

ANNEX II

**Infringement proceedings - breakdown by stage reached,
legal basis, Member State and sector**

Table 2.1.

Infringements for which proceedings were commenced, by stage and Member State

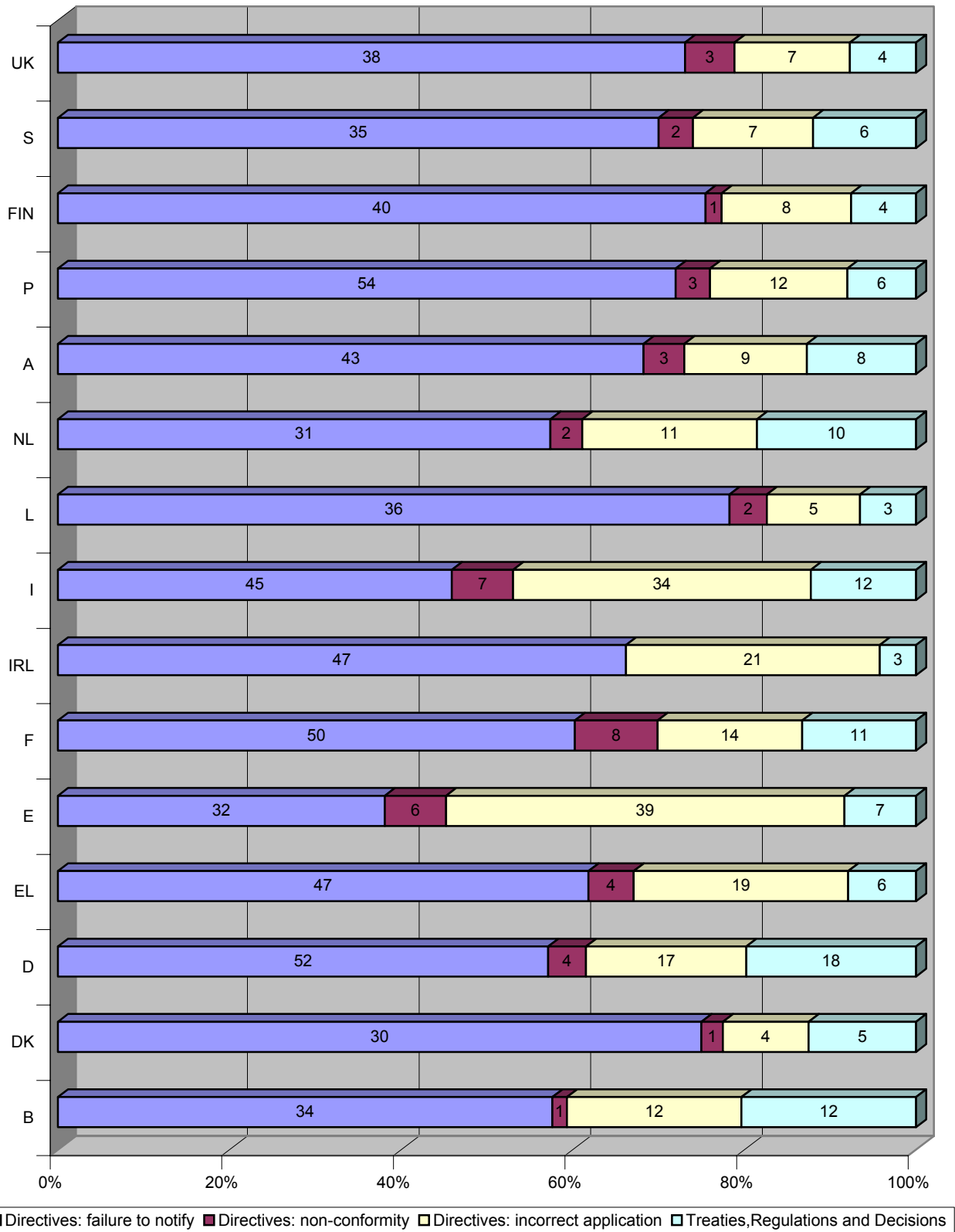
Member States	Formal notice					Reason opinions					Referrals to Court				
	1998	1999	2000	2001	2002	1998	1999	2000	2001	2002	1998	1999	2000	2001	2002
B	88	80	92	87	59	78	30	34	44	40	20	15	5	13	8
DK	40	46	54	38	40	10	4	7	10	10	1	1	0	2	2
D	88	84	92	73	91	46	30	40	39	42	5	9	11	12	16
EL	95	88	115	83	76	51	48	35	71	43	16	14	23	16	17
E	78	72	93	65	84	36	21	32	37	33	6	7	8	14	11
F	121	86	110	74	83	94	61	43	50	53	23	35	27	22	31
IRL	63	67	91	80	71	46	32	27	50	34	10	15	17	13	9
I	110	85	118	96	98	91	41	50	53	54	16	32	24	22	23
L	62	65	78	50	46	39	38	40	33	23	11	18	16	10	12
NL	28	68	64	53	54	23	16	16	25	10	3	1	12	5	7
A	76	85	85	80	63	38	37	33	44	42	4	9	8	7	15
P	80	87	120	73	75	57	50	46	38	40	5	13	10	7	10
FIN	52	44	63	61	53	16	5	14	16	23	1	0	4	2	1
S	54	57	72	58	50	15	14	13	14	12	1	1	3	3	2
UK	66	61	70	79	52	35	33	30	45	28	1	8	4	14	16
Total	1101	1075	1317	1050	995	675	460	460	569	487	123	178	172	162	180

Table 2.2. Infringements for which proceedings have been commenced, by Member State, stage and legal basis

