

Form of order sought

The Court is asked to:

- declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Directive 2004/28/EC ⁽¹⁾ of the European Parliament and of the Council of 31 March 2004 amending Directive 2001/82/EC on the Community code relating to veterinary medicinal products, or in any event by not communicating such measures to the Commission, the Czech Republic has failed to fulfil its obligations under Article 3 of that directive;
- order the Czech Republic to pay the costs.

Pleas in law and main arguments

The period prescribed for transposing the directive into national law expired on 30 October 2005.

⁽¹⁾ OJ 2004 L 136, p. 58.

Action brought on 27 February 2007 — Commission of the European Communities v Czech Republic

(Case C-117/07)

(2007/C 95/56)

Language of the case: Czech

Parties

Applicant: Commission of the European Communities (represented by B. Stromsky and M. Šimerdová, Agents)

Defendant: Czech Republic

Form of order sought

The Court is asked to:

- declare that, by failing to adopt the laws, regulations and administrative provisions necessary to comply with Commission Directive 2005/28/EC ⁽¹⁾ of 8 April laying down principles and detailed guidelines for good clinical practice as regards investigational medicinal products for human use, as well as the requirements for authorisation of the manufacturing or importation of such products, or in any event by not communicating such measures to the Commission, the Czech Republic has failed to fulfil its obligations under Article 31(1) of that directive;
- order the Czech Republic to pay the costs.

Pleas in law and main arguments

The period prescribed for transposing the directive into national law expired on 29 October 2006.

⁽¹⁾ OJ 2005 L 91, p. 13.

Action brought on 27 February 2007 — Commission of the European Communities v Republic of Finland

(Case C-118/07)

(2007/C 95/57)

Language of the case: Finnish

Parties

Applicant: Commission of the European Communities (represented by M. Huttunen, H. Støvlbæk and B. Martenczuk, acting as Agents)

Defendant: Republic of Finland

Form of order sought

- declare that, by failing to take the appropriate steps in accordance with the second paragraph of Article 307 EC to eliminate the incompatibilities relating to provisions on transfers in the international investment agreements concluded between it and the Russian Federation (the former Soviet Union), Belarus, China, Malaysia, Sri Lanka and Uzbekistan, the Republic of Finland has failed to fulfil its obligations under Article 307 EC;
- order the Republic of Finland to pay the costs.

Pleas in law and main arguments

The present case concerns international investment agreements made by the Republic of Finland with the Russian Federation, Belarus, China, Malaysia, Sri Lanka and Uzbekistan before it acceded to the European Union. Provisions contained in those agreements concern the transfer of capital and payments in connection with investments. The Commission submits that those provisions in the agreements are incompatible with Community law, since as a result of those provisions Finland is unable to comply with measures taken by the EC institutions under Articles 57(2) EC, 59 EC and 60(1) EC. Since the agreements in question were made before Finland's accession to the EU, Finland is obliged to take all appropriate steps to eliminate the incompatibilities in the agreements in accordance with the second paragraph of Article 307 EC.