Office for Democratic Institutions and Human Rights

SPAIN

EARLY PARLIAMENTARY ELECTIONS

29 November 2026

ODIHR NEEDS ASSESSMENT MISSION REPORT

27-30 October 2026

Warsaw
19 November 2026

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I. INTRODUCTION

Following an official invitation to observe the 29 November 2026 early parliamentary elections in Spain and in accordance with its mandate, the OSCE Office for Democratic Institutions and Human Rights (ODIHR) undertook a Needs Assessment Mission (NAM) from 27 to 30 October. The ODIHR NAM included Kakha Inaishvili, and Yelena Kovalyova, ODIHR Election Advisers.

The purpose of the mission was to assess the pre-election environment and the preparations for the elections. Based on this assessment, the NAM recommends whether to deploy an ODIHR election-related activity for the forthcoming elections, and if so, what type of activity best meets the identified needs. Meetings were held with officials from state institutions, the election administration as well as with representatives of political parties, media, civil society and the international community. A list of meetings is annexed to this report.

ODIHR would like to thank the Ministry of Foreign Affairs, European Union and Co-operation for its assistance and cooperation in organizing the visit. ODIHR would also like to thank all of its interlocutors for taking the time to meet with the NAM and share their views.

II. EXECUTIVE SUMMARY

On 5 October, following the rejection by the Congress of two government decrees on rental housing, the prime minister announced the dissolution of the parliament and called early parliamentary elections for 29 November. The elections follow a period of decreasing parliamentary support for the minority coalition government, which also faced mounting pressure over judicial proceedings concerning alleged corruption, tensions over migration and the absence of a new state budget. The elections take place against the backdrop of a legal dispute in which the Supreme Court has provisionally suspended the voting rights of some 163,000 citizens residing abroad who acquired Spanish nationality on the basis of their ancestors' presumed exile. Voters will elect the 350 members of the Congress under a closed-list proportional system and 209 senators by voting for individual candidates.

The election law has been amended several times since the last parliamentary elections, most recently in 2026. The amendments introduced "zipper" lists requiring alternating placement of women and men on candidate lists, adjusted the Senate constituencies, and introduced technical changes to the election administration. Some previous ODIHR recommendations have been addressed, including on the voting rights of persons with disabilities and postal voting from abroad, but others, relating to candidate eligibility restrictions and provisions for citizen and international observation remain outstanding. ODIHR NAM interlocutors expressed confidence in the legal framework and regarded it as conducive to holding democratic elections.

Elections are administered by a four-tier system of election commissions headed by the permanent Central Election Commission (CEC), while the Ministry of the Interior is responsible for logistics, security and voter information. Preparations for the early elections are under way, and ODIHR NAM interlocutors expressed a high level of trust in the integrity and impartiality of the election administration. The authorities have taken measures to protect the electoral process against cyber

threats. Relevant state bodies, including the CEC, co-operate within an inter-agency network to protect electoral ICT infrastructure and counter potential threats from disinformation and foreign information manipulation and interference.

Citizens aged 18 or older, including persons with intellectual and psychosocial disabilities, are eligible to vote. Some 38.7 million voters are registered for these elections, of whom around 2.8 million reside abroad. All voters may vote by post, and voters permanently residing abroad receive their voting materials automatically. Apart from the dispute over the registration of certain voters abroad, ODIHR NAM interlocutors did not raise concerns about the accuracy of the voter register.

Political parties, coalitions and groups of voters may nominate candidates. While parliamentary parties are exempt, other parties and coalitions, as well as groups of voters, must collect supporting signatures, and voters may sign in support of only one list. The newly introduced parity rules, which require candidate lists to alternate between women and men, will apply to the general elections for the first time. ODIHR NAM interlocutors raised no concerns about the candidate registration process.

The official campaign period lasts 15 days. The law prohibits campaigning outside this period and the misuse of public resources for campaign purposes. While ODIHR NAM interlocutors expressed confidence in candidates' ability to campaign freely, several interlocutors anticipated a polarized campaign. The campaign is expected to focus on domestic issues, including the cost of living, housing, migration and allegations of corruption, with parties combining door-to-door canvassing, street outreach, media engagement and campaigning on social networks. Several interlocutors also identified disinformation and foreign information manipulation as potential risks for these elections.

Women are well represented in public office, holding 44 per cent of the seats in the outgoing Congress and 42 per cent in the Senate, although they remain under-represented among mayors. At the same time, some ODIHR NAM interlocutors raised concerns about online harassment and intolerant speech targeting women in politics, often based on gender stereotypes. Concerns were also raised about the under-representation of women with disabilities on candidate lists and in party structures, and about undue influence when women with disabilities receive assistance to vote.

Campaigns can be financed from public funds, private donations, contestants' own resources and loans, subject to donation caps, spending limits and disclosure requirements. The election commissions monitor compliance during the campaign, and the Court of Auditors audits the accounts of contestants eligible for reimbursement of their campaign expenses. There is no interim reporting before election day. Overall, ODIHR NAM interlocutors did not raise specific concerns about the transparency of campaign finance.

The media environment is pluralistic, though media ownership is concentrated. The law obliges all broadcasters to respect the principles of pluralism, equity, proportionality and neutrality in their coverage of the elections. Public broadcasters provide contestants with free airtime for campaigning and organize debates including in the regions. Paid political advertising is banned on television. ODIHR NAM interlocutors did not raise concerns about contestants' access to the media, although some expressed reservations about the impartiality of the public broadcaster's news coverage.

Election disputes are handled by the election commissions and the courts, depending on their subject, within short legal deadlines. Political parties may challenge electoral decisions, while other applicants must demonstrate a legal interest. Election results can only be challenged before the Supreme Court by candidates and contestants, at odds with international good practice. ODIHR NAM interlocutors raised no concerns about the efficiency of the dispute resolution mechanisms.