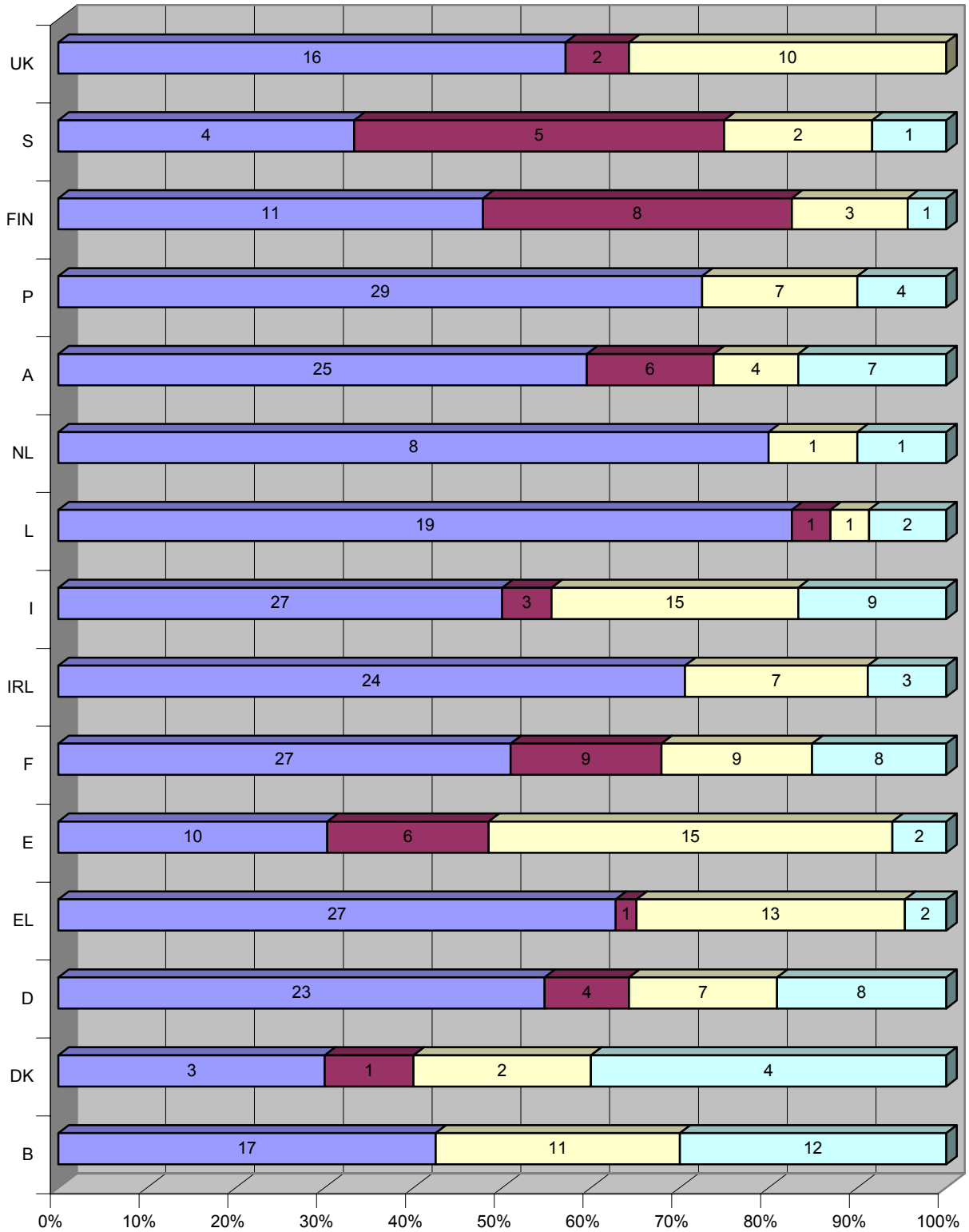
		1998				Total	1999				Total	2000				Total	2001				Total	2002				Total
		Total	Directives				Treaties, Regulations, Decisions	Total	Directives			Treaties, Regulations, Decisions	Total	Directives			Treaties, Regulations, Decisions	Total	Directives			Treaties, Regulations, Decisions				
			Failure to notify	Non-conformity	Incorrect application				Failure to notify	Non-conformity				Incorrect application	Failure to notify				Non-conformity	Incorrect application			Failure to notify	Non-conformity	Incorrect application	
B	FN 88	45	10	14	19	80	43	10	13	14	92	64	6	11	11	87	44	1	23	19	59	34	1	12	12	
	RO 78	41	10	11	16	30	13	6	6	5	34	14	6	8	6	44	25	7	7	5	40	17		11	12	
	Ref 20	9	0	2	9	15	5	5	2	3	5	3	1	1	0	13	6	4	3	0	8	4			3	1
DK	FN 40	28	1	3	8	46	32	4	4	6	54	45	2	3	4	38	28	2	3	5	40	30	1	4	5	
	RO 10	4	2	2	2	4	3	0	0	1	7	1	3	1	2	10	3	2	4	1	10	3	1	2	4	
	Ref 1	0	0	0	1	1	0	1	0	0	0	0	0	0	0	2	0	0	1	1	2				2	
D	FN 88	43	8	21	16	84	47	7	21	9	92	51	7	23	11	73	44	0	24	5	91	52	4	17	18	
	RO 46	21	7	9	9	30	12	5	8	5	40	20	4	11	5	39	22	4	9	4	42	23	4	7	8	
	Ref 5	1	0	3	1	9	4	1	1	3	11	4	2	4	1	12	4	4	4	0	16	7			6	3
EL	FN 95	58	8	17	12	88	60	4	12	12	115	89	4	10	12	83	50	3	18	12	76	47	4	19	6	
	RO 51	34	2	6	9	48	29	6	7	6	35	24	2	5	4	71	54	1	8	8	43	27	1	13	2	
	Ref 16	7	0	8	1	14	11	1	2	0	23	18	1	2	2	16	12	1	3	0	17	8			6	3
E	FN 78	31	4	28	15	72	40	5	16	11	93	46	4	31	12	65	30	2	27	6	84	32	6	39	7	
	RO 36	15	3	7	11	21	4	4	11	2	32	10	1	14	7	37	16	4	14	3	33	10	6	15	2	
	Ref 6	3	1	2	0	7	2	4	1	0	8	2	1	3	2	14	6	0	7	1	11	7	1	2	1	
F	FN 121	49	14	26	32	86	46	3	12	25	110	64	8	17	21	74	36	7	21	10	83	50	8	14	11	
	RO 94	43	6	22	23	61	21	11	24	5	43	20	6	3	14	50	21	4	13	12	53	27	9	9	8	
	Ref 23	7	3	8	5	35	13	2	9	11	27	11	5	6	5	22	12	3	5	2	31	11	2	16	2	
IRL	FN 63	46	2	11	4	67	45	3	14	5	91	69	0	20	2	80	42	2	24	12	71	47			21	3
	RO 46	39	0	4	3	32	22	4	4	2	27	17	2	6	2	50	31	2	13	4	34	24			7	3
	Ref 10	9	1	0	0	15	10	1	2	2	17	13	1	2	1	13	10	1	2	0	9	4	2	2	1	
I	FN 110	48	10	25	27	85	57	4	19	5	118	61	15	30	12	96	44	6	31	15	98	45	7	34	12	
	RO 91	45	8	22	16	41	21	8	7	5	50	24	4	17	5	53	23	8	17	5	54	27	3	15	9	
	Ref 16	14	0	1	1	32	15	4	5	8	24	6	5	6	7	22	8	5	5	4	23	9	6	6	2	
L	FN 62	54	3	3	2	65	48	10	4	3	78	67	1	6	4	50	37	4	3	6	46	36	2	5	3	
	RO 39	30	1	6	2	38	33	5	0	0	40	24	7	6	3	33	25	2	4	2	23	19	1	1	2	
	Ref 11	9	0	0	2	18	16	2	0	0	16	13	0	3	0	10	3	2	3	2	12	9	2	1		
NL	FN 28	15	2	6	5	68	50	2	6	10	64	44	3	13	4	53	41	2	5	5	54	31	2	11	10	
	RO 23	12	3	3	5	16	13	0	2	1	16	8	2	3	3	25	15	2	7	1	10	8			1	1
	Ref 3	0	0	3	0	1	0	1	0	0	12	9	1	2	0	5	0	2	0	3	7	1	1	1	4	
A	FN 76	43	14	11	8	85	49	12	7	17	85	61	13	9	2	80	47	13	13	7	63	43	3	9	8	
	RO 38	25	3	6	4	37	24	4	5	4	33	15	6	3	9	44	26	11	6	1	42	25	6	4	7	
	Ref 4	1	0	2	1	9	7	2	0	0	8	5	1	0	2	7	3	3	0	1	15	7	6	2	7	
P	FN 80	53	5	12	10	87	63	4	12	8	120	97	3	16	4	73	49	2	14	8	75	54	3	12	6	
	RO 57	37	5	10	5	50	37	4	5	4	46	31	4	10	1	38	24	1	10	3	40	29			7	4
	Ref 5	0	0	2	3	13	7	3	2	1	10	8	0	0	2	7	4	0	3	0	10	5	2	3	3	
FIN	FN 52	29	7	9	7	44	36	2	3	3	63	57	2	3	1	61	41	10	3	7	53	40	1	8	4	
	RO 16	8	1	6	1	5	0	3	2	0	14	8	3	1	2	16	12	3	1	0	23	11	8	3	1	
	Ref 1	0	0	0	1	0	0	0	0	0	4	0	0	4	0	2	2	0	0	0	2				1	1
S	FN 54	34	7	6	7	57	44	6	5	2	72	56	3	3	10	58	36	5	7	10	50	35	2	7	6	
	RO 15	8	2	2	3	14	7	4	2	1	13	8	4	1	0	14	5	1	5	3	12	4	5	2	1	
	Ref 1	0	0	0	1	1	0	1	0	0	3	2	0	1	0	3	1	2	0	0	1				1	
UK	FN 66	39	12	9	6	61	46	2	7	6	70	54	5	7	4	79	46	3	23	7	52	38	3	7	4	
	RO 35	22	6	3	4	33	21	4	5	3	30	19	1	8	2	45	32	4	7	2	28	16	2	10		
	Ref 1	0	0	0	1	8	5	1	0	2	4	1	0	2	1	14	11	1	1	1	16	10	3	3		
TOTAL	FN 1101	615	107	201	178	1075	706	78	155	136	1317	925	76	202	114	1050	615	62	239	134	995	614	47	219	115	
	RO 675	384	59	119	113	460	260	68	88	44	460	243	55	97	65	569	334	56	125	54	487	270	46	107	64	
	Ref 123	60	5	31	27	178	95	29	24	30	172	95	18	36	23	162	82	28	37	15	180	82	25	52	21	

