Re:

FAILURE of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, the measures 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 (OJ 2003 L 321, p. 26).

Operative part

1. By failing to adopt, within the period prescribed, 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, with the exception of Article 5(2) of that directive, the Kingdom of Belgium has failed to fulfil its obligations thereunder;

2. The action is dismissed in respect of the failure to transpose Article 5(2) of Directive 2003/110;

3. The Kingdom of Belgium is ordered to pay the costs.

Judgment of the Court (Eighth Chamber) of 8 November 2007 — Commission v Italy

(Case C-40/07)

Failure of a Member State to fulfil obligations — Directive 2001/42/EC — Assessment of the effects of certain plans and programmes on the environment — Failure to transpose within the period prescribed

1. *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)*

2. *Member States — Obligations — Implementation of directives — Failure to fulfil obligations — National system pleaded as justification — Not permissible (Art. 226 EC) (see para. 12)*

Re:

FAILURE of a Member State to fulfil obligations — Failure to adopt, within the period prescribed, all the measures necessary to comply with Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment (OJ 2001 L 197, p. 30).

Operative part

1. By failing to adopt, within the period prescribed, the laws, regulations and administrative provisions necessary to comply with Directive 2001/42/EC of the European Parliament and of the Council of 27 June 2001 on the assessment of the effects of certain plans and programmes on the environment, the Italian Republic has failed to fulfil its obligations under that directive;

2. The Italian Republic is ordered to pay the costs.