

**Question for written answer E-001769/2024/rev.1
to the Commission**

Rule 144

**Gaetano Pedulla' (The Left), Dario Tamburrano (The Left), Mario Furore (The Left),
Pasquale Tridico (The Left)**

Subject: Discriminatory and inconsistent award of sustainable mobility grants in Valle d'Aosta

In accordance with Article 7 of Regional Law No 16/2019, the Region of Valle d'Aosta provides sustainable mobility grants for natural persons 'only if the beneficiaries have been residents of the region for at least 2 years, which do not have to be consecutive, and are resident there on the date of submission of the application'. The requirement for individuals to have been resident there for 2 years (not the condition that they must be residents on the date of application) seems unreasonable and discriminatory.

If the aim of the measure is to improve the environment, limiting access to grants based on the period of residence is counter-productive. All residents who purchase zero and low-emission vehicles help to reduce pollution, regardless of how long they have lived in the region.

Moreover, given that it is a monetary subsidy, award of the grant should not discriminate, even indirectly, against other Italian citizens, citizens of other Member States as well as non-EU citizens with the right to equal access to goods and services (Regulation (EU) No 492/2011¹, Directive 2003/109/EC, Directive 2011/98/EU, Directive (EU) 2016/801, etc.) who have been resident in Valle d'Aosta for less than 2 years².

In view of the above, can the Commission indicate what action it could take to ensure that the principle of non-discrimination (Article 2 TEU) is fully respected, and that the 2-year residence requirement does not prevent genuinely equal and consistent access to these grants?

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¹ Article 7(2) states that a worker who is a national of a Member State 'shall enjoy the same social and tax advantages as national workers'.

² The Court of Justice of the European Union has repeatedly held that the past residence requirement constitutes indirect discrimination between nationals and foreign nationals, which is prohibited unless it is objectively justified. This means that it must be appropriate for securing the attainment of a legitimate objective and must not go beyond what is necessary to attain that objective (see judgment of the Court (First Chamber) of 10 July 2019, *Nicolas Aubriet v Ministre de l'Enseignement supérieur et de la Recherche*, Case C-410/18). It is also important to note that the Commission has recently referred Italy to the Court of Justice of the European Union in relation to the past residence requirement it has laid down for accessing a child benefit scheme (Infringement Decision INFR (2022) 4113).