Basic information

1998/2120(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Monitoring of the application of Community law. 15th annual report 1997 **Subject** 8.50.01 Implementation of EU law	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
JURI Legal Affairs, Citizens' Rights	SIERRA GONZÁLEZ Angela del Carmen (GUE/NGL)	24/06/1998

Committee for opinion	Rapporteur for opinion	Appointed
ENVI Environment, Public Health and Consumer Protection	COLLINS Kenneth D. (PSE)	21/07/1998
PETI Petitions	MARINUCCI Elena (PSE)	22/07/1998

Council of the European Union

Key events

Date	Event	Reference	Summary
19/05/1998	Non-legislative basic document published	COM(1998)0317	Summary
01/07/1998	Committee referral announced in Parliament		
23/02/1999	Vote in committee		Summary
23/02/1999	Committee report tabled for plenary	A4-0092/1999	
22/03/1999	Debate in Parliament		
23/03/1999	End of procedure in Parliament		
22/06/1999	Final act published in Official Journal		

Technical information

Procedure reference	1998/2120(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/4/10176

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A4-0092/1999 OJ C 175 21.06.1999, p. 0005	23/02/1999	
Text adopted by Parliament, single reading		T4-0222/1999 OJ C 177 22.06.1999, p. 0013-0056	23/03/1999	Summary

European Commission

Document type	Reference	Date	Summary
Non-legislative basic document	COM(1998)0317	19/05/1998	Summary
Document attached to the procedure	SEC(1998)0961	02/06/1998	Summary
Document attached to the procedure	SEC(1998)1733	15/10/1998	

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

1998/2120(COS) - 02/06/1998 - Document attached to the procedure

This Commission working document deals with the CELEX system (interinstitutional system of automated documentation of Community law) and presents the annual management report for this database for 1997. To recap, CELEX (Communitatis europae lex) is the official legal database of the EU institutions, which covers: - Community legislation (including preparatory work and reference to national implementation measures); - case law of the Court of Justice; - parliamentary questions. CELEX is currently diffused by the server of the OPOCE (Office of Community publications) as well as by around 40 other servers and CD-ROM distributors in Europe and the United States. During 1997, the report indicates that significant work was carried out with a view to improving the system (a qualitative revision of CELEX, loading of the texts of resolutions and written questions of the European Parliament...) The report also notes a significant increase in direct use of CELEX. However, the modification of the pricing of this database has lead to a significant fall in income in 1997 and the objective of freedom of access to Community law in 1998 may further accentuate this trend. The report concludes that this fall in income will have an impact on the budget for CELEX and will require decisions to be taken at an appropriate level.

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

1998/2120(COS) - 19/05/1998 - Non-legislative basic document

OBJECTIVE: presentation of the Fifteenth Annual Report (1997) by the Commission on monitoring the application of Community law. SUBSTANCE: the Commission's report on 1997 stated that there had been several salient features of activities in that year: - statistically speaking, the year saw a sharp rise in the number of Article 169 letters (notices of failure to fulfil a Treaty obligation) addressed to the Member States (1460, as against 1168 in 1996, an increase of 23%). The number of new complaints rose by 17% (from 819 to 957). Thus the downward trend of previous years was reversed. The number of cases detected by the Commission's own investigations remained stable at 261. However, the Commission noted that the number of cases terminated was also up, while the total number of cases in progress was down; - rates of transposition of Directives had risen in 1997 for the Member States as a whole, with some impressive performances by some of them (particularly Sweden and Finland): as at 31/12/1997, Member States

had notified the Commission of 94% of the necessary national measures to implement Directives; - from a procedural point of view, it was in 1997 that the Commission first made use of its power to propose to the Court that a Member State be ordered to pay a penalty for failure to comply with a judgment until such time as it complied. Eight such proposals had already been decided upon, two of which had already reached the Court; - also in 1997, following the Ombudsman's own-initiative inquiry into infringement procedures, the Commission decided to increase the information provided to complainants under these procedures; - following the Amsterdam European Council on 16 and 17/06/1997, the Commission submitted a proposal for a Regulation establishing a new procedure to be used by the Commission to combat certain barriers to free movement of goods; - parliamentary questions and petitions were playing an increasingly important part in the detection of infringements, and led to fresh infringement proceedings every year (17 in 1997); - it was also in 1997 that the Commission submitted a proposal for a decision establishing an action programme to improve awareness of Community law for the legal professions (Robert Schuman Project). In conclusion, the Commission expressed the opinion that the rise in the number of complaints and infringement procedures showed firstly that the Community's citizens were increasingly keen to see their rights properly respected and secondly that the Commission had assumed its proper share of the responsibility for enforcing Community law.

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

1998/2120(COS) - 23/03/1999 - Text adopted by Parliament, single reading

The Parliament adopted its Resolution drafted by Ms. Angela del Carmen SIERRA GONZALEZ (GUE/NGL, Spain) concerning the application of Community law. The resolution was adopted without amendment. The Resolution stresses that the lack of clarity in Community law is not only a problem stemming from the complexity and the increasingly technical nature of the EU's legislative process, but is primarily a political problem since it affects everyday people who simply do not understand Community legislative texts and this leads to an even more serious consequence, namely a questioning of the Union's legitimacy and that of its representative bodies. It states that the European Parliament should, under these circumstances, assume its political responsibility to legislate in order to serve the people, this being the basis and foundation of democracy. It undertakes to implement (once it is signed) the inter-institutional agreement on the quality of the drafting of legislative texts. In relation to the implementation of the procedure laid down in Art. 169 (future Art. 226) of the EC Treaty, it calls on the Commission to indicate the average amount of time that passes between the sending of a letter of formal notice and the delivery of a reasoned opinion, and between the latter and the point at which a case of infringement lapses or is brought before the Court of Justice. It calls on the Commission to discuss cases of infringement at least once every three months instead of once every six months. It also calls on the Commission to establish, as part of the general register of the documents it has received, a register of all complaints received.