Basic information

1996/2107(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Monitoring of the application of Community law. 13th annual report 1995 **Subject** 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs, Citizens' Rights	SCHAFFNER Anne-Marie (UPE)	19/03/1996

Committee for opinion	Rapporteur for opinion	Appointed
ENER Research, Technological Development and Energy	The committee decided not to give an opinion.	
RELA External Economic Relations	SCHWAIGER Konrad K. (PPE)	19/11/1996
ENVI Environment, Public Health and Consumer Protection		
FEMM Women's Rights	VAN DIJK Nel B.M. (V)	26/11/1996
PETI Petitions	MIRANDA DE LAGE Ana (PSE)	20/11/1996

Council of the European Union

Key events

Date	Event	Reference	Summary
29/05/1996	Non-legislative basic document published	COM(1996)0600	Summary
15/07/1996	Committee referral announced in Parliament		
18/12/1996	Vote in committee		Summary
18/12/1996	Committee report tabled for plenary	A4-0001/1997	

29/01/1997	Debate in Parliament		Summary
30/01/1997	End of procedure in Parliament		
24/02/1997	Final act published in Official Journal		

Technical information	
Procedure reference	1996/2107(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/4/07984

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0001/1997 OJ C 033 03.02.1997, p. 0023	18/12/1996	
Text adopted by Parliament, single reading		T4-0033/1997 OJ C 055 24.02.1997, p. 0015-0047	30/01/1997	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1996)0600	29/05/1996	Summary

Monitoring of the application of Community law. 13th annual report 1995

1996/2107(COS) - 29/05/1996 - Non-legislative basic document

OBJECTIVE: to present the Commission's thirteenth annual report on monitoring the application of Community law (1995). CONTENT: in its annual report, the Commission emphasizes that the growth in the number of infringement proceedings in 1995 was characterized by 7 major trends: 1) a large number of infringement proceedings registered: hitherto, the Commission has never taken so many decisions under Article 169 of the EC Treaty in one year (5,068 decisions as against 4,802 in 1994). The Commission notes a decline in the number of complaints (978 as against 1,145 in 1994) and an increase in the number of cases detected by the Commission (from 277 in 1994 to 320); 2) the important role played by the European Parliament in prompting infringement proceedings: 30 cases registered in 1995 originated in a written or oral question and 4 in a petition. The European Parliament shows the greatest interest in the environment and the internal market which, between them, account for more than 60% of the cases currently running at the Commission; 3) proceedings commenced in 1995: the number of letters giving formal notice was stable, with 1,016 infringement proceedings commenced in 1995, as against 974 in 1994; 4) proceedings regarding established infringements: there was a decline in the number of reasoned opinions (192), while the number of referrals to the Court was stable (72 new infringement cases); 5) a sharp increase in the number of cases terminated (from 1,811 in 1994 to 2,045 in 1995); 6) clearing up the legacy of the past: a large number of the longest-running cases were settled; 7) greater transparency in the infringement procedures, with particular regard to the single market, which the Commission sees as a political priority. As regards directly applicable rules, the Commission emphasizes the large number of proceedings opened relating to the free movement of persons, particularly in the field of discrimination as regards access to employment and the right of residence, as well as in the field of employment and social policy (equal treatment for men and women) and fisheries and aquaculture. In the case of directives, the Commission notes that, by 31 December

1995, the Member States had, on average, notified 90.7% of the national implementing measures required to give effect to all the directives to be implemented. The rate of notification is particularly high in the field of customs matters, right of residence, machinery, motor vehicles and recognition of qualifications. This rate varies widely in the fields of telecommunications and financial services. Finally, difficulties persist in the fields of the environment, transport, energy and agriculture. As regards public procurement contracts, the number of cases currently being reviewed on the grounds that national legislation does not conform with Community law has doubled in one year (30 cases in 1995). The Commission takes the view that better application of Community law requires a policy to prevent infringements. Greater involvement of national bodies, especially national parliaments, in the Community legislative process would be conducive to this. Similarly, maintaining regular contacts with the national authorities through institutional committees would help, as would efforts to make Community law more familiar and more comprehensible. The Commission notes that it has set itself two priority objectives: putting monitoring of the application of Community law at the centre of its business and finding a judicious balance between monitoring the application of Community law and the role played by national authorities in general and the courts in particular. It takes the view that the means available to it to enforce Community law should be made more effective, notably as regards the internal market, and that there should be a stronger role for the Court of Justice, particularly as regards compliance with its judgements.

Monitoring of the application of Community law. 13th annual report 1995

1996/2107(COS) - 30/01/1997 - Text adopted by Parliament, single reading

In adopting the report by Mrs Anne-Marie SCHAFFNER (UPE, F) on monitoring the application of Community law, Parliament expressed its concern that some Member States deliberately do not transpose directives. It noted a particularly unsatisfactory transposition rate in the environment, transport, energy and agriculture sectors as regards directives adopted in the framework of the internal market. It regretted the fact that 93 judgments had not been implemented by the Member States and urged the Commission to follow them up. Parliament also stressed the need for greater transparency in Community law. It reiterated, therefore, the priority it attached to the fact that directives adopted should be consistent with the subsidiarity principle and should also be clear and concise. There should also be greater transparency in infringement proceedings. It called for the Commission to draw up, with regard to the Union's external economic and trade relations, a specific annual report assessing the degree of application of Community law deriving from external commitments. It called on the Commission to ensure that complaints and petitions were dealt with more rapidly by exercising more stringent control over the deadlines for replies from Member States. Similarly, Parliament welcomed the 'Citizens of Europe' initiative which would involve the publication of a practical guide for citizens which reflected the case law of the Court of Justice and the Court of First Instance. It stressed the importance of including in it a specific section dealing with the means of redress for citizens with regard to their rights. Lastly, it encouraged the Commission to continue the programmes which seek to improve national civil servants' understanding of Community law (Karolus and Mathaeus programmes) and that of legal practitioners (Grotius programme and Robert Schuman project).