

2025 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The annual Rule of Law Report lies at the centre of the Annual Rule of Law Cycle, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues. So far, five editions of the Rule of Law Report have been published since 2020.

As every year, the Commission would like to invite the stakeholders to provide contributions to the 2025 Rule of Law Report. On the basis of these contributions and on-going developments, further targeted questions may be shared at a later stage of preparation of the 2025 Rule of Law Report, in particular in the context of country visits, or bilateral contacts.

The Commission invites stakeholders to provide contributions which include:

- (1) information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and**
- (2) any other significant developments since January 2024^[1] and up to the date of submission falling under the ‘type of information’ outlined below.**

The input should consist of a short summary, if possible in English, covering the areas referred to below. Legislation or other documents may be referenced with a link. Contributions should focus on significant developments since the last Rule of Law Report both as regards the legal framework and its implementation in practice.

If you would like to provide further specific **input related to the single market dimension in the Rule of Law report**, you can also respond to the additional targeted consultation available [here](#).

^[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information to be included:

Under each of the four pillars, the replies should include references to the following types of information:

A) Legislative developments

- Newly adopted legislation
- legislative drafts currently discussed in Parliament
- legislative plans envisaged by the Government

B) Policy developments

- Implementation of legislation
- evaluations, impact assessment, surveys
- white papers/strategies/actions plans/consultation processes
- follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- important administrative measures
- generalised practices

C) Developments related to the judiciary / independent authorities

- important case law by national courts
- important decision/opinions from independent bodies/authorities
- state of play on terms, nominations and expired mandates for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, Prosecutor General, heads of independent authorities included in the scope of the request for input[2])

D) Any other relevant developments

- National authorities are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable. To simplify your answers to the questionnaire, **if there are no developments, it is sufficient to indicate this** and the information covered in the contributions for the previous Rule of Law Reports does not need not be repeated.

[2] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions, supreme audit institutions and, where they exist, transparency authorities.

About you

* I am giving my contribution as

- ☐ Academic/research institution
- ☐ Business association
- ☐ Civil society organisation/NGO
- ☐ International organisation
- ☐ Judicial association or network
- ☐ Media organisation or association
- ☒ Public authority or network of public authorities

☐ Other

* Organisation name

250 character(s) maximum

general council of the Spanish judiciary (CGPJ)

Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☐ Checks and Balances
- ☐ Other

Please insert an URL towards your organisation's main online presence or describe your organisation briefly:

500 character(s) maximum

It is the constitutional governing body of judges and magistrates in Spain, responsible for ensuring judicial independence.

Transparency register number

Check if your organisation is in the transparency register. It's a voluntary database for organisations seeking to influence EU decision-making

* Country of origin

Please indicate the country of origin of your organisation

- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg

- ☐ Malta
- ☐ Netherlands
- ☐ Poland
- ☐ Portugal
- ☐ Romania
- ☐ Slovak Republic
- ☐ Slovenia
- ☒ Spain
- ☐ Sweden
- ☐ Other - please specify

First name

Jose María

Surname

Fernández Seijo

Email Address of the organisation

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* Publication of your contribution and privacy settings

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2025 rule of law report.pdf](#)

Questions on horizontal developments

In this section, you are invited to provide information on general horizontal developments or trends, both positive and negative, covering all or several Member States. In particular, you could mention issues that are common to several Member States, as well as best practices identified in one Member State that could be replicated. Moreover, you could refer to your activities in the area of the four pillars and sub-topics (an overview of all sub-topics can be found below), and, if you represent a Network of national organisations, to the support you might have provided to one of your national members.

Overview topics for contribution

[List of topics - 2025 Rule of Law Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

