

Sixth plea in law:

The Republic of Croatia has infringed and continues to infringe Directive 2014/89/EU of the European Parliament and of the Council of 23 July 2014 establishing a framework for maritime spatial planning, which is to apply to ‘marine waters’ of Member States, as defined in accordance with the relevant provisions of the United Nations Convention on the Law of the Sea of 1982 (‘Unclos’) (Article 2(4) of the directive). The Republic of Croatia rejects the arbitration award which has established that delimitation of the boundaries and — on the contrary — includes Slovenian waters in its own maritime spatial planning: consequently, it does not allow for harmonisation with the geographical maps of the Republic of Slovenia, thereby infringing that directive, in particular Articles 8 and 11 thereof.

**Request for a preliminary ruling from the Consiglio di Stato (Italy) lodged on 16 July 2018 — AV, BU
v Comune di Bernareggio**

(Case C-465/18)

(2018/C 399/28)

Language of the case: Italian

Referring court

Consiglio di Stato

Parties to the main proceedings

Appellants: AV, BU

Respondent: Comune di Bernareggio

Question referred

Do the principles of freedom of establishment, non-discrimination, equal treatment, the protection of competition and freedom of movement for workers, referred to in Articles 45, 49 to 56 and 106 TFEU and in Articles 15 and 16 of the Charter of Fundamental Rights of the European Union, and the requirements of proportionality and reasonableness inherent in those principles, preclude a provision of national law, such as Article 12(2) of Law No 362/1991, which, in the event of the transfer of ownership of a municipal pharmacy, confers a right of pre-emption on the employees of the pharmacy in question?

**Appeal brought on 18 July 2018 by the Federal Republic of Germany against the judgment of the
General Court (Fifth Chamber) of 8 May 2018 in Case T-283/15, Esso Raffinage v European Chemicals
Agency**

(Case C-471/18 P)

(2018/C 399/29)

Language of the case: English

Parties

Appellant: Federal Republic of Germany (represented by: P. Klappich and C. Schmidt, Rechtsanwälte)

Other parties to the proceedings: Esso Raffinage, European Chemicals Agency, French Republic, Kingdom of the Netherlands

Form of order sought

The appellant claims that the Court should:

— set aside the judgment of the General Court of the European Union of 8 May 2018 in Case T-283/15;