

The applicant's claims

The applicant claims that the Court should:

1. declare that the Portuguese Republic has failed to fulfil its obligations under Article 13(2) and (5) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species ⁽¹⁾ by failing to establish and implement action plans that comply with the requirements specified in Article 13 of that regulation and to transmit them to the Commission without delay;
2. order the Portuguese Republic to pay the costs.

Pleas in law and main arguments

According to Article 13(2) and (5) of Regulation No 1143/2014, the Portuguese Republic had three years from the adoption of the list of invasive alien species of Union concern ('the Union list') to establish, implement and transmit to the Commission action plans to address the priority pathways of unintentional introduction and spread of those species in its territory and marine waters.

The Portuguese Republic identified eleven priority pathways covered by seven proposed action plans.

However, the Portuguese Republic has not indicated the anticipated date for the completion and approval of those plans, nor has it transmitted them to the Commission.

⁽¹⁾ OJ 2014 L 317, p. 35.

Action brought on 24 March 2023 — European Commission v Republic of Latvia

(Case C-192/23)

(2023/C 173/39)

Language of the case: Latvian

Parties

Applicant: European Commission (represented by: C. Hermes and I. Naglis, acting as Agents)

Defendant: Republic of Latvia

Form of order sought

The applicant claims that the Court should:

- declare that the Republic of Latvia has failed to fulfil its obligations under Article 13(2) and (5) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species ⁽¹⁾ by failing to establish and implement action plans for all identified priority pathways and to transmit them to the Commission without delay;
- order the Republic of Latvia to pay the costs.

Pleas in law and main arguments

According to Article 13(2) and (5) of Regulation No 1143/2014, the Republic of Latvia had three years from the adoption of the Union list to establish, implement and transmit to the Commission action plans to address the priority pathways of unintentional introduction and spread of invasive alien species of Union concern identified pursuant to Article 13(1) of Regulation No 1143/2014. The Commission had adopted the Union list referred to in Article 13 of Regulation No 1143/2014 on 13 July 2016 so that the three years deadline expired on 13 July 2019.

The Republic of Latvia has identified at least five priority pathways (horticulture, secondary introduction and aquariums in respect of plants, and secondary introduction and escape from holding facilities in respect of animals) pursuant to Article 13(1) of that regulation.

However, the Republic of Latvia has established and transmitted to the Commission an action plan for only one out of the five identified priority pathways.

(¹) OJ 2014 L 317, p. 35.

Action brought on 24 March 2023 — European Commission v Italian Republic

(Case C-193/23)

(2023/C 173/40)

Language of the case: Italian

Parties

Applicant: European Commission (represented by: C. Hermes and G. Gattinara, acting as Agents)

Defendant: Italian Republic

Form of order sought

The Commission claims that the Court should

- declare that, by failing to establish and implement one single action plan or a set of action plans to address the priority pathways of invasive alien species and by failing to transmit it or them to the Commission without delay, the Italian Republic has failed to fulfil its obligations under Article 13(2) and (5) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species; (¹)
- order the Italian Republic to pay the costs.

Pleas in law and main arguments

In a single plea in law, the Commission claims that, by failing to establish and implement one single action plan or a set of action plans to address the priority pathways of invasive alien species and by failing to transmit it or them to the Commission without delay, the Italian Republic has failed to fulfil its obligations under Article 13(2) and (5) of Regulation (EU) No 1143/2014 of the European Parliament and of the Council of 22 October 2014 on the prevention and management of the introduction and spread of invasive alien species.

In particular, on the date of expiry of the time limit laid down in the reasoned opinion, namely 9 April 2022, the defendant had neither established nor implemented one single action plan or a set of action plans to address the priority pathways of invasive alien species pursuant to Article 13(2) of that regulation, nor had it transmitted without delay that plan or set of plans pursuant to Article 13(5) of the regulation.

(¹) OJ 2014 L 317, p. 35.