

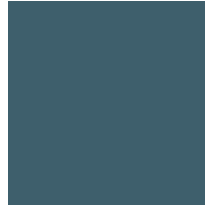


European
University
Institute



CMPF
Centre for Media Pluralism and Media Freedom

ROBERT
SCHUMAN
CENTRE FOR
ADVANCED
STUDIES



Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2017 in the European Union, FYROM, Serbia & Turkey

Country Report: Spain

Authors: Pere Masip, Carlos Ruiz, Jaume Suau

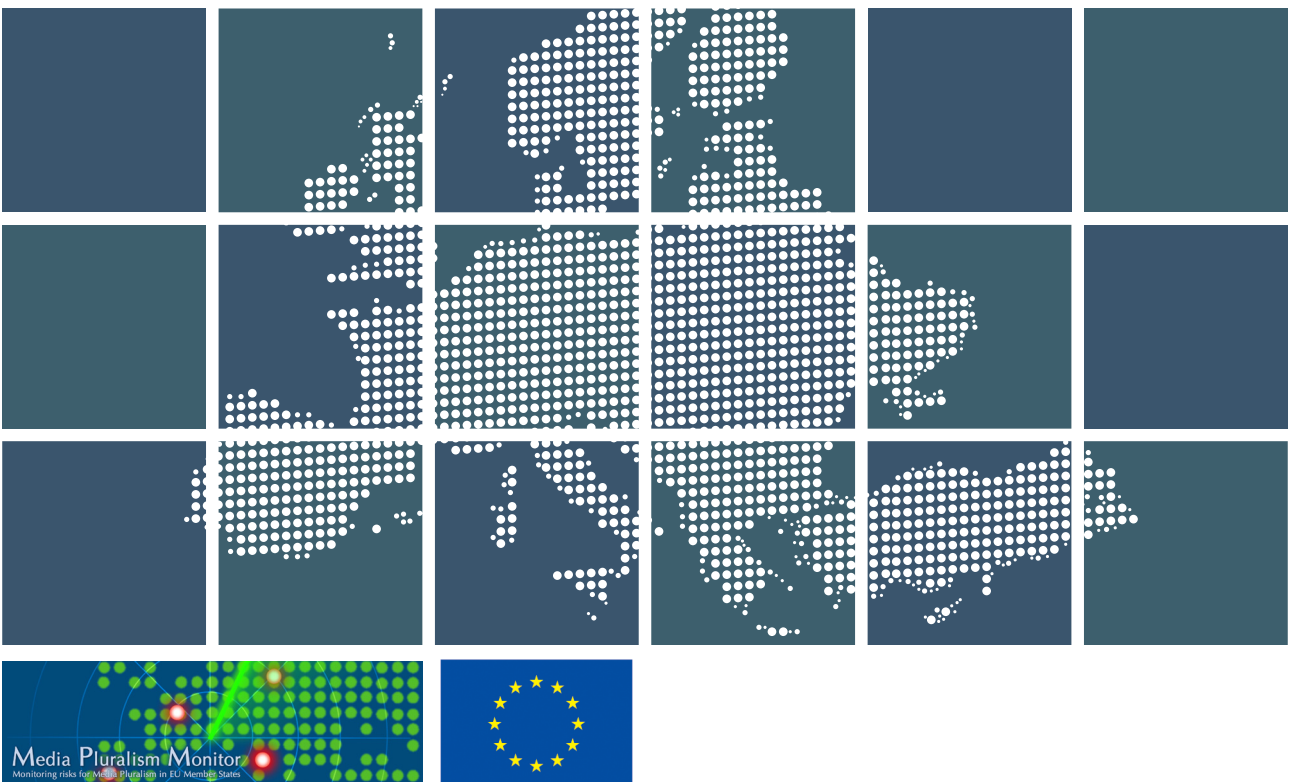




TABLE OF CONTENT

1.	About the Project	1
2.	Introduction	3
3.	Results from the data collection: assessment of the risks to media pluralism	4
3.1.	Basic Protection (43% - medium risk)	6
3.2.	Market Plurality (46% - medium risk)	7
3.3.	Political Independence (49% - medium risk)	8
3.4.	Social Inclusiveness (52% - medium risk)	10
4.	Conclusions	12
	Annexe 1. Country Team	13
	Annexe 2. Group of Experts	13
	References	14

