

CJEU Puts an End to Dalli Action against OLAF



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News

On 24 February 2021, the CJEU dismissed the appeal by former Maltese Commissioner *John Dalli* against a judgment of the General Court of 6 June 2019 (Case C-615/19 P). In this judgment, the General Court dismissed an action in which *Dalli* claimed compensation for non-material damage caused to him by alleged unlawful conduct against him by OLAF and the Commission (→ [euclid 2/2019, 87-88](#)). Similarly to the General Court, the CJEU rejects all arguments put forward by *Dalli*, by means of which he claimed that OLAF's internal investigations against him for alleged bribery were unlawful. These arguments concern, for instance, the opening of investigations, their extension, the collection of evidence and the violation of his procedural rights. In addition, the CJEU rejected the argument that the General Court erred in law when it negated the reality of the damage alleged and the existence of a causal link between OLAF's conduct and the damage invoked. The CJEU stated that the General Court took this finding only by way of complementary remark and it was not necessary for the Court to examine this condition since no unlawful conduct was established that may be attributed to a Union institution.

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