

2026 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, six 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 2026 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 2026 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) developments and measures taken in relation to the recommendations in the 2025 report,**
- (2) developments related to topics covered in the 2025 country chapters, as well as any other new developments related to the rule of law.**

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.

This questionnaire also integrates the separate questionnaire on the single market from last year. In addition to these specific questions, respondents to the questionnaire are invited to consider the Single Market dimension, including any relevant cross-border issues, in all their answers.

Where questions of particular relevance under the single market dimension, this is indicated before the relevant question.

[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 and enforcement 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.

Where relevant, please also indicate whether the developments reported are linked to the implementation of reforms and investments under the national Recovery Resilience Plan. 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.

* 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

Asociación Profesional de la Magistratura

Main Areas of Work

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

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

500 character(s) maximum

<https://magistratura.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

REG 5117061100275-17

* 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

Surname

Email Address of the organisation

apm@magistratura.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 as we will not be able to guarantee anonymisation of these elements.**
- ☒ 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 2026 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 for contribution.docx](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

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 2025 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2025 Rule of Law Report and any other significant developments since January 2025 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 2025 Report regarding the justice system (if applicable)

5000 character(s) maximum

Spain has partially followed up on the recommendations:

1.- About the strengthen the status of the Attorney Generalhas put in place the pertinent legal reform (which the Commission has assessed positively), but since it has not yet been applied, it cannot be considered completely implemented in practice and, in some respects, the reform is a cosmetic operation that will not reinforce the autonomy of the prosecution service.

2.- About the process of adapting the procedure for appointing the judicial members of the General Council of the Judiciary, the recommendation has not been met, as there is no legislative initiative demonstrating an intention to address the issue, and there seems to be no political will to adjust the appointment of judicial members in accordance with European standards (which advocate a decisive involvement of judges themselves in the election of their governing body).

3.- About the efforts to address the challenges in the length of investigations and prosecutions in order to increase efficiency in handling high-level corruption cases, has promoted legal reforms to address the chronic slowness of these cases, but by the close of 2025 the main reform (the Code of Criminal Procedure) had not been concluded, nor had the efforts translated into an effective reduction of timelines in major corruption cases. Additionally, no financial resources have been provided for the creation of judicial positions dedicated to investigating criminal cases. Therefore, full implementation of ongoing initiatives and sufficient funding will be necessary to consider this recommendation fully addressed.

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

The Parliament passed Organic Law 1/2025, which in its final provision 33 mandated the Government to present a reform to convert substitute judges and magistrates into career judges through an entry system not centered on merit, ability or equality. Judicial associations have expressed misgivings about said reform of substitute judges, fearing it could be used to introduce candidates with political ties outside the rigorous examination system currently in place. In general, the ordinary procedure for entry into the judicial and prosecutorial career has not changed (it remains based on merit and ability through competitive examination and training at the Judicial School), so no other significant changes are observed in the selection of judges, prosecutors or court presidents during 2025.

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 developments in the last year

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

In the prosecutorial career, a worrying trend of discretionary promotions by the Attorney General's Office continues. Since 2018, a decline in the appearance of impartiality has been observed in some appointments of prosecutors: for example, the former Attorney General (Dolores Delgado) was promoted in 2022 to the highest category and appointed as a Supreme Court Prosecutor despite not being the top-ranked candidate; this decision was later annulled by the Supreme Court for abuse of power. Of the 14 prosecutors promoted to the highest rank in the last five years, 12 belonged to the Progressive Union of Prosecutors, which suggests ideological favoritism in these promotions. These practices, which the Attorney General can carry out after hearing the Prosecutorial Council (whose opinion is not binding), have drawn judicial reproaches and sow doubts about the objectivity of internal promotions within the Public Prosecution Service.

Allocation of cases in courts

5000 character(s) maximum

No developments in the last year

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

Despite the renewal of the General Council of the Judiciary (CGPJ), the method of selecting the members of the CGPJ has not yet changed: they continue to be appointed in their entirety by the Cortes Generales, which has been repeatedly questioned by European bodies due to potential politicization. Although the CGPJ has already submitted a proposal to modify this system, by the close of 2025 no legislative reform had materialized to allow the judiciary itself to directly elect some of its members, so Spain still does not fully comply with European recommendations in this area.

