

Case 22/70 Commission of the European Communities v Council of the European Communities [1971] ECR 263

Facts: The Council had adopted a Resolution to coordinate negotiations for a European Road Transport Agreement. The Commission disapproved of the negotiating mechanism created and sought to challenge it

Held: The Council's proceedings were squarely within the power of the Community: the proceedings established were designed to lay down a course of action binding on both institutions and MS and had definite legal effects.