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FIFTH EVALUATION ROUND

Preventing corruption and promoting integrity in
central governments (top executive functions) and
law enforcement agencies

ADDENDUM TO THE SECOND COMPLIANCE REPORT

SPAIN



Adopted by GRECO
at its 100th Plenary Meeting (Strasbourg, 3-6 June 2025)



Group of States against Corruption
Groupe d'États contre la corruption

COUNCIL OF EUROPE



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I. INTRODUCTION

1. GRECO's Fifth Evaluation Round deals with "Preventing corruption and promoting integrity in central governments (top executive functions, PTEF) and law enforcement agencies (LEA)".
2. This Addendum to the Second Compliance Report assesses the measures taken by the authorities of Spain to implement the recommendations issued in the Fifth Round Evaluation Report on Spain which was adopted at GRECO's 83rd Plenary Meeting (21 June 2019) and made public on 13 November 2019, following authorisation by Spain. The corresponding Compliance Report was adopted by GRECO at its 88th Plenary Meeting (22 September 2021) and made public on 29 March 2022, following authorisation by Spain. The Second Compliance Report was adopted by GRECO at its 95th Plenary meeting (1 December 2023) and made public on 16 April 2025.
3. As required by GRECO's Rules of Procedure¹, the authorities of Spain submitted a Situation Report on measures taken to implement the recommendations. This report was received on 3 January 2025 and served, together with additional information, as a basis for the Addendum to the Second Compliance Report.
4. GRECO selected Italy (with respect to top executive functions in central governments) and the United States of America (with respect to law enforcement agencies) to appoint Rapporteurs for the compliance procedure. The Rapporteurs appointed were Mr Milto Stefano De Nozza, on behalf of Italy and Mr Kellen McClure, on behalf of the United States of America. They were assisted by GRECO's Secretariat in drawing up the Addendum to the Second Compliance Report.

II. ANALYSIS

5. GRECO, in its Fifth Round Evaluation Report, addressed 19 recommendations to Spain. In the Second Compliance Report, GRECO concluded that recommendations ii, iii, iv, v, viii, ix, xi, xii, xiv, xv, xvi, xvii and xviii had been partly implemented and recommendations i, vi, vii, x, xiii and xix had not been implemented. Compliance with the outstanding recommendations is examined below.

Preventing corruption and promoting integrity in central governments (top executive functions)

Recommendation i

6. *GRECO recommended reinforcing the current regime applicable to advisors, subjecting them to equivalent transparency and integrity requirements as those applied to persons with top executive functions.*
7. It is recalled that this recommendation was not implemented in the Second Compliance Report. Some preparatory work had been done; however, the legislative proposals were just at inception stages. GRECO noted that there was no evidence that particular

¹ The compliance procedure of GRECO's Fifth Evaluation Round is governed by its Rules of Procedure, as amended: Rule 31 revised bis and Rule 32 revised bis.

attention had been given to advisors, the political nature of their appointment, and their functions.

8. The authorities of Spain submit that the Council of Ministers approved on 17 September 2024 the “Democracy Action Plan”², a roadmap to strengthen the main elements of the rule of law, combat the risks experienced by democracies - such as disinformation - and offer the Spanish society more tools to assess the action of public authorities. This plan is developed in three axes of action.
9. A new Open Administration Law (hereinafter APLAA), part of the first axe on “Expanding and improving the quality of government information” of the Action Plan for Democracy, is expected to be submitted during the first months of 2025 to the Council of Ministers for approval. The APLAA includes measures affecting advisors, establishing integrity and transparency requirements equivalent to those required by law for persons with top executive functions. The Regulatory Impact Analysis Report accompanying the preliminary draft law sets as one of the main objectives of the law to regulate the system for the prevention of conflicts of interest applicable to personnel who carry out tasks of trust and special advice, bringing it close to the regime that governs political appointees. The report makes express reference to GRECO’s recommendation i.
10. The authorities report that one of the titles of the draft law includes the principles of good governance and good administration applicable to political appointees, members of cabinet with functions of trust and special advice as well as public employees. Concerning advisors, the draft law envisages the following obligations: submission to the standards of suitability, requiring good repute and proper training for the position they are going to hold; submission to a regime of exclusive dedication to public office and to a very restrictive regime of incompatibilities; obligation to submit declarations of activities and assets and property rights; evaluation and control of management results; obligations of transparency and active publicity equivalent to those affecting political appointees such as publication of identification and salary information or publicity of their official agendas, among others.
11. GRECO takes note of the information provided. It welcomes the particular attention posed to the position of advisors in the APLAA. It positively notes that specific provisions address the political nature of their appointment and functions, as well as the need to bring them closer to the anticorruption prevention regime that governs political appointees. However, the draft law has not yet been approved by the Council of Ministers and GRECO has not had the opportunity to assess its content. Therefore, the assessment of the recommendation cannot be upgraded at this time.
12. GRECO concludes that recommendation i remains not implemented.

Recommendation ii

13. *GRECO recommended (i) devising an integrity strategy for analysing and mitigating risk areas of conflicting interests and corruption in respect of persons with top executive*

² https://www.mpr.gob.es/prencom/notas/Documents/2024/2024-3002_Plan_de_accion.pdf.

functions and (ii) connecting the results of such a strategy to a plan of action for implementation.

14. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO recognised the steps taken by the authorities to devise a holistic integrity framework for central administration. However, GRECO called for a more tailor-made approach to the implementation of this recommendation and closer attention to the particular situation of PTEFs.
15. The authorities of Spain submit that the Democracy Action Plan (see recommendation i) foresees the approval of a Royal Decree for the development of a global strategy to deepen transparency and reinforce the fight against corruption foreseen in Law 2/2023 regulating the protection of persons who report regulatory violations and the fight against corruption. The strategy will focus on assessing compliance with the objectives set forth in Law 2/2023 and on proposing new measures to prevent corruption. The Authority for the Protection of Whistleblowers, whose statute has been approved by Royal Decree 1101/2024 and whose chairman was approved by the Congress on 9 April 2025, will make a first proposal for an integrity and corruption prevention strategy, applicable to persons with top executive functions. Such proposal will be subsequently developed with the assistance of the various Ministries involved.
16. GRECO takes note of the information provided. It welcomes that the Democratic Action Plan foresees the adoption of a Royal Decree for devising a global integrity strategy. However, GRECO recalls that, to address this recommendation satisfactorily, particular attention must be paid to PTEFs and the specific challenges they face in comparison to other public servants.
17. GRECO concludes that recommendation ii remains partly implemented.

Recommendation iii

18. *GRECO recommended that (i) a code of conduct for persons with top executive functions be adopted and made easily accessible to the public, and (ii) that it be complemented by practical measures for its implementation, including written guidance, confidential counselling and dedicated training.*
19. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO acknowledged the action taken by the authorities to provide for a separate, more user-friendly Code of Good Governance for PTEFs. GRECO called for more systematic dedicated training for PTEFs.
20. The authorities of Spain report that the Integrity System of the General State Administration (SIAGE)³ refers to both a Code of Good Administration and a Code of Good Governance, which include a set of ethical values and associated standards of conduct as well as various elements related to the prevention and management of

³[The Council of Ministers approved the SIAGE on 28 January 2025. It was published in the Official State Bulletin on 13 February 2025: Disposición 2771 del BOE núm. 38 de 2025.](#)

conflicts of interest in their respective areas. Likewise, it contains a detailed guide for the management of institutional ethics mailboxes.

21. Additionally, the authorities submit that the APLAA establishes due diligence procedures for public servants that must contain, among other elements, a declaration of compliance with a high standard of integrity and adherence to the codes of good governance and good administration. The draft law foresees the accreditation of training to all categories of staff of the body or agency on the values of the code of conduct and on all the elements regulated by the law, the prevention of conflicts of interest and measures for the prevention, detection and correction of fraud.
22. The APLAA also states that public administrations will promote awareness raising and training measures for political appointees, temporary staff who exercise special advisory functions (*personal eventual*), and public employees on the general principles and actions set out in the law.
23. Moreover, regarding dedicated training, the authorities submit that the APLAA includes the regulation of the Council for Transparency and Good Governance (CTBG), whose functions include the provision of permanent training in the field of public integrity and prevention of conflicts of interest, aimed at political appointees and public employees, in collaboration with the training centers of the different territorial administrations and the National Institute of Public Administration.
24. Finally, the APLAA foresees the creation of specialised committees on institutional integrity for the General State Administration, which will ensure the adoption of effective measures and action plans in the field of strengthening institutional integrity. These committees will be coordinated by an interdepartmental collegiate body responsible for ensuring the coherence of the integrity policy of the entire General State Administration.
25. GRECO takes note of the information provided. It welcomes the action envisaged by the APLAA to establish due diligence procedures to ensure integrity in public administration. Regarding dedicated training to PTEFs, it acknowledges the role given to the Council for Transparency and Good Governance to provide permanent training aimed, among others, to political appointees, as well as the role given to public administration to promote awareness raising and training measures. However, no evidence has been submitted that shows that PTEFs have been following the trainings already in place or that the new draft law provides for dedicated training activities that address the specificities of their functions. It follows that more systematic action is still required in this respect.
26. GRECO concludes that recommendation iii remains partly implemented.

Recommendation iv

27. *GRECO recommended (i) further advancing in the implementation of Law 19/2013, notably, by facilitating information request procedures, providing for a reasonable time to answer such requests and introducing appropriate requirements for the registration*

and handling of public information provided in electronic form, and (ii) raising awareness among the general public about their right to access information.

28. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO acknowledged the efforts made by the authorities to advance with the implementation of access to information requirements and awaited the adoption of legislative amendments that it assessed positively. This part of the recommendation was, therefore, partly implemented. Concerning awareness raising, GRECO positively took note of the specific initiatives adopted. This part of the recommendation had been fully complied with.
29. The authorities indicate that the Council of Europe Convention on Access to Official Documents (STCE 205) ("Tromsø Convention") entered into force for Spain on 1 January 2024. The ratification made it necessary to review, and, where appropriate, adjust Spain's basic rule on transparency and access to public information. The establishment of a working party and a broad process of public consultation⁴ account for the thorough efforts made during the prior consultation phase of the APLAA. A report on measures adopted to comply with the articles of the Convention is currently being finalised.
30. The APLAA provides that resolutions granting or denying access must be communicated without delay to the applicant and any affected third parties. The maximum timeframe for such notification is one month from the date the request is registered with the competent administrative body. The reform introduces a new access modality that allows individuals to obtain public information without the need for identification in specific cases. This applies when (i) the information is already published, (ii) no legal limitations apply, (iii) personal data protection rules are not infringed, and (iv) no grounds for inadmissibility exist. Requests processed under this modality must receive a response within one month from the date they are assigned to the responsible administration.
31. Additionally, the APLAA includes provisions to enhance information management within the General State Administration, ensuring that public information is easily accessible and managed according to standardised procedures. The reform aligns with Royal Decree 1164/2002, which regulates the preservation of historical records and the disposal of administrative documents. To reinforce integrity and security, a comprehensive documentation management system will be implemented. This system will regulate the creation, transmission, maintenance, and access to public information, ensuring that only authorised and identified persons handle official records. It will also provide safeguards against unauthorised alterations, deletions, or concealments. Finally, in line with transparency obligations, the Archives System of the General State Administration will publish archival instruments that facilitate the location and identification of public information, subject to legal constraints.
32. GRECO welcomes the entry into force in Spain of the Council of Europe Convention on Access to Official Documents (CETS 205), the ratification of which it had already noted in its previous report. It acknowledges the efforts made by the authorities to advance

