

OECD Anti-Corruption and Integrity Outlook: Country Fact Sheet 2024

Spain

Contextual factors

State structure	Executive power	Legislative system	Legal system
Federal	Parliamentary	Unicameral	Civil law

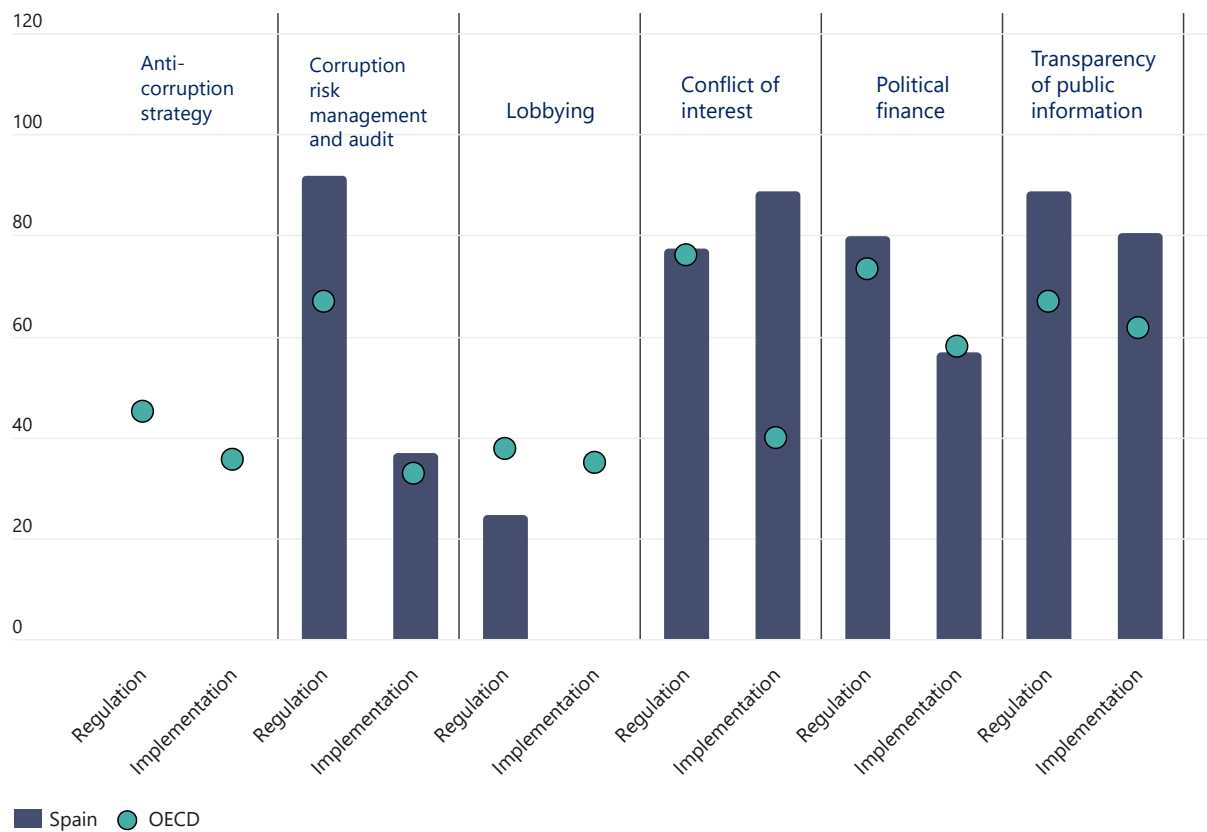
Strategy and institutions on anti-corruption and public integrity

To date, while there is no single anti-corruption strategy and no single government body responsible for mitigating integrity risks in the public sector, Spain has different institutions which have a mandate to mitigate the public integrity risks in their corresponding fields.

