

T. MATERNE, *La procédure en manquement d'État : Guide pratique*, Bruylant, Bruxelles, 2<sup>nd</sup> ed, 2023, pp. 1-536

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According to the latest [judicial statistics](#), infringement proceedings against Member States represent less than 10% of the overall cases being lodged before the Court of Justice. Indeed, preliminary ruling proceedings make the 'lion's share' of the Court's docket. However, that number does not include all those [procedures](#) (between 500 and 1,000 per year) where the a suspected infringement of EU law by the national authorities has been investigated by the Commission without then being brought before the Court because considered, for example, unsubstantiated, settled or not falling within the [Commission's priorities](#). Moreover, from both a political/policy perspective and a more technical/legal one, those proceedings may be of great significance for a number of reasons: for, *inter alia*, raising novel and potentially far-reaching legal issues (see e.g. [C-769/22, Commission v Hungary](#)), having a substantial impact on the national legal system (see e.g. [C-204/21, Commission v Poland](#)) or on the national budget (see e.g. [C-692/20, Commission v United Kingdom](#)), and raising particularly delicate socio-economic issues at national level (see e.g. [C-443/18, Commission v Italy](#)) or important international and diplomatic issues (see e.g. [C-457/18, Slovenia v Croatia](#)). It is thus unfortunate that this area of EU judicial proceedings has, to some extent, been frequently neglected by academia. Indeed, there are relatively few works on this topic which may, on the one hand, assist and guide those (first and foremost within the national and EU administration) who deal with this subject on a regular basis and, on the other hand, offer food for thought to those (such as academics and policy-makers) who could envisage some (much needed?) developments on this matter. Tristan Materne's *La procédure en manquement d'État: Guide pratique* – the 2nd edition of which is hot off the press – is one of the few works which is (entirely) dedicated to the topic.

The aim of the volume is, as the author writes in the preface, to offer practitioners having to deal with infringement proceedings a compass allowing them to navigate the intricacies of that procedure. To do so, the author focuses especially on the case-law of the Court of Justice, the idea

being that of illustrating how the various legal issues which may arise throughout the procedure have been dealt with in real cases. The work follows, therefore, a mainly practical approach to the subject, without however neglecting some broader systemic and forward-looking considerations. The volume, whose length is slightly above 500 pages, is composed of five Chapters which reflect the various stages of the procedure: (1) forms of action and types of infringements, (2) the administrative procedure, (3) the litigation phase I, (4) the litigation phase II, (5) the judgment of the Court and the financial penalties, and (6) alternative remedies. It is, in my view, a volume which fully achieves its purpose, thanks also to the first-hand experience of the author on this matter. Tristan Materne is currently a Member of the European Commission's Legal Service and, prior to that, he has acted as agent of the Belgian Government before the EU Courts. This is a volume that I would certainly recommend to both those who want to familiarise with the topic and those who have to deal with this procedure on a daily basis.