

**Question for written answer E-002397/2021
to the Commission**

Rule 138

Izaskun Bilbao Barandica (Renew)

Subject: Isolated or systemic nature of certain problems in the judiciary in Spain

I deduce from the answers given to various questions that the Commissioner for Justice believes the conduct observed by current members of the General Council for the Judiciary in Spain – still in post despite their terms of office having expired two years ago – to be an isolated problem rather than a systemic one. The aforementioned questions have revealed repeated political interference in jurisdictional affairs. The same can be said of the protection afforded again and again to those of the authority's agents who have been accused of torture – a protection repeatedly penalised by the Strasbourg Court but which characterises the trajectory of some high judicial bodies.

Another problem that seems to reoccur repeatedly is the legal hyperactivity and 'creativity' that drives these same high judicial bodies to use criminal prosecutions to attack parliamentary decisions or political activities. This has given rise to convictions that have since been overturned by the Strasbourg Court, and to criminal trials and prison sentences that said court will review and which have been repeatedly and severely criticised by organisations such as the Council of Europe, the UN Working Group on Arbitrary Detention or Amnesty International.

Does the Commission believe that the clear repetition of conduct of this kind is an isolated problem or a systemic one?