

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

International Press Institute (IPI)

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://ipi.media/>

IPI is a global network of journalists defending media freedom and independent journalism wherever they are threatened.

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

370877536078-58

* 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

Jamie

Surname

Wiseman

Email Address of the organisation

info@ipi.media

* 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

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

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

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

Allocation of cases in courts

5000 character(s) maximum

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

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

Independence/autonomy of the prosecution service

5000 character(s) maximum

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

5000 character(s) maximum

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

5000 character(s) maximum

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

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

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

5000 character(s) maximum

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

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

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

[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

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

Spain's transposition of the European Media Freedom Act (EMFA) places the National Commission for Markets and Competition (CNMC) at the centre of media oversight, with independence framed as a legal baseline rather than an empirical given. Law 3/2013 establishes the CNMC as an independent administrative authority with organisational and functional autonomy, a status subsequently reinforced in the audiovisual field by Law 13 /2022 and, prospectively, by new functions linked to digital and media governance. This architecture broadly

aligns with EMFA's emphasis on independent and impartial regulation, transparent decision-making, and public accountability. At the same time, the CNMC's administrative "attachment" to the Ministry of Economy and its reliance on the general State budget indicate that legal insulation coexists with operational dependencies, factors that EMFA-style compliance assessments typically treat as relevant when evaluating independence in practice. Appointment, tenure, and dismissal rules are formalised and relatively robust. Council members, including the chair, are appointed by Royal Decree following a parliamentary hearing, subject to a potential veto by an absolute majority of Congress. Terms are six years and non-renewable, and the grounds for removal are exhaustively listed in law. These provisions are consistent with EU expectations that appointments be transparent, merit-based, and protected against arbitrary dismissal. Nonetheless, the inherently political nature of government appointments, and the experience surrounding the 2013 reorganisation, when the consolidation of regulators triggered litigation on security of tenure, suggest that the Spanish model, while formally compliant, is not entirely insulated from partisan dynamics. In methodological terms, this reflects a compliance profile that is strong in law yet requires ongoing observation of implementation effects. Accountability and transparency mechanisms are comparatively mature. The statute defines the CNMC's powers across sectors, including audiovisual media, and embeds routine publication duties (resolutions, reports, and plans) as well as parliamentary reporting. Decisions concluding the administrative route are subject to judicial review by independent courts, with possible appeal before the Supreme Court. This layered oversight is compatible with EMFA's procedural guarantees and helps preserve proportionality and legal certainty. That said, appeals can be lengthy and sometimes result in annulments or modifications of sanctions. These outcomes do not necessarily denote regulatory weakness but underscore the importance of rigorous reasoning and evidence standards in enforcement, particularly in complex media and competition cases. Resource adequacy remains the most salient warning from an EMFA perspective. The CNMC's budget is public and itemised within the State budget, which ensures transparency; however, it is restrictive, limiting rapid reallocation and staff scaling. The regulator itself has noted shortfalls relative to its expanded mandates under the Digital Services Act and EMFA, including recent requests for additional funding and personnel. On balance, Spain exhibits a high degree of formal conformity with EMFA-relevant principles, including legal independence, tenure security, accountability, and judicial control, while effective independence appears partially conditioned by structural factors, notably budgetary dependence and politically mediated appointments. Further convergence with EMFA's spirit would benefit from enhanced budgetary flexibility and sustained safeguards to reinforce functional independence over time.