FN Formal notice
RO Reasoned opinion
Ref Referral to Court

**Table 2.2.1. Letters of formal notice sent in 2002
by legal basis and Member State (chart)**

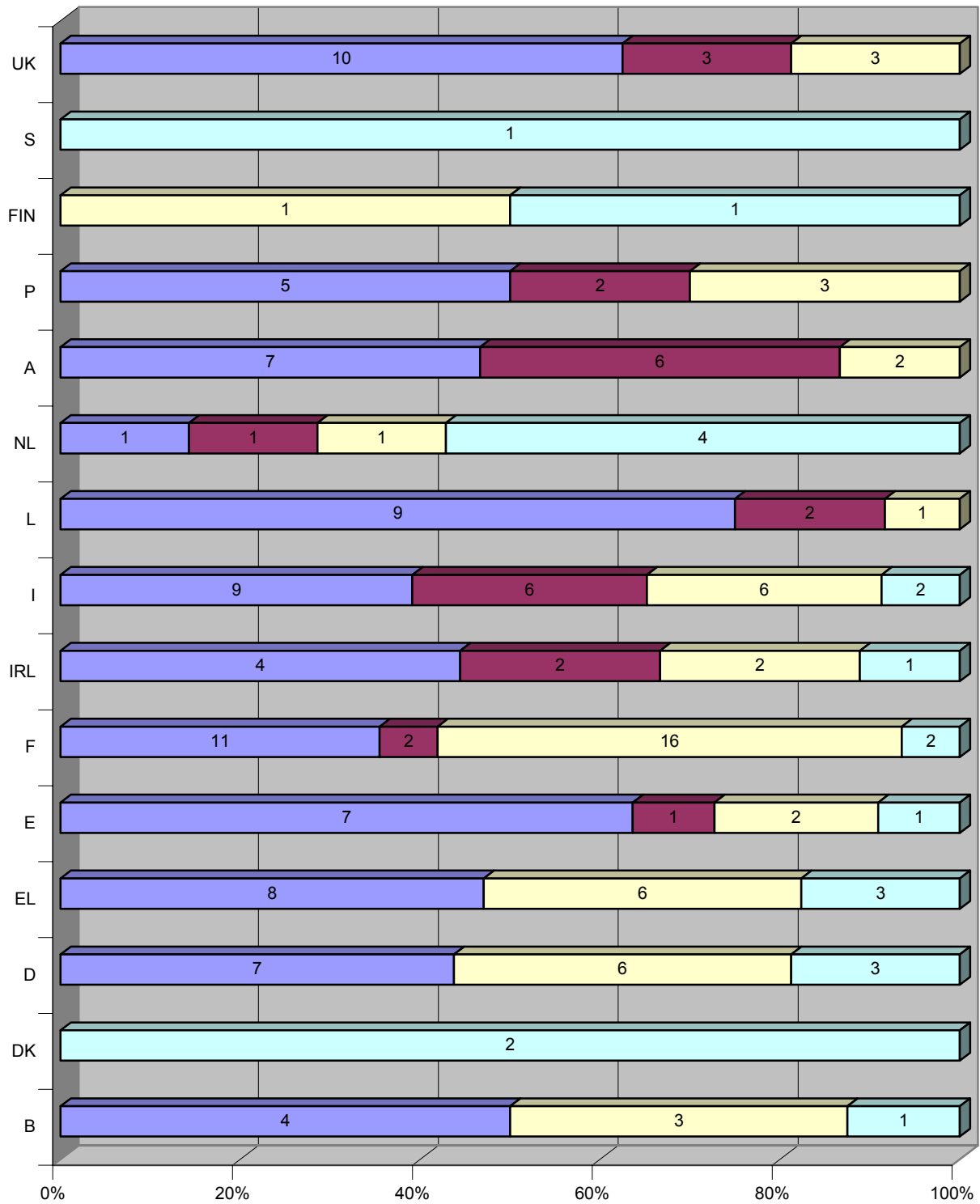


**Table 2.2.2. Reasoned opinions sent in 2002
by legal basis and Member State (chart)**



■ Directives: failure to notify ■ Directives: non-conformity ■ Directives: incorrect application ■ Treaties, Regulations and Decisions

**Table 2.2.3. Cases referred to the Court of Justice in 2002
by legal base and Member State (chart)**



■ Directives: failure to notify
 ■ Directives: non-conformity
 ■ Directives: incorrect application
 ■ Treaties, Regulations and Decisions

Table 2.3. Cases in motion: stage of procedure at 31/12/2002, by Member State

	Total		(1)		(2)		(3)		(4)		(5)		(6)		(7)
Total:	3541		1695		47,87%		1000		28,24%		361		10,19%		62
B	191	5,39%	132	7,79%	69,11%	82	8,20%	42,93%	20	5,54%	10,47%	6			
DK	76	2,15%	40	2,36%	52,63%	19	1,90%	25,00%	4	1,11%	5,26%	0			
D	414	11,69%	154	9,09%	37,20%	92	9,20%	22,22%	32	8,86%	7,73%	3			
EL	275	7,77%	130	7,67%	47,27%	78	7,80%	28,36%	32	8,86%	11,64%	9			
E	526	14,85%	148	8,73%	28,14%	79	7,90%	15,02%	26	7,20%	4,94%	3			
F	385	10,87%	199	11,74%	51,69%	141	14,10%	36,62%	63	17,45%	16,36%	10			
IRL	219	6,18%	103	6,08%	47,03%	59	5,90%	26,94%	20	5,54%	9,13%	4			
I	423	11,95%	192	11,33%	45,39%	114	11,40%	26,95%	51	14,13%	12,06%	12			
L	90	2,54%	72	4,25%	80,00%	46	4,60%	51,11%	20	5,54%	22,22%	5			
NL	156	4,41%	87	5,13%	55,77%	34	3,40%	21,79%	15	4,16%	9,62%	1			
A	179	5,06%	121	7,14%	67,60%	75	7,50%	41,90%	18	4,99%	10,06%	2			
P	182	5,14%	111	6,55%	60,99%	64	6,40%	35,16%	16	4,43%	8,79%	2			
FIN	102	2,88%	57	3,36%	55,88%	29	2,90%	28,43%	7	1,94%	6,86%	1			
S	100	2,82%	50	2,95%	50,00%	21	2,10%	21,00%	3	0,83%	3,00%	1			
UK	223	6,30%	99	5,84%	44,39%	67	6,70%	30,04%	34	9,42%	15,25%	3			

(1) = cases in motion on 31.12.2001 for which proceedings have been commenced and percentages of the total number of cases.

(2) = cases for which infringement proceedings have been commenced as a percentage of all cases concerning that Member State in motion on 31.12.2002.

(3) = cases for which a reasoned opinion has been sent and percentages of total cases.

(4) = cases for which reasoned opinions have been sent as a percentage of all cases concerning that Member State in motion on 31.12.2002.

(5) = cases which have been referred to the Court of Justice and percentages of total cases.

(6) = cases which have been referred to the Court of Justice as a percentage of all cases concerning that Member State in motion on 31.12.2002.

(7) = cases for which Article 228 proceedings have been commenced.

