

JUDGMENT OF THE COURT

(Fifth Chamber)

of 14 April 2005

in Case C-22/04 **Commission of the European Communities v Hellenic Republic** ⁽¹⁾

(Failure of a Member State to fulfil its obligations — Regulation (EEC) No 2847/93 — Fishing vessels — Establishment of a satellite-based position monitoring system — Failure to transpose within the prescribed periods)

(2005/C 143/14)

(Language of the case: Greek)

In Case C-22/04 **Commission of the European Communities** (Agents: M Condou-Durande and T. van Rijn) v **Hellenic Republic** (Agents: A. Samoni-Rantou and S. Chala) — action under Article 226 EC for failure to fulfil obligations, brought on 26 January 2004 — the Court (Fifth Chamber), composed of R. Silva de Lapuerta, President of the Chamber, J. Makarczyk and P. Küris (Rapporteur), Judges; C. Stix-Hackl, Advocate General; H. von Holstein, Deputy Registrar, for the Registrar, gave a judgment on 14 April 2005, in which it:

1. Declares that by failing to ensure that fishing vessels which fly its flag and must be equipped with satellite-tracking devices were in fact equipped with such devices, according to the type of vessel concerned, on 30 June 1998 or 1 January 2000, the Hellenic Republic has failed to fulfil its obligations under Article 3 of Council Regulation (EEC) No 2847/93 of 12 October 1993 establishing a control system applicable to the common fisheries policy, as amended by Council Regulation (EC) No 686/97 of 14 April 1997;
2. Orders the Hellenic Republic to pay the costs.

⁽¹⁾ OJ C 85 of 3.4.2004.

JUDGMENT OF THE COURT

(Sixth Chamber)

of 14 April 2005

in Case C-146/04: **Commission of the European Communities against the Kingdom of the Netherlands** ⁽¹⁾

(Failure of a Member State to fulfil obligations — Directives 2000/69/EC and 2001/81/EC — Atmospheric pollutants — Failure to transpose)

(2005/C 143/15)

(Language of the case: Dutch)

In Case C-146/04, action for failure to fulfil obligations brought on 19 March 2004 under Article 226 EC, **Commission of the European Communities** (Agents: M. van Beel and G. Valero Jordana) against **Kingdom of the Netherlands** (agents: H.G. Sevenster and J. van Bakel), the Court (Sixth Chamber), composed of A. Borg Barthet (Rapporteur), President of the Chamber, S. von Bahr and J. Malenkovský, Judges, Advocate General: P. Léger, Registrar: R. Grass, has given a judgment on 14 April 2005 in which it:

1. Declares that by failing to adopt the necessary laws, regulations and administrative measures necessary to comply with Directive 2000/69/EC of the European Parliament and of the Council of 16 November 2000 relating to limit values for benzene and carbon monoxide in ambient air and Directive 2001/81/EC of the European Parliament and of the Council of 23 October 2001 on national emission ceilings for certain atmospheric pollutants, the Kingdom of the Netherlands has failed to fulfil its obligations under those directives;
2. Orders Kingdom of the Netherlands to pay the costs.

⁽¹⁾ OJ C 106 of 30.4.2004.