



Der Vorsitzende - The Chairman - Le Président

Brussels, 1 December 2022

Vice President Věra Jourová, European Commissioner for Values and Transparency
Commissioner Didier Reynders, European Commissioner for Justice

Dear Commissioner Jourová,
Dear Commissioner Reynders,

The Spanish government has just publicly announced its will to elect, using this procedure for the first time, in formal compliance with Article 159 of the Spanish Constitution, two new members for the Spanish Constitutional Court, who have had political and public responsibilities in the current government. This movement is a violation of the continuous European Union calls to Member States to guarantee judicial independence.

The first member is **Juan Carlos Campo**, who served as Minister of Justice in the current government from January 2020 to July 2021. Before that, he held different public and parliamentary positions representing the Spanish Socialist Workers' Party (PSOE): Member of the Congress of Deputies, Secretary General for Relations with the Parliament of the Andalusian Regional Government and Secretary of State for Justice of the Spanish Government.

The second member, **Laura Díez Bueso**, is a person of the utmost confidence of the current government of Pedro Sánchez, since she has been Director General for Constitutional Affairs and Legal Coordination of the Ministry of the Presidency, Relations with the Courts and Democratic Memory, from February 2020 to April 2022. Previously, she was Head of Cabinet of the Secretary of State for Relations with the Courts of the Ministry of the Presidency, Relations with the Courts and Equality, from 2018 to 2020.

We are aware of your interest and concern to defend the independence of the justice systems in all the Member States of the European Union. We are aware of the warnings and recommendations that the European Commission, through its successive reports on the Rule of Law, has addressed to the Member States in order to avoid politicised appointments that undermine judicial independence. A clear example of this would be the election of these two candidates, with whom the Spanish government seems to want to ensure a favourable criterion when the institution has to rule on the constitutionality of certain laws and decisions launched by this government.

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We would like to bring to your attention our concern and alert in regard to these decisions of the Spanish Government, which, in our opinion, constitute a flagrant breach of the repeated European Union recommendations for the depoliticization of justice, insofar as they could get to influence and restrict the correct functioning and independent decisions of the highest body of constitutional guarantees in our country.

We kindly request you to assess their democratic adequacy against the recommended European Union standards of respect for the Rule of Law, separation of powers, depoliticization and independence of the judiciary,

Yours sincerely,

Manfred WEBER,
Chairman of the EPP Group in the European Parliament

Dolors MONTSERRAT,
Head of the Spanish EPP Group delegation in the European Parliament

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