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Answer given by President von der Leyen
on behalf of the European Commission
(21.2.2022)

The correct implementation of EU law requires a number of measures to be taken by Member States to transpose Union law into national law and to apply it correctly. Successive Commissions have been giving priority to preventing infringements from occurring in the first place¹. The Commission works with Member States through guidance, technical assistance and other forms of follow-up and support to ensure the correct transposition and application of EU law as early as possible in the process.

The increased focus on prevention has made it possible to settle 90% of cases through structured dialogue before reaching the Court of Justice of the EU, saving time and taxpayers' money as well as accelerating the date when citizens see the benefits of EU law in practice.

Where, notwithstanding these efforts, there are still breaches of EU law, the Commission has a clear enforcement policy to start infringement procedures and to take them forward to ensure that the breach is remedied or that the matter is taken to the Court of Justice of the EU.

A particular focus has been the timely transposition of directives. The drop in numbers referred to in the study is largely linked to reducing the cases where Member States miss the deadline to transpose directives. This has halved since 2012, from around 1,000 to around 500 cases a year. These cases are triggered automatically and the Commission systematically recurs to financial sanctions, which act as a deterrent.

This information is clearly set out in annual reports² and can be followed through a summary press package on all infringement decisions and a user-friendly and up-to-date public database³.

¹ See for example 'A Europe of Results — Applying Community Law', COM(2007) 502 of 5 September 2007, and 'EU law: Better results through better application', C/2016/8600 of 23 December 2016.

² https://ec.europa.eu/info/publications/annual-reports-monitoring-application-eu-law_en

³ https://ec.europa.eu/atwork/applying-eu-law/infringements-proceedings/infringement_decisions/?lang_code=en