In July 2024 the General Council for the Judiciary (CGPJ) was finally renewed, after more than four years of delay with respect to the legal forecast (2019). The main parties with parliamentary representation reached an agreement that allowed a sufficient majority (2/3) to be reached to appoint new members, who took office on 24 July 2024. It should be noted that, after this renewal, the Council returns to its original conformation, which means that the 20 members exercise their function on a permanent basis (full-time), and their position as members being incompatible with the development of their original professions. The renewal of the CGPJ was accompanied by a legal reform of the Organic Law of the Judiciary (OL 3/2024, of 2 August, reforming Organic Law 6/1985, of 1 July, on the Judiciary and reforming Law 50/1981, of 30 December, regulating the Organic Statute of the Public Prosecutor's Office, hereinafter, LO 3/2024), which introduced some adjustments to guarantee the independence of the members (prohibiting the access to the Council of persons who have had relevant activities in the political or parliamentary sphere), as well as the transparent functioning of the CGPJ. Furthermore, the OL required, in its Sole Additional Provision, that the new Council prepare a report which, if necessary, would serve as the basis for a reform of the system of election of the Council's members of judicial origin, guaranteeing the direct participation of judges. The report was to be approved by the plenary of the CGPJ with a reinforced majority (3/5) within 6 months. This deadline expires on 6 February 2025. Furthermore, in execution of the mandate contained in the Single Additional Provision of the aforementioned OL 3/2024, the Plenary of the CGPJ for the Judiciary agreed to create a study group made up of four Members, charged with drawing up a report with the aim of examining European systems for the election of members of the Councils of the Judiciary similar to the Spanish Council, and a proposal for reform of the system of election of the Members appointed from among judges and senior judges, approved by a majority of three-fifths of its members, in accordance with the provisions of Article 122 of the Constitution, which guarantees its independence and which, with the direct participation of judges and senior judges to be determined, can be positively evaluated by the European Commission's Rule of Law report, in which a General Council for the Judiciary in accordance with the best European standards is established. This proposal shall be submitted to the Government, the Congress of Deputies and the Senate so that, based on this proposal, the holders of the legislative initiative may draw up and submit to the consideration of the General Courts a bill or draft law to reform the system for the election of judicial members for debate and, if appropriate, processing and approval. The aforementioned group has undertaken this work with the technical support of the Council's lawyers and has met with representatives of the European Commission, the Court of Justice of the European Union, the CoE Greco Group and the CoE Venice Commission, in order to obtain the best European standards for the formation of judicial councils. It has also met with representatives of the Governing Chamber of the National Audience and the Supreme Court of Spain and has sought the written opinion on the mandate contained in the Additional Provision from the four judicial associations recognized by the Kingdom of Spain, as well as from the Governing Chambers of all the High Courts of Justice of the Autonomous Communities. The result of its work will be submitted to the Plenary of the General Council for the Judiciary. The CGPJ began its eighth mandate on 26 July 2025, appointing the president of the CGPJ and the Supreme Court in September 2025, days before the opening of the courts. The appointee, for the first time a woman, came from the Supreme Court, was freely chosen by the members, without interference from political parties in the nomination. The new Council has set up new commissions, including one to assess the merits and capacity of the almost 100 judicial posts pending appointment (mainly Supreme Court senior judges and presidents Superior Courts of Justice and Provincial Courts). The activity of the Council is carried out with absolute normality and full independence, operating with a broad consensus. The new term of office of the Council began after the consensus of the main parties with parliamentary representation, which allowed a qualified majority for the appointment of the members. Once the political and legislative phase for the appointment and election of the members of the CGPJ was overcome, this constitutional body functions on a daily basis in compliance with its constitutional and legal functions without any interference from political parties. The functional independence of the CGPJ and its members is therefore guaranteed.

Questions for contribution

Under each pillar, you are invited to provide information on measures taken to implement the recommendations addressed to the Member State in the 2024 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2024 Rule of Law Report and any other significant developments since January 2024 and up to the date of submission^[3]. Please always include a link to and reference relevant legislation/documents (in the national language and/or where available, in English). **Significant developments** can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices.

Information provided in reply to the first question under each pillar, related to the follow-up to the recommendations, does not need to be repeated in subsequent parts of the questionnaire, but can be cross-referenced in the subsequent questions, where relevant. All other questions are not limited to the recommendations, but as in previous years, cover the entire scope of the Report.

[3] Unless already covered in the input for the previous Rule of Law Reports.

Member State/enlargement country covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States/enlargement countries, please fill in the questionnaire separately for each country. There is no limit to the number of contributions submitted by a single participant.

- ☐ Albania
- ☐ Austria
- ☐ Belgium
- ☐ Bulgaria
- ☐ Croatia
- ☐ Cyprus
- ☐ Czechia
- ☐ Denmark
- ☐ Estonia
- ☐ Finland
- ☐ France
- ☐ Germany
- ☐ Greece
- ☐ Hungary
- ☐ Ireland
- ☐ Italy
- ☐ Latvia
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Malta
- ☐ Montenegro
- ☐ Netherlands
- ☐ North Macedonia
- ☐ Poland

- ☐ Portugal
- ☐ Romania
- ☐ Serbia
- ☐ Slovakia
- ☐ Slovenia
- ☒ Spain
- ☐ Sweden

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the justice system (if applicable)

5000 character(s) maximum

As indicated in the previous point, the CGPJ was renewed and the members of the new mandate took office on 26 July 2024, thus initiating the activity of the VIII mandate of the CGPJ on that date.

