

2021 Rule of Law Report - targeted stakeholder consultation

Fields marked with * are mandatory.

Introduction

The first annual Rule of Law Report was published on 30 September 2020. It is the core of the new European rule of law mechanism, which acts as a preventive tool, deepening multilateral dialogue and joint awareness of rule of law issues.

In the preparation of the first annual Rule of Law Report, the Commission relied on a diversity of relevant sources, including from Member States, country visits, and stakeholders' contributions collected through a targeted stakeholder consultation[1]. The information provided has informed the Member State-specific assessments of the Commission in preparing the Report. Building on the positive experience from the first Rule of Law Report, the Commission is inviting stakeholders to provide written contributions for the preparation of the 2021 Rule of Law Report through this targeted consultation.

The contributions should cover in particular (1) feedback and developments with regard to the points raised in the country chapters of the 2020 Rule of Law Report and (2) any other significant developments since January 2020[2] falling under the 'type of information' outlined in next section. This would also include significant rule of law developments in relation to the COVID-19 pandemic falling under the scope of the four pillars covered by the report.

The input should be short and concise, if possible in English, and summarise information related to one or more of the areas referred to in the template. You are invited to focus on the areas that relate to the scope of work and expertise of your organisation. Existing reports, statements, legislation or other documents may be referenced with a link (no need to provide the full text). Stakeholders are encouraged to make references to any contributions already provided in a different context or to Reports and documents already published.

Contributions should focus on significant developments both as regards the legal framework and its implementation in practice.

Please provide your contribution by 8 March. Should you have any requests for clarifications, you can contact the Commission at the following email address: rule-of-law-network@ec.europa.eu.

[1] https://ec.europa.eu/info/publications/2020-rule-law-report-targeted-stakeholder-consultation_en

[2] Unless the information was already submitted in the consultation for the 2020 Rule of Law Report.

Type of information

The topics are structured according to four pillars: I. Justice system; II. Anti-corruption framework; III. Media pluralism; and IV. Other institutional issues related to checks and balances. The replies could include aspects set out below under each pillar. This can include challenges, current work streams, positive developments and best practices:

Legislative developments

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

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

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 and nominations for high-level positions (e.g. Supreme Court, Constitutional Court, Council for the Judiciary, heads of independent authorities included in the scope of the request for input[1])

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 include, where relevant, information related to measures taken in the context of the COVID-19 pandemic under the relevant topics.

If there are no changes, it is sufficient to indicate this and the information covered in the 2020 Rule of Law Report should not be repeated.

[1] Such as: media regulatory authorities and bodies, national human rights institutions, equality bodies, ombudsman institutions and supreme audit institutions.

About you

* I am giving my contribution as

Public authority or network of public authorities

* Organisation name

250 character(s) maximum

General Council for the Judiciary (CGPJ)

* Main Areas of Work

- ☒ Justice System
- ☐ Anti-corruption
- ☐ Media Pluralism
- ☐ Other

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

500 character(s) maximum

www.poderjudicial.es

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 add the country of origin of your organisation

Spain

* First Name

Nuria

* Surname

Díaz Abad

* Email Address of the organisation (this information will not be published)

nuria.diaz@cgpj.es

* 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](#).

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

[overview_topics_for_contribution.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

Questions on developments in Member States

The following four pillars are sub-divided into topics and sub-topics. You are invited to provide concrete information on significant developments, focusing primarily on developments since January 2020, for each of the sub-topics which are relevant for your work. Please feel free to provide a link to and reference relevant legislation/documents. Significant developments can include challenges, positive developments and best practices, covering both legislative developments or implementation and practices (as outlined under "type of information").

If there are developments you consider relevant under each of the four pillars that are not mentioned in the sub-topics, please add them under the section "other - please specify". Only significant developments should be covered.

Please note that, due to the size of the questionnaire, certain elements may be slow to load, especially if selecting many Member States at once. In such cases, it is recommended to wait a few minutes to let the page load correctly.

Member States covered in contribution [several choices possible]

Please select all Member States for which you wish to contribute information. For each Member State, a separate template for providing information will open. This may take several minutes to fully load.

- ☐ 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

Justice System - Spain

Independence

Appointment and selection of judges, prosecutors and court presidents

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

3000 character(s) maximum

The first appointment and selection of judges is done on the basis of merit and capacity after a public competition open to law graduates which then follow a period of training at the Judicial School. In 2020, due to the pandemic, the competition process was interrupted from 13th March to 6th July. From the 300 posts offered, 284 were covered (168 by judges and 132 by prosecutors).