Additionally, concern has been generated by certain provisions of the new Law on Organizational Efficiency of Justice (approved at the end of 2024), which create a "Commission for the Quality of the Justice Service" between the central and regional governments. Some judicial sectors warned that this body could encroach upon internal governance powers of the Judiciary that the Constitution reserves for the CGPJ. Although its main function will be to produce an annual report with quality standards and common objectives, there is a fear that such a commission – in which judicial associations do not participate – could in the future undermine the autonomy of the CGPJ or the governing boards of the higher courts, areas traditionally free from executive interference.

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

In the context of the negotiations for the Prime Minister's investiture in late 2023, measures were agreed that have caused serious concern in the judiciary regarding judicial accountability. In particular, commitments were made to investigate and assign blame for alleged "lawfare" to magistrates who were involved in proceedings against pro-independence political leaders, even envisaging their appearance before regional or national parliamentary committees to explain their motives and legal reasoning. This initiative, linked to the adoption of an Amnesty Law in 2023 (see below), effectively introduces a sort of "political accountability" for judicial decisions, which compromises judicial independence and violates the principle of separation of powers. On the other hand, the new Organic Law 10/2023 of 8 November on organizational efficiency measures (mentioned above) reformed the Organic Law on the Judiciary (LOPJ) by creating a state commission and regional commissions for Justice Quality. The General Council of the Judiciary has warned that the new functions attributed to these commissions (e.g. evaluating court efficiency, setting common quality standards and drafting annual reports) could collide with the Judiciary's exclusive internal governance competences and result in indirect executive control over judicial activity. This raises doubts as to whether, in practice, governmental interference in overseeing the performance of judges and courts is being expanded beyond the ordinary disciplinary channels already established. The legal community views these measures with concern, considering that they weaken traditional safeguards (internal judicial inspection, the principle that judges are liable only for willful misconduct or gross negligence, etc.) that ensure judges are held to account only within the framework of the rule of law and not under political pressure.

Independence/autonomy of the prosecution service

5000 character(s) maximum

On positive developments, the Supreme Court's Administrative Chamber continues to exercise effective oversight over the discretionary acts of the Attorney General, providing an institutional counterbalance. In 2023–2025 it annulled several discretionary appointments of chief prosecutors made by the Attorney General's Office, considering them arbitrary or tainted by abuse of power. This judicial oversight of discretion at the top of the Prosecution Service is a positive element that reinforces the institution's legality and neutrality.

On negative developments since 1/1/2025, serious doubts persist regarding the autonomy of the Prosecution Service from the Executive. In 2025, the image of independence of the Prosecution Service continued to deteriorate: the Attorney General himself was convicted by the Supreme Court of the crime of breach of secrecy, an event that gravely undermined the institution's credibility. Likewise, an excessive closeness has been perceived between the actions of the Attorney General and the discourse of members of the Government, which fuels the impression of political alignment of the Prosecution Service. This context, together with the lack of changes in the mechanism for appointing the Attorney General (who is appointed and dismissed freely by the Government), sustained criticism about the Prosecution Service's insufficient autonomy from political power. It should be recalled that the law prevents the Executive from issuing orders to prosecutors in specific cases, but the overlap of the Attorney General's term with that of the Government and the absence of a real separation of their tenures (a matter pending reform – see Recommendation 1 below) remain negative factors in the perceived independence of the Prosecution Service.

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

5000 character(s) maximum

No developments in the last year

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

5000 character(s) maximum

Positive developments since 1.1.2025: No clearly positive developments have been observed in this area; on the contrary, the public debate about justice in 2025 has been marked by tensions. As a minor positive note, it is worth mentioning that European institutions (including the European Commission) have paid attention to this issue, underscoring in their reports the importance of all authorities (including political ones) contributing to preserving public trust in judicial independence. This external wake-up call could raise awareness among national actors.

