# JUDGMENT OF THE COURT
13 June 1990 *

In Case C-162/89

**Commission of the European Communities,** represented originally by T. van Rijn, a member of its Legal Department, acting as Agent, and subsequently by E. Vliebergh, a member of its Legal Department, acting as Agent, with an address for service in Luxembourg at the office of Georgios Kremlis, a member of its Legal Department, Wagner Centre, Kirchberg,

applicant,

v

**Kingdom of Belgium,** represented by J. Devadder, Deputy Adviser in the Ministry of Foreign Affairs, Foreign Trade and Cooperation with Developing Countries, with an address for service in Luxembourg at the Belgian Embassy, 4 rue des Girondins,

defendant,

APPLICATION for a declaration, that, by failing to forward to the Commission within the prescribed periods the reports referred to in Article 18 of Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils (Official Journal 1975, L 194, p. 23), as amended by Council Directive 87/101/EEC of 22 December 1986 (Official Journal 1987, L 42, p. 43), Article 12 of Council Directive 75/442/EEC of 15 July 1975 on waste (Official Journal 1975, L 194, p. 39), Article 10 of Council Directive 76/403/EEC of 6 April 1976 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls (Official Journal 1976, L 108, p. 4) and Article 16 of Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste (Official Journal 1978, L 84, p. 43), in relation to the Flemish Region and the Region of Brussels-Capital, the Kingdom of Belgium has failed to fulfil its obligations under the EEC Treaty,

* Language of the case: Dutch.

## THE COURT

composed of: O. Due, President, Sir Gordon Slynn and F. A. Schockweiler (Presidents of Chambers), G. F. Mancini, R. Joliet, T. F. O'Higgins, G. C. Rodríguez Iglesias, M. Diez de Velasco and P. G. J. Kapteyn, Judges,

(the grounds of the judgment are not reproduced)

hereby:

**(1) Declares that, by failing to forward to the Commission within the prescribed periods the reports needed, in relation to the Region of Brussels-Capital, in order to comply with Article 18 of Council Directive 75/439/EEC of 16 June 1975 on the disposal of waste oils, as amended by Council Directive 87/101/EEC of 22 December 1986, Article 12 of Council Directive 75/442/EEC of 15 July 1975 on waste, Article 10 of Council Directive 76/403/EEC of 6 April 1976 on the disposal of polychlorinated biphenyls and polychlorinated terphenyls and Article 16 of Council Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste, the Kingdom of Belgium has failed to fulfil its obligations under the EEC Treaty;**

**(2) Orders the Kingdom of Belgium to pay the costs.**