

(English version)

Priority question for written answer P-001735/26
to the Commission
Sandro Ruotolo (S&D)
(28 April 2026)

Subject: Abuse of office — reintroduction of the offence in Italy

With law No 114/2024, Italy abolished the offence of abuse of office. On 26 March 2026, the European Parliament, meeting in plenary session, gave its final approval to the proposal for a directive on combating corruption, which provides, *inter alia*, for criminalisation requirements relating to the unlawful exercise of public functions.

In this context, the Italian Minister for Justice has publicly stated that Member States have a wide margin of discretion in defining their anti-corruption systems. There is a belief, therefore, that the reintroduction of the abolished criminal offence is not necessary.

In view of the above, can the Commission answer the following questions:

1. Have there been bilateral discussions with the Italian authorities on the compatibility of the current regulatory framework with the new Anti-Corruption Directive and, if so, what was the outcome of them?
2. Does it consider the abolition of the abuse of office offence to be in line with the obligations laid down in the directive?

Submitted: 28.4.2026

Answer given by Mr McGrath on behalf of the European Commission
(10 June 2026)

Directive (EU) 2026/1021 on combatting corruption ⁽¹⁾ was signed into law by the European Parliament and the Council of the European Union on 29 April 2026 and entered into force on 31 May 2026. It sets EU-wide standards on fighting corruption, notably by harmonising the definition of corruption offences across the EU and the corresponding penalties, which include imprisonment and turnover based fines on legal persons.

Member States have up to 24 months to transpose most of the provisions of the directive into national law ⁽²⁾. This also concerns the transposition of Article 7 on ‘unlawful exercise of public functions’ ⁽³⁾.

As with all Directives, the Commission will support Member States in the transposition and will closely monitor this process. The timely and correct transposition of the directive into national law will be assessed after the transposition period has expired.

⁽¹⁾ https://eur-lex.europa.eu/legal-content/EN/TEXT/PDF/?uri=OJ:L_202601021.

⁽²⁾ Except for adopting and publishing a national strategy on preventing and combatting corruption as well as a risk assessment, which Member States have 36 months to do.

⁽³⁾ Article 7 of the directive reads: ‘Member States shall take the necessary measures to ensure that, where intentional, at least certain serious violations of law in the performance of or failure to perform an act by a public official in the exercise of that official’s functions constitute criminal offences. Member States may limit the application of this Article to certain categories of public officials.’