The appointment of certain high ranked positions (presidents of Regional Courts, Provincial Courts, National Court and presidents of Chamber of Regional Courts, of the National Court and of the Supreme Court), as well as the appointment of Supreme Court Justices are discretionary acts, adopted on the basis of merit and capacity, subject to judicial review before the Supreme Court. During 2020 4 court presidents (2 of Regional Courts and 2 of Provincial Courts) and 3 Justices of the Supreme Court were appointed by the Plenary. Besides the Plenary appointed 3 Presidents of chambers of the Supreme Court, 1 president of chamber of the National Court and 7 presidents of chamber of regional Courts).

In 2019, due to a legal reform, the CGPJ adopted new internal rules to develop the criteria on which these appointments should be done. A recent judgement of the Supreme Court (judgement 183/2021, of the 11 February) declared that these rules respect the law.

According to a survey conducted by the CGPJ in 2020 and available on our website (<https://www.poderjudicial.es/cgpj/es/Temas/Transparencia/Buen-Gobierno--Codigo-etico-y-Comision-de-Etica-Judicial/Encuestas-de-satisfaccion/Encuesta-realizada-por-Metroscopia-a-la-Carrera-Judicial--Octubre-2020>), judges consider that the appointments done by the CGPJ merit a qualification of 4,1 out of 10. Nevertheless it has to be considered that the appointment of judges to higher ranked posts is always a problematic issue. In the last years the CGPJ has deepened in the transparency of the procedure by publishing on its website the curricula vitae of the candidates and the video with the interview. Those interviews are also web-streamed. The CGPJ has also done an effort in the reasoning of the decision to appoint a judge. Besides, none of the appointments made in 2020 has been challenged before the Supreme Court and the above mentioned survey reflects that 99% of the judges feel totally independent in the performance of their duties. It has to be highlighted that during 2020 the appointment of judges to higher ranked positions as well as the appointment of Supreme Court Justices was slowed down due to the idea that the renewal of the CGPJ was imminent and also due to the situation caused by the pandemic.

Irremovability of judges; including transfers, dismissal and retirement regime of judges, court presidents and prosecutors

3000 character(s) maximum

Judges cannot be transferred against their will, except in case of disciplinary sanction. No disciplinary sanction including transfer of a judge has been adopted in 2020.

The age of retirement of judges can be extended on a voluntary basis to the age of 72. In 2020 39 judges decided to extend their age of retirement.

The CGPJ, within the scope of its powers, ensures social protection and, in particular, professional health and safety, of the members of the judicial career. In this regard, it has approved both an Occupational Risk Prevention Plan, which, among other situations, allows the adaptation of the job for professional health reasons, as well as a Protocol of action against sexual harassment, harassment based on sex, and discriminatory, and against all forms of harassment and violence in the Judicial Career.

Promotion of judges and prosecutors

3000 character(s) maximum

The promotion to higher ranked posts and the promotion to the category of Justice of the Supreme Court have been examined above.

As regards promotion to other positions judges are promoted on the basis of merit and capacity and, to certain posts, also on the basis of specialization.

In 2020 69 have been promoted to the category of magistrates and the CGPJ has conducted 3 internal competitions to cover the vacant posts.

Allocation of cases in courts

3000 character(s) maximum

The system of allocation of cases in Spain is in line with the ENCJ standards (Report on Minimum Judicial Standards IV: Allocation of cases, 2014), since there is an established and publicly available method of allocation of cases in place and the parties to a case are entitled to be informed about the allocation of the case at a time prior to the start of the hearing/consideration of the case.

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

3000 character(s) maximum

As the European Commission's Rule of Law Report 2020 highlights in its Spanish chapter the mandate of the members of the Council for the Judiciary expired in December 2018, but its new members have not yet been appointed. To unblock this situation a proposal was introduced in Parliament on the 13th October 2020 by the two parliamentary groups supporting the Spanish Government aiming at changing the system of appointment of the judicial members of the Council (in order to allow their election by absolute majority, if the 3/5 majority is not reached in the first round) and at restricting the powers of the Council in an interim situation (eliminating its competence to promote judges to certain positions and to nominate Justices of the Supreme Court and of the Constitutional Court). The current law foresees that the Council remains fully functional until the new one is elected and that the only election that is not possible for a Council exercising its powers ad interim is to elect a new President of the Council.

This proposal was strongly contested by the judges associations, the European Commission and the GRECO. As a result on the 2nd December 2020 a new proposal was introduced in Parliament by the same parliamentary groups, deleting the part that referred to the majorities for the election of the judicial members of the Council and keeping the limitation of the functions of the Council acting ad interim.