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

(The reference to 'judges' concerns judges at all level and types of courts as well as judges at constitutional courts)

5000 character(s) maximum

Not only was the CGPJ renewed by appointing 20 members (12 of them judges and senior judges) from among candidates who provided their curricula vitae, reflecting merit and ability; candidates of non-judicial origin (prestigious jurists) appeared before the Justice Commission of the Congress and Senate to answer any questions that might be asked to verify their curricula vitae. In the reform of the LOPJ that accompanies the agreement on the appointment of the members, the measures that guarantee the independence of the institution are strengthened, as well as commitments to speed up future renewals.

Irremovability of judges, including transfers, (incl. as part of judicial map reform), dismissal and retirement regime of judges, court presidents and prosecutors (incl. judicial review)

5000 character(s) maximum

No legal reforms have been necessary as the irremovability of judges was firmly guaranteed by the existing legislation (LOPJ). The principle is firmly guaranteed.

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

The reform of the LOPJ has modified the criteria for the appointment of Supreme Court senior judges, extending their experience to 20 years of practice. The CGPJ's qualification committee has begun the hearings of candidates to fill vacant posts normally.

A judicial career commission has also been set up, which will promote, together with other objectives, a judicial career based on objective criteria, in line with the recommendations made by the European authorities, which will ensure the promotion of the best candidates for all judicial posts and, especially, for discretionary appointments, which will remove any doubts as to the objectivity and impartiality of such appointments.

Allocation of cases in courts

5000 character(s) maximum

No legal reforms have been necessary, as the procedural rules ensure the objective allocation of cases between courts and tribunals, guaranteeing the natural judge by means of a system of random allocation.

The rules for the distribution of courts and tribunals develop the criteria of objective attribution.

Independence (including composition, appointment and dismissal of its members) and powers of the body in charge of safeguarding the independence of the judiciary (e.g. Judicial Council) - There have been no legal changes or questionable practices. Existing legislation continues to guarantee independence in the composition and appointment of judges and senior judges in the different instances. The reform of the LOPJ in July 2025 has made it possible to set up a qualification commission within the CGPJ to evaluate, according to objective criteria, the curricula vitae and merits of candidates for posts of the Supreme Court, presidents of High Courts of Justice, Provincial Courts and presidencies of the Appeal, Contentious and Labor Chambers of the High Courts of Justice.

Independence (including composition and nomination and dismissal of its members), and powers of the body tasked with safeguarding the independence of the judiciary (e.g. Council for the Judiciary)

5000 character(s) maximum

No substantial changes have taken place as the Spanish system has a regime of accountability, discipline and immunity with full guarantees of independence, impartiality and accountability. As complementary information, it should be noted that in 2024 the judicial ethics commission was renewed, promoted by the CGPJ and made up mainly of judges and senior judges elected by the judicial career itself. At its plenary session of 18 December 2024, the CGPJ appointed the promoter of disciplinary action, the body responsible for initiating proceedings relating to the disciplinary system for judges and senior judges.

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal/civil (where applicable) liability of judges (incl. judicial review)

5000 character(s) maximum

There have been no substantial changes in the Spanish system. For several years, a reform of the Criminal Procedure Act has been pending referral to parliament, which assigns prosecutors the investigation of crimes, leaving judges as a guaranteeing body. The CGPJ reports to the plenary session of 18 December 2024 on the draft law promoted by the Government. LO 3/2024 also includes specific measures to strengthen the autonomy of the Public Prosecutor's Office. It should be noted that Chamber II of the Supreme Court has opened a criminal proceeding investigating an alleged offence of disclosure of secrets by the State Prosecutor General, which is currently under investigation.

Independence/autonomy of the prosecution service

5000 character(s) maximum

The Organic Law on the Right of Defense, which develops the guarantees of this constitutional right, has been published and entered into force in November 2024. The law strengthens the role and independence of lawyers in the exercise of the right to defense, as well as access to free legal aid and ex officio defense for people with limited or no resources.

Independence of the Bar (chamber/association of lawyers) and of lawyers

5000 character(s) maximum

The legal reforms referred to in the previous questions, as well as the renewal of the members of the CGPJ, have improved the indicators of public perception of the independence of the judiciary. In any case, published surveys continue to show indicators that question the independence of judges and their governing bodies in Spain (mention should be made of the barometers and surveys conducted by the CGPJ), although it is true that the various reports issued by European institutions have considered that judicial independence - in the judicial function - is not in doubt.

