

Action brought on 25 October 2007 - European Parliament v Commission of the European Communities

(Case C-474/07)

Language of the case: English

Parties

Applicant: European Parliament (represented by: K. Bradley and U. Rosslein, Agents)

Defendant: Commission of the European Communities

The applicant claims that the Court should:

annul Commission Regulations (EC) No. 915/2007¹ of 31 July 2007 amending Regulation (EC) No 622/2003 laying down measures for the implementation of the common basic standards on aviation security, and

order Commission of the European Communities to pay the costs.

Pleas in law and main arguments

As co-legislator with the Council the European Parliament decided in 2002 that certain implementing measures on air security should not be published. The applicant maintains that the Commission has applied this rule incorrectly, by systematically failing to publish implementing measures which do not require to be kept secret. In adopting regulation 915/2007, the Commission has misinterpreted its powers under regulation 2320/2002, contravened article 254 EC and the principles of democracy, openness and the publicity of legislative acts, created legal uncertainty, and failed to provide a proper statement of reasons.