Table 2.3.1. Cases on motion on 31/12/2002 in which infringement proceedings have been commenced, by Member State (chart)

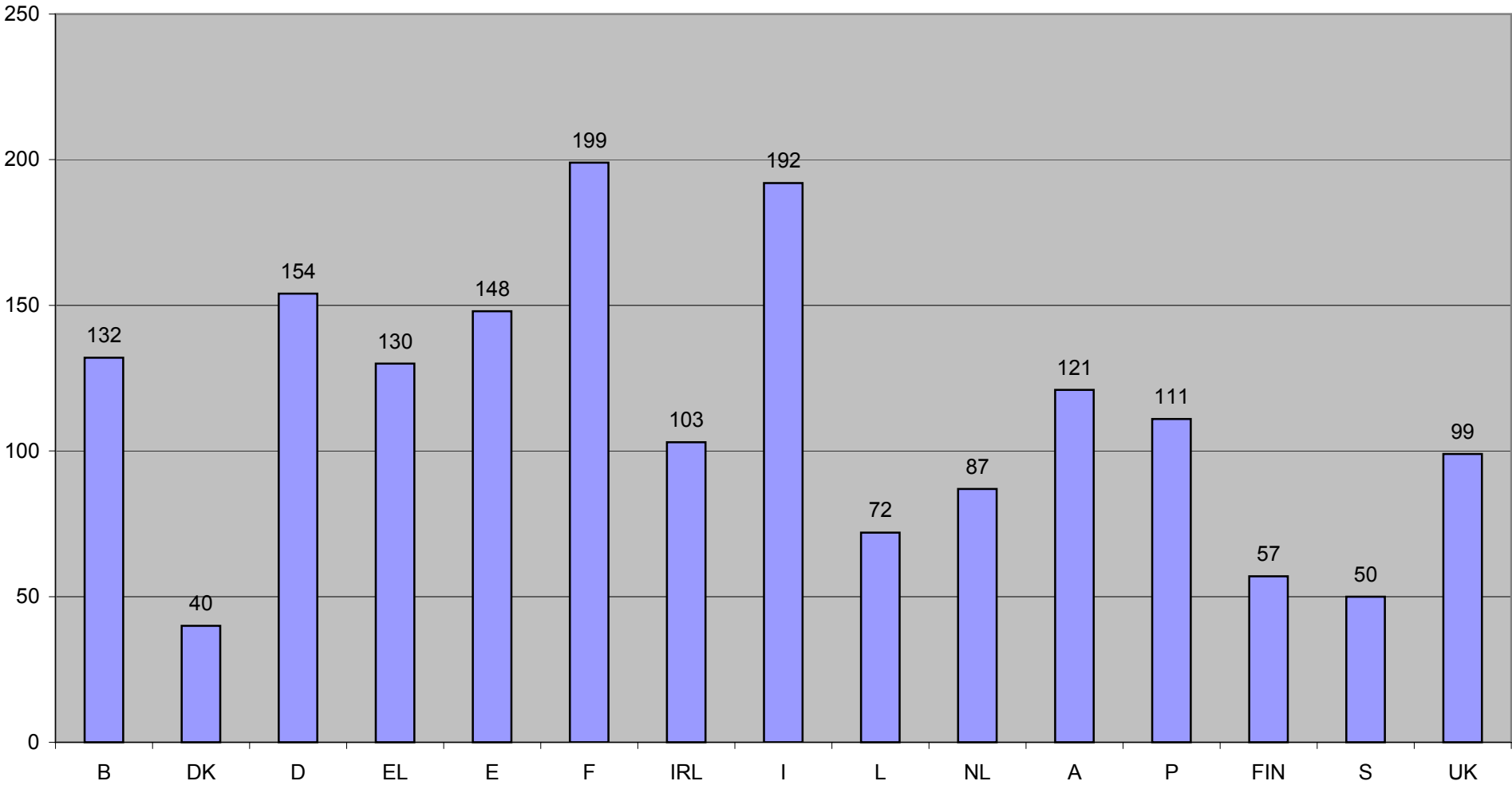


Table 2.3.2. Cases in motion on 31/12/2002 for which a reasoned opinion has been set, by Member State (chart)

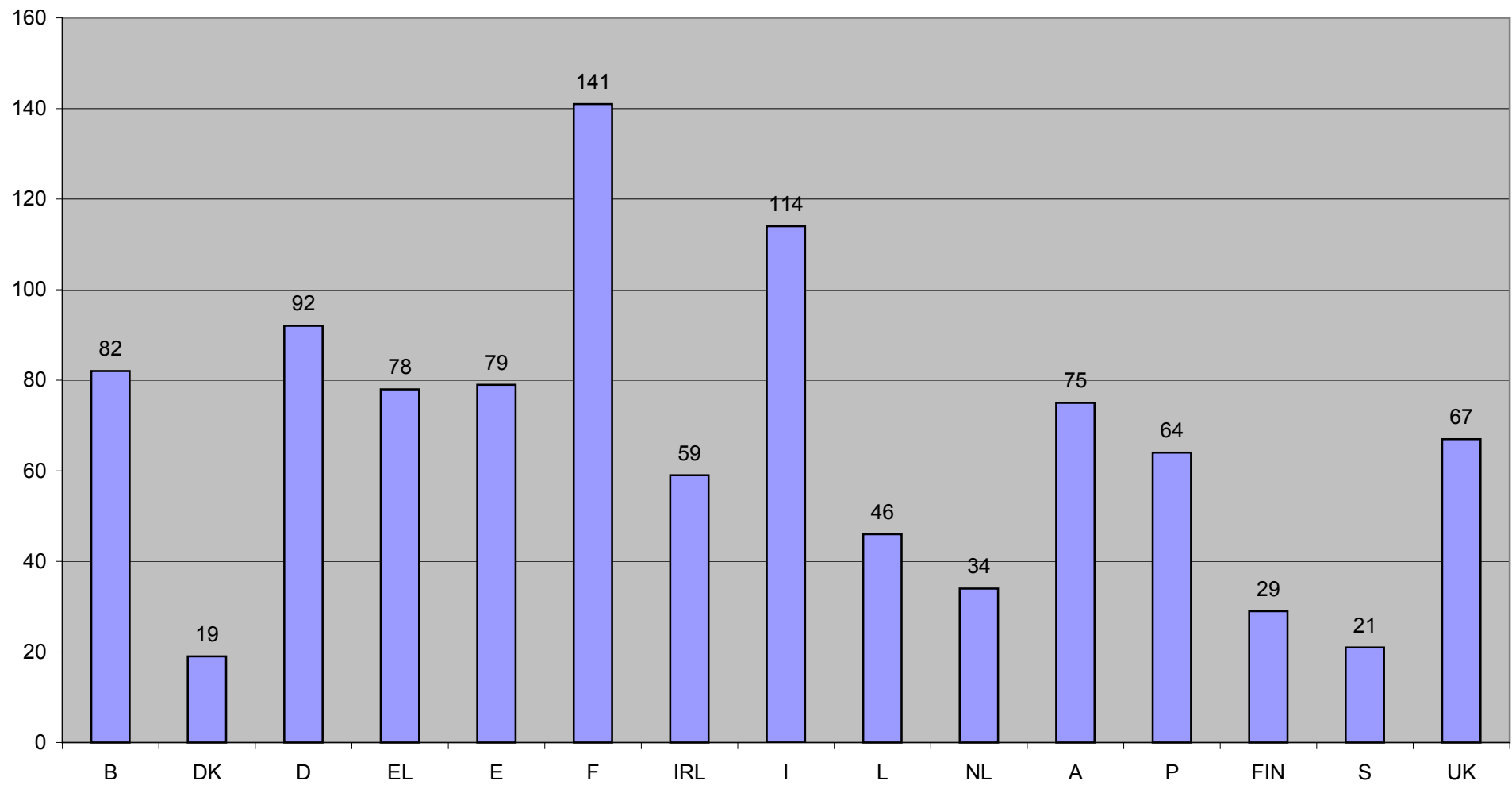


Table 2.3.3. Referrals in motion on 31/12/2002, by Member State (chart)