All ODIHR NAM interlocutors expressed a high level of confidence in the electoral process and in the ability of the election administration to manage the elections in a professional, impartial, and transparent manner. Some interlocutors identified areas that could benefit from external review, particularly online campaigning, including intolerant rhetoric and online harassment of candidates, although they did not expect these issues to significantly affect the conduct of the elections. While welcoming a potential election observation activity, most ODIHR NAM interlocutors expressed the view that such an activity for these elections would not be necessary. On this basis, the ODIHR NAM does not recommend the deployment of an election observation activity for the 29 November early parliamentary elections. ODIHR encourages the authorities to consider the issues raised by interlocutors during the NAM and to address previous ODIHR recommendations that remain outstanding, and reaffirms its readiness to support the authorities in future electoral reform processes.

III. FINDINGS

A. BACKGROUND AND POLITICAL CONTEXT

Spain is a constitutional parliamentary monarchy, with the monarch serving as the head of state. Legislative power is vested in the bicameral parliament (*Cortes Generales)*, composed of the Congress of Deputies (Congress) and the Senate, both elected for four-year terms. The prime minister, elected by the Congress, heads the government, which exercises executive power.

Following the 23 July 2023 early parliamentary elections, 11 parties gained representation, with the People's Party (PP) emerging as the largest party with 137 seats, ahead of the Spanish Socialist Workers' Party (PSOE).[1] After the PP leader failed to win a majority in the Congress, Pedro Sánchez of the PSOE was re-elected prime minister and formed a minority coalition government with Sumar, relying on the support of several other parties, including Together for Catalonia (*Junts*).[2]

On 27 October 2025, *Junts* announced that it was ending its agreements with the PSOE and moving into opposition, leaving the parties that had voted for the prime minister's re-election without a majority in the Congress. In the course of 2026, the government also came under increasing political pressure from judicial proceedings concerning alleged corruption involving some former senior PSOE officials, as well as proceedings involving members of the prime minister's family. In July, an unprecedented mass crossing from Morocco into Ceuta created a humanitarian crisis, sparked tensions between the central and local authorities, and prompted opposition criticism of the government's migration and border policies. Furthermore, the government continued to rely on the annually extended 2023 state budget, with no new budget submitted during the out-going legislature.[3] Against this backdrop, after the Congress rejected two government decrees on rental housing, one of the government's main legislative priorities, on 5 October, the prime minister announced that early elections would be held on 29 November.[4]

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1 The other parties received the following number of seats: the PSOE (121), VOX (33), *Sumar* (31), Republican Left of Catalonia (ERC, 7), Together for Catalonia (*Junts*, 7), Basque Country Unite (EH Bildu, 6), the Basque Nationalist Party (EAJ-PNV, 5), the Galician Nationalist Bloc (BNG, 1), Canarian Coalition (CCa, 1) and Navarrese People's Union (UPN, 1).

2 In addition to the PSOE and *Sumar*, deputies from ERC, *Junts*, EH Bildu, the EAJ-PNV, the BNG and CCa voted for Mr. Sánchez's re-election.

3 The constitutional deadline for submitting the 2027 draft budget passed on 30 September 2026 without a draft being presented.

4 On 2 October, the Congress rejected two government decrees on rental housing, with *Junts* voting against both alongside the PP, VOX and UPN.

In the months preceding the call of the elections, the growth in the number of voters registered in the Electoral Census of Absent Residents (CERA), which lists citizens permanently residing abroad, had also become the subject of a legal and political dispute.[5] In June 2026, the VOX party requested the CEC to review and suspend the CERA registrations of persons who had acquired Spanish nationality as descendants of exiles and to suspend postal voting from abroad. The CEC declined, citing a lack of competence, and VOX and a smaller party *Iustitia Europa* challenged the CEC's decision before the Supreme Court.

On 10 September, the Supreme Court granted interim measures suspending, pending a final judgment, the right to vote of oversees citizens whose citizenship, had been granted under the presumption of exile established by the MoJ instruction, without individual proof of their ancestor's exile.[6] The Court recognized a serious risk to the electoral process arising from the growth of the CERA.[7] The Court maintained the measures for these elections, despite objections from the Government Attorney's Office and the Public Prosecutor's Office that the affected voters could not be identified and their files reviewed in time. A related constitutional complaint lodged by the Ombudsperson was declared inadmissible as premature, since the Supreme Court proceedings remained pending.[8] In implementing the measures, the authorities have identified around 163,000 affected voters, of whom some 900 had obtained a consular certification of their ancestor's exile. Unless the measures are lifted, the vast majority will not be able to vote in these elections.[9] At the time of writing, the proceedings before the Supreme Court remained pending.[10]

Women continue to be well represented in Spanish politics, holding 154 of 350 seats in the outgoing Congress of Deputies (44 per cent), 112 of 266 seats in the Senate (42 per cent) and 10 of 22 ministerial positions in the government.[11] The Women's Institute, under the Ministry of Equality, informed the ODIHR NAM that stronger legal parity requirements have substantially increased

5 The 2022 Democratic Memory Law provided a temporary legal basis for acquiring Spanish nationality for certain descendants of Spaniards who had gone into exile. A Ministry of Justice instruction of October 2022 broadened the scope of the law by presuming exile for anyone whose ancestor had left Spain between 1936 and 1955. Applicants to naturalize, therefore, had to prove only that their ancestor had left during that period, and not that the ancestor had been exiled. The instruction was binding on consulates and was not challenged at the time.

