This chapter addresses the Treaty's provisions on the enforcement of EU law, particularly looking at Articles 258–260 TFEU (Treaty on the Functioning of the European Union). The European Commission's enforcement action, known as ‘infringement proceedings’, is set out in Article 258 TFEU. If the Commission proves an infringement has occurred, the Court of Justice of the European Union (CJEU) will issue a binding verdict that requires the Member State to rectify the breach: in other words, to amend its domestic laws until they are compliant with EU law. Article 260 TFEU makes clear, however, that the CJEU can only order ‘compliance’. Article 259 sets out a very similar process, rarely used, for Member State v Member State infringement proceedings. The chapter then considers the CJEU’s development of the principles of direct and indirect effect and state liability, and explores the remedies for breaches of EU law. It also assesses the impact of Brexit on the enforcement of EU law.
8. Enforcing EU law

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