In any case, as mentioned at the outset, the new Council works in Plenary formation, with a permanent commission for ordinary management issues, and through commissions responsible for overseeing different priority areas of action in the task of safeguarding judicial independence and guaranteeing the proper functioning of the public service of justice.

Significant developments capable of affecting the perception that the general public has of the independence of the judiciary

5000 character(s) maximum

With regard to physical accessibility measures, the parameters and standards for accessibility to court buildings have been maintained, although there are still some courts or tribunals which, because they are located in old buildings, do not yet have all the accessibility measures for people with physical disabilities. The CGPJ has launched, through its website, a specific tool to enable the accessibility and comprehensibility of judicial decisions. The website of the Documentation Centre of the Judiciary (CENDOJ) has launched a specific tool (KENDOJ) which provides judicial decisions in understandable language. Multidisciplinary working groups, coordinated by the CGPJ, continue to work to update judicial language. At the ENCJ plenary in June 2024, the Council received the annual special prize: The ENCJ Award for Positive change. The recent Organic Law on Defense makes special mention of the specific needs of persons with mental disabilities in order to guarantee the right of defense.

B. Quality of justice

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined in the introduction)

Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

70 new judicial positions were created in 2024, but the pace of creation of new positions is not commensurate with the needs of new forms of litigation and mass procedures. The government has pushed for a far-reaching organizational reform (the Efficiency Law) which will be implemented in 2025. This new organizational model will collegiate the first instance, facilitating the creation of new judicial units. This reform requires a major technological boost, as well as the definitive implementation of a management model for the judicial office that will enable the new challenges to be met.

The salary increases approved in 2023 have been consolidated. As a result of a Supreme Court ruling, the remuneration conditions linked to productivity have been improved. The CGPJ has undertaken to review the criteria for measuring workloads, in order to bring them into line with the reality of the input and resolution loads of the judicial bodies.

Reinforcement measures are still necessary for some courts and tribunals with overloaded workloads.

The Efficiency Law lays the foundations for the definitive incorporation of new technologies in the management of procedures, including artificial intelligence tools, subject to the guarantees of the EU Regulation.

Resources of the judiciary (human/financial/material), remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year)

(Material resources refer e.g. to court buildings and other facilities. Financial resources include salaries of staff in courts and prosecution offices.)

5000 character(s) maximum

The CGPJ has continued to deploy an ambitious program of initial and on-going training, aimed not only at updating the knowledge of judges and senior judges in legal reforms and new jurisprudential trends, but also at fostering training in ancillary and multidisciplinary disciplines, with special attention to issues relating to the treatment of disability, equality issues and the strengthening of tools for protection against violence against women and children.

The CGPJ has collaborated with other legal operators to ensure the presence of legal professionals from outside the strictly judicial sphere to strengthen training programs.

Along these lines, the Judicial School and the training of judges and senior judges have become one of the priorities of the new Council, placing special emphasis on its proper functioning, on the constant monitoring of its work through the Judicial School and Training Commission, and on a normalized communication relationship with the management of the center in Barcelona and those responsible for initial and on-going training.

Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

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Digitalisation (e.g. use of digital technology, including electronic communication and AI tools, within the justice system and with court users, procedural rules, access to judgments online)

5000 character(s) maximum

The application in Spain of the Next Generation funds enabled the renewal of a large part of the judges' and senior judges' personal computers. There has also been a progressive updating of terminals and software in courts and tribunals. In any case, the modernization of the work systems of judicial bodies and the incorporation of new technologies in the field of justice is not going as fast as the evolution of technology and new tools, especially AI to speed up procedures, requires.

The Efficiency Law, which will come into force in 2025, establishes a suitable legal framework for the incorporation of new technologies in digitization to become a reality in the medium term.

In addition to the entry into force of these legal provisions, it is necessary to continue working on the harmonization of the procedural management computer systems that operate in the different autonomous communities that have transferred powers in these matters, harmonization between the different territories with transferred powers and with those managed directly by the Ministry of Justice.

On the other hand, in 2024 the insolvency management procedure for microenterprises (law 16/22) came into force, which represents a qualitative leap in the processing of procedures affecting small companies and entrepreneurs, in accordance with the TR of the Insolvency Law, subject to a procedure based on forms developed by the Ministry of Justice and processed on a digital platform.

