



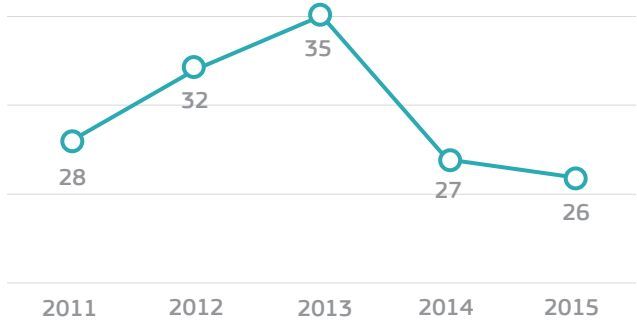
European Commission

Monitoring the Application of European Union Law

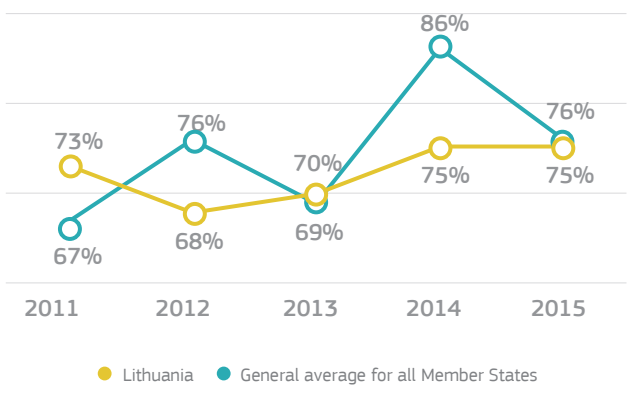
Annual Report 2015

New complaints against Lithuania increased in 2015, reaching their highest level since 2011. By contrast, the number of new EU Pilot files fell slightly, to the lowest level in five years. Both open infringements and new late transposition cases rose in 2015 but the numbers were still below their 2011 levels.

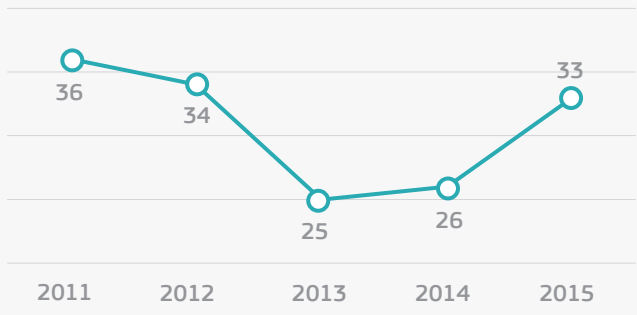
New EU Pilot files opened



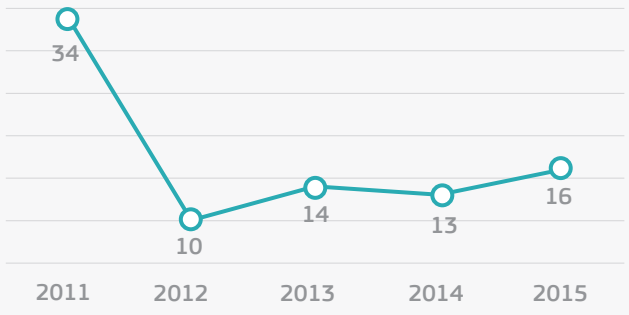
EU Pilot files: evolution of the resolution rate



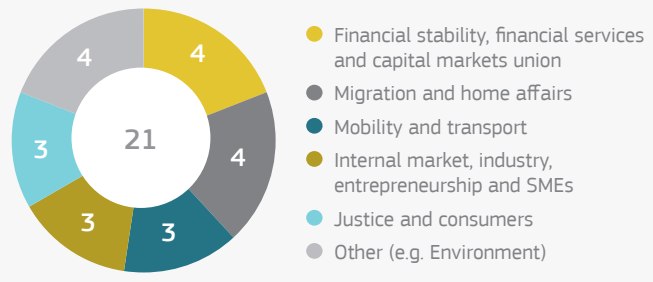
INFRINGEMENT CASES
Infringement cases open on 31 December



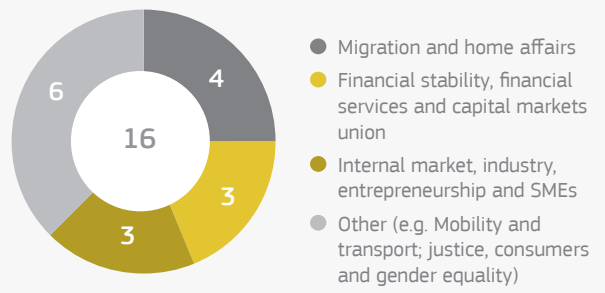
TRANSPOSITION OF DIRECTIVES
New late transposition infringement cases



21 new infringement cases opened in 2015: main policy areas



16 new late transposition infringement cases opened in 2015: main policy areas





In preliminary rulings, the Court ruled that:

- a national law that makes entitlement to compensation under the Investor Compensation Schemes Directive conditional on the credit institution concerned having transferred or used the funds or securities in question without the investor's consent is not compatible with the Directive;¹
- the Brussels I Regulation on jurisdiction in civil and commercial law² was intended to prevent conflicts of jurisdiction between courts in the Member States and not conflicts between a court and an arbitral tribunal. Recognition of arbitral awards is governed by national law or, as the case may be, by the 1965 New York Convention. In the case at hand, after one party initiated court proceedings in Lithuania, the other party, Gazprom, commenced arbitral proceedings in Sweden. The arbitral tribunal found that the Lithuanian court proceedings were in breach of the arbitral agreement and issued an injunction against the suit. Gazprom then sought recognition of that arbitral award in Lithuania. The Lithuanian High Court made a preliminary reference to the Court of Justice of the EU asking whether the Brussels I Regulation can be invoked by the court to refuse recognition of anti-suit injunctions ordered by the arbitral tribunal.³

¹ *Indėlių ir investicijų draudimas and Nemaniūnas*, C-671/13.

² Regulation (EC) No 44/2001.

³ *Gazprom*, C-536/13.