It has to be underlined that, since the reform was introduced by parliamentary groups and not by the Government (only in this case the law demands the opinion of the Council), it was not submitted to the Council for its opinion, and that, although the Council has asked the Parliament twice to do so, the Parliament refused, what is in breach of the European standards (opinion CCJE n° 10, paragraph 87 and ENCJ report 2010-2011 on Councils for the Judiciary).

Accountability of judges and prosecutors, including disciplinary regime and bodies and ethical rules, judicial immunity and criminal liability of judges

3000 character(s) maximum

In 2020 28 disciplinary proceedings were initiated and 23 were concluded.

Regarding ethical rules the Commission on Judicial Ethics was partially renewed in 2020. During this year it delivered 8 opinions.

Although usually the President presents the annual reporting of the CGPJ to the Parliament, in 2020, probably due to the pandemic, this presentation did not take place.

Remuneration/bonuses for judges and prosecutors

3000 character(s) maximum

Since 2018, according to Regulation 2/2018, a new remuneration system for judges is in place to remunerate extra efforts done in the performance of their duties. As an average these bonuses can represent a maximum of 5% of the salary of the judges and are paid, as the salary itself, by the Ministry of Justice. Nevertheless the budget foreseen for this purpose by the Ministry of Justice only represents 2.5% of this salary.

Independence/autonomy of the prosecution service

3000 character(s) maximum

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

3000 character(s) maximum

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

3000 character(s) maximum

According to the Flash Eurobarometer 483 (2020) on perceived independence of the national justice systems in the EU among the general public, compared to 2019, opinion about the independence of courts and judges has become more positive in Spain (+7 percentage points).

Quality of justice

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

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

3000 character(s) maximum

Due to an agreement between the CGPJ and the foundation "Plena Inclusión" judgements affecting people with mental disabilities are being translated into "easy reading" language. Since 2020 the Center for Judicial Documentation (CENDOJ) publishes this version of the judgements on its data base

Resources of the judiciary (human/financial/material)

Material resources refer e.g. to court buildings and other facilities.

3000 character(s) maximum

In Spain the CGPJ assumes the powers relating to the self-governance of the judiciary, whereas competences in the field of the Administration of Justice, that is which comprise the organization and delivery of the public service of justice, meaning the organization and governance of the elements that are intrinsically related and aimed at ensuring the exercise of the judicial function (court buildings, IT systems, staff, etc.), are shared between the Ministry of Justice and 12 out of the 17 Autonomous Communities. During the pandemic crisis the CGPJ, the Ministry of Justice and the Autonomous Communities competent in this field coordinated their measures.

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

3000 character(s) maximum

Initial training of judges takes place in the Judicial School in Barcelona, whereas continuous training is offered to all acting judges. In 2020 232 activities took place in which 1949 judges participated. Regarding training on the Rule of Law Spanish judges participate regularly in the activities organize on this subject by EJTN.

In 2020 the CGPJ approved an extraordinary plan for training judges in issues linked to the pandemic, with the aim to increase the efficiency of courts, improve the quality of the judicial answer to the crisis, help to unify criteria and allow a training plan online.

Digitalisation (e.g. use of digital technology, particularly electronic communication tools, within the justice system and with court users, including resilience of justice systems in COVID-19 pandemic)

(Factual information presented in Commission Staff Working Document of 2 December 2020, SWD(2020) 540 final, does not need to be repeated)

3000 character(s) maximum

In April 2020 and in order to immediately address the consequences of the pandemic on the administration of justice, by means of Royal Decree-Law 16/2020, procedural and organizational measures to deal with Covid-19, new organizational and technological measures were adopted.

Thus, the holding of procedural acts was established preferably by means of the telematic presence of the interveners in order to ensure the protection of human health and minimize the risk of contagion. However, in the criminal court order, the conduct of trials preferably by telematics was exempted in cases of proceedings for serious crimes, in which the physical presence of the accused is necessary.

The CGPJ prepared a guide for the conduct of telematics proceedings stating that, following Royal Decree-Law 16/2020, there was a provision that telematics would be the preferred way of conducting court proceedings for a certain period of time, including the one subject to a state of alarm and the following three months. It was a question of responding to the most immediate needs in this area and by the time the suspension and interruption of procedural terms and time limits were raised. The aim was also to provide guidance on how to act in the event that the health alert situation had to be replicated later, which would enable the situation, at the judicial level, to be addressed in a much more proactive and effective manner than it had been possible at the outset in view of the bewilderment and the restrictive measures taken to combat the effects of the pandemic.

