

The Commission claims that the Court should:

1. declare that, by failing to bring into force as regards the province of Åland (Ahvenanmaa) the laws, regulations and administrative provisions necessary to comply with Council Directive 2000/78/EC of 27 November 2000 <sup>(1)</sup> establishing a general framework for equal treatment in employment and occupation, or at least by failing to communicate them to the Commission, the Republic of Finland has failed to fulfil its obligations under the directive;
2. order the Republic of Finland to pay the costs.

*Pleas in law and main arguments*

The period prescribed for implementation of the directive expired on 2 December 2003.

<sup>(1)</sup> OJ L 303 of 2.12.2000, p. 16.

**Action brought on 3 March 2005 by the Commission of the European Communities against the Republic of Finland**

**(Case C-105/05)**

(2005/C 93/41)

*(Language of the case: Finnish)*

An action against the Republic of Finland was brought before the Court of Justice of the European Communities on 3 March 2005 by the Commission of the European Communities, represented by D. Martin and I. Koskinen, acting as Agents, with an address for service in Luxembourg.

The Commission claims that the Court should:

1. declare that the Republic of Finland, in calculating social security contributions, has failed to fulfil its obligations under Article 33(1) of Council Regulation (EEC) No 1408/71 of 14 June 1971 <sup>(1)</sup> on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community;
2. order the Republic of Finland to pay the costs.

*Pleas in law and main arguments*

Finland takes account in accordance with national legislation, the Law on Sickness Insurance (364/1963), when determining the social security contributions of a pensioner living in

Finland, in addition to the pension income paid by Finland also that paid by other Member States. The Commission submits that the taking into account of pension income paid by another Member State when determining the basis of payment of social security contributions is contrary to Article 33(1) of Council Regulation (EEC) No 1408/71 and the case-law of the Court of Justice (Case C-389/99 *Rundgren*).

<sup>(1)</sup> OJ, English Special Edition 1971 (II), p. 416.

**Action brought on 3 March 2005 by the Commission of the European Communities against the Republic of Finland**

**(Case C-107/05)**

(2005/C 93/42)

*(Language of the case: Finnish)*

An action against the Republic of Finland was brought before the Court of Justice of the European Communities on 3 March 2005 by the Commission of the European Communities, represented by U. Wölker and P. Aalto, acting as Agents, with an address for service in Luxembourg.

The Commission claims that the Court should:

1. declare that, by failing to incorporate Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 <sup>(1)</sup> establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC into its national legislation as regards the province of Åland (Ahvenanmaa), or at least by failing to communicate that to the Commission, the Republic of Finland has failed to fulfil its obligations under the directive;
2. order the Republic of Finland to pay the costs.

*Pleas in law and main arguments*

The period prescribed for implementation of the directive expired on 31 December 2003.

<sup>(1)</sup> OJ L 275 of 25.10.2003, p. 32.