





Basic information	
2005/2150(INI) INI - Own-initiative procedure Monitoring the application of Community law. 21st annual report 2003 Subject 8.50.01 Implementation of EU law	Procedure completed

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	 Legal Affairs		FRASSONI Monica (Verts /ALE)	20/06/2005
	Committee for opinion		Rapporteur for opinion	Appointed
	 Petitions		WALLIS Diana (ALDE)	13/09/2005
European Commission	Commission DG		Commissioner	
	Legal Service			

Key events			
Date	Event	Reference	Summary
30/12/2004	Non-legislative basic document published	COM(2004)0839 	Summary
08/09/2005	Committee referral announced in Parliament		
21/03/2006	Vote in committee		Summary
24/03/2006	Committee report tabled for plenary	A6-0089/2006	
04/04/2006	Debate in Parliament	CRE link	
16/05/2006	Decision by Parliament	T6-0202/2006	Summary
16/05/2006	Results of vote in Parliament		
16/05/2006	End of procedure in Parliament		

Technical information	
Procedure reference	2005/2150(INI)
Procedure type	INI - Own-initiative procedure
Procedure subtype	Implementation

Legal basis	Rules of Procedure EP 148-p1 Rules of Procedure EP 55
Stage reached in procedure	Procedure completed
Committee dossier	JURI/6/29439

Documentation gateway				
European Parliament				
Document type	Committee	Reference	Date	Summary
Amendments tabled in committee		PE369.897	07/02/2006	
Committee draft report		PE367.694	16/02/2006	
Committee opinion	PETI	PE367.796	06/03/2006	
Amendments tabled in committee		PE370.291	07/03/2006	
Committee report tabled for plenary, single reading		A6-0089/2006	24/03/2006	
Text adopted by Parliament, single reading		T6-0202/2006	16/05/2006	Summary
European Commission				
Document type		Reference	Date	Summary
Non-legislative basic document		COM(2004)0839 	30/12/2004	Summary
Commission response to text adopted in plenary		SP(2006)3065	01/08/2006	

Monitoring the application of Community law. 21st annual report 2003

2005/2150(INI) - 30/12/2004 - Non-legislative basic document

PURPOSE: Presenting the 21st Annual Report from the Commission on the monitoring and application of Community law 2003.

CONTENT: This Report has been prepared by the Commission in accordance with a request to do so by the European Parliament under Resolution 9, of February 1983. The Treaties of the European Union award the Commission the exclusive responsibility to act as guardian of the Treaties and as such it plays a pivotal role in monitoring and ensuring the uniform application of Community law by the Member States. Whilst the Commission is responsible for ensuring compliance with EU law and monitoring its implementation, the 2001 White Paper on European Governance emphasises that it is up to the national administrations and courts to apply Community legislation. The Report points out therefore, that co-operation between the administrative bodies in the Member States and the Commission is crucial if the Commission is to monitor the application and implementation of Community law. To summarise, the 2003 Annual Report makes the following observations:

- By the end of December 2003, there were 3927 infringement cases running of which: 1855 related to cases already in motion and for which proceedings had begun, 999 cases for which a reasoned opinion had been sent, 411 cases which had been sent to the Court of Justice and 69 cases for which Article 228 proceedings had already begun
- The total number of infringement cases had increased by 15% from 2356 in 2002 to 2709 in 2003.
- The statistics for 2003 reflect a decrease in the number of complaints registered by the Commission from 1431 in 2002 to 1290 in 2003, indicating a decrease of 9.85%. The 2003 figures correspond to the levels registered between 1999 and 2001, thus the increase of complaints in 2002 may be seen as a deviation.
- Complaints still form the bulk of infringement procedures initiated by the Commission against the Member States. The principal sectors concerned are environment (493 complaints), internal market (314 complaints) and taxation and customs (119 complaints). As of end December, 1158 cases were active.
- The number of proceedings for failure to notify has almost doubled compared to the figures of 2001 and 2002. The statistics for 2003 show an increase of 92.1% from the previous year (from 607 cases to 1166).
- On 31 December 2003, 524 out of the 1,166 cases were still on-going. The same figure for 2002 was 71 cases.
- 1552 letters of formal notice were issued in 2003, a vast increase of 56%, compared to 995 letters issued in 2002. However, the number of reasoned opinions showed a less dramatic increase from 487 in 2002 to 533 in 2003, which represents an increase of 9.4%. Whereas

48.94% of formal notices in 2002 led to reasoned opinions, this figure was only 34.34% under 2003 indicating an increase in the number of cases being settled at the formal notice stage.

- The number of cases referred to the Court of Justice rose from 180 in 2002 to 215 in 2003, an increase of 19.4%. This increase must be seen against the increased volume of reasoned opinions issued under 2003.
- 48.36% of the cases opened in 2003 were still pending on 31 December 2003.
- The number of terminations of decisions was 2329.

The Report notes that the Commission has called for improved effectiveness in monitoring the transposition of national measures through improved Member State/Commission consultation and through the establishment of a "concordance table". In addition, the Secretariat General has begun to develop databases which allow for the electronic notification of national execution measures to the Commission, which is due to become operational by May 2004.

The Report also goes on to state that the Commission has sought to reduce the time elapsing between the adoption of its infringement decisions and their notification to the Member States. In this context, an internal verification is being planned on the outlook for the continuing control of Community law in an enlarged EU. Other areas examined in the Report include the transposition of Directives, enhanced transparency (mainly through the use of the internet), the development of a web-based Electronic Notification database and making adequate preparation for the EU's enlargement from fifteen to twenty-five new Member States.

Monitoring the application of Community law. 21st annual report 2003

2005/2150(INI) - 16/05/2006 - Text adopted by Parliament, single reading

The European Parliament adopted a resolution based on the own-initiative report drafted by Monica **FRASSONI** (Greens/EFA, IT) on the Commission's 21st and 22nd Annual Reports on monitoring the application of Community law (2003 and 2004). (Please see the summary of 21/03/2006.)