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COMMISSION STAFF WORKING DOCUMENT

2026 Rule of Law Report
Country Chapter on the rule of law situation in Spain

Accompanying the document

Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions

2026 Rule of Law Report

The rule of law situation in the European Union

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ABSTRACT

In Spain, steps were taken to take forward the process of adapting the appointment procedure for the Council for the Judiciary's judges-members, with the adoption of an opinion of the Venice Commission on two alternative models, although no consensus has been found on finalising the process. The Council for the Judiciary continues to fulfil its functions in the justice system following its renewal, including by proceeding with appointments to top judicial positions. A draft law to strengthen the statute of the Prosecutor-General is under discussion in Parliament. Efforts are being made to increase the resources of the justice system, including the creation of 700 positions for judges and prosecutors and the launch of the recruitment process. Work to further improve the already high level of digitalisation of justice continued, while the limited interoperability between national and regional case management systems remains a challenge. The implementation of the new law on the efficiency of justice is already showing positive results, though there are challenges linked to resources and consistency of implementation across regions. The duration of court proceedings remains a challenge.

The Government has adopted a State Anti-Corruption Plan, as well as several key draft laws and strategic documents. To address challenges related to the length of investigations and prosecutions of high-level corruption cases, the Government has made reform and staffing efforts. Initiatives continue to address gaps in the legislative framework and in enforcement of foreign bribery. A draft law has been prepared with the view of reinforcing the Council for Transparency and Good Governance. The draft Open Administration Law seeks to establish a comprehensive regime for the prevention of conflicts of interest in the public sector. With the preliminary draft Organic Law on Public Integrity pending adoption, the rules on conflicts of interest and asset declarations of persons in top executive functions have not yet been strengthened. The draft Law on the Transparency and Integrity of the Activities of Interest Groups has not yet been adopted by Parliament. Shortcomings remain regarding compliance with transparency obligations related to political party financing. The Independent Authority for Whistleblower Protection started operating with some budgetary and staffing constraints. Public procurement remains an area vulnerable to corruption risks.

Reforms continue to strengthen the regulatory framework, including enhanced resources for the national regulator to carry out its supervisory functions effectively. Risks related to editorial independence and political interference in publicly owned radio and television broadcasters are flagged by stakeholders. As the adoption of new legislation is still pending, concerns regarding ownership transparency of media other than audiovisual media services, video sharing platforms and influencers remain. The reform of the legal framework for state advertising is advancing, although challenges remain. The Government's approval of the draft Laws on Classified Information and Open Administration aims to strengthen the framework for access to information. Work on related legislative proposals continues, while challenges regarding working conditions and safety of journalists persist, including online.

On 16 July 2026, the Court of Justice has delivered two judgments following preliminary ruling requests on the Amnesty Law and other requests for a preliminary ruling are pending before the Court of Justice. Steps have been taken in promoting public participation in policymaking and a culture that fosters rule of law. The two draft laws aimed at respectively amending the Code of Criminal Procedure, including as regards popular action in criminal investigations, and reforming the Citizen Security Law, are still pending in Parliament.

RECOMMENDATIONS

Overall, based on the recommendations in the 2025 Rule of Law Report, considering other developments that took place in the period of reference, and in addition to recalling the relevant commitments made under the Recovery and Resilience Plan and the country-specific recommendation under the European Semester on the efficiency of the justice system, the Commission concludes the following:

- Some further progress was made on adapting the procedure for appointing the Council for the Judiciary's judges-members, as the Council obtained guidance from the Venice Commission, but no consensus has been found on finalising the process. Since a reform remains to be adopted, it is recommended to Spain to *take forward the process of adapting the appointment procedure of the Council for the Judiciary's judges-members, taking into account European standards on Councils for the Judiciary, including the guidance of the Venice Commission on how to improve the current system.*
- Significant progress was made to strengthen the statute of the Prosecutor General, as a reform of the Code of Criminal Procedure is under discussion in Parliament. Since the reform remains to be adopted, it is recommended to Spain to *continue ongoing efforts to strengthen the statute of the Prosecutor General, in particular regarding the separation of the terms of office of the Prosecutor General from that of the Government, taking into account European standards on independence and autonomy of the prosecution.*
- Some progress was made to address the length of investigations and prosecutions of high-level corruption cases due to efforts to increase staffing and due to the tabled reform of the Code of Criminal Procedure. Since challenges remain and the draft legislation to increase efficiency is still under discussion in Parliament, it is recommended to Spain to *take forward the legislative process to revise the Code of Criminal Procedure to strengthen the framework for investigations and prosecutions in high-level corruption cases, with a view to reducing delays.*
- Limited progress was made to strengthen the rules on conflicts of interest and asset declarations of persons in top executive functions. Given that the draft Organic Law on Public Integrity has been tabled and the State Anti-Corruption Plan has been adopted, but practical implementation of the existing rules has not improved, it is recommended to Spain to *take forward the legislative process to strengthen rules on conflicts of interest and asset declarations of persons with top executive functions, and ensure independence and effective detection and sanctioning powers of the competent supervisory body.*
- Limited progress was made on lobbying, as the draft Law on the Transparency and Integrity of the Activities of Interest Groups has not yet been adopted by Parliament. It is recommended to Spain to *continue the ongoing procedure to adopt legislation on lobbying, including the establishment of a mandatory public register of lobbyists.*
- Significant progress was made on strengthening access to information, in particular via the revision of the Law on Official Secrets. Therefore, it is recommended to Spain to *complete the work on strengthening access to information, in particular via the adoption of the Law on Official Secrets and the Law on Open Administration, taking into account European standards on access to official documents.*

I. JUSTICE SYSTEM¹

Independence

The level of perceived judicial independence in Spain is now average among the general public and remains average among companies. Overall, 40% of the general population and 46% of companies perceive the level of independence of courts and judges to be ‘fairly or very good’ in 2026². The perceived judicial independence among the general public has slightly increased in comparison with 2025 (39%), as well as in comparison with 2022 (38%). The perceived judicial independence among companies has increased in comparison with 2025 (40%), as well as in comparison with 2022 (41%).

There was some further progress on the recommendation to take forward the process of adapting the appointment procedure of the Council for the Judiciary’s judges-members³. In February 2025, the Council for the Judiciary had adopted a proposal regarding the election of the judges-members, presenting two alternative models: one model where judicial members would be directly chosen by judges, and another where this would still be done by Parliament⁴. Following a request from the Council for the Judiciary, on 13 October 2025, the Venice Commission adopted an Opinion on the matter⁵. As regards the first model, it considered it in line with the Council of Europe standard of peer election, as judges would directly elect the Council’s judicial members. However, according to the Venice Commission the risk of internal politicisation should not be overlooked, especially where judicial associations may exert significant influence over nominations and campaigning, potentially shaping the election process. As regards the second model, the Venice Commission noted that it would not be in line with the Council of Europe standard of peer election, taking the view that in addition to the internal risks of politicisation of the first model, it makes the procedure vulnerable to external politicisation in Parliament⁶. A parliamentary group lodged two draft laws in Parliament to reform the Organic Law on the Judiciary⁷, proposing a system of peer-election of the judges-members of the Council for the Judiciary⁸. Some stakeholders continue to call for further legislative steps to address the existing concerns related to the

¹ An overview of the institutional framework for all four pillars can be found [here](#).

² Figures 48 and 50, 2026 EU Justice Scoreboard and Figures 51 and 53, 2024 EU Justice Scoreboard. The level of perceived judicial independence is categorised as follows: very low (below 30% of respondents perceive judicial independence as fairly good and very good); low (between 30-39%), average (between 40-59%), high (between 60-75%), very high (above 75%).

³ The 2025 Rule of Law Report recommended Spain to: “[t]ake forward the process in view of adapting the appointment procedure of the Council for the Judiciary’s judges-members, taking into account European standards on Councils for the Judiciary”. On this recommendation, no progress was assessed in 2023, and significant progress in 2024 and 2025.

⁴ 2025 Rule of Law Report, Spain, p. 3, footnote 4.

⁵ Council of Europe: Venice Commission (2025). While the Venice Commission recalls that there is no standard model, the opinion assesses how the European standards concerning the election of members of judicial councils may be integrated into Spain’s judicial organisation, recalling that no less than half the members of judicial councils should be judges elected by their peers. See also Recommendation CM/Rec 2010(12).

⁶ Moreover, according to the Venice Commission, in this model “Parliament is given broad discretion in selecting candidates, without clear criteria or an obligation to provide adequate reasons. [...] Overall, the pre-election of the judicial members of the judicial council by the judges is valuable, but insufficient to meet the peer election standard, because it is followed by their political election”. Additionally, the availability of an effective legal remedy to challenge appointments remains uncertain, and the model lacks adequate anti-deadlock mechanisms. Council of Europe: Venice Commission, (2025), p. 16.

⁷ Organic Law 6/1985, of 1 July, on the Judiciary.

⁸ Congress (2025a), tabled on 24 October 2025 and Senate (2025), tabled on 6 November 2025.

current system of appointment of Council's members⁹. Overall, some further progress has been made on the recommendation in the 2025 Rule of Law Report: the Council for the Judiciary requested and obtained guidance from the Venice Commission, and the process to adapt the appointment procedure of the judges-members has been introduced into Parliament. However, significant further steps are needed to find a consensus on finalising the process to adapt the appointment procedure of the judges-members, based on the guidance of the Venice Commission on how to improve the current system.

