

More information about the resolution of disputes

Article 134 “Dispute resolution between undertakings (Article 26 of the Directive (EU) 2018/1972)” of Law 4727/2020 repeats in effect Article 34 of Law 4070/2012, repealed as of 23/09/2020, and stipulates:

“1. In the event of a dispute arising in connection with existing obligations under this law between providers of electronic communications networks or services in the Greek territory, or between such undertakings and other undertakings in the Greek territory benefiting from obligations of access or interconnection or between providers of electronic communications networks or services in the Greek territory and providers of associated facilities, the dispute will be brought before EETT, at the request of either party. Without prejudice to paragraph 2, EETT shall issue in the shortest possible time frame and in any case within four (4) months from the date of the request, except in exceptional circumstances, a binding decision to resolve the dispute . All parties directly involved in the dispute are required to cooperate fully with EETT to ensure its timely and effective resolution.

2. EETT may decline to resolve a dispute where other mechanisms, including mediation, exist that, in the opinion of EETT, would better contribute to the resolution of the dispute in a timely manner, in accordance with provisions of Article 111. In this case, EETT shall inform the parties concerned in the shortest possible time frame about its decision, providing them with a statement of the reasons on which the decision is based. If, after four (4) months from the date of submitting the request to EETT, the dispute is not resolved and if the dispute has not been brought before the courts by the party seeking redress, EETT shall issue, at the request of either

party, a binding decision to resolve the dispute within four (4) months.

3. In resolving a dispute, EETT shall take decisions aimed at achieving the objectives set out in Article 111. Any obligations imposed on an undertaking by EETT in resolving a dispute shall comply with this Part.

4. The relevant decision taken by EETT shall be reasoned, shall be notified to the parties by EETT and shall be made available to the public, having regard to the requirements of commercial confidentiality, in accordance with the provisions of this Part. The dispute resolution procedure and any other relevant detail shall be regulated in the Regulation on Hearings issued by EETT.

5. The procedure referred to in this Article does not preclude either party from filing a complaint regarding the infringement of provisions of this Article or of Law 3959/2011 (A 93) or from applying for injunction measures before EETTT in accordance with paragraph 6 of Article 138 or bringing an action before competent courts.”

In Article 9 of Law 4463/2017 on competent bodies, in conjunction with Article 2, point (p) of this Law, EETT is appointed as a National Dispute Settlement Body:

“1. [...] In the event of lack of agreement for dispute resolution requests arising from the provisions of this Law, EETT shall be appointed as the National Dispute Settlement Body with the assigned tasks provided for in the Articles of this Law [...].”