



**FOR THE CRIMINAL CHAMBER OF THE SUPREME COURT
AND FOR THE EUROPEAN COMMISSION**

Francisco Javier Marzal Mercader, with ID number 693624J, spokesman of the alliance Denunciantes del Autoritarismo Judicial (Denouncers of Judicial Authoritarianism), and with address for notification purposes at javier_marzal@hotmail.com, under the protection of Art. 262 LEC "those who by reason of their positions, professions or offices have news of a public crime, shall be obliged to report it immediately to the Public Prosecutor, to the competent Court, to the Judge of Instruction...".

We formulate,

AMPLIFYING COMPLAINT

We denounce all members of the governments presided over by Sanchez since 2018, as well as the following public officials:

- Mercedes Cabrera Orejas as General Director of Relations with the Courts (DGRC).
- Rafael Simancas Simancas as Secretary of State for Relations with the Courts and Constitutional Affairs.
- Meritxell Batet Lamana as President of the Congress of Deputies.
- Laura Díez Bueso as General Director of Constitutional Affairs and Legal Coordination of the Ministry of the Presidency and as Judge of the Constitutional Court.
- Juan Carlos Campo Moreno as a Magistrate of the Constitutional Court, as well as a member of the Government.
- Dolores Delgado García as Attorney General of the State, as well as a member of the Government.
- Jaume Asens Llodrá, Member of Congress.
- José Félix Tezanos Tortajada, Director of the Sociological Research Center (CIS).

PREVIOUS.- EUROPEAN COMMISSION

By e-mail dated 25.11.2022, the Alliance was notified that its complaint of 11.11.2022 has been registered for processing as Ares(2022)8174536, in Unit F.3 - Economies of the Member States I (Croatia, Spain) of the Directorate General for Economic and Financial Affairs of the European Commission".

In this regard, it should be noted that, while appreciating its economic content, it is unacceptable that the Secretariat General of the European Commission has not also forwarded the complaint to Directorate C: Fundamental Rights and the Rule of Law.

We trust that this extension, together with the aforementioned complaint of 11.11.2022, will be forwarded to this Directorate C and that its contents will form part, to some extent, of the annual report on the Spanish rule of law to be published in mid-2023.

We denounce the crimes committed with the following facts:

FIRST.- MARGARITA ROBLES. TRIPLE CORRUPTION

On August 10, 2021, a written question was registered in the Senate with entry number 107892, processed in file number 684/042921. The question refers to allegations against Margarita Robles "*for being the holder of opaque accounts in tax havens from illicit acts*", specifically 960,000 euros in the Isle of Man. The question states: "*All the income, in the form of a deposit, was due to the fixed fees established for her intervention in cases processed in the Audiencia Nacional and in cases processed in the Supreme Court*". In addition, it says: "*the current Minister of Defense was previously investigated for tax evasion, due to the fact that between 2001 and 2002 she would have taken out of Spain, through front men, more than 6 million Euros, destined to accounts in banks in Caracas, Lisbon, Mexico and Switzerland*".

Five questions are asked, being the text of the last one the following: If the above is true, is the Government going to hold the Minister of Defense accountable?

The Government's response was entered in the Senate on October 14, 2021 and was registered as No. 114,775.

The answer is as follows:

"In relation to the matter concerned, it is pointed out that the assertions on which the question is based are false and slanderous."

However, six tax proceedings against Margarita Robles from 2004 are

public, specifically the following:

1. Special Delegation of Vigo of the Foreign Affairs Unit. Expte. 551/2004 (the 1 is handwritten and crosses out the typed number), with the front man Fernando Carrero Bastos. 5 deposits of 20 million pesetas (100 million pts.), with numbers 7272 to 7276, opened on September 18, 2001 and cancelled on September 17, 2006, in the office of Marechal Saldaña 422 Porto Street (Portugal) of the Spanish bank Caixavigo. 5 other deposits of 20 million pesetas (100 million pts.), with numbers 5008 to 5012, opened on September 11, 2001 and cancelled on September 10, 2006, at the office of Rue Mont Blanc 14 Geneva (Switzerland) of the Spanish bank Caixa Galicia.
2. Special Delegation of Vigo of the Foreign Affairs Unit. File 552/2004, with the same front man Fernando Carrero Bastos. 10 deposits of 10 million pesetas (100 million pts.), with numbers 18190 to 18199, opened on September 25, 2001 and cancelled on September 24, 2006, in the main office of Vigo of the Spanish bank Caixavigo.
3. Special Delegation of A Coruña Expte. 1018/2004, with the front man Javier Ramírez Betanzos. 10 deposits of 10 million pesetas (100 million pts.), with numbers 36250 to 36259, opened on September 25, 2001 and cancelled on September 24, 2006, in the main office in A Coruña of the bank Caixavigo.
4. Special Unit No. 2 of Madrid. File 439/04, with the front man Fernando Carrero Bastos. 5 deposits of one hundred thousand euros (100,000 euros), with numbers 490860 to 490864, opened on January 31, 2002, in the main office of Vigo of the bank Caixavigo.
5. Inspection Unit No. 2 of the Special Delegation of Zaragoza. File 5535/2004. 6 deposits of two hundred and fifty thousand US dollars (250,000USD), with numbers 00769 to 00774, opened on June 26, 2003 and cancelled on June 25, 2008, in the office in Caracas (Venezuela) of the Spanish bank Caixa Galicia. Other 6 deposits of two hundred and fifty thousand US dollars (250,000USD), with numbers 01223 to 01228, opened on June 19, 2003 and cancelled on June 18, 2008, at the Mexico City (Mexico) office of the Spanish bank Caixa Galicia.
6. In view of the judge's non-payment, on July 16, 2004, the Executive Collection Unit of Madrid ordered the "*seizure of real estate*" in case number 635405/04.

The Minister was denounced for having more than 60 million euros abroad undeclared.

Therefore, the Government's response is as false as the Minister's declaration of assets; it was made to cover up for the Minister and to avoid the obligation to denounce her and to dismiss her as Minister.

Responsible for the response are:

- Mercedes Cabrera Orejas as General Director of Relations with the Courts (DGRC).
- Rafael Simancas Simancas as Secretary of State for Relations with the Courts and Constitutional Affairs.
- Félix Bolaños García as Minister of the Presidency, Relations with the Courts and Democratic Memory.

It is evident that since the affected party was a Minister, as well as one of the most influential, the matter was escalated from the official on duty to the Director General, from the latter to the Secretary of State and from the latter to the Minister, all of them being participants in these crimes.

It is also evident that the Minister would have discussed it with Minister Robles at least and with the President of the Government, who also covered up for the Minister.

Margarita Robles has never respected the law and has been one of the main drivers of the Government's failure to respect the law, year after year, as evidenced in the previous complaint and in this amplifying complaint.

SECOND.- MINISTERS OF WE CAN

A) PABLO IGLESIAS TURRIÓN. MINISTER OF SOCIAL RIGHTS

He is no longer part of the government so no reference to his official biography is included. Wikipedia says that he has two degrees, a doctorate and other studies. As for his professional experience, he has collaborated in several leftist media, probably without income, and has been an interim university professor of Political Science for eleven years.

Therefore, it can be stated that he has no training in Social Rights (there are masters and other courses on the subject) and only has experience in leading a political party.

Pablo Iglesias, as head of PODEMOS, elected himself as Minister and Vice President and the other four ministers, without meeting the requirements established in the Law.

