



European Commission

# Monitoring the Application of European Union Law

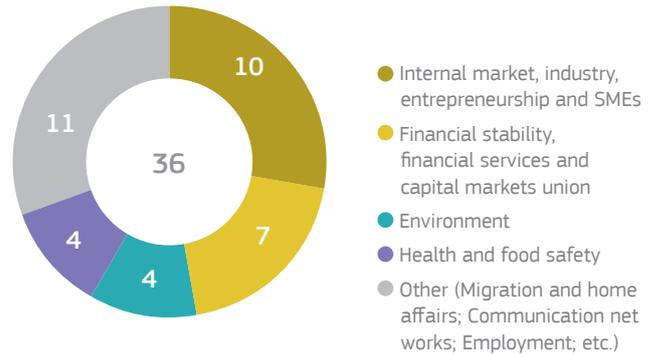
## Annual Report 2016

*New complaints against Romania rose again in 2016 after falling for 2 years. Open infringement cases and new cases for late transposition also both increased, while remaining below their 2014 peaks. By contrast, new EU Pilot files continued their steady decline, falling to less than half their 2012 level.*

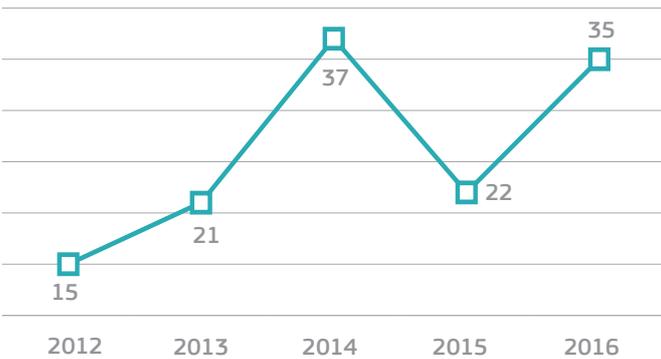
**Infringement cases open on 31 December**



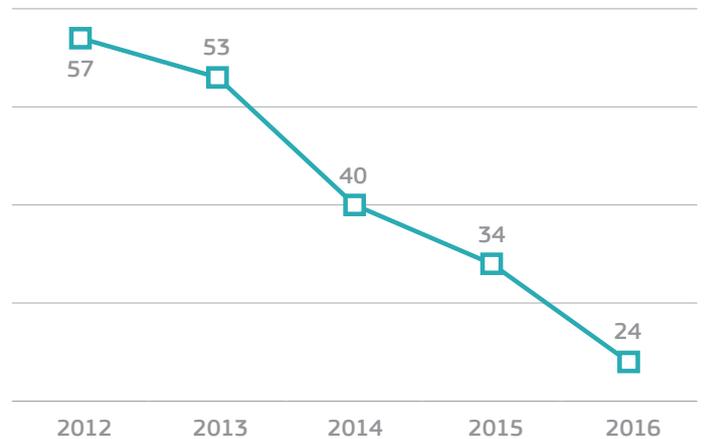
**New infringement cases opened in 2016: main policy areas**



**New late transposition infringement cases**



**New EU Pilot files opened**





## Relevant rulings of the European Courts:

1. The Court ruled that Romania has failed to take the necessary measures to prevent pollution from dust particles coming from a copper mining operation, in breach of the Mining Waste Directive.<sup>1</sup>
2. In preliminary rulings, the Court held, amongst others, that:
  - the execution of a European arrest warrant must be deferred if there is a real risk of inhuman or degrading treatment because of the conditions of detention of the person concerned in the issuing Member State. If the existence of that risk cannot be discounted within a reasonable period, the executing judicial authority must decide whether the surrender procedure should be brought to an end;<sup>2</sup>
  - Member States may not repay taxes incompatible with EU law by instalments over 5 years.<sup>3</sup>

<sup>1</sup> Directive [2006/21/EC](#), Commission v Romania, [C-104/15](#).

<sup>2</sup> Aranyosi and Căldăraru, Joined Cases [C-404/15](#) and [C-659/15](#) PPU and Court press release No [36/16](#).

<sup>3</sup> Câmpean, [C-200/14](#) and Ciup, [C-288/14](#).