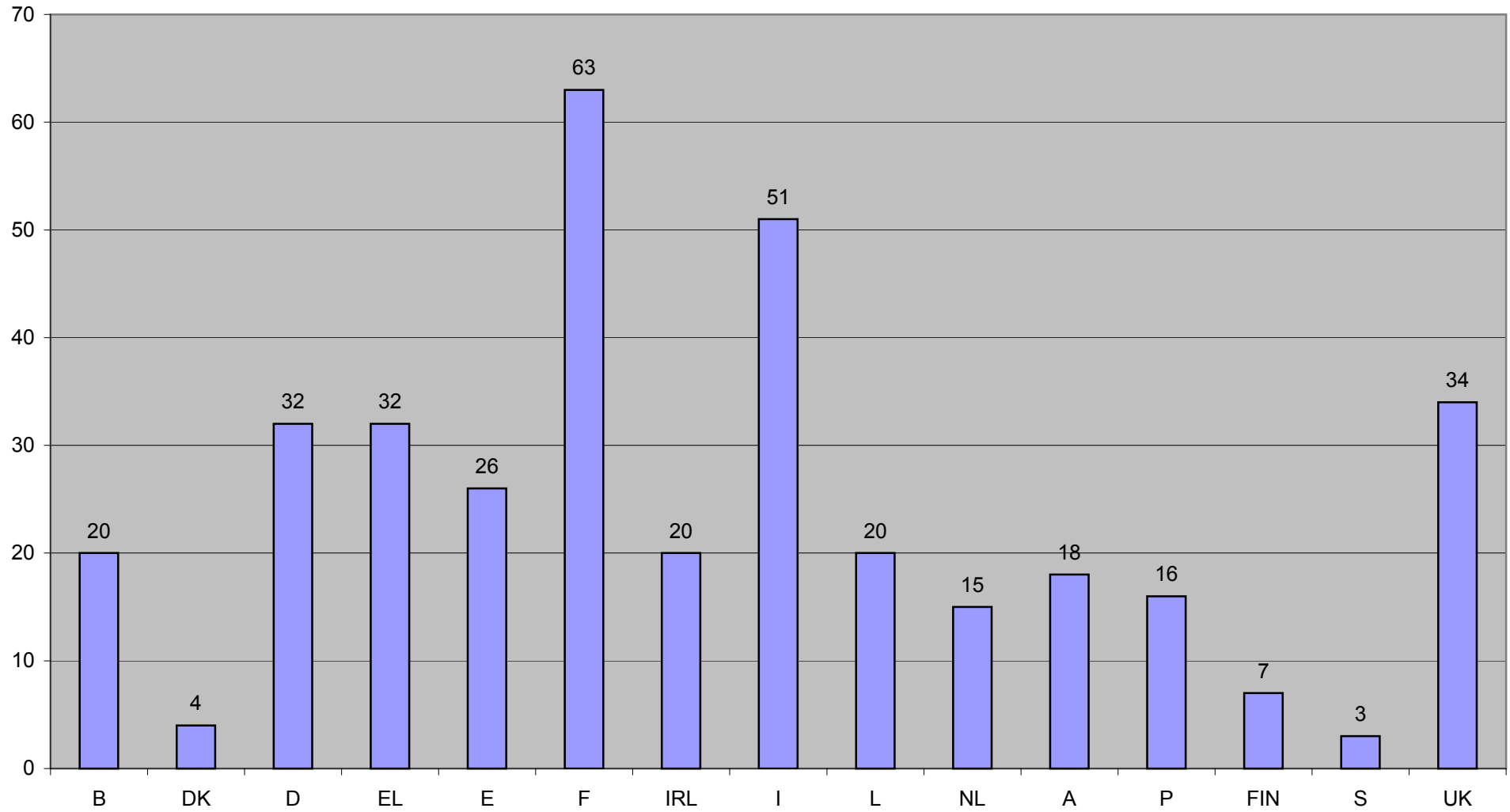


Table 2.3.4. Cases in motion at 31/12/2002 for which Article 228 proceedings are running, by Member State (chart)

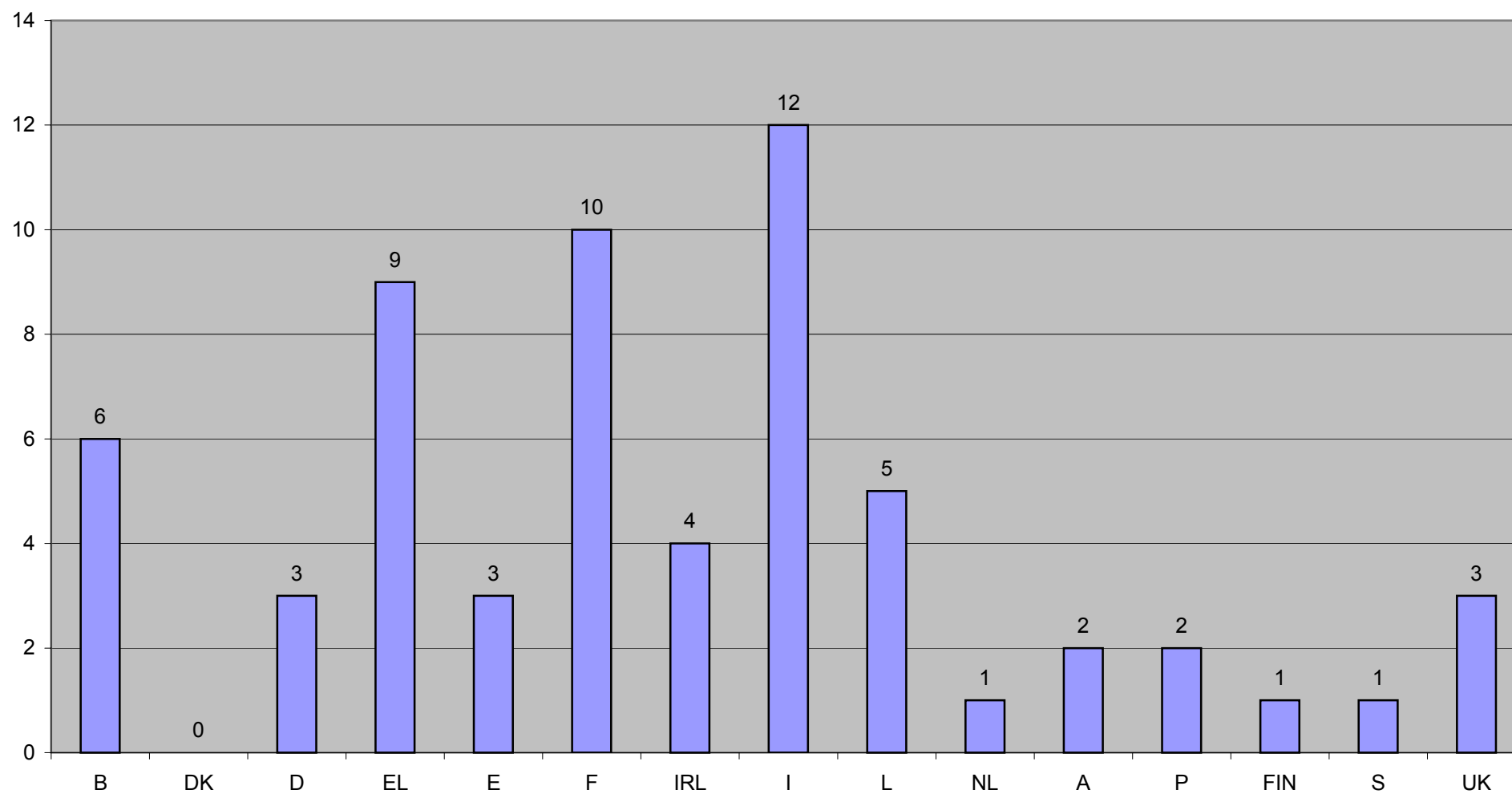


Table 2.4. Cases in motion at 31/12/2002, by sector

	total		(1)		(2)	(3)		(4)	(5)		(6)	(7)
Total:	3541		1695		47,87%	1000		28,24%	361		10,19%	62
Environment	1378	38,92%	505	29,79%	36,65%	323	32,30%	23,44%	149	41,27%	10,81%	33
Internal market	749	21,15%	374	22,06%	49,93%	219	21,90%	29,24%	67	18,56%	8,95%	8
Agriculture	78	2,20%	27	1,59%	34,62%	22	2,20%	28,21%	15	4,16%	19,23%	0
Enterprise	185	5,22%	151	8,91%	81,62%	58	5,80%	31,35%	9	2,49%	4,86%	1
Employment, Social affairs	210	5,93%	106	6,25%	50,48%	63	6,30%	30,00%	18	4,99%	8,57%	4
Taxation, Customs union	238	6,72%	114	6,73%	47,90%	63	6,30%	26,47%	21	5,82%	8,82%	4
Energy and Transport	123	3,47%	89	5,25%	72,36%	63	6,30%	51,22%	26	7,20%	21,14%	4
Competition	53	1,50%	15	0,88%	28,30%	12	1,20%	22,64%	3	0,83%	5,66%	1
Information society	62	1,75%	42	2,48%	67,74%	29	2,90%	46,77%	7	1,94%	11,29%	0
Health, consumer protection	263	7,43%	158	9,32%	60,08%	98	9,80%	37,26%	26	7,20%	9,89%	6
Fisheries	55	1,55%	41	2,42%	74,55%	17	1,70%	30,91%	8	2,22%	14,55%	1
Economic and financial affairs	29	0,82%	15	0,88%	51,72%	8	0,80%	27,59%	5	1,39%	17,24%	0
Budget	26	0,73%	25	1,47%	96,15%	12	1,20%	46,15%	5	1,39%	19,23%	0
Education, Culture, Audiovisual	26	0,73%	11	0,65%	42,31%	3	0,30%	11,54%	0	0,00%	0,00%	0
Administration	3	0,08%	0	0,00%	0,00%	0	0,00%	0,00%	0	0,00%	0,00%	0
Enlargement	5	0,14%	0	0,00%	0,00%	0	0,00%	0,00%	0	0,00%	0,00%	0
Regional policies	12	0,34%	1	0,06%	8,33%	1	0,10%	8,33%	0	0,00%	0,00%	0
Justice, Home affairs	34	0,96%	18	ANNEX II	52,94%	9	0,90%	26,47%	2	0,55%	5,88%	0
Legal service	6	0,17%	0	0,00%	0,00%	0	0,00%	0,00%	0	0,00%	0,00%	0
Eurostat	4	0,11%	3	0,18%	75,00%	0	0,00%	0,00%	0	0,00%	0,00%	0
OLAF	1	0,03%	0	0,00%	0,00%	0	0,00%	0,00%	0	0,00%	0,00%	0
Secretariat-General	1	0,03%	0	0,00%	0,00%	0	0,00%	0,00%	0	0,00%	0,00%	0

