

(English version)

**Question for written answer E-001514/24
to the Commission
Dolors Montserrat (PPE)
(16 August 2024)**

Subject: Attacks on judicial independence by Spanish Government ministers

In its Rule of Law Report, the European Commission recommends that judicial independence be respected and political pressure on judges be rejected, with these being areas of concern for the Commission.

Ever since the current Spanish President came into power through a vote of no confidence, it has become common practice to question, target and pressure judges when their decisions are not to the liking of the President or the allies that keep him in power.

The latest instance took place this week, when the Minister for Justice and the Minister for Transport pressured and targeted judge Pablo Llarena for not granting amnesty to their ally, fugitive Carles Puigdemont, as they wished him to.

These attacks and pressures undermine judicial independence and the rule of law and have elicited a strong reaction from judicial associations.

1. Does the Commission condemn the targeting of judges by the government? What action will the Commission take to stop this?
2. Does the Commission denounce the fact that members of the Spanish Government are putting pressure on judges for not applying the amnesty law in the way they wish them to?

Submitted: 16.8.2024

**Answer given by Mr Reynders on behalf of the European Commission
(7 October 2024)**

As reflected in the Commission's 2022, 2023 and 2024 Rule of Law Reports ⁽¹⁾, according to European standards, while courts are not immune to criticism and scrutiny, the judiciary must enjoy public confidence to be effective in view of its special role in society.

Damage to this confidence is particularly relevant in relation to statements by members of the legislative and the executive branches, as all powers of the State must foster and protect the trust of the general public in constitutional institutions including the judiciary.

As regards the 'Organic Law on Amnesty for the Institutional, Political and Social Normalisation of Catalonia', now that the law entered into force on 11 June 2024, the Commission is analysing it in terms of relevance for EU law.

The Commission remains committed to taking any necessary measures to ensure compliance with EU law and upholding the rule of law in all Member States and will continue to work with the Spanish authorities to promote the rule of law, including within the framework of the rule of law cycle.

⁽¹⁾ <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52022SC0509>, <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A52023SC0809&qid=1658246569920&print=true> and https://commission.europa.eu/document/download/2bd09a6f-ef56-494a-8303-e0de808ee981_en?filename=23_1_58063_coun_chap_spain_en_0.pdf