B) IRENE MONTERO, MINISTER OF EQUALITY

Irene Montero is appointed Minister of Equality in Royal Decree 8/2020, of January 12.

In her biography published on the website of the Ministry of Equality no professional experience is named, except politics, misrepresenting the information, because wikipedia says that "*Between 2010 and 2011 she worked as a cashier in the electronics and appliances chain Saturn*". It is also omitted that "*In November 2014, after being a candidate for the Citizen Council of PODEMOS, she was appointed head of Social Movements and began to lead the cabinet of the leader of PODEMOS, Pablo Iglesias, with whom she would later begin a discreet relationship as a couple*".

Article 11 of the Government Law states that : "*To be a member of the Government it is required [...] to meet the rest of the suitability requirements set forth in Law 3/2015, of March 30, regulating the exercise of senior positions in the General State Administration*".

Article 2.4 of this Law 3/2015 states that, "*In the assessment of training, the academic knowledge acquired shall be taken into account and in the assessment of experience, special attention shall be paid to the nature, complexity and level of responsibility of the positions held, which are related to the content and functions of the position for which he/she is appointed.*"

The complexity and level of responsibility of the functions performed by Irene Montero can in no way be equated to the complexity and responsibility of being a Minister. Furthermore, the Minister has never worked in Equality matters, according to her professional record published in the Ministry of Equality.

On the contrary, as has been said in numerous media, Irene Montero is Minister because she was the partner of Pablo Iglesias and he demanded her appointment in the quota for PODEMOS agreed with President Sanchez.

C) ALBERTO GARZÓN ESPINOSA. MINISTER OF CONSUMPTION

In his biography published on the Ministry's website, it is stated that he has a degree in Economics, has been a "*researcher in several universities*" and from there, at the age of 26, he moved to the political world, which means that he has never worked in the business world and has only had political responsibilities in his political party and in the Congress of Deputies.

D) YOLANDA DÍAZ. MINISTER OF LABOR

In her biography published on the Ministry's web page, it is said that she has a degree in Law, that she has worked as a lawyer (which is not very credible because she does not give the dates), and then entered the world of politics as a Councilor, then Deputy Mayor, Deputy in the Galician Parliament and then in Congress. She has not had any experience related to Labor. As for training, she does not even have a

postgraduate course in issues related to Labor, although she does say that she has higher courses in this field, which is also not very credible due to the lack of specificity. She also refers to complementary, low-level training in Social Security and labor contracting.

In view of the above, it is reasonable to suspect that the Minister's education is falsified, and that her education and work experience are not adequate for the position of Minister of Labor, as there are thousands of people more qualified for the job.

These radical ministers have an absolute contempt for legality and democracy, both by accepting their appointments, and by falsifying their biographies some of them, as well as in the governmental performance of some of them.

These appointments should have been annulled by the Cortes or declared unconstitutional, but nobody challenged them, leaving the whole "La Casta" in evidence. The worst of precedents has been created, encouraging plugging, incompetence and corruption in the Government.

THIRD - RENEWAL OF THE CGPJ -2018

On December 3, 2018, the deadline to renew the members of the General Council of the Judiciary (CGPJ) expired. This situation arises because the Government wants to impose its candidates and the opposition refuses to accept the imposition of candidates with radical ideas close to the Government and because of their lack of suitability.

On January 18, 2023, the Governing Chamber of the Supreme Court urges the Cortes to provide an "immediate" solution to the "unsustainable situation" of the Court, with 30 percent vacancies. These unfilled vacancies are causing undue delays in citizens' proceedings, eliminating the rule of law.

FOURTH.- LEGAL COUP D'ÉTAT. STATE OF ALARM

Due to its importance, the third paragraph of the aforementioned complaint of 11.11.2022 is reproduced in its entirety:

The Government decreed the state of alarm on March 14, 2020, with the aim of increasing its powers, assuming the legislative function of the Cortes Generales and limiting the parliamentary control of its action, with the same objectives as the rest of the actions denounced. The illegality extends to the signatory of this RD, the Vice President Carmen Calvo, instead of the President of the Government.

With the State of Alarm, the Government suspended democracy, human rights and fundamental rights, including the right to decide on one's

own health by forcing the wearing of masks and lethal treatments such as respirators until Italy rejected them, personal freedom of movement, freedom of enterprise by forcing the suspension of activity and eliminating free dismissal.

The State of Alarm and its extensions were declared unconstitutional by the Constitutional Court.

It should be added that the Government had no scientific evidence to motivate the decisions taken and that every day the main claims about the pandemic and gene therapies, wrongly called experimental vaccines, are more and more questioned and judicially challenged.

No autopsies have been performed in Spain, so it cannot be affirmed that COVID-19 was the cause of death of any of those who have been counted as such, being therefore false the information of the National Institute of Statistics (INE) that has been made at the convenience of the Government.

Institutional opacity is always unequivocal proof of corruption and the WHO, the EU and the Spanish Government have been hiding information and lying from day one.

FIFTH - EUROPEAN RECOVERY FUNDS

The Government approved the European funds for the Recovery, Transformation and Resilience Plan, as well as urgent measures for the modernization of the Public Administration, by means of Royal Decree-Law 36/2020, of December 30.

This Decree centralizes in the Presidency of the Government the management of funds exceeding 140 billion euros, allowing absolute arbitrariness in their destination, i.e., promoting corruption.

In its publication in the BOE on December 31, 2020, the Government omitted any reference to the opinion of the Council of State dated December 21, 2020, because it was unfavorable. This omission breaches Article 2.2 of the Law of the Council of State, which states the following: "*The provisions and resolutions on matters reported by the Council shall express whether they are agreed in accordance with the opinion of the Council of State or depart from it*". Following complaints from the opposition, the opinion was made public in March 2021.

In the opinion, the Council of State reflects its concern about this omission of control mechanisms on the allocation of European funds and on administrative contracting, agreements and subsidies.

The opinion of the Council of State states:

- "*no reference is made to the fact that many of the provisions of the*

future Royal Decree-Law apply exclusively to the State public sector, in accordance with paragraph 2 of its first final provision".

- *"the requirement of the budget impact analysis, which "shall include, at least, a reference to the effects on public revenues and expenditures and shall include the impact on personnel expenses, allocations or remunerations or any other expenses at the service of the public sector" (section 1.d).2.º of Article 2 of Royal Decree 931/2017)" is not complied with".*
- *"Attention should be drawn to the fact that the reports issued by the Delegate Comptroller of the General Comptroller of the State Administration in the proposing Ministry and by the Office of Coordination and Regulatory Quality of the aforementioned department, to which full reference is made in the preamble of the project and in the accompanying report, have not been included in the file submitted. It is not known what the reasons were for this lack of referral, which must be severely criticized, as it deprives this Council of State of knowing in detail the basis of the projected regulation and the particular justification of some measures that may raise doubts as to their timeliness, proportionate nature and effectiveness".*

The opinion of the Council of State states: *"Finally, and from the perspective of the eventual validation of the Royal Decree-Law by the Congress of Deputies, it is recalled the possibility of its subsequent processing as a draft law in the terms provided for in Article 86.3 of the Constitution, which would be particularly relevant in this case, given that the solutions adopted in the projected regulation demand, without a doubt, a projection of permanence incompatible with the provisional nature that defines this regulatory instrument".* The Government has omitted this possibility in order not to lose absolute control of the European funds.

