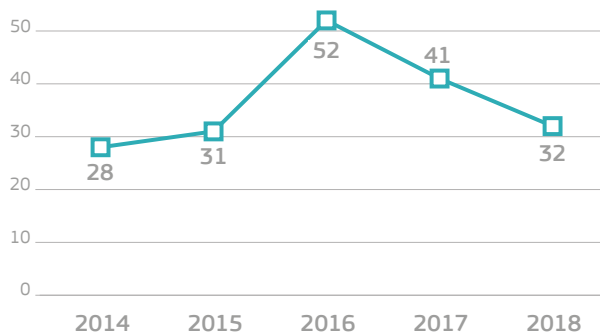


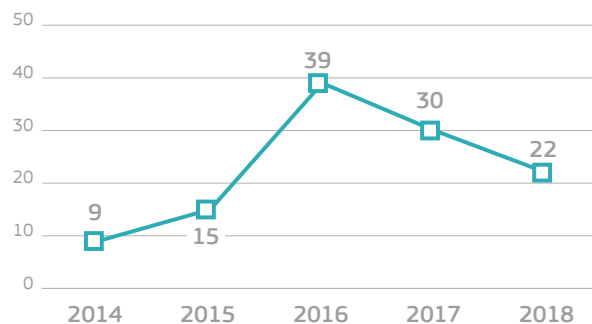
Monitoring the Application of European Union Law

Annual Report 2018

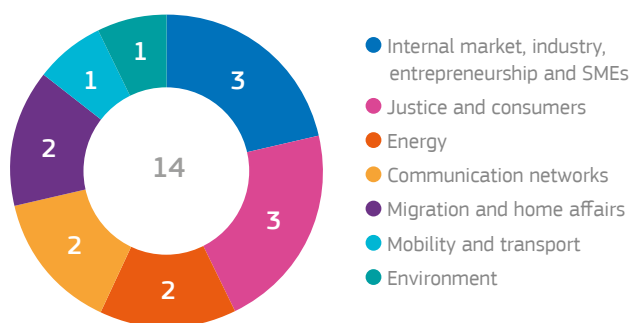
Infringement cases open as of 31 December 2018



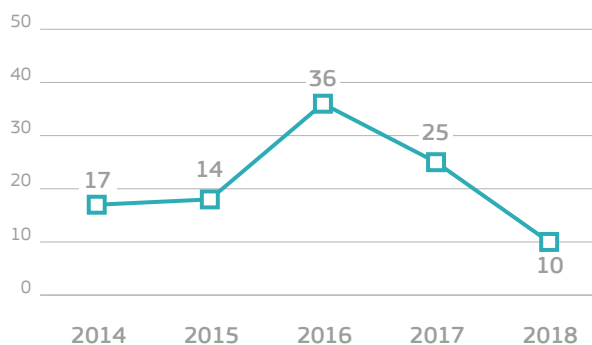
Late transposition¹ infringement cases open as of 31 December 2018



New infringement cases opened in 2018: main policy areas



New late transposition infringement cases opened in 2018



1. Number of infringement cases due to failure to implement an EU Directive into national law on time.



Relevant rulings of the European Courts:

In preliminary rulings, the Court held, amongst others, that:

- *Complaints against an air carrier under Article 31 of the Montreal Convention must be made in writing².*
- *With regard to a situation where an extradition request has been made by a third country for an EU citizen who has exercised his/her right to free movement, the Court ruled that the requested Member State is required to ensure that that EU citizen, provided that he resides permanently in its territory, receives the same treatment as that accorded to its own nationals in relation to extradition³.*
- *A return decision accompanied by an entry ban may be enforced, even though the consultation procedure is ongoing, if the third country national is regarded by the Contracting State issuing the alert as a threat to public order or national security, without prejudice to that person's entitlement to rely on the rights he derives from that residence permit⁴.*

2. Convention for the Unification of Certain Rules for International Carriage by Air, concluded at Montreal on 28 May 1999 and approved on behalf of the European Community by Council Decision [2001/539/EC](#), *Finnair Oyj v Keskinäinen Vakuutusyhtiö Fennia*, [C-258/16](#).

3. *Raugevicius*, [C-247/17](#).

4. *Ebere Eze*, [C-240/17](#).