6 The measures affect only the right to vote; those concerned remain Spanish citizens. The Supreme Court held that restricting this right was justified to safeguard the accuracy of the electoral census. One of its six judges dissented, arguing that the measures should not apply to these elections. To enable implementation of the measure, the Court requested the ECO via the CEC, based on the data to be obtained from consular offices and civil registries abroad, to identify and separate those registration files in the CERA that have been processed under the MoJ Instruction without individualized accreditation of exile and the registrations introduced based on the established cases of exile. Following the unsuccessful appeal of the measure, it was eventually complied with by the respective diplomatic representations by the deadline ordered by the Court. The Court also ordered the CEC to request the ECO to suspend registration of new voters enfranchised based on the MoJ Instruction into the CERA.

7 The Court established that the increase in CERA registrations "generates a well-founded, real and serious danger of seriously affecting the objectivity and transparency of the electoral process, thus causing irreversible damage to its […] correctness, since it directly affects an essential element for the rule of law such as the expression of the popular will through the exercise of the right to vote. There is a risk of alteration of the voter register by means of an exceptional increase in the number of new registered voters in the CERA, which also affects its legal regularity."

8 The Constitutional Court found that affected voters could still make submissions to the Supreme Court and, once ordinary remedies are exhausted, lodge individual complaints.

9 Following a CEC decision, the Electoral Census Office sent voting materials to all voters registered abroad on 24 October. The previous day, the Supreme Court had authorised the mailing on condition that the affected voters be warned that their registration is provisional, and ordered that those without a consular certification be excluded from the list of voters entitled to vote.

10 According to the Government Attorney's Office, there is no deadline for a ruling on the merits, and the measures may remain in place through election day. It also noted that affected voters have limited individual remedies, as jurisdiction is divided between civil courts, which decide on nationality, and administrative courts, which review decisions of public authorities, including those on the electoral census.

11 See 2026 Inter-parliamentary Union data on ranking of women in national parliaments.

women's representation at all levels, although women remain under-represented among mayors.[12] ODIHR NAM interlocutors identified violence against women in politics, particularly online harassment and intolerant speech based on gender stereotypes, as the main concern regarding women's political participation.[13] The ODIHR NAM was also informed that women with disabilities remain under-represented on candidate lists and in party structures. Concerns were also raised about the risk of undue influence over their voting choices when they receive assistance to vote, particularly in institutional settings.

ODIHR has deployed six election observation activities to Spain for parliamentary elections.[14] Most recently, ODIHR deployed an Election Expert Team (EET) for the early parliamentary elections in 2023. The EET's final report included ten recommendations for the authorities to improve the electoral process and bring it closer in line with OSCE commitments.[15]

B. LEGAL FRAMEWORK AND ELECTORAL SYSTEM

The legal framework for parliamentary elections consists primarily of the 1978 Constitution, the 1985 Organic Law on General Election Regime (last amended in 2026, election law), and the 2007 Organic Law on Financing of Political Parties (last amended in 2015). These laws are supplemented by royal decrees and instructions and decisions of the CEC, as well as relevant provisions of administrative, criminal and other legislation. Spain is party to the key international human rights instruments pertaining to the holding of democratic elections.[16]

The election law has been amended on several occasions since the last parliamentary elections. The 2024 amendments strengthened gender-parity rules. The 2025 amendments, adopted as part of a broader reform of the justice system, were largely technical. They aligned lower-level election commissions with the new court structure, revised the rules on the delivery and custody of polling-station results protocols, and amended the eligibility criteria for the state subsidy for mailing ballots and campaign materials to voters. The 2026 amendments, which followed a constitutional amendment, made Formentera a separate Senate constituency electing one senator. This raised the number of directly elected senate seats from 208 to 209 as of these elections.

Some previous ODIHR recommendations have been addressed in recent amendments, including those on the voting rights of persons with disabilities, the use of voters' personal data for campaign purposes, and postal voting from abroad. However, the amendments adopted since 2023 did not address other long-standing recommendations, including those related to the principle of equality of the vote, the transparency of meetings of the election administration, candidate eligibility restrictions,

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12 The gender equality policy is guided by the government's Strategic Plan for the Effective Equality of Women and Men 2022–2025, extended pending the adoption of a successor plan for 2026–2029, which includes measures to promote women's equal participation in public life and in senior decision-making positions.

13 The Women's Institute monitors the content in the media and online, including during campaigns, but cannot impose sanctions but may refer cases to the relevant authorities.

14 See previous ODIHR election reports on Spain.

15 In paragraph 25 of the 1999 OSCE Istanbul Document, OSCE participating States committed themselves "to follow up promptly the ODIHR's election assessment and recommendations". See ODIHR Electoral Recommendations Database at Paragraph25.odihr.pl.

16 Including the 1966 International Covenant on Civil and Political Rights, the 1965 International Convention on the Elimination of All Forms of Racial Discrimination, the 1979 UN Convention on the Elimination of All Forms of Discrimination against Women, the 2003 UN Convention against Corruption, the 2006 UN Convention on the Rights of Persons with Disabilities, and the 1950 European Convention for the Protection of Human Rights and Fundamental Freedoms.

and provisions for citizen and international observation.[17] ODIHR NAM interlocutors expressed confidence in the legal framework and regarded it as conducive to holding democratic elections.

The 350 members of the Congress of Deputies are elected under a closed-list proportional system in 52 provincial constituencies. Each of the 50 provinces is a multi-member constituency with an initial allocation of two seats.[18] The remaining 248 seats are distributed among the provinces in proportion to their population. Only lists that obtain at least 3 per cent of the valid votes cast in a constituency, qualify for seat allocation.

