

Spain

I Justice System

PACE

Monitoring committee

Spain | [Doc. 16316](#)

A fact-finding visit to Madrid and Barcelona took place on 12-14 November 2025. During the visit to Madrid, the co-rapporteurs met the Speaker of the Congress of Deputies, Ms Francina Armengol, members of the Constitutional Committees of the Congress of Deputies and of the Senate, the leader of the main opposition party – the Popular Party (Partido Popular), Mr Alberto Núñez Feijóo, members of the Spanish delegation to the Assembly, the President of the Constitutional Court, Mr Cándido Conde-Pumpido Tourón, the President of General Council of the Judiciary, Ms Isabel Perelló Doménech (who is also President of the Supreme Court), high-level civil servants at the Ministry of Home Affairs and the Ministry of Presidency, Justice and Relations with the Parliament. They also had meetings with representatives of the bar, associations of magistrates and prosecutors and civil society. In Barcelona, the co-rapporteurs held meetings with the President of the Parliament of Catalonia, Mr Josep Rull i Andreu, members of the European Union and Foreign Action Committee of the Parliament of Catalonia, the Counsellor of Justice of the Regional Government of Catalonia, Mr Ramon Espadaler i Parcerisas, members of the Republican Left of Catalonia (Esquerra Republicana de Catalunya) party and representatives of civil society.

Spain is currently trying to reform its justice system and the General Council for the Judiciary (CGPJ), which, between 2018 and 2024, remained in an institutional paralysis due to a parliamentary blockage on a renewal of its members.

On 5 February 2025, the CGPJ adopted a report examining similar European systems of election of judicial councils' members, together with a proposal to reform the election of the judges-members, presenting alternative models both with and without parliamentary involvement. The CGPJ was unable to reach a consensus on a single proposal and instead submitted two diverging models. The first model, supported by 10 members from the conservative sector, proposes that those members be elected by the judges themselves. This latter system is the one backed by the Popular Party. The second model, supported by 10 members from the progressive sector and aligned with the government, maintains the final vote for judicial members by the parliament. The report was submitted to the Venice Commission.

At its plenary session on 9-10 October 2025, the Venice Commission adopted its “Opinion on the manner of election of the judicial members of the General Council of the Judiciary”. It recalled that according to Council of Europe’s standards, not less than half the members of judicial councils should be judges elected by their peers. It concluded that the first model (“option 1”) complied with this European standard, although it implied a risk of internal politicisation, especially where judicial associations might exert significant influence over the election process. As regards the second model (“option 2”), the Venice Commission was of opinion that “in addition to the internal risks of politicisation discussed under Option 1”, [it made] the procedure vulnerable to external politicisation in Parliament” and did not comply with the European standards. Moreover, it stressed “the importance of ensuring the composition of the judicial council, with balanced participation of judges from all levels of the judiciary, as well as adequate diversity in terms of specialisation, gender, and region” and added that “the principle of pluralism should likewise apply to lay members, who should represent academia and other legal professions”.

CEPEJ

The European Commission for the Efficiency of Justice (CEPEJ) regularly collects data on judicial systems concerning efficiency and quality of the justice system. In the framework of the CEPEJ Study for the EU Justice Scoreboard, CEPEJ prepares Country profiles annually, including [Spain](#).

The 2024 data have been collected, quality checked and sent to DG-JUST in the framework of the 2026 EU Justice Scoreboard. The publication of the country profiles based on 2024 data will depend on final acceptance of the CEPEJ Study by DG-JUST. The CEPEJ Secretariat (christel.schurrer@coe.int) remains at the disposal of European Commission for any question related to these data.

EXECUTION OF JUDGMENTS OF THE EUROPEAN COURT OF HUMAN RIGHTS

Official statistics on the execution of judgments of the European Court of Human Rights are published in the Committee of Ministers [Annual reports on the execution](#) (next edition to be published in March 2026). The Department for the Execution of Judgments can be consulted for any question on statistics: DGI-Execution@coe.int.

