

(English version)

Question for written answer E-002232/25
to the Commission
Aldo Patriciello (PFE)
(4 June 2025)

Subject: Update on the situation of tax judges in Italy

A number of complaints submitted by Italian tax judges — supplemented at the request of the Directorate-General for Employment, Social Affairs and Inclusion and at the initiative of the complainants themselves, who provided the latter with further information on Italy's suspected infringements of EU law — have exposed the untenable situation in which the entire profession finds itself, highlighting in particular violations regarding social security and welfare matters, as well as their unseemly financial treatment, which, moreover, was determined by the government through the Ministry of Finance without any legislative support.

Given that approximately two years have passed since the first complaint and that the deadline for the EU PILOT procedure has expired, and although the state of affairs is similar to — if not worse than — that concerning lay judges in Italy, in relation to whom a dedicated infringement procedure has been initiated and Italy referred to the Court of Justice for the inadequacy of the measures taken to bring national law into line with EU rules — can the Commission comment on the state of the investigation and on the measures it intends to take to protect Italian tax judges?

Submitted: 4.6.2025

Answer given by Executive Vice-President Mînzatu on behalf of the European Commission
(16 July 2025)

The Commission refers the Honourable Member to its previous reply to Question E-002441/2024 regarding the situation of tax judges in Italy, which was transmitted to the European Parliament on 8 January 2025.

In that reply, the Commission informed the Honourable Member that, following a preliminary examination of the compatibility of the relevant national provisions with Clause 4 of the framework Agreement on part-time work annexed to Directive 97/81/EC ⁽¹⁾, Article 7 of Directive 2003/88/EC ⁽²⁾ concerning certain aspects of the organisation of working time, and Directive 92/85/EEC ⁽³⁾ on the safety and health of pregnant workers, it had decided to initiate an informal exchange with the Italian authorities concerning possible infringements of the aforementioned legal instruments.

The Commission is currently analysing the observations provided by the Italian authorities. Upon completion of this assessment, and in light of the outcome of the informal dialogue, the Commission may determine whether the conditions are met to initiate formal infringement proceedings for a possible breach of EU law.

⁽¹⁾ Council Directive 97/81/EC of 15 December 1997 concerning the framework Agreement on part-time work concluded by UNICE, CEEP and the ETUC — <https://eur-lex.europa.eu/eli/dir/1997/81/oj/eng>.

⁽²⁾ Directive 2003/88/EC of the European Parliament and of the Council of 4 November 2003 concerning certain aspects of the organisation of working time — <https://eur-lex.europa.eu/eli/dir/2003/88/oj/eng>.

⁽³⁾ Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the safety and health at work of pregnant workers and workers who have recently given birth or are breastfeeding — <https://eur-lex.europa.eu/eli/dir/1992/85/oj/eng>.