The Senate is the chamber of territorial representation. In these elections, 209 senators will be directly elected in 60 constituencies: the 47 mainland provinces, 11 islands in the three island provinces, and the two autonomous cities.[19] Candidates stand individually or grouped by party on the ballot, and voters may choose candidates from different parties. The candidates with the most votes are elected.[20] The remaining senators are appointed by the legislative assemblies of the Autonomous Communities.

C. ELECTION ADMINISTRATION

Spain has a mixed model of election administration with multiple public entities exercising complementary functions. The four-tier system of election commissions is comprised of the CEC, 50 Province Election Commissions (PECs), 303 District Election Commissions (DECs), as well as some 60,300 Electoral Boards (EBs). The CEC oversees the work of PECs, DECs and the Electoral Census Office (ECO), and issues binding instructions to supplement or clarify legislation. The Ministry of the Interior (MoI) is responsible for operations and logistics, security, voter information and guidance materials for polling staff while municipalities provide polling premises and local logistical support. All ODIHR NAM interlocutors expressed a high level of trust in the integrity and impartiality of the election administration.

The CEC is a permanent body composed of 16 members, of which 6 are women.[21] The CEC meets as required and, despite a previous ODIHR recommendation, its sessions are closed to the public. PECs and DECs are established for every election and each is comprised of three judges, drawn by lot by the General Council of the Judiciary for PECs and by the regional High Court for DECs, and two non-judicial members.[22] They administer the process at the local level and address complaints pertaining to their area. Electoral Boards are comprised of a chairperson and two members, selected by lottery from among voters registered at the respective precinct. EBs are in charge of election-day proceedings at polling stations and service on Boards is compulsory.

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17 Paragraph 8 of the 1990 OSCE Copenhagen Document provides that "the participating States consider that the presence of observers, both foreign and domestic, can enhance the electoral process for States in which elections are taking place".

18 Additionally, the autonomous cities of Ceuta and Melilla elect one deputy each.

19 Four senators are elected in each mainland province; three each in Gran Canaria, Mallorca and Tenerife; two each in Ceuta and Melilla; and one each in Fuerteventura, La Gomera, El Hierro, Ibiza, Formentera, Lanzarote, La Palma and Menorca.

20 Voters may vote for up to three candidates in the mainland provinces, up to two in Gran Canaria, Mallorca, Tenerife, Ceuta and Melilla, and one on the other islands.

21 The CEC members are drawn by lottery held by the General Council of the Judiciary from among the Supreme Court Judges and professors of law or relevant social sciences that are appointed by the Congress of Deputies upon nomination by parliamentary groups.

22 The non-judicial members are appointed on the joint proposal of the contestants' representatives in the constituency or, if no joint proposal is made before the start of the campaign, by the higher electoral commission. Following the 2025 amendments, DEC judges are drawn from the new first-instance courts, and the secretaries of PECs and DECs are court clerks, who take part without voting rights.

Preparations for the early elections are underway and as part of its voter information efforts, the MoI has published guidance on how to vote on its portal and election-specific website, including on accessibility arrangements such as accessible voting and support for electoral board members with disabilities.[23] However, some ODIHR NAM interlocutors noted that voter information, polling premises and electoral procedures are not yet fully accessible. Voters with visual impairments who know Braille can use an accessible procedure to vote independently in national and regional elections, but not in local elections; no equivalent procedure is available to voters who cannot read Braille. Interlocutors also noted that recently adopted reforms to improve accessibility will enter into force in January 2027.[24]

The ODIHR NAM was informed of measures taken by the authorities ahead of these elections to protect the electoral process against cyber and online threats. Relevant state bodies, including the CEC, co-operate within an inter-agency network for the security of electoral processes, which works to counter potential threats to the ICT infrastructure of the election administration. ODIHR NAM interlocutors identified disinformation and foreign information manipulation and interference (FIMI) as potential risks for these elections. Efforts against disinformation and FIMI are coordinated by the Department of National Security through a system of inter-institutional co-operation, involving electoral authorities, for risk assessment and the elaboration of a common preventive strategy.

D. VOTER REGISTRATION

All citizens aged 18 or older are eligible to vote, including those with intellectual and psychosocial disabilities. Voter registration is passive, and the register is based on permanent residence. It is updated monthly by the Electoral Census Office (ECO), using data from municipal population registers (for in-country voters), consular registers (for voters abroad) and the civil registry.[25] According to the ECO, 38,730,192 voters are registered for these elections, of whom 35,953,547 reside in Spain and 2,776,645 abroad.[26]

By law, for each election, the register is closed two months before the call of the elections (1 August for these elections).[27] Between 12 and 19 October, voters could check their entries online, in municipalities and provincial ECO offices, or, for voters abroad, at consulates, and could submit claims through the same channels to correct their data or report omissions. From 2 November, the ECO sends each voter a card indicating their polling station. Representatives of registered candidate

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23 These include pictogram-based signage at polling stations to facilitate access for persons with intellectual or cognitive disabilities; Braille voting kits for voters with visual disabilities; and adaptations for electoral board members with disabilities, including easy-to-read manuals, sign-language interpretation and assistive listening systems (induction loops). For further information, see the MoI's Infoelectoral portal and the dedicated website for the 29 November general elections.

24 In September 2026, the government adopted a Royal Decree 707/2026 on cognitive accessibility which strengthens accessibility requirements for elections. Among other measures, it allows voters with cognitive impairments to be accompanied by a support person of their choice, with safeguards against undue influence, and introduces easy-to-read voter information and instructions for polling staff. It also requires political parties to publish their manifestos at least in plain language. The decree enters into force on 2 January 2027, ahead of the next regularly scheduled general elections, which would otherwise have been expected in August 2027. However, following the early dissolution of parliament and the calling of elections for 29 November 2026, the new requirements will not apply to the upcoming elections.

25 By law, there are two categories of voters abroad. Citizens permanently residing abroad are registered in the Electoral Census of Absent Residents (CERA). Citizens residing in Spain but temporarily abroad (ERTA) remain on the domestic voter register and must register as non-residents of the foreign country at a consulate and apply in person for a postal ballot for each election.

26 Some 1.6 million voters residing in Spain will vote in general elections for the first time. See 9 October press release of to the National Statistics Institute

27 Those who turn 18 by election day are automatically included in the voter lists. Voters who moved to a different constituency after 1 August, shall vote at their previous address.

lists may obtain copies of the voter register through an online portal.[28] Apart from the dispute over the registration of certain voters abroad, ODIHR NAM interlocutors did not raise concerns about the accuracy of the voter register. Some noted, however, that the rules for determining the constituency in which voters residing abroad are registered had been contentious, as they were not applied uniformly by consulates.[29]

E. POSTAL VOTING

All voters may vote by post. Voters in the country may vote free of charge and could request a postal ballot without needing to provide a reason, between 6 October and 19 November, either in person at any post office, or online with an electronic ID or digital certificate.[30] Between 9 and 22 November, the ECO sends voting materials by registered mail, to be delivered in person upon presentation of an identity document.[31] Voters who requested a postal ballot are marked in the voter list and may not vote in person, even if they do not return their postal ballot. On election day, the post office delivers postal votes to the relevant polling stations, where they are placed in the ballot box after voting closes and before counting begins.

The ECO automatically sends voting materials to voters registered as permanently residing abroad. Their votes, returned through the consulates, are counted by PECs during the tabulation. Voters temporarily abroad must request a postal ballot for each election and return it by post. Their votes are counted at polling stations together with domestic postal votes. Some ODIHR NAM interlocutors raised concerns about the transparency and integrity of postal voting, but did not identify specific shortcomings in the procedures or the legal framework.[32]

F. CANDIDATE REGISTRATION

All eligible voters can stand for elections, except those serving a prison sentence or disqualified by a final court decision. Persons convicted of rebellion, terrorism, or offences against the public administration or state institutions (even if the final decision is still pending) are also ineligible.[33]

Political parties, coalitions and groups of voters could submit candidate lists to the PECs between 21 and 26 October. Congress lists had to include as many candidates as there are seats in the constituency, plus up to ten substitutes, while each Senate candidate is nominated with two substitutes. A candidate may only be included on one list and run in one constituency. Contestants had 48 hours to correct any irregularities notified by the PECs, which had to register candidates by 2 November.

Parties and coalitions that won seats in either chamber in the previous elections do not need to collect supporting signatures. Lists proposed by non-parliamentary parties and coalitions must collect

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28 See CEC Instruction 1/2026 on electronic access to copies of the voter register by representatives of registered candidate lists.

29 In July 2026, the CEC tasked the ECO to prepare clearer guidance for consulates on how to assign voters abroad to a constituency.

30 A voter who cannot apply in person due to illness or disability may authorise a representative through a notarised or consular power of attorney, supported by an official medical certificate; each representative may act for only one voter.

31 After two unsuccessful delivery attempts, voters must collect them at a post office. Ballots must be returned free of charge by registered mail by 25 November.

32 The National Postal Service (*Correos*) informed the ODIHR NAM that the identity of voters is checked at each stage of the process, and that voters can track their ballots online. *Correos* also informed about a rigorous system in place to ensure the safety and security of postal voting.

33 ODIHR has previously recommended reconsidering the restriction of the right to stand in case of a criminal conviction without a final court decision. Certain office holders, including senior state officials, serving judges, prosecutors, professional military personnel and police officers are ineligible while in office.

signatures of at least 0.1 per cent of voters from the constituency and lists proposed by groups of voters require the support of 1 per cent of voters registered in the constituency.[34] Voters are allowed to sign in support of only one list.[35]

The 2024 amendments introduced a so-called "zipper" list system, requiring candidate lists to alternate women and men. The law does not specify which sex must head a list. In November 2025, the CEC clarified that the parity rules are mandatory and that candidates must be identified either as a man or woman according to the sex recorded in their identity document.[36] ODIHR NAM interlocutors raised no concerns regarding the candidate registration process.

G. ELECTION CAMPAIGN

The official campaign will run from 13 to 27 November, followed by a day of silence on 28 November. Paid electoral advertising, including posters, billboards and advertisements in the press, on radio and online, is prohibited between the call of the elections and the start of the campaign. Parties may continue their ordinary activities, provided these do not circumvent this prohibition. Publication of opinion polls is prohibited during the five days before voting.

The law restricts the misuse of public resources for campaign purposes. From the call of the elections until election day, public authorities may not organise or fund any event promoting their achievements, or use images or slogans similar to those of a contestant's campaign. Official inaugurations of public works or services are also prohibited.

Campaign rules also cover online campaigning. Campaign messages sent electronically or through messaging services, and paid campaign content on social networks or the equivalent media, must be clearly identified as electoral and offer a simple, free opt-out option. Parties, coalitions and groups of voters may use personal data from websites and other publicly accessible sources for campaign purposes, but may not collect data on voters' political opinions. Voters may also request exclusion from the copies of the voter register provided to contestants for postal campaign mailings.

ODIHR NAM interlocutors expressed confidence in their ability to campaign and convey their political messages freely. The campaign is expected to focus on domestic issues, including the cost of living, housing, migration, infrastructure, trust in state institutions, and allegations of corruption and the misuse of public office. Several interlocutors expected a polarized campaign, with some parties seeking to amplify a sense of crisis and weaken public trust in state institutions and the integrity of the electoral process. Parties met by the ODIHR NAM intend to combine traditional methods of voter outreach, such as door-to-door canvassing and meeting voters in the streets, with media engagement and campaigning on social networks.

