

Issue 4/2020

Upholding the law: overview on current infringement procedures



The European Union is constitutionally designed as a Union of Law. According to the Treaties (Treaty on European Union, Treaty on Functioning of the European Union), Member States are obliged to comply with EU legislation adopted by the legislator (European Parliament and Council), and the Commission has the right and the obligation to scrutinise such compliance and where appropriate take legal action.

Past weeks have seen a range of such legal enforcement actions by the Commission for non-compliance with EU water-related legislation, in particular

- nature protection legislation (Habitats and Birds Directives),
- Marine Strategy Framework Directive,
- Ship Recycling Regulation,
- Ports Services Regulation,
- Industrial Emissions Directive,
- Nitrates Directive,
- Environmental Impact Assessment Directive,
- Environmental Liability Directive, and
- Seveso III Directive (prevention of major accidents involving dangerous substances).

This issue presents general information on the legal background (Treaty on European Union, Treaty on Functioning of the European Union) and the legal procedure, the related individual cases concerning the following countries:

- Austria
- Belgium
- Bulgaria
- Croatia
- Cyprus
- Czechia
- Denmark
- France
- Germany
- Greece
- Ireland
- Italy
- Malta
- Netherlands
- Slovakia
- Slovenia
- Spain
- Sweden
- United Kingdom