

EN
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Answer given by Mr McGrath
on behalf of the European Commission
(18.2.2025)

In the Spanish chapter of the 2024 Rule of Law Report¹, the Commission noted that, in October 2023, Spain ratified the Council of Europe's Convention on Access to Public Documents, which recognises a general right of access to official documents held by public authorities. The report also informed that the Spanish government intends to re-launch the adoption of the draft law on official secrets and thus recommended Spain to advance with this adoption. The Commission will continue to assess developments pertaining to media freedom and pluralism in all Member States, including Spain, in the context of the preparation of the 2025 Rule of Law Report.

The Commission considers that safeguarding the common memory of crimes of totalitarian and authoritarian regimes, as well as transition to democracy, is essential to safeguarding EU values of human dignity, fundamental rights, rule of law and democracy for current and future generations. However, it should be recalled that remembrance policies are under the competence of Member States.

The Commission remains committed to taking all 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. More generally, same as for all the Member States, the Commission follows rule of law developments in Spain under the annual Rule of Law Cycle and its report.

¹ https://commission.europa.eu/document/download/2bd09a6f-ef56-494a-8303-e0de808ee981_en?filename=23_1_58063_coun_chap_spain_en_0.pdf