Several ODIHR NAM interlocutors noted that women in politics face online harassment, often based on gender stereotypes and the questioning of their competence. Some ODIHR NAM interlocutors considered that parties are not sufficiently transparent about the candidate selection process. Interlocutors noted broad cross-party consensus on the inclusion of persons with disabilities, and party representatives cited efforts to make their electoral programmes available in accessible formats,

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34 ODIHR previously recommended considering establishing equal conditions for the nomination of candidates by non-parliamentary parties and groups of citizens.

35 Paragraph 196 of the 2020 ODIHR and Venice Commission Guidelines on Political Party Regulation recommends that "a requirement that a citizen be allowed to sign in support of only one party should be avoided, […]".

36 See CEC Instruction 3/2025 and a dedicated website of the Ministry of Interior for more details.

particularly for blind persons, and to provide sign language interpretation at major campaign events.[37] Nevertheless, some interlocutors observed that women with disabilities are still seldom placed in electable positions.

H. CAMPAIGN FINANCE

Campaign finance is regulated mainly by the election law and the Law on the Financing of Political Parties. Contestants may fund their campaigns from their own resources, private donations and loans.[38] Contributions are capped at EUR 10,000 per natural or legal person per contestant. Contributions from public bodies, public and mixed-ownership companies and companies holding public contracts are prohibited, as are anonymous and foreign donations and contestants may not accept third-party payment of their campaign expenses.[39] The legislation does not explicitly address the use of cryptocurrency in campaign finance. The campaign spending limit is EUR 0.37 per inhabitant of the constituencies where a contestant stands, and outdoor advertising and press and radio advertising may each account for no more than 20 per cent of it.[40]

The state reimburses campaign expenditures to contestants who win seats: EUR 21,167 per seat obtained in parliament and EUR 0.81 and EUR 0.32 per vote received in the elections to the Congress of Deputies and the Senate, respectively.[41] Following the 2025 amendments, contestants whose elected members form their own parliamentary group in either chamber also receive a subsidy for the direct mailing of ballots and campaign material, calculated per registered voter in each constituency where they presented lists for both chambers.[42] Between 100 and 125 days after the election, contestants that qualify for reimbursement or have requested an advance must submit detailed and documented accounts of their electoral income and expenditure to the Court of Auditors.[43] There are no provisions for interim reporting.[44]

From the call of the elections until 100 days after election day, the CEC and PECs monitor compliance with campaign finance rules. They may request information on electoral accounts from banks, including account numbers and the identities of depositors, as well as accounting information from contestants' electoral administrators. They report the results of their monitoring to the Court of Auditors and may fine contestants for violations that are not criminal offences or refer possible

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37 In 2024, Article 49 of the Constitution was amended with broad cross-party support, replacing outdated terminology with "persons with disabilities" and strengthening constitutional guarantees for their autonomy, social inclusion and participation, while giving priority to addressing the specific needs of women with disabilities.

38 All campaign donations and expenditures must be through a dedicated bank account, and contributors must be identified.

39 In practice, donations from legal entities may be accepted under the election law, but they are identified and reported in the Court of Auditors' electoral audit reports. Foundations and other entities linked to parties are subject to the Court of Auditors oversight but may accept donations from legal entities and are not subject to the annual donor limit applicable to parties.

40 It covers expenses incurred from the day the elections are called until the results are proclaimed. For a party or coalition standing in all constituencies, this limit covering both chambers amounts to some EUR 18.2 million, based on the latest official population figures.

41 Contestants that received subsidies at the previous parliamentary elections may request an advance of up to 30 per cent of that subsidy.

42 This covers the direct mailing of ballots and campaign material (EUR 0.18 per registered voter) and does not count towards the spending limit. According to a royal decree of 7 October 2026, to receive electoral subsidies, each party must also declare that it does not include persons convicted of terrorism, rebellion or other offences specified in the election law in its leadership, parliamentary groups or candidate lists.

43 Financial institutions that granted them credit, and suppliers that invoiced them more than EUR 10,000 for expenditure, must also report to the Court.

44 Paragraph 261 of the 2020 ODIHR and Venice Commission Guidelines on Political Party Regulation states that "[i]t is good practice to require […] reports providing oversight bodies and the public with preliminary information on campaign incomes and expenses of parties and candidates several days before election day".

offences to the Public Prosecutor. Within 200 days of the elections, the Court must issue a report on the regularity of the accounts. Representatives of the Court of Auditors informed the ODIHR NAM that the Court is preparing proposals to parliament to further enhance the transparency of the campaign finance framework.

The law provides for a graduated system of sanctions for financial violations. The election commissions may impose fines for violations of the election law. Where the Court of Auditors finds irregularities, it may propose withholding or reducing reimbursement, open sanctioning proceedings, or refer possible offences to the Public Prosecutor. Exceeding the electoral expenditure limit by more than 1 per cent is punishable by a fine of two to five times the amount of the excess.[45]

I. MEDIA

The Spanish media landscape includes a range of public and private television (TV) and radio stations, print and online media outlets, which play an important role in framing political coverage. The media environment is pluralistic, but media ownership is highly concentrated, with a small number of groups dominating audiences in television, radio and the press.[46] National ownership transparency rules apply only to audiovisual media.[47]

Freedom of expression is guaranteed by the Constitution. Defamation and insult remain criminal offences.[48] Concerns persist about the chilling effect of these provisions, as well as about an increase in strategic lawsuits against public participation (SLAPPs) against journalists.[49] The deadline for transposing the EU anti-SLAPP Directive expired on 7 May 2026 while the necessary legislation is yet to be adopted.[50]

The National Commission on Markets and Competition (CNMC), which regulates audiovisual media at state level alongside regional regulatory authorities, was designated as Digital Services Coordinator under the Digital Services Act (DSA) in 2024 but has not been granted enforcement powers.[51] The CNMC is also the national regulatory authority under the European Media Freedom Act (EMFA). However, the bill adapting national legislation to both the DSA and the EMFA lapsed with the

45 In April 2024, the Constitutional Court annulled the fixed minimum fines for exceeding spending limits which were: EUR 5,000 for minor, EUR 25,000 for serious, and EUR 50,000 for very serious infringements. The Court found that these fines could result in disproportionate penalties, particularly for smaller parties with lower spending limits. The EUR 50,000 minimum remains applicable to very serious infringements such as accepting prohibited donations.

