

**Question for written answer E-001979/2022
to the Commission**
Rule 138
Angelo Ciocca (ID)

Subject: Reform of the honorary judiciary

On 15 July 2021 the Commission launched an infringement procedure (2016_4081) against Italy, urging it to change its legislation on the honorary judiciary as this is deemed to be at odds with the fundamental rules and principles of EU law.

The Court of Justice of the European Union also intervened in the matter, validating the function equivalence between honorary judges and professional ones (judgments UX of 16.7.2020 and PG of 7.4.2022) and demolishing the theory of the 'honorary official'.

Notwithstanding this, in its 2022 budget law Italy has not only failed to comply with the EU's instructions but has, in addition, introduced rules that make the honorary judiciary's situation even more difficult. For decades now, they have conducted more than 50 % of all civil and criminal trials, but have now been unfairly excluded from national Recovery and Resilience Facility projects and funding.

The role played until now by honorary court judges, honorary deputy public prosecutors and honorary justices of the peace in the justice system is an important one. Because of the reform, however, approximately 5 000 of them will have to decide whether or not to forfeit their post or take part in an evaluation procedure that will, ipso facto and irrespective of the outcome, require them to renounce all rights or claims of any kind relating to the past. In view of these facts:

Is the Commission aware of this reform?

Will the Commission take further measures against Italy on account of its continued failure to comply with European Union rules?