(1) = cases in motion on 31.12.2001 for which proceedings have been commenced and percentages of the total number of cases.

(2) = cases for which infringement proceedings have been commenced as a percentage of all cases concerning that Member State in motion on 31.12.2002.

(3) = cases for which a reasoned opinion has been sent and percentages of total cases.

(4) = cases for which reasoned opinions have been sent as a percentage of all cases concerning that Member State in motion on 31.12.2002.

(5) = cases which have been referred to the Court of Justice and percentages of total cases.

(6) = cases which have been referred to the Court of Justice as a percentage of all cases concerning that Member State in motion on 31.12.2002.

(7) = cases for which Article 228 proceedings have been commenced.

Tableau 2.4.1. Cases in motion on 31.12.2002 for which infringement proceedings have been commenced, by sector

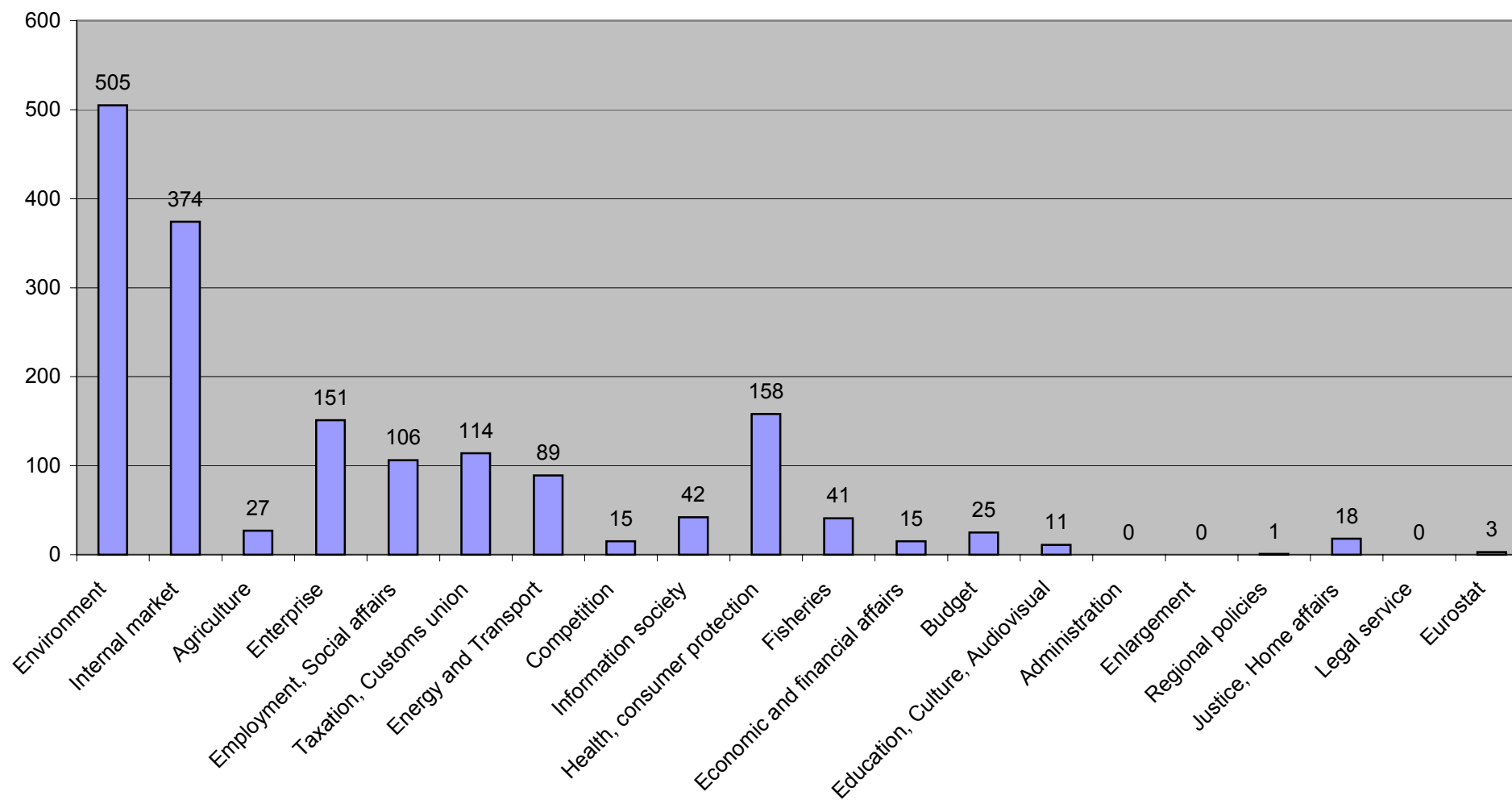


Tableau 2.4.2. Cases in motion on 31.12.2002 for which a reasoned opinion has been sent, by sector (chart)