Negative developments since 1.1.2025: The perceived independence of the Spanish judiciary was negatively impacted by various events in 2025. In particular, several members of the Government and political leaders openly disparaged judicial actions that affected them, presenting those actions as maneuvers of political persecution. For example, members of the Executive attributed criminal investigations involving close associates of the Prime Minister (his wife, investigated for alleged influence peddling, and his brother, investigated for alleged labor irregularities, among other cases) to a supposed collusion between judges and the opposition, labeling those proceedings as “political instrumentalization.” These statements – implicitly accusing judges of acting with political bias – seriously erode public confidence in judicial impartiality. Likewise, the adoption of the controversial Amnesty Law in late 2023 (which extinguished criminal actions against pro-independence politicians involved in the *procés* (Catalan independence process)) was met with almost unanimous rejection by the legal community, creating in society the impression that the action of justice can be neutralized by political deals. Throughout 2025, accusations of “lawfare” became frequent – by certain political spokespeople – to discredit judicial decisions, which undermines the democratic legitimacy of judges. Another disquieting phenomenon has been a series of personal and public attacks against judges investigating sensitive cases: in May 2025, after summoning the Prime Minister’s wife to testify, the investigating judge Juan Carlos Peinado was subjected to numerous disparagements and pressures from high places (ministers asserting that the investigation “should be shelved” and calling it a “cruel and inhuman persecution,” labeling the inquiry “botched” or a “textbook case of nullity,” etc.). These statements, coming even from members of the Council of Ministers and parliamentary spokespeople, constitute systematic harassment of the Judiciary that has become increasingly common, according to judges’ associations. Although criticism of rulings is legitimate in a democracy, the line has been crossed into an erosion of institutional respect, even reaching veiled threats on social networks. In summary, during 2025 the public perception of judicial independence deteriorated due to the climate of political confrontation surrounding judges’ decisions in corruption cases and the Catalan territorial challenge.

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)

[single market relevance] Accessibility of courts (e.g. court/legal fees, legal aid, language)

5000 character(s) maximum

No developments in the last year

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 material and human resources of the justice system remain insufficient. The annual intake of new judges continues to be below recommended levels: in 2024 and 2025 only 120 positions were advertised each year, whereas the CGPJ estimates at least 350 per year would be needed to sustain the judicial workforce. This lack of investment has led to a state of collapse in the justice system, with a 12.2% increase in incoming cases in 2023 compared to the previous year, far exceeding the capacity for resolution despite the effort of judges (who issued 19.6% more judgments that year).

Moreover, the pay agreement reached in 2023 has not been fully implemented: the Government still owes judges and prosecutors part of the agreed improvements (for example, the portions corresponding to the extra salary payments of July and December 2023 and 2024). To date, the productivity bonus awarded by the Supreme Court for the years 2020–2022 has also not been paid to the judicial profession, forcing many judges to claim it in court. Additionally, on-call duty allowances remain token amounts, around €0.60 per hour in some cases, a derisory remuneration. In summary, during 2025 there was no real improvement in the justice system's resources: the lack of investment in new courts and personnel continues, and the promised salary improvements have not been fully realized.

[single market relevance] Training of justice professionals (including judges, prosecutors, lawyers, court staff, clerks/trainees)

5000 character(s) maximum

No developments in the last year

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 digital modernization of the Justice Administration is progressing without input from judges or legal practitioners. As a result, the introduction of new technologies is being carried out without adjustment to judges' needs in court: in practice, certain software applications constitute a burden or slow down judicial work instead of facilitating it, due to design or implementation flaws that do not reflect daily realities in the courts.

The fragmentation of judicial IT systems continues: the different case management platforms used in the Autonomous Communities (LexNET, Avantius, Minerva, etc.) are not fully interoperable with each other, complicating electronic communication between courts in different regions. This lack of compatibility can entail risks, for example in the protection of victims of gender-based violence or minors, if information does not flow promptly between jurisdictions.

There is still no implementation of artificial intelligence tools that significantly support judicial work.

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

No developments in the last year

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 closures or reductions of judicial bodies in 2025, although the aforementioned lack of creation of new courts exacerbates overload in certain jurisdictions. With regard to specialization, Spain already has specialized units in areas such as economic crime and corruption (for example, specialized sections within Provincial Courts or the National Court), and this setup has remained unchanged. The pending “judicial map reform” (which could entail a redistribution of competences or territorial jurisdictions) saw no progress in 2025. The restructuring of courts into Tribunales de Instancia (first instance courts) is a reorganization without financial investment that could hinder the investigation and prosecution of crimes. The new judicial organization grants greater powers to the Court Clerks (Letrados de la Administración de Justicia), officials who depend on the Ministry of Justice.