While there is no central body responsible for mitigating public integrity risks in lobbying, the [Office of the Conflicts of Interest](#) is responsible for the keeping and management of the Registers of Activities and Assets and Patrimonial Rights of senior officials of the General State Administration and examining the compliance with the regulatory framework in terms of conflicts of interest. Furthermore, the Data Office of the [State Secretariat for Digitalisation and Artificial Intelligence of the Ministry of Digital Transformation and Civil Service](#) is responsible for the open data policy and the monitoring function, while the [Council for Transparency and Good Governance](#) is the autonomous and independent supervisory body responsible for public information. The [General Comptroller of the State Administration](#) (IGAE) is the internal supervisory agency of the state public sector and is the central harmonisation unit for internal control (IC) and internal audit (IA). The [Department of Political Parties](#), under the [Court of Auditors](#), which is the Supreme Audit Institution, has the specific mandate to oversee the financing of political parties and election campaigns.

Overview

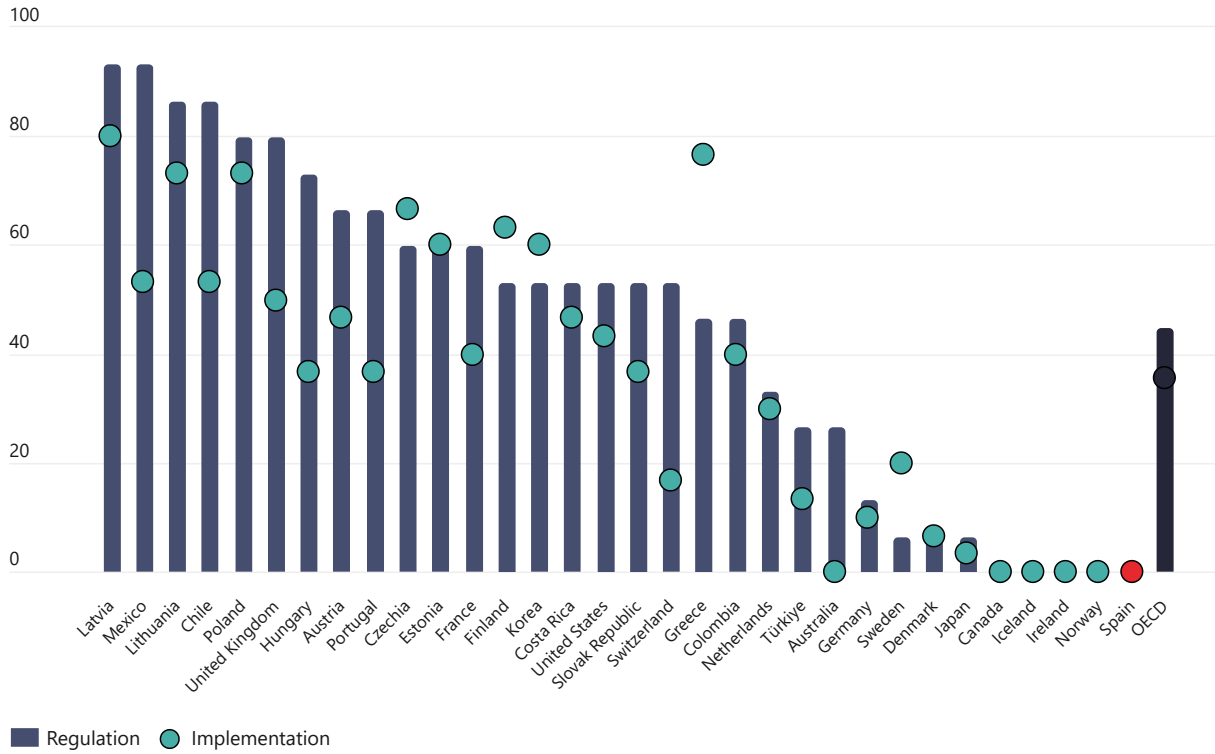
Figure 1. Overview



Greatest strengths	Areas to improve
Corruption risk management and audit	Anti-corruption strategy
Conflict of interest - implementation	Lobbying
Transparency of public information	Political finance - implementation

