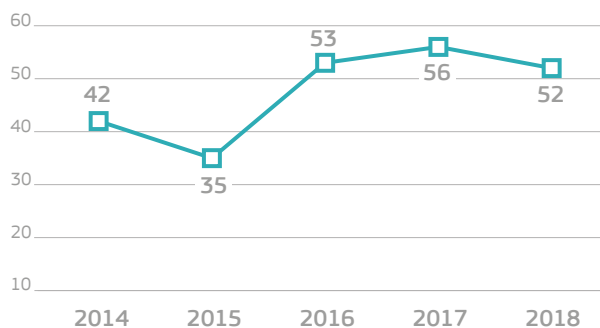


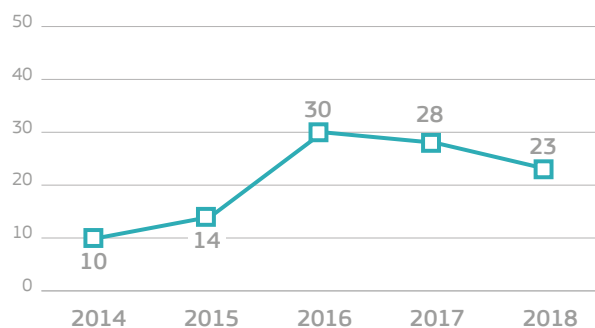
Monitoring the Application of European Union Law

Annual Report 2018

Infringement cases open as of 31 December 2018



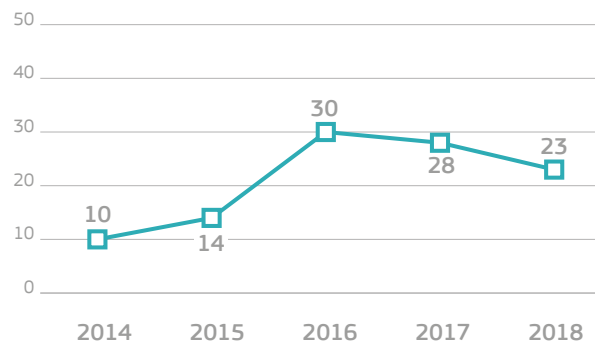
Late transposition¹ infringement cases open as of 31 December 2018



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:

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

- The Court found that the notification by a Member State of its intention to leave the EU (Article 50 TEU) does not have as a consequence that another Member State must refuse to execute a European Arrest Warrant issued by the leaving Member State, neither must it postpone its execution pending clarification of the law that will be applicable after the withdrawal².*
- A judicial authority called upon to execute a European Arrest Warrant must refrain from giving effect to it if it considers that there is a real risk that the individual concerned would suffer a breach of his fundamental right to an independent tribunal and, therefore, of the essence of his fundamental right to a fair trial on account of deficiencies liable to affect the independence of the judiciary in the issuing Member State³.*
- The rule that legal challenges by a member of the public to an environmental impact assessment procedure should not be prohibitively expensive must be broadly interpreted so that it also applies to the costs arising in a case which was ongoing at the time the deadline for transposing the Directive which introduced this rule had elapsed⁴.*

2. PPU - R O, C-327/18.

3. Minister for Justice and Equality, C-216/18 and Court press release No 113/18.

4. Klohn, C-167/17.