

Other parties to the proceedings: European Commission (represented by: E. Gippini Fournier, B. Stromsky and P. Němečková, acting as Agents), SES Astra (represented by: F. González Díaz and V. Romero Algarra, abogados)

### Operative part of the judgment

The Court:

1. Dismisses the appeals;
2. Orders Cellnex Telecom SA and Telecom Castilla-La Mancha SA to pay the costs.

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<sup>(1)</sup> OJ C 129, 24.4.2017.

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### Judgment of the Court (Second Chamber) of 26 April 2018 — European Commission v Republic of Bulgaria

(Case C-97/17) <sup>(1)</sup>

*(Failure of a Member State to fulfil obligations — Protection of nature — Directive 2009/147/EC — Conservation of wild birds — Special Protection Area (SPA) — Classification as SPAs of the most suitable territories in number and size for the conservation of the bird species listed in Annex I to Directive 2009/147 — Important Bird Area (IBA) — IBA Rila — Partial classification of IBA Rila as an SPA)*

(2018/C 211/09)

Language of the case: Bulgarian

### Parties

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

Defendant: Republic of Bulgaria (represented by: E. Petranova and L. Zaharieva, acting as Agents)

### Operative part of the judgment

The Court:

1. Declares that, by failing to include the entire Important Bird Area covering the Rila Mountains as a Special Protection Area, the Republic of Bulgaria did not classify as SPAs the most suitable territories in number and size for the conservation of the species listed in Annex I to Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on wild birds, so that that Member State failed to fulfil its obligations under Article 4(1) of that directive.
2. Orders the Republic of Bulgaria to pay the costs.

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<sup>(1)</sup> OJ C 121, 18.4.2017.

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### Action brought on 1 February 2018 — European Commission v Hungary

(Case C-66/18)

(2018/C 211/10)

Language of the case: Hungarian

### Parties

Applicant: European Commission (represented by: V. Di Bucci, L. Malferrari, B. De Meester and K. Talabér-Ritz, acting as Agents)

Defendant: Hungary