

# GARZÓN V SPAIN



## OCTOBER 2008

Judge Garzón determined that the Spanish Courts had jurisdiction to investigate crimes against humanity committed during the Franco regime.

## FEBRUARY 2009

Judge Garzón uncovers the Gürtel network after a year of investigation - the largest corruption plot related to a political party in Spain to date.

## MAY 2009

The Spanish Supreme Court admits the complaint of the far-right union Manos Limpias against Garzón for his role in the case of Franquismo case.

## FEBRUARY 2010

Spanish Supreme Court admits to process the complaint against Garzón by lawyers involved in the Gürtel plot.

## FEBRUARY 2012

Garzón was convicted, and suspended from office for 11 years.

## JANUARY 2016

**Complaint against Spain** lodged before the **United Nations Human Rights Committee (UNHRC)** for **violation of rights** including **lack of fair trial** in the judicial process.



## AUGUST 2021

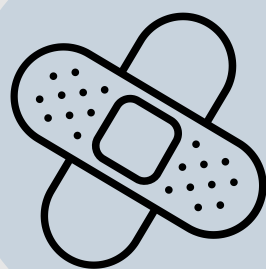
The **UNHRC** issued a decision against Spain, **demanding "full reparation" from Spain** for Baltasar Garzón.

### REASON

Multiple violations of Baltasar Garzón's human rights as a result of his arbitrary dismissal and criminal prosecution based on his judicial interpretations in the Franquismo and Gürtel cases.

PREVENTION,  
PROTECTION AND  
GUARANTEE OF  
NON-REPETITION

### UNDER INTERNATIONAL LAW, SPAIN MUST:



- Pay damages.
- "Expunge" the criminal records.
- Undertake legal and judicial reform, to prevent similar violations in the future.
- Reinstatement of the victim to his former judicial role.

## AUGUST 2023, SPAIN...

- **Still not complying with the ruling.**
- It has **not indicated any meaningful steps** towards for the "integral reparation" required.
- It has cited **arguments dismissed** by the Committee for being **completely false**.

### IN VIEW OF ITS NON-COMPLIANCE

The **UN Rapporteur to the Human Rights Committee** finds Spain has failed to comply with the Committee's decision. Once again, a UN report finds **in favour of Baltasar Garzón and highlights the ongoing failure of Spain** to meet its obligations to safeguard human rights and judicial independence. Judge Garzón urges Spain to comply without further delay with the UN body's decisions.

This new resolution of the UN Rapporteur on the follow-up also denounces non-compliance by other countries such as Angola, Kyrgyzstan, Kazakhstan and Ukraine