46 See the 2026 country report Monitoring Media Pluralism in the European Union: Results of the MPM2026, pp. 22-24, 31. See also European Commission 2026 Rule of Law Report, Country Chapter on Spain, p. 15.

47 The bill aligning national legislation with the European Media Freedom Act which would have extended the ownership disclosure requirements to all media, was pending in parliament but lapsed with its dissolution.

48 Defamation is punishable by up to two years' imprisonment when committed publicly, and serious insults by fines. Defamation may also be pursued in civil proceedings. In addition, the Penal Code contains specific offences protecting the Crown, state institutions, religious feelings and national symbols. In June 2026, governing parties revived a bill to repeal these offences, but it lapsed following parliament's dissolution.

49 See the 2026 country report: Results of the MPM2026. Reporters Without Borders (RSF) also points to an increase in abusive lawsuits against journalists; see RSF, Spain country page.

50 On 15 July 2026, the European Commission sent Spain and 13 other Member States letters of formal notice for failing to communicate full transposition. Draft transposing legislation, approved by the Council of Ministers in first reading in April 2026, had not been submitted to parliament before its dissolution.

51 The European Commission sent Spain a letter of formal notice of non-compliance in July 2024 and decided in May 2025 to refer the matter to the Court. The action was lodged on 17 December 2025 (Case C-841/25, *Commission v Spain*) and concerns Articles 51 and 52 of the DSA, on enforcement powers and penalties.

dissolution of parliament.[52] Within its current mandate, the CNMC informed the ODIHR NAM that, ahead of these elections, it has engaged with major online platforms, fact-checkers and researchers on electoral risks, which it considers to stem mainly from foreign interference, and has set up an incident response protocol.[53] The national legislation implementing the Regulation on the Transparency and Targeting of Political Advertising (TTPA) has not been adopted, the competent authorities and national contact point remain unclear, and oversight of online political advertising is divided between the CEC, the CNMC and the Spanish Data Protection Agency.[54]

Contestants are entitled to free campaign airtime on public broadcaster, allocated according to results in the previous elections.[55] Paid political advertising is prohibited on public media and private television.[56] Throughout the electoral period, from the publication of the call of elections until election day, public media must respect pluralism, equality, proportionality and neutrality, and private broadcasters are subject to similar but narrower obligations.[57] The CEC allocates free airtime on public media, typically delegating the assigning of regional and local slots to provincial commissions. The CEC does not systematically monitor media coverage and acts mainly on complaints. Overall, ODIHR NAM interlocutors did not raise concerns about contestants' access to the media, although some expressed reservations about the impartiality of the news coverage of the public broadcaster, the Spanish Radio and Television Corporation (RTVE).

RTVE informed the ODIHR NAM that it plans to invite all parliamentary parties for debates at the national and local levels, including in local languages. All debates are to include subtitles and sign language interpretation. On 5 November 2026, RTVE is launching *RNE Accesible*, a digital terrestrial television service developed in collaboration with disability organisations, enabling persons with hearing disabilities to follow public radio programming through subtitles and sign-language interpretation, accompanied by live images from the radio studio.

J. ELECTION DISPUTE RESOLUTION

Election disputes are resolved through different procedures depending on their subject. Political parties have standing to challenge electoral decisions, while other applicants must demonstrate a legal interest. ODIHR NAM interlocutors raised no concerns about the efficiency of the dispute resolution mechanisms.

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52 It would have granted the CNMC enforcement powers under the DSA, extended its supervisory powers to all media, made it responsible for a new public media register, and created new directorates for media and for digital services. The Bill for the Improvement of Democratic Governance in Digital Services and Media Regulation is under consideration in the Congress. A separate draft law on institutional advertising, approved by the Council of Ministers on 24 February 2026, would cap state advertising at 35 per cent of a media outlet's turnover. It would also make the CNMC responsible for monitoring the allocation of state advertising; it had not been adopted before the dissolution of the parliament.

53 The CNMC met Meta, TikTok, Google, Snapchat and LinkedIn, planned meetings with X, Reddit and Microsoft, and sent written questions to Telegram. It also planned a round table bringing together platforms, authorities and civil society.

54 Under the TTPA, data protection authorities are competent for the rules on targeting and ad-delivery techniques, while Member States must designate other competent authorities and a national contact point.

55 Only contestants fielding lists in more than 75 per cent of the constituencies covered by a broadcaster qualify. Slots range from 10 to 45 minutes depending on results in previous elections.

56 During the campaign, contestants may purchase such ads in the periodical press and on private radio, subject to spending, tariff and non-discrimination requirements, and online, including on social networks. In all cases, ads must be clearly identified as electoral promotion materials.

57 Private radio must respect pluralism and equality. Private television must also respect proportionality and neutrality, but only in electoral debates, interviews and campaign coverage.