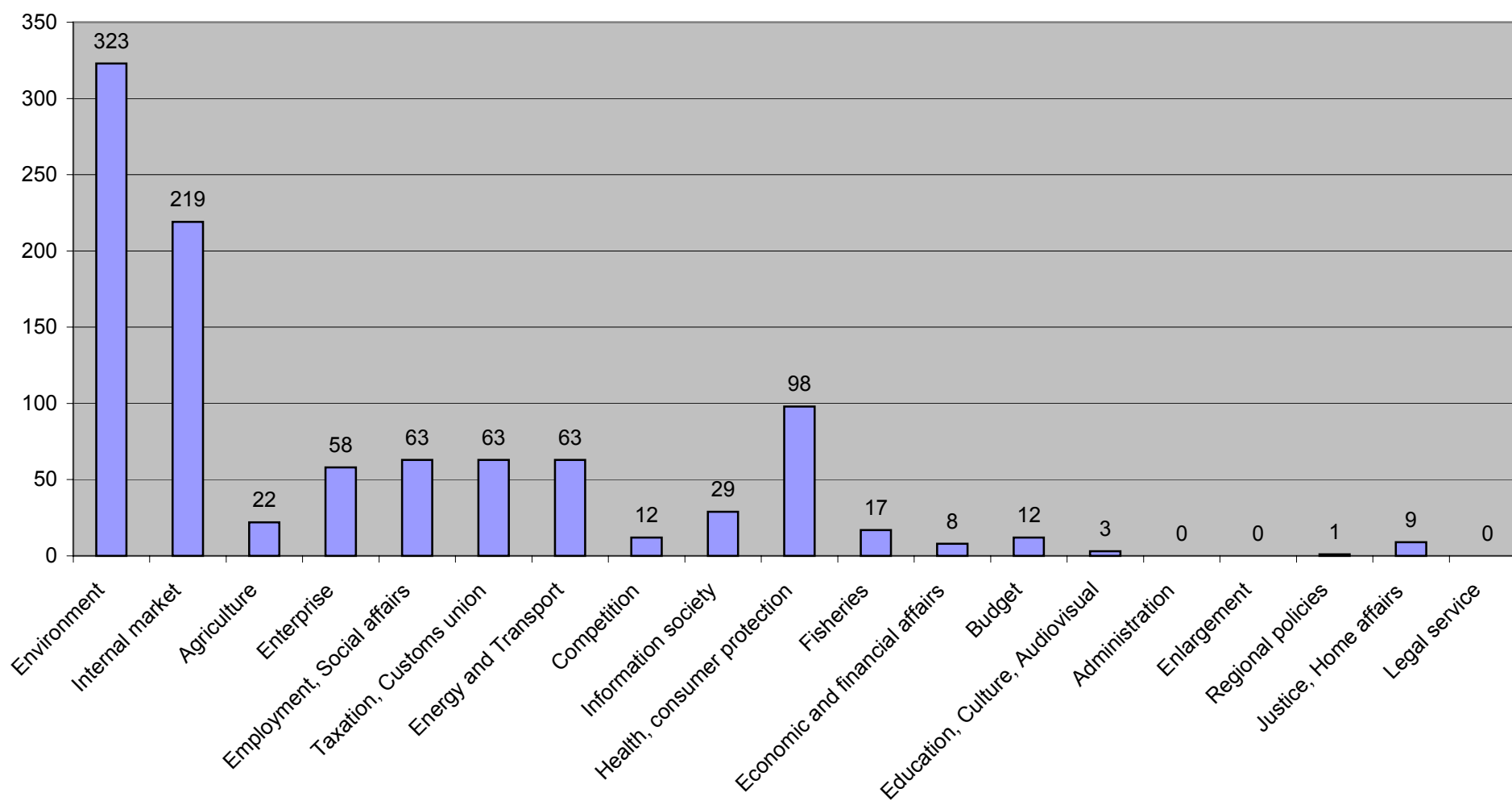


Tableau 2.4.3 Cases in motion on 31.12.2002 which have been referred to the Court of Justice, by sector (chart)

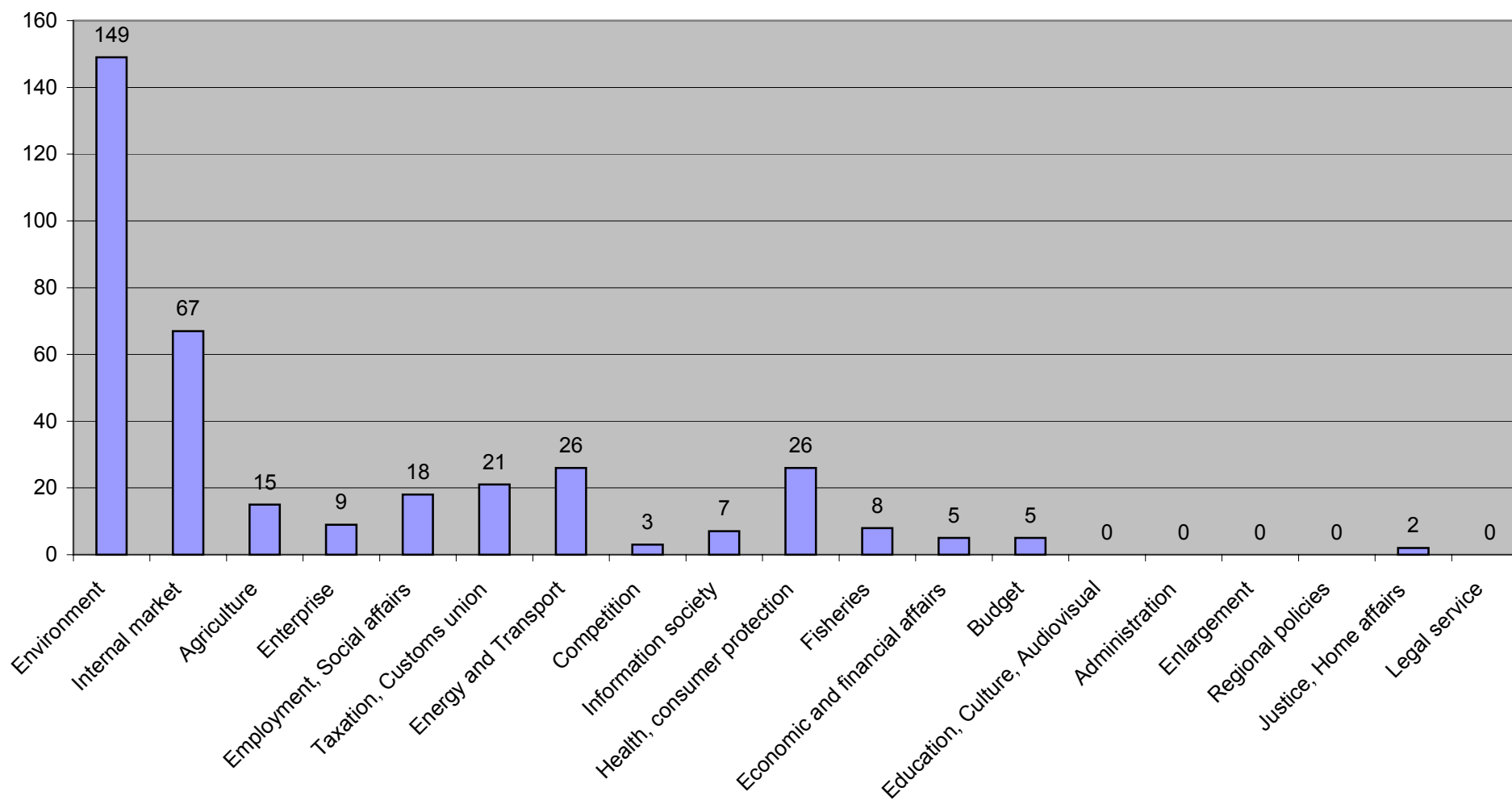


Tableau 2.4.4. Cases in motion on 31.12.2002 for which Article 228 proceedings are in motion, by sector (chart)