Because of the clarity and forcefulness of the criticism of the RDL in this opinion of the Council of State, it is reproduced here in its entirety.

As stated in the complaint of 11.11.2022: *"In mid-October 2022, the Government accepts the resignation of Rocio Frutos Ibor, Director General of the Recovery and Resilience Plan and Mechanism, responsible for the management of European funds."*

In reference to this resignation, in October 2022, Monika Hohlmeier, Chairwoman of the Budgetary Control Committee of the European Parliament, stated that *"We see that the General Director of the Plan in Spain has also been relieved of her duties, and not for pleasure. That is evidence of a problem, and a big one."*

Likewise, the totalitarian drift of the Government caused María Teresa

Fernández de la Vega to resign as President of the Council of State.

SIXTH - EUROPEAN RECOVERY FUNDS. CONGRESS

Meritxell Batet Lamana, President of the Congress of Deputies, has never convened the Plenary of the Congress to vote on the ratification of the referred RDl 36/2020, in breach of her obligations to avoid the parliamentary control of the regulation, obviously by order of the Government.

The Group of States against Corruption (GRECO) of the Council of Europe, was surprised that in Spain "*no sanctions have ever been imposed*" on parliamentarians. This statement is from the 2013 Report on the Fourth Evaluation Round corresponding to the prevention of corruption of members of parliament, judges and prosecutors. Precisely the administrative impunity referred to and the judicial impunity of Spanish parliamentarians is one of the great Spanish institutional structural problems that seriously harms the financial interests of the European Union, all member countries of the European Union and all Spaniards.

SEVENTH - ALLOCATION OF EUROPEAN FUNDS

On June 30, 2022, the European Commission reported that the Next Generation EU non-reimbursable funds allocated to Spain had been increased, given that the Spanish economy had not recovered to the level prior to the coronavirus crisis. Spain, despite having the fourth largest economy, is now the country that will receive the most funds. Specifically, Spain will receive 7.7 billion euros more, rising to 77.2 billion euros.

EIGHTH - INVESTMENT WITH EUROPEAN FUNDS

In reaction to the pandemic, the Recovery and Resilience Mechanism (RRM) was approved in the European Union. In December 2022, Spain ranked as the EU member country that had fulfilled its investment commitments the least, only 5% of the total, due to "administrative bottlenecks" (Article in the Bank of Spain Bulletin of the first quarter of 2023, entitled "*European Semester 2022 and the Recovery and Resilience Mechanism*"). It should be recalled that the Government self-assigned the management of these funds.

In August 2021, the government stopped publishing data on the money flowing to companies.

In October 2022, Monika Hohlmeier, Chairwoman of the European

Parliament's Committee on Budgetary Control, criticized the lack of information on the 31 billion euros of European funds already delivered to Spain.

In addition to not having used most of the European funds received, Spain closed 2022 without applying to the European Union for 32.5 billion euros in "non-repayable funds" to which it was entitled.

It is evident that the Government did not want the Spanish economy to recover and that it intended to ruin businessmen because of its ideological hatred of them. It has achieved both objectives.

Probably in 2023 it will use all the funds for electoral purposes, incurring in the largest electoral fraud in the history of Spain.

NINTH - ACQUISITION OF HOUSING WITH PUBLIC MONEY

On April 9, 2020, José Luis Ábalos Meco, Minister of Transport, Mobility and Urban Agenda, approved Order TMA/336/2020, of April 9, incorporating, replacing and modifying two aid programs of the State Housing Plan 2018-2021.

Article 5.4 establishes subsidies for those who purchase housing intended "*for rental or transfer in use*" "*up to a maximum of 400 euros per square meter of usable area*" and "*This subsidy is compatible with any other subsidy granted by other Public Administrations for the same purpose*".

In order to promote corruption as much as possible, according to Article 5.6 of the aforementioned ORDEN: "*the aid may be granted by direct award and will be paid to the beneficiary prior to the formalization of the public deed of sale*".

Article 5.7 of this ORDEN finances the housing acquisition operation in the following terms: "*The acquisition of housing must be formalized within a maximum period of six months from the recognition of the aid and three months from the conditional payment of the aid*".

The three articles amend Royal Decree 106/20182018, of March 9, which regulates the State Housing Plan 2018-2021.

This ministerial order is an invitation to the autonomous, provincial and municipal administrations to legislate in the same sense, so that public money finances the acquisition of housing by public officials or even that they keep the money from the subsidies, do not acquire the housing and do not return it.

This ministerial order constitutes an invitation to embezzlement of public funds and bribery in the awarding of subsidies since it does not establish any control mechanism.

TENTH - COERCION OF THE INSTITUTIONS

The Government has coerced the institutions involved in the approval of laws. In some cases, the Government has allowed the deadline for transposition of European standards to pass, in order to order an accelerated processing, claiming urgency to avoid EU sanctions. Usually, it has drafted a regulation that brought together several unrelated EU directives in order to make it more difficult to evaluate them and vote against them.

The Council of State has been very critical of this course of action, as reflected in several of these laws, which are listed here in chronological order.

A) RD1 23/2018

Probably the first is Royal Decree-Law 23/2018, of December 21, transposing directives on trademarks, rail transport and package travel and linked travel services.

An emergency procedure is ordered and three unrelated European Union directives are transposed.

B) RD1 36/2020

Royal Decree-Law 36/2020, of December 30, which approves urgent measures for the modernization of the Public Administration and for the execution of the Recovery, Transformation and Resilience Plan.

The opinion of the Council of State states: "*As this Council has pointed out on other occasions, "it is characteristic of the classic consultative Administration to operate with calm and reflection, in a process that is not always quick to mature, which can be frustrated if the demands and constraints of the active Administration are transferred to the Council of State too much". In the present case, only a few days are available to examine such an extensive and far-reaching regulatory project, which makes a detailed study of it very difficult, especially if one takes into account that the file submitted only contains the final version of the project and the brief report that accompanies it"*.

Regarding urgency, the opinion states: "*the examination of the concurrence of a situation of extraordinary and urgent need is made in generic terms*", and therefore lacks sufficient justification.

Both statements apply to all the rules in this section, except for the concealment of part of the documentation.

C) RD1 7/2021

Royal Decree-Law 7/2021, of April 27, on the transposition of European Union directives in the areas of competition, prevention of money

laundering, credit institutions, telecommunications, tax measures, prevention and repair of environmental damage, posting of workers in the provision of transnational services and consumer protection.

Several European Union directives are transposed in eight different areas, one in each of the titles that make up the standard.

D) RD1 24/2021

Royal Decree-Law 24/2021, of November 2, on the transposition of European Union directives in the areas of covered bonds, cross-border distribution of collective investment undertakings, open data and reuse of public sector information, exercise of copyright and related rights applicable to certain online transmissions and retransmissions of radio and television programs, temporary exemptions for certain imports and supplies, for consumers and for the promotion of clean and energy efficient road transport vehicles.

Eight directives of the European Union are transposed in seven unrelated matters, according to the Opinion of the Council of State (878/2021 approved on 28/10/2021). Among others, Council Directive (EU) 2021/1159 of 13 July 2021 was transposed, for which there were twenty months left for transposition, so there was no urgency, as stated by the Council of State in its opinion.

