

SUMMARY

ECJ 10 April 2025, case C-238/24 (Tartisai), miscellaneous

NR – v – Ministero della Difensa and Others, Italian case

Summary

Article 7(3) of Decision 2010/279 does not provide for applicable per diems as well as hardship and risk allowances, paid by the EU to a member of staff of the EUOPL Afghanistan mission, to be received concurrently with allowances of the same kind given in respect of the performance of the same duties with that policies mission by the Member State of that member of staff.

Question

Must Article 7(3) of Decision 2010/279 be interpreted as providing for the applicable per diems as well as hardship and risk allowances, paid by the European Union to a member of staff of the police mission extended by that decision, to be received concurrently with allowances of the same kind paid to a member of staff in respect of the performance of the same duties with that police mission by the Member State of that member of staff?

Ruling

Article 7(3) of Decision 2010/279 must be interpreted as not providing for the applicable per diems as well as hardship and risk allowances, paid by the European Union to a member of staff of the police mission extended by that decision, to be received concurrently with allowances of the same kind paid to that member of staff in respect of the performance of the same duties with that police mission by the Member State of that member of staff.

Creator: European Court of Justice (ECJ)

Verdict at: 2025-04-10

Case number: C-238/24