

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

GENERAL PROSECUTOR'S OFFICE OF THE KINDOM OF SPAIN

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://www.fiscal.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 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

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fge.secretariatecnica@fiscal.es
internacional.fge@fiscal.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

- 1.- The plenary of the CGPJ has unanimously agreed to send to the Government and the Parliament the proposal on the reform of the system for electing members of the judiciary, with two different proposals that are currently being studied.
- 2.-During 2025, the following laws strengthening the rule of law were passed:
 - Organic Law 1/2025 of 2 January on measures to improve the efficiency of the public justice service.
 - Agreement of 17 December 2025 of the plenary session of the General Council of the Judiciary, approving Regulation 1/2025 on the provision of places for discretionary appointments in judicial bodies.

Also, during 2025, the following draft laws were passed:

- Draft Organic Law amending Organic Law 10/1995 of 23 November 1995 on the Criminal Code for the transposition of Directive (EU) 2024/1226 on the definition of offences and penalties for the violation of restrictive measures in the Union, and amending Directive (EU) 2018/1673.
- Draft Organic Law on Criminal Procedure.
- Draft Organic Law amending Organic Law 6/1985 of 1 July 1985 on the Judiciary and Law 50/1981 of 30 December 1981 regulating the Organic Statute of the Public Prosecutor's Office, for the extension and strengthening of judicial and prosecutorial careers.
- Draft Organic Law for the protection of minors in digital environments.
- Draft Law on transparency and integrity of the activities of interest groups.
- Draft Law on collective actions for the protection and defence of the rights and interests of consumers and users.
- Draft Organic Law regulating the right of rectification.
- Preliminary draft of the Organic Law amending Organic Law 6/1985, of 1 July, on the Judiciary, the Law of Criminal Procedure and Law 23/2014, of 20 November, on the mutual recognition of criminal decisions in the European Union and regulating joint investigation teams.
- Draft Law amending Law 50/1981, of 30 December, regulating the EOMF.
- Preliminary draft of the Organic Law regulating the right to secrecy of information professionals and media service providers

2. The trial against the General Prosecutor (GP) continues this year 2025 and finally took place (was celebrated) in November under great media attention, but without the possibility of live broadcast of the trial, as was expected. The Supreme Court (TS) has finally adopted a sentence in this case, with the majority of only five judges in favour of the conviction, against the vote of other two of the magistrates. This sentence has been very controversial and criticised in judicial and legal ambits for several reasons. Firstly, because it is not unanimous and the votes against the conviction are based on a grave violation of the right to defence of the GP, holding that there is insufficient evidence of charge against the accused and that not all the evidence adduced has been assessed. Also, the sentence did not consider the testimony of several journalists and the court even to show their disagreement and feel threatened by such testimonies. Secondly, because out of all logic, the conviction was published on the 20th of November, before having the content of the sentence, since the sentence was not published until 9th of December, in such a way that the facts for which it was condemned could not be known during several weeks. Thirdly, during the short period of deliberation in this trial, only 5 days, several magistrates broken the secrecy of the deliberation to show in public their position against the GP, advancing the conviction. Finally, the Ethics Commission of the General Council of the Judiciary, in assessing the existence of employment and teaching relations with the lawyers represented at the trial, has reported on the possibility that the lack of impartiality of the judges. Moreover, this controversial judgment had a great influence in the medias and in Spanish society. The Spanish media have also published that one of the judges who signed the sentence was, during the very conduct of the trial, the director of the thesis of two lawyers of the charges against the GP. The extraordinary nature of this investigation against the GP and the irregularities during the investigation and even during the public process has generated in the Spanish population the perception of a real influence of politics on the Spanish judicial system, increasing the idea of the lack of independence of TS. The sentence was published on 9th December and condemns the GP, both for the press release (even when before the Supreme Court acknowledged that there was no crime in the press release) and an email leaked to the media, to two years of disqualification, a fine of 7.200 euros and 10.000 euros of compensation. This sentence has been appealed by the Prosecutor and the defence for nullity and violation of fundamental rights of the accused.

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

Spain has begun to follow up the 2025 Rule of Law Report recommendations on independence, focusing on a far-reaching legal reform of judicial and prosecutorial careers and on a new Law on Public Prosecutors (so-called Organic Statute of the Public Prosecution Service, hereinafter EOMF) that incorporates European standards.

From the Public Prosecutors Service standpoint, the key follow-up lies in strengthening guarantees around the Prosecutor General statute, limiting governmental influence, and making appointment and promotion procedures more transparent and merit-based. Namely, a new 2024 law amending the EOMF sets out a prohibition for citizens having been in political office in the last five years from becoming Prosecutor General. This new law stipulates that the Prosecutor General and other members of the Prosecutor's Office must refrain from intervening in cases where they have a personal interest.

During this year 2025, draft law reforming the access to the judicial careers (both judges and prosecutors), has been tabled in Parliament aimed at stepping up resources of the justice system by stabilizing the situation of substitute-judges and prosecutors. Also, this year 2025, in May the Council of Ministers adopted a Preliminary draft law further reforming the EOMF. The aim of the preliminary draft law is to reinforce the independence and autonomy of prosecutors incorporating GRECO and other institutional recommendations on prosecutorial independence and to adapt to their new role as leaders of the criminal investigations in Spain, in line with the planned draft amendment of the Criminal Procedure Code.

