



The European Commission's closure of an infringement complaint against a decision of the Greek Supreme Court (CHAP (2020)00041)

Decision

Case 830/2020/PL - **Opened on** 18/06/2020 - **Decision on** 18/06/2020 - **Institution concerned** European Commission (No maladministration found) |

Dear Mr X,

On 12 May 2020, you submitted a complaint to the European Ombudsman against the European Commission on how it dealt with your infringement complaint against a decision of the Greek Supreme Court.

In your complaint to the Commission, you argued that the Supreme Court had infringed EU law, specifically the preamble to Directive 2006/123/EC [1] , by applying national law in a case before it (Case No 1444/2017). The Commission considered that you had failed to specify how the Directive was relevant to the case in question. The Commission therefore closed your complaint.

After carefully examining your complaint and the information you have submitted to us, we regret to inform you that, the Ombudsman finds no maladministration by the Commission. [2]

The Commission found that you had not provided enough information for it to establish that EU law was applicable. The Commission's position was reasonable. We note that the Commission gave you the opportunity to submit additional information before it closed the case.

You additionally argue that the Commission, when communicating with you, has not dealt with each argument that you have raised. The Commission is not obliged to engage with a complainant on every argument raised on the alleged issue of non-compliance. Rather, it suffices that the Commission explains clearly why it has taken the position it has taken. The Commission has given you a clear explanation as regards why it closed your complaint.

For these reasons, the case with the Ombudsman has been closed.

We realise that you may be disappointed by this decision, but we hope that the above explanations are nevertheless helpful.



Yours sincerely,

Tina Nilsson Head of Inquiries - Unit 4

Strasbourg, 18/06/2020

[1] Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market:
<https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32006L0123> .

[2] Full information on the procedure and rights pertaining to complaints can be found at
<https://www.ombudsman.europa.eu/en/document/70707> .