Anti-corruption strategy

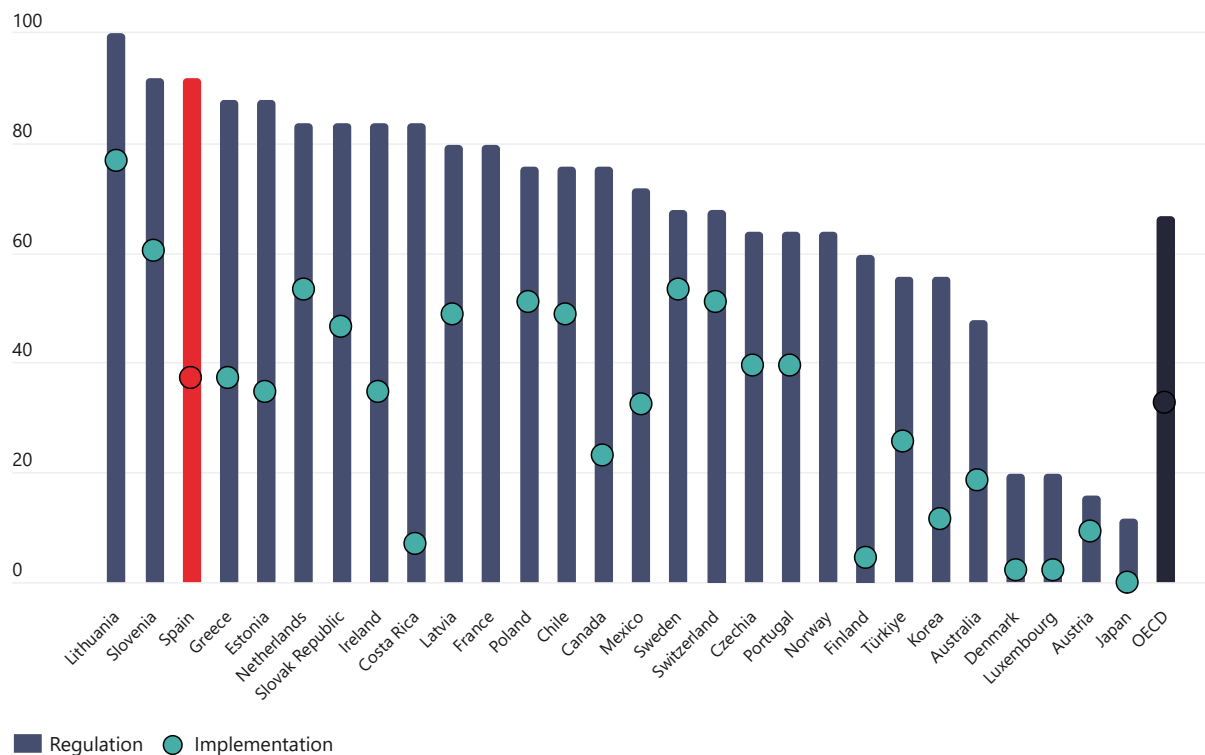
Figure 2. Anti-corruption strategy



On average OECD countries fulfil 45% of criteria regarding the quality of the strategic framework, and 36% for the implementation. However, Spain has no national anti-corruption strategy.