Use of assessment tools and standards (e.g. ICT systems, including AI-based systems, for case management, court statistics and their transparency, monitoring, evaluation, surveys among court users or legal professionals)

5000 character(s) maximum

This is partly answered by the previous question. As a complement, it should be noted that the CGPJ has promoted a specific working group on AI, a group whose purpose, among other functions, is to become a reference authority before the Spanish AI Agency, for the control and guarantee of fundamental rights, as well as the monitoring and follow-up of the different AI tools that are still in the experimental phase, tools that will be presented, supervised by the CGPJ and subject to the rules of the European Regulation on the matter, during the year 2025.

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialisation, in particular specific courts or chambers within courts to deal with fraud and corruption cases.

5000 character(s) maximum

There were no substantial changes in 2024, but at the end of 2024 (November) the Efficiency Law has been adopted and will be published in the first days of 2025. This reform entails a substantial organizational change of courts and tribunals, especially in the first instance of all jurisdictions. This new legal tool will make it possible to redefine the judicial staff, create new specialties (violence against children and adolescents, family), as well as collegiate management of judicial proceedings in the first instance, allowing specialization according to the level of litigation.

It should be noted, however, that the reform entails an extension of competences to the courts for violence against women, also to the second instance with these competences assumed, which will lead to a significant increase in the number of cases to be dealt with, especially sensitive ones, as it includes crimes against sexual freedom. This increase in competences will force a review of the judicial system.

Another noteworthy element is that the so-called 'CGPJ territorial committees' have been reinstated, the function of which is to establish a normalized and regular relationship between the CGPJ, a single constitutional body, and the different political and jurisdictional authorities in the 17th Spanish Autonomous Communities. This is making it possible to gain first-hand knowledge of the jurisdictional needs in the different territories, as well as possible existing dysfunctions, and always within the Council's sphere of competence, promoting, informing or supporting possible improvements to be made. For example, the Council's speedy reaction to the emergency situation that arose in Valencia after the devastating passage of the Dana hurricane was significant.

C. Efficiency of the justice system

(Under this topic, you are not required to give statistical information but should provide input on the type of information outlined under section

2)

Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings)

5000 character(s) maximum

Again, reference should be made to the immediate adoption of the Efficiency Law. In 2024, no significant progress has been made in terms of efficiency, although in April 2024 RDL 6/2024 was approved, which anticipated some of the measures to be developed by the Efficiency Law.

Any other developments related to the justice system - please specify

5000 character(s) maximum

II. Anti-Corruption Framework

Where previous specific reports, published in the framework of the review under the UN Convention against Corruption, of GRECO, and of the OECD address the issues below, please make a reference to the points you wish to bring to the Commission's attention in these documents, indicating any relevant updates, changes or measures introduced that have occurred since these documents were published.

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

Based on the recommendations and considerations made in the 2024 report (folio 14 et seq.), and pending the possible submission to parliament of the new Criminal Procedure Act, it is certain that there have been no legislative changes in this area. On this point, it is considered that the existing legal framework is sufficient to combat criminal actions linked to corruption. The CGPJ has provided the necessary support, with reinforcement measures, to the courts that deal with these matters in both investigation and prosecution, with the aim of being able to process the proceedings with the agility they require, without reducing guarantees.

New proceedings have been opened to investigate allegedly criminal plots that may be considered corruption (Koldo case) and, on the other hand, sentences have been handed down in pending proceedings (conviction of ministers from previous governments).

With regard to the block of preventive measures, there have been no relevant legal modifications.

The Directive on whistleblower protection and its results (Law 2/2023) and its practical impact on courts and tribunals has been transposed into Spanish law and has been in force for 9 months.

Two Prosecutor's Chambers against corruption have been set up: the Prosecutor's Chamber for Economic Crimes and the Prosecutor's Chamber for Crimes against Public Administration by Royal Decree 1100/2024, which extends and modifies the staff of the Public Prosecutor's Office to adapt it to existing needs.

The CGPJ has maintained and updated the contents of the transparency portal, and the Council has continued to work on the development of useful repositories for the investigation and prosecution of corruption offences.