On October 15, 2021, the President of the Government requested the Council of State to issue an opinion, before October 29, 2021, on a draft Royal Decree transposing European Union directives on "covered bonds, cross-border distribution of collective investment undertakings, open data and reuse of public sector information, exercise of copyright and related rights applicable to certain online transmissions and retransmissions of radio and television programs, temporary exemptions for certain imports and supplies". The draft consisted of a preamble, eighty articles divided into five books, six additional provisions, four transitory provisions and nine final provisions. Subsequently, on October 20, 2021, the President of the Government sent a "new text" which, according to his office, "includes several amendments" to the draft Royal Decree-Law on the transposition of European Union directives, which now deals - as it results from its new title - with matters relating to "covered bonds, cross-border distribution of collective investment undertakings, open data and re-use of public sector information, exercise of copyright and related rights applicable to certain on-line transmissions and to radio and television broadcasting, temporary exemptions for certain imports and supplies, for consumers and for the promotion of clean and energy-efficient road transport vehicles". It requests that the opinion in relation to this new text be issued "within the term indicated in the request made on October 15". This term means fourteen days instead of the two months established in

the Law.

It is incongruous that the first of the EU directives was approved in the Council of Ministers on April 5, 2022, where it "*agreed to its urgent processing*", waiting for other directives to be issued. Regarding the second of the EU directives, the Council of Ministers "*agreed to its urgent processing*" on August 1, 2022, almost four months after the previous one. Unlike the two previous directives, the transposition of the third EU directive was prepared without prior public consultation and on August 1, 2022 "*agreed its urgent processing*", i.e., on the same date as the previous directive, but eliminating the mandatory public consultation. On June 21, 2022, the Council of Ministers "*agreed to its urgent processing*" of the fourth and last of the EU directives.

In addition to the fact that the transposition of directives that deal with such legally different matters should not be combined, and that the ministries that draft them are different, the urgency cannot be justified when there is a difference of more than one month in one case and 4 months in the other between the declaration of urgency of these EU directives and the two August directives.

The Permanent Commission of the Council of State, in session held on November 2, 2021, issued the opinion of File 878/2021 regarding the Draft Royal Decree-Law on the transposition of European Union directives in various matters. Said opinion states: "*From the data set out above, it is concluded that six of the eight directives subject to the draft Royal Decree-Law have not been transposed into Spanish law within the deadline established in each of them and that, for this reason, the Commission has sent the Kingdom of Spain the corresponding letters of formal notice.*" adding "*the delay in the process of transposition of these directives is not because there has not been time to approve the corresponding transposition laws in the Cortes Generales, but because the competent ministerial departments have not advanced to a reasonable extent in the processing of the preliminary draft laws which, once completed and after approval by the Council of Ministers, must be sent as draft laws to the Kingdom of Spain as a bill of law, and concluding that "This conclusion in favor of the use of the Royal Decree-Law, which in due course will bring this opinion to a close, does not prevent criticism of the repeated procedural deficiencies in its processing, nor does it allow us to delay the adoption of control measures aimed at avoiding the recurrence of situations which, in the future, could lead to the repetition of situations such as the one underlying the Royal Decree-Law in question, such as the one underlying the present consultation, do not conform to the principle of good administration, enshrined in Article 41 of the Charter of Fundamental Rights of the European Union and deduced by the jurisprudence of our Supreme Court from Articles 9.3 and 103 of the Constitution"*.

In the opinion, the Council of State criticizes all the arguments put forward by the Government to justify the urgency. In the opinion, the prejudices of the use of urgency are set out in the following terms: "*The time limits established for the completion of each of these procedures serve, as importantly as the procedures themselves, the proper fulfillment of the purposes attributed to the procedure for the drafting of regulatory provisions. These formalities must thus be substantiated within a period of time that is sufficient to analyze the content of the provision and which, for this reason, is the time ordinarily provided for each one of them. The decision to agree on the urgent processing of a procedure for the drafting of provisions of a general nature, dispensing with some of these formalities or reducing the time limits of the remaining ones, has a relevance [...] that is projected - negatively - on the function performed by said procedure. Hence, urgency must always be justified and can never be invoked as a title to evade or relax the controls established by the current legislation. The comparative history of constitutionalism is abundant in examples that allow us to gauge the risks of a constant and insufficiently motivated appeal to urgency clauses that serve as a basis for the exercise of extraordinary powers or faculties*".

These statements apply to the processing of all the laws in this section.

E) LO 10/2022

Organic Law 10/2022, of September 6, 2002, on the comprehensive guarantee of sexual freedom.

It is evident that the urgency obeys only to the whimsical interests of Minister Irene Montero, as well as to the political interest of having passed an organic law, although it should not have the rank of organic as will be explained below.

F) LO 14/2022

In Organic Law 14/2022, of December 22, on the transposition of European directives and other provisions for the adaptation of criminal legislation to the European Union system, and reform of crimes against moral integrity, public disorder and smuggling of dual-use weapons, urgency is also ordered and unrelated things are mixed.

This Law began as a "*Draft Royal Decree-Law for the transposition of European Union directives*" and was sent to the Council of State on October 15, 2021 so that it could present its opinion in only fourteen days instead of the established two months. In the opinion, the Council of State makes a section with the title: "*II. On the urgency of the processing*", which extends over five pages, where it says: "*In the case of European Union directives, the obligation to transpose in time is undoubtedly not a circumstance that the consulting authority could not have foreseen in advance, avoiding recourse to the urgency procedure*".

This reprobation is applicable to all the laws in this section.

The Sanchez governments have used urgency in an unjustified manner, even hiding essential documents from the Council of State, forcing it to make its opinions in insufficient time, to avoid further criticism of its royal decree-laws and bills, with the aim of repeatedly using extraordinary powers in an unjustified manner; moreover, the Government has taken advantage of illegal party obedience in the actions of Parliament, eliminating the rule of law.

This urgency has often been ill-intentioned, allowing the deadline for the transposition of European standards to elapse in order to put pressure on the institutions that had to approve the transposition laws, as stated by the Council of State.

ELEVENTH - EU DIRECTIVES. LEGISLATIVE ENCROACHMENT

The Government has transposed several European directives using royal decrees instead of parliamentary laws, alleging a false urgency, provoked by the Government itself. Some of these royal decrees, cited in the previous section, are the following: RD1 23/2018, RD1 36/2020, RD1 7/2021 and RD1 24/2021.

The Government has assumed the functions of the legislative power with the fraudulent use of royal decree-laws, to avoid the lack of support from the rest of the parliamentary groups, eliminating the Rule of Law. This was their idea from the beginning, as accredited by the early RD1 23/2018, using, in addition, fraudulently the deadlines the transpositions of directives of the European Union to include other legislative changes, even of organic laws, pressuring the rest of the institutions to accept the unacceptable, with the threat that they would be dismissed for failing to comply with the illegal party obedience.

Since the intention to supplant legislative authority is evident, the Government has committed a continuous crime of usurpation of powers (PC 506) and related crimes.

TWELFTH - LACK OF TRANSPOSITION OF EU DIRECTIVES

On October 6, 2021, the verifier Newtral published that Spain had "*20 European directives pending transposition, which accumulate, on average, one year and eight months of delay*".

On February 24, 2022, the Government responded to a written question in the Senate, stating that as of December 16, 2021, it had not yet transposed 36 directives that had already reached the deadline for adaptation to Spanish law.

