

Action brought on 27 October 2004 by Commission of the European Communities against Grand Duchy of Luxembourg

(Case C-449/04)

(2004/C 314/12)

An action was brought before the Court of Justice of the European Communities on 27 October 2004 by Commission of the European Communities, represented by C. O'Reilly and A.-M. Rouchaud-Joët, acting as Agents, with an address for service in Luxembourg.

The Commission of the European Communities claims that the Court should:

1. Declare that, by not adopting the laws, regulations and administrative provisions needed to comply with Council Directive 2001/51/EC of 28 June 2001 supplementing the provisions of Article 26 of the Convention implementing the Schengen Agreement of 14 June 1985, ⁽¹⁾ the Grand Duchy of Luxembourg has failed to fulfil its obligations under that directive;
2. Order the Grand Duchy of Luxembourg to pay the costs.

Pleas and main arguments

The period set for transposition of the directive into internal law expired on 11 February 2003.

⁽¹⁾ OJ L 187 of 10.7.2001.

Action brought on 27 October 2004 by the Commission of the European Communities against the French Republic

(Case C-450/04)

(2004/C 314/13)

An action against the French Republic was brought before the Court of Justice of the European Communities on 27 October 2004 by the Commission of the European Communities, represented by C. O'Reilly and A.-M. Rouchaud-Joët, acting as Agents, with an address for service in Luxembourg.

The Commission of the European Communities claims that the Court should:

1. declare that, by failing to adopt the laws, regulations and administrative provisions which are necessary in order to comply with Council Directive 2001/40/EC of 28 May 2001 on the mutual recognition of decisions on the expulsion of third country nationals ⁽¹⁾ or, in any event, by failing to inform the Commission of them, the French Republic has failed to fulfil its obligations under that directive;
2. order the French Republic to pay the costs.

Pleas in law and main arguments

The period for transposing the directive into national law expired on 2 December 2002.

⁽¹⁾ OJ L 149 of 2.6.2001, p. 34.

Action brought on 27 October 2004 by the Commission of the European Communities against the French Republic

(Case C-451/04)

(2004/C 314/14)

An action against the French Republic was brought before the Court of Justice of the European Communities on 27 October 2004 by the Commission of the European Communities, represented by C. O'Reilly and A.-M. Rouchaud-Joët, acting as Agents, with an address for service in Luxembourg.

The Commission of the European Communities claims that the Court should:

1. declare that, by failing to adopt the laws, regulations and administrative provisions which are necessary in order to comply with Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof ⁽¹⁾ or, in any event, by failing to inform the Commission of them, the French Republic has failed to fulfil its obligations under that directive;
2. order the French Republic to pay the costs.