The Council for the Judiciary continues to fulfil its functions in the justice system following its renewal in 2024, including by proceeding with appointments to top judicial positions. Since its renewal in July 2024, the Council for the Judiciary has been able to make 196 appointments to top judicial positions¹⁰, most of them with a broad consensus¹¹, thereby positively impacting on the work of the justice system as a whole. Stakeholders have raised concerns about the influence of other elements beyond merit and capacity on the appointments to top judicial positions, while the Council for the Judiciary states that such appointments are carried out in an objective and reasoned manner¹².

There was significant progress on the recommendation to strengthen the statute of the Prosecutor General, with a draft law under discussion in Parliament¹³. On 30 October 2025, the Government tabled a reform of the Code of Criminal Procedure, which includes new provisions on the statute of the Prosecutor General¹⁴. It comprises two key initiatives, proposing that the Prosecutor General serves a non-renewable five-year term that would no longer coincide with the Government's term, and that the responsibility for conducting criminal investigations would shift from judges to prosecutors. The latter aims to make the criminal process more effective by placing the criminal investigation phase under the direction of the Public Prosecutor's Office. The reform also provides that, prior to dismissing the Prosecutor General for serious or repeated failure to perform his or her duties, the Government must seek the opinion of the Council for the Judiciary. Given the envisaged transfer of tasks from judges to prosecutors, stakeholders emphasise the need to reinforce the human and material resources of the prosecution service to effectively adapt to their newly envisaged role in conducting criminal investigations¹⁵. As reported in 2025¹⁶, some stakeholders raised concerns about risks to the independence and autonomy of prosecutors by

⁹ Professional Association of Magistracy (2026), written input, p. 8; Independent Judicial Forum (2026), written input, p. 6; Judges and Magistrates Association "Francisco de Vitoria" (2026), written input, p. 1; Association of Prosecutors (2026), written input, p. 6; Foundation Hay Derecho (2026), written input, p. 8; Civic Platform for the Judicial Independence (2026), written input, pp. 6-7; Country visit Spain, Judges for Democracy.

¹⁰ Council for the Judiciary (2026c).

¹¹ Country visit Spain, Council for the Judiciary; Spanish Government (2026), written input, p. 4.

¹² Foundation Hay Derecho (2026), written input, p. 9; Civic Platform for the Judicial Independence (2026), written input, p. 7; Council for the Judiciary (2026), written input, p. 10.

¹³ The 2025 Rule of Law Report recommended Spain to: "[c]ontinue ongoing efforts to strengthen the statute of the Prosecutor General, in particular regarding the separation of the terms of office of the Prosecutor General from that of the Government, taking into account European standards on independence and autonomy of the prosecution". On this recommendation, no further progress was assessed in 2023, some progress in 2024 and some further progress in 2025.

¹⁴ Congress (2025b).

¹⁵ Technical Cabinet of the Prosecutor General's Office (2026a), additional written input, p. 4; Country visit Spain, Association of Prosecutors, Professional and Independent Association of Prosecutors, Progressive Union of Prosecutors. See also footnote 27 for additional information on prosecutorial positions.

¹⁶ 2025 Rule of Law Report, Spain, pp. 4-5.

lowering their professional safeguards¹⁷, whereas others see it as an opportunity to improve the democratic governance of the prosecution service and its necessary counterbalances¹⁸. The reform is still under discussion in the Parliament. Overall, the first key initiative is a step towards strengthening the statute of the Prosecutor General, and there has been significant progress on the recommendation.

Judges and legal practitioners continue raising concerns about public statements by politicians criticising decisions of courts. Members of the judiciary, including the Supreme Court, the Council for the Judiciary and judges' associations, as well as the Constitutional Court, continue flagging that statements against individual judges contribute to the erosion of public trust in the judiciary¹⁹. The Supreme Court reported accusations of “judicial lawfare” and personal criticism directed at its magistrates, particularly after recent high-profile judgments²⁰, while the General Council of Spanish Lawyers called for the necessary respect for judicial decisions as a fundamental pillar of the rule of law²¹. Conversely, criticism targeting politicians has been voiced by some judges and some cases are currently handled by the Disciplinary Committee of the Council for the Judiciary²². According to European standards, while criticising judicial decisions is a normal aspect of democratic discourse, the executive and legislative powers should avoid criticism that undermines the independence of or public confidence in the judiciary²³. Likewise, all State bodies, of the executive, legislative and judiciary, should apply mutual respect to ensure the proper functioning of constitutional institutions and protect the trust of the general public in them²⁴.

Quality

Initiatives are underway to increase the resources of the justice system. The Council for the Judiciary adopted the 2026-2035 Strategic Plan for Human Resources in the Judicial Career²⁵. The Plan considers the current number of judges insufficient and estimated an annual recruitment need of 367 judges until 2035. However, it noted that such level of recruitment would only cover replacement needs and would not address the existing deficit in judicial capacity, with 431 vacant positions reported at the end of 2025. Substitute judges fill many of these vacancies and represent one in six judges, while their number and share have declined²⁶. The Government announced the creation of 500 new judicial positions in 2026 and a further 200 new prosecutor positions, and the corresponding launch of the recruitment

¹⁷ Country visit Spain, Association of Prosecutors and Professional and Independent Association of Prosecutors. Council for the Judiciary (2026), written input, p. 2.

¹⁸ Country visit Spain, Progressive Union of Prosecutors.

¹⁹ Country visit Spain, Council for the Judiciary, Constitutional Court, Professional Association of Magistracy, Judges and Magistrates Association “Francisco de Vitoria”, Judges for Democracy and Independent Judicial Forum; Council for the Judiciary (2025a and 2026e).

²⁰ Technical Cabinet of the Supreme Court (2026), written input, p. 10; Country visit Spain, Technical Cabinet of the Supreme Court.

²¹ General Council of Spanish Lawyers (2026).

²² See Council for the Judiciary (2026b and 2026h). Article 418(3) of the Organic Law on the Judiciary deems it a serious offense to address the powers, authorities, public officials or official bodies with praise or criticism for their actions, invoking the status of judge, or making use of it.

²³ Council of Europe: Committee of Ministers (2010), para. 18. See also Council of Europe: Venice Commission (2013), paras. 21-22.

²⁴ Council of Europe: Consultative Council of European Judges (2015), para. 54: “Any analyses and criticisms by one power of state of the other powers should be undertaken in a climate of mutual respect”.

²⁵ Council for the Judiciary (2025c), pp. 17-18.

²⁶ The highest recent share was in 2022/2023: 1159 out of 5553 judges (20.87%), and the share in 2025/2026 was 947 out of 5643 judges (16.78%). Council for the Judiciary (2025c), p. 16 and Council for the Judiciary (2024a), p. 14.

process has been published²⁷. These measures would increase the number of judges per inhabitant²⁸, which is currently one of the lowest in the EU²⁹. The draft law on judicial and prosecutorial careers³⁰, tabled in May 2025 and still under discussion in Parliament, seeks to reform the access to these careers and stabilise the situation of substitute-judges and substitute-prosecutors. Some stakeholders continue to raise concerns about the possible impact of the proposed measures on the independence of justice³¹, while others support elements of the envisaged reform³². Judges and prosecutors also warn about the lack of sufficient long-term planning of human resources to be allocated to the justice system³³. In 2025, measures were implemented to enhance financial resources and improve the remuneration and working conditions of judges and prosecutors, including advancing the payment of judicial career arrears, with full regularisation expected by 2027³⁴. Associations of judges have reiterated their concerns about the level of remuneration, especially for work-on-call shifts³⁵. The Council for the Judiciary continues addressing concerns about excessive workload in the justice system³⁶. In this context, it is conducting inspections, implementing reorganisations, and cooperating with the Ministry of Presidency, Justice and Relations with Parliament to create new positions and organise competitions³⁷.

Efforts to further improve the already high level of digitalisation of justice continued, while there is still limited interoperability among national and regional case management systems. The overall level of digitalisation of justice in Spain is one of the highest in the EU³⁸. The Council for the Judiciary has adopted instructions for the use of artificial intelligence by courts³⁹. The Government is introducing new digitalisation measures, including fully digitalising the Civil Registry by automating judicial and administrative processes (e.g. nationality files, cancellation of criminal records)⁴⁰, using artificial intelligence tools to speed up procedural steps, promoting a “Justice Folder” for seamless online access to various justice services, and developing digital interoperability mechanisms

²⁷ Ministry of the Presidency, Justice and Relations with the Parliament (2026). Both the new judicial and prosecutorial positions are expected to be filled in the next years through competitions for 700 laureates, Ministry of the Presidency, Justice and Relations with the Parliament (2026a). The Council for the Judiciary has approved competitive calls for filling 700 positions, 375 for judges and 200 for prosecutors, through an ordinary competitive examination; and 125 positions for magistrates, through a merit-based competitive examination (*cuarto turno*), Council for the Judiciary (2026d, 2026f and 2026g).

²⁸ Country visit Spain, Council for the Judiciary.

²⁹ Figure 36, 2026 EU Justice Scoreboard.

³⁰ Congress (2025).

³¹ Such measures include modifications to the ordinary competition system and new access mechanisms for stabilisation processes with requirements that differ from those used in ordinary competitions. Country visit Spain, Professional Association of Magistracy, Judges and Magistrates Association “Francisco de Vitoria”, Independent Judicial Forum, Association of Prosecutors and Professional and Independent Association of Prosecutors.