In this context, in the royal decree-laws and in the proposed laws, the Government includes the following text: "*Spain has been consistently complying with the transposition objectives within the deadlines committed since the beginning of the establishment of the same*". We believe that this falsehood was created for the referred RD1 23/2018 and is maintained in all the others.

The reality is that Spain has been the country with the most failures to comply with the deadlines for transposition of European Union rules, along with Greece. On December 31, 2019, Spain and Greece accumulated 85 open cases for failure to transpose European rules.

In 2021, the European Commission opened 38 new infringement cases against Spain, sending the letter of formalization of the procedure, having 105 open cases at the end of 2021, 27 of which were new that year. Spain was the country with the most ongoing infringement proceedings and was also the one that had missed the deadline the most, specifically in 42 standards. In addition, it had 48 infringement proceedings for incorrect transposition or implementation of directives and another 15 related to regulations, treaties and decisions.

There were 99 open cases in 2020 and 85 in 2019.

On February 25, 2020, the Court of Justice of the European Union had condemned Spain for the failure to transpose Directive (EU) 2016/680 on time, in the CJEU of February 25, 2020 (Case C-658/19). That CJEU refers to Spain's habitual non-compliance and states that "*effective prevention of future repetition of analogous infringements of Union law requires the adoption of a dissuasive measure, such as the imposition of a lump sum*". The falsehoods in the decrees referred to constitute a deception of the members of the political parties that approved the Law in Parliament, taking advantage of the fact that those who supported the PSOE lack governmental experience.

Traditionally, Spain and Greece led the way in terms of quantity and quality of non-compliance. On July 25, 2019, the European Commission was taking Spain and Greece to the Court of Justice of the European Union (CJEU) for failure to transpose the Criminal Data Protection Directive, Directive (EU) 2016/680. The seriousness of the lack of this transposition derives from the fact that "*The protection of personal data is a fundamental right enshrined in the Charter of Fundamental Rights of the EU*" and the lack of transposition "*hinders the exchange of data between Greece and Spain and the Member States that did transpose the Directive*" states the European Commission in its complaint before the CJEU.

In short, it constitutes a serious and reiterated documentary falsehood to comply with the deadlines, which deceives the members of Parliament who receive and must pronounce on the transpositions and

deceives all Spaniards, including journalists, who read them since they are public, being published in the BOE (Official State Gazette).

THIRTEENTH - CORRUPTION TRANSPOSITION OF EU DIRECTIVES

On December 2, 2021, the European Commission will issue an expedient to Spain for incorrectly transposing two directives on public procurement and awarding of contracts, specifically in the modification of contracts and in the calculation of the estimated value of contracts in specific cases. It is public and notorious that public contracts are increasing in an uncontrolled manner due to corruption.

FOURTEENTH - ECOLOGICAL CORRUPTION AND EU DIRECTIVES

In June 2018, the Ministry for Ecological Transition and Demographic Challenge (MITECO) was created, which has as its functions the fight against climate change, pollution prevention and nature protection (RD 500/2020, of April 28).

President Sanchez justified the creation of this Ministry by the need to concentrate policies aimed at building a sustainable future.

Teresa Ribera Rodríguez was appointed Minister of MITECO.

A) NITRATE CONTAMINATION OF WATER

Five months after the creation of MITECO, in November 2018, the European Commission initiates a sanctioning procedure against Spain, for non-compliance with European standards and excessive nitrate pollution. Specifically, Council Directive 91/676/EEC on the control of pollution of water by nitrates from agricultural sources and the Water Framework Directive (Directive 2000/60/EC) are breached. The European Commission also considers that the European Green Pact is not being complied with.

In November 2018 the sanctioning procedure is initiated by sending a letter of formal notice, after evasive answers from MITECO, in June 2020 the Commission sends a reasoned opinion and, in view of the mockery towards the legality of the Government, on December 2, 2021 the European Commission decides to bring Spain before the Court of Justice of the European Union.

B) AIR POLLUTION IN BARCELONA AND MADRID

Thirteen months after the creation of MITECO, on July 10, 2019, the Minister of MITECO responds to the letter of the previous day from Karmenu Vella, Commissioner of the European Commission, recording the non-compliance with Directive 2008/50/EC on ambient air quality and cleaner air for Europe in the cities of Barcelona and Madrid.

In this response, the Minister stated that MITECO had never done anything in this regard.

On December 22, 2022, the CJEU condemns Spain for systematic non-compliance with air quality standards in the cities of Madrid and Barcelona (Case C-125/20).

FIFTEENTH - EU DIRECTIVE AND CORRUPTION

In the March 2019 Barometer of the Centro de Investigaciones Sociológicas (CIS), concern about corruption (and fraud) rose 10.2 points (almost 50%) and ranking second only to unemployment.

Despite this, DIRECTIVE (EU) 2019/1937 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL of 23 October 2019 on the protection of persons reporting breaches of Union law has not yet been transposed, with the two-year deadline for transposition expiring in December 2021.

The European Commission has initiated a sanctioning procedure for this non-compliance.

The CJEU has condemned Spain (Case C-658/19) for not transposing the Directive on the protection of personal data in the framework of the prevention and detection of criminal offenses, as well as for not responding to the European Commission's requests regarding the measures planned for transcription. Spain was also sanctioned by the CJEU, because the Government had also failed to comply with the Court's requirements regarding the plans for transcription, at the end of the written phase on May 6, 2020. For the first time, the CJEU imposed two types of sanctions at the same time: €15 million and a daily penalty of €89,000 from the date of the judgment until the rule is transposed. It is unquestionable that the Government intended to corruptly manage European funds, as evidenced by these European, administrative and judicial proceedings, as well as the various offenses described in this amplifying complaint.

In short, the Government does not transpose corruption-related directives in order to boost corruption.

SIXTEENTH - POLITICIZATION OF THE INSTITUTIONS

A) STATE ATTORNEY GENERAL. DOLORES DELGADO GARCÍA

On January 14, 2020, the Council of Ministers agreed to propose for the position of State Attorney General Dolores Delgado who was Minister of Justice in the same Government (2018-2020).

On January 16, 2020, the Plenary of the General Council of the

Judiciary meets to evaluate whether candidate Delgado meets the requirements for the position. The majority considers that she does meet the requirements. The agreement has been approved with the votes in favor of the president of the CGPJ, Carlos Lesmes Serrano, and the members María Ángeles Carmona Vergara, Roser Bach Fabregó, María del Mar Cabrejas Guijarro, Victoria Cinto Lapuente (deceased), Clara Martínez de Careaga y García, Enrique Lucas Murillo de la Cueva, María Concepción Sáez Rodríguez, Pilar Sepúlveda García de la Torre, Álvaro Francisco Narciso Cuesta Martínez (Deputy for the PSOE), Rafael Mozo Muelas and Rafael Fernández Valverde. However, two members did not attend the meeting and voted against: Nuria Díaz, José María Macías, Juan Martínez Moya, Juan Manuel Fernández, Gerardo Martínez Tristán, José Antonio Ballesteros and Carmen Llombart. The member Nuria Díaz has announced the formulation of a dissenting vote, to which the rest of the members who voted in the same sense as her have adhered, as they consider that the candidate proposed by the Government is not suitable to hold the position and that the circumstances that concur in her create an appearance of link with the Executive Branch that does not contribute to the perception of the independence of the Prosecutor's Office.