1. ABOUT THE PROJECT

1.1 OVERVIEW OF THE PROJECT

The Media Pluralism Monitor (MPM) is a research tool that was designed to identify potential risks to media pluralism in the Member States of the European Union. This narrative report has been produced within the framework of the second EU-wide implementation of the MPM, carried out in 2017. The implementation was conducted in 28 EU Member States, Serbia, Former Yugoslav Republic of Macedonia (FYRoM) and Turkey with the support of a grant awarded by the European Union to the Centre for Media Pluralism and Media Freedom (CMPF) at the European University Institute.

1.2 METHODOLOGICAL NOTE

The CMPF cooperated with experienced, independent national researchers to carry out the data collection and to author the narrative reports, except in the cases of Malta and Italy where data collection was carried out centrally by the CMPF team. The research is based on a standardised questionnaire and apposite guidelines that were developed by the CMPF. The data collection was carried out between June and December 2017.

In Spain, the CMPF partnered with professors from the School of Communication and International Relations Blanquerna at Ramon Llull University, who conducted the data collection and annotated the variables in the questionnaire and interviewed relevant experts. The scores assessing the risks for media pluralism were provided by the CMPF and calculated according to the algorithm developed by the Centre itself. The national report was reviewed by CMPF staff. Moreover, to ensure accurate and reliable findings, a group of national experts in each country reviewed the answers to particularly evaluative questions (see Annexe II for the list of experts).

Risks to media pluralism are examined in four main thematic areas, which are considered to capture the main areas of risk for media pluralism and media freedom: Basic Protection, Market Plurality, Political Independence and Social Inclusiveness. The results are based on the assessment of a number of indicators for each thematic area (see Figure 1 below).

Basic Protection	Market Plurality	Political Independence	Social Inclusiveness
Protection of freedom of expression	Transparency of media ownership	Political control over media outlets	Access to media for minorities
Protection of right to information	Media ownership concentration (horizontal)	Editorial autonomy	Access to media for local/regional communities and for community media
Journalistic profession, standards and protection	Cross-media concentration of ownership and competition enforcement	Media and democratic electoral process	Access to media for people with disabilities
Independence and effectiveness of the media authority	Commercial & owner influence over editorial content	State regulation of resources and support to media sector	Access to media for women
Universal reach of traditional media and access to the Internet	Media viability	Independence of PSM governance and funding	Media literacy

The results for each domain and indicator are presented on a scale from 0 to 100%. Scores between 0 and 33% are considered low risk, 34 to 66% are medium risk, while those between 67 and 100% are high risk. On the level of indicators, scores of 0 were rated 3% and scores of 100 were rated 97% by default, to avoid an assessment of total absence or certainty of risk. For more information on MPM methodology, see the CMPF report “Monitoring Media Pluralism in Europe: Application of the Media Pluralism Monitor 2016 in EU-28, Montenegro and Turkey”, <http://cadmus.eui.eu/handle/1814/46786>



Disclaimer: The content of the report does not necessarily reflect the views of the CMPF or the EC, but represents the views of the national country team that carried out the data collection and authored the report. Due to updates and refinements in the questionnaire, the MPM2017 scores may not be fully comparable with MPM2016 ones. For more details, see the CMPF report on MPM2017, soon available on <http://cmpf.eui.eu/media-pluralism-monitor/>



2. INTRODUCTION

Spain has a population of 46.5 million spread over an area of 504,030 km². The country has 9.6 million immigrants, of which the three main groups are Romanian (15.2%), Moroccan (15%) and British (6.5%).¹ The most significant ethnic minority - in terms of population - is the Roma, who represent 1.5% of the population. Roma generally hold Spanish nationality and they are not officially recognised as being a specific minority.

The country is divided administratively into 17 autonomous communities and two cities with statutes of autonomy (Ceuta and Melilla). Spain has only one nationwide official language, i.e. Spanish (or Castilian). In addