

ORDER OF THE COURT**(Second Chamber)****of 19 September 2000**

in Case C-89/00 (reference for a preliminary ruling from the Verwaltungsgericht Berlin): Bülent Recep Bicakci and Others v Land Berlin⁽¹⁾

(Article 104(3) of the Rules of Procedure — Identical question)

(2001/C 95/05)

(Language of the case: German)

(Provisional translation; the definitive translation will be published in the European Court Reports)

In Case C-89/00: reference to the Court under Article 234 EC from the Verwaltungsgericht Berlin (Administrative Court, Berlin) for a preliminary ruling in the proceedings pending before that court between Bülent Recep Bicakci, Bedriye Bicakci, Hidajet Kemal Bicakci and Burak Bicakci and Land Berlin — on the interpretation of Article 14(1) of Decision No 1/80 of 19 September 1980 on the development of the Association, adopted by the Association Council established by the Association Agreement between the European Economic Community and Turkey — the Court (Second Chamber), composed of: R. Schintgen (Rapporteur), President of the Second Chamber, V. Skouris and N. Colneric, Judges; J. Mischo, Advocate General; R. Grass, Registrar, has made an order on 19 September 2000 in which it has ruled:

Article 14(1) of Decision No 1/80 of 19 September 1980 on the development of the Association, adopted by the Association Council established by the Association Agreement between the European Economic Community and Turkey is to be interpreted as precluding the expulsion of a Turkish national who enjoys a right granted directly by that decision when it is ordered, following a criminal conviction, as a deterrent to other aliens without the personal conduct of the person concerned giving reason to consider that he will commit other serious offences prejudicial to the requirements of public policy in the host Member State.

⁽¹⁾ OJ No C 149, 27.5.2000.

Action brought on 24 January 2001 by the Commission of the European Communities against the Hellenic Republic**(Case C-33/01)**

(2001/C 95/06)

An action against the Hellenic Republic was brought before the Court of Justice of the European Communities on 24 January 2001 by the Commission of the European Communities, represented by Hans Stovlbaek, of its Legal Service, and Panagiotis Panagiotopoulos, a national civil servant on secondment to its Legal Service.

The Commission claims that the Court should:

- declare that, by failing to communicate to the Commission within the time-limit laid down the information required by Article 8(3) of Directive 97/689/EEG, and⁽¹⁾ and by Commission Decision 96/302/EC⁽²⁾ which is envisaged by that provision, concerning every establishment or undertaking which carries out disposal and/or recovery of hazardous waste, the Hellenic Republic has failed to fulfil its obligations under the Treaty and that directive.
- order the Hellenic Republic to pay the costs.

Pleas in law and main arguments

Article 8(3) of Directive 91/689/EEC imposes an obligation on the Member States to send to the Commission certain information relating to every establishment or undertaking which carries out disposal and/or recovery of hazardous waste.

The Commission states that the Hellenic Republic did not send the information prescribed by that directive within the time-limit laid down (that is to say immediately after the entry into force of Commission Decision 96/302/EC of 17 April 1996 establishing a format in which information is to be provided pursuant to Article 8(3) of Directive 91/689/EEC) and, of course, has not notified the Commission of any changes in that information.

⁽¹⁾ OJ No L 377, 31.12.1991, p. 20.

⁽²⁾ OJ No L 116, 11.5.1996, p. 26.