On February 25, 2020, President Sánchez appoints Dolores Delgado García as Attorney General of the State, a position she will hold until 2022.

On November 6, 2019, in an interview on Radio Nacional de España (RNE), President Pedro Sánchez stated that the State Attorney General's Office "depends" on the Government.

B) JUDGES OF THE CONSTITUTIONAL COURT 2022

The Council of Ministers' on November 29, 2022 proposes the appointment of Juan Carlos Campo Moreno and Laura Díez Bueso as Magistrates of the Constitutional Court, despite the fact that both have been part of the current Government. President Sánchez himself has been the one who has proposed these two candidates.

Juan Carlos Campo Moreno, Minister of Justice (2020-2021), proposed as magistrate of the Constitutional Court by the PSOE and approved unanimously by the Plenary of the TC. He was Minister of Justice when the aforementioned legal coup d'état took place and, therefore, the person directly responsible for it.

Laura Díez Bueso, General Director of Constitutional Affairs and Legal Coordination of the Ministry of Presidency and drafter of the states of alarm that were declared unconstitutional. Between 2018 and 2020, she was Chief of Cabinet of the Secretary of State for Relations with the Courts.

The appointment of these two jurists to the Constitutional Court has led to headlines such as the following:

- *"A Constitutional majority will consider reforms to the judiciary"* (EuropaPress, 12/28/2022).
- *"The TC will have from today a progressive majority with key laws pending resolution"* (El Mundo, 29/12/2022).
- *"Crisis: The PP puts under suspicion the new Constitutional Court with a progressive majority"* (El País, 30/12/2022). The PP misleads the press because, obviously, there can only be unanimity in the Constitutional Court if the PP and the PSOE agree, since they are the ones who propose the candidates.
- *"CRISIS OF JUSTICE. A la búsqueda de un Tribunal Constitucional con sentido de Estado"* (La Vanguardia, 31/12/2022).

The Portuguese MEP Paulo Rangel, in his speech at the 2023 Plenary Session of the European Parliament, after saying that *"We are very concerned about the situation of the rule of law in Spain"*, stated that *"I have never seen this anywhere in Europe: to appoint to the Constitutional Court someone who was a government minister. This is totally contrary to the rule of law"* and *"The problem is that they were members of this same government, of this majority"*.

They all note that there are seven left-wing magistrates against four right-wing magistrates, while previously there were six conservatives and five so-called progressives.

The left-wing Magistrates appointed Cándido Conde-Pumpido as President of the TC, who had been State Attorney General (2004-2011), also appointed by the PSOE.

On May 13, 2021, the Permanent Commission of the General Council of the Judiciary agreed to the forced retirement of Supreme Court Justice Cándido Conde-Pumpido.

70 is the retirement age for magistrates, who may delay it until 72 years of age. Conde-Pumpido is 73 years old. It should be noted that the retirement age for civil servants is 65.

On January 11, 2023, the Constitutional Court elected the leftist judge Inmaculada Monalbán as Vice President.

This is the first time that the President and Vice President of the Constitutional Court are leftists.

C) COUNCIL OF STATE. MAGDALENA VALERIO

Socialist Magdalena Valerio, was appointed President of the Council of State, by the Government of Sánchez in which she was Minister of Labor (2018-2020).

D) SOCIOLOGICAL RESEARCH CENTER. TEZANOS

Since June 29, 2018, José Felix Tezanos chairs the Sociological Research Center (CIS), having been Secretary of Studies and Programs of the PSOE (2017-2018) and since 1980 he has held positions in the PSOE.

SEVENTEENTH.- CRIME IMPULSE

A) Reduction of embezzlement convictions

In Organic Law 14/2022, of December 22, on the transposition of European directives and other provisions for the adaptation of the criminal legislation to the order of the European Union, and reform of crimes against moral integrity, public disorder and smuggling of dual-use weapons. With this Law, the Government benefits several politicians of its own political party (PSOE) who are condemned and others who are being judged, but above all it facilitates politicians who have embezzled during these years of socialist government, **especially with European funds**. Before this reform, the maximum penalty was at 12 years in prison and now, with this reform, it has been reduced to 3,4, 8 or 10 years, depending on the new subtypes. In 3 of the 4 subtypes, the penalty does not exceed two years, to avoid imprisonment. In addition, the Government often pardons institutional criminals.

The Plenary of the Constitutional Court, in its session of January 24, 2023, has admitted the appeal of unconstitutionality of this Law, filed by Vox.

B) Reduction of sentences for sedition against Catalans

With the same LO 14/2022, the Government eliminated the crime of sedition, which was a demand of the Catalan political parties trying to impose the separation of Catalonia from Spain. In this way, the nine Catalan politicians, sentenced to prison by the Supreme Court, with sentences ranging from 9 to 13 years, would benefit from this law. This modification has been a demand of the political parties of those convicted to support the Government.

Catalan politicians have already announced that they will hold a referendum again, which implies embezzlement of public funds.

C) Organic Law 10/2022 of September 6, 2002, on comprehensive guarantee of sexual freedom.

In the opinion of File No. 393/2021 of the Council of State on the preliminary draft of this law, it is stated that the Government demanded an urgent processing, once again contaminating its processing. The Councilor Juan Antonio Ortega y Díaz Ambrona issued a concurring vote in which he made evident the legislative corruption in the following terms: *"I feel I disagree with the global consideration of the law as organic and even more so recognizing (fifteenth final provision) that the majority of its legal precepts are indisputably of ordinary law"*, adding

"What is projected hardly contains any matter proper to an organic law. Only three of the sixty-one articles of the Preliminary Draft, according to the law itself, (those of the preliminary title) are of an organic nature. And only four of the twenty final provisions do. What is more, not even the precepts that are considered organic are, strictly speaking, organic". The Government affirms that *"taking into account the current content of the regulation, it is not possible (...) to approve it with the rank of ordinary law, since it includes amendments to organic laws"*, the concurring vote affirms that *"It would also be possible to approve two laws, one with the substantive part of sexual freedom by the aforementioned means and another ordinary one of integral protection"*. It even states: *"The argumentation of the opinion seems to be directed -rightly - to consider that the law does not have to have an organic 'character'. But after going down this argumentative path, it takes a strange turn (page 45)"*. Undoubtedly, this is an effect of the aforementioned corruption of urgency.

More than 250 sex offenders have had their sentences reduced under this law.

The Plenary of the Constitutional Court, in its session of January 24, 2023, has admitted the appeal of unconstitutionality of this Law, presented by more than fifty deputies of the Vox Parliamentary Group.

D) Pardons

In 2019, President Sanchez said in reference to pardons, *"No one is above the law"*; moreover, he added in reference to the possibility of pardoning those sentenced for the Procés in Catalonia, *"Compliance with the sentence implies its fulfillment"*.

On May 26, 2021, the Supreme Court ruled against pardoning the twelve people convicted for the procès, saying it would be an *"unacceptable solution"*.

On June 22, 2021, the Council of Ministers approved the pardon of nine of those convicted for the procès, claiming that *"It is the most in accordance with the Constitution"*. The Prosecutor's Office and the Supreme Court opposed these pardons. A survey by Sociométrica for the newspaper El Español, reflected that 80% of the population was against these pardons and 78.1% considered that the pardons would be *"an incentive for the pro-independence movement to repeat its challenge"*.