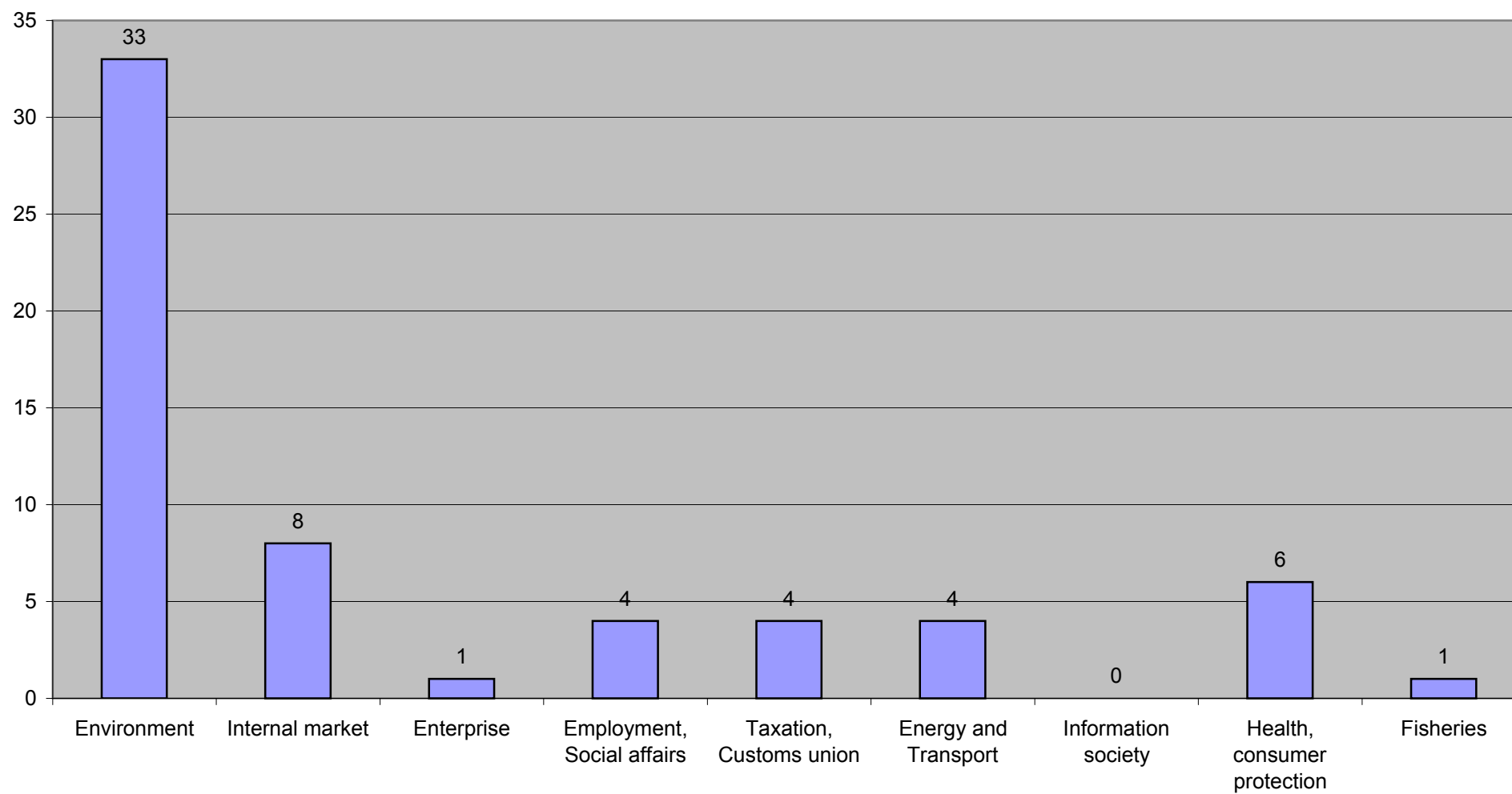


Table 2.5. Termination decisions adopted in 2002.

by stage			failure to notify		other than failure to notify	
before formal notice	800	46,40%	6	1,00%	794	70,64%
before reasoned opinion	540	31,32%	369	61,50%	171	15,21%
before decision to refer to Court of Justice	142	8,24%	84	14,00%	58	5,16%
before application registered	103	5,97%	65	10,83%	38	3,38%
cases withdrawn	69	4,00%	49	8,17%	20	1,78%
before formal notice sent under Article 228	48	2,78%	19	3,17%	29	2,58%
before reasoned opinion sent under Article 228	14	0,81%	5	0,83%	9	0,80%
before decision for second referral	7	0,41%	2	0,33%	5	0,44%
before application registered in second referral	1	0,06%	1	0,17%	0	0,00%
withdrawal of second referral	0	0,00%	0	0,00%	0	0,00%
TOTAL	1724		600		1124	

Table 2.5.1. Termination decisions taken in 2002, by stage (chart)

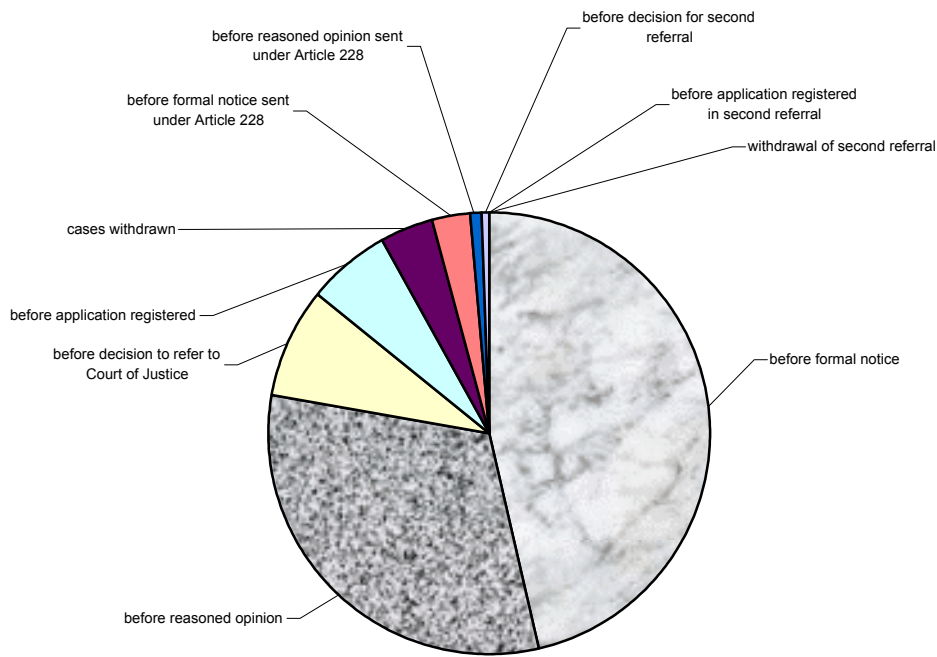
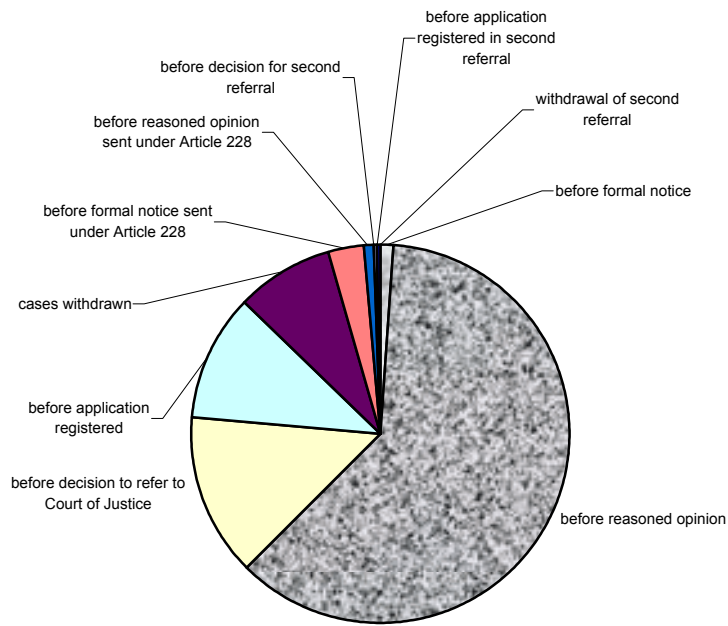


Table 2.5.2. Cases for failure to notify terminated in 2002, by stage



**Table 2.5.3. Cases other than failure to notify terminated in 2002,
by stage**

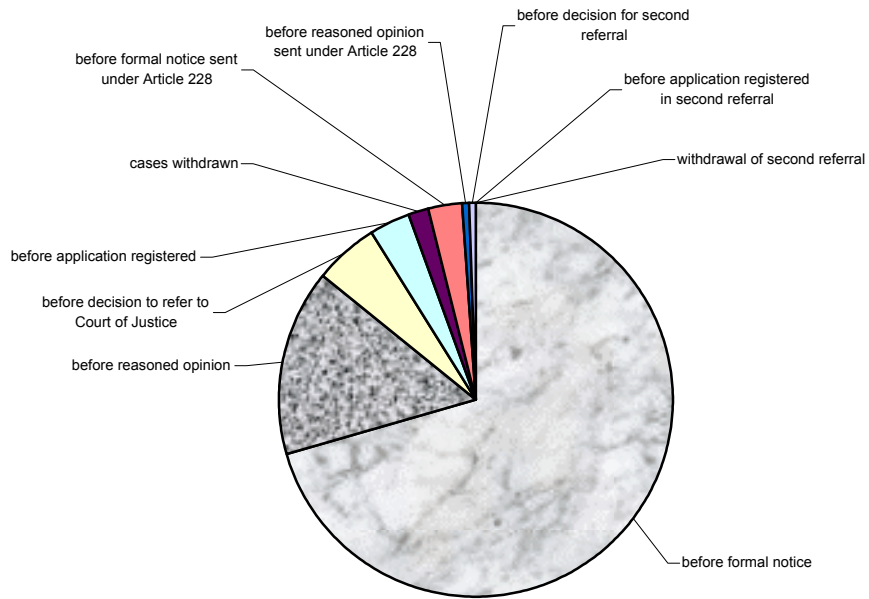


Table 2.6. Trend of termination decisions

Year	Total termination decisions	<i>Termination of infringement proceedings already opened</i>
2002	1724	927
2001	1915	1133
2000	1899	1165
1999	1900	1138
1998	1961	1282
1997	2112	1494
1996	1483	670