⁴ The information obtained on this public consultation process can be found at the following link: [3 Prior public consultation - Participate - Open Government - State Administration Transparency Portal. Spain - Home.](#)

the implementation of access to information requirements. While GRECO welcomes the new fast-track modality to obtain information without the need for identification, it notes that, as pointed out in the Fifth Evaluation Round Report (para 59), a one-month period to answer information requests is long for both standard and fast-track procedures. As the draft law foresees one month as a maximum delay limit, information will have to be submitted on the effective length of the deadline in its practical implementation. Moreover, GRECO welcomes the attention given to information management within the General State Administration. While recognising progress on this front, GRECO calls for further consideration of the deadline provided by law to answer access to information requests and awaits the effective adoption of the anticipated amendments.

33. GRECO concludes that recommendation iv remains partly implemented.

Recommendation v

34. *GRECO recommended providing the Council for Transparency and Good Governance with proper independence, authority and resources to perform its monitoring functions effectively.*
35. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO took note of the sustained increase in financial means of the Council for Transparency and Good Governance (CTBG) and welcomed the proposal made to enhance the independence, powers and means of the Council.
36. The authorities of Spain submit that [Royal Decree 615/2024](#), approving a new Statute for the CTBG, was adopted on 2 July 2024. The new structure of the CTBG features a General Secretariat, created as the management body for common services; three general sub-directorates, reinforcing the Council's capacity to carry out the task of protecting the right of access to public information and evaluating compliance with transparency obligations; and a Cabinet to support the Presidency in its managerial and decision-making functions. Their functions are clarified and systematised, specifying the assignment of some of the duties they were already developing and expressly reflecting others attributed by sectoral laws. Important modifications are also introduced in the Council's economic, patrimonial and personnel regime to update it to legislative changes and bring it into line with that of the other independent administrative authorities. Similarly, the regulation of the accounting and control regime is expanded and improved.
37. Additionally, a Transparency and Good Governance Commission was created as an advisory and consultative body of the CTBG. Its functions include advising on transparency, access to public information, and good governance; providing mandatory reports on national legislative initiatives related to Law 19/2013; and approving the annual report that evaluates the implementation and compliance with the law. The Commission also proposes recommendations, guidelines, and best practices to the Presidency, promotes training and awareness initiatives, and facilitates cooperation with similar bodies at national and international levels. Furthermore, it convenes annual meetings with equivalent regional entities, issues reports upon the Presidency's request and approves the Internal Rules of Procedure of the CTBG. Finally, the Commission acts

as a channel for the participation of civil society and experts within its scope of action to improve the fulfilment of its powers and purposes, and with the aim of promoting the link between the CTBG and civil society and citizens.

38. The authorities finally submit that the APLAA establishes for the Council a sanctioning regime. The draft law defines its legal regime, the offences (including periodic penalty payments), the corresponding sanctions, competences and procedure, etc. It specifies the regime applicable to public employees of the General State Administration (AGE) in terms of incompatibilities and prevention of conflicts of interest, the one applicable to members of cabinets and the one applicable to interest groups, all of which are completed with a series of common provisions in this regard.
39. GRECO positively welcomes the adoption of the new Statute of the Council for Transparency and Good Governance, whose importance has been acknowledged by GRECO in previous reports. Moreover, the establishment of the Transparency and Good Governance Commission is particularly welcomed as it fosters inclusion of civil society participation, further reinforcing independent oversight. The new statute ensures the good functioning of this body and an increased independence from the executive. Concerning the new sanctioning regime envisaged by the APLAA, GRECO can only welcome the legislative proposal, awaiting its adoption and its implementation. This amendment would significantly strengthen accountability and enforcement within the transparency framework.
40. GRECO concludes that recommendation v remains partly implemented.

Recommendation vi

41. *GRECO recommended (i) introducing rules on how persons entrusted with top executive functions engage in contacts with lobbyists and other third parties who seek to influence Governmental legislative and other work; and (ii) that sufficient information about the purpose of these contacts be disclosed, such as the identity of the person(s) with whom (or on whose behalf) the meeting(s) took place and the specific subject matter(s) of the discussion.*
42. It is recalled that this recommendation was not implemented in the Second Compliance Report. GRECO regretted that the draft Bill on the Transparency and Integrity of the Activities of Interest Groups had not been adopted and that it focused only on lobbyists while no particular attention was given to PTEFs. Moreover, it noted that concerning the transparency of agendas, practice was at broad variance.
43. The authorities submit that the adoption of a regulatory framework concerning the influence of third parties and lobbyists is envisaged in the Democracy Action Plan. The Council of Ministers, at its meeting on 28 January 2025, approved the draft Law on Transparency and Integrity of the Activities of Interest Groups, and agreed to send it to the Congress of Deputies⁵. The authorities submit that its approval is foreseeable in 2025.

⁵ Find the text of the draft bill here: [121/000046 Draft Law on transparency and integrity of the activities of interest groups](#).