Decisions on candidate registration can be appealed to an administrative court and then the Constitutional Court with two or three days respectively for review. Appeals concerning lists suspected of continuing the activity of a banned, dissolved or suspended party are heard by a special chamber of the Supreme Court. Complaints about voter list entries are filed with the provincial offices of the Electoral Census Office, whose decisions may be appealed to an administrative court within five days. Complaints about campaign and media issues are filed with the commission responsible for the area concerned. Decisions of lower-level commissions may be appealed to the next higher commission, and CEC decisions to the Supreme Court.

During the tabulation of results by the PECs, which begins on 4 December, contestants' representatives may lodge complaints with the PEC and PEC decisions may be appealed to the CEC. Only candidates, candidate list representatives and contesting parties or groups that stood in the constituency may challenge election results before the Supreme Court, and have three days to do so.[58] The Supreme Court must deliver its judgment no later than 37 days after election day, which can be challenged before the Constitutional Court within three days, and the Court must decide within 15 days.

In the pending case concerning the suspension of the voting rights of certain voters residing abroad, the Supreme Court informed the ODIHR NAM that ten groups of affected persons have joined the proceedings and that it has adopted a special schedule to ensure a timely decision on the merits. According to the Court, the interim measures reflect a balance between the general interest in the integrity of the electoral process and the rights of individual voters, who retain access to legal remedies.[59]

IV. CONCLUSIONS AND RECOMMENDATION

All ODIHR NAM interlocutors expressed a high level of confidence in the electoral process and in the ability of the election administration to manage the elections in a professional, impartial, and transparent manner. Some interlocutors identified areas that could benefit from external review, particularly online campaigning, including intolerant rhetoric and online harassment of candidates, although they did not expect these issues to significantly affect the conduct of the elections. While welcoming a potential election observation activity, most ODIHR NAM interlocutors expressed the view that such an activity for these elections would not be necessary. On this basis, the ODIHR NAM does not recommend the deployment of an election observation activity for the 29 November early parliamentary elections. ODIHR encourages the authorities to consider the issues raised by interlocutors during the NAM and to address previous ODIHR recommendations that remain outstanding, and reaffirms its readiness to support the authorities in future electoral reform processes.

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58 Section 3.3.f of the Council of Europe's Venice Commission 2002 Code of Good Practice in Electoral Matters recommends: "all candidates and all voters registered in the constituency concerned must be entitled to appeal. A reasonable quorum may be imposed for appeals by voters on the results of elections".

59 The Court found that the temporary restriction of individual rights was outweighed by "the general interest that underlies the need to preserve the correctness, clarity and transparency of the entire electoral process and, specifically, of the […] census" (unofficial translation). According to the authorities, affected voters who can demonstrate their ancestor's exile may seek individually to have their right to vote restored.

ANNEXE: LIST OF MEETINGS

Ministry of Foreign Affairs, European Union and Co-operation
Eduardo Merino de Mena, Director, Human Rights Department
Estibaliz López de Goicoechea Rodríguez, Deputy Director-General for Consular Protection and AssistanceJosé Ignacio Mongé, Adviser, OSCE

Ministry of Interior
Mireya Corredor Lanas, Deputy Director-General, Internal Policy and Electoral Processes
Marisa López García, Assistant Deputy Director-General, Internal Policy and Electoral Processes
Ana Iborra Vega, Senior Adviser, the Directorate-General for Internal Policy

Government's Attorney Office
María Astray, Chief State Solicitor.
Sara de Bustos Novales, Deputy State Solicitor

Supreme Court
Luis María Díez-Picazo Giménez, Judge, Third Chamber of the Supreme Court

Women's Institute (Ministry of Equality)
María Vázquez Sellán, Deputy Director for Studies, Cooperation and Statistics.
Cristina Yunta Bernal, Technical Adviser, Support Unit

Central Election Commission
Eduardo Calvo Rojas, President
Carlos Gutiérrez Vicén, Director, Technical Secretariat
Andrea García de Enterría Ramos, Head, Legal and Electoral Advisory Unit

Electoral Census Office
Lourdes Abella, Deputy Director-General, Electoral Register Office
María del Mar Blanco Frías, Head of Area
María de la Cruz Gómez Izquierdo, Assistant Deputy Director-General

National Postal Service
Nuria Lera Hervás, Director of Philately and Institutional Relations.
Olga García, Director of Operations
Carmen Fernández Miranda, Lawyer, Legal Services Directorate

Court of Audit
Rocío Hevilla Vargas, Deputy Director of the Political Parties Department
Pilar Moreno Cabrera, Deputy Director of the Political Parties Department
Soledad Fuentes Escribano, Director of Relations with the European Union and Liaison Officer
Elena Hernáez Salguero, Counsellor, Department for Political Parties

National Commission for Markets and Competition
Carmen Alonso, Assistant Deputy Director
Candela Fernández Pascual, Legal Assistant

Political Parties (alphabetical order)
Pablo Hispán Iglesias de Ussel, MP, People's Party
Juan Pedro Yllanes, member, SUMAR party

Isabel Rosa Torralvo, member, SUMAR party
Ignacio Hoces, MP, VOX party
Jorge Torres, representative, VOX party

Media

Roberto Lakidain, Director, Corporate Development and Services, RTVE
Teresa Muñoz Guerra, Director, International and Institutional Relations, RTVE
David Corral Hernández, Head, International Relations and Cooperation, RTVE

Civil Society

Gregorio Saravia Méndez, Delegate for Human Rights and the UN CRPD, Spanish Committee of Representatives of Persons with Disabilities
Sara de Torres Riveiro, Delegate for Human Rights and Political Affairs, CERMI Women Foundation.

International Community

Representatives of diplomatic missions of OSCE participating States[60]

[60] The ODIHR NAM extended an invitation to representations of all OSCE participating States resident in Spain