The combination of the announced new EOMF and the parallel reform of judicial and prosecutorial careers is presented as the main follow-up track to reduce that discretion, align appointments with merit-based criteria, and respond to the Commission's recommendations from the perspective of the Public Prosecutors Service. The 2025 Preliminary draft bill to reform the EOMF introduces several interesting changes:

- Prosecutor General's mandate will no longer match with that of the Government, and it will be a non-renewable five-year term. In line with 2023 Rule of Law Report 1st Recommendation.
- Communications between the executive and the Prosecutor General will be public, channeled through the Minister of Justice, exclusively written and cannot refer to specific cases (reinforcing transparency). On top of this the legal provision on the possibility of the Prosecutor General being called to the Council of Ministers will be abolished, which directly addresses concerns about informal executive influence.
- The new EOMF is set to transfer key powers from the Ministry of Justice to the Public Prosecutors Service itself in the areas of promotions and disciplinary regime, thereby reinforcing internal autonomy and reducing executive leverage over prosecutorial careers.
- At the same time, the role of the Board of Public Prosecutors (Junta de Fiscales) will be strengthened, including the power to adopt a position different from that of the Prosecutor General by a qualified majority, which from the Service's standpoint creates an internal counterweight in sensitive decisions, including those linked to appointments and policy orientations.
- When the executive wants to dismiss the Prosecutor General for serious or repeated failure to perform his or her duties, it would first need to require the opinion of the CGPJ and also new grounds for the recusal of prosecutors are pointed.

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)

The Spanish Constitution guarantees irremovability of prosecutors, so removal or transfer against their will is possible only on grounds and according to procedures laid down by law, subject to judicial review. Spain's follow-up on this block combines long-standing constitutional guarantees of irremovability with the 2025 organizational and career reforms, plus the forthcoming EOMF, without altering the core protections against arbitrary dismissal or transfer.

The Organic Law 1/2025 (<https://www.boe.es/buscar/act.php?id=BOE-A-2025-76>) reshapes the judicial map by transforming single-judge courts into Courts of Instance but maintains the same number of judges per district and does not introduce ad hoc mechanisms for removing specific judges; geographic and functional changes must follow legal procedures and can be challenged before the contentious-administrative courts. The 2025 judicial careers reform explicitly introduces an extraordinary stabilization process for replacement judges and interim prosecutors, in line with Commission requirements, to regularize their status and thereby reduce the structural dependence of these positions on discretionary renewal decisions.

The new EOMF (announced with the May 2025 normative package) will decouple the General Prosecutor's five-year, non-renewable term from the Government's term and remove the possibility of dismissal for "loss of confidence"; dismissal for serious or repeated non-compliance will require a prior report by the CGPJ, thereby tightening safeguards against arbitrary removal. Within the career, the new EOMF will transfer competence for promotions and the disciplinary regime of prosecutors from the Ministry of Justice to the Public Prosecutors Service itself, increasing organizational autonomy while keeping disciplinary decisions subject to judicial review before administrative courts, as with other civil servants.

Acts and decisions on transfers, disciplinary sanctions, dismissal or retirement of judges, court presidents and prosecutors can be challenged before the contentious-administrative jurisdiction without prejudice subsequent appeal to the Constitutional Court on fundamental-rights grounds. This external judicial review, combined with internal bodies (CGPJ for judges and, under the new EOMF, strengthened prosecutorial board and council for prosecutors), constitutes Spain's main response to the 2025 concerns about irremovability and the need for safeguards when implementing the judicial map and career reforms.

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

This year a new agreement of 17 December 2025 of the plenary session of the General Council of the Judiciary, approving Regulation 1/2025 on the provision of places for discretionary appointments in judicial bodies, has been approved. In order to avoid any arbitrariness and to respect the principles constitutional provisions referred to in the margin of discretion of the Council, this regulation introduces a framework of enhanced objectivation, in which the principle of discretion coexists with strict procedural obligations that must be to observe in the procedure for the provision of judicial appointments discretionary: the clear and separate systematization of the merits to be had in consideration, differentiating the skills of jurisdictional excellence from and the common merits of those specific to a given post; the establishment of a weighting system in which details the priority among the merits, reasonably taking into account the type of employment; the need for individualised and, where appropriate, reinforced motivation; avoiding the generalities and arguments that are apparent or stereotyped, motivation meet the characteristics of sufficient, congruent and reasoned; and the requirement of an active publicity and transparency duties, which will dispel any suspicion of lack of impartiality and objectivity in the proceedings. In this sense, the regulation also incorporates tools to identify, prevent and, where appropriate, correct practices that may violate the required parameters in the selection process, seeking public confidence that affects the legitimacy of the General Council of the Judiciary and to the credit of the judicial system in its set. The main purpose is to ensure objectivity and transparency in an area particularly sensitive to the legitimacy of the Judiciary, both internally and externally, as is the appointment of the highest judicial posts.<https://www.boe.es/boe/dias/2025/12/25/pdfs/BOE-A-2025-26555.pdf>.

