

(English version)

**Question for written answer E-001554/25
to the Commission
Fernando Navarrete Rojas (PPE), Dolors Montserrat (PPE)
(16 April 2025)**

Subject: Independence of the Spanish Independent Authority for Fiscal Responsibility (AIReF)

On 18 February 2025, the Spanish Government adopted Royal Decree 100/2025, which unilaterally imposes on the Independent Authority for Fiscal Responsibility (AIReF) the conditions for assessing the ‘closure clause’ of the pension reform negotiated with the Commission.

AIReF has complained that this Decree ‘undermines its supervisory capacity and its independence’, as it establishes biased methodological criteria. Against this background, it has been forced to publish a second independent opinion on the sustainability of public finances.

AIReF’s independence is protected by Regulation (EU) No 473/2013, which requires that fiscal institutions are structurally independent and do not take instructions from national budgetary authorities or from other public or private bodies.

Imposing biased assessment conditions violates this rule and constitutes an attack on AIReF’s independence.

We would therefore like to ask the Commission the following question:

What measures will the Commission take to curb the attack on AIReF’s independence under EU law?

Submitted: 16.4.2025

**Answer given by Mr Dombrovskis on behalf of the European Commission
(25 July 2025)**

Royal Decree 100/2025 *inter alia* further specifies the closure clause of the 2023 pension law (Royal Decree Law 2/2023), which was positively assessed by the Commission in the context of the fourth payment request by Spain⁽¹⁾. Royal Decree 561/2025 adopted on 1 July 2025 introduces amendments to Royal Decree 100/2025.

The independence of national fiscal authorities is safeguarded by the national fiscal frameworks Directive, as amended in April 2024⁽²⁾, which is based on and expands the independence safeguards as included in Regulation 473/2013.

Member States have until the end of 2025 to transpose the new or amended provisions of the directive. A full legal transposition check will be undertaken in 2026.

⁽¹⁾ https://commission.europa.eu/document/download/e8b93743-5a80-4c10-9caa-4dabedc95728_en?filename=C_2024_4171_1_EN_annexe_acte_autonome_nlw_part1_v2_1.pdf.

⁽²⁾ Council Directive (EU) 2024/1265 of 29 April 2024 amending Directive 2011/85/EU on requirements for budgetary frameworks of the Member States.