[single market relevance] Specialisation (of judges/specific courts/chambers within courts) and training for the judiciary to deal with commercial cases, as well as alternative dispute resolution mechanisms and mediation as regards commercial cases.

5000 character(s) maximum

Organic Law 10/2023 of 8 November on procedural efficiency measures in the public justice service introduced new dispute-resolution measures in 2025 that require a prior mediation appearance and that – without prejudice to future developments – are not proving to reduce litigation but only to delay it, causing undue delays in access to justice and hindering the full enjoyment of the right to effective judicial protection.

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 in the introduction)

[single market relevance] Developments related to efforts to improve the efficiency of the justice system (e.g. as regards length of proceedings, to address backlogs)

5000 character(s) maximum

Positive developments since 1.1.2025: At the end of 2024, an important reform aimed at streamlining proceedings was adopted: Organic Law 10/2023 of 8 November on procedural efficiency measures in the

public justice service (published in January 2025). This law introduces multiple tools to try to expedite court proceedings, such as strengthening out-of-court dispute resolution (promoting conciliation, mediation and arbitration), the figure of “pilot proceedings” to collectively resolve repetitive civil claims, and concentrating the enforcement of criminal judgments in a single court per province to gain efficiency.

Negative developments since 1.1.2025: Despite legislative efforts, procedural times remain unsatisfactory in several jurisdictions. The lack of involvement of judges or legal practitioners in these reforms means that often these reforms, far from making the system more efficient, actually cause delays.

The Supreme Court continues to suffer considerable delays: the duration of some cassation appeals is still extending over several years, which the European Commission highlights as a challenge yet to be resolved. The new Procedural Efficiency Law is not proving effective in reducing litigation or speeding up proceedings.

Backlogs continue to pile up in jurisdictions such as labor (employment) and administrative courts, areas where no new bodies were created in 2025. In summary, although the legislative measures were intended as a positive step, in practice during 2025 there was no noticeable reduction in the duration of proceedings or the overall backlog; the general perception is that the efficiency of the Spanish judicial system has not improved significantly in the last year and that important bottlenecks persist.

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 2025 Report regarding the anti-corruption framework (if applicable):

5000 character(s) maximum

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/specialised 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

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

5000 character(s) maximum

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 in particular as regards high-level officials (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 if available to you**, 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

[single market relevance] 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, investor residence schemes, large-scale investments of national interest and the spending of EU funds, urban planning.*
- *In particular, measures to mitigate high risks of corruption in the area of public procurement, such as enhancing transparency and oversight (for example through digital technologies) and promoting fair competition and accountability in public procurement (e.g. targeted actions to address the high share of single bids) and measures to guarantee the effective and independent functioning of the public procurement review bodies.*

5000 character(s) maximum

[single market relevance] Measures for the prevention of corruption in relation to the issuing of official permits (e.g. related to environment, energy, service provision and various types of construction)

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

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 2025 Report regarding media pluralism and media freedom (if applicable)

5000 character(s) maximum

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

[single market relevance] 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

- **[single market relevance]** 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

[single market relevance] 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 2025 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

A. The process for preparing, enacting and implementing laws

[single market relevance] Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'*/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 in the preparatory, the parliamentary and implementation phase (including guidance on how to implement legislation)

* This includes also the consultation of social partners

5000 character(s) maximum

The trend already present in previous years of resorting to fast-track legislative avenues to the detriment of the ordinary process with checks has been confirmed. It is increasingly common to use instruments such as the decree-law (urgent legislation adopted by the Government and then ratified by Parliament) or bills originating in Parliament (initiatives presented directly by political groups) to enact laws, thus bypassing the mandatory consultation procedures for government draft bills. This intensive use of urgent legislation means that around half of recent laws have been processed under expedited procedures, according to the Council of State, thereby avoiding the request for opinions from consultative bodies like the CGPJ or the Council of State in many

cases. In addition, the bad practice persists of introducing last-minute amendments or provisions during parliamentary proceedings that have no relation to the initial object of the law, resulting in substantive legislative changes being approved without public debate or adequate prior notice. This *modus operandi* diminishes the transparency and quality of the legislative process, and has drawn criticism from the opposition and jurists, who consider that it weakens checks and citizen participation in lawmaking, and renders the role of the Cortes Generales as the legislature meaningless.