In the Prosecutor Career while regular promotion affecting, most posts is predominantly based on seniority, being the seniority the main criterion for promotion of prosecutors. However, this is not the case for the rest of discretionary posts related to the highest functions of the Prosecution Service where qualities and merits play a role. So, the requirements concerning length of service/professional experience gained within the PPS, alongside professional merits, and capacity, as well as specialization, should be objectively assessed and considered, as provided for in Law 50/1981 on Public Prosecutors (Art. 13 and 36). Aimed to increasing the transparency of the given selection procedures and taking advantages of the possibilities of available online connections, as of December 2022, the Prosecutor General decided to personally interview all candidates for any discretionary posts in order to avoid the discrimination that could stem from the unbalanced territorial previous case scenario where a number of candidates could have the possibility of being interviewed and others not (mainly candidates outside Madrid), actually bridging the existing territorial gap. In addition, it was decided to record these personal interviews and give a copy to the Prosecution Council to increase the transparency of these hearings. This system will also be used for positions of Senior Prosecutor and Deputy Senior Prosecutor of the Prosecutor's Offices in the Autonomous Communities, as well as the positions of Chief Prosecutor of Provincial PPOs and Chief Prosecutor of Area PPOs. In these types of appointments, the principle of a balanced presence of women and men will be also taken into consideration. The call for applications to fill positions with a defined term will be published well in advance of the expiration of that term. In terms of judicial review, candidates for the head of a Public Prosecution Office have a legal possibility to challenge the appointment and ask for a judicial review of such a decision by filling a contentious-administrative legal remedy on the basis of article 12.1(b) of the LJCA if there are grounds to challenge the legality of the decision. This would be based on alleged violations of law or procedural irregularities during the appointment process.

Allocation of cases in courts

5000 character(s) maximum

EU-law principles, as highlighted in recent case-law summaries, require that allocation of cases respect the right to an independent and impartial tribunal established by law; national rules cannot allow the withdrawal or reassignment of a case from a judge without clear legal criteria and reasons. The internal rules for distribution (normas de reparto) are proposed by the Board of Judges of each Section and formally approved by the Governing Chamber of the relevant High Court of Justice, which limits ad hoc or personalized allocation. The Organic Law 1/2025 (<https://www.boe.es/buscar/act.php?id=BOE-A-2025-76>) transforms approximately 3,800 single-judge courts into 431 Courts of Instance (Tribunales de Instancia), with sections (civil, criminal, juvenile, prison, labour, administrative) covering broader territories, often at provincial level. Within each Court of Instance, cases are normally assigned to judges on a rotating basis by the court clerk heading the judicial office, under the supervision of the Court's president and in accordance with publicly approved distribution rules.

The stated aim is to improve workload balance and specialization (for example, concentrating personal insolvency or certain criminal matters in specific sections) while keeping the assignment criteria ex ante, general, and transparent.

From the Public Prosecutors Service standpoint, this reform is relevant because it centralizes case allocation in each tribunal's judicial office while preserving the individual judge's independence in deciding each case and allowing challenges where allocation might affect the right to a lawful judge.

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

Spain's body in charge of safeguarding judicial independence is the General Council of the Judiciary (Consejo General del Poder Judicial, CGPJ), whose composition and powers are under progressive adjustment following its 2024 renewal and the 2025 reform-mandate agreed with EU institutions. The main outstanding issue, explicitly highlighted in the 2025 Rule of Law cycle, is to adapt the election of its judicial members to European standards by increasing the direct role of judges in their selection while preserving strong powers in appointments, discipline and administration of justice.

The agreement of renewal of CGPJ provides that the CGPJ will carry out within six months a study on European systems for electing members of similar bodies and draft a proposal to be submitted to the courts, (<https://www.boe.es/eli/es/lo/2024/08/02/3>).

The plenary of the CGPJ has unanimously agreed to send to the Government and the Parliament the proposal on the reform of the system for electing members of the judiciary, with two different proposals that are currently being studied.

The "report" section provides a comparative analysis of European systems for electing members of judicial councils analogous to the General Council of the Judiciary (CGPJ) —those of Italy, France, Portugal, and Belgium—and compiles the best European standards —from the European Union, the Council of Europe, the European Network of Councils of the Judiciary, and the OSCE, as well as the case law of the CJEU and the ECHR—regarding the system for electing judicial members to these bodies.

This first part also covers the historical precedents and legislative background of the governing body of judges, from the constitutional debate, Organic Law 1/1980 on the General Council of the Judiciary, and Organic Law 6 /1985 on the Judiciary to subsequent reforms on this matter, including relevant constitutional jurisprudence. The second part, dedicated to the "proposal" for reforming the system for electing judicial members, reflects the plurality of opinions existing in the governing body of judges and includes alternatives that contemplate models with the intervention of Parliament in the election of members of judicial origin and others without the participation of the Legislature or the Executive in any phase of the selection process, the latter option being considered by part of the Plenary as more in line with European standards.

This report responds to the suggestion made on September 18 by the former Commissioner for Justice of the European Commission, Didier Reynders, during the meeting he held that day with the president and members of the General Council of the Judiciary. In the press conference he gave after the meeting, the former European commissioner stated that the ideal thing would be for the CGPJ to give "different options" for reform because when it comes to a political agreement it is always "easier" to reach it if there are alternatives on the table.

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

Spain combines strong functional independence for judges and prosecutors with a structured accountability system based on disciplinary law, ethical rules and ordinary criminal/civil liability, all subject to judicial review. Recent and forthcoming reforms (judicial-career reform, new EOMF, strengthening of ethics bodies) mainly refine who exercises disciplinary powers and how integrity is promoted, rather than creating new forms of liability.

Judges are disciplined under the Organic Law of the Judiciary, with offences (minor, serious, very serious) and sanctions (warning up to dismissal) applied by the General Council of the Judiciary (CGPJ), whose decisions can be challenged before the contentious-administrative courts and, on rights grounds, before the Constitutional Court.

Prosecutors' discipline is governed by the EOMF and the 2022 Rules of Procedure of the Prosecution Service (Title IX), which defines offences and sanctions and creates the Prosecutor for Disciplinary Action (Fiscal Promotor de la Acción Disciplinaria) and the Prosecution Inspectorate; decisions are appealable internally (Prosecutorial Council) and externally before administrative courts.

