

2024 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, four editions of the Rule of Law Report have been published in 2020, 2021, 2022 and 2023.

The Commission would like to invite stakeholders to provide contributions to the 2024 Rule of Law Report. This survey provides information on the type of information and topics that will be covered in the 2024 Rule of Law Report, in order to allow stakeholders to provide input. More targeted input may be requested at a later stage of preparation of the 2024 Rule of Law Report, including in the context of country visits, or bilateral contacts.

The 2024 Rule of Law Report will continue to deepen the assessment under the existing four pillars, and will also follow-up on the implementation of the recommendations to Member States, that were issued as part of the 2023 Rule of Law Report. The contribution to be provided should include **(1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter and (2) any other significant developments since January 2023^[1] falling under the ‘type of information’ outlined in section II.**

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.

[1] Unless the information was already submitted in the input for the previous Rule of Law Reports.

Type of information

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

A) Legislative developments

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

B) Policy developments

- Implementation of legislation
- Evaluations, impact assessment, surveys
- White papers/strategies/actions plans/consultation processes
- Follow-up to reports/recommendations of Council of Europe bodies or other international organisations
- Important administrative measures
- Generalised practices

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, heads of independent authorities included in the scope of the questionnaire[2])

D) Any other relevant developments

- Respondents are free to add any further information, which they deem relevant; however, this should be short and to the point.

Please also indicate whether the developments reported are linked to the implementation of reforms and investments under the RRP, where applicable.

If there are no changes, it is sufficient to indicate this and the information covered in the contributions for the previous Rule of Law Reports should 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.

About you

* 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

Association HazteOir.org

Main Areas of Work

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

If "Other", please specify

Right to life, Right to protection of families, Right to freedom.

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

500 character(s) maximum

<https://www.citizengo.org/hazteoir>

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

167.805

* Country of origin

Please add the country of origin of your organisation

- ☐ Afghanistan
- ☐ Albania
- ☐ Algeria
- ☐ Andorra
- ☐ Angola
- ☐ Antigua and Barbuda
- ☐ Argentina
- ☐ Armenia
- ☐ Australia
- ☐ Austria
- ☐ Azerbaijan

- ☐ Bahamas
- ☐ Bahrain
- ☐ Bangladesh
- ☐ Barbados
- ☐ Belarus
- ☐ Belgium
- ☐ Belize
- ☐ Benin
- ☐ Bhutan
- ☐ Bolivia
- ☐ Bosnia and Herzegovina
- ☐ Botswana
- ☐ Brazil
- ☐ Brunei Darussalam
- ☐ Bulgaria
- ☐ Burkina Faso
- ☐ Burundi
- ☐ Cabo Verde
- ☐ Cambodia
- ☐ Cameroon
- ☐ Canada
- ☐ Central African Republic
- ☐ Chad
- ☐ Chile
- ☐ China
- ☐ Colombia
- ☐ Comoros
- ☐ Congo
- ☐ Costa Rica
- ☐ Côte D'Ivoire
- ☐ Croatia
- ☐ Cuba
- ☐ Cyprus
- ☐ Czechia
- ☐ Democratic Republic of the Congo
- ☐ Denmark
- ☐ Djibouti
- ☐ Dominica
- ☐ Dominican Republic
- ☐ Ecuador
- ☐ Egypt
- ☐ El Salvador
- ☐ Equatorial Guinea
- ☐ Eritrea
- ☐ Estonia
- ☐ Eswatini
- ☐ Ethiopia

- ☐ Fiji
- ☐ Finland
- ☐ France
- ☐ Gabon
- ☐ Gambia
- ☐ Georgia
- ☐ Germany
- ☐ Ghana
- ☐ Greece
- ☐ Grenada
- ☐ Guatemala
- ☐ Guinea
- ☐ Guinea Bissau
- ☐ Guyana
- ☐ Haiti
- ☐ Honduras
- ☐ Hungary
- ☐ Iceland
- ☐ India
- ☐ Indonesia
- ☐ Iran
- ☐ Iraq
- ☐ Ireland
- ☐ Israel
- ☐ Italy
- ☐ Jamaica
- ☐ Japan
- ☐ Jordan
- ☐ Kazakhstan
- ☐ Kenya
- ☐ Kiribati
- ☐ Kuwait
- ☐ Kyrgyzstan
- ☐ Laos
- ☐ Latvia
- ☐ Lebanon
- ☐ Lesotho
- ☐ Liberia
- ☐ Libya
- ☐ Liechtenstein
- ☐ Lithuania
- ☐ Luxembourg
- ☐ Madagascar
- ☐ Malawi
- ☐ Malaysia
- ☐ Maldives
- ☐ Mali

