

**Question for written answer E-007795/2017
to the Commission**
Rule 130
Pál Csáky (PPE)

Subject: Enforcement of EU rights in Member States

In its answer to question for written answer No E-004064/2017, the Commission referred to its discretionary power, which it will exercise, according to the answer, after careful consideration. I expect clear answers to the following:

Has the Commission taken into account during its 'careful consideration', inter alia, the judgments in the documents handed over at the hearing in March 2017, which prove that the citizens of other Member States also disputed the legal rules in question even before the court proceeding at the last instance, which did not apply EU law and did not initiate proceedings with the European Court of Justice either, in violation of the requirements of the *acte clair* doctrine?

Does the Commission believe that the violation of a fundamental right to freedom, which may not be justified even as recognised by the Commission, may seriously threaten EU law and the operation of the internal market, the *sine qua non* of which is the appropriate application of EU law?

In the absence of infringement proceedings, how can the persons affected by the discriminative provisions of the legal rule concerned enforce their rights before the courts of the Member State concerned, subject to the contents of point 1 of this question?