Corruption risk management and audit

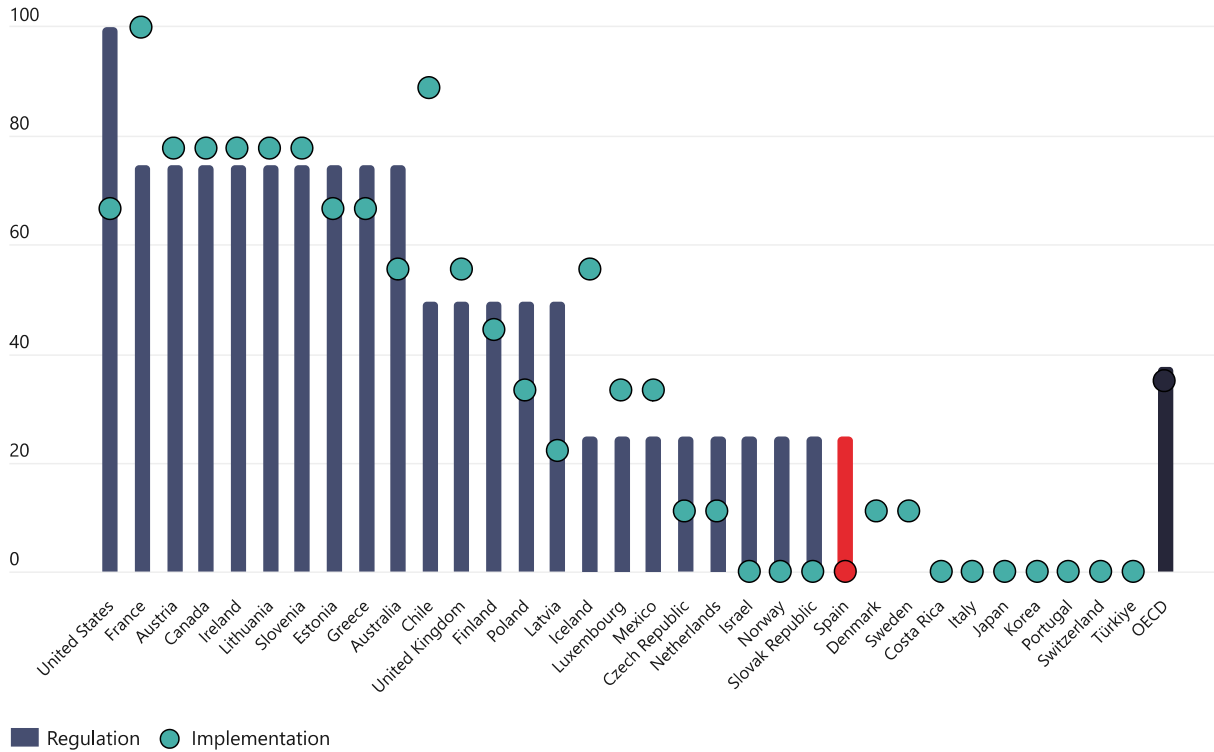
Figure 3. Corruption risk management and audit



As measured against OECD standards on risk management, which includes internal control and internal audit, Spain fulfils 92% of criteria on regulations, and fulfils 37% of criteria on practice, compared to the OECD average of 67% and 33% respectively. Regulations define IC and IA according to international standards, the managerial responsibility regarding implementation of IC and IA, specify the objectives of IC, and establish annual IC and IA reporting activities. Furthermore, the risk management framework explicitly addresses public integrity risks, delegates responsibility for conducting risk assessments to management, and requires public institutions to adopt an integrity plan. However, despite being one of the top performers in regulatory safeguards for risk management, in practice Spain does not collect data from the central budget organisations to monitor the implementation of risk management, including coverage and implementation of IA and the implementation rate of IA recommendations.

