

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

**(Case C-544/20)**

*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 <sup>1</sup> 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:

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).

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.

Third plea in law, alleging infringement of Article 91(1) TFEU.

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.

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.

---

<sup>1</sup> OJ 2020 L 249, p. 49.