44. The draft law introduces several key elements. First, it establishes a public and mandatory register of interest groups, managed by the Office of Conflicts of Interest, with publication requirements similar to those in other European countries. Second, it ensures the register's full interoperability with those created by territorial administrations. Third, it introduces a code of conduct for interest groups, outlining their rights and obligations to enhance ethical standards in lobbying. Fourth, it mandates transparency by publicising interactions between interest groups and officials, as well as their contributions to the regulatory process ("legislative footprint"). Last, it establishes a sanctioning regime for non-compliance, with serious infractions including failure to register or disclose lobbying activities when engaging with public representatives.
45. The draft law also introduces provisions concerning public personnel susceptible to influence. According to article 3 of the draft law, such rules are subject to: senior officials occupying senior positions in the General State Administration, which includes ministers; members of cabinets who provide functions of trust or special advice to the Government; public management staff and other staff of the General State Administration and its institutional public sector who participate in public decision-making, in the processes of drafting regulatory provisions and in the execution of public policies. The draft law envisages for these persons the following rules: the obligation to verify that the interest groups are registered; the identification of public interest personnel who have had contact with these groups in the regulatory footprint reports; a limitation on private post-termination activities.
46. Regarding agendas, the authorities note that, an obligation to publish agendas of certain public officials does not feature into the draft bill presented to the Congress of Deputies. However, it is expected that such provision will be included in the Draft Open Administration Law, provided for in the 2024 Annual Regulatory Plan and in the Action Plan for Democracy. This all-encompassing law aims to expand obligations in terms of transparency, strengthen controls over public officials, especially in terms of conflicts of interest. Its referral to the Council of Ministers in the first round is envisaged in the first half of 2025.
47. GRECO takes note of the information provided. It welcomes the approval by the Council of Ministers of a draft law on transparency and integrity of activities of interest groups which is meant to infuse greater transparency into lobbying activities vis-à-vis the executive. This is certainly a positive and very much awaited development, which needs to effectively materialise in practice. GRECO notes that the draft imposes rules on lobbyists, such as creating a register, laying down their obligations and required conduct, as well as the applicable sanctions in case of breaches. Regarding the other side of the equation, which is the one specifically targeted by recommendation vi, public personnel likely to receive influence will have to verify that groups are registered and face a new limitation on private post-termination activities.
48. As regards transparency of the agendas, the special recommendation issued by the Council for Transparency and Good Governance remains regrettably not addressed. This development represents a missed opportunity to address the second part of recommendation vi.
49. GRECO concludes that recommendation vi has been partly implemented.

Recommendation vii

50. *GRECO recommended that the legislation governing post-employment restrictions be subject to a review by an independent body and that it be strengthened wherever considered necessary.*
51. It is recalled that this recommendation was not implemented in the Second Compliance Report since no action had been taken.
52. The authorities indicate that the APLAA includes measures that strengthen the scope of provisions addressing revolving doors. The draft law envisages that the limitation for the exercise of private activities for two years after leaving office be extended, in relation to political appointees, to professional activities of influence at the service or for entities listed in the register of interest groups, in any of the matters related to the competences of the department, body or entity in which they have provided services. The same provision features in the draft Law on Transparency and Integrity of the Activities of Interests' Groups (second paragraph of the First Final Provision).
53. In addition, the subjective scope subject to this control is expanded to senior officials who do not hold the status of a political appointee. APLAA prohibits them, during two years after leaving office, of both providing services in private entities whose corporate purpose is directly related to the functions performed in the public position, or to carry out professional activities of influence for entities listed in the register of interest groups, in any of the matters related to the competences of the department, body or entity in which they have provided services.
54. GRECO welcomes the draft legislative amendments, which would strengthen restrictions on revolving doors by extending the two-year limitation on private sector activities for both political appointees and senior officials. However, the adoption of such amendments has yet to take place. In any event, GRECO reiterates that the scope of the recommendation is much broader, as it calls for an independent review of the current system in view of its improvement, wherever necessary. In particular, as stressed in the Fifth Round Evaluation Report (para 100-102), various aspects of the post-employment restriction regime are to be reviewed. In particular, the oversight and accountability regime need to be upgraded.
55. GRECO concludes that recommendation vii has been partly implemented.

Recommendation viii

56. *GRECO recommended (i) widening the scope of publication requirements of financial disclosures to include disaggregated/detailed information on assets, interests, outside employment and liabilities; and (ii) considering shortening the timeframes for reporting and publication and including information on spouses and dependent family members - it being understood that such information would not necessarily need to be made public.*
57. It is recalled that this recommendation was partly implemented. GRECO welcomed the move towards e-filing and systematic publication of asset declarations on a yearly basis.

It also acknowledged the introduction of further itemisation of the types of assets and liabilities to be reported. However, GRECO asked for greater disaggregation of the data reported, including on outside activities. Finally, it was not convinced that sufficient consideration had been paid to the second component of the recommendation.

58. The authorities of Spain indicate that this recommendation will be considered when processing APLAA.
59. In the absence of any updates, GRECO concludes that recommendation viii remains partly implemented.

Recommendation ix

60. *GRECO recommended that the advisory, supervisory and enforcement regime regarding conflicts of interest of persons with top executive functions be substantially strengthened, including by reinforcing the independence and autonomy, powers and resources of the Office for Conflicts of Interest.*
61. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO acknowledged the measures taken to reinforce the power and resources of the Office for Conflicts of Interest (OCI), but noted that further steps were necessary to strengthen its independence and autonomy.
62. The authorities of Spain submit that the issue of independence of the OCI is addressed through an amendment to [Article 19 of Law 3/2015](#) (via the First Final Provision of the draft law). This amendment aims to strengthen the Office's independence, by regulating the exercise of senior positions in the General State Administration, who will act with full autonomy and functional independence in the exercise of its functions and for the fulfilment of its purposes and may not request or accept instructions from any public or private entity. This provision clarifies that the attachment to the Ministry responsible for the prevention of conflicts of interest, through the Secretary of State for the Civil Service, is carried out for purely organisational and budgetary purposes.
63. GRECO takes note of the information provided and regrets that the authorities have opted for maintain subordination of the OCI to the executive, notably, as it remains under the Ministry's structural hierarchy and it lacks its own budget. Therefore, GRECO calls for better targeted measures to ensure the independence and autonomy of the OCI.
64. GRECO concludes that recommendation ix remains partly implemented.