Ethical rules and integrity frameworks are also adopted. For judges, ethical principles stem from the Constitution and the Organic Law (impartiality, independence, integrity), and are further developed in the "Principios de Ética Judicial" and supervised by the Judicial Ethics Commission, whose composition was enlarged in 2025 to nine members (five judges, four external academics).

For prosecutors, the 2022 Rules of Procedure includes integrity and conflict-of-interest provisions, and the new EOMF will prohibit private funding of prosecutorial associations and reinforce the collegial role of the Board of Public Prosecutors, which can override the Prosecutor General's position by a three-fifths majority, adding an internal check on sensitive decisions.

The setting up of a new Spanish Public Prosecutor's Commission of Ethics was also noted in the report submitted by the Spanish General Prosecutors Office to the Commission last year. The Commission of Ethics is composed of seven members, six from the prosecutor's career and a seventh who must be "a person of recognised prestige and proven track record in the academic world of ethics, philosophy of law or moral philosophy". The election of the Commission's members within the PPS is voted by all public prosecutors in active service. The mandate of the Commission's members is four years. The Committee meets as often as the needs of the service and the volume of consultations make advisable and, in any case, must meet at least quarterly. Resolutions are adopted by simple majority. Once the consultations have been received, they must be resolved within two months. Opinions are issued in accordance with the Code of Ethics of the Public Prosecutor's Office and may not contain reproaches or personal assessments.

All significant disciplinary sanctions against judges and prosecutors, as well as decisions on immunity-related issues and certain integrity-based incompatibility findings, can be challenged before the administrative courts, with the possibility of further recourse to the Constitutional Court for violations of fundamental rights.

International bodies (Council of Europe, Venice Commission, GRECO) consider the availability of this external judicial review, combined with clear legal definitions of offences and the institutional separation between disciplinary bodies and the executive, as central to aligning Spain's accountability framework with European standards.

Independence/autonomy of the prosecution service

5000 character(s) maximum

Spain has taken further steps in 2024–2025 to reinforce the autonomy of the prosecution service, mainly through the reform of the EOMF linked to the planned draft amendment of the Criminal Procedure Code. The key axes are decoupling the Prosecutor General's term from the Government's term, limiting the Government's ability to dismiss or direct the Prosecution Service, and internalizing promotion and discipline powers, while EU and national actors still call for stronger safeguards in some areas.

The 2025 preliminary draft reform provides that the Prosecutor General will have a single, non-renewable five-year term that no longer coincides with the Government's mandate, responding to the Commission's repeated recommendation to separate these terms to enhance personal independence.

Early dismissal will no longer be possible for "loss of confidence". Removal before the end of the term will be limited to serious or repeated failure to perform duties, and the Government must first request an opinion from the General Council of the Judiciary, adding an external check even if that opinion is not formally binding.

The reform explicitly prohibits the central and the regional Governments from asking the Public Prosecution Service to act in a specific criminal case, thereby aiming to eliminate direct executive instructions in individual proceedings.

All communications between the executive and the Prosecutor General must be in writing, routed exclusively via the Minister of Justice, public and recorded, and the possibility of summoning the Prosecutor General to the Council of Ministers is abolished; these measures seek to ensure transparency and reduce informal influence.

The new EOMF transfers responsibility for promotions and the disciplinary regime of prosecutors from the Ministry of Justice to the Public Prosecution Service itself, reinforcing organizational autonomy and reducing executive leverage over careers.

The Board of Public Prosecutors (Junta de Fiscales de Sala) will have a strengthened role: it may adopt positions that differ from those of the Prosecutor General by a three-fifths majority, which creates an internal counterweight on sensitive decisions, including general instructions and criteria of action.

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

5000 character(s) maximum

The Spanish Bar operates as a self-governing profession with legal guarantees of independence from the executive, and recent reforms around the right of defense further strengthen lawyers' professional autonomy and duties of independence toward clients. Spanish Bar associations (Colegios de Abogados) are public-law corporations with compulsory membership for practicing lawyers, entrusted by law with self-regulation, discipline and defense of professional independence; they are not subordinated to the Ministry of Justice in their day-to-day decisions. At national level, the General Council of Spanish Lawyers (Consejo General de la Abogacía Española) coordinates these functions and represents the profession, with its governing bodies elected internally by the Bars, which is presented in EU materials as compatible with independence standards for self-regulating professions.

The CCBE's 2025 contribution highlights Spain positively for the adoption of the Organic Law on the Right of Defense (Ley Orgánica del Derecho de Defensa), which systematizes defense rights, reinforces confidentiality and professional secrecy, and is expressly described by the Spanish Bar as strengthening the independence of the legal profession.

This framework complements existing rules in the General Statute of the Legal Profession and Bar ethical codes, which impose duties of independence, avoidance of conflicts of interest, and protection of client confidentiality, and can be enforced through Bar disciplinary procedures rather than by government bodies. Disciplinary proceedings against lawyers are handled primarily by their Bar association, under statutory and ethical rules; sanctions can range from warning to suspension or expulsion, but decisions are subject to judicial review before the contentious-administrative courts, ensuring external control over Bar self-regulation.

At the same time, stakeholder input to the 2025 Rule of Law cycle notes some risks linked to "revolving doors" and political appointments. Revolving doors between government and senior positions in self-governing professional and judicial bodies is a general rule-of-law concern but only focus on specific examples from the judiciary and prosecution, not on systematic capture of Bar governance.

