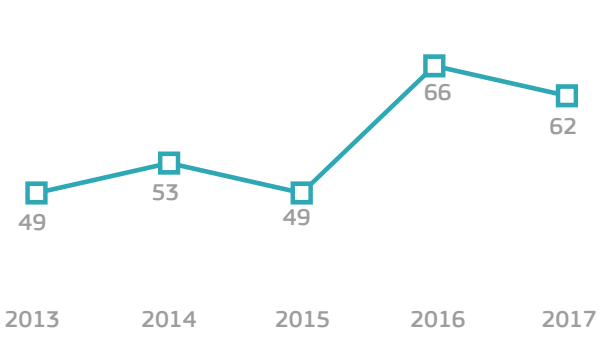




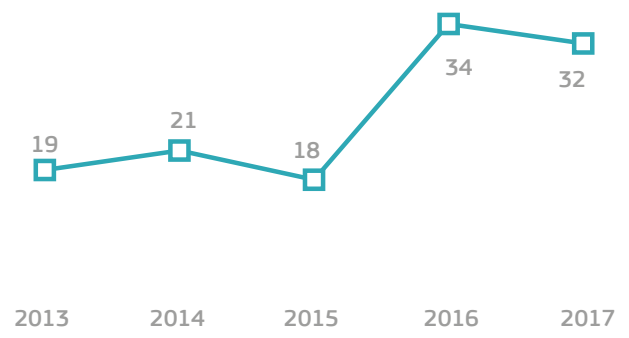
Monitoring the Application of European Union Law

Annual Report 2017

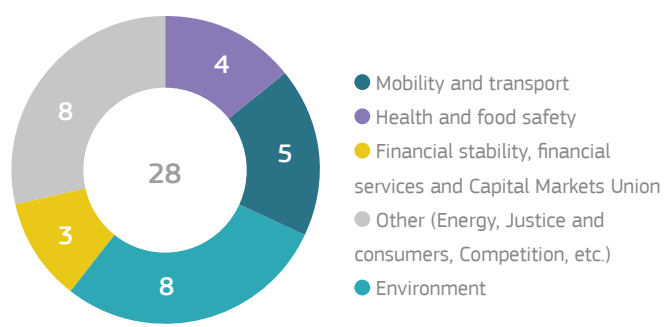
Infringement cases open as of 31 December 2017



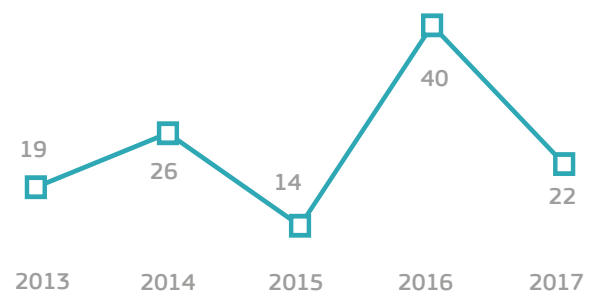
Late transposition¹ infringement cases



New infringement cases opened in 2017: main policy areas



New late transposition² infringement cases



¹ Number of infringement cases pending against this Member State on 31.12.2017 due to failure to implement an EU directive into national law on time.
² Number of new infringement cases opened against this Member State in 2017 due to failure to implement an EU directive into national law on time.



Relevant rulings of the European Courts:

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

- Where the transfer of a third-country national to the Member State that, according to the Dublin mechanism, is responsible for examining his application for international protection does not take place within the six-month time limit, the responsibility for examination is transferred automatically to the Member State which requested that charge be taken of the person concerned. It is not necessary for the Member State responsible to refuse to take charge of that person³.*
- An environmental organisation duly constituted and operating in accordance with the requirements of national law must be able to challenge before a court a decision authorising a project that may be contrary to the obligation to prevent deterioration of the condition of water bodies. The imposition on an environmental organisation of a time limit leading to it losing both its status as a party to the administrative procedure for the authorisation of a project and its right to bring an action against the decision issued at the end of that procedure constitutes an excessive restriction of the right to bring judicial proceedings⁴.*

³ Majid Shiri, [C-201/16](#).

⁴ Protect Natur-, Arten- und Landschaftsschutz Umweltorganisation, [C-664/15](#).