



C/2024/3422

10.6.2024

Judgment of the Court (Eighth Chamber) of 18 April 2024 – European Commission v Hellenic Republic

(Case C-599/22) ⁽¹⁾

(Failure of a Member State to fulfil obligations – Article 258 TFEU – Regulation (EC) No 29/2009 – Requirements on data link services for the single European sky – Article 3(1) – Air traffic services provider designated by the Member State concerned – Failure, on the part of that provider, to adopt the necessary measures to ensure that units providing air traffic services have the capability to provide and operate the data link services defined in that regulation – Article 4(3) TEU – Principle of sincere cooperation)

(C/2024/3422)

Language of the case: Greek

Parties

Applicant: European Commission (represented by: D. Triantafyllou, B. Sasinowska, G. Wilms, acting as Agents)

Defendant: Hellenic Republic (represented by: S. Chala, acting as Agent)

Operative part of the judgment

The Court:

1. Declares that by failing to take the necessary measures to ensure that the air traffic services provider that it designated complies with Article 3(1) of Commission Regulation (EC) No 29/2009 of 16 January 2009 laying down requirements on data link services for the single European sky, as amended by Commission Implementing Regulation (EU) 2015/310 of 26 February 2015, the Hellenic Republic has failed to fulfil its obligations under that Article 3(1), read in conjunction with Article 4(3) TEU;
2. Orders the Hellenic Republic to pay the costs.

⁽¹⁾ OJ C 424, 7.11.2022.