

FREEDOM OF THE PRESS

Spain

Spain | [Freedom of the Press 2012](#) |

Freedom of expression is guaranteed in Section 20 of the constitution, and press freedom is generally respected in practice. The media face threats including defamation suits and economic difficulties, but Spain generally provides a free and robust media environment. The country launched a first-of-its-kind "Right To Be Forgotten" campaign against the search-engine giant Google in 2011. The effort began as a libel suit in January, when Spain's Data Protection Agency (AEPD) ordered Google to remove articles on about 90 Spanish citizens who wanted old defamatory material about themselves to be deleted. Spain was considering referring the case to the European Court of Justice at year's end. In March 2011, the government was forced to pay €23,000 (\$32,000) to Basque separatist leader Arnaldo Otegi for wrongly sentencing him to prison for insinuating that the king had tortured members of the newspaper *Egunkaria* in 2003. However, in a separate case in September, Otegi was sentenced to 10 years in prison for trying to rebuild the banned Batasuna party, which is linked to the terrorist group Basque Homeland and Freedom (ETA). In September, a Spanish court rejected a defamation suit against deceased *Leer* magazine writer Pablo Lizcano by Juan Cotarelo García, who had tried to invoke a 1966 press law that would have allowed him to seek monetary compensation from Lizcano's widow.

Spain does not have any freedom of information legislation. The country's two main political parties drafted separate access to information laws in 2011, promising to adopt them if elected in November, but no law had been passed by year's end. The European Federation of Journalists and its local Spanish affiliates complained of restrictions imposed on the media by political parties in the run-up to the November elections, citing an inability to ask questions during press conferences or film the parties' election meetings.

A disturbing trend of violence and threats against journalists emerged in 2011. In January, journalist Fernando Santiago was physically assaulted in Cadiz by an employee of the struggling company Delphi who had previously threatened him over his reporting on the firm's public funding. In March, journalist Gorka Zamarreño reported a series of death threats that had been escalating since 2010, when he began covering the so-called Malaya affair in Marbella. The case involved a vast network of corruption in real estate, in which several politicians and businessmen were implicated. Separately, a number of journalists were beaten, arrested, and threatened by police in August during several days of protests in Madrid. On August 4, journalist Gorka Ramos was covering anticorruption protests in front of the Interior Ministry when he was beaten, arrested, and charged with disobeying authorities. At least five other journalists were beaten and arrested while covering protests against the visit of Pope Benedict XVI to Madrid that month, despite their display of press credentials.

Spain has a free and diverse press, including both public and private print and broadcast media outlets. Radio Televisión Española runs public radio and television broadcasts, and several regional and local stations operate throughout Spain. The government relaxed media ownership rules in 2009,

2012 SCORES

PRESS STATUS

Free

PRESS FREEDOM SCORE

24

LEGAL ENVIRONMENT

4

POLITICAL ENVIRONMENT

14

ECONOMIC ENVIRONMENT

6

allowing a single entity to own a stake in more than one major broadcaster. However, safeguards include a mandate for at least three distinct broadcasting companies in the country, and a ban on mergers between the two leading companies. A number of newspapers have reduced staff and content as a result of the lagging economy. Many papers receive large government subsidies, which encourages self-censorship.

There are no government restrictions on the internet in Spain, and 67 percent of the population had access to the medium in 2011. Authorities monitor websites that publish hate speech and advocate anti-Semitism.

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