing transposition measures. By contrast, the considerable increase in reasoned opinions translates the Commission's wish to put an end to a large number of proceedings already instituted with no positive result in connection with directives, the non-transposition of which is highly damaging to Community life. This same reasoning also applies to the considerable increase in the number of referrals to the Court of Justice. In this respect, the Commission, which is seriously worried by the persistent delays in complying with the judgments of the Court, informed the Member States of its intention to implement fully the provisions of Article 171 of the revised EC Treaty allowing the Court to impose penalty payments on Member States if they fail to comply with a judgment. - As far as directly applicable rules are concerned, the Commission notes a clear improvement in the free movement of goods. By contrast, procedures have doubled in the public procurement sector. Another difficult sector is VAT, where infringement cases have persisted over several years. - As far as the transposition of directives is concerned, the Commission notes that on 31 December 1994, the Member States had communicated on average 91.89% of national implementing measures. With reference to the three main areas of transposition, the area without frontiers, agriculture and the environment, the report notes that there was a net increase in the rate of transposition in the first two and a slight fall in the environment sector. Finally, the Commission sets great store by continuing its awareness-raising policy and promoting regular contact with national administrations alongside formal monitoring procedures.

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

1995/2195(COS) - 13/02/1996 - Text adopted by Parliament, single reading

The European Parliament adopted the report by Mr Giorgios ANASTASSOPOULOS (PSE, Gr) on the Commission's Twelfth Annual Report on monitoring the application of Community law. The main points of the EP resolution were as follows: - a warning against a non-uniform interpretation and application of Community law; - dynamic interpretation of the rules of Community law, including before the Court of Justice: the Commission was called upon to step up its efforts in this connection; - transparency in the decision-making process: the EP noted that transparency was an integral part of the democratic nature of the EU. It reiterated its previous requests that the Council should legislate in public and deplored the Council's habit of inserting in its minutes unilateral declarations on legislation in the course of adoption, particularly under the codecision procedure. Furthermore, public access to documents concerning the Community legislative process should not be refused save in exceptional cases; - quality of legislation: the Commission was urged to submit as soon as possible all the proposals for legislative codification listed in the 1995 legislative programme; the Commission should submit the consolidated text to the Council and Parliament when it forwarded proposals to amend existing law; - transposition of Community law: the EP 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. It also took the view that each parliament could develop internal procedures to monitor the implementation of Community law; - providing information to individuals: the EP considered that the Commission should draw up a practical guide for individuals, listing the main rights and obligations deriving from Community law and their opportunities for asserting them. It asked the Commission to look into the practical difficulties encountered by individuals in gaining access to the European courts and to consider setting up a Community fund to improve the situation; - training in Community law: the EP recommended that the Member States include a study of the disciplines of Community law as a compulsory requirement for access to the legal professions.