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FREEDOM OF THE PRESS

Spain

[Spain](#) | [Freedom of the Press 2013](#) |

Press freedom in Spain suffered in 2012 due to the effects of the European economic crisis. Media outlets were forced to close or cut staff as the advertising market contracted, leading to a decline in media diversity. Also during the year, journalists who challenged the austerity policies of the ruling Popular Party were removed from their positions at the state-owned broadcaster.

Freedom of expression is guaranteed in Section 20 of the constitution, and press freedom is generally respected in practice, though the media face legal threats including defamation suits. 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 the Spanish Data Protection Agency ordered Google to remove articles on roughly 90 citizens who wanted old personal information to be deleted. In March 2012, Spain referred the case to the European Court of Justice to clarify whether European or U.S. data protection standards apply, and whether Google could be instructed to remove content from its search engine, even if it was not the creator of that content. The case remained pending at year's end.

In October 2012, two journalists were found guilty of defamation and ordered to pay €10,000 (\$12,800) in damages for accusing a health official of theft in a video that was posted on YouTube. The video discussed corruption in the region's health care industry. The authorities monitor websites that publish hate speech and advocate anti-Semitism. In addition, the government in March 2012 began enforcing the so-called Sinde Law, a new measure that allows for the blocking of websites containing copyrighted content that has been used without permission. According to reports from the Ministry of Culture, the law resulted in more than 300 complaints, including 79 website takedown requests, in its first month.

Spain does not have freedom of information legislation. However, broad concerns over corruption and mismanagement of the country's finances have led to a popular push for greater government transparency. In March 2012, the cabinet presented the parliament with a draft Transparency, Access to Information, and Governance Law, which would provide information about the salaries of civil servants and government contracts and create a process for requesting additional data. However, the bill was heavily criticized by civil society and the Organization for Security and Cooperation in Europe's representative on freedom of the media for not meeting international standards. It had not been passed by year's end.

In April 2012, Pilar Velasco, a journalist with the Madrid-based radio station SER, was charged with violating privacy because she refused to reveal the source of a video that she had posted on YouTube three years earlier. The footage, which showed a Madrid official on a trip to Colombia, was allegedly recorded with hidden cameras as part of a spying effort by rival Spanish politicians. In October, Access Info Europe, an organization that campaigns for government transparency, was fined €3,000 (\$3,850) for requesting information from the Spanish government about anticorruption measures. The fine was reportedly levied because the request was a demand for "explanations" and not just data.

Since 2006, the head of state-run Radio y Televisión Española (RTVE) has been elected by a two-thirds majority vote in the parliament. This process was originally developed to ensure the institution's independence, but it often resulted in political standoffs. The government of Prime Minister Mariano Rajoy and the ruling Popular Party reformed the process in May 2012 and introduced an absolute majority vote. They also reduced the number of management board members, allocated seats on the board according to each party's parliamentary representation, and appointed Leopoldo González-Echenique as RTVE president. According to critics, these developments resulted in growing government influence at the outlet. In July and August 2012, RTVE removed several journalists who had questioned the Rajoy government's austerity program.

Unlike in 2011, when several media workers were assaulted while covering protests, there were no reports of attacks against journalists in 2012. However, journalists continued to complain that political leaders were limiting or banning questions during press conferences, and organized a social-media campaign against the practice.

2013 SCORES

PRESS STATUS

Free

PRESS FREEDOM SCORE

27

LEGAL ENVIRONMENT

5

POLITICAL ENVIRONMENT

14

ECONOMIC ENVIRONMENT

8

Spain has a free and diverse media sector, including both public and private print and broadcast outlets. The country's more than 100 newspapers cover a wide range of perspectives, although their ownership is concentrated in the hands of a few large companies. RTVE runs public radio and television channels, and regional and local stations operate throughout the country. The government relaxed media ownership rules in 2009, allowing a single entity to own a stake in more than one major broadcaster. However, safeguards include a mandate for the market to include at least three distinct broadcasting companies, and a ban on mergers between the two leading companies.

The economic crisis, coupled with a series of government austerity measures, has severely affected the media industry. Since 2008, 57 outlets have closed, around one-sixth of the country's journalists have lost their jobs, and those who remain receive only about half of their precrisis salary. *Público*, a left-leaning daily aimed at younger readers, stopped printing and became an online-only publication in February 2012. This left the market with only one left-wing national newspaper, *El País*, compared with four right-wing dailies. Newspaper advertising plummeted by 50 percent between 2007 and 2011, and total advertising spending also dropped, registering a 12 percent fall in 2012. In June 2012, the government lifted a ban on advertising sexual services in print due to the downturn in the economy. The explicit advertisements bring in over €40 million (\$51 million) annually for the newspaper industry. Many papers receive large government subsidies, which can encourage self-censorship.

Approximately 72 percent of the population had access to the internet in 2012. In the wake of the decline of traditional media, Spain has experienced a rapid increase in the use of digital media, which has benefited social minorities and supported political pluralism and digital activism.

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