Re:

Failure of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, all the provisions necessary to comply with Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community — Joint declaration of the European Parliament, the Council and the Commission on employee representation (OJ 2002 L 80, p. 29).

Operative part

The Court:

1. Declares that, by failing to adopt, within the period prescribed, all the laws, regulations and administrative provisions necessary to comply with Directive 2002/14/EC of the European Parliament and of the Council of 11 March 2002 establishing a general framework for informing and consulting employees in the European Community, the Grand Duchy of Luxembourg has failed to fulfil its obligations under that directive;

2. Orders the Grand Duchy of Luxembourg to pay the costs.

Judgment of the Court (Sixth Chamber) of 14 June 2007 — Commission v Sweden

(Case C-333/06)

Failure of a Member State to fulfil obligations — Regulation (EC) No 261/2004 — Air transport — Denied boarding and cancellation or long delays of flights — Compensation and assistance to passengers — Adoption of sanctions

Actions for failure to fulfil obligations — Examination of merits by the Court — Situation to be taken into consideration — Situation on expiry of the period laid down in the reasoned opinion (Art. 226 EC) (see para. 10)

Re:

Failure of a Member State to fulfil obligations — Failure to take the measures necessary to comply with Article 16 of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delays of flights, and repealing Regulation (EEC) No 295/91 (OJ 2004 L 46, p. 1) — Laying down of effective, proportionate and dissuasive sanctions.

Operative part

The Court:

1. Declares that, by failing to lay down the sanctions for infringements of the provisions of Regulation (EC) No 261/2004 of the European Parliament and of the Council of 11 February 2004 establishing common rules on compensation and assistance to passengers in the event of denied boarding and of cancellation or long delays of flights, and repealing Regulation (EEC) No 295/91, the Kingdom of Sweden has failed to fulfil its obligations under Article 16 of that directive;

2. Dismisses the remainder of the action;

3. Orders the Kingdom of Sweden to pay the costs.