



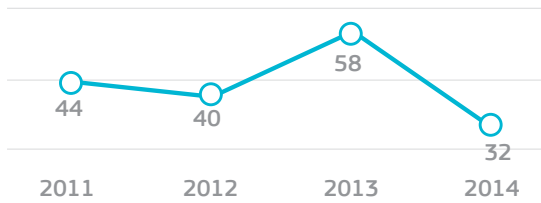
European Commission

Monitoring of Application of Union Law

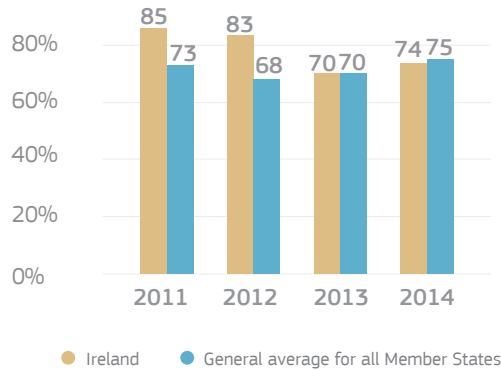
Annual Report 2014

The number of new complaints made against Ireland has been constantly increasing and in 2014 approached double the 2011 level. However, new EU Pilot files opened against Ireland nearly halved from their 2013 peak. The overall number of pending infringement cases has not varied much over the last four years, with 2014 seeing a slight rise back to 2011 levels. New infringement cases for late transposition remained very low for the third year running, at less than one third of their levels in 2010 and 2011.

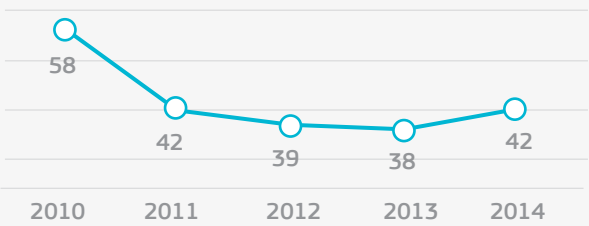
New EU Pilot files opened



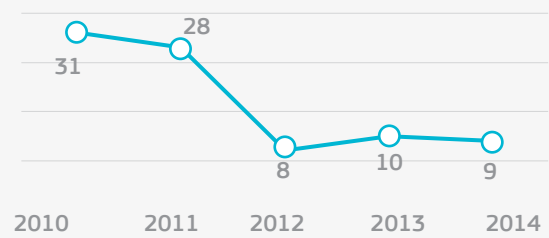
EU Pilot files: evolution of the resolution rate



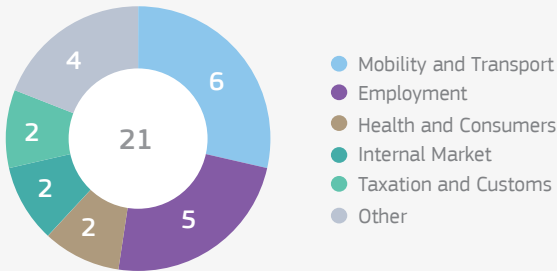
INFRINGEMENT CASES
Infringement cases open on 31 December



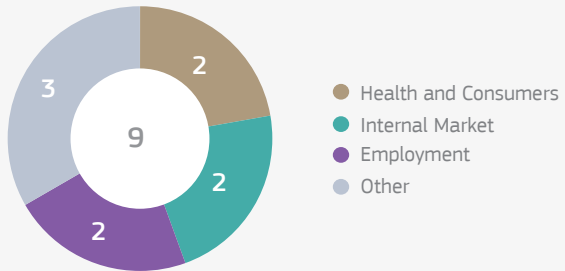
TRANSPOSITION OF DIRECTIVES
New late transposition infringement cases



21 New infringement cases opened in 2014: main policy areas



9 New late transposition infringement cases opened in 2014: main policy areas





In preliminary rulings, the Court ruled that:

- the Data Retention Directive¹ is invalid. The retention of data required by the directive might be considered appropriate to meet the objective of fighting organised crime and terrorism, and therefore of improving public security. However, the directive's wide-ranging and serious interference with the fundamental rights to respect of private life and to protection of personal data is not sufficiently limited to what is strictly necessary;²
- Member States are not required to grant maternity leave or adoption leave to a female worker who as a commissioning mother had a baby through a surrogacy arrangement;³
- the definitions of 'residence' and 'stay' for the purposes of applying Regulation (EC) No 883/2004 on the coordination of social security systems apply when someone is suddenly taken seriously ill while on holiday in another Member State and is compelled to remain in that Member State as a result of the illness;⁴
- the principles of effectiveness and the right to good administration under EU asylum law⁵ allow Member States to apply national procedures under which an application for subsidiary protection is examined only after an application for refugee status has been refused, provided that it is possible to submit both applications at the same time and that the national rules do not make the procedure unreasonably long.⁶

¹ Directive [2006/24/EC](#).

² Digital Rights Ireland and Seitlinger and Others, [C-293/12](#) and [C-594/12](#) and Court press release [No 54/14](#).

³ D., [C-167/12](#) and Court press release [No 36/14](#).

⁴ 'I', [C-255/13](#).

⁵ Directive [2004/83/CE](#) in the meantime replaced by Directive [2011/95](#).

⁶ H. N., [C-604/12](#).