<https://ipi.media/wp-content/uploads/2025/12/SPAIN-media-Capture-Monitoring-Report-Overview-1.pdf>

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

The National Commission for Markets and Competition (CNMC) is legally independent from the government, but its functional independence is subject to certain limitations. On paper, the CNMC is defined as an "independent administrative authority". Article 3 of Law 3/2013 explicitly requires it to act with complete independence from the government, public administrations, and private interests. Its Council operates as a collegiate body, taking decisions collectively, a structure that, a priori, should reduce the risk of unilateral external influence. Law 3/2013, which established the CNMC, defines it as a public entity with its own legal personality and "full organisational and functional autonomy, and full independence from the government, public administrations, and market agents." This means that the regulator is institutionally separate from any ministry and operates without direct political interference. However, for administrative purposes, the CNMC is nominally "attached" to the Ministry of Economy. The fact that the body is legally independent does not necessarily guarantee full independence in practice. 1 In fact, the CNMC itself has publicly acknowledged several times that its operational autonomy is constrained. In 2021, its president, Cani Fernández, told the Congress of Deputies that the regulator operated with a "restrictive budget" controlled by the General State Budget, rather

than a flexible, self-managed budget such as that of the Bank of Spain or the National Securities Market Commission (CNMV). According to her, this structure prevents the CNMC from reallocating funds or expanding its staff when new regulatory requirements arise, thus limiting its effectiveness. 2 More recently, in September 2025, the CNMC again requested additional resources to fulfil its new responsibilities as coordinator of digital services and supervisor of the media under the Digital Services Act (DSA) and the European Media Freedom Act (EMFA). Although it welcomed these new competences, the authority acknowledged “shortcomings in the allocation of organisational and human resources” and requested additional funding to create two new sub-directorates and hire around 50 additional employees.

The conditions and procedures for the appointment and dismissal of the CNMC Council members are clearly defined in law and, on paper, comply with the independence standards of the Audiovisual Media Services Directive (AVMSD), although some aspects may still allow for political influence. Law 3/2013 establishes detailed rules on appointments: the members of the CNMC Council, including the chairperson, are appointed by the Government through Royal Decree, on the proposal of the Minister of Economy, from among persons of recognised competence, following a parliamentary hearing. Notably, the Congress of Deputies may veto a proposed candidate by absolute majority within one month. This transparent, merit-based procedure, combined with parliamentary oversight, largely satisfies the AVMSD’s independence requirements. Article 15(2) further sets the term of office at six years, non-renewable, with a rotation mechanism whereby one third of the members are replaced every two years, a protection against political capture through the electoral cycle. There is no representative of the opposition or NGOs in the regulatory authority. The CNMC Council is structured as a technocratic body rather than a representative one. The law does not reserve seats for opposition parties or any other entities, including civil society organisations. Furthermore, CNMC Council members are full-time regulators subject to strict incompatibility rules and may not hold political, professional, or industrial positions concurrently. While informal political negotiations may influence appointments to some degree, in practice the Council consists of independent experts, often drawn from academia or from previous senior roles in public administration, rather than representatives of political parties or non-governmental organisations. Dismissals are strictly limited to specific legal grounds such as incapacity, incompatibility, or serious misconduct. Arbitrary or politically motivated dismissals are not permitted, thus protecting the regulator from undue external influence. Article 23 provides an exhaustive list of dismissal grounds: Council members may leave office only if (a) they resign and the Government accepts the resignation; (b) their term expires; (c) an incompatibility arises; (d) they are convicted of a serious offence; (e) they suffer permanent incapacity; or (f) they are dismissed for a serious breach of their duties or ethical obligations, which must be approved by the Government following a disciplinary investigation initiated by the Minister.

<https://ipi.media/wp-content/uploads/2025/12/SPAIN-media-Capture-Monitoring->

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

Law 17/2006 on State-Owned Radio and Television established the legal foundation for RTVE's editorial and functional independence, requiring the broadcaster to provide objective, truthful, and pluralistic information, free from government interference. Over time, however, successive reforms have substantially reshaped RTVE's governance model, particularly the procedures for appointing members of its Board of Directors, leading to recurrent crises within its governing bodies. Since 2006, the appointment system has undergone several transformations, oscillating between models that required broad parliamentary consensus and others that allowed appointments by simple majority. The latest reform, enacted through Royal Decree-Law 5/2024, expanded the Board to 15 members and reintroduced the possibility of appointment by absolute majority in a second parliamentary vote. Although the law stipulates that members must possess relevant professional experience and that gender balance must be respected, there is no independent mechanism overseeing the selection process, and many current board members maintain close ties to the political parties that nominated them. This persistent politicisation of appointments continues to weaken the effective independence of RTVE's governance structures. In financial terms, Law 8/2009 eliminated commercial advertising from RTVE's radio and television services and introduced a public funding model based on state budget allocations and sectoral levies. However, the absence of updated Framework Mandates and Programme Contracts has undermined strategic planning and transparency in resource allocation, leaving RTVE financially dependent on annual budgetary negotiations. As a result, while Spain's legal framework formally upholds the principles of editorial and financial independence, RTVE's governance in practice remains strongly conditioned by political dynamics.