A. The institutional framework capacity to fight against corruption (prevention and investigation / prosecution)

List any **changes** as regards relevant authorities (e.g. national agencies, bodies) in charge of prevention, detection, investigation and prosecution of corruption and the resources allocated to each of these authorities (the human, financial, legal, and technical resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measures taken to effectively and timely cooperate with OLAF and EPPO

5000 character(s) maximum

is answered with the previous question

Safeguards for the functional independence of the authorities tasked with the prevention and detection of corruption

5000 character(s) maximum

is answered with the previous question

Information on the implementation of measures foreseen in the strategic anti-corruption framework (if applicable). If available, please provide relevant objectives and indicators

5000 character(s) maximum

B. Prevention

Measures to enhance integrity in the public sector (including as regards incompatibility rules, revolving doors, codes of conduct, ethics)

5000 character(s) maximum

Measures to enhance general transparency of public decision-making (including rules on lobbying, asset and interest disclosure rules, gifts policy, transparency of political party, financing)

5000 character(s) maximum

Measures to prevent conflicts of interest in the public sector. Please specify the features and scope of their application (e.g. categories of officials concerned, types of checks and corrective measures depending on the category of officials concerned)

5000 character(s) maximum

--> For the three previous points, **please also provide information and figures on their application/enforcement**, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.)

Measures to ensure whistleblower protection and encourage reporting of corruption, including their application (i.e. number of reports received, and the follow-up given)

5000 character(s) maximum

Specific measures to enhance transparency, integrity and accountability in sectors with high risks of corruption, with a view to monitor and prevent corruption and conflict of interests, and where applicable measures to prevent and address corruption committed by organised crime groups.

Such high-risk sectors could include: public procurement, including construction, transport/infrastructure, defence, cohesion, agriculture, environment, healthcare, citizen/residence investor schemes, large-scale investments of national interest and the spending of EU funds, urban planning.

5000 character(s) maximum

C. Repression

The legal framework on the criminalisation and sanctions for corruption and related offences, including foreign bribery

5000 character(s) maximum

Official data on the number of investigations, prosecutions, final judgments and the application of sanctions for corruption offences (differentiated by offence if possible). Please indicate whether the cases: involve legal persons; are related to the implementation of EU or national funds; involve high level corruption. Please indicate which data is publicly available and how policy-making is informed by the data

5000 character(s) maximum

From October 2023 to October 2024 (data contrasted with the judicial statistics available to date) 92 proceedings for corruption crimes have been processed, resulting in the conviction of 163 people. We attach official statistical data by crime in Spanish, provided by the Ministry of Justice.

There is no data on the prosecution of corruption crimes by the European Public Prosecutor's Office because those for 2024 have not yet been published.

Potential obstacles identified in law or in practice to the investigation and prosecution of high-level and complex corruption cases (e.g. political immunity regulation, procedural rules, statute of limitations, cross-border cooperation, pardoning)

5000 character(s) maximum

Information on effectiveness of criminal and non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Any other developments related to the anti-corruption framework - please specify

5000 character(s) maximum

III. Media pluralism and media freedom

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

The Board of RTVE has been renewed, as well as the appointment of a new director in November 2024, without the main parties having reached a consensus.

With regard to this block of issues, the CGPJ has continued to provide transparent and truthful information through the press office of the CGPJ, the Supreme Court and the various press offices in the High Courts of Justice of the Autonomous Communities.

A. Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Measures taken to ensure the independence, enforcement powers and adequacy of resources (financial, human and technical) of media regulatory authorities and bodies

5000 character(s) maximum

Conditions and procedures for the appointment and dismissal of the head / members of the collegiate body of media regulatory authorities and bodies

5000 character(s) maximum

Existence and functions of media councils or other self-regulatory bodies

5000 character(s) maximum

B. Safeguards against government or political interference and transparency and concentration of media ownership

Measures taken to ensure the fair and transparent allocation of state advertising

5000 character(s) maximum

Safeguards against state / political interference, in particular:

- safeguards to ensure editorial independence of media (private and public)
- specific safeguards for the independence of heads of management and members of the governing boards of public service media (e.g. related to appointment, dismissal), safeguards for their financial and operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- information on specific legal provisions and procedures applying to media service providers, including as regards granting/renewal/termination of licenses, company operation, capital entry requirements, concentration and corporate governance

5000 character(s) maximum

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners

5000 character(s) maximum

C. Framework for journalists' protection, transparency and access to documents

Rules and practices guaranteeing journalists' independence and safety, including as regards protection of journalistic sources and communications, referring also, if applicable, to follow-up given to alerts lodged with the Council of Europe's Platform to promote the protection of journalism and safety of journalists

5000 character(s) maximum

Law enforcement capacity, including during protests and demonstrations, to ensure journalists' safety and to investigate attacks on journalists

5000 character(s) maximum

Access to information and public documents by public at large and journalists (incl. transparency authorities where they exist, procedures, costs/fees, timeframes, administrative/judicial review of decisions, execution of decisions by public authorities, possible obstacles related to the classification of information)