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

3000 character(s) maximum

Geographical distribution and number of courts/jurisdictions ("judicial map") and their specialization

3000 character(s) maximum

Taking into account that the effects of the pandemic will have an impact on the judicial system, especially increasing the work in the labor and commercial courts, those areas were reinforced and the CGPJ worked on the specialization of judges in these fields.

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 "type of information".)

Length of proceedings

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

Anti-Corruption Framework - Spain

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

List of relevant authorities (e.g. national agencies, bodies) in charge of prevention detection, investigation and prosecution of corruption. Please indicate the resources allocated to these (the human, financial, legal, and practical resources as relevant).

3000 character(s) maximum

Prevention

Integrity framework including incompatibility rules (e.g.: revolving doors)

3000 character(s) maximum

General transparency of public decision-making (including public access to information such as lobbying, asset disclosure rules and transparency of political party financing)

3000 character(s) maximum

Rules on preventing conflict of interests in the public sector.

3000 character(s) maximum

Measures in place to ensure whistleblower protection and encourage reporting of corruption.

3000 character(s) maximum

List the sectors with high-risks of corruption in your Member State and relevant measures taken/envisaged for preventing corruption and conflict of interest in these sectors. (e.g. public procurement, healthcare, other).

3000 character(s) maximum

Measures taken to address corruption risks in the context of the COVID-19 pandemic

3000 character(s) maximum

Any other relevant measures to prevent corruption in public and private sector.

3000 character(s) maximum

Repressive measures

Criminalisation of corruption and related offences.

3000 character(s) maximum

Data on investigation and application of sanctions for corruption offences (including for legal persons and high level and complex corruption cases) and their transparency, including as regards the implementation of EU funds

Since 2017 the CGPJ has a database, publicly accessible on its website (<https://www.poderjudicial.es/cgpj/es/Temas/Transparencia/Repositorio-de-datos-sobre-procesos-por-corrupcion/>) in which information is published on criminal offences linked to corruption. The indicators used (accused persons, proceedings, judgements etc.) are updated every 3 months. In 2020

The CGPJ also has a special unit to detect and evaluate the problems judges face in corruption cases and to forward the necessary proposal to contribute to an adequate and diligent response to solve these cases. In 2020 this unit has intervened in 28 cases.

Data on investigation and application of sanctions for corruption offences (including for legal persons and high level and complex corruption cases) and their transparency, including as regards the implementation of EU funds

3000 character(s) maximum

Potential obstacles to investigation and prosecution of high-level and complex corruption cases(e.g. political immunity regulation).

3000 character(s) maximum

Other – please specify

3000 character(s) maximum

Media Pluralism - Spain

Media authorities and bodies

(Cf. Article 30 of Directive 2018/1808)

Independence, enforcement powers and adequacy of resources of media regulatory authorities and bodies.

3000 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

3000 character(s) maximum

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

3000 character(s) maximum

Transparency of media ownership and government interference

The transparent allocation of state advertising (including any rules regulating the matter); other safeguards against state / political interference

3000 character(s) maximum

Rules governing transparency of media ownership and public availability of media ownership information

3000 character(s) maximum

Framework for journalists' protection

Rules and practices guaranteeing journalist's independence and safety

3000 character(s) maximum

Law enforcement capacity to ensure journalists' safety and to investigate attacks on journalists

3000 character(s) maximum

Access to information and public documents

3000 character(s) maximum

Lawsuits against journalists (incl. defamation)

3000 character(s) maximum

Other - please specify

3000 character(s) maximum

Other institutional issues related to checks and balances - Spain

The process for preparing and enacting laws

Framework, policy and use of impact assessments, stakeholders'/public consultations (particularly consultation of judiciary on judicial reforms) and transparency and quality of the legislative process

3000 character(s) maximum

In the last months the relations between the Council for the Judiciary and the Parliament have gone through serious disagreements. In an extraordinary plenary session held on the 28th October 2020 to examine the first proposal of a legal reform to change the system of appointment of the judicial members of the Council and to restricting the powers of the Council in an interim situation, the Council expressed its concerns and reminded that any reform of the law regulating the Judicial Power should be in conformity with the

Constitution and the European Union Law, recalling that the renewal of the Council should take place as soon as possible. This statement was contested by three of the members of the 21 members of the Council that in a dissenting opinion expressed their view that there was no legal basis to do this statement and considered it inconvenient and inappropriate.