- ☐ Malta
- ☐ Marshall Islands
- ☐ Mauritania
- ☐ Mauritius
- ☐ Mexico
- ☐ Micronesia
- ☐ Monaco
- ☐ Mongolia
- ☐ Montenegro
- ☐ Morocco
- ☐ Mozambique
- ☐ Myanmar
- ☐ Namibia
- ☐ Nauru
- ☐ Nepal
- ☐ Netherlands
- ☐ New Zealand
- ☐ Nicaragua
- ☐ Niger
- ☐ Nigeria
- ☐ North Korea
- ☐ North Macedonia
- ☐ Norway
- ☐ Oman
- ☐ Pakistan
- ☐ Palau
- ☐ Panama
- ☐ Papua New Guinea
- ☐ Paraguay
- ☐ Peru
- ☐ Philippines
- ☐ Poland
- ☐ Portugal
- ☐ Qatar
- ☐ Republic of Moldova
- ☐ Romania
- ☐ Russian Federation
- ☐ Rwanda
- ☐ Saint Kitts and Nevis
- ☐ Saint Lucia
- ☐ Saint Vincent and the Grenadines
- ☐ Samoa
- ☐ San Marino
- ☐ Sao Tome and Principe
- ☐ Saudi Arabia
- ☐ Senegal
- ☐ Serbia

- ☐ Seychelles
- ☐ Sierra Leone
- ☐ Singapore
- ☐ Slovakia
- ☐ Slovenia
- ☐ Solomon Islands
- ☐ Somalia
- ☐ South Africa
- ☐ South Korea
- ☐ South Sudan
- ☒ Spain
- ☐ Sri Lanka
- ☐ Sudan
- ☐ Suriname
- ☐ Sweden
- ☐ Switzerland
- ☐ Syrian Arab Republic
- ☐ Tajikistan
- ☐ Tanzania
- ☐ Thailand
- ☐ Timor-Leste
- ☐ Togo
- ☐ Tonga
- ☐ Trinidad and Tobago
- ☐ Tunisia
- ☐ Turkey
- ☐ Turkmenistan
- ☐ Tuvalu
- ☐ Uganda
- ☐ Ukraine
- ☐ United Arab Emirates
- ☐ United Kingdom
- ☐ United States of America
- ☐ Uruguay
- ☐ Uzbekistan
- ☐ Vanuatu
- ☐ Venezuela
- ☐ Viet Nam
- ☐ Yemen
- ☐ Zambia
- ☐ Zimbabwe

First name

Surname

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

*** Publication of your contribution and privacy settings**

You can choose whether you wish for your contribution to be published and whether you wish your details to be made public or to remain anonymous.

- ☐ Anonymous - Only your type of respondent, country of origin and contribution will be published. Organisation name, URL, transparency register number, first name and surname given above will not be published. **To maintain anonymity, please refrain from mentioning the name of your organisation and any details from which your organisation can be identified in the rest of your contribution.**
- ☒ Public - Your personal details (name, organisation name, transparency register number, country of origin) will be published with your contribution).
- ☐ No publication - Your contribution will not be published. Elements of your contribution may be referred to anonymously in documents produced by the Commission based on this consultation.

☒ I agree with the personal data protection provisions.

[Specific privacy statement targeted stakeholder consultation 2024 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 2024 RoL Report.pdf](#)

Please provide any relevant information on horizontal developments here

5000 character(s) maximum

In the case of Spain, we find an abnormality regarding the election of both Magistrates and Prosecutors in the highest Courts. This abnormality is explained by the fact that they are elected by the Government and the Congress of Deputies.