Law 17/2006 stipulates that members of the RTVE Board of Directors shall cease to hold office, in addition to voluntary resignation or upon completion of their mandate, in the following cases: permanent incapacity to perform their duties, final conviction for any intentional crime, supervening incompatibility, or by a reasoned decision of the Board of Directors. The Board may propose to the Congress of Deputies the dismissal of one of its members if supported by a two-thirds majority, following a preliminary investigation. In turn, the Congress of Deputies must also approve the dismissal by a two-thirds majority. 33 Furthermore, the law outlines several circumstances that entail the collective dismissal of all members of the Board of Directors for management-related reasons. These include: a). The existence of grounds for a mandatory reduction of share capital due to losses, in accordance with the Companies Act. ; b). A situation where losses reduce equity to less than half of

the share capital; and c). significant budgetary deviations.

In the latter case, two quantitative criteria are established: (a) a deterioration in the budgeted result equal to or greater than 10% of the approved compensation for the provision of the public service; or (b) a deviation of 10% or more in the total allocations of either the operating budget or the capital budget. Law 17/2006 does not provide an appeal mechanism capable of suspending or reviewing a dismissal decision adopted by the Congress of Deputies. However, a dismissed member may challenge the decision before the ordinary courts or the Constitutional Court on the grounds of rights violations.

<https://ipi.media/wp-content/uploads/2025/12/SPAIN-media-Capture-Monitoring-Report-Overview-1.pdf>

[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

Article 6 of EMFA requires Member States not only to ensure active transparency by media outlets but also to establish national databases containing accessible, up-to-date information on ownership (including state participation), beneficial ownership, and funding flows from institutional and third-country public advertising. In Spain, this obligation is only partially implemented. The General Audiovisual Communication Law (LGCA) and its implementing regulation (RD 444/2024) provide a public State Register for audiovisual and video-sharing service providers, now extended to include major content creators (“users of special relevance”). However, this registry remains sectoral, excluding the press and non-audiovisual digital media, and does not include beneficial ownership or detailed funding data as required by EMFA. The Central Register of Beneficial Ownership (RCTR), created by RD 609/2023, offers a horizontal mechanism for accessing beneficial ownership data, but it does not substitute for a comprehensive media ownership database integrating ownership, control, and funding flows. Independent assessments, including CMPF/MPM 2025 (Spain), confirm that EMFA implementation is still partial: transparency requirements are concentrated in the audiovisual sector, with no unified national database covering all media types. Full alignment with Article 6 of EMFA would require extending registry obligations, and their transparency fields, across the entire media system.⁸² In the area of institutional advertising, Law 29/2005 requires the General State Administration to publish an annual report detailing all campaigns, the corresponding amounts, contractors, and, where applicable, the related media plans. This measure enhances the traceability of public spending, yet it does not constitute a national media ownership database nor provide an annual aggregation by medium that would allow for identifying how much each media supplier receives in institutional advertising. Consequently, it falls short of the transparency standard envisaged under Article 6 of EMFA.