³² Country visit Spain, Judges for Democracy and Progressive Union of Prosecutors.

³³ Judges and Magistrates Association “Francisco de Vitoria” (2026), written input, p. 4; country visit Spain, Judges for Democracy; Country visit Spain, Association of Prosecutors and Professional and Independent Association of Prosecutors.

³⁴ Spanish Government (2026), written input, p. 9.

³⁵ Country visit Spain, Professional Association of Magistracy, Judges and Magistrates Association “Francisco de Vitoria”, Independent Judicial Forum and Judges for Democracy. See also Rule of Law Reports 2024 and 2025.

³⁶ Country visit Spain, Council for the Judiciary; Council for the Judiciary (2024).

³⁷ Country visit Spain, Council for the Judiciary and Spanish Government. Council for the Judiciary (2025), p. 268.

³⁸ Figures 39-47, 2026 EU Justice Scoreboard.

³⁹ Council for the Judiciary (2026a).

⁴⁰ Technical Cabinet of the Prosecutor General’s Office (2026a), additional written input, p. 7.

to channel communication between courts (e.g., Justice Interoperability Hub)⁴¹. However, both judges and legal practitioners continue to emphasise the need to improve the limited interoperability between regional and central State justice management systems⁴². They also point at the significant disparities in digitalisation levels across regions⁴³ and specific courts⁴⁴, highlighting the need for enhancing national digitalisation coordination mechanisms⁴⁵ and furthering digital training for all legal operators⁴⁶. To address these challenges, Spain has adopted a coordinated national strategy under ‘Justicia 2030’, agreed with the regions. The strategy aims to make justice more accessible and sustainable by transforming the public judicial service through digitalisation, procedural efficiency, and co-governance.

After the resignation of the former Prosecutor General, following a Supreme Court ruling that found him guilty of leaking confidential information⁴⁷, a new Prosecutor General was appointed on 9 December 2025⁴⁸. A new Prosecutor General was appointed with the unanimous endorsement of the Council for the Judiciary. The General Prosecutor’s Office and the former General Prosecutor have both appealed the Supreme Court’s ruling before the Constitutional Court.

Efficiency

The implementation of the new law on the efficiency of justice⁴⁹ is already showing positive results, though there are challenges linked to resources and consistency of implementation across regions. The last implementation stage of the law⁵⁰ was finalised in December 2025. The reform has already shown early positive results, including a reduction of one-third in new civil litigious cases, linked to the new requirement to resort to alternative dispute resolution mechanisms⁵¹. Stakeholders largely share a positive opinion of the reform’s key elements, recognising its potential to improve efficiency of justice by introducing a new organisational structure based on Instance Tribunals, creating common judicial resources, promoting court specialisation, and regulating alternative dispute

⁴¹ Spanish Government (2026), written input, pp. 7-8 and 10-12.

⁴² Technical Cabinet of the Supreme Court (2026a), additional written input, pp. 1-3; Letrados de la Administración de Justicia (Rechtspfleger) (2026), written input pp. 11-14. Country visit Spain, Technical Cabinet of the Prosecutor General’s Office, Progressive Union of Prosecutors, Letrados de la Administración de Justicia (Rechtspfleger), Association of “Abogados del Estado”, General Council of Spanish Lawyers.

⁴³ Country visit Spain, Technical Cabinet of the Prosecutor General’s Office, Technical Cabinet of the Supreme Court, Letrados de la Administración de Justicia (Rechtspfleger), General Council of Spanish Lawyers.

⁴⁴ Spanish Chamber of Commerce (2026), written input, p. 2.

⁴⁵ In the context of the European Semester, the Commission has proposed that the Council recommends that Spain “[i]mprove[s] the performance of the justice system by ensuring adequate staffing, harmonised digitalisation and full interoperability across regions”. European Commission (2026a) 209 final, CSR 3.

⁴⁶ Country visit Spain, Letrados de la Administración de Justicia (Rechtspfleger), Association of “Abogados del Estado”, General Council of Spanish Lawyers, Technical Cabinet of the Prosecutor General’s Office, Technical Cabinet of the Supreme Court.

⁴⁷ Supreme Court (2025).

⁴⁸ Council for the Judiciary (2025b).

⁴⁹ See Milestone 434 of the Spanish Recovery and Resilience Plan (RRP). The assessment related to Milestone 434 in the Rule of Law Report does not prejudge the assessment of the fulfilment of the measures in the framework of the Spanish RRP.

⁵⁰ Organic Law 1/2025, of 2 January 2025, on measures relating to the efficiency of the Public Justice Service.

⁵¹ Spanish Government (2026), written input, pp. 13-14.

resolution mechanisms as a procedural requirement for most civil and commercial cases⁵². However, there are challenges linked to resources to manage the changes in the short implementation periods⁵³. Stakeholders point to limited national level coordination and scarce training leading to inconsistent implementation across regions, particularly in larger municipalities⁵⁴. The Government has carried out a number of online, in-person and videoconference training sessions and coordination initiatives on the new organisation model⁵⁵. Some stakeholders signal that the application of alternative dispute resolution mechanisms adds procedural steps that increase costs of participating in judicial proceedings for individuals and businesses⁵⁶. To reduce legal uncertainty for legal practitioners, a joint initiative of the General Council of Lawyers and the Council for the Judiciary seeks to compile the criteria to apply the new law on efficiency of all Spanish courts, providing concrete guidance to legal practitioners⁵⁷.

The length of judicial proceedings remains a challenge, particularly in civil, commercial and labour cases. The disposition time for litigious civil and commercial cases at first instance decreased slightly from 444 days in 2023 to 423 days in 2024⁵⁸. Efficiency at higher instances showed uneven progress; the disposition time for these cases before the Supreme Court further increased from 691 in 2023 to 750 days in 2024, nearly twice the duration at first instance⁵⁹. The backlog of pending cases continued to grow, doubling from 2016 to 2024 and reaching 5.9 per 100 inhabitants⁶⁰, with a marked rise in pending litigious civil and commercial matters⁶¹. Collective redress actions, particularly concerning consumer and competition cases, have posed additional strains on courts⁶². The Supreme Court reports a shortage of magistrates in its civil and labour chambers⁶³. Labour courts face a significant structural backlog and a high workload⁶⁴. According to stakeholders, this is resulting in delays that generate legal uncertainty for companies⁶⁵ and hamper enforcement of workers' rights⁶⁶.

⁵² Letrados de la Administración de Justicia (Rechtspfleger) (2026), written input, p. 8; Technical Cabinet of the Supreme Court (2026a) additional written input, p. 7; Technical Cabinet of the Prosecutor General's Office (2026a), additional written input, p. 7; country visit Spain, Judges for Democracy, Association of "Abogados del Estado".

⁵³ All implementation stages took place within a nine month-period.

⁵⁴ Country visit Spain, Technical Cabinet of the Prosecutor General's Office, Professional Association of the Magistracy, Independent Judicial Forum, Judges and Magistrates Association "Francisco de Vitoria", Judges for Democracy, Letrados de la Administración de Justicia (Rechtspfleger), Association of "Abogados del Estado", CCOO, UGT, CEOE, CEPYME, General Council of Lawyers; Ombudsperson (2026a), p. 137.

⁵⁵ Up to May 2026, there have been almost 19 000 participants in different trainings, Spanish Government (2026c), additional written input.

⁵⁶ Country visit Spain, Letrados de la Administración de Justicia (Rechtspfleger), CEOE and CEPYME.

⁵⁷ Country visit Spain, General Council of Lawyers, CEOE and CEPYME.

⁵⁸ Figure 5, 2026 Justice Scoreboard.

⁵⁹ Figure 6, 2026 Justice Scoreboard.

⁶⁰ Figure 12, 2026 Justice Scoreboard.

⁶¹ Figure 13, 2026 Justice Scoreboard.

⁶² Country visit Spain, Technical Cabinet of the Supreme Court and Association of "Abogados del Estado".

⁶³ Technical Cabinet of the Supreme Court (2026a), additional written input, p. 4.

⁶⁴ Council for the Judiciary (2025), pp. 464, 491, 507 and 522; CCOO (2026), pp. 3, 7-9; country visit Spain, CCOO, UGT, CEOE and CEPYME; Ombudsperson (2025), p. 135 and Ombudsperson (2026a), p. 140.

⁶⁵ Country visit Spain, employers' associations CEOE and CEPYME.

⁶⁶ Country visit Spain, trade unions CCOO and UGT.

II. ANTI-CORRUPTION FRAMEWORK

The perception among citizens, experts and business executives is that the level of corruption in the public sector remains relatively high. In the 2025 Corruption Perceptions Index by Transparency International, Spain scores 55/100 and ranks 17th in the European Union and 49th globally⁶⁷. This perception has significantly increased over the past five years⁶⁸. The 2026 Special Eurobarometer on Corruption shows that 92% of respondents consider corruption widespread in their country (EU average 71%) and 53% of respondents feel personally affected by corruption in their daily lives (EU average 30%). As regards businesses, 85% of companies consider that corruption is widespread (EU average 65%) and 62% consider that corruption is a problem when doing business (EU average 37%). Furthermore, 31% of respondents find that there are enough successful prosecutions to deter people from corrupt practices (EU average 38%), while 18% of companies believe that people and businesses caught for bribing a senior official are appropriately punished (EU average 31%)⁶⁹.