On the 17th December 2020 the Council decided to urge the Parliament to request its opinion on the legal reform, the opinion of the Venice Commission and of all the stakeholders in the field of justice, including judicial associations and procurators' associations, and to notify this agreement to the ENCJ. Here again five members of the Council submitted a dissenting opinion since they considered that the Parliament is not obliged to request the opinion of the Council in this case.

On the 13th January 2021 the Parliament rejected this request. Last 21st January 2021 the Plenary regretted that this request was not attended, without giving any reasons, and urged again the Parliament to submit the draft piece of legislation to its opinion. Again five members of the Council submitted a dissenting opinion, considering that the new request to the Parliament was in breach of the separation of powers.

On the 3rd February 2021 the Parliament explained that it is not compulsory in this case to search for an opinion of the Council and that it has been decided to follow an urgent procedure.

All the decisions of the Plenary of the CGPJ and the dissenting opinions can be consulted on our website (<https://www.poderjudicial.es/cgpj/es/Temas/Transparencia/Actividad-del-CGPJ/Acuerdos/Acuerdos-del-Pleno/>)

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)

3000 character(s) maximum

Regime for constitutional review of laws.

3000 character(s) maximum

COVID-19: provide update on significant developments with regard to emergency regimes in the context of the COVID-19 pandemic

- judicial review (including constitutional review) of emergency regimes and measures in the context of COVID-19 pandemic
- oversight by Parliament of emergency regimes and measures in the context of COVID-19 pandemic
- measures taken to ensure the continued activity of Parliament (including possible best practices)

3000 character(s) maximum

There has been no challenge to the judicial independence in Spain during the Covid-19 pandemic. Throughout the crisis the Spanish General Council for the Judiciary has cooperated effectively and in coordination with the other State powers in order to take the necessary measures within the framework of their respective competences and, although no formal consultation was made as regards the urgent declaration of the state of alarm by Royal Decree 463/2020, the essential services for guaranteeing judicial activity were agreed by the Ministry of Justice, the General Council for the Judiciary and the Attorney General's Office.

During the first wave of the pandemic (14th March to 21st June 2020) all terms were suspended and time limits provided for in the procedural laws for all jurisdictional orders were suspended and discontinued. The

Spanish Administration of Justice suffered a significant slowdown and it was therefore necessary to adopt measures in the field of the Administration of Justice, which aimed, inter alia, to seek an agile exit to the accumulation of the procedures suspended by the declaration of the state of alarm when the suspension that had been decreed with the alarm state were lifted and to anticipate the increased litigation as a result of the extraordinary measures taken and the economic situation itself arising from the health crisis. Therefore procedural legal rules were adopted in order to reactivate judicial activity and recover for citizens the essential public service of the Administration of Justice and to establish the preferential treatment of certain procedures in the social, civil and contentious-administrative order directly arising from the health crisis by Covid-19.

It has to be pointed out that the existing remedies in law against excessive powers of Government were not restricted and that the measures taken at all times were aimed at ensuring the rule of law, protecting it in situations of extreme difficulty by organizing the regular functioning of courts.

Independent authorities

Independence, 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#>

3000 character(s) maximum

Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and judicial review (incl. scope, suspensive effect)

3000 character(s) maximum

The existing remedies in law against excessive powers of Government were not restricted during the pandemic. Therefore the legal guarantees provided by law could be used to challenge the decisions adopted by the Government and the administrative authorities.

In this regard the Constitutional Court examined in the order 40/2020, de 30th April (ECLI:ES:TC:2020:40A) a claim against a decision not to authorize a demonstration during the state of alarm or the Supreme Court judged on the sufficiency of the measures adopted to protect the health of sanitary workers (judgement of 8th October 2020, ECLI:ES:TE:2020:3024).

To facilitate the access to judgments related to the measures adopted to fight the pandemic the CGPJ opened a page in its website for consultation by general public <http://www.poderjudicial.es/search/tema/Real%20Decreto%20alarma%20sanitaria%20Covid-19/11/AN>

Implementation by the public administration and State institutions of final court decisions

3000 character(s) maximum

The enabling framework for civil society

Measures regarding the framework for civil society organisations (e.g. access to funding, registration rules, measures capable of affecting the public perception of civil society organisations, etc.)

3000 character(s) maximum

Initiatives to foster a rule of law culture

Measures to foster a rule of law culture (e.g. debates in national parliaments on the rule of law, public information campaigns on rule of law issues, etc.)

3000 character(s) maximum

The CGPJ has been collaborating with the EJTN in the seminars for judges on the Rule of Law.

Other – please specify

3000 character(s) maximum

Contact

rule-of-law-network@ec.europa.eu