Recommendation x

65. *GRECO recommended ensuring that the special procedure of "aforamiento" be amended, so that it does not hamper the criminal justice process in respect of members of Government suspected of having committed corruption related offences.*
66. It is recalled that this recommendation was not implemented in the Second Compliance Report. The authorities had referred to various amendments in different sub-national

entities to amend the procedure of “*aforamiento*”, but there had not been any changes at central level, which is the subject of the current evaluation round.

67. The authorities of Spain stress again that the special procedure of “*aforamiento*” does not waive the liability of the persons it covers, it only ensures that matters are decided before the Criminal Chamber of the Supreme Court.
68. They refer to a draft reform limiting the special procedure of “*aforamiento*” to acts committed in connection to the performance of the official duties, which had been submitted to the *Cortes Generales* in 2019, and which was in the pipeline at the time of its dissolution in 2023.
69. GRECO notes that no tangible results have been achieved in addressing this recommendation. Therefore, it concludes that recommendation x remains not implemented.

Preventing corruption and promoting integrity in law enforcement agencies

Recommendation xi

70. *GRECO recommended that the Police and the Civil Guard (i) conduct a strategic risk assessment of corruption-prone areas and activities to identify problems and emerging threats, and (ii) the data gathered are used for the proactive design of an integrity and anticorruption strategy. Preferably, a joint consultation between both forces in such exercises should be considered.*
71. It is recalled that this recommendation was partly implemented in the Second Compliance Report. Concerning the Police, GRECO took note of the activities carried out by the Internal Affairs Unit to carry out risk assessment of corruption-prone areas; however, no dedicated anticorruption integrity and anticorruption strategy had been developed. Concerning the Civil Guard, GRECO noted that the risk assessments performed were more of a reactive nature and that a dedicated integrity and anti-corruption strategy was yet to be developed.
72. The authorities of Spain reiterate that the Police conduct continuous preventive risk assessments of corruption-prone areas and carry out strategic surveillance through the Internal Affairs Unit. This Unit detects and investigates irregular conduct, addressing it through judicial channels or the disciplinary framework established by Organic Law 4/2010. It also ensures constant oversight of police activity in line with corruption prevention strategies.
73. In addition, the Unit collects and analyses investigation data to identify corruption patterns, develop criminogenic maps, and enhance predictive risk models, with efforts ongoing to improve data collection while ensuring anonymity. To reinforce internal controls, the Police continue to develop investigative protocols through circulars issued by police units, the General Directorate of the Police, and the Secretary of State for Security. Guidelines for all Commissioners-General are regularly updated, and coordination with other security forces remains a priority to reduce unreported corruption-related incidents. A predictive model, developed in collaboration with

academic institutions to analyse corruption probabilistically, has been submitted for EU funding under the Internal Security Fund (2021-2027).

74. Concerning the Civil Guard, the authorities submit that the Civil Guard Institutional Strategy 2030, aligned with the Comprehensive Command Chart, establishes the fight against corruption as a strategic priority. Other strategic documents, including the Strategic Plan of the Civil Guard 2021-2024, derive from this framework. This strategy aligns with national strategies such as the National Security Strategy 2021 and the National Strategy Against Organised and Serious Crime 2019-2023. The 2024-2027 Strategic Plan is in the final approval stage.
75. Additionally, the authorities inform that new regulatory measures have been adopted. [Order PJC/849/2024](#) establishes the Civil Guard Integrity System (SINTEGC), an interconnected framework of policies and standards fostering ethical behaviour as well as prevention, detection and, where appropriate, prosecution of conduct contrary to the law. The SINTEGC has as one of its foundations the principle of proactivity in the analysis of integrity risk. It contemplates a risk assessment by areas of activity (article 6.2) and mandates the preparation of risk evaluation maps, the adoption of specific protocols for evaluations and monitoring of the identifies risks areas as well as it proposes the adoption of correctives measures to be updated (article 9). The identification and assessment of risks associated with non-compliance and the development of plans to mitigate these risks is the responsibility of the Ethical Conduct Management Committee (article 7). The Civil Guard's Ethical Conduct Observatory, a technical assistance body, supports the committee (article 8). Finally, the Order mandates for specific training actions for those who are affected by the identifies risk areas (article 9).
76. [General Order 10/2024](#) defines the structure and principles of the SINTEGC. Additionally, it mandates the development of a Professional Ethics Action Plan (PLAEP). It establishes a framework for identifying, assessing, and mitigating integrity risks that could compromise the institution's objectives. Currently pending approval, the PLAEP integrates a risk analysis and management model to evaluate SINTEGC's effectiveness and monitor vulnerabilities within the Civil Guard's operations.
77. A key aspect of the PLAEP is risk assessment, which involves identifying hypothetical situations that could threaten institutional integrity, estimating their probability and impact, and implementing preventive actions to minimize risks. This process includes an initial diagnosis, where integrity risks are categorized across key functional areas such as financial management, personnel administration, material resource management, operational efficiency, and institutional governance. Each identified risk is assigned a value based on its likelihood and impact, leading to the development of a risk matrix and map that guide mitigation strategies.
78. The PLAEP also incorporates ongoing evaluation and monitoring mechanisms. This includes data analysis, perception surveys among Civil Guard personnel, and assessments by the Ethical Conduct Management Committee and the Permanent Working Group for Monitoring the PLAEP. Additionally, the Psychology Service evaluates the internalisation of the Code of Conduct to assess the institution's ethical climate. Findings from these assessments contribute to an annual status report, allowing for

periodic updates and refinements to the PLAEP to ensure its effectiveness in preventing unethical behaviour and reinforcing integrity across the Civil Guard.