The Government has adopted a State Anti-Corruption Plan, as well as several key draft laws and strategic documents. On 26 August 2025, the Council of Ministers approved the State Anti-Corruption Plan and created an inter-ministerial commission for the promotion of the Plan⁷⁰. The Plan is structured around five axes of legislative intervention: risk prevention and strengthened controls, effective protection of whistleblowers, investigation and prosecution, asset recovery, and awareness raising⁷¹. The Plan also provides for the creation of an Independent Authority for Public Integrity as the central body for the prevention, supervision and prosecution of corruption⁷². A concrete measure stemming from the State Plan is the preliminary draft Open Administration Law⁷³, approved by the Council of Ministers on 7 October 2025. It aims to advance transparency, integrity and citizen participation in the fight against corruption, including through measures such as integrity pacts in public procurement and citizen audits⁷⁴. In addition to the State Anti-Corruption Plan, the Fifth Open Government Plan (2025-2029) was approved⁷⁵, containing commitments for the prevention of corruption, and providing for the adoption of the National Anti-Fraud Strategy. Finally, institutional capacity has also been reinforced by the launch of an independent authority tasked with the protection of whistleblowers⁷⁶, which started operating on 1 September 2025⁷⁷.

⁶⁷ The level of perceived corruption is categorised as follows: low (above 79); relatively low (between 79-60), relatively high (between 59-50), high (below 50).

⁶⁸ In 2021 the score was 61, while, in 2025, the score is 55. The perception significantly increases/decreases when it changes more than five points; improved/deteriorated (changes between 4-5 points); has been relatively stable (changes from 1-3 points) in the last five years.

⁶⁹ Data from Special Eurobarometer 573 (2026) and Flash Eurobarometer 582 (2026).

⁷⁰ Law 2/2023 included a requirement that the Government adopts a national Anti-Corruption Strategy by September 2024. 2025 Rule of Law Report, Spain, p. 8.

⁷¹ Spanish Government (2026), written input, p. 14.

⁷² National Anti-Fraud Coordination Service (2026) written input, p. 2.

⁷³ The preliminary draft Open Administration Law was approved by the Council of Ministers in October 2025. Spanish Government (2026), written input, p. 18.

⁷⁴ National Anti-Fraud Coordination Service (2026), written input, p. 2.

⁷⁵ Spain's Fifth Open Government Plan 2025-2029 was approved on 6 October 2025.

⁷⁶ The Independent Authority for the Protection of Reporting Persons (AIPI).

⁷⁷ The Authority has a mandate to manage a confidential external reporting channel, process complaints and protection requests, and contribute to enforcement and policy development in whistleblower protection and anti-corruption. Its capacity is currently limited but operational, with a small and not yet fully staffed team

There has been some progress on the recommendation related to the length of investigations and prosecutions of high-level corruption cases, with draft legislation to increase efficiency under discussion in Parliament⁷⁸. The draft law amending the Code of Criminal Procedure, tabled in Parliament in October 2025, aims to make the criminal procedure more effective⁷⁹. The investigation would be a short preparatory phase of non-judicial nature, with an appeal possible in cases expressly provided by law⁸⁰, and its duration would be subject to judicial oversight to ensure it matches the complexity of the case⁸¹. The statute of limitations for corruption crimes would be extended⁸². The total number of new corruption-related proceedings⁸³ referred to the competent judicial body for prosecutions both at national level and at regional level amounted to 19 in 2025⁸⁴. Of the 76 adjudicated cases of corruption crimes in 2025, a total of 52 cases were convictions or partial convictions, while 19 were acquittals⁸⁵. At the pre-investigation stage, in 2024⁸⁶, the Special Anti-Corruption Prosecutor's Office managed its workload without a major accumulation of new backlog⁸⁷. The European Public prosecutor's Office (EPPO) had four active corruption cases in Spain by the end of 2025⁸⁸. In 2025, a specialised unit was established within the General Prosecutor's Office to coordinate prosecutors handling crimes against public administration⁸⁹. Together with new judicial and prosecutorial posts and the appointment of three additional judges at the National High Court, these measures aim to strengthen the efficiency of handling of corruption cases⁹⁰. Challenges remain in the investigation and prosecution of high-level corruption cases due to the involvement of multiple parties, lengthy appeal procedures, delays in international assistance, complexity of expert reports, limited resources, and the lack of specialised judicial bodies⁹¹. Overall, with a view to the authorities' efforts to

(12 of 19 posts), and a temporary budget covering basic needs. Spanish Government (2026), written input, p. 22; country visit Spain, Government.

⁷⁸ The 2025 Rule of Law Report recommended Spain to: "strengthen efforts to address the challenges related to the length of investigations and prosecutions in handling high-level corruption cases, including by finalising the reform of the Code of Criminal Procedure." 2025 Rule of Law Report, Spain, p. 2. On this recommendation, no progress was assessed in 2023, some progress in 2024, and some further progress in 2025.

⁷⁹ See Justice System above.

⁸⁰ This contrasts with the current model, in which each decision of the investigating judge is individually appealable. Spanish Government (2026), written input, p. 5.

⁸¹ Spanish Government (2026), written input, p. 5.

⁸² Spanish Government (2026), written input, p. 13.

⁸³ In the first ten months of 2025, 144 corruption-related offences were reported to the law-enforcement agencies, compared to 213 in the whole of 2024, indicating a slight decrease. Spanish Government (2026b), p. 9.

⁸⁴ Compared to 25 cases in 2024. Database of the Council for the Judiciary.

⁸⁵ In 2024, out of the total of 58 cases 30 cases were convictions or partial convictions and 21 acquittals. Database of the Council for the Judiciary.

⁸⁶ Latest data available.

⁸⁷ Throughout 2024, 29 pre-trial investigative proceedings were concluded, including 14 from 2024, 10 from 2023, 2 from 2022, and 3 from 2021. At the end of 2024, 25 pre-trial investigative proceedings remained pending: 1 from 2020, 1 from 2021, 2 from 2022, 7 from 2023, and 14 initiated in 2024. Country visit Spain, Technical Cabinet of the Prosecutor General's Office (2026b), additional written input regarding corruption case statistics.

⁸⁸ Involving, among others, former members of the executive and legislative branches. Hay Derecho (2026), written input, pp. 33 and 36.

⁸⁹ Technical Cabinet of the Prosecutor General's Office (2026), written input, p. 24.

⁹⁰ An 8% increase of staff is expected in 2026. Country visit Spain, Technical Cabinet of the Prosecutor General's Office. Technical Cabinet of the Prosecutor General's Office (2026a), p. 7. See also 2025 Rule of Law Report, Spain, p. 9.

⁹¹ Technical Cabinet of the Prosecutor General's Office (2026), written input, p. 27.

improve staffing and the proposal to reform the Code of Criminal Procedure, some progress has been made on this recommendation.

Efforts continue to address gaps in the legislative framework and in the enforcement of the foreign bribery law. While the legal framework for the criminalisation of international bribery and related penalties remained unchanged in 2025⁹², an extension of the limitation period and stricter penalties for legal persons are now envisaged⁹³. These provisions are set out in the preliminary draft Organic Law on Public Integrity, which underwent the first reading in the Council of Ministers in February 2026. The Government also aims to continue improving its track record on foreign bribery by general anti-corruption measures contained in the draft law amending the Code of Criminal Procedure⁹⁴, as well as by establishing a national database on corruption offences in international commercial transactions. Awareness-raising actions and training on detecting foreign bribery are carried out, and measures taken to help detect such cases by auditors and by the Executive Service of the Commission for the Prevention of Money Laundering and Monetary Offences⁹⁵. New criminal investigations related to international bribery cases have been opened and existing ones processed further⁹⁶. Despite these efforts, enforcement against foreign bribery remained limited in 2025, with only three cases concluded successfully since 2016⁹⁷, including one new conviction in 2025⁹⁸.

A draft law has been prepared with the view of reinforcing the Council for Transparency and Good Governance. In February 2026, the Council of Ministers approved the draft Open Administration Law. This draft law envisages the reinforcement of the role of the Council for Transparency and Good Governance, which is for the first time defined as an independent administrative authority⁹⁹, competent to monitor compliance with transparency obligations and resolve complaints, and provided with new powers to impose sanctions¹⁰⁰. It will also play a stronger governance role and assess the degree of implementation of the Open Administration Law¹⁰¹. This reinforcement is designed to ensure effective external control over high-risk sectors and actions¹⁰². However, the Council notes that the current

⁹² Technical Cabinet of the Prosecutor General's Office (2026), written input, p. 27.

⁹³ This is envisaged in the framework of the preliminary draft Organic Law on Public Integrity. The OECD also recommended Spain to clarify provisions on corporate liability and to ensure a sufficiently long limitation period for judicial investigations. OECD (2025a), pp. 4 and 8.

⁹⁴ The draft law amending the Code of Criminal Procedure was approved by the Council of Ministers and is now subject to parliamentary adoption. The entry into force is scheduled for 1 January 2028.

⁹⁵ Spanish Government (2026b), p. 7.

⁹⁶ Spanish Government (2026b), p. 7.

⁹⁷ OECD (2025a), p.16.

⁹⁸ Technical Cabinet of the Prosecutor General's Office (2026), written input, p.27.

⁹⁹ Article 68 of the draft law, as published for the Hearing and Public Information on the draft Open Administration Law.

¹⁰⁰ Spanish Government (2026), written input, p. 25.