<https://ipi.media/wp-content/uploads/2025/12/SPAIN-media-Capture-Monitoring-Report-Overview-1.pdf>

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

Journalists and media outlets also faced different forms of legal pressure. In March, four journalists were charged with disclosure of secrets for publishing parts of a Civil Guard report linked to a Supreme Court case involving the State Attorney General. The ultraconservative group Hazte Oír threatened legal action against comedians Lalachus and David Broncano, as well as RTVE president José Pablo López, over alleged offences against religious sentiments, citing Article 525 of the Penal Code. The Catholic association Christian Lawyers sued satirical magazine El Jueves over a cartoon it claimed violated the right to honour. Investigative outlet La Marea faced a €60,000 defamation lawsuit from Invest Medical LLC, the company behind the surrogacy agency Gestlife, over reporting on the international surrogacy business.

Mapping Media Freedom data on Spain for 2025 - <https://www.mapmf.org/explorer?f.year=2025&f.country=Spain&show=list&sort=timestamp%3Adesc>

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

5000 character(s) maximum

In 2025, press freedom in Spain was marked by persistent challenges linked to political interference, physical attacks, legal pressure and online harassment. Editorial interference remained a threat with twelve recorded cases, particularly within regional public broadcasters. The situation prompted staff protests in July and November 2025 in several regional broadcasters to defend editorial independence from political influence. The situation was especially concerning at the Valencian public broadcaster À Punt following the adoption of a controversial public broadcasting law in 2024. Journalists repeatedly denounced political interference by the regional government led by the People's Party (PP), supported by Vox. Staff representatives said recent reforms had reduced the broadcaster's autonomy, suspended the Editorial Board, and removed newsroom representatives' decision-making powers. Concerns were also raised about a new editorial style guide that altered standards on gender-based violence,

language use and programme content. In response, two journalists resigned in September and October, invoking the “conscience clause” due to what they described as a substantial change in the broadcaster’s editorial line.

Physical safety also remained a key concern. At least 17 journalists and camera operators were physically assaulted, most often while covering demonstrations or working in public spaces. Seven of these attacks resulted in injuries. While most perpetrators were private individuals, three cases involved police violence. In October, photojournalist Joan Gálvez was injured by a foam projectile fired by a Mossos d’Esquadra officer while covering a pro-Palestine protest.

Environmental reporting was another area where journalists faced pressure. MapMF recorded eight related cases. In Cártama, a Canal Sur journalist and camera operator were physically attacked while reporting on heavy rains and flooding. A journalist was summoned to court over coverage of a 2023 climate protest at Madrid-Barajas Airport. In December, journalists attempting to report on African swine fever affecting wild boars in Barcelona’s Collserola Natural Park were restricted in their access. Journalists at Catalan broadcaster TV3 denounced editorial interference over the postponement of a documentary featuring whistleblower allegations about unsafe construction practices in flood-prone areas.

Far-right actors played a prominent role in several incidents. MapMF recorded seven cases of verbal attacks by far-right party Vox and its politicians, as well as nine cases linked to far-right activists and protesters. Journalist Román Cuesta of Diario Red was assaulted and injured by four suspected far-right individuals outside his home. Political analyst Laura Arroyo, a contributor to Canal Red, was targeted by an online harassment campaign after comments she made on public television. The abuse, which focused partly on her identity as a migrant woman from Peru, intensified when Vox amplified hostile messages through its official X account, adding a statement widely interpreted as calling for the deportation of those who “propagate hatred and violence.”

In September, Vox launched a coordinated online harassment campaign against journalist and author Cristina Fallarás, urging supporters to report her to the authorities. The party promoted a pre-written complaint across its website and social media platforms, featuring Fallarás by name and image. The campaign triggered a wave of online harassment and threats against her.

Journalists in Spain continued to face a variety of threats, including political interference, physical attacks, legal threats and coordinated online harassment. Editorial independence at public broadcasters, particularly at regional level, remained a central concern, while far-right actors played a major role in targeting individual journalists. Together, these trends highlight ongoing challenges to press freedom and safety of journalists in Spain.

Mapping Media Freedom data on Spain for 2025 - <https://www.mapmf.org/explorer?f.year=2025&f.country=Spain&show=list&sort=timestamp%3Adesc>

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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