79. GRECO takes note of the information provided. Concerning the police, it welcomes the continuous risk assessments by the Internal Affairs Unit, as well as other actions such as the development of protocols for certain professional activities, the issuing of guidelines and the coordination with other security forces. As to the second part of the recommendation, GRECO notes that the police has not yet developed a dedicated integrity and anti-corruption strategy. Therefore, regarding the police, recommendation xi can only be deemed partly implemented.
80. GRECO notes the substantive work done within the Civil Guard regarding this recommendation. Concerning the first component of the recommendation, GRECO notes that the already adopted Civil Guard Integrity System (SINTEGC) and the Professional Ethics Action Plan (PLAEP), currently pending approval, will introduce proactive risk analysis across key operational areas. Risk assessment maps and surveys will contribute to a structured evaluation of corruption vulnerabilities. GRECO positively welcomes the additional integrity measures that are being developed by the Civil Guard, such as structured training initiatives, periodic risk evaluations and oversight mechanisms. GRECO looks forward to the finalisation of such instruments. Concerning the second component of the recommendation, GRECO notes that the Civil Guard has integrated corruption prevention into its broader strategic framework through the Institutional Strategy 2030 and the Strategic Plan 2021-2024. Corruption is explicitly recognised as a priority, aligning with national security and crime prevention strategies. Therefore, concerning the Civil Guard, GRECO deems this recommendation fully implemented.
81. GRECO concludes that recommendation xi remains partly implemented.

Recommendation xii

82. *GRECO recommended that (i) the Civil Guard adopt a Code of Conduct and make it publicly available; (ii) both the National Police and the Civil Guard complement their respective Codes by guidelines and practical measures for their implementation (e.g. regarding conflicts of interest, gifts, use of public resources, confidential information, accessory activities, political neutrality, etc.), as well as a credible and effective mechanism for oversight and enforcement.*
83. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO welcomed the adoption of the Code of Conduct of the Civil Guard and took note of the work in progress to provide for practical measures for the implementation of the Code. The Police had not taken any action to meet this recommendation.
84. Concerning the police, the authorities refer once more to the 2013 Code of Conduct. Additionally, they submit that the [Royal Decree 49/2024](#) approved the Regulation of the National Police teaching centers, which establishes a system of evaluation of the attitudes and values of the students during selection procedures for the entry, access, and internal promotion in the National Police.

85. Concerning the Civil Guard, the authorities submit that various measures have been introduced to support the implementation of the Code of Conduct. As mentioned in recommendation xi, Order PJC/849/2024 and General Order 10/2024 regulate the Civil Guard Integrity System. The PLAEP includes measures across different areas of professional conduct, the central axis of this will be the approval of a Protocol of Good Practices. The PLAEP addresses conflicts of interest and the management of gifts, setting ethical guidelines applicable across all professional areas. It establishes clear criteria for preventing conflicts of interest, in line with Law 40/2015, prohibiting intervention in cases where personal, family, or economic ties exist. Civil Guard personnel are advised to maintain loyalty, refrain from undue influence, and avoid hierarchical work relationships with relatives. Finally, the regulations prohibit accepting gifts that could compromise impartiality, allowing only token gifts within defined limits. A registry ensures transparency, with non-compliant gifts being returned.
86. GRECO takes note of the information provided. Concerning the police, GRECO once again regrets the lack of action in implementing practical measures for the 2013 Code of Conduct. While it acknowledges the adoption of the regulation of the national police teaching centres, this piece of legislation does not address the recommendation, not even partly.
87. Concerning the Civil Guard, GRECO positively welcomes the creation of a Professional Ethics Action Plan (PLAEP), and in particular, the Protocol of Good Practices within this framework. However, such initiative is still in a developing stage. GRECO awaits its adoption.
88. GRECO concludes that recommendation xii remains partly implemented.

Recommendation xiii

89. *GRECO recommended reassessing the system of entry quotas for the offspring of the Civil Guard.*
90. It is recalled that this recommendation was not implemented in the Second Compliance Report. GRECO welcomed the developments to promote women recruitment in the Civil Guard; however, it noted that no action had effectively materialised to address this recommendation.
91. The authorities reiterate that the system of entry quotas has proven an effective tool to achieve a greater number of women in the Civil Guard and that the entrance texts to the Civil Guard Schools were revised to take into account rural development. They reiterate that the requirements to apply to the Civil Guard Schools are the same for everyone. Finally, they once more submit that neither the Supreme Court nor the Council of State question the principle of equality with respect to quotas.
92. Additionally, the authorities report that there is currently a draft amendment to Law 29/2014 on the personnel regime of the Civil Guard, which incorporates a proposal (new section 8, Article 35) to regulate by law this access modality. The proposed amendment reads that up to a maximum of 20% of the places may be reserved for

offsprings of the Civil Guard. The wording proposed corresponds at article 2.2.a of the Royal Decree 131/2018, approving the Regulation on the organization of education in the Civil Guard and which currently regulated the access to the College of Young Guards. Moreover, the authorities submit that for the time period 2020-2025, the percentage of offsprings of the Civil Guard that were accepted remains below 8%.

93. GRECO takes note of the draft amendment to Law 29/2014 and welcomes the proposal to make the entry quota of a fixed maximum of 7.93% optional. Yet, GRECO calls for a significant reduction of this percentage, if not the complete removal of the quota.
94. GRECO concludes that recommendation xiii has been partly implemented.