¹⁰¹ Article 73 of the draft law, as published for the Hearing and Public Information on the draft Open Administration Law.

¹⁰² Spanish Government (2026), written input, p. 25; country visit Spain, Government.

limited budgetary resources hamper its functioning¹⁰³, notably with a view to handling an increasing number of complaints¹⁰⁴.

The draft Open Administration Law seeks to establish a comprehensive regime for the prevention of conflicts of interest in the public sector. The draft Open Administration Law provides a clear definition of conflicts of interest, defines what constitutes an enforceable abstention procedure, and complements it by traceability and control measures. It also incorporates early detection measures, including alert systems and declarations of absence of conflict of interest. Furthermore, the draft introduces a specific sanctioning regime, with graduated sanctions¹⁰⁵. Finally, the draft strengthens the asset-control regime by assigning the Office for the Conflict of Interest (OCI) the responsibility for end-of-term and random checks, and the issuance of a report within three months of cessation. With appropriate verification powers and adequate capacity, these mechanisms may help structurally strengthen the system¹⁰⁶. In addition, the Office for Asset Recovery and Management (ORGA) would be reinforced¹⁰⁷. Concerning rules on conflicts of interest across all government agencies in Spain, GRECO points at a number of areas for improvement, notably regarding the prevention of corruption and the promotion of integrity in law-enforcement agencies¹⁰⁸.

There has been limited progress on the recommendation to strengthen the rules on conflicts of interest and asset declarations of persons in top executive functions¹⁰⁹. Asset disclosure obligations, revolving-doors, and conflicts of interest are regulated in Law 3/2015. However, available data indicate that, in practice, in its current setup, the Office for Conflicts of Interest (OCI) may have limited capacity to detect, deter or sanction misconduct¹¹⁰. The State Anti-Corruption Plan includes the creation of an Independent Public Integrity Agency, which is set to take on a key role in preventing, monitoring, and prosecuting corruption. Its

¹⁰³ The current budget amounts to EUR 3.9 million. The Council considers a steady budgetary increase of 12-15% annually indispensable for the Council to process the growing number of complaints, which are also increasingly complex and require extensive legal analyses. Country visit Spain, Transparency Council.

¹⁰⁴ In 2025, there were 2 767 new complaints, compared to 1 973 in 2024, representing a 40% increase. During this period, 2 234 claims were resolved compared to 2 231 in 2024. Transparency Council (2026), additional written input, p. 3.

¹⁰⁵ Spanish Government (2026), written input, p. 21.

¹⁰⁶ Hay Derecho (2026a), p. 36.

¹⁰⁷ Spanish Government (2026), written input, p.14; country visit Spain, Government. Measure 11 of the State Plan against Corruption envisages a functional and operational strengthening of the ORGA, primarily through increased staffing and budgetary resources, adaptation to Directive (EU) 2024/1260 on Asset Recovery and Confiscation, enhanced cross-border cooperation and asset-tracing capacity, improved management of confiscated assets, and the adoption of a national asset recovery strategy.

¹⁰⁸ Concerning law-enforcement agencies, the key systemic shortcomings identified by GRECO are a lack of dedicated anti-corruption strategy for the Police, a weak implementation of codes of conduct, insufficient transparency in recruitment and promotions, lack of periodic vetting of officers, weak conflict-of-interest management, incomplete whistleblower protections for the Police, and disciplinary systems needing major reform. GRECO (2025), pp. 12 -19. See also Recommendation xii of GRECO (2019).

¹⁰⁹ The 2025 Rule of Law Report recommended to Spain to “take forward the legislative process to strengthen rules on conflicts of interest and asset declarations of persons with top executive functions, including by further reinforcing the independence and sanctioning power of the Office for Conflicts of Interest.” 2025 Rule of Law Report, Spain, p. 2. No progress was assessed on this recommendation in 2024 and some progress in 2025.

¹¹⁰ Between 2014 and April 2025, the OCI granted 597 post-employment authorisations to 323 former senior officials (1.8 per person), with only 3.3% denied. Between 2015 and 2025, only 53 preliminary proceedings followed external complaints, and sanctions remain rare. Stakeholders pointed to the fact that, while asset and interest declarations are required, there is no granular publicly available comparison or evidence of effective detection of unjustified enrichment. Hay Derecho (2026a), p. 35 and OCI (2025).

establishment is planned through the preliminary draft Organic Law on Public Integrity. The new agency would consolidate under a single institutional umbrella the roles of the OCI, the Independent Authority for Whistleblower Protection, as well as the National Anti-Fraud Coordination Service¹¹¹. To facilitate compliance with the notification obligations, a set of guidelines containing explanations and best practices was published at the end of 2025 by Parliament¹¹². The reform of the rules of procedure of both the Congress and the Senate to strengthen penalties for the failure to submit asset declarations or for providing false or incomplete information, as envisaged by the Democracy Action Plan¹¹³, has not been carried out yet by the Senate and the Congress. The amendment proposed in May 2025 to regulate interest groups and breaches by parliamentarians and parliamentary groups is pending in Parliament¹¹⁴. Overall, given that the preliminary draft Organic Law on Public Integrity has been tabled and the State Anti-Corruption Plan adopted, but practical implementation of the existing rules has not improved, there has been limited progress on this recommendation.

There has been limited progress on the recommendation on lobbying, as the draft Law on the Transparency and Integrity of the Activities of Interest Groups has not yet been adopted by Parliament¹¹⁵. The draft transparency law, introducing a broad definition of what constitutes a group of interest and influence activities and establishing a mandatory public register of interest groups, as well as a Code of Conduct for interest groups and their members¹¹⁶, is still under discussion in Parliament¹¹⁷. This reform is included in the Recovery and Resilience Plan as part of steps to modernise and digitalise the public administration¹¹⁸. While there was a modest increase in the number of parliamentarians reporting meetings with interest representatives in 2025 compared to 2024, the overall compliance with the rules remains low¹¹⁹. Civil society notes that the current transparency portal and voluntary lobby registers remain fragmented and ineffective¹²⁰. As the legislative process is still ongoing, there has been limited progress on this recommendation.

Shortcomings remain regarding compliance with transparency obligations related to political party financing. In its 2025 audit¹²¹, the Court of Auditors examined the compliance of political parties with transparency obligations related to economic-financial,

¹¹¹ The National Anti-Fraud Coordination Service is integrated into the Office of the Controller-General of the State Administration (IGAE) of the Ministry of Finance. Country visit Spain, Spanish Government and Spanish Government (2026c), additional written input.

¹¹² Country visit Spain, Congress.

¹¹³ Democracy Action Plan, p. 29.

¹¹⁴ Country visit Spain, Congress, additional written input. See also 2025 Rule of Law Report, Spain, p.12.

¹¹⁵ The 2025 Rule of Law Report recommended Spain to “continue the ongoing procedure to adopt legislation on lobbying, including the establishment of a mandatory public register of lobbyists.” 2025 Rule of Law Report Spain, p. 2. Significant progress was assessed on this recommendation in 2023, no progress in 2024 and some progress in 2025.

¹¹⁶ Draft law on transparency and integrity of the activities of interest groups 121/000046. The law also aims to implement outstanding GRECO recommendations, Recommendation vi, GRECO (2025), p. 10.

¹¹⁷ The parliamentary groups tabled 115 amendments, which have been consolidated into 19 compromise amendments. The amendments’ deadline had been extended 21 times and there has been no progress since September 2025. Spanish Government (2026), written input, p.19; country visit Spain, Government, and Hay Derecho (2026a), p. 28.

¹¹⁸ Milestone 432 under Component 11 of the revised Annex to the Council Implementing Decision of 13 July 2021 on the approval of the assessment of the recovery and resilience plan for Spain.

¹¹⁹ In the Congress, 75 Parliamentarians notified their meetings, compared to 46 in 2024 (the Congress has 350 members). In the Senate, the situation was reported as comparable. Country visit Spain, the Congress and the Senate.

¹²⁰ Liberties Rule of Law Report (2026), p. 15.

¹²¹ The report covers the 2024 financial year.

organisational and regulatory information published on party websites. The audit found persistent deficiencies in accessibility, visibility and timeliness of published information¹²². Moreover, previously reported shortcomings remain as regards campaign funding, notably concerning loopholes in the delineation between ordinary and electoral funding, corporate donations in electoral campaigns, donation limits and traceability requirements, as well as transparency and audit controls over political party financing¹²³. The Government has started the procedure to modify the Organic Law on the Financing of Political Parties, to address the deficiencies highlighted by the Court of Auditors¹²⁴.

The Independent Authority for Whistleblower Protection (AIPI) started operating with some budgetary and staffing constraints. These limitations may be partially linked to the Authority's recent start of operations in September 2025¹²⁵. In the absence of agreement in Parliament to adopt the State budget, the Authority meets its operating needs thanks to a temporary budgetary arrangement¹²⁶. The Authority has 23 official posts, of which 14 are filled. AIPI considers its budget and staffing levels insufficient for the growing workload – since September 2025, the Authority has received over 400 reports (about four daily) and issued over 20 protection certificates¹²⁷. In addition, the institutional complexity is increased by the existence of regional authorities for whistleblower protection in eight regions¹²⁸. These bodies differ in their legal nature and scope, depending on the competences conferred by their respective regulatory frameworks¹²⁹. Civil society has noted a number of possible shortcomings as regards support services for whistleblowers¹³⁰.

