

Question for written answer E-001492/2023
to the Commission
Rule 138
Jordi Cañas (Renew)

Subject: Preliminary draft law on civil service reform

Under Spanish law, access to the status of career civil servant in the public sector is subject to prior success in a selection procedure based on the constitutional principles of merit, ability and equality.

In an effort to mitigate the endemic overuse of temporary contracts and to conform to the Court of Justice of the EU's successive judgments¹, the Spanish Government introduced Law 20/2021 and is currently working on a preliminary draft law that will politicise access to the civil service, as it will make it possible for selection boards to grant interim civil servants access to career civil servant posts on an unequal basis in comparison with candidates sitting an open competition. If the draft law is approved, it will undermine the independence and impartiality that should guide the high bodies of state and thus the effectiveness of public policies.

In the light of the above:

1. What view does the Commission take of the draft law and the impact it may have on the implementation and effectiveness of EU legislation in Spain?
2. Does it believe that it would preserve equal rights for civil service candidates?

Submitted: 8.5.2023

¹ Judgment of the Court of 19 March 2020 in joined cases C-103/18 and C-429/18.