

Case C-65/03

Commission of the European Communities

v

Kingdom of Belgium

(Failure of a Member State to fulfil obligations — Articles 12 EC, 149 EC and 150 EC
— Secondary education diploma awarded in another Member State —
Access to higher education)

Judgment of the Court (Third Chamber), 1 July 2004 I - 6429

Summary of the Judgment

*Community law — Principles — Equal treatment — Discrimination on grounds of nationality
— Access to higher education — Different conditions for holders of secondary education
diplomas awarded in other Member States — Not permissible
(Arts 12 EC, 149 EC and 150 EC)*

A Member State which fails to take the measures necessary to ensure that holders of secondary education diplomas awarded in other Member States can gain access to higher education under the same conditions as holders of the Certificate of higher secondary education (CESS) awarded in the Member State concerned has failed to fulfil

its obligations under Article 12 EC, read in conjunction with Articles 149 EC and 150 EC.

(see para. 31, operative part)