

Beat: Politics

The UN, concerned about the delay in the renewal of the Council of the Judiciary

Urges Spanish Parliament to unblock it

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USPA NEWS - The stagnation of political forces in the Spanish Parliament has caused the General Council of the Judiciary to be paralyzed, a UN expert warned. The mandate of the 20 members of the General Council of the Judiciary (CGPJ in its Spanish acronym) expired in 2018 and, due to the lack of political agreement, the required new appointments have not yet been made.

The General Council of the Judiciary is a 20-member body in charge of appointing judges and guaranteeing the independence of the judiciary. According to the Spanish Constitution, the Council must be renewed every five years. However, the lack of agreement between the majority political parties has prevented this renewal since 2018. Without these appointments, the body cannot function. "The failure to appoint members of the CGPJ has resulted in a substantial delay in the appointment of judges across the country," said Margaret Satterthwaite, UN special rapporteur on the independence of judges and lawyers. "This hinders the functioning of the Spanish judiciary as a whole."

The General Council of the Judiciary is entrusted with key functions in matters of judicial appointments, promotions and transfers, as well as the discipline of judges and the inspection of courts and tribunals. These judicial councils are essential to guarantee judicial independence and the separation of powers. "Ironically, parliamentary delay has led to the inability of an independent body to play its non-partisan role in ensuring the rule of law in Spain," Satterthwaite said. "The right to a fair trial requires an impartial judge. In Spain, this impartiality is closely linked to the free and independent functioning of the General Council of the Judiciary," stated the expert.

At the end of December 2023, the Spanish authorities asked the European Commission to facilitate talks to advance the issue. The European Commissioner for Justice, Didier Reyners, had already visited Spain to address this issue in 2022. "I welcome the possible resumption of talks aimed at resolving the impasse on this issue and urge the Spanish Parliament to address this unprecedented crisis in the judiciary with the utmost seriousness," Satterthwaite said. The Special Rapporteur has been in contact with the Government of Spain regarding these concerns.

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