Lobbying

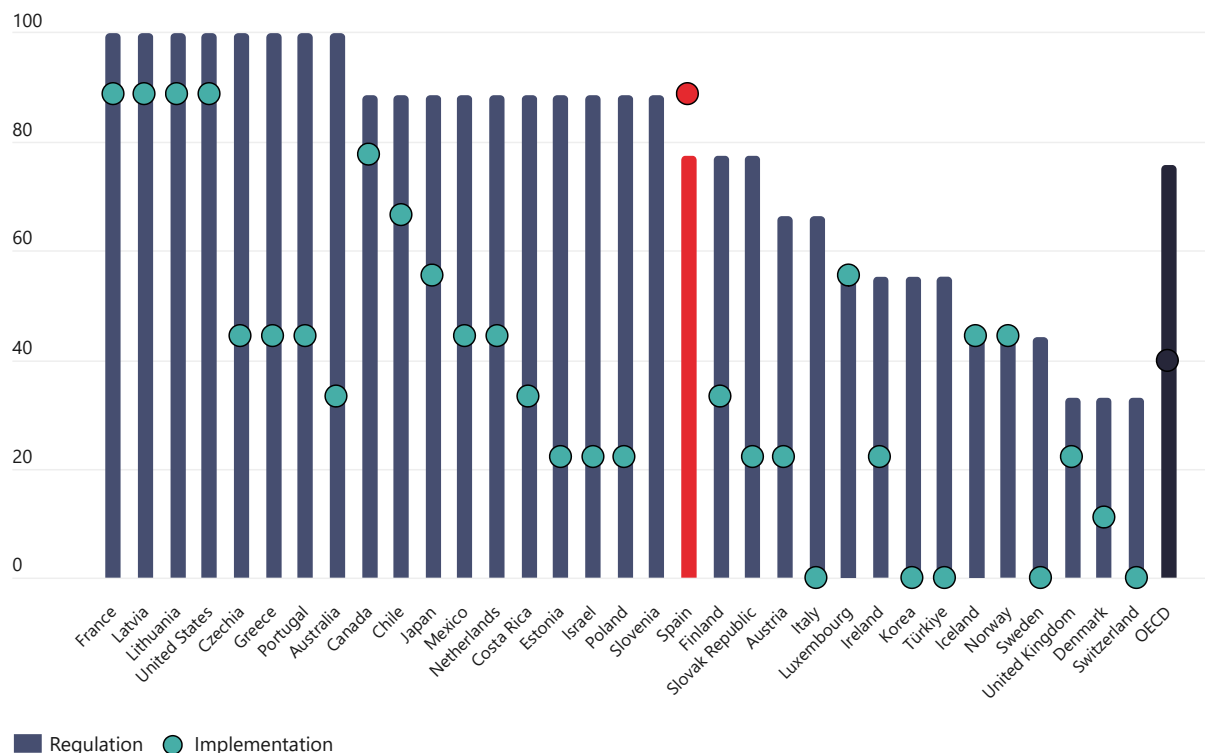
Figure 4. Lobbying



As measured against OECD standards on lobbying, Spain fulfils 25% of criteria on regulations and 0% on practice, compared to the OECD average of 38% and 35%, respectively. While regulations establish cooling-off periods for public officials leaving office, there are no regulations on lobbying, and no lobbying register. Spain is in the process of developing legislation aiming to regulate interest groups (lobbyists) and increase transparency of lobbying activities through the creation of a lobbying register.