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

5000 character(s) maximum

-The Government's 2025 normative initiative package to overhaul access and promotion in the judicial and prosecutorial careers (new "fourth round", scholarship-based access, automatic promotion, stabilisation of interinos) has been presented as modernising and opening the system.

-The renewal of the General Council of the Judiciary after an unprecedented six-year deadlock was completed in 2024, which removed a major symbol of politicisation and institutional crisis that had heavily damaged public trust.

-The Constitutional Court's June 2025 decision declaring the controversial amnesty law constitutional which removed the social controversial about that law.

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)

Organic Law 1/2025 on efficiency of the public justice service introduces a general pre-litigation obligation to attempt an alternative dispute resolution mechanism (MASC) in most civil and commercial disputes.

Legal aid is a constitutional right in Spain and is regulated mainly by the Legal Aid Act (Ley de Asistencia Jurídica Gratuita), which grants free defense and representation to persons who lack sufficient resources and meet income thresholds, in all types of proceedings above a relatively low value threshold, with broader coverage in criminal, labour and administrative cases. The right includes: exemption from court fees; free lawyer and procurador; interpretation; translation of necessary documents; and certain travel costs when personal appearance is required, and is administered by Legal Aid Commissions composed of Bar and procuradores' representatives plus members designated by public administrations.

Organic Law 1/2025 and related "Justicia 2030" initiatives promote electronic filing, virtual hearings and digital communication to streamline procedures and make access easier, particularly in less complex cases and for users who can connect remotely.

Training in legal language and the rules of style of the Public Prosecutor's Office is another of the fundamental pillars of the Training Plan 2026 of the Public Prosecutor's Office. In this respect, there is a specific module in initial training dedicated to legal language and the style guide of the Public Prosecutor's Office. In the frame of Public Prosecutor's continuous training, different training activities have been organised in this area (e.g, Modernisation of legal language and oratory; communication workshop for the Public Prosecutor's Office; techniques of verbal and gestural expression for the jury procedure).

Also, initial and continuing training in co-official languages and own rights of the autonomous communities for the public prosecutors is considered in the Prosecutor General's training plans. The formation of the Prosecutors is guaranteed in language proficiency or civil law of the territories of Spain, in accordance with the preventions of the Royal Decree 305/2022 of 3 May, that means, overcoming training activities in the field of language and civil law, certified by the Centre for Legal Studies, is recognised as merit in statutory and regulatory terms established.

As regards to the raising awareness campaign on the role of the PPO through the "Accessible Prosecutor's Office" project, disseminates information of the Prosecutor's Office closer to citizens, facilitating the universal accessibility of our website www.fiscal.es , in line with the basic principle that full knowledge of rights is an essential prerequisite for its exercise. In addition, there are several documents published on the website www.fiscal.es in easy reading format for a better understanding: e.g., guide to access to justice; right to cognitive accessibility in the procedures for the provision of support; information for people with disabilities on the reform of the Civil Code; what is a crime and how to report it; etc.

On the other hand, the Prosecutor's General Office has signed the collaboration agreements with certain entities and groups to facilitate and facilitate their access to justice, e.g., with the Spanish association of people with autism spectrum disorders

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.)

In 2025, after the adoption of the Real Decreto 422/2025, in June, creating new posts in sections dealing with violence against women, the creation of sections dealing with violence against children and adolescents, there has been a modification of the staff of the Public Prosecutor's Office, increasing the number of prosecutors in Spain to 2.808 prosecutors, <https://www.boe.es/buscar/act.php?id=BOE-A-2025-11069>

Of the total of 2,808 active prosecutors, 1,867 are women, reflecting a significant change in the composition of the Prosecutor's Office. Autonomous communities such as Navarre (77%), Madrid (76%) and the Basque Country (75%) have the highest percentages of female taxpayers, consolidating a presence that continues to increase. On the other hand, 46% of senior positions in the Public Prosecutor's Office are occupied by women, a point more than last year and eight points more than in 2019. In total, there are 56 women among the 121 management positions. Six Superior Public Prosecutors' Offices in the autonomous communities (Andalusia, Aragon, the Canary Islands, Madrid, the Basque Country and Asturias) are headed by women, accounting for 35% of the total. The Public Prosecutor's Office has thus been ahead of the legislator and of the Organic Law 2 /2024 of 1 August, on equal representation and balanced presence of women and men, which requires a minimum of 40%.

For more information consult the equality indicators published during this year 2025: <file:///C:/Users/ju357369/Downloads/Indicadores-Igualdad-2025.pdf>

Spain has increased the overall justice budget and approved a progressive salary rise for judges and prosecutors, but the system still operates with relatively low staffing ratios and persistent concerns about workload and material resources.

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

5000 character(s) maximum

The Fiscal Career Training Plan 2026, approved by the Attorney General's Office and managed by the Center for Legal Studies (CEJ), focuses on initial training (access course) and continuing education (specialization and updating) of prosecutors, covering key issues such as equality and gender, the fight against corruption, digitization, new procedural models and human rights, with a strong focus on artificial intelligence and international training, offering more than 18,000 places and strategic agreements by 2026.

The strategic axes of the Training Plan for 2026 are:

- Gender and equality.
- Combating organized crime and corruption.
- Modernisation, digitalisation, and leadership.
- Transparency, communication, and Ethics
- Training in the new Criminal and Civil procedure.
- Training for specialization.
- Human rights, the rule of law, comparative law, international law. The new models of justice: mediation, justice-restoration, role of conformity.