[single market relevance] 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

The heavy use of fast-track approval procedures has become entrenched. According to 2023 data, approximately 50% of the regulatory provisions reviewed by the Council of State were processed via urgency. In 2025 this practice continued at a similar rate. An illustrative example was Royal Decree-Law 6/2023 of 19 December, by which the Government introduced procedural and digital reforms in the Justice Administration under the premise of “extraordinary and urgent necessity” (related to implementation of the Recovery Plan). That RDL contained far-reaching legal changes that, in the view of many observers, did not meet the invoked urgency and should have been processed as an ordinary law with its corresponding consultations and vacatio legis. The proliferation of decree-laws of heterogeneous content and the continual declaration of urgency for draft laws prevent calm parliamentary scrutiny and reduce transparency, potentially affecting legal certainty and the quality of legislation.

[single market relevance] Safeguards to ensure legal certainty, the stability of the legal framework and non-discrimination.

5000 character(s) maximum

Notwithstanding the above, practices that can undermine legal certainty persist. As noted, the acceleration of legal changes via urgency and the introduction of surprise amendments have continued, which can affect the stability and predictability of the regulatory framework. In general, there have been no advances in strengthening the technical quality and coherence of the legal system, and some sectors (for example, the business sector) have warned that the proliferation of decree-laws and sudden regulatory changes increase uncertainty.

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

5000 character(s) maximum

Regime for constitutional review of laws

5000 character(s) maximum

B. Independent authorities

Independence, resources, capacity and powers (including effective access to relevant data) 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

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

5000 character(s) maximum

Positive developments since 1.1.2025: Some administrations have shown cooperation with these independent institutions during this period. For example, the Ministry of the Interior in 2025 implemented several suggestions from the Ombudsman regarding improving conditions in Foreigners Internment Centers (CIE), and the Ministry of Equality initiated training actions for public officials following recommendations from the Equal Treatment Authority in the fight against racial discrimination (once it began operating). Similarly, Parliament has taken into consideration reports from the Court of Auditors: in 2025 the Cortes Generales debated audit reports on political parties and agreed to study reforms to the Political Party Financing Law to address deficiencies noted by the audit body.

Negative developments since 1.1.2025: However, overall, no systematic mechanism has been established for monitoring and implementing these institutions' recommendations. The degree of compliance varies according to the political will of the moment. No substantial change was observed in 2025: many recommendations of the Ombudsman remained not fully addressed (according to the Ombudsman's Annual Report, a significant percentage of his resolutions were still "pending response" or were rejected by the administrations). Nor has any practice been developed of publicly reporting on the implementation rate of the recommendations of the Equal Treatment Authority or the Court of Auditors.

[single market relevance] Safeguards to ensure the effective independence of supervisory and regulatory authorities with a direct impact on economic operators such as national economic oversight, enforcement and competition authorities

C. Accessibility and judicial review of administrative decisions

[single market relevance] Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data) and respect of the good administration principle (including the obligation of the administration to give reasons for decisions)

5000 character(s) maximum

Despite a solid legal framework, the practical application of administrative transparency showed no progress in 2025. The pending reform of Law 19/2013 on Transparency and Good Governance, intended to expand and strengthen the right of access to public information and recommended by the European Commission, remained unrealized – it is still a draft bill with no approval. In practice, the burden of proof to obtain public information continues to fall on the requester, with frequent denials by silence or by restrictive interpretations of exceptions (such as data protection or official secrecy). The Transparency and Good Governance Council still lacks executive power to enforce its resolutions, and in 2025 many of the Council's favorable resolutions resulted in litigation (the Administration often challenged its decisions in court, delaying the release of information). On the other hand, administrative acts are generally accompanied by formal reasoning, but there have been controversial cases: in 2025 the sufficiency of the reasoning for certain government pardons was questioned. However, there were no regulatory changes in this respect.

[single market relevance] 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

[single market relevance] Safeguards (other than judicial review) regarding decisions or inaction of administrative authorities, including remedies (e.g. administrative review)

5000 character(s) maximum

[single market relevance] 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

Positive developments since 1.1.2025: Spanish judges have continued to actively use the preliminary reference mechanism to ensure the uniform interpretation of EU law. In 2025, significant questions were referred, notably those raised by Spanish courts to the CJEU regarding the Amnesty Law, in order to clarify whether certain provisions might contravene European law. This demonstrates the European integration of our courts and their

willingness to engage in the judicial dialogue at the EU level.