These nine pardoned are part of the fifty pardoned in 2021, 20 pardoned more than in 2020 and 10 more than in 2019. Since June 2018, governments presided over by Pedro Sánchez have pardoned 128 convicts.

In this period, the most pardoned crimes were: 18 for robbery with force, 14 crimes against public health, 12 for theft and 9 for sedition.

Four officials were also pardoned for embezzlement.

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Precisely, the President of Catalonia in his Christmas message on December 26, 2022 said the following: "*2023 has to be the year to give shape to the Catalan proposal of clarity agreement*" for a referendum on the independence of Catalonia, urging the Catalans to agree "*on when*" the community "*has to be able to exercise again the right to decide*" and "*under what conditions it has to vote again*", adding that "*It is time to break new ground*".

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E) Lack of transposition of European Union directives more related to crimes such as coercion of corruption whistleblowers, the fight against fraud in the management of European funds.

EIGHTEENTH - CRIMINALIZATION OF THE JUDICIAL POWER

A) Minister Ione Belarra

In a tweet dated October 22, 2021, Minister Belarra says: "*Alberto Rodriguez was convicted despite evidence showing that he was not there. The objective was to remove his seat. The Supreme pressures the Presidency of the Congress to withdraw it even though both know that it is not what the sentence says.*"

The agreement of the Permanent Commission of the General Council of the Judiciary of the following day states that this statement "*absolutely exceeds the limits of the right to freedom of expression, especially when the person making these statements is a member of the executive branch, which places the relationship between two branches of government on a completely undesirable level*" because they "*go so far as to attribute*" a crime to the judges of the Supreme Court.

B) Minister Margarita Robles

On December 12, 2022, on the program Al Rojo Vivo of LA SEXTA TV, the presenter of the program interviewed this Minister who stated the following: "*...the conservative magistrates of the General Council of the Judiciary are breaking the Law and the Constitution*", "*....I am ashamed of the members of the General Council of the Judiciary who are systematically blocking the appointments of the TC and the TS*", in reference to the reduction of the penalties for sexual assaults derived from the new LO 10/2022, of September 6, of integral guarantee of sexual freedom.

As stated above, Minister Robles has been a judge for decades, including on the Supreme Court.

C) Minister Irene Montero

Regarding the reduction of the sentences of hundreds of convicts on November 16, 2022, Minister Montero stated that it was "*a problem of application and interpretation*" by prosecutors and judges, and that the judges "*are breaking the law*" because of their "*machismo*", committing a crime of prevarication.

Regarding these words of Minister Montero, the Standing Committee of the General Council of the Judiciary, in a statement dated November 16, 2022, shows its "*firmest repulse to the intolerable attacks made in recent hours against members of the Judiciary by some politicians, which are in contrast with the proven commitment of the judicial career with the protection of victims of crimes against sexual freedom*" and "*This type of actions undermine the confidence of victims in the administrations and, singularly, in the justice system, increasing their lack of protection*".

The four associations of judges, both right and left, have shown their deep discomfort with the "childish and absurd" reaction of Minister Montero.

D) On the controversy of the reduction of sentences for sexual assaults, on the same day, November 16, 2022, El País publishes that Jaume Asens Llodrà, President of the group of Unidas Podemos in the Congress, has assured that "*The problem is not in the law, it is in the justice system. Judges cannot supplant the legislator by interpreting what the law does not say*".

E) GOVERNMENT DELEGATE AGAINST GENDER VIOLENCE. JUDGE ROSELL

In a press conference on November 15, 2022, Victoria Rosell (judge on leave of absence) on the reductions of sentences for sexual assaults, described as "*tremendous*" a sentence that reduced the penalty, stating that, in general, "*the problem is not the norm*", but the "*judicial voluntarist interpretation against the advance of feminism*" that applies the law "*in such a reactionary and surprising way*".

Except for Margarita Robles, the other four are members of Unidas Podemos, which has five ministers in the government.

NINETEENTH - UNEMPLOYMENT, PUBLIC EMPLOYMENT AND AFFILIATION

A) MINISTRY OF LABOR. UNEMPLOYMENT AND PUBLIC EMPLOYMENT

In the ninth section of the previous complaint, reference was made to the falsity of the unemployment figures, which has created significant social unrest. To this falsity of the unemployment data we must add that 55.7% of the employment created between February 2020 and February 2022 has been public employment, specifically 249,884.3 more affiliates, according to the verifying company Newtral.

In the third quarter of 2022, 52,300 public jobs were created, which accounted for two-thirds of the total new employment of 77,000 jobs. 60,800 workers became unemployed, so 36,100 jobs were lost in the private sector, plus those who are falsely employed as fixed discontinuous, but pointed to unemployment, but not counted in the number of unemployed as explained in the previous complaint.

With these documentary falsehoods, in the data published by the European Statistical Office (Eurostat) on December 7, 2022, Spain appears as the leader in job creation.

Long-term unemployment amounted to 1,256,600 workers in the third quarter of 2022. In Adecco's Employment Opportunities and Satisfaction report, published in April 2022, Spain was said to have 912,000 long-term unemployed (more than two years unemployed), representing 27% of the unemployed in Spain and 30% of the long-term unemployed in the European Union.

The creation of this large amount of public employment contrasts with the European and Spanish strategy of digitalizing the public administration, so that the number of civil servants needed to provide public services can be reduced, in addition, it implies a commitment of public spending for future years that breaches the Stability and Growth Pact of the European Union, in the terms described in the previous complaint.

On the contrary, this unjustified increase is justified by the Government's real strategy to impoverish Spaniards, to increase dependence on public subsidies, and to increase the number of people in positions of power in order to increase the number of those who are grateful for and benefit from the Government's policies.

B) MINISTRY OF SOCIAL SECURITY. AFFILIATION DATA

Just as the Government has falsified unemployment data, it has also falsified Social Security affiliation data.

On January 17, 2023, the Government has reported that it has stopped providing a preview of the first fortnight of each month's enrollment data, in addition to the monthly data. From now on, it will provide "*seasonally adjusted high-frequency employment data*" in the first fortnight.

With the changes in information management, the Government has gone from stating on January 2, 2023 that in December 2022 there was a decrease of 8,348 members compared to November, to stating a fortnight later that there was an increase of 7,357 members.

In the first five months of 2022, according to the Ministry, there was an increase of 185,987 affiliates. With the new method for 2023, job creation would grow to 373,089 affiliates, i.e., more than double. This increase is only statistical, but does not influence the reality of Spanish families and is therefore a deception.

Remembering that in May there are elections throughout Spain, it is clear that this falsification of affiliation data has been carried out in order to deceive voters.

On the other hand, after the first five months of the year, the new method has worsened the figures since June.

TWENTIETH - FALSE DOCUMENTATION IN THE CIS

Numerous media outlets have reported "*constant manipulation of their barometers*".

In a publication in the newspaper El Independiente of April 15, 2020, it is said that in the special barometer published on April 15, 2020: "*But it has not been the umpteenth shielding of Sanchez in the survey that has raised blisters not only in public opinion, but among fellow professionals, outraged at a barometer that, they consider, does "a disservice to other institutes"* because it causes "*Spaniards to mistrust the polls.*" According to "César Calderón, political consultant and head of the strategy and communication company Redlines: "*We are facing a new demonstration that Tezanos has lost his way and has become a tool at the service of the Government's propaganda*".