The Prosecutor General's Training Plan 2026: <https://www.fiscal.es/documents/d/fiscal/plan-de-formacion-2026?download=false>.

There has also been a firm commitment to online courses and webinars, facilitating access to training for a greater number of prosecutors and favouring work-life balance. Although the execution of the training plans corresponds to the Legal Studies Centre, the strategic design of the contents of the initial and continuing training plans corresponds to the General Prosecutor's Office.

The Public Prosecutor's Office decides the strategic objectives, priorities and training content, with the aim of guaranteeing specialized, comprehensive and high-quality training for prosecutors. All members of the Public Prosecutor's Office, as well as professional associations of prosecutors, participate in the preparation of training plans, so that their needs and requests are taken into account; the final design of the training plans corresponds to the Technical Cabinet of the Procurator General's Office. The aim is to create a training centre independent of the Ministry of Justice

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

Spain has accelerated the digitalization of justice through Organic Law 1/2025 on efficiency of the public justice service, the Justicia 2030 strategy and, in the field of international cooperation within the GPO, the deployment of CRIS-CJI and e-EDES with progressive automation between both tools. For the Public Prosecutors Service, the key developments concern electronic communication with courts and foreign authorities, the digital management of cooperation files, and contributions to the EU “digitalization of judicial cooperation” package, while access to national judgments online continues to expand. Organic Law 1/2025 consolidates electronic filing, electronic notifications and virtual hearings as ordinary tools, and complements them with mandatory pre-litigation ADR in many civil/commercial matters, all within the broader Justicia 2030 digitalization agenda. Within international cooperation at the General Prosecutor’s Office, the CRIS-CJI application has been upgraded since 2024–2025 (new “subsanción” step, new roles such as “denunciante”, new decree types, unified initiation steps and larger attachment capacity up to 50 MB), which directly affects how prosecutors and staff manage EIOs, mutual recognition, letters rogatory and related international cooperation instruments. International cooperation workflow recorded in CRIS CJI is fully digitalized. The 10th Mutual Evaluation Round on the application of the EIO (COPEN) explicitly praised Spanish Prosecution Service “advanced digitalization” as a good practice example in terms of digital management of EIOs and mutual legal assistance (electronic registration, processing and transmission, templates, coordination between offices).

Spanish Prosecution Service also participates in the development of the e-EDES (now JUDEX) pilot for digital exchange of European Investigation Orders, telecommunications interception notifications and letters rogatory, together with ten other Member States; deployment across Spanish prosecution offices finished in April 2025, though current volumes of incoming EIOs via e-EDES remain very low compared with the total.

A robotization process is being developed so that requests received through e-EDES are automatically imported into CRIS-CJI (data and documents), although incidents reported by prosecutors show that this link still needs improvement; the UCIF is collecting these incidents to refine the system.

The EU digitalization package (Regulation 2023/2844 and Directive 2023/2843) is being implemented with the involvement of experts from the Spanish Prosecution Service (UCIF, Audiencia Nacional, Supreme Court Civil Section, Violence against Women Unit) in comitology meetings that define technical and legal specifications for digital channels and forms.

In parallel, the Fiscalía has created an internal jurisprudence tool on the intranet (fiscal.es/cloud), which allows prosecutors to search case law (ECtHR, CJEU, Supreme Court, Constitutional Court) by topic, instrument of cooperation, directive, etc., supporting consistent application of EU and international standards in digital and traditional proceedings.

For domestic users, Organic Law 1/2025 and the Justicia 2030 projects promote increased use of electronic communication, online access to case information and digital notifications, while a new option is planned (from the second half of 2026) for tramitadores to download cooperation data from CRIS-CJI and send it to courts via LEXNET instead of paper, at least in Ministry territory and in Autonomous Communities that use that system. These digital channels are intended to coexist with traditional means to avoid excluding users lacking digital resources; official documents emphasize the need to preserve accessibility and usability as technology becomes the default.

Spain continues to expand the online publication of judgments, in particular through CENDOJ, which offers anonymized case law of the Supreme Court and other courts free of charge; this is cited in European justice scoreboards and CEPEJ reports as a strength in terms of transparency.

At the level of the Prosecution Service, the designation, by decree of 27 September 2024, of the general e Curia account for the Spanish Prosecution Service before the CJEU, with an internal protocol for receiving, distributing and responding to notifications and communications via e Curia. There is also a new internal jurisprudence tool for international cooperation complements public databases by organizing case law specifically relevant for prosecutors (e.g. on EIOs, mutual recognition, victims’ rights), and is accessible to all prosecutors via the intranet, enhancing internal consistency and facilitating reference to online judgments. Also remarkable, the existence of an internal HR dashboard managed by the FGE, allowing real time monitoring of posts, vacancies, reinforcements and administrative situations across all prosecution offices.

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

Spain uses a mix of traditional ICT case-management systems, enhanced statistics modules and emerging AI-based tools (mainly for document handling and analytics), framed by new legal standards on algorithmic transparency and oversight. From the Public Prosecutors Service standpoint, CRIS-CJI statistics, the e-EDES /CRIS robotization project and the jurisprudence tool for international cooperation are the main assessment-oriented instruments, while broader AI projects (ADIA, Delfos, transcription tools) support case handling and monitoring across the justice system.

Spain operates several interconnected case-management systems for courts and prosecution (with territorial variations), complemented by central statistical modules used to generate national judicial statistics that feed into the EU Justice Scoreboard and CEPEJ evaluations.

