

The Commission further concludes that, in the context of the award of a public works concession by the municipality of Eindhoven, the Kingdom of the Netherlands has failed to comply with its obligations under the European Union law on public contracts, and in particular those imposed by Article 2 and Title III of Directive 2004/18/EC.

(¹) Directive 2004/18/EC of the European Parliament and of the Council of 31 March 2004 on the coordination of procedures for the award of public works contracts, public supply contracts and public service contracts (OJ 2004 L 134, p. 114).

Action brought on 16 December 2010 — European Commission v French Republic

(Case C-597/10)

(2011/C 55/35)

Language of the case: French

Parties

Applicant: European Commission (represented by: V. Peere and I. Hadjiyannis, acting as Agents)

Defendant: French Republic

Form of order sought

— declare that, failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 (¹) on the assessment and management of flood risks, which aims to reduce damage to human health, the environment, cultural heritage and economic activity associated with floods in the Community, or, in any event, by failing to communicate those provisions to the Commission, France has failed to fulfil its obligations under that directive;

— order French Republic to pay the costs.

Pleas in law and main arguments

The period for the transposition of Directive 2007/60/EC expired on 25 November 2009. On the date on which the present action was brought, the defendant had not yet taken all the measures necessary to transpose the directive or, in any event, it had not notified the Commission thereof.

(¹) Directive 2007/60/EC of the European Parliament and of the Council of 23 October 2007 on the assessment and management of flood risks (OJ 2007 L 288, p. 27).