

(English version)

**Question for written answer E-002957/24
to the Commission
Dolors Montserrat (PPE)
(16 December 2024)**

Subject: Attack on the independence of judges

In mid-December 2024, the Spanish Prime Minister, Pedro Sánchez, accused his political adversary of learning of judicial decisions before anyone else and of ‘playing with marked cards’, pointing out that judges could be taking decisions for political reasons. He also said he was ‘concerned’ that there may have been ‘a judge contributing’ to the work of opposition.

While the credibility of the judiciary is under direct attack, the Prime Minister’s wife, Begoña Gómez, is under investigation, as are his brother, David Sánchez; his former right-hand man in the PSOE and government, José Luis Ábalos; and his Attorney General, Álvaro García Ortiz.

The President of the General Council of the Judiciary and the Supreme Court, Isabel Perelló, has subsequently condemned the fact that ‘pressure’ is being placed on judges.

In the light of this state of affairs:

1. In the Commission’s view, are the government’s attacks on the investigating judges looking into the cases against the socialist leader’s inner circle acceptable?
2. Will the Commission initiate a structured dialogue with the government in the context of the forthcoming rule of law report to stop attacks on the judiciary from the government?

Submitted: 16.12.2024

**Answer given by Mr McGrath on behalf of the European Commission
(14 March 2025)**

In its Rule of Law Report, the Commission recalled that, according to European standards, while courts are not immune to criticism and scrutiny, the judiciary must enjoy public confidence to be successful in view of its special role in society.

This is particularly important 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.

The Commission noted that stakeholders had raised concerns regarding public statements by politicians criticising the judiciary in Spain ⁽¹⁾.

The risk that public statements from governments and politicians may affect public trust in judicial independence has raised concerns in other Member States as well ⁽²⁾.

The Commission will continue to work with all Member States, including Spain, to promote the rule of law.

⁽¹⁾ https://commission.europa.eu/document/download/abdcd1f9-681e-43be-980b-f4205c3e0556_en?filename=23_1_194017_coun_chap_spain_en.pdf,
https://commission.europa.eu/document/download/62fdb34b-78d4-4d53-b9ea-67286facc01e_en?filename=23_1_52576_coun_chap_spain_en.pdf,
https://commission.europa.eu/document/download/2bd09a6f-ef56-494a-8303-e0de808ee981_en?filename=23_1_58063_coun_chap_spain_en_0.pdf
⁽²⁾ COM(2024) 800 final.