Within the Prosecution Service, CRIS-CJI is not only a workflow tool for international cooperation but also an instrument for statistical assessment; ongoing work includes improving its statistics component and allowing more refined monitoring (e.g. multiple partial inhibitions, new categories of assistance), which will inform future Memorias of the Fiscalía.

The Ministry of Justice has deployed ADIA (Asistente de Documentos con IA), an AI tool for anonymization and automatic summarization of judicial documents, integrated into internal networks (SARA, Escritorio Integrado) and progressively extended to the Public Prosecutor's procedural management systems, improving information extraction and privacy-compliant publication.

Spain is also rolling out Delfos, an AI-based search engine, and transcription tools that convert recorded hearings and videoconferences into searchable text, reducing preparation time and enabling more systematic analysis of hearings and evidence, under the oversight rules of Royal Decree-Law 6/2023 on AI in justice. National and EU-level indicators (EU Justice Scoreboard, CEPEJ studies) are used to monitor performance, including length of proceedings, clearance rates and digitalization indicators; Spain supplies data annually and uses these metrics to guide reforms under Justicia 2030. Royal Decree-Law 6/2023 and Law 15/2022 on equal treatment and non-discrimination establish requirements for transparency, supervision, quality control and bias prevention in AI systems used by public administrations, including justice; they require prior impact assessments and ongoing monitoring of high-risk systems.

The AI-governance framework in justice includes a judicial AI working group and digital competence schemes for justice personnel and is being aligned with the EU AI Act's risk-based approach (e.g. limiting uses for predicting offending, assessing victimization risks or evaluating evidence reliability).

The robotization process between e-EDES and CRIS-CJI (automatic import of assistance requests) is conceived to standardize data capture and facilitate monitoring of incoming EIOs and other instruments, although the Fiscalía is still collecting incident reports from territorial offices to refine the process.

An internal jurisprudence tool hosted on fiscal.es allows prosecutors to search case law (ECtHR, CJEU, Supreme Court, Constitutional Court) by topic, date, instrument or directive, which functions as a qualitative assessment support, improving consistency in international cooperation and enabling easier reference to standards in reports and decisions.

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

Spain's judicial map is being reshaped around 431 Courts of Instance and existing higher courts, with specialization mainly embedded in sections (criminal, commercial, violence against women, etc.) and with serious, multi-regional fraud and corruption matters concentrated at the Audiencia Nacional and specialized prosecutorial units.

There is no stand-alone "anti-corruption court", but a combination of territorial investigation courts, central investigation courts and specialized prosecution (Fiscalía Anticorrupción) handles fraud and corruption cases. Organic Law 1/2025 reorganizes around 3,800 single-judge courts into 431 Courts of Instance (Tribunales de Instancia), one per judicial district, configured as collective bodies with specialized sections (e.g. criminal, commercial, family, violence against women, minors, labour, administrative).

These Courts of Instance will progressively assume competences currently exercised by separate courts of first instance, investigating courts, criminal courts, etc., with the aim of improving workload distribution and allowing further sub-specialization (e.g. sexual violence, penitentiary surveillance), which indirectly benefits complex economic and corruption cases by concentrating expertise.

Once Organic Law 1/2025 and the new Criminal Procedure Code are fully implemented, Courts of Instance will centralize the trial phase, acting either as single-judge or collegiate bodies depending on seriousness, while maintaining territorial criteria for jurisdiction in fraud and corruption matters.

[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

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

Spain's main recent efforts to improve efficiency focus on: restructuring the judicial map (Courts of Instance), expanding ADR and settlement tools, and deepening digitalisation and automation to cut backlogs and disposition times.

From the Public Prosecutors Service standpoint, the most relevant recent developments are: the shift to a prosecutor-led investigation model, the reform of the Organic Statute of the Public Prosecution Service, and the new EU asset-recovery and sanctions-enforcement frameworks that expand prosecutorial roles. These changes redefine the Service's position in criminal proceedings, strengthen its formal autonomy and increase its responsibilities in complex economic and international cases.

Also, in October 2025 the Government approved a draft new Code of Criminal Procedure that places the conduct of criminal investigations in the hands of prosecutors, with investigating judges moving to a supervisory role (ratifying or revoking prosecutorial decisions that affect fundamental rights).

Furthermore, the Spanish Prosecution Service currently holds the Secretariat-General of the AIAMP, hosted the AIAMP Plenary Assembly in Madrid in 2025 (with participation of EPPO, Eurojust, EJP, etc.), and has obtained for the AIAMP the observer status in the NADAL Network. In this capacity, the Spanish Prosecution Service is deeply committed to fostering stronger ties between European and Latin American Public Prosecutors and Prosecution Services through its leadership role in AIAMP promoting joint initiatives and facilitating exchanges of best practices.

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

- Continue the ongoing procedure to adopt legislation on lobbying, including the establishment of a mandatory public register of lobbyists.
- Strengthen efforts to address the challenges related to the length of investigations and prosecutions to increase the efficiency in handling high-level corruption cases, including by finalising the reform of the Code of Criminal Procedure.
- Take forward the legislative process to strengthen rules on conflicts of interest and asset declarations of persons with top executive functions, including by further reinforcing the independence and sanctioning power of the Office for Conflicts of Interest.
- Advance with strengthening access to information, in particular via revision of the Law on Official Secrets, taking into account European standards on access to official document.