Conflict of interest

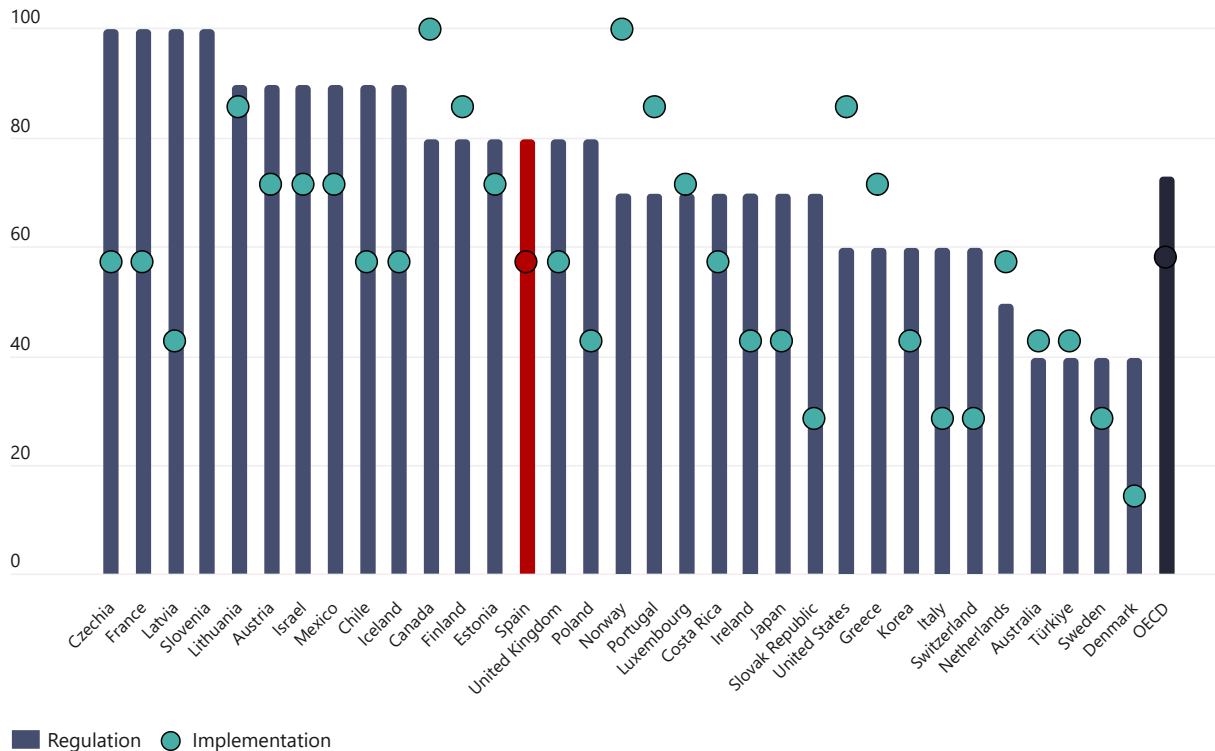
Figure 5. Conflict of interest



As measured against OECD standards on conflict of interest, Spain fulfils 78% of criteria on regulations and is a top performer on practice, fulfilling 89% of criteria, compared to the OECD average of 76% and 40%, respectively. The regulations list incompatibilities between public functions and other public or private activities, define circumstances and relationships that can lead to conflict-of-interest situations for public officials, and institutional responsibilities as well as submission, compliance, and content verification procedures for interest declarations. Any member of the government, parliament, and newly appointed or reappointed top-tier civil servant of the executive branch must submit an interest declaration as a minimum upon entry and any renewal or change in public office. However, there is no such obligation for the members of the highest bodies of the judiciary and high-risk office holders. In practice, all members of the government and members of the parliament have submitted interest declarations for the past six years, and all newly appointed top-tier civil servants submitted interest declarations in the past four years. Furthermore, all the declarations filed during the last two calendar years were verified by the Office of Conflicts of Interest, and the Office issues recommendations each time a conflict-of-interest case is detected.