[Lorenzo Bragado](#) (No. 53193/21) (standard supervision): dismissal of amparo appeal, as out of time and without examining merits, against Parliament’s failure to pursue appointment process of a new General Council of the Judiciary, by magistrates on final candidate list.

Supervision of the execution of this judgment was closed by the Committee of Ministers on 3 July 2025 (see final resolution [CM/ResDH\(2025\)168](#))

[M.D. and others](#) (No. 36584/17) (standard supervision): police report on judges who signed a manifesto on the Catalan people’s “right to decide” and insufficient inquiry into data leak to press

Latest submission: [DH-DD\(2025\)1398](#)

[Fragoso Dacosta](#) : The applicant shouted offensive words towards the national flag during a protest due to unpaid wages and was then convicted for criminally insulting Spain. The ECtHR found that the domestic courts did not take into account the context of the case (statements were related to a labour protest, applicant was a trade union representative and there was no public disorder). The ECtHR decided that the interference with the applicant’ freedom of expression was not necessary in a democratic society.

Latest submissions: [DH-DD\(2024\)314](#)

[Stern Taulats and Roura Capellera](#) (No. 51168/15) (standard supervision) concerned the conviction of the applicants for setting fire to a photograph of the royal couple at a public demonstration held during the King’s official visit to Girona in September 2007.

Supervision of the execution of this judgment was closed by the Committee of Ministers on 3 July 2025 (see final resolution [CM/ResDH\(2025\)455](#))

[Erkizia Almandoz](#) (No. 5869/17) (standard supervision): the case concerned the criminal conviction of the applicant, a former Basque separatist politician, for a speech given at a ceremony paying tribute to a member of the ETA terrorist organisation which did not directly or indirectly incite to terrorist violence.

Supervision of the execution of this judgment was closed by the Committee of Ministers on 3 July 2025 (see final resolution [CM/ResDH\(2025\)345](#))

VENICE COMMISSION

[CDL-AD\(2025\)038](#) - Opinion on the manner of election of the judicial members of the General Council of the Judiciary.

II Anti-corruption framework

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In 2025, the co-rapporteurs Ms Valentina Grippo (Italy, ALDE) and Ms Elvira Kovács (Serbia, EPP/CD) followed closely the developments in the country. At its meeting in Paris on 4 March 2025, the committee held an exchange of views with Mr Antonio Gutiérrez Limones, chairperson of the delegation to the Assembly, and members of the delegation. On 9 September 2025, it held an exchange of views on “The state of Spain’s implementation of the recommendations of the Group of States against Corruption (GRECO) concerning preventing corruption in parliament, judiciary, central governments and law enforcement agencies” with Ms Sophie Meudal Leenders, Senior Legal Adviser, Secretariat of the GRECO, Council of Europe.

As regards preventing and combatting corruption, on 1 August 2025, GRECO published the Addendum to the Second Compliance Report (adopted in June 2025) concerning the Fifth Evaluation Round on “Preventing corruption and promoting integrity in central government (top executive functions) and law enforcement authorities”, in which it found that Spain had not implemented satisfactorily any of the 19 recommendations. Sixteen recommendations had been partly implemented and three had not been implemented. This marked a slight progress from the previous report, with three further recommendations being assessed as partly implemented. Two of the recommendations where progress had been recorded concerned persons in top executive functions and one concerned the Civil Guard.

As regards GRECO’s Fourth Evaluation Round concerning the “Prevention of corruption in respect of members of parliament, judges and prosecutors”, in April 2025, GRECO published its Second Addendum to the Second Compliance report on Spain, by which it closed the compliance procedure. As of June 2024, Spain had fully implemented seven of the eleven recommendations. Three were partly implemented and one was not implemented.

GRECO

[Second Addendum to the Second Compliance Report](#) (16 April 2025)

4th round: Prevention of corruption in respect of members of parliament, judges and prosecutors

[Second Compliance Report](#) (16 April 2025)

5th round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies

[Addendum to the Second Compliance Report](#) (1 August 2025)

5th round: Preventing corruption and promoting integrity in central governments (top executive functions) and law enforcement agencies

III Media pluralism

N/A

IV Other institutional issues related to checks and balances

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