Negative developments since 1.1.2025: The Constitutional Court attempted to hinder the submission by the Provincial Court of Seville of a question for a preliminary ruling concerning a judgment of the Constitutional Court, which had acquitted individuals of various political corruption offenses committed by members of the regional government of Andalusia belonging to the Spanish Socialist Workers' Party (PSOE).

[single market relevance] 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

Certain delays persist in the execution of some judgments. In particular, when judgments involve urban planning actions or demolitions of illegal constructions, delays are observed by local or regional administrations, citing technical or budgetary complexities. This did not worsen in 2025, but it remains a traditional weak point. Nor were any new measures adopted to expedite the enforcement of judgments against public entities (for example, there is still no specific sanction regime for authorities who are slow to execute judgments). Regarding supranational judgments, the Committee of Ministers of the Council of Europe noted that Spain still has some actions pending to fully comply with certain ECtHR rulings. However, no deliberate non-compliance with international obligations was recorded in 2025: the delays are due more to administrative inertia.

Oversight, including by courts, of the use of intrusive surveillance software by national authorities

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

Positive developments since 1.1.2025: The importance of the rule of law and judicial independence was at the center of public debate in Spain during 2025, which to some extent heightened public awareness of these values. The controversy around the Amnesty Law and criticism from European bodies led media and social actors to openly discuss separation of powers and checks and balances. For example, the European Parliament included Spain in its debates on the rule of law, and in the Cortes Generales parliamentary questions were posed to the Government regarding compliance with European recommendations, keeping the topic alive. Likewise, the four main judicial associations issued joint statements in defense of judicial independence, and public events were held – such as conferences and manifestos signed by jurists and academics – in favor of respect for the constitutional order. These initiatives, although driven by civil society and professional groups, help foster a legal culture that recognizes the importance of the rule of law. In the educational sphere, in 2025 schools continued to teach the Civic and Ethical Values course (introduced in 2022), which includes content on democratic institutions, the rule of law, and fundamental rights, strengthening young people's education in this area.

Negative developments since 1.1.2025: Despite the above, it cannot be said that there was a specific government program to promote a rule of law culture in 2025. No public information campaigns were launched to educate the general public about the importance of judicial independence or separation of powers. The

debate on the rule of law has been highly politically polarized, which at times distorts the educational message: opposing camps wielded the concept to attack each other (mutual accusations of undermining the rule of law), instead of building a basic consensus in its defense. This may have confused some of the public about the true meaning of these principles. Moreover, certain political decisions (such as the aforementioned Amnesty) were perceived by a part of society as concessions that relativize the force of the law, sending contradictory signals and potentially undermining the culture of legality. Nor was there a specific debate in Parliament on the rule of law, beyond occasional discussions in committees. In summary, although the issue was present in the national conversation, there was a lack of consistent educational effort by the authorities to promote rule of law values in a unifying and non-partisan manner. The task of outreach fell more to judges, jurists and civic organizations, while the Government and Parliament did not initiate new, visible citizen awareness initiatives in this area during 2025.

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

5000 character(s) maximum

One factor that strained institutional checks and balances in 2025 was the political negotiation for the government investiture at the end of 2023, which involved pacts that were questionable in terms of respect for the constitutional order (such as the demand for an Amnesty Law by minority groups in exchange for their parliamentary support). The method of making decisions of such magnitude through opaque agreements between the Executive and small parliamentary forces – without a broad prior public debate – was seen by some sectors as a way to bypass ordinary procedures and contrary to the spirit of democratic transparency. This highlighted the need to improve parliamentary checks: during the passage of the Amnesty Law, for example, a lack of consultation with advisory bodies was noted and a haste that prevented unhurried scrutiny, setting a bad precedent.

Cross-pillar elements: cross-border rule of law issues related to the Single Market

If there are any significant challenges concerning the Single Market you have been facing in a cross-border context relating to any of the four pillars of the report, including for example issues with market access and the conditions for economic activities, that you would like to highlight, please do so here.

Given the cross-cutting nature of this question, it is included as a separate section in the questionnaire. Information collected under this question will however be integrated under the relevant existing pillar(s) of the Report.

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

Contact

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