5000 character(s) maximum

Lawsuits (incl. SLAPPs - strategic lawsuits against public participation) and convictions against journalists (incl. defamation cases) and measures taken to safeguard against manifestly unfounded and abusive lawsuits

5000 character(s) maximum

Any other developments related to media pluralism and freedom - please specify

5000 character(s) maximum

IV. Other institutional issues related to checks and balances

Please provide information on measures taken to follow-up on the recommendations received in the 2024 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

With regard to the Amnesty Law, the relevant legal instruments have been activated to challenge its constitutionality before the Constitutional Court, with 16 appeals of unconstitutionality having been admitted for processing: 12 presented by the governments of twelve of Spain's seventeen Autonomous Communities, three by legislative assemblies in three Autonomous Communities and one by the Deputies and Senators of the main opposition party; as well as four questions of unconstitutionality: one by the Supreme Court of Spain and three by the High Court of Justice of Catalonia (TSJCAT).

With regard to these twenty appeals and issues of unconstitutionality, petitions for recusal have been submitted to one of the judges of the Constitutional Court. Of the different requests for recusal, that of one of these requests was accepted by the Court's resolution of January 16, 2025, with dissenting votes from the minority of dissenting judges.

The issues of unconstitutionality bridged by the Supreme Court and the (TSJCAT) have meant the provisional suspension of the proceedings in the judicial process until the Constitutional Court definitively decides on the issue, as provided for in Article 35.3 of Organic Law 2/1979, of 3 October, of the Constitutional Court, which has slowed down the application of the law in these processes.

On the other hand, the difficulties observed in the Parliament for the approval of some laws has determined that the Government continues to resort to the approval of Royal Decrees- laws of the Executive instead of laws of parliamentarians, to deal not only with urgent problems (consequences of climate change ...), but also with the transposition of some EU directives. Royal Decree-Law 6/2023 (RDL) is a clear example. More recently, the consequences of the storms produced mainly in the Autonomous Community of Valencia, but also in Castilla-La Mancha and Andalusia, have led to the approval by the Government of three RDL, on 6, 7 and 8 of 2024, which, in accordance with the provisions of Law 17/2015, of 9 July, on the National Civil Protection System, have established different aid and mitigation measures for the catastrophic damage caused by the storms. However, in these Royal Decree-Laws the Government also agreed to suspend procedural terms and deadlines in the most affected areas, which is not provided for in the civil protection legislation, which, unlike the legislation on states of alarm, exception and siege that was applied during COVID, does not enable the Government to affect fundamental rights such as the right to effective judicial protection of Article 24.1 of the Spanish Constitution. For this reason, the Council has requested a report from its technical bodies to assess whether a legal reform should be promoted that expressly attributes to the Council, as the governing body of the Judiciary and in the interest of the principle of division of powers, the competence to agree on such a suspension in the event of disasters.

In any case, it should be noted that the adoption of royal decrees for reasons of urgency has already been taking place for several legislatures with different political signs, as a way to overcome the lack of agreement in fragmented parliaments.

The Law on Efficiency amends fundamental aspects of the admissibility of cassation appeals before the Supreme Court. Law that will be applied in 2025 and that must allow to face the collapse of some jurisdictions (more than 20,000 appeals pending before the Chamber I of the TS). The partial repeal of the Organic Law on Citizen Security (the so-called Gag Law) is pending approval. There is a principle of agreement between some parliamentary forces, an agreement that would allow the repeal or modification of a part of this norm, restrictive of rights and freedoms.

The Socialist Parliamentary Group has presented in January 2025 a proposal for legal reform to limit the exercise of popular action, denying legitimacy to political parties and demanding that whoever exercises these actions prove a direct interest in the matter. It also raises the extension of the causes of abstention or recusal of those judges who have expressed political opinion in the media or on social networks, regarding procedures that affect political parties. This proposal for a law, which has not begun to be processed, has generated criticism in other political parties and judicial associations, both for the content of the proposal and for its possible retroactive application in some ongoing proceedings.

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1]/public consultations (including rules and practices on the transparent participation of civil society to policy development and decision-making processes), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

No coment.

