

Press and Information Division

INFORMATION FOR THE PRESS No 30/04

21 April 2004

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Hearing on 28 April 2004 in Case C-27/04

Commission of the European Communities v Council of the European Union

On 28 January 2004 the Commission of the European Communities brought an action against the Council before the Court of Justice of the European Communities for the annulment of decisions adopted by the Council on 25 November 2003, namely:

- decisions not to adopt the formal instruments contained in the recommendations pursuant to Article 104(8) and (9) of the Treaty establishing the European Community;
- the 'Council conclusions on assessing the actions taken by France in response to recommendations of the Council according to Article 104(7) of the Treaty establishing the European Community and considering further measures for deficit reduction in order to remedy the situation of excessive deficit'; and
- the 'Council conclusions on assessing the actions taken by Germany in response to recommendations of the Council according to Article 104(7) of the Treaty establishing the European Community and considering further measures for deficit reduction in order to remedy the situation of excessive deficit'.

The Commission also requested the Court to determine the case under the expedited procedure in accordance with Article 62a of the Court's Rules of Procedure.

On 13 February 2004 the President of the Court, Mr Vassilios Skouris, ordered that the case be determined under the expedited procedure, taking the view that the dispute to which the case relates must, in the interests of the proper operation of economic and monetary union, be settled as rapidly as possible. While recourse to the expedited

procedure enables the risks to be avoided which, according to the Commission, could be run if the present case were decided under the normal procedure, it does not prejudice the Council's interests at all as it does not in any way predetermine the legal outcome of the case.

The hearing in the case will be held on Wednesday, 28 April 2004 at 9.30 a.m.

Accreditation may be obtained from the Press and Information Division of the Court of Justice by returning the accompanying form no later than 12.00 noon on Monday, 26 April 2004.

Unofficial document for media use which is not binding on the Court of Justice.

This information for the press is available in all the official languages
www.curia.eu.int

For further information please contact Christopher Fretwell:
Tel: (00352) 4303 3355, Fax (00352) 4303 2731.

Pictures of the hearing will be available on EBS 'Europe by Satellite', a service provided by the European Commission, Directorate-General for Press and Communication, L-2920 Luxembourg,
Tel: (00352) 4301 35177, Fax: (00352) 4301 35249,
or B-1049 Brussels, Tel: (0032) 2 29 64106, Fax: (0032) 2 29 65956

A PRESS ROOM WITH OFFICE EQUIPMENT WILL BE AVAILABLE

Please note the following:

- the press are asked to use the Thomas More entrance, Boulevard Konrad Adenauer.**
- the public is requested to remain quiet and seated throughout the hearing;**
- the use of mobile phones or other loud electronic devices is not permitted during the hearing;**
- photography and filming are authorised only at the very beginning of the hearing (seating of the President and parties only);**
- the use of flashes or other supplementary lighting systems is not permitted;**
- photographers and cameramen may not move around the hearing room in order to take photographs or to film;**
- if numerous photographers and cameramen are interested, a "pool" may be arranged by the Press and Information Division;**

FOR MEDIA USE

*Accreditation to be returned by fax before 12.00 noon on Monday, 26 April 2004
to 00352 4303 2500*

HEARING IN CASE C-27/04 COMMISSION v COUNCIL

Contact: Mrs Franceschino

Tel: 00352 4303 3382

Name:
Organisation:
Contact numbers: (Tel) (Fax)
Branch of the media:
Number of persons:
Request for authorisation to photograph / to film (please delete as appropriate): YES / NO

In the absence of a refusal from the Court of Justice, you may treat your request as
having been accepted.