

2. Does the work to modify the infrastructure of an existing airport with a view to adapting it to a projected increase in the number of nighttime and daytime flights, without extension of the runway, correspond to the notion of a "project", for which an impact assessment is required within the terms of Articles 1, 2 and 4 of Council Directive 85/337/EEC of 27 June 1985 on the assessment of the effects of certain public and private projects on the environment, as applicable before its amendment by Council Directive 97/11/EC of 3 March 1997?
3. Since a projected increase in the activity of an airport is not directly referred to in the annexes to Directive 85/337/EEC, must the Member State in question nevertheless take account of that increase when examining the potential environmental effect of modifications made to the infrastructures of that airport with a view to adapting it for that increase in activity?

⁽¹⁾ OJ L 175, p. 40.

⁽²⁾ OJ L 73, p. 5.

Action brought on 11 January 2007 — Commission of the European Communities v Kingdom of Belgium

(Case C-3/07)

(2007/C 69/08)

Language of the case: French

Parties

Applicant: Commission of the European Communities (represented by: M. Condou-Durande and R. Troosters, Agents)

Defendant: Kingdom of Belgium

Form of order sought

- declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Council Directive 2003/110/EC of 25 November 2003 on assistance in cases of transit for the purposes of removal by air ⁽¹⁾ and, in any event by failing to communicate those provisions to the Commission, the Kingdom of Belgium has failed to fulfil its obligations under that directive;
- order the Kingdom of Belgium to pay the costs.

Pleas in law and main arguments

The period for transposition of Directive 2003/110/EC expired on 5 December 2005.

⁽¹⁾ OJ L 321, 2003, p. 26.

Action brought on 15 January 2007 — Commission of the European Communities v French Republic

(Case C-7/07)

(2007/C 69/09)

Language of the case: French

Parties

Applicant: Commission of the European Communities (represented by: W. Wils, Agent)

Defendant: French Republic

Form of order sought

- declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2001/84/EC of the European Parliament and of the Council of 27 September 2001 on the resale right for the benefit of the author of an original work of art ⁽¹⁾ and, in any event by failing to communicate those provisions to the Commission, the French Republic has failed to fulfil its obligations under that directive;
- order the French Republic to pay the costs.

Pleas in law and main arguments

The period for transposition of Directive 2001/84/EC expired on 31 December 2005.

⁽¹⁾ OJ L 272, 2001, p. 32.