Summary of the Judgment

Freedom of movement for persons — Freedom of establishment — National rules concerning the method for transcribing a Greek name in the Roman alphabet — Permissible — Limits (EEC Treaty, Art. 52)

There is nothing in the Treaty to preclude a Member State which uses the Roman alphabet from transcribing a Greek name in Roman characters in its registers of civil status. Where it undertakes such transcription, it is for that State to adopt legislative or administrative measures laying down the detailed rules for such transcription, in accordance with the prescriptions of any international conventions relating to civil status to which it is a party. Such rules are to be regarded as incompatible with Article 52 of the Treaty only in so far as their application causes a Greek national such a degree of inconvenience as in fact to interfere with his freedom to exercise the right of establishment enshrined in that article.
Such interference occurs if a Greek national is obliged by the legislation of the State in which he is established to use, in the pursuit of his occupation, a spelling of his name derived from the transliteration used in the registers of civil status if that spelling is such as to modify its pronunciation, with the risk that potential clients may confuse him with other persons.

I — Facts and Procedure

1. Legal background


2. Article 1 of the Convention provides that:

‘This Convention shall apply to the entry, in registers of civil status, of the surnames and forenames of all persons, whatever their nationality.

It shall not affect the application of rules in force in the contracting States on the determination of surnames and forenames.

…'

Article 2 provides that:

‘Where an entry is to be made in a register of civil status by an authority of a contracting State and for that purpose there is produced a copy or extract of a document of civil status or other document establishing the surnames and forenames written in the same

* Language of the case: Greek.