Rules and use of fast-track procedures and emergency procedures (for example, the percentage of decisions adopted through emergency/urgent procedure compared to the total number of adopted decisions)

5000 character(s) maximum

it has not been necessary to implement any legal reform, nor management impulses, since the actions of independent authorities - ombudsman, court of accounts ... - operate normally and efficiently, the mechanisms of civil society and its capacity for mobilization and influence have been highlighted in the citizen response to incidents related to climate change, and the different institutions have strived to strengthen the dissemination of values and mechanisms for protecting the rule of law in all its aspects. As regards the judiciary specifically, measures have been developed to guarantee the objectives of Law 15 /2022 of 12 July 2022, which is comprehensive for equal treatment and non-discrimination, and to implement the provisions of Organic Law 2/2024 of 1 August 2022 on equal representation and a balanced presence of women and men.

No new measures have been necessary with regard to judicial review of administrative decisions, since the administrative courts and tribunals, which are part of the judiciary, continue to have full powers to monitor the decisions of the various administrations that are part of the State.

Rules and application of states of emergency (or analogous regimes), including judicial review and parliamentary oversight

5000 character(s) maximum

the difficulties observed in the Parliament for the approval of some laws has determined that the Government continues to resort to the approval of Royal Decrees- laws of the Executive instead of laws of parliamentarians, to deal not only with urgent problems (consequences of climate change ...), but also with the transposition of some EU directives. Royal Decree-Law 6/2023 (RDL) is a clear example. More recently, the consequences of the storms produced mainly in the Autonomous Community of Valencia, but also in Castilla-La Mancha and Andalusia, have led to the approval by the Government of three RDL, on 6, 7 and 8 of 2024, which, in accordance with the provisions of Law 17/2015, of 9 July, on the National Civil Protection System, have established different aid and mitigation measures for the catastrophic damage caused by the storms. However, in these Royal Decree-Laws the Government also agreed to suspend procedural terms and deadlines in the most affected areas, which is not provided for in the civil protection legislation, which, unlike the legislation on states of alarm, exception and siege that was applied during COVID, does not enable the Government to affect fundamental rights such as the right to effective judicial protection of Article 24.1 of the Spanish Constitution. For this reason, the Council has requested a report from its technical bodies to assess whether a legal reform should be promoted that expressly attributes to the Council, as the governing body of the Judiciary and in the interest of the principle of division of powers, the competence to agree on such a suspension in the event of disasters.

In any case, it should be noted that the adoption of royal decrees for reasons of urgency has already been taking place for several legislatures with different political signs, as a way to overcome the lack of agreement in fragmented parliaments

Regime for constitutional review of laws

5000 character(s) maximum

The CGPJ does not have competence in this matter

B. Independent authorities

Independence, resources, capacity and powers of national human rights institutions ('NHRIs'), of ombudsman institutions if different from NHRIs, of equality bodies if different from NHRIs and of supreme audit institutions

(Cf. the website of the European Court of Auditors: <https://www.eca.europa.eu/en/Pages/SupremeAuditInstitutions.aspx#>)

5000 character(s) maximum

The CGPJ does not have competence in this matter

Statistics/reports concerning the follow-up to recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

The CGPJ does not have competence in this matter

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

Judicial review of administrative decisions: short description of the general regime (in particular competent court, scope, suspensive effect, interim measures, and any applicable specific rules or derogations from the general regime of judicial review)

5000 character(s) maximum

Rules and practices related to the application by all courts, including constitutional jurisdictions, of the preliminary ruling procedure (Art. 267 TFEU)

5000 character(s) maximum

Implementation of final judgments by the public administration and State institutions and follow-up given to supranational judgments, including decisions from the European Court of Human Rights, as well as available remedies in case of non-implementation

5000 character(s) maximum

D. The enabling framework for civil society

Measures regarding the framework for civil society organisations and human rights defenders (e.g. legal framework and its application in practice incl. registration, transparency and dissolution rules)

5000 character(s) maximum

Rules and practices having an impact on the effective operation and safety of civil society organisations and human rights defenders. This includes measures to protect them from attacks – verbal, physical or on-line –, intimidation, legal threats incl. SLAPPs, negative narratives or smear campaigns, measures capable of affecting the public perception of civil society organisations, etc. It also includes measures to monitor threats or attacks and dedicated support services, as well as available remedies

5000 character(s) maximum

Organisation of financial support for civil society organisations and human rights defenders (e.g. framework to ensure access to funding, and for financial viability, taxation/incentive/donation systems, measures to ensure a fair distribution of funding)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

If there have been developments related to initiatives to foster a rule of law culture, please specify, which (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, contributions from civil society, education initiatives, etc.)

5000 character(s) maximum

The CGPJ does not have competence in this matter

Any other developments related to the system of checks and balances - please specify

5000 character(s) maximum

Supporting document upload

If you would like to submit any supporting document(s) to your contribution, please upload your file(s) here

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