Public procurement remains an area vulnerable to corruption risks. Businesses' attitudes towards corruption in the EU show that 40% of companies in Spain (EU average 30%) think that corruption has prevented them from winning a public tender in practice in the last three years¹³¹. 44% of businesses perceive the level of independence of the public procurement review body (Central Administrative Court of Contract Appeals) as very or fairly good, which has significantly decreased in comparison with 2025 (61%)¹³². The Single Market and Competitiveness Scoreboard on access to public procurement in Spain reports 34 % of single bids for 2025 (EU average 27%). Civil society notes persistent systemic weaknesses in public

¹²² Only one third (21 out of 63) of the audited parties included an explicit commitment to transparency in their statutes, fewer than one in five (11 out of 63) had adopted a specific protocol on active publicity obligations, and over 40 % (27 out of 63) had not designated a responsible unit or official for transparency-related publications. Court of Auditors (2025), pp. 112083–112085 of the Official Journal.

¹²³ Country visit Spain, Court of Auditors. Motion Nr. 1445, regarding the financing, economic-financial activity, and control of political parties and of foundations and other entities linked to or dependent on them, approved on 27 July 2021.

¹²⁴ Spanish Government (2026c), additional written input.

¹²⁵ Spanish Government (2026c), additional written input.

¹²⁶ Spanish Government (2026), written input, pp. 22–23; country visit Spain, Government.

¹²⁷ AIPI (2026), written input, pp. 6–7.

¹²⁸ Catalonia, Galicia, Andalusia, the Valencian Community, Castilla-La Mancha, the Chartered Community of Navarre, the Community of Madrid, and Castilla y León.

¹²⁹ AIPI (2026), written input, p. 8. The AIPI notes that further regulatory changes to improve the follow-up mechanisms to filed reports would be also desirable; some have been incorporated in the preliminary draft Organic Law on Public Integrity, which is undergoing public consultation and will be subject to a parliamentary debate. AIPI (2026), written input, p. 5.

¹³⁰ Civil society research revealed inter alia insufficient financial and psychological support services for whistleblowers and inadequate technical safeguards to guarantee anonymity. Liberties Rule of Law Report, X-Net, (2026), p. 19.

¹³¹ Flash Eurobarometer 582 on Businesses' attitudes towards corruption in the EU (2026). This is 10 percentage points below the EU average.

¹³² Figure 59, 2026 EU Justice Scoreboard.

procurement in the form of integrity risks, low effective competition, insufficient traceability and poor data reusability¹³³. In December 2025, a proposal for a recommendation on public procurement was adopted by the Cooperation Committee¹³⁴, in line with the National Public Procurement Strategy and its objective to prevent, detect and correct fraud, corruption, conflicts of interest and double funding. Additional measures are planned in the preliminary draft Open Administration Law¹³⁵. The Independent Office on Supervision of Public Procurement notes that, as in previous years, contracts for the provision of services remain the most affected by corruption and anti-competitive practices¹³⁶. The Office recommends better training, stronger professional standards, an urgent adoption of the National Anti-Fraud Strategy, and a better control of subcontracting, as well as shorter procedural delays¹³⁷. In addition to public procurement, stakeholders have identified critical infrastructure and political party financing as sectors most vulnerable to corruption¹³⁸.

III. MEDIA PLURALISM AND MEDIA FREEDOM

Reforms are ongoing, including further resources for the national regulator to carry out its new supervisory functions. The new draft law on Digital Services and Media adopted by the Council of Ministers on 29 July 2025 with a view to aligning with the European Media Freedom Act (EMFA)¹³⁹ is still in the amendment phase of the parliamentary process¹⁴⁰. In parallel, a Digital Transformation Committee is holding expert hearings on technical issues of the draft¹⁴¹. In particular, the draft law proposes the creation of a new Media Directorate in the National Commission for Markets and Competition (CNMC)¹⁴², consisting of four new sub-directorates and 32 new posts. This follows the need for reinforced resources with the required expertise in order to carry out its present and future tasks effectively, as noted by the CNMC itself and other stakeholders¹⁴³. The 2026 Media Pluralism Monitor (MPM) for Spain maintains its previous score for plurality of media service providers as very-high risk¹⁴⁴. As regards independence and effectiveness of the media authority, it maintains its previous assessment of low risk¹⁴⁵. The CNMC continues to cooperate with regional entities and

¹³³ Liberties Rule of Law Report 2026, p. 17.

¹³⁴ The Committee (*Comité de Cooperación en materia de contratación pública*) has been tasked with coordinating and harmonising public procurement policy across different levels of Government in Spain.

¹³⁵ Spanish Government (2026), written input, p. 24.

¹³⁶ Service contracts represent 48% of reported corruption-related complaints. The main causes of complaints are alleged corrupt practices (25%), breach of legal provisions (24%), artificial splitting of contracts (13%) and award irregularities (11%). Annual Report of the Independent Office on Supervision of Public Procurement (2025), p. 13.

¹³⁷ Independent Office on Supervision of Public Procurement (2025), Annual report, Conclusions and Recommendations, pp. 24-32.

¹³⁸ Foundation Hay Derecho (2026), written input, p. 5.

¹³⁹ Draft Law for the Improvement of Democratic Governance in Digital Services and the Media. This law will adapt the Spanish legislation to both Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act) and Regulation (EU) 2022/2065 of the European Parliament and of the Council of 19 October 2022 on a Single Market For Digital Services and amending Directive 2000/31/EC (Digital Services Act).

¹⁴⁰ Spanish Government (2026), written input, pp. 31-33.

¹⁴¹ Country visit Spain, Spanish Government.

¹⁴² The CNMC was designated as Spain's Digital Services Coordinator on 24 January 2024.

¹⁴³ Country visit Spain, CNMC; European Federation of Journalists (2026), written input, p. 17; International Press Institute (2026), written input, pp. 15-16; Asociación Impulso Ciudadano (2026), written input, p. 2; International Press Institute (2025), pp. 5-6.

¹⁴⁴ Media Pluralism Monitor (2026), country report for Spain, p. 22.

¹⁴⁵ Media Pluralism Monitor (2026), country report for Spain, p. 18.

regions via a dedicated forum in view of their competence to supervise the functioning of regional media, including in relation to their independence¹⁴⁶. In addition, following two public consultations, a co-regulation agreement regarding the rating of audiovisual programmes and content was signed on 10 June 2026, with the regions expected to join progressively¹⁴⁷.

Risks related to editorial independence and political interference in publicly owned radio and television broadcasters are flagged by stakeholders. The 2024 amendment to the Law on state-owned radio and television changed the composition of the management board and its election system and gave more powers to its chairperson¹⁴⁸. Similar concerns have been raised by stakeholders with regard to regional public service media following similar legislative reforms¹⁴⁹. Although the Government points to the normal functioning of RTVE since the reforms were introduced¹⁵⁰, stakeholders flag risks to editorial independence and political interference¹⁵¹. In January 2026, the News Councils of TVE and RNE¹⁵² issued a report pointing to the deterioration of professional standards and criticising what they report as perceived political bias in news programmes of the public service media¹⁵³. Stakeholder reports suggest that the abovementioned legislative reform has led to a decrease in public trust towards public service media¹⁵⁴. The 2026 MPM indicator on independence of public service media remains at medium-high risk¹⁵⁵.

As the adoption of new legislation is still pending, concerns remain as regards the ownership transparency of media other than audiovisual media services, video sharing platforms and influencers. The new draft law on Digital Services and Media adopted on 29 July 2025 with a view to aligning with the EMFA¹⁵⁶ and envisaging the creation of a public registry of media supervised by the CNMC¹⁵⁷ is still in the amendment phase of the parliamentary process¹⁵⁸. The 2026 MPM indicator for transparency of media ownership has changed from very high-risk in 2025 to medium-low risk due to the awaited legal reforms,

¹⁴⁶ Country visit Spain, CNCM; Spanish Government (2026a), written input.

¹⁴⁷ Spanish Government (2026a), written input.

¹⁴⁸ Royal Decree-Law 5/2024, of 22 October, amending Law 17/2006, of 5 June, on state-owned radio and television, to adopt urgent measures relating to the legal regime applicable to the RTVE Corporation. The Royal Decree-Law was adopted by Government and subsequently validated by Congress.

¹⁴⁹ Law 2/2024 of 27 June on the Corporació Audiovisual de la Comunitat Valenciana (CACVSA). Foundation Hay Derecho (2026a), written input, p. 52; Asociación Impulso Ciudadano (2026), written input, pp. 1-2; International Press Institute (2026), written input, pp. 19-20; Platform for the Defence of Freedom of Information (2026), p. 4.

¹⁵⁰ Spanish Government (2026), written input, p. 33.

¹⁵¹ In their views, risks were deriving, among other reasons, from the lack of a merit-based competition. Country visit Spain, News Council of RTVE, Journalists' Associations; European Federation of Journalists (2026), written input, p. 18; International Press Institute (2026), written input, p. 17; Asociación Impulso Ciudadano (2026), written input, pp. 3-4; Foundation Hay Derecho (2026a), written input, p. 51; Platform for the Defence of Freedom of Information (2026), p. 4; International Press Institute (2025), p. 6.

¹⁵² Internal bodies established by the Law on RTVE for the participation of professionals to ensure the neutrality and objectivity of news content.

¹⁵³ Country visit Spain, News Council of RTVE; Foundation Hay Derecho (2026a), written input, p. 51.