Recommendation xiv

95. *GRECO recommended strengthening the current vetting processes in the Police and the Civil Guard and introducing vetting at regular intervals during its staff members' careers.*
96. It is recalled that this recommendation was partly implemented in the Second Compliance Report. Concerning the police, GRECO welcomed the measures taken and awaited their concrete implementation. Concerning the Civil Guard, GRECO regretted that no action had been taken to comply with the recommendation.
97. Concerning the police, the authorities reiterate the information regarding the collaboration of the Unit of Internal Affairs in the European initiative Internal Criminal Investigation Network (ICIN). Additionally, they submit that the development of the early warning system, the project on the examination of the candidate's profile before their entry into Police, and the design of specific testing programmes mentioned in the previous report, are progressing but are still in preliminary phases.
98. Concerning the Civil Guard, the authorities reiterate the information submitted in the previous report.
99. GRECO takes note of the progress reported in the development of projects concerning vetting and re-vetting in the Police. GRECO looks forward to receiving further updates regarding their concrete implementation. As for the Civil Guard, GRECO regrets that no action has been taken to implement recommendation xiv. It reiterates the importance of introducing vetting at regular intervals during its staff members' careers and calls for more consideration from the Spanish authorities to this matter.
100. GRECO concludes that recommendation xiv remains partly implemented.

Recommendation xv

101. *GRECO recommended that the Police and the Civil Guard review their career-related internal processes (recruitment, promotions, discretionary appointments, appraisals/merit systems) with the sole aim of identifying opportunities to improve the recording and publication of rationale in decisions in order to evidence a more objective and transparent approach. In reviewing such processes, particular attention must be paid to the integration of women at all levels in the forces.*

102. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO saluted the targeted measures taken by both the Police and the Civil Guard to promote gender equality at all levels in the forces; however, it called for increased action regarding transparency and objectivity of career-related internal processes.
103. The authorities of Spain submit that [Order INT/632/2024](#) establishes the rules for the application and development of the regulation on selection procedures and training of the National Police, approved by Royal Decree 853/2022. The order establishes specific measures of conciliation and co-responsibility for people who join the different selection processes as well as measures to be adopted for those who want to combine leaves of absence with the completion of the academic year.
104. GRECO welcomes the specific measures introduced within the Police. However, it stresses, as pointed out in previous reports, that more action is needed regarding discretionary appointments and other types of assignments (e.g. secondments). GRECO reiterates that all recruitment decisions must be motivated, including details on the process followed and the criteria applied, and must be made more transparent.
105. GRECO concludes that recommendation xv remains partly implemented.

Recommendation xvi

106. *GRECO recommended (i) reviewing criteria and procedures for the allocation and withdrawal of allowances, bonuses, and other benefits, thereby promoting transparency, consistency and fairness in their application, and (ii) introducing adequate controls and monitoring in this field.*
107. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO acknowledged the steps taken by the Police regarding the applicable rules for decorations, and by the Civil Guard as regards the operation in practice of performance and overtime incentives. However, such actions were limited and did not encompass all different components of the recommendation.
108. The authorities of Spain report that no significant development concerning the implementation of this recommendation has taken place.
109. In the absence of updates, GRECO concludes that recommendation xvi remains partly implemented.

Recommendation xvii

110. *GRECO recommended that the Police and the Civil Guard carry out a study concerning risks of conflicts of interest in service and post-employment (including the top level), and develop, thereafter, more targeted regulations and guidance in this domain.*
111. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO had welcomed that both the Police and the Civil Guard were

amending their respective rules on incompatibilities to further strengthen the system. However, it recalled that, to address the recommendation in its entirety, a study needed to be carried out and that guidance regarding risks of conflicts of interest in service and post-employment, for both the Police and the Civil Guard, needed to be provided.

112. The authorities of Spain indicate that one of the measures to be adopted within the Civil Guard Integrity System is the definition of a complete risk management system, including the risks of conflicts of interest. This field will be subject to an initial diagnosis, evaluation, monitoring and review process based on the results obtained in its measurement, proposing the relevant measures as appropriate. This regulation is still to be adopted.
113. GRECO welcomes the new developments on this matter within the Civil Guard, notably, regarding conflicts of interest prevention and management. No developments have been reported regarding the Police. GRECO reiterates the need for a study and guidance regarding conflicts of interest and post-employment within both forces.
114. GRECO concludes that recommendation xvii remains partly implemented.

Recommendation xviii

115. *GRECO recommended that a full review of current whistleblower procedures within the Police and the Civil Guard is undertaken, with a primary aim of strengthening the protection of the true identity of whistleblowers and focusing more on the substance of the information provided.*
116. It is recalled that this recommendation was partly implemented in the Second Compliance Report. GRECO welcomed the adoption of Law 2/2023 on Whistleblower Protection and noted that work was under way to give effect to its provisions in the Police and the Civil Guard. It noted that implementation arrangements were key for the full implementation of the recommendation, to enable a safe environment to report wrongdoing and to protect whistleblowers from retaliation. Additional steps were expected in this respect within both forces.
117. The authorities of Spain reiterate that, following the enactment of Law 2/2023, all ministerial departments have implemented internal reporting channels. The Ministry of the Interior has established an internal reporting system accessible online⁶.
118. Concerning the Police, the Internal Affairs Unit is exploring additional access methods for whistleblowers reporting internal corruption. The Civil Guard, on the other hand, integrated, through the Civil Guard Integrity System, its own internal reporting mechanism within SINTEGC. In November 2023, the Ethical Conduct Management Committee of the Civil Guard's General Directorate—responsible for the force's internal reporting system—was formally established. Initially, this Committee processed reports via the Ministry of the Interior's internal channel. Currently, the Civil Guard's reporting

⁶ The internal channel of the internal information system of the Ministry of the Interior is accessible through this link: <https://www.interior.gob.es/opencms/es/servicios-al-ciudadano/canal-interno-de-comunicacion/>

system operates through a dedicated digital platform with enhanced security and confidentiality measures, ensuring compliance with Law 2/2023.

