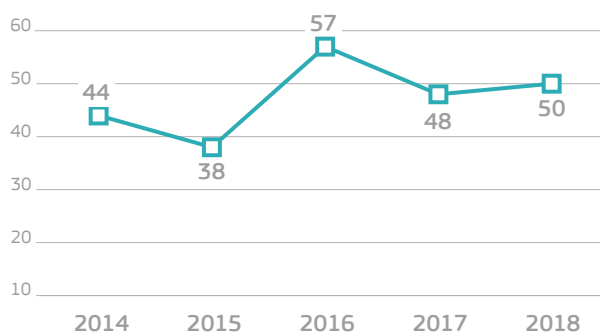


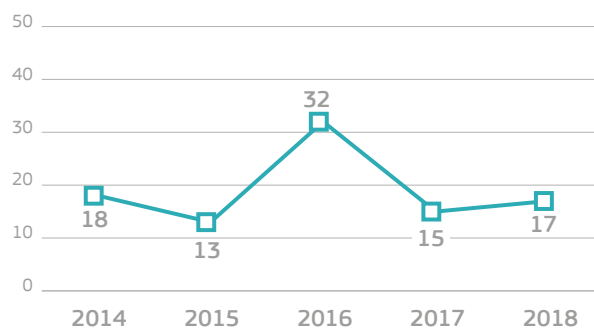
Monitoring the Application of European Union Law

Annual Report 2018

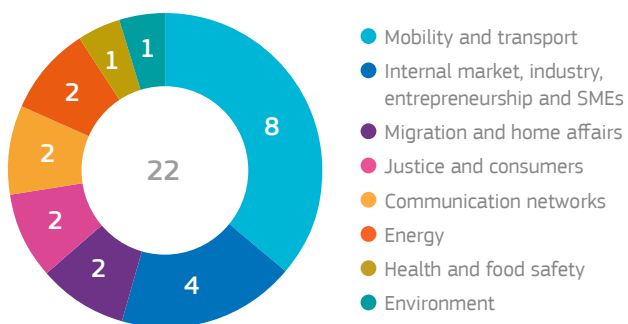
Infringement cases open as of 31 December 2018



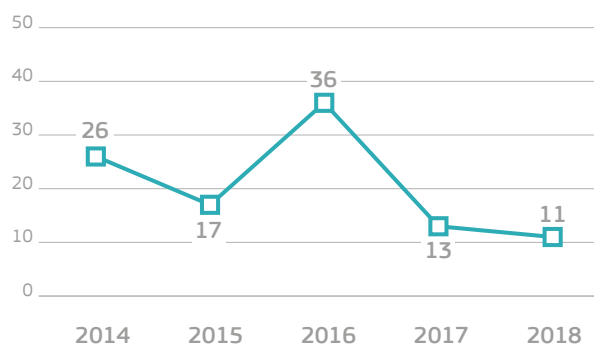
Late transposition¹ infringement cases open as of 31 December 2018



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:

The Court ruled, amongst others, that Hungary breached its obligations under the Services Directive by adopting legislation creating a monopoly by a State-owned entity on the provision of mobile payments services for public parking and other activities².

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

- Recourse to a psychologist's expert report for the purpose of assessing the veracity of a claim made by an asylum seeker as to his sexual orientation constitutes an interference with that person's right to respect for his private life and is not consistent with EU law³.*
- Any decision to exclude a person from refugee status or subsidiary protection must be preceded by a full investigation into all the circumstances of his individual case and cannot be taken automatically. The penalty provided for a specific crime under the law of the particular Member State may not constitute the sole criterion to determine whether the person claiming subsidiary protection may be excluded from it⁴.*
- The requirement of proportionality concerning the system of penalties applicable set out in the Directive on the charging of heavy goods vehicles for the use of certain infrastructures does not have direct effect⁵.*

2. Commission v Hungary, C-171/17.

3. F, C-473/16.

4. Ahmed, C-369/17.

5. Directive 1999/62/EC, Dooel Uvoz-Izvoz Skopje Link Logistic N&N v Budapest Rendőrfőkapitánya, C-384/17.