

**Question for written answer E-001397/2015
to the Commission**

Rule 130

Ernest Urtasun (Verts/ALE), Josep-Maria Terricabras (Verts/ALE), Javi López (S&D), Marina Albiol Guzmán (GUE/NGL), Izaskun Bilbao Barandica (ALDE) and Ramon Tremosa i Balcells (ALDE)

Subject: Breach of Directive 1999/70/EC in relation to substitute judges and deputy magistrates

In September 2013 – in accordance with its answer to question E-010480/13 – the Commission opened an investigation into a possible breach of clause 5 of the framework agreement incorporated into Directive 1999/70/EC. In May 2014, subsequent questions E-002986/14, E-002985/14 and E-002987/14 were the subject of a joint answer pending the definitive answer to question E-010480/13, which has not yet been forthcoming. The Commission has replied in similar terms to numerous denunciations and complaints from substitute judges, pointing out that the investigation process in Spain, EU-PILOT No 5976/13/EMPL, is ongoing.

Given the clear nature of the issues raised and assuming that the Commission has already achieved some results with the application of Directive 1999/70/EC – and bearing in mind that, on 25 November 2014, the Chair of the General Council of the Judiciary appeared before the Spanish Congress of Deputies (Parliament), failed to reply to congress members' questions about the General Council's cooperation with the Commission investigation and also denied that Directive 1999/70/EC was applicable, objectively or subjectively, to Spain's substitute judges – we have a number of questions.

1. Does the Commission believe that the Spanish institutions are delaying the investigation into a potential breach of Directive 1999/70/EC in relation to substitute judges and deputy magistrates?
2. Does it consider the directive to be applicable to anyone working in the public or private sectors?
3. Why is it delaying the announcement of a definitive finding on the matter, given the urgency evidenced by the large number of denunciations and complaints submitted?