Application of EU Law: how EU Member States performed in 2013

There has been a marked decrease in the number of on-going infringement cases in recent years whilst the number of cases resolved through problem solving mechanisms such as EU Pilot has increased, according to the 31st Annual Report on monitoring the application of EU law, just published by the European Commission. This reflects the determination of the Commission to work with the Member States to resolve problems arising from failure to comply with EU law at an early stage. The correct application of EU law is a cornerstone of the EU Treaties and at the heart of the Commission's regulatory fitness programme (REFIT).

As in 2012, most infringements (62% of all cases) concern compliance with EU law on the environment, taxation, transport and internal market & services.

The Member States with the worst record for compliance with EU law were Italy, Spain and Greece while Latvia, Malta and Estonia were among the best performing Member States. Croatia's performance will be taken into account in 2014.

The full EU-28 ranking is as follows:
Late implementation of Directives: fewer cases and penalty proposals

Directives are the main source of EU law in many policy areas. They only become fully effective in Member States through the adoption of laws to implement them in national legislation within the deadline set out in the Directive. Earlier Annual Reports demonstrated Member States’ poor record on late implementation of Directives. However, there has been a major improvement in recent years. By the end of 2013, there were 390 open infringement cases due to late implementation in contrast to 1,185 at the end of 2011. In 2013, most of the late implementation infringements were opened against Italy, Cyprus and Slovenia, while Sweden, The Netherlands and Ireland were the best performers.

To help Member States to implement Directives within the deadlines agreed by the EU's Council of Ministers and the European Parliament, the Commission works with Member States by preparing implementation plans, which contain non-binding suggestions for national authorities on how to implement a Directive properly and on time. In addition, the Commission has continued to make full use of the sanctions system introduced under the Lisbon Treaty (Article 260(3)) in order to deter late implementation. It has referred 14 cases to the Court of Justice of the European Union requesting financial penalties be applied (against Belgium, Bulgaria, Estonia, Romania, the United Kingdom, Cyprus, Poland and Portugal). The Commission adopted 35 such referral decisions during 2012.
Complaints: direct contact between citizens and the EU

With 3505 registered complaints in 2013, citizens, businesses and stakeholders provided important input to the Commission in its monitoring of the correct application of EU rules. 72% of these new complaints were concentrated in five policy areas: justice (590), environment (520), internal market & services (494), employment (470) and taxation & customs union (452). Complaints were targeted most frequently against Italy (472), Spain (439) and Germany (297).

Background

Since 1984, following a request made by the European Parliament, the Commission presents, an annual report on monitoring the application of Community law during the preceding year.

The European Parliament adopts, every year, a report on the Commission report, explaining its position on the main issues.

For more information

31st Annual Report on monitoring the application of EU law
Annual reports on national implementation of EU law

Contacts :
Jonathan Todd  (+32 2 299 41 07)
For the public: Europe Direct by phone 00 800 6 7 8 9 10 11 or by e-mail