



C/2025/4585

25.8.2025

**Action brought on 7 July 2025 – European Commission v Hellenic Republic**

**(Case C-443/25)**

(C/2025/4585)

*Language of the case: Greek*

**Parties**

*Applicant:* European Commission (represented by: K. Walkrova, R. Álvarez Vinagre and D. Kelesidis)

*Defendant:* Hellenic Republic

**Form of order sought**

The Commission claims that the Court should:

- declare that the Hellenic Republic, by having failed to adopt the laws, regulations and administrative provisions necessary to ensure compliance with Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures <sup>(1)</sup> or in any event, by having failed to communicate those provisions to the Commission, has failed to fulfil its obligations under that directive;
- order the Hellenic Republic to pay the Commission a fixed amount equal to the higher of the two following amounts: (i) EUR 4 830 per day, multiplied by the number of days that have elapsed between the day following the expiry of the time limit for transposing the directive in question and the day on which the infringement ceases or, in the event of failure to comply, the date of publication of the judgment in the present case; (ii) a minimum fixed amount of EUR 1 123 000;
- should the failure to fulfil obligations set out in paragraph 1 continue on the date of publication of the judgment in the present case, order the Hellenic Republic to pay to the Commission a penalty payment of EUR 18 782,40 per day from the date of publication of the judgment in the present case until the date on which the Hellenic Republic fulfils its obligations under the directive; and
- order the Hellenic Republic to pay the costs.

**Pleas in law and main arguments**

Directive (EU) 2022/362 of the European Parliament and of the Council of 24 February 2022 amending Directives 1999/62/EC, 1999/37/EC and (EU) 2019/520, as regards the charging of vehicles for the use of certain infrastructures establishes rules on the basis of which the Member States may levy charges on specific vehicles for the use of road infrastructure.

Pursuant to the third paragraph of Article 288 TFEU, the directive is binding, as to the result to be achieved, upon each Member State to which it is addressed, but leaves to the national authorities the choice of form and methods. Member States are therefore required to adopt the provisions necessary to transpose the directive into their national legal system within the time limits laid down in the directives and to notify those provisions to the Commission immediately.

Under Article 4(1) of the directive, Member States are to bring into force the laws, regulations and administrative provisions necessary to comply with the directive by 25 March 2024 and to inform the Commission thereof.

<sup>(1)</sup> OJ 2022 L 69, p. 1.

On 23 May 2024, the Commission sent a letter of formal notice to the Hellenic Republic. On 16 December 2024, the Commission sent a reasoned opinion to the Hellenic Republic. Nevertheless, the Hellenic Republic has not yet transposed the directive into Greek law or informed the Commission thereof.

Article 260(3) TFEU enables the Commission, when it brings a case before the Court pursuant to Article 258 on the grounds that the Member State concerned has failed to fulfil its obligation to notify measures transposing into national law a directive adopted under a legislative procedure, to specify the amount of the 'lump sum or penalty payment' to be paid by the Member State concerned.

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