



April 2020 Infringement cycle

Brussels, 2 April 2020

Overview by policy area

In its regular package of infringement decisions, the European Commission pursues legal action against Member States for failing to comply with their obligations under EU law. These decisions, covering various sectors and EU policy areas, aim to ensure the proper application of EU law for the benefit of citizens and businesses.

However, in view of the coronavirus pandemic, the Commission must acknowledge the current strain on the administrative resources of Member States caused by the coronavirus outbreak.

In light of this, today the Commission is exceptionally publishing only closed cases in which the issues with the Member States have been solved without the Commission needing to pursue the procedure further. The Commission exercises its role of guardian of the Treaties with great responsibility and it has made it clear to the Member States that it will nevertheless continue to pursue infringement proceedings as necessary, including through regular infringement cycles.

For more information on the EU infringement procedure, consult this [Q&A](#). For more details on all decisions taken, consult the [infringement decisions' register](#).

1. Security Union

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The European Commission closes today infringement procedures against eight Member States as they transposed EU rules on Passenger Name Record data into national law

The European Commission decided today to close the infringement procedures against **Bulgaria, Cyprus, Estonia, France, Greece, Luxembourg, Portugal and Romania** as they have now fully transposed EU rules on Passenger Name Record data ([Directive \(EU\) 2016/681](#)) into national law. The Passenger Name Record Directive sets out the rules for the transfer of Passenger Name Record data (i.e. information provided by passengers to airlines when booking and checking-in for flights) from airlines to Member States' authorities and the processing of this data for law enforcement purposes, in full respect of data protection safeguards. The processing of Passenger Name Record data is an important tool in the fight against terrorism and serious crime, helping to trace suspicious travel patterns and identify potential criminals and terrorists, including those previously unknown to law enforcement authorities. The Directive is an essential building block towards an effective and genuine Security Union and in order for its benefits to fully materialise, it is crucial that all EU Member States have their Passenger Name Record systems in place. The Commission is now assessing whether the transposition measures adopted by the eight Member States are in conformity with the provisions of the Directive. Today's decision does not prejudge the result of that assessment.

2. Justice

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Criminal law cooperation: Commission closes cases against Bulgaria, Greece and Ireland, after the complete transposition of framework decisions on criminal law

The European Commission decided today to close infringement proceedings against **Bulgaria, Greece and Ireland** after full transposition into national law of three framework decisions on criminal law. Those measures cover respectively the application of the principle of mutual recognition to judgments or probation decisions imposing probation measures or alternative sanctions ([Council Framework Decision 2008/947/JHA](#)); the mutual recognition to judgments in criminal matters imposing custodial sentences ([Council Framework Decision 2008/909/JHA](#)) and the application of the principle of mutual

recognition to financial penalties ([Council Framework Decision 2005/214/JHA](#)). The purpose of the framework decision on the *probation measures and alternative sanctions* is to facilitate the application of suitable probation measures and alternative sanctions, in the case of offenders who do not live in the State of conviction. The framework decision on *mutual recognition to judgments imposing custodial sentences* ensures the mutual recognition of judgments in criminal matters imposing prison sentences and aims to facilitate the social rehabilitation of the sentenced individuals. The framework decision on *financial penalties* allows for mutual recognition of financial penalties, enabling a judicial or administrative authority to transmit a financial penalty directly to an authority in another EU country and to have that penalty recognised and easily executed. As Ireland failed to transpose EU rules on Council Framework Decision 2008/947/JHA and Bulgaria on Council Framework Decision 2008/909/JHA into national legislation in time before the legal deadline, the Commission had sent a letter of formal notice to the respective authorities in January 2019, followed by a reasoned opinion in July 2019. Since then, both Ireland and Bulgaria communicated complete transposition into national law and the Commission decided to close these cases. Greece notified transposition into their law the Council Framework Decision 2005/214/JHA after the legal deadline, but before the adoption of any formal step by the Commission. As those measures provide for the complete transposition, the EU case against Greece can be closed.

Victims' Rights: Commission closes infringement proceedings against four Member States as their legislation now fully transposes the Victims' Rights Directive into national law

The European Commission decided today to close the infringement proceedings against **Greece, Finland, Ireland** and **the Netherlands** following their notification of measures fully transposing the [Victims' Rights](#) Directive into their national laws. The Victims' Rights Directive establishes minimum standards on the rights, support and protection of victims of crime, and ensures that persons who have fallen victim to crime are recognised and treated with respect. They must also receive proper protection, support and access to justice. The Directive considerably strengthens the rights of victims and their family members to information, support and protection in accordance with victims' individual needs. In addition, it further strengthens the victims' procedural rights in criminal proceedings. The deadline for Member States to implement the Directive into their national laws was 16 November 2015. The Commission had opened infringement proceedings against Greece, Finland, Ireland and the Netherlands by sending a letter of formal notice in January 2016. Reasoned opinions were sent to Greece in April 2017 and March 2019, Finland in March 2019, Ireland in October 2017 and in November 2018, and the Netherlands in March 2019.

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