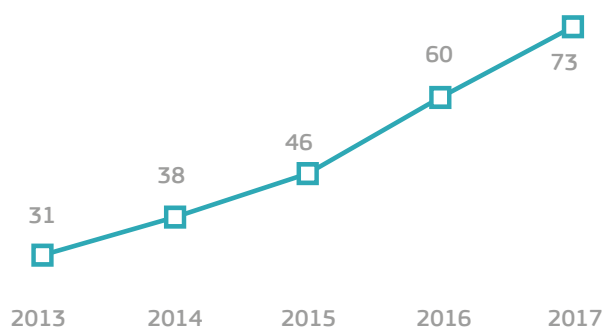
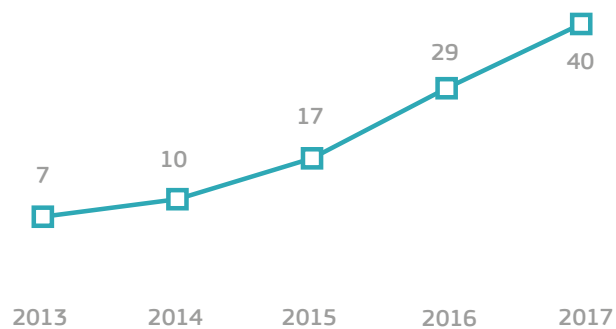


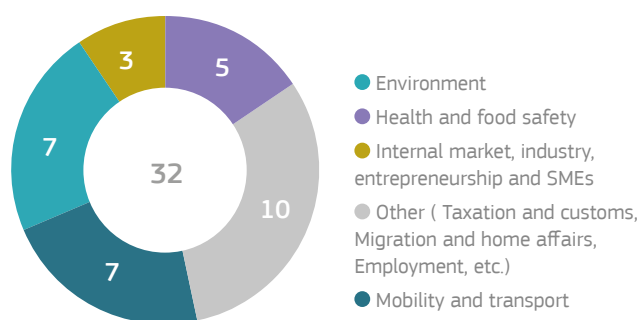
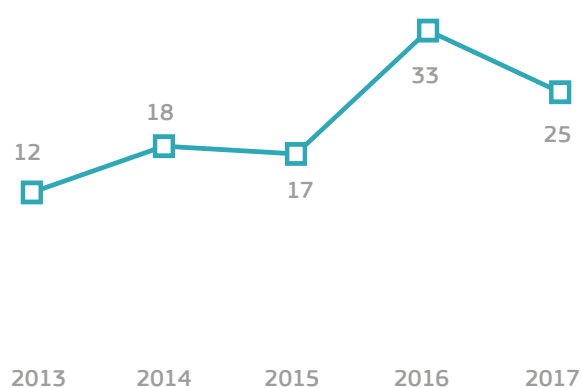
# Monitoring the Application of European Union Law

## Annual Report 2017

Infringement cases open as of 31 December 2017

Late transposition<sup>1</sup> infringement cases

New infringement cases opened in 2017: main policy areas

New late transposition<sup>2</sup> infringement cases

<sup>1</sup> Number of infringement cases pending against this Member State on 31.12.2017 due to failure to implement an EU directive into national law on time.

<sup>2</sup> Number of new infringement cases opened against this Member State in 2017 due to failure to implement an EU directive into national law on time.



## Relevant rulings of the European Courts:

*In preliminary rulings, the Court ruled, amongst others, that:*

- *A Member State may not detain an applicant for international protection for the purpose of securing a procedure for transferring her to another Member State if the objective criteria for assessing the risk of absconding are not defined in its legislation (even if those criteria are apparent from the case-law or the administrative practice of that Member State)<sup>3</sup>.*
- *A collision between an aircraft and a bird is an extraordinary circumstance exempting the carrier from the obligation to pay compensation in the event of significant delay. That delay cannot be justified by the alleged need to carry out a second check where an authorised expert found that the aircraft was airworthy after the collision<sup>4</sup>.*

<sup>3</sup> Al Chodor and Others, [C-528/15](#).

<sup>4</sup> Pešková and Peška, [C-315/15](#).