

**Question for written answer E-003419/2021  
to the Commission**

Rule 138

**Antonio López-Istúriz White (PPE), Rosa Estaràs Ferragut (PPE)**

Subject: Improper use of temporary contracts in Spain's public administrations

The Commission has opened an infringement procedure against Spain for abusing the temporary contracts of staff working in public administrations (case CHAP(2013)01917 concerning a breach of Article 5 of Directive 1999/70/EC). On the same topic, the Spanish courts have failed to comply with the judgments of the Court of Justice of the European Union of 19 March 2020 and 3 July 2021 concerning the breach of that article.

1. What measures is the Commission going to take in response to this matter?
2. Is the Commission aware of Article 11 of Royal Decree-Law 23/2020 of 23 June, which allows for the current extraordinary selection processes to consolidate and stabilise employment, the outcome of which is uncertain?
3. Is it aware that the CJEU confirmed (in judgments of 19 March 2020 and 3 June 2021 and in the Order of 2 June 2021) that these procedures do not apply to staff whose temporary status is being abused? What is its assessment of this?