In the case of the Magistrates, we have been trying to renew the General Council of the Judiciary Power (CGPJ) for more than five years, since the parties that should do so cannot agree. This is one of the consequences of judges not electing judges themselves (<https://www.poderjudicial.es/cgpj/es/Canal-Judicial/CGPJ/La-reforma-de-la-Justicia-es-inaplazable>). This Judicial Body is important given that they are the ones who, for example, sanction judges if they commit violations of their duty.

As for the State Attorney General's Office, the same situation occurs. The consequence has been that an attempt was made to renew Álvaro García Ortiz in his position as Prosecutor and that the CGPJ rejected this appointment because it was not considered suitable (<https://elpais.com/espana/2023-11-30/el-poder-judicial-rechaza-por-primera-vez-avalar-a-un-fiscal-general-del-estado-nombrado-por-el-gobierno.html>). This news piece shows that the Prosecutor's Office lacks independence and is subject to an Executive Branch that manages it and decides which cases are handled and with what vision. An example of this is the case of "Juana Rivas," whose sentence was reduced by the Government through the Supreme Court (with a socialist majority or appointed by this Government), and who was later pardoned despite having kidnapped her two minor children to prevent them from residing with their father and having tried to prevent them from being returned to their habitual residence (<https://elpais.com/sociedad/2023-03-15/la-justicia-italiana-niega-a-juana-rivas-la-custodia-de-su-hijo-menor.html>).

Something denounced by the Independent Judicial Forum (FJI) (<https://forojudicialindependiente.es/presentacion/>), in a report about judicial independence, is that: "the liability regime of judges and magistrates has become exorbitant, to the point that they face direct civil liability and the possibility of culpable prevarication. The number of judges and magistrates has been kept to a minimum, producing a generalized work overload situation in most judicial bodies. Judges and their governing body have been deprived of any jurisdiction over court personnel, which is controlled directly by the executive branch and has been assigned quasi-judicial functions and oversight of some of that personnel (in violation of the principle of exclusivity). Finally, the judiciary has been left without control over the material resources it needs to carry out its work and endures an endemic lack of necessities" (<https://www.forojudicialindependiente.es/wp-content/uploads/2016/11/La-independencia-del-Poder-Judicial-en-Espana%CC%83a.-Complaint-from-FJI-to-CCJE.pdf>).

Doubts regarding judicial independence have already been expressed by the European Union (https://www.eldebate.com/espana/20230705/europa-obliga-gobierno-cambiar-ley-sobre-cgpj-despolitizar-sistema-nombramientos_126138.html) and we can only say that, in recent months, nothing has changed. The Judiciary is increasingly dominated by the Executive Branch and the President of the Government, as evidenced by the new Amnesty Law, which requires Judges to submit to Congressional committees that will question and judge sentences they have decreed against criminals and coup plotters who have repeatedly damaged our country.

Questions for contribution

The following four pillars (I.-IV.) are sub-divided into topics (A., B., etc.) and sub-topics (1., 2., 3., etc.). For each of the topics and sub-topics, you are invited to provide (1) information on measures taken to implement the recommendations addressed to the Member State in the 2023 Rule of Law report, as well as developments with regard to the points raised in the respective country chapter of the 2023 Rule of Law Report and (2) any other significant developments since January 2023[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.

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

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 covered in contribution [only one choice possible]

If you wish to submit information concerning several Member States, please fill in the questionnaire separately for each Member State. There is no limit to the number of contributions submitted by a single participant.

- ☐ 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

I. Justice System

Please provide information on measures taken to follow-up on the recommendations received in the 2023 Report regarding the justice system (if applicable)

5000 character(s) maximum

No progress has been made based on the recommendations made in 2023 through the previous report. The Statute of the State Attorney General has not been reinforced so that the appointment of a Prosecutor does not depend on the current Government. Proof of this is the recent news mentioned above, in which the CGPJ denied the appointment of a Prosecutor General of the State designated by the Government in November of last year. One of the motivations mentioned by the CGPJ was the lack of due transparency in discretionary appointments, that is, those made by the Government, which selects those closest to it for positions that should enjoy independence. We can increasingly see that those selected for these positions lack independence. (<https://www.poderjudicial.es/cgpj/es/Poder-Judicial/En-Portada/El-Pleno-del-CGPJ-considera-que-Alvaro-Garcia-Ortiz-no-es-adecuado-para-el-puesto-de-Abogado-Genera>)

Nor has any progress been made towards the renewal of the CGPJ. At this point, we would like to point out to the Commission that not all Spaniards agree that the CGPJ should be renewed, feeling that this is our country's only independent Judicial Body. It would be best for normality to be restored within the CGPJ if the selected members do not have ties to the government.