Political finance

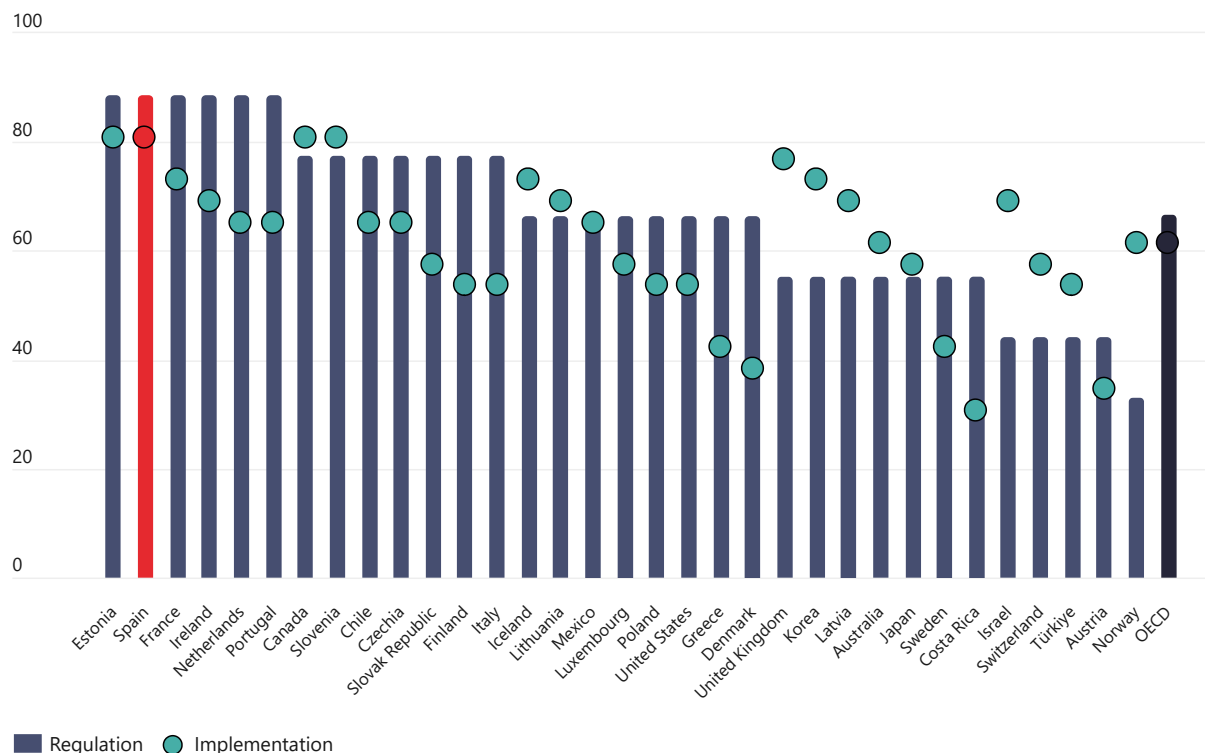
Figure 6. Political finance



As measured against OECD standards on political finance, Spain has fulfilled 80% of criteria on regulations, and 57% on practice, compared to the OECD average of 73% and 58%, respectively. The regulations establish sanctions for breaches of political finance and election campaign regulations in proportion to the severity of the offence, ban contributions to political parties from publicly owned enterprises, foreign enterprises, and foreign states. Furthermore, all political parties must report their finances during electoral campaigns, and make financial reports public, including all contributions exceeding a fixed ceiling. In terms of practice, the Court of Auditors has the mandate to oversee the financing of political parties and election campaigns, has certified auditors on its payroll, and has published reports and rulings with information on number of cases related to breaches of political finance regulations, number of investigations conducted, and a breakdown of the different types of sanctions issued. However, while all political parties submitted annual accounts within the timelines defined by national legislation for the past five years, not all political parties submitted accounts related to elections within the timelines defined by national legislation for the past two election cycles, and financial reports from all political parties are not publicly available.

Transparency of public information

Figure 7. Transparency of public information



As measured against OECD standards on public information, which includes access to information and open data, Spain is one of the top performers by fulfilling 89% of criteria on regulations, and 81% on practice, compared to the OECD average of 67% and 62%, respectively. The regulations establish that everyone, including legal persons and non-citizens, has the right to access information in all forms, and the only restrictions to access to public information allowed are listed by law and in line with the Tromso convention. Furthermore, there are statutory deadlines for processing requests for information, and information holders are required to provide information in the requested format. In terms of practice, legislation, the state budget, results of the last national elections, legislative proposals of the government, government sessions agenda, Minister's agenda, land registry, salaries of individual senior civil-servants, public tenders announced by central government and the results of the public tenders awarded are all accessible on respective government websites. Company registry, and asset and interest declarations of members of the judiciary are not disclosed publicly.