

**Question for written answer E-012626/2013
to the Commission**

Rule 117

Juan Fernando López Aguilar (S&D)

Subject: Compatibility of the situation of substitute and alternate judges in Spain with EU law

There are currently more than 1500 substitute and alternate judges in the Spanish Judiciary devoted exclusively to judicial duties. In many cases they still operate on an interim basis and have been serving in ordinary Spanish courts and tribunals for more than 25 years.

Recent legislative reforms promoted by the Spanish government, on the initiative of the Ministry of Justice, establish national rules for the working conditions of the aforementioned group that may be in breach of Council Directive 1999/70/EC of 28 June 1999 concerning the framework agreement on fixed-term work concluded by the ETUC, UNICE and CEEP, which sets the basic rules for fixed-time work and temporary contracts and which, as the Court of Justice of the European Union has consistently held, are also applicable to public employees, and therefore to substitute and alternate judges.

1. Is the Commission aware of the working conditions of this group, whose professional work is crucial to the proper functioning of the Judiciary in Spain?
2. Does it believe that these conditions are compatible with the aforementioned legislation?
3. Does it intend to initiate any proceedings in this regard?