The Law on official secrets has not been modified either; the 1968 law still applies.

In summary, the key points are that no progress has been made on reinforcing prosecutorial independence, renewing the CGPJ with non-partisan members, or updating the Law on official secrets. I have aimed to improve coherence and reduce repetitiveness while retaining the overall message. Please let me know if any part needs further revision.

A. Independence

Appointment and selection of judges, prosecutors and court presidents (incl. judicial review)

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

5000 character(s) maximum

The issue of independence is one of the most debated in our country at this time. Judicial independence is questioned daily, with few believing that the Magistrates chosen by successive Governments in Spain are completely independent. The Amnesty Law has reinforced this debate, which has elevated the CGPJ as the most independent body despite requiring renewal five years ago. Judges and prosecutors have raised their voices, appearing more independent to those speaking out. To date, due to these statements, the Government has accused CGPJ Magistrates of prevarication for defending judicial independence and opposing parliamentary questioning of sentences (<https://elpais.com/espana/2023-12-20/judges-interrogated-by-the-parliament-ning-precedent-and-a-marana-of-contradictory-laws.html>), as intended under the Amnesty Law likely to be approved soon (https://www.eldiario.es/politica/sumar-denuncia-prevaricacion-conservadores-cgpj-aprobaron-declaracion-amnistia_1_10713094.html). If passed, this Law will end judicial independence since judges would be forced to defer to politicians instead of the law, with prior rulings subject to retroactive review.

Irremovability of judges, including transfers, dismissal, retirement regime of judges, court presidents, and prosecutors (incl. judicial review)

There aren't problems beyond the appointment of senior judicial and prosecutorial officials.

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

At this point there are no problems beyond the appointment of senior officials of judicial and fiscal organizations already explained previously.

Promotion of judges and prosecutors (incl. judicial review)

5000 character(s) maximum

The assignment is slow and the resolution too, since there are few judges and too many cases in comparison, making it impossible for justice to be as fast and effective as it should be, something already denounced by independent associations of judges who see how they do not have enough time during their workday to be able to resolve and attend to all those cases that arise. Although there is an opposition process each year to hire judges and prosecutors, the number is not enough compared to the cases and the difficulty they sometimes have.

Allocation of cases in courts

5000 character(s) maximum

The assignment is slow and the resolution too, since there are few judges and too many cases in comparison, making it impossible for justice to be as fast and effective as it should be, something already denounced by independent associations of judges who see how they do not have enough time during their work day to be able to resolve and attend to all those cases that arise. Although there is an opposition process each year in order to hire judges and prosecutors, the number is not enough when compared to the cases and the difficulty they sometimes have.

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

Independence in Spain is constantly questioned for a reason already explained, such as the fact that the other two Powers, the Executive, and the Legislative, are directly involved in their appointments, usually coinciding with Government elections, which leads sometimes. There may even be a majority of judges or magistrates dependent on one party or another. This problem has led citizens to continually distort the Judiciary and doubt its independence at all levels, even though lower court judges usually enjoy apparent independence.

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

Remuneration/bonuses/rewards for judges and prosecutors, including observed changes (significant and targeted increase or decrease over the past year), transparency on the system and access to the information

5000 character(s) maximum

Independence/autonomy of the prosecution service

5000 character(s) maximum

The Public Prosecutor's Office is one of the most questioned in Spain since the fact that it is directly appointed by the Government has put it in the spotlight to the point that this year, for the first time, it has failed, just as We previously mentioned an Attorney General from the CGPJ. Doubts about the Prosecutor's Office's autonomy grow daily, and those who confront him doubt his actions. In addition to this, they defend causes with political overtones such as the Juana Rivas case, in which they supported the mother's version and, finally, an independent Italian court concluded that nothing was like the mother and kidnapper of her children had stated since the case It became known in public, but as was the Government's position, it was adopted by the prosecutor's office without questioning it (<https://elpais.com/sociedad/2021-12-17/la-fiscalia-recurre-el-auto-del-juez-del-caso-juana-rivas-y-pide-que-se-suspenda-su-pena-de-prision.html>).