119. GRECO positively welcomes the efforts put by the Civil Guard into establishing its own internal reporting mechanism, including through enhanced security and confidentiality measures. This meets the requirements of the recommendation. Concerning the Police, GRECO regrets the lack of progress in developing an internal reporting mechanism and calls on the authorities to take additional steps.

120. GRECO concludes that recommendation xviii remains partly implemented.

Recommendation xix

121. *GRECO recommended reviewing the disciplinary regime of the Police and the Civil Guard, with a view to strengthening its transparency, objectivity, and proportionality, among other things and in particular, by excluding any possibility of a supervisor deciding on discipline matters single-handedly.*

122. It is recalled that this recommendation was not implemented in the Second Compliance Report. GRECO noted the lack of any development in this area and regretted that the authorities did not recognise it as a problematic area in real need for improvement.

123. The authorities of Spain refer once more to the disciplinary systems for the Civil Guard already in place at the time of the Fifth Round Evaluation visit. They submit that the legal services of the Civil Guard have issued recommendations according to which the instructors of the procedures for minor disciplinary offences shall never be the same people as the issuers of the reports. This recommendation aims at assuring the greatest objectivity and provide guarantees in the practice of evidence. The authorities report that between 2021 and 2024 there was only one case (for a minor disciplinary offence) where a non-commissioned officer issued a disciplinary report and was the instructor and the sanctioning authority. This case was finally upheld on appeal.

124. GRECO notes the information provided regarding the Civil Guard and welcomes the recommendation made by its legal services to exclude the possibility of single-handedly deciding regarding minor offences. No update was provided by the Police. GRECO calls on the authorities once more to proceed with a substantial review of the disciplinary regime to ensure fairness and proportionality of disciplinary processes in both forces.

125. GRECO concludes that recommendation xix remains not implemented.

III. CONCLUSIONS

126. **In view of the foregoing, GRECO concludes that Spain has not implemented satisfactorily or dealt with in a satisfactory manner any of the nineteen recommendations contained in the Fifth Round Evaluation Report.** Sixteen recommendations have been partly implemented and three have not been implemented.

127. More specifically, recommendations ii, iii, iv, v, vi, vii, viii, ix, x, xi, xii, xiii, xiv, xv, xvi, xvii and xviii have been partly implemented and recommendations i, x and xix have not been implemented.
128. GRECO regrets the lack of decisive action and tangible results regarding the recommendations issued in respect of PTEFs. While initiatives like the Democracy Action Plan, already adopted, and in particular the APLAA, still to be adopted, propose improvements, their implementation is still outstanding. The absence of training for PTEFs on the Code of Conduct and delays in implementing an integrity strategy highlight the need for more systematic action. Transparency measures have advanced with the ratification of the Council of Europe Convention on Access to Official Documents, but concerns persist regarding response times and public access. Additionally, the Council for Transparency and Good Governance has gained more independence, yet its full sanctioning power is still awaiting legislative approval. Efforts to regulate lobbying have yet to materialise in practice and the requirement of agendas' publication remains a pending matter.
129. Post-employment restrictions for political appointees and financial disclosure requirements need further reinforcement, particularly regarding independent oversight and the publication of disaggregated financial data. The Office for Conflicts of Interest (OCI) continues to lack true independence and its own budget. Moreover, no action has been taken to reform the special procedure of the system for criminal responsibility of members of government (so-called *aforamiento*). Overall, Spain's response to GRECO's recommendations remains inadequate, with most measures only partly implemented. GRECO urges the Spanish authorities to intensify their efforts to fully implement the proposed reforms and strengthen anti-corruption mechanisms regarding PTEFs.
130. With respect to law enforcement agencies (Police and Civil Guard), GRECO concludes that progress in implementing recommendations for law enforcement agencies has been mixed, with some advancements but persistent shortcomings. The Police has undertaken risk assessments and oversight actions, yet a dedicated anti-corruption strategy is still lacking. The 2013 Code of Conduct remains without practical implementation measures, and recruitment and discretionary appointments require greater transparency. While regulatory efforts in police training are noted, structural improvements in ethics and integrity remain incomplete.
131. The Civil Guard has shown more progress, particularly through the development of the Civil Guard Integrity System (SINTEGC) and the Professional Ethics Action Plan (PLAEP). These initiatives introduce risk assessments and structured training, with corruption prevention measures integrated into broader strategies. However, key initiatives, such as the Protocol of Good Practices, are still pending adoption. Internal reporting mechanisms and whistleblower protection have improved, but the disciplinary regime remains inadequate for both forces. GRECO urges further decisive action to ensure full implementation of anti-corruption and integrity measures within law enforcement agencies.
132. In the light of the foregoing, GRECO notes that Spain is not in sufficient compliance with the recommendations contained in the Fifth Round Evaluation Report within the meaning of Rule 31 revised bis, paragraph 10 of the Rules of Procedure. GRECO

therefore decides to apply Rule 32 revised, paragraph 2 (i) and asks the Head of delegation of Spain to provide a report on the progress in implementing the outstanding recommendations, i.e. all recommendations (i to xix), by 30 June 2026.

133. In addition, in accordance with Rule 32 revised, paragraph 2, sub-paragraph (ii.c), GRECO invites the Secretary General of the Council of Europe to send a letter – with a copy to the Head of delegation of Spain – to the Minister of Foreign Affairs of Spain, drawing attention to the non-compliance with the relevant recommendations and the need to take determined action with a view to achieving tangible progress as soon as possible.
134. GRECO invites the authorities of Spain to authorise as soon as possible the publication of this report, to translate it into the national language and to make the translation public.