¹⁵⁴ Reuters Institute Digital News Report 2025, pp. 108-109; Foundation Hay Derecho (2025), written input, p. 50.

¹⁵⁵ Media Pluralism Monitor (2026), country report for Spain, p. 35.

¹⁵⁶ Regulation (EU) 2024/1083 of the European Parliament and of the Council of 11 April 2024 establishing a common framework for media services in the internal market and amending Directive 2010/13/EU (European Media Freedom Act).

¹⁵⁷ Through a reform of the General Law on Audiovisual communication 13/2022 of 7 July 2022.

¹⁵⁸ Spanish Government (2026), written input, p. 34.

namely the creation of a public registry and the establishment of ownership transparency requirements¹⁵⁹. Stakeholders continue to underline the inadequacy of the existing legal framework to ensure transparency of media ownership until the ongoing legal reforms are completed¹⁶⁰.

The reform of the legal framework for state advertising is advancing, although challenges remain. The technical work on the reform of the Institutional Advertising Law with a view to aligning with the EMFA was completed and the draft was adopted by the Council of Ministers on 24 February 2026¹⁶¹. The draft law includes measures such as establishing concrete criteria in the allocation of public funds and a state advertising ceiling of maximum 35% of turnover of a media service provider. In the meantime, state advertising continues to be regulated by the 2005 law and stakeholders continue to criticise the use of institutional advertising for political influence of media, notably during electoral periods. In their view, this continues to result in discriminatory treatment of some media service providers; a lack of relevant information about recipients and amounts of such funding; as well as the absence of fair criteria in the allocation of public funds¹⁶². New legislation on state advertising has been adopted at regional level.

There has been significant progress on the recommendation to strengthen access to information following the approval by the Government of the draft Laws on Classified Information and Open Administration¹⁶³. With a view to aligning with the EMFA, the Government adopted the draft Law on Classified Information¹⁶⁴ on 22 July 2025 and subsequently submitted it to Parliament, although a number of its provisions have drawn criticism from some stakeholders¹⁶⁵. Concretely, the draft requires the State to classify sensitive information that may affect its defence or national security, provides for the relevant procedures and time limits, establishes competent authorities and defines the right to information based on professional interest (e.g. research or journalistic purposes). Information relating to serious human rights violations or crimes against humanity may not be classified. Furthermore, the draft provides for the automatic declassification of information once the time limit established for each of the four categories of classified information has elapsed. In addition, in October 2025, the Government approved the draft Open Administration Law, in particular expanding transparency obligations relating to the functioning and activity of public

¹⁵⁹ 2026 Media Pluralism Monitor, country report for Spain, p. 22.

¹⁶⁰ Foundation Hay Derecho (2026a), written input, p. 54; International Press Institute (2026), written input, p. 19; European Federation of Journalists (2026), written input, p. 18; International Press Institute (2025), pp. 7-8.

¹⁶¹ Country visit Spain, Spanish Government; Spanish Government (2026), pp. 34-35.

¹⁶² Country visit Spain, Transparency Council, Journalists' Associations; Foundation Hay Derecho (2026a), written input, p. 54; Asociación Impulso Ciudadano (2026), written input, pp. 2-3; European Federation of Journalists (2026), written input, p. 17; Plataforma en Defensa de la Libertad de Información (PLI), "La Libertad de Información en España: Balance 2025, p. 4; International Press Institute (2025), pp. 6-7.

¹⁶³ The 2025 Rule of Law Report recommended Spain to "advance with strengthening access to information, in particular via revision of the Law on Official Secrets, taking into account European standards on access to official documents". Some progress was assessed on this recommendation in 2023, no further progress in 2024 and no further progress in 2025.

¹⁶⁴ To replace the current Law on Official Secrets 9/1968 of 5 April 1968.

¹⁶⁵ Namely the Government's margin of discretion to define what constitutes "classified information"; Spanish Government (2026), written input, p. 6; Asociación Impulso Ciudadano (2026), written input, p. 7. Information relating to serious human rights violations or crimes against humanity may not be classified. Furthermore, the draft provides for the automatic declassification of information once the time limit established for each of the four categories of classified information has elapsed. Spanish Government (2026c), additional written input.

institutions¹⁶⁶. After the ratification by Spain of the Council of Europe Convention on Access to Official Documents¹⁶⁷, the Committee of Experts of the Convention has positively evaluated the Spanish Transparency Act, which regulates access to information¹⁶⁸. Nevertheless, under the current framework, stakeholders continue to report cases where journalists experience difficulties accessing events and official information¹⁶⁹. Overall, significant progress has been made on the recommendation to strengthen access to information.

Work on related legislative proposals continues, while challenges regarding working conditions and safety of journalists persist, including online. In 2025, Parliament's internal rules of procedure were amended to introduce a formal framework of accreditation rules and behavioral standards defining journalists' access and working conditions inside Parliament, a development generally welcomed by stakeholders¹⁷⁰. In July 2025, the Government approved the preliminary draft Organic Law regulating the right to secrecy of information professionals and media service providers¹⁷¹. The proposal to amend the Citizen Security Law¹⁷² and the draft Organic Law on Rectification¹⁷³ are still being discussed in Parliament¹⁷⁴. On 14 April 2026, the Government approved two preliminary draft laws that aim to transpose the EU Directive on strategic lawsuits against public participation (SLAPP) and are undergoing mandatory consultation¹⁷⁵. This draft set of measures covers also domestic SLAPP cases. A EUR 70 million Spanish State aid scheme has been approved for the digitalisation of print media intended to support modernisation of activities, ensure economic sustainability, improve resilience and competitiveness and promote media pluralism¹⁷⁶. Since the publication of the 2025 Rule of Law Report, six new alerts have been recorded for Spain in the Council of Europe's Platform to Promote the Protection of Journalism and Safety of Journalists¹⁷⁷, relating to attacks on physical safety and integrity and harassment and intimidation of journalists¹⁷⁸. The Media Freedom Rapid Response platform¹⁷⁹ has recorded 53 new alerts relating mainly to physical attacks, harassment, legal intimidation, obstruction of access and editorial interference. Stakeholders continue to report cases of physical attacks, online

¹⁶⁶ Spanish Government (2026), written input, p. 6.

¹⁶⁷ The Council of Europe Convention on Access to Official Documents (CETS No. 205), also known as the Tromsø Convention, entered into force on 1 December 2020.

¹⁶⁸ Spanish Government (2026a), written input, pp. 9-10. Law 19/2013 of 9 December 2013.

¹⁶⁹ Country visit Spain, Journalists' Associations; Foundation Hay Derecho (2026a), written input, pp. 60-61; European Federation of Journalists (2026), written input, p. 19; Asociación Impulso Ciudadano (2026), written input, p. 7; Plataforma en Defensa de la Libertad de Información (PLI), "La Libertad de Información en España: Balance 2025", p. 3.

¹⁷⁰ Foundation Hay Derecho (2026a), written input, p. 60.

¹⁷¹ Spanish Government (2026), p. 36.

¹⁷² Congress (2024). It would provide that the taking of images of police actions would no longer be sanctioned.

¹⁷³ To replace Organic Law 2/1984, of 26 March, regulating the right of rectification and foreseeing that false or inaccurate information that causes harm to individuals can be publicly corrected.

¹⁷⁴ Country visit Spain, Spanish Government.

¹⁷⁵ Spanish Government (2026), p. 41; the first draft would amend both the Law of Civil Procedure and the Law on International Legal Cooperation in Civil Matters, while the second would amend the Organic Law on the Judiciary. See Directive (EU) 2024/1069 on the protection of persons involved in public participation from manifestly unfounded claims or abusive legal proceedings (SLAPP).

¹⁷⁶ Decision number SA.119861, available in the State aid register on the Commission's competition website.

¹⁷⁷ Council of Europe, Platform to promote the protection of journalism and safety of journalists, Spain.

¹⁷⁸ Spain has replied to four alerts.

¹⁷⁹ The Media Freedom Rapid Response (MFRR) is a Europe-wide mechanism that tracks, monitors and reacts to press and media freedom violations in EU member states and candidate countries.

harassment and targeting by public officials or political figures¹⁸⁰. In particular, a recent report presented by the Spanish Ministry of Equality notes that 73% of Spanish women journalists suffer from continuous harassment on social media, resulting in self-censorship, among other consequences¹⁸¹. As regards journalists' working conditions, stakeholders report on their precariousness as ultimately undermining journalistic independence and as exacerbated by short-term contracts, the impact of AI and the media market's challenges stemming from its increasing digitalisation¹⁸².

IV. OTHER INSTITUTIONAL ISSUES RELATED TO CHECKS AND BALANCES

The Court of Justice has delivered two judgments following preliminary ruling requests on the Amnesty Law; other requests for a preliminary ruling are pending before the Court of Justice. The Amnesty Law¹⁸³ entered into force on 11 June 2024 and was declared by the Spanish Constitutional Court to be compatible with the Constitution on 26 June 2025¹⁸⁴. Certain aspects of the law were referred to the Court of Justice of the European Union for a preliminary ruling by Spanish Courts¹⁸⁵. On 16 July 2026, the Court issued judgments in two of these preliminary ruling cases¹⁸⁶, and other requests for a preliminary ruling are pending before the Court of Justice¹⁸⁷.

