

CORRUPCIÓN JURÍDICA Y EUROPA

Corrupción jurídica, amenaza a los derechos humanos y ataque a la independencia judicial son algunos de los peligros que entraña la maniobra política que pretende rebajar desde los 3/5 hasta la mera mitad más uno la proporción de votos parlamentarios que se exigen para elegir a los miembros del Consejo General del Poder Judicial. Así se lo ha hecho saber la Plataforma al GRECO (Grupo de Estados contra la Corrupción del Consejo de Europa) mediante la carta recientemente remitida y cuyo texto íntegro se reproduce a continuación:

Dear Sirs

The “PCIJ” (Plataforma Cívica por la Independencia Judicial) is a civic society Association devoted to prevent the politicisation of Justice in Spain. Among its adherents, there are judges, lawyers, scholars and other professionals working mainly in the legal field. We are sending you this communication to express our concern before the attack on Spanish independence arising from the legislative draft intended to reduce the 3/5 parliamentary vote needed to choose members of General Council of the Judiciary (CGPJ) to a simple majority.

We have had news about the letter sent by the President of GRECO to the Head of Delegation of Spain, Ms Ana Ballesteros, warning about the risk of corruption that the aforementioned proposal comprises. In addition, we wish to let you know our full support since we share the same uncertainties on the evolution of Spanish judicial system.

On the other hand, we want you to know new facts on the same issue: according to the Spanish press media, the Government and the major opposition parties are holding non-official talks to reach an agreement on the future composition of the CGPJ. In the event of a successful outcome of these informal conversations, it is high probable that the above-mentioned legislative proposal would come to a standstill. However, such an upshot would be the manifestation of a chronified pathological praxis entailing a political by-pass of Parliament whose role ends up degraded to a mere rubber stamp. In consequence, human rights appear in danger since Spanish citizens might be deprived of a wholly independent judiciary because of undue political meddling.

In sum, the only solution to fend off such a threat of legal corruption lays in the implementation of the Council of Europe standards on the formation of judicial councils: “at least half of the council’s members should be judges elected by their peers” and “political authorities shall not be involved, at any stage, in the selection process of the judicial shift”.

The PCIJ has repeatedly reported this long-standing situation before international bodies since 2014, when a complaint was filed with the United Nations and whose link is here enclosed:

<https://plataformaindependenciajudicial.es/2014/06/06/spanish-justice-under-siege/#more-1151>

Yours sincerely