



C/2024/4578

29.7.2024

**Action brought on 23 May 2024 – European Commission v Hellenic Republic**

**(Case C-368/24)**

(C/2024/4578)

*Language of the case: Greek*

**Parties**

*Applicant:* European Commission (represented by: M. Escobar Gómez, T. Adamopoulos, acting as Agents)

*Defendant:* Hellenic Republic

**Form of order sought**

The applicant claims that the Court should:

- declare that, by failing to take the necessary measures to comply with the judgment of the Court of Justice in Case C-600/12, the Hellenic Republic has failed to fulfil its obligations under Article 260(1) TFEU;
- order the Hellenic Republic to pay to the Commission a lump sum of EUR 2 050 per day for the period between delivery of the judgment in Case C-600/12 and the date of compliance by the Hellenic Republic with that judgment or delivery of the judgment in the present case, whichever is earlier, the minimum lump sum payable being EUR 1 148 000;
- should the failure to fulfil obligations set out in paragraph 1 persist until the date of delivery of the judgment in the present case, order the Hellenic Republic to pay to the Commission a daily penalty payment of EUR 18 450 from the date of delivery of the judgment in the present case until the date of compliance by the Hellenic Republic with the judgment in Case C-600/12; and
- order the Hellenic Republic to pay the costs.

**Pleas in law and main arguments**

The Commission considers that the Hellenic Republic has failed to take the necessary measures to comply with the judgment of 17 July 2014 in Case C-600/12, *Commission v Greece*. In particular, implementation of the judgment of 17 July 2014 in order to comply with Article 13 and Article 36(1) of Directive 2008/98/EC<sup>(1)</sup> and Article 14 of Directive 1999/31/EC<sup>(2)</sup> requires the closure of the landfill site on the island of Zakynthos, at Gyparzika, in the area of Kalamaki. Such compliance can only be achieved once the landfill site has been conditioned and definitely closed, in accordance with the requirements of Article 14 of Directive 1999/31/EC, which refers to Article 13 of that directive. However, the Hellenic Republic has not taken these necessary measures, and such failure to adopt the measures necessary for the definitive closure of the Zakynthos landfill site carries with it the ongoing risk of deterioration in the environment, thereby infringing Article [13] and Article 36(1) of Directive 2008/98/EC and Article 14 of Directive 1999/31/EC.

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<sup>(1)</sup> Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (OJ 2008 L 312, p. 3).

<sup>(2)</sup> Council Directive 1999/31/EC of 26 April 1999 on the landfill of waste (OJ 1999 L 182, p. 1).