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

We have mentioned and explained why this perception by the general public could be affected. Among them, we must highlight both the cases in which the Prosecutor's Office and the judges have interfered in cases to which they have given political overtones, and even more important, the Amnesty Law. If it were not questioned before the EU by the judges and were applied, there would be no doubt that they would stop believing in independent justice, since they would reverse their sentences, not asking for firm sentences for those who have altered social peace in our country. country with their actions and they have embezzled it to the point where the internal debt of Catalonia under their Government triples the debt existing in the Community of Madrid, the capital of the State, without having any consequences for it. Furthermore, although the CGPJ has said that judges should not appear before the investigative commissions established in the Law and the Government has chosen to deny this article, if we did so we would consider more strongly what happened with that independence since The Supreme Court has even issued rulings on the "Procés," a case that has justified for our rulers the need for the Amnesty Law. Still, peace and cordial coexistence can't be recovered in the event of non-payment. those who have committed their debts to society.

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 under section

2)

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

5000 character(s) maximum

Resources of the judiciary (human/financial/material)

(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

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

5000 character(s) maximum

Digitalisation (e.g. use of digital technology, particularly electronic communication 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 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 specialization, in particular specific courts or chambers within courts to deal with fraud and corruption 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 under section 2)

Length of proceedings

5000 character(s) maximum

Other - 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 2023 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 resources as relevant), including the cooperation among domestic and with foreign authorities. Indicate any relevant measure taken to effectively and timely cooperate with OLAF and EPPO (where applicable)

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 and their application (including as regards incompatibility rules, revolving doors, codes of conduct, ethics training)

5000 character(s) maximum

General transparency of public decision-making (including rules on lobbying and their enforcement, asset disclosure rules and enforcement, gifts policy, transparency of political party financing)

5000 character(s) maximum

Rules and measures to prevent and address 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

If available to you, for the three preceding questions, you are also invited to provide figures on their application, such as number of detected breaches/irregularities of the various rules in place and the follow-up given (investigations, sanctions, etc.).

Measures in place to ensure whistleblower protection and encourage reporting of corruption, including the number of reports received and the follow-up given

5000 character(s) maximum

Sectors with high-risks of corruption in your Member State:

- Measures taken/envisaged for monitoring and preventing corruption and conflict of interest in public procurement
- List other sectors with high risks of corruption and the relevant measures taken/envisaged for monitoring and preventing corruption and conflict of interest in these sectors (e.g. healthcare, citizen /residence investor schemes, urban planning, risk or cases of corruption linked to the disbursement of EU funds, other), and, where applicable, list measures to prevent and address corruption committed by organised crime groups (e.g. to infiltrate the public sector)

5000 character(s) maximum

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

5000 character(s) maximum

C. Repressive measures

Criminalisation, including the level of sanctions available by law, of corruption and related offences, including foreign bribery

5000 character(s) maximum

Data on the number of investigations, prosecutions, final judgments and application of sanctions for corruption offences (differentiated by corruption offence if possible) including for legal persons and high level and complex corruption cases) and their transparency, including as regards to the implementation of EU funds

5000 character(s) maximum

Potential obstacles to investigation and prosecution as well as to the effectiveness of criminal sanctions 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 non-criminal measures and of sanctions (e.g. recovery measures and administrative sanctions) on both public and private offenders

5000 character(s) maximum

Other - 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 2023 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 adopted 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

Measures taken to ensure the fair and transparent allocation of state advertising (including any rules regulating the matter)

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 operational independence (e.g. related to reporting obligations and the allocation of resources) and safeguards for plurality of information and opinions
- 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

Transparency of media ownership and public availability of media ownership information, including on direct, indirect and beneficial owners, as well as any rules regulating the matter

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

Other - 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 2023 Report regarding the system of checks and balances (if applicable)

5000 character(s) maximum

Despite the action plan of the Constitutional Court, we find that the appeals continue to be slow in terms of their processing and subsequent ruling. Furthermore, the cases admitted annually are few compared to those presented, making it difficult to understand the fact of the same slowness in terms of the resolution of the cases presented to it.