More than half of companies surveyed in Spain express confidence in the effectiveness of investment protection. 52% of companies are very or fairly confident that investments are protected by law and courts, a figure which has increased in comparison with 2025 (47%)¹⁸⁸. As regards authorities relevant for economic operators, 42% of companies perceive the level of independence of the national competition authority (National Markets and Competition Commission) as very or fairly good, a figure which has significantly decreased in comparison with 2025 (62%)¹⁸⁹. The Supreme Court has jurisdiction in several business-related cases, including in cases related to public procurement, public concessions, public contracts and economic regulation. A number of judicial mechanisms to improve efficiency are available in

¹⁸⁰ Foundation Hay Derecho (2026a), written input, pp. 58-59; Asociación Impulso Ciudadano (2026), written input, pp. 8-9; European Federation of Journalists (2026), written input, p. 18; International Press Institute (2026), written input, p. 20; Platform for the Defence of Freedom of Information (2026), pp. 1-2.

¹⁸¹ Comunicado Asociación de la Prensa de Madrid “Manifiesto 8M: La APM reivindica igualdad salarial, acceso a los puestos directivos y que cese el acoso a las periodistas” published on 06.03.2026.

¹⁸² Country visit Spain, Journalists' Associations.

¹⁸³ Organic Law 1/2024 of 10 June on Amnesty for the Institutional, Political and Social Normalisation of Catalonia.

¹⁸⁴ The Amnesty Law provides for an amnesty applying to acts and events encompassing criminal, administrative or accounting liability, defined both in terms of the dates of the acts and their connection with events around the “independence process” in Catalonia. See 2025 Rule of Law Report, Spain, pp. 17-18.

¹⁸⁵ C-523/24, C-587/24, C-666/24 and C-123/25.

¹⁸⁶ C-523/24 and C-666/24.

¹⁸⁷ C-587/24 and C-123/25.

¹⁸⁸ Figures 52 and 53, 2026 EU Justice Scoreboard. Only 19% and only 15% of the surveyed investors respectively perceive concerns about quality, efficiency or independence of justice and frequent changes in legislation or concerns about the quality of the law-making process as a reason for the lack of confidence in investment protection.

¹⁸⁹ Figure 60, 2026 EU Justice Scoreboard.

these cases, including the possibility to apply interim measures, joint examination of similar cases and the consolidation of multiple appeals¹⁹⁰.

The draft law amending the Code of Criminal Procedure, including as regards popular action in criminal investigations, is under discussion in the Parliament. Popular action (*acción popular*) is a legal procedural mechanism, enshrined in Article 125 of the Spanish Constitution and developed in the Code of Criminal Procedure, which enables natural and legal persons to bring criminal action and intervene in criminal proceedings as a party without being directly affected or harmed by a criminal offence. The draft law amending the Code of Criminal Procedure¹⁹¹, tabled in the Parliament in October 2025, includes certain amendments with the aim to prevent perceived abuses of the mechanism on popular action. The proposed legislation intends to restrict the scope of criminal offences eligible for popular action, requiring individuals to demonstrate a direct, relevant, and substantial connection to the public interest at stake in the related criminal proceedings, and prohibiting political parties, their affiliated associations, judges, prosecutors, and their respective associations from exercising this right.

On 1 January 2026, Spain had 18 leading judgments of the European Court of Human Rights pending implementation, a decrease of 5 as compared with the previous year¹⁹². At that time, Spain's rate of leading judgments from the past 10 years that had been implemented was at 62% (compared to 52% in 2025; 38% remained pending), and the average time that the judgments had been pending implementation was 4 years (compared to 3 years and 3 months in 2025)¹⁹³. The oldest leading judgment, which became final more than 11 years ago, concerns the lack of an effective suspensive remedy against decisions to remove asylum seekers¹⁹⁴. As regards the respect of payment deadlines, on 31 December 2025 there were 3 cases in total awaiting confirmation of payments (compared to one in 2024)¹⁹⁵. By 17 June 2026, the number of leading judgments pending implementation had increased to 22¹⁹⁶.

Various initiatives aimed at increasing public participation in policymaking and fostering a rule of law culture continued. Stakeholder consultation in policy making is a common practice and a centralised online platform is provided for participation and access to planning and transparency¹⁹⁷, although some stakeholders consider that meaningful participation in legislative consultations is limited¹⁹⁸. The Ombudsperson¹⁹⁹, which is also the national human rights institution, accredited with A status by the UN Global Alliance of

¹⁹⁰ Figures 66 and 67, 2026 EU Justice Scoreboard. The data presented reflects exclusively the mechanisms in place at the level of the highest administrative jurisdictions; the same or other mechanisms may be in place at lower instance administrative courts.

¹⁹¹ Congress (2025b).

¹⁹² For an explanation of the supervision process, see the [website](#) of the Council of Europe.

¹⁹³ All figures calculated by the European Implementation Network (EIN) and based on the number of cases that are considered pending at the annual cut-off date of 1 January 2026. European Implementation Network (2026), written input, p. 8.

¹⁹⁴ Judgment of the ECtHR, 6528/11, *A.C. and Others v. Spain*, pending implementation since 2014. The Council of Europe is examining the case and has requested comments from Spain by 30 October 2026.

¹⁹⁵ Council of Europe: Committee of Ministers (2026), p. 163.

¹⁹⁶ Data according to the online database of the Council of Europe (HUDOC).

¹⁹⁷ OECD (2025), p. 180. In 2025, a minimum 15-day period for public consultation was introduced by legislative amendment, Spanish Government (2026), written input, p. 41.

¹⁹⁸ Country visit Spain, CCOO, CEOE, CEPYME, Coordinator of Non-Governmental Organisations for Development in Spain and Platform "Tercer Sector".

¹⁹⁹ The Ombudsperson published its annual report in March 2026.

National Human Rights Institutions (GANHRI), continued to fulfil a key role in the system of checks and balances, and assumed additional tasks with regard to compensation of victims in certain specific cases when a judicial action is not feasible for procedural reasons²⁰⁰. Initiatives aimed at fostering a rule of law culture include the VI Congress of the World Conference on Constitutional Justice, hosted in Madrid in October 2025, and the official commemoration of the 75th anniversary of the European Convention on Human Rights by the Spanish Government on 5 November 2025²⁰¹.

The draft law to reform the Citizen Security Law to address concerns raised by stakeholders remains pending in Parliament. Civil society space continues to be rated as “narrowed” by Civicus²⁰², while the Spanish Ombudsperson notes that the human rights situation and civil society environment can be considered open²⁰³. The draft law was tabled in October 2024 with the aim to respond to the concerns voiced by stakeholders about the current law’s impact on the rights of assembly and freedom of expression, as well as its effects on the civic space and the activities of human rights defenders and journalists²⁰⁴.

²⁰⁰ This relates to cases of sexual abuse within the Catholic Church. Ministry of the Presidency, Justice and Relations with the Parliament (2026b).

²⁰¹ Spanish Government (2026), written input, pp. 47-48.

²⁰² Spain’s score is 68/100. Ratings by CIVICUS are on a five-category scale defined as: open, narrowed, obstructed, repressed and closed.

²⁰³ Ombudsperson (2026), written input, p. 3.

²⁰⁴ Fundamental Rights Agency (2026), written input, pp. 3-4; Civil Liberties Union for Europe (2026), p. 805; European Civic Forum (2026), written input, pp. 7-9.

Annex I: List of sources in alphabetical order*

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Annex II: Country visit to Spain

The Commission services held virtual meetings in February 2026 with:

- Association of “Abogados del Estado”
- Association of European Journalists
- Association of Media Users
- Association of Prosecutors
- Association of Women Judges of Spain
- Authority for the Protection of Whistleblowers
- Civic Platform for the Judicial Independence
- Civil Guard
- Constitutional Court
- Coordinator of Non-Governmental Organisations for Development in Spain
- Council for the Judiciary
- Court of Auditors
- Foundation Hay Derecho
- General Council of Spanish Lawyers
- General Union of Workers (UGT)
- Independent Judicial Forum
- Judges and Magistrates Association “Francisco de Vitoria”
- Judges for Democracy
- Letrados de la Administración de Justicia (Rechtspfleger)
- Ministry of Digital Transformation and Civil Service
- Ministry of Finance, Commerce and Companies
- Ministry of Foreign Affairs, European Union and Cooperation
- Ministry of Home Affairs
- Ministry of Presidency, Justice and Relations with the Parliament
- National Commission of Markets and Competition
- National Police
- News Council of RTVE
- Ombudsperson
- Platform “Tercer Sector”
- Platform for the Defence of Freedom of Information
- Professional and Independent Association of Prosecutors
- Professional Association of Magistracy (APM)
- Progressive Union of Prosecutors
- Representatives of Congress and Senate
- Spanish Chamber of Commerce
- Spanish Confederation of Employers’ Organisations (CEOE)
- Spanish Confederation of Small and Medium-Sized Enterprises (CEPYME)
- Supreme Court
- Technical Cabinet of the Prosecutor General’s Office
- Trade Union Confederation of Workers’ Commissions (CCOO)

- Transparency Council
- Transparency International Spain
- Xnet

* The Commission also met the following organisations in a number of horizontal meetings:

- Civil Liberties Union for Europe
- Civil Society Europe
- End FGM EU
- European Civic Forum
- European Partnership for Democracy
- Human Rights Watch
- ILGA-Europe
- International Federation for Human Rights
- Philea - Philanthropy Europe Association
- Transparency International EU