Even the leftist Maldita.es, says about this barometer: "*as has been usual since José Félix Tezanos is at the head of this institution, there has again been controversy with the data it reflects*".

In a "flash poll" published by the CIS on April 22, 2021, the manipulation of the results was evidenced, taking away 10 seats from the PP and giving them to the PSOE; in addition, it is said that there was a balance between the left and the right, which is also false. Logically, these forecasts published by all the media, including

television, influence many voters, committing an electoral crime.

On November 5, 2022, Agencia Efe published that Pedro Rollán, Deputy Secretary of Autonomous and Local Coordination of the PP, had accused Tezanos of "*manipulating, through false surveys, with a clear intention of teledirecting the direction of the vote*".

On January 18, 2023, Alberto Núñez Feijóo (President of the PP) accused Tezanos of manipulating the barometer published that same day, which placed the PSOE 1.7 points ahead of the PP in vote estimation, affirming Feijóo that the PP is 8.5 points ahead of the PSOE.

The European Union is aware of the manipulation of the CIS, due to the notable differences between the results of the CIS barometers and the Eurobarometers.

The CIS commits embezzlement to falsify the barometers, coercing and swindling voters, committing an electoral crime.

TWENTY-FIRST.- LACK OF TRANSPARENCY

The preamble of Law 19/2013 of December 9, 2013, on transparency, access to public information and good governance, begins with the following text: "*Transparency, access to public information and good governance rules must be the cornerstones of all political action*".

In the 2016 electoral program of the PSOE, President Sanchez committed to have an "*open government*", claiming that "*a solid democracy requires a transparent State management to guarantee it*". In the 2019 program, he refers 34 times to transparency.

On January 31, 2022, the newspaper ABC published an article with the following headline: "*The Government of Sánchez has violated 1,200 times the Law of Transparency*", with the subtitles: "It accumulates warnings for declaring secret or confidential information that should be public" and "*Among its anomalous practices is the improper and repeated use of the Francoist law of Official Secrets*".

On June 18, 2022, the digital newspaper Voz Pópuli published an article with the following headline: "*The least transparent Government: Sánchez beats records of complaints for his opacity*" and the subtitle: "*During the first half of 2022, 307 complaints have been made to the Government for lack of transparency. In 43.32% of the cases the complainant has been given the reason, a record since data is available*". According to the Council for Transparency and Ben Government (CTBG), in 2021 there were 1,086 complaints which is the record and the percentage of estimated is also another record, with an upward trend in recent years in these two parameters. In 2020, there were 949 claims and 927 in 2019, surpassing the 557 in 2016 and 2017 that

constituted the previous record.

Previous sections have described numerous false documents and concealment of information that should be public.

The lack of transparency is an unmistakable sign of corruption and totalitarianism, as well as an electoral deception that should be considered a swindle to the voters, to the European Union and to all member countries.

TWENTY-SECOND.- PARLIAMENTARY CONTROL

Article 29.2 of Law 50/1997, of November 27, 1997, of the Government establishes that "*All acts and omissions of the Government are subject to the political control of the Cortes Generales*"; therefore, it will be necessary to investigate the criminal liability of the Cortes for allowing it.

TWENTY-THIRD - EMBEZZLEMENT WITH CATALANS

On January 23, 2023, the newspaper ABC published a news item with the headline: "*The Government privileges the Generalitat with 27 million a day in non-repayable loans*" and the subtitle: "*Pedro Sánchez has injected more than 55,000 million in this way since he arrived at La Moncloa*".

If the information is true and the amounts are higher than those received by other Autonomous Communities, we are in a case of embezzlement to finance the bribe (bribery) to Catalan political parties to get their parliamentary support.

CONCLUSIONS

The European Statistical Office (Eurostat) published in 2018 that corruption in Spain almost reached 8% of GDP, exceeding the profits of all large companies and multinationals combined. This data is enough to affirm that Spain does not have a Rule of Law.

The Government took advantage of the coronavirus to fulfill its real purpose of impoverishing the population so that it becomes more dependent on institutional aid, probably to enrich itself and to increase totalitarianism, destroying the rule of law.

The governments denounced (2018-2022) have installed a totalitarian regime that has destroyed the rule of law, eliminating the independence and autonomy of several of the main institutions such as the Parliament, the Constitutional Court, the judiciary, the State Attorney General's Office and the Council of State.

Precisely, the Parliament has not exercised its legislative mandate to control these governments, due to the totalitarian coercion received from them.

It has appointed senior public officials who do not meet the requirements of preparation or impartiality, even appointing corrupt people.

These governments coerce the institutions by impeding the normal legislative process, even usurping the parliamentary function repeatedly.

In addition to coercion, these governments hide information that should be public and falsify data, as in the case of unemployment and social security affiliations. They also falsify the preambles of laws.

Another case of falsification is the CIS barometers that manipulate political information and the opinion of Spaniards to favor electoral results, constituting an electoral crime.

This totalitarian regime has embezzled public money to buy silence and collaboration, both in the institutions and in the social and business sectors, especially the media.

The Government is contemptuous of the European Union, failing to comply with its economic commitments, and is also failing to comply with its legislative commitments, resulting in numerous sanctioning proceedings, especially for the lack of transposition of European directives.

The Government has not only increased public spending, failing to fulfill its commitments, but has also increased the Government's own spending by unprecedented percentages, confiscating from all Spaniards to benefit themselves and their cronies.

The government has granted itself the exclusive right to manage the European Next Generation recovery funds, to intervene in the economy and, possibly, to benefit from them or to benefit family, friends and business associates.

In this way, it has harmed the Spanish economy, the financial interests of the EU and all Spaniards, going beyond the limits of taxation and entering into the confiscation prohibited by the Constitution.

It is public and notorious that Pedro Sánchez is continuously prevaricating, coercing and embezzling in order to stay in power.

On the other hand, the Government maintains the intimidation of corruption whistleblowers, due to the lack of transposition of the famous DIRECTIVE (EU) 2019/1937 and the lack of a general plan against corruption. Moreover, it has boosted corruption with opacity, control of institutions through appointments of dubious impartiality

and by modifying the Penal Code, with the lowering of penalties for the crimes of embezzlement and sexual assault, as well as with the elimination of the crime of sedition to favor convicted politicians.

The government has taken the use of fear to criminal limits, both in the pandemic, as well as in the murderous gene therapies (wrongly called experimental vaccines) and in the increase of tension and criminality mentioned above.

With the actions denounced, the Government is impoverishing and destroying Spanish society, as all totalitarian regimes have done.

Hungarian MEP Eniko Gyori (Ambassador to Spain, 2014-2019), in her speech at the 2023 Plenary Session of the European Parliament warned that the Sanchez government is implementing an agenda that *"consists of dismantling the rule of law, freedoms, interfering in private life and putting at risk the daily security of Spaniards"*, adding, *"Criminals to the street. Appointments of comrades to high positions of justice. Changing the rules of the game to validate their positions. Criminalizing judges for their decisions. Do you have no scruples with the independence of justice? And you have the courage to criticize us for our rule of law"*.

The Government has no respect for legality, nor for the institutions, nor for the Spanish people, nor for the general interest, nor for the European Union or its member countries.

With our two complaints, the Supreme Court must establish the limits to the government of the day to prevent Spain from continuing to advance in a totalitarian regime that eliminates freedoms and impoverishes the majority of the population.

This complaint has been drafted by Javier Marzal