Contrary to what was recommended by the Commission in the previous report, the Citizen Security Law has not been reformed; on the contrary, it remains in force, making it difficult for citizens to freely exercise their rights, such as the right to meet or demonstrate without risking large fines. that could destabilize your personal economy and family life. It is still not adapted to international standards on human rights.

A. The process for preparing and enacting laws

Framework, policy and use of impact assessments and evidence based policy-making, stakeholders'[1] /public consultations (including consultation of judiciary and other relevant stakeholders on judicial reforms), and transparency and quality of the legislative process both in the preparatory and the parliamentary phase

[1] This includes also the consultation of social partners

5000 character(s) maximum

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

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 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 of recommendations by National Human Rights Institutions, ombudsman institutions, equality bodies and supreme audit institutions in the past two years

5000 character(s) maximum

C. Accessibility and judicial review of administrative decisions

Transparency of administrative decisions and sanctions (incl. their publication and rules on collection of related data)

5000 character(s) maximum

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

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

Follow-up by the public administration and State institutions to final (national/supranational, including the European Court of Human Rights) court decisions, as well as available remedies in case of non-implementation

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 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 for protection 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

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

Rules and practices on the participation of civil society organisations and human rights defenders to the decision-making process (e.g. measures related to dialogue between authorities and civil society, participation of civil society in policy development and decision-making, consultation, dialogues, etc.)

5000 character(s) maximum

E. Initiatives to foster a rule of law culture

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

5000 character(s) maximum

The measures related to promoting a culture of the Rule of Law tend to ideologize minors and adults, making them believe that only the ideology represented by the current Government is good, historical issues are hidden and everything related to it is supported. with the LGTBI lobby without counting on anything more than this. We see how they are educated on issues related to sex and how we approach day by day an increasingly marked degeneration in education. Parents increasingly have less right to give their opinion regarding educational initiatives that affect their children. Agendas have been distributed to minors with topics related to sex in children's parades in a Spanish city and issues of this type are also shown on regional television such as Catalonia, in which some young people gathered on the set saw how, through a video, taught them how to "have sexual relations." In addition, scripts or books are written for teachers and high school students to teach them about the same subject while the history of our country is relegated to a marked background, ignoring the historical part that harms the Government in power.

Civil society cannot contribute to this if it does not applaud these measures. If it does, they are not listened to and, on the contrary, they are attacked for demanding consistency, for example, in terms of parents having the capacity and obligation. to decide about the themes shown to their children.

Parliamentary debates are questionable, we have seen how they look like a market instead of serious debates in which the true rule of law is shown to the citizens who follow these broadcasts. In addition, as in other matters, an excessive amount of money is invested so that each Deputies of Autonomous Community can speak in their language when we all have a common language, Spanish. Part of this money, which comes from the European Union, is being wasted on issues that only serve to keep the Government in power.

Other - please specify

5000 character(s) maximum

The biggest problem related to Europe today and has already been expressed is the lack of transparency regarding European funds. It is invested in causes that have little or nothing to do with the well-being of citizens, such as the Amnesty Law for Catalan politicians guilty of various crimes, something proven in two judicial sentences from the Constitutional Court and in pardoning an Autonomous Community, Catalonia, eighteen billion debt that all Spaniards will have to take care of and, as is evident, so will all Europeans but without the direct consequences that the country's nationals will suffer. This will promote poverty and economic problems in a society that is already damaged, not only in terms of economic issues but also in terms of coexistence since the Government's discourse is aimed at the separation of Spaniards, rejecting

the flag or national symbols and decriminalizing crimes such as insults to the Crown. There are also problems regarding problems such as illegal immigration, which are not seeing a clear solution from the Government of the Nation. Autonomous Communities are allowed to be invaded by people whom we do not have the economic capacity to help as they require. Nor can we support them, due to space issues, in the overcrowded Communities where they arrive.

In addition, they have dedicated themselves to indirectly promoting persecution according to the individual beliefs of each citizen, such as religion, culture, or values. If they are not right, they go on to disqualify you and end up trying to destroy you both on social networks and in your work life, so that they organize themselves to go to the companies you work with for days looking for you to be fired. All this was done without any type of disapproval from the national government.

Contact

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