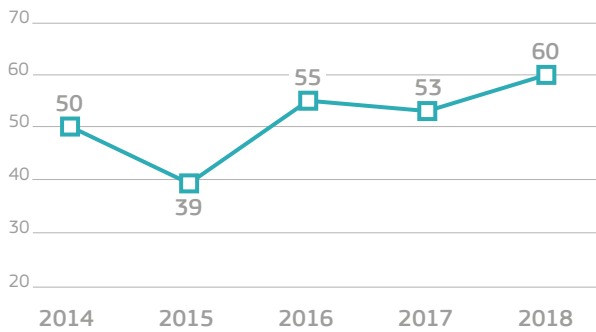


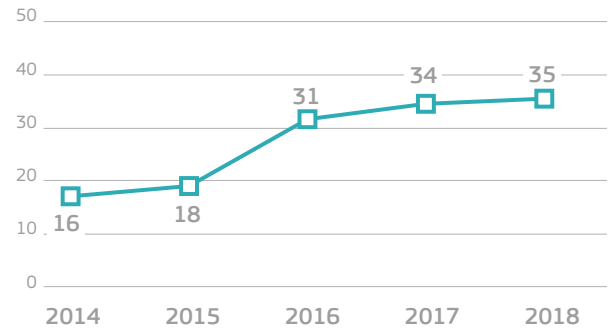
# Monitoring the Application of European Union Law

## Annual Report 2018

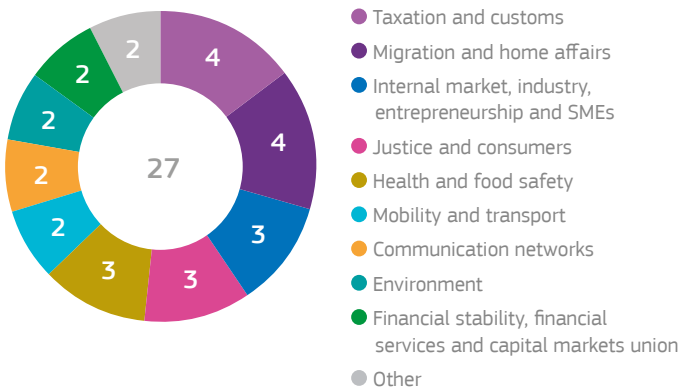
Infringement cases open as of 31 December 2018



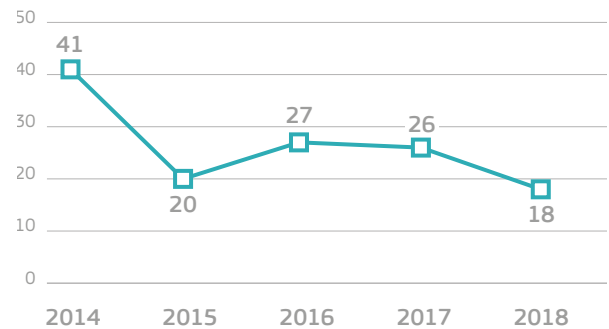
Late transposition<sup>1</sup> infringement cases open as of 31 December 2018



New infringement cases opened in 2018: main policy areas



New late transposition infringement cases opened in 2018



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



## Relevant rulings of the European Courts:

*In rulings, the Court held, amongst others, that Bulgaria has failed to fulfil its obligations under the Birds Directive by not having classified as a Special Protection Area the entire Important Bird Area covering the Rila Mountains<sup>2</sup>.*

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

- In assessing an application for international protection, account must be taken of the threat of serious harm to a family member of the applicant for the purpose of determining whether the applicant is himself exposed to such a threat<sup>3</sup>.*
- An applicant for international protection claiming risk of persecution for religious reasons does not have to submit statements or produce documents concerning all components of the concept of 'religion'. The applicant must however submit evidence allowing the competent authority to conclude that the claims are true. The prohibition, on pain of execution or imprisonment, of conduct which is contrary to the state religion of the applicant's country of origin may constitute an 'act of persecution'<sup>4</sup>.*
- In 2018, the first request for a preliminary ruling on the interpretation of the Regulation establishing a European Account Preservation Order<sup>5</sup> procedure to facilitate cross-border debt recovery in civil and commercial matters, was submitted by the Bulgarian court. The case concerned in particular, on the concept of 'authentic instrument' under the Regulation<sup>6</sup>.*

2. Directive 2009/147/EC, Commission v Bulgaria, C-97/17.

3. Ahmedbekova, C-652/16.

4. Fathi, C-56/17.

5. Regulation (EU) No 655/2014.

6. K.H.K, C-555/18.