Basic information

1999/2168(COS) COS - Procedure on a strategy paper (historic)	Procedure completed
Monitoring of the application of Community law . 16th annual report 1998 **Subject** 8.50.01 Implementation of EU law	

Key players

European Parliament	**Committee responsible**	**Rapporteur**	**Appointed**
	JURI Legal Affairs and Internal Market	GROSSETÊTE Françoise (PPE-DE)	09/11/1999
	Committee for opinion	**Rapporteur for opinion**	**Appointed**
	ITRE Industry, External Trade, Research, Energy	FOLIAS Christos (PPE-DE)	07/12/1999
	PETI Petitions	GONZÁLEZ ÁLVAREZ Laura (GUE/NGL)	14/10/1999
Council of the European Union			

Key events

Date	Event	Reference	Summary
09/07/1999	Non-legislative basic document published	COM(1999)0301	Summary
25/10/1999	Committee referral announced in Parliament		
09/05/2000	Vote in committee		Summary
09/05/2000	Committee report tabled for plenary	A5-0132/2000	
16/06/2000	Decision by Parliament	T5-0289/2000	Summary
16/06/2000	Debate in Parliament		
16/06/2000	End of procedure in Parliament		
01/03/2001	Final act published in Official Journal		

Technical information

Procedure reference	1999/2168(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/4/11095

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, single reading		A5-0132/2000 OJ C 067 01.03.2001, p. 0008	09/05/2000	
Text adopted by Parliament, single reading		T5-0289/2000 OJ C 067 01.03.2001, p. 0318-0342	16/06/2000	Summary

European Commission

Document type	Reference	Date	Summary
Document attached to the procedure	SEC(1999)0511	09/04/1999	Summary
Non-legislative basic document	COM(1999)0301 OJ C 354 07.12.1999, p. 0001	09/07/1999	Summary

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

1999/2168(COS) - 09/04/1999 - Document attached to the procedure

In a supplementary working document, the European Commission's services present the annual report on the management of the automated inter-institutional documentation system for Community law, called CELEX ('Communitatis europae lex'), for the year 1998. To recapitulate, CELEX was created in the 1970s as a service for internal use by the European Commission which then, over the years, became inter-institutional, to be finally transformed at the beginning of the 1980s into a multilingual system, accessible to the general public. In 1998, the Official Publications Office continued its efforts to improve the content and the quality of this data base, as well as its accessibility. The text content of the finnish and Swedish versions was considerably improved. At the end of the year, almost all of the texts available in the two languages had been loaded. The only remaining shortcoming between the Finnish and Swedish data bases and the other language versions is that the acts in force at the moment of their joining the EC are not yet translated. An overall inventory of the content of certain sectors of the base was also undertaken. The new Internet service inaugurated in 1997 was improved by the launch of a new version of the www interface. The result was a significant increase in the number of consultations of the data base. The number of documents visualised rose to 14 million in 1998 as against 8 million in 1997 and 5 million in 1996. CELEX has become the European Commission's most used Intranet service. Lastly, the report mentions two important meetings of the CELEX Interinstitutional Group (CIG), which resulted in the adoption of a strategic document. This document proposes the improvement of access to the Union's legal information in four fields: the extension of CELEX's coverage to documents other than those published in the Official Journal, an improved follow up of legislative procedures, the modification of the dissemination policy (in order, in particular, to reassess the need to provide this service for free; it is currently a pay-service), and the improvement of the synergy between the information services of the various institutions.

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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.

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

1999/2168(COS) - 09/07/1999 - Non-legislative basic document

PURPOSE : presentation of the Sixteenth Annual Report by the European Commission on monitoring of the application of Community Law (1998). CONTENT : the report shows that the year 1998 was marked by an unprecedented enhancement of facilities for the use of the infringement procedures provided by Article 169 of the Treaty of the European Community and by greater use of administrative cooperation, notably via the Action Plan for the internal market. From a statistical point of view, 1998 was characterised by a strong increase in the number of reasoned opinions (with an all-time high at 675; this is 102% up on the figure of 334 for 1997). The number of Article 169 letters is down from 1461 in 1997 to 1101 in 1998, simply because the number of proceedings for failure to transpose directives fell; Article 169 letters for failure of legislation to comply with Community law or for incorrect application of Community law rose from 432 in 1997 to 486 in 1998, an increase of 12%. The number of cases referred to the Court of Justice, at 123, was stable. The number of cases detected by the Commission departments rose by 52% from 261 in 1997 to 396 in 1998. As for the number of complaints received by the Commission, it continued the upward course started in 1997, rising by 18% from 957 in 1997 to 1128 in 1998. In addition, the termination decisions fell by 7%, from 2112 in 1997 to 1961 in 1998. The speed with which cases were dealt with also rose (48% of Article 169 letters sent and 19% of reasoned opinions issued in 1998 concerned proceedings commenced in 1998). Furthermore, it should be noted that the number of cases on which a press release was issued rose from 248 in 1997 to 334 in 1998. These few statistics clearly reveal the impact of the internal reforms implemented by the Commission, initially in 1996 and then in 1998, to improve the operation of the infringement procedure, to speed up the handling of the cases and increase the transparency of the procedures but also to improve the relations with the complainants. The transposal rate of directives rose in 1998 for each of the Member States: on the 31/12/1998, the Member States had on average notified 95.7% of the national measures needed to implement the directives applicable (against 94% in 1997). This Report underlines the efforts made by Belgium and Germany to make up their delays, though the transposal rate in Luxembourg, Greece and Italy and, albeit to a lesser degree, France, continues to give cause for concern. Even though the aggregate figures are encouraging, problems subsist in a number of specific areas, notably transport and agriculture, where there have been sometimes no major improvements. The Report notes that France is the Member State against which the largest number of proceedings are in motion, most commonly concerning non-conformity or incorrect application. It is also the Member State against which the largest number of complaints was lodged in 1998 (203 out of 1128, or 18%). The application of Community law in Italy, Greece and Belgium also gives cause for concern, partly on grounds of failure to transpose Community directives. Given that the respect of Community law varies according toeach Member State, the continued application of penalty provisions of Article 171 of the Treaty is sometimes the only way to bring a Member State to re-establish the Community law. In 1998, the Commission continued to make use of the penalty provisions of Article 171(2) of the Treaty, taking five decisions to apply for penalties when referring cases to the Court of Justice for the second time, with environmental law ranking ahead of all other areas in the use of this instrument.