

2. Second plea in law, alleging infringement of the principle of proportionality, laid down in Article 5(4) of the Treaty on European Union (TEU) and in Article 1 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality, annexed to the TEU and the TFEU.
3. Third plea in law, alleging infringement of the principle of legal certainty.
4. Fourth plea in law, alleging infringement of the principle of proportionality, laid down in Article 5(4) TEU and in Article 1 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality, annexed to the TEU and the TFEU.
5. Fifth plea in law, alleging infringement of the principle of equal treatment and non-discrimination, laid down in Article 18 TFEU and in Articles 20 and 21 of the Charter, of the principle of equality of Member States before the Treaties, laid down in Article 4(2) TEU, and, in so far as the Court considers it necessary, of Article 95(1) TFEU.

(¹) OJ 2020 L 249, p. 1.

Action brought on 23 October 2020 — Republic of Bulgaria v European Parliament, Council of the European Union

(Case C-544/20)

(2021/C 19/31)

Language of the case: Bulgarian

Parties

Applicant: Republic of Bulgaria (represented by: L. Zaharieva, T. Mitova and M. Georgieva, acting as Agents)

Defendants: European Parliament, Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul Directive (EU) 2020/1057 (¹) of the European Parliament and of the Council of 15 July 2020 laying down specific rules with respect to Directive 96/71/EC and Directive 2014/67/EU for posting drivers in the road transport sector and amending Directive 2006/22/EC as regards enforcement requirements and Regulation (EU) No 1024/2012; and
- order the European Parliament and the Council of the European Union to pay the costs of the present proceedings.

Pleas in law and main arguments

In support of its action, the applicant relies on five pleas in law:

1. First plea in law, alleging infringement of the principle of proportionality, laid down in Article 5(4) of the Treaty on European Union (TEU) and in Article 1 of Protocol (No 2) on the application of the principles of subsidiarity and proportionality, annexed to the TEU and the Treaty on the Functioning of the European Union (TFEU).
2. Second plea in law, alleging infringement of the principle of equal treatment and non-discrimination, laid down in Article 18 TFEU and in Articles 20 and 21 of the Charter of Fundamental Rights of the European Union, of the principle of equality of Member States before the Treaties, laid down in Article 4(2) TEU, and, in so far as the Court considers it necessary, of Article 95(1) TFEU.
3. Third plea in law, alleging infringement of Article 91(1) TFEU.

4. Fourth plea in law, alleging infringement of Article 91(1) and Article 90 TFEU in connection with Article 3(3) TEU and Article 94 TFEU.
5. Fifth plea in law, alleging infringement of Articles 34 and 35 TFEU that is not justified under Article 36 TFEU, and infringement of Article 58(1) TFEU in connection with Article 91 TFEU or, alternatively, Article 56 TFEU.

(¹) OJ 2020 L 249, p. 49.

Action brought on 23 October 2020 — Republic of Bulgaria v European Parliament, Council of the European Union

(Case C-545/20)

(2021/C 19/32)

Language of the case: Bulgarian

Parties

Applicant: Republic of Bulgaria (represented by: L. Zaharieva, T. Mitova and M. Georgieva, acting as Agents)

Defendants: European Parliament, Council of the European Union

Form of order sought

The applicant claims that the Court should:

- annul the following provisions of Regulation (EU) 2020/1055 (¹) of the European Parliament and of the Council of 15 July 2020 amending Regulations (EC) No 1071/2009, (EC) No 1072/2009 and (EU) No 1024/2012 with a view to adapting them to developments in the road transport sector:
 - Article 1(3), in so far as it provides for a subparagraph (b) of Article 5(1) of Regulation (EC) No 1071/2009. In the alternative, should the Court find that this is not possible, the Republic of Bulgaria claims that Article 1(3) should be annulled in its entirety; and
 - Article 2(4)(a). In the alternative, should the Court find that this is not possible, the Republic of Bulgaria claims that Article 2(4) should be annulled;
- in the alternative, should it find that it cannot grant the principal claim for partial annulment of the contested regulation, annul, in its entirety, Regulation (EU) 2020/1055 of the European Parliament and of the Council of 15 July 2020 amending Regulations (EC) No 1071/2009, (EC) No 1072/2009 and (EU) No 1024/2012 with a view to adapting them to developments in the road transport sector; and
- order the European Parliament and the Council of the European Union to pay the costs of the present proceedings.

Pleas in law and main arguments

In support of its action, the applicant relies on seven pleas in law:

1. First plea in law, alleging infringement of Article 90 of the Treaty on the Functioning of the European Union (TFEU) in connection with Article 3(3) of the Treaty on European Union (TEU), Article 11 TFEU, Article 37 of the Charter of Fundamental Rights of the European Union, Article 3(5) TEU, Article 208(2) and Article 216(2) TFEU and the Paris Agreement.
2. Second plea in law, alleging infringement of the principle of proportionality, laid down in Article 5(4) TEU and in Article 1 of Protocol (No 2).