



## Reports of Cases

### Judgment of the Court (Sixth Chamber) of 5 March 2020 – Commission v Cyprus (Collection and treatment of urban waste water)

(Case C-248/19)<sup>1</sup>

(Failure of Member State to fulfil obligations – Article 258 TFEU – Directive 91/271/EEC – Treatment of urban waste water – Articles 3, 4, 10 and 15 – Annex I, points A, B and D – No collecting systems for urban waste water in certain agglomerations – No secondary or equivalent treatment of urban waste water – Construction and operation of treatment plants – Control of discharges from such plants)

1. *Environment – Urban waste-water treatment – Directive 91/271 – Submission to secondary treatment of urban waste waters entering collection systems – None – Failure to fulfil obligations – National system pleaded as justification – Not permissible*

*(Council Directive 91/271, Arts 3, 4 and 10 and Annex I, point B)*

*(see paras 27, 31, 36-39, 43)*

2. *Environment – Urban waste-water treatment – Directive 91/271 – Ensure, in relation to discharges, compliance over time with the quality requirements from the entry into operation of the treatment plant – None – Failure to fulfil obligations*

*(Council Directive 91/271, Art. 15(1), first indent and Annex I, points B and D)*

*(see paras 41, 42)*

<sup>1</sup> OJ C 213, 24.6.2019.

## Operative part

The Court:

1. Declares that the Republic of Cyprus, by failing:

- To provide 31 agglomerations (Aradippou, Ypsonas, Dali, Voroklini, Deryneia, Sotira, Xylophagou, Pervolia, Kolossi, Poli Chrysochous, Leivadia, Dromolaxia, Pera Chorio-Nisou, Liopetri, Avgorou, Paliometochos, Kiti, Frenaros, Ormideia, Kokkinotrimithia, Trachoni, Episkopi, Xylotympou, Pano Polemidia, Pyla, Lympia, Parekklesia, Kakopetria, Achna, Meneou and Pyrgos) with a collecting system for urban waste water, and
- to ensure, for the same agglomerations, that the urban waste water entering the collecting systems is subject to secondary treatment or an equivalent treatment before discharge,

has failed to fulfil its obligations under Articles 3, 4, 10 and 15 of and Annex I, points A, B and D, to Council Directive 91/271/EEC of 21 May 1991 concerning urban waste water treatment, as amended by Regulation (EC) No 1137/2008 of the European Parliament and of the Council of 22 October 2008.

2. Orders the Republic of Cyprus to pay the costs.