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

During this year 2025, The Prosecutor's General's Office Unit specializing in Crimes against Public Administration has been created, with the aims to provide a coordinated and homogeneous response to corruption crimes in the public sector and, in general, to the various criminal phenomena that undermine the proper and impartial functioning of the Administrations. To this end, the Unit coordinates a network of specialist prosecutors deployed throughout the national territory, responsible for effectively combating this criminal phenomenon at all levels, beyond those cases that, due to their special significance, correspond to the Special Prosecutor's Office against Corruption and Organized Crime.

For more information please consult: <https://www.fiscal.es/delitos-contr-la-administracion-publica>.

The relations between the Public Prosecutor's Office and the Anti-Corruption Prosecutor's Office with OLAF and the EPPO are good and animated by a spirit of sincere cooperation. For years, there has been a memorandum of cooperation between the Anti-Corruption Prosecutor's Office and OLAF. A member of the Civil Guard unit attached to the Anti-Corruption Prosecutor's Office has been appointed head of the Civil Guard unit attached to the OEPP. The former Spanish European Public Prosecutor is now a prosecutor of the Anti-Corruption Office. Apart from the above, there have been no specific measures of collaboration between the Anti-Corruption Prosecutor's Office and OLAF or OEPP throughout 2025.

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

Law 2/2023, of 20 February, regulating the protection of persons who report regulatory offences and the fight against corruption, which transposes Directive (EU) 2019/1937 of the European Parliament and of the Council into domestic law, has imposed the obligation, among others, on bodies with constitutional relevance, such as the Public Prosecutor's Office, to have internal information channels through which to bring to its attention the facts or conduct indicated in its article 2.

During this year 2025, in compliance with this legal mandate, the Office of the Attorney-General of the State has set up the internal information channel of the Public Prosecutor's Office, the purpose of which is to enable those who carry out their professional duties in a context related to the activities of the Public Prosecutor's Office administrative serious or serious maintaining their anonymity, if they so wish, taking appropriate protective measures for the reporting person. The Attorney-General of the State has approved three documents that regulate: a) the principles underlying the system; b) the procedure to be followed; and c) the policy on data protection.

One prosecutor of the Supreme Court (Section for Administrative Litigation) has been appointed as head of the internal information system of the Public Prosecutor's Office, and other prosecutor of the National Court, has been appointed deputy responsible for any cases of abstention, objection, or transitory impossibility. The informants will be able to send their complaints through the computerized system that as a mailbox is located in the web www.fiscal.es (Canal Interno Informante), by post in a sealed envelope to the attention of the person responsible for the internal information channel of the Public Prosecutor's Office at the following address: Fortuny, 4, 28071, Madrid.

[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

In 2025, the legal framework for the criminalization of the crime of international bribery and the penalties provided for have not changed.

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

In relation to the crime of international bribery (the 2025 Report mentions the latest OECD report, according to which 'the level of enforcement remains low, with only two cases concluded successfully since 2016'), that in 2025 there has been a new conviction (the third) for this crime.

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

The obstacles remain the same as in previous reports:
The length of investigations in complex economic criminality. The delay in finishing these complex investigations is due to many different reasons. Among these reasons we can mention:

- o Plurality of parties: Defendants, victims, civil parties, popular accusations and, of course, all of them with a bunch of lawyers
- o Dilatory procedural strategy facilitated by an oversized appeal system in which each and every judicial ruling can be appealed.
- o The delay in fulfill the mutual legal assistant in cases which almost always depend on international cooperation.
- o The complexity of the economic expert reports that are usually necessary to prove these crimes.
- o When the instruction phase is over, we have to face the delay in the appointment for trial. Since we make

the indictment, it may take three, five, eight or more years till the trial. (Why? difficulties to organize the trial, lack of judges, lack of courtrooms, not available for months, preference for advancing easier or less complex judgments...)

o Furthermore, these cases are carried out by non-specialized organs, most of them overloaded and not always in the best position to carry out this type of criminal proceedings with real speed. There are specialized bodies to investigate corruption, economic crimes and money laundry in the police, the tax agency, the prosecutors, the lawyers, of course, but we do not have specialized judges and courts in economic issues, which seems amazing to me. (We have commercial courts, violence against women courts, minor courts). These specialized organs could substantially improve the quality of court decisions.

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

One of the strategic axes of the training plan for the prosecutor's career is training in the fight against corruption and organised crime. One of the Office's priority objectives is to promote training the fight against organised crime and corruption in order to provide a response the most sophisticated criminal phenomena. The 2026 Training Plan includes new training activities to disseminate more broadly between the prosecutor's capacities and possibilities which, for recovery of assets from the organized crime can provide Office of Asset Recovery and Management (ORGA), as a direct support body for the courts, tribunals and the public prosecutor.

Some of the training activities organised by the General Prosecutor's Office are:

- National asset recovery strategy: objectives and transversality. Directive (EU) 2024/1260.
- Criminal participation: theoretical and practical analysis.
- Corruption in international economic transactions.
- Money laundering offences as a tool in the fight against organized crime
- Organized crime in Spain: main manifestations and its police and criminal response

The Public Prosecutor's Office has signed, among others, the following cooperation agreements:

- Memorandum of Understanding with the special structure against corruption and organised crime of the Republic of Albania.
- Memorandum of Understanding with Bosnia-Herzegovina.
- Memorandum of Understanding with the Republic of Irak.
- Protocol between the Chamber of Accounts of Navarra and the Public Prosecutor's Office of the Court of Auditors for the detection of indications of accounting liability.
- Protocol between the Galician Accounting Council and the Court of Auditors.

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

[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

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

5000 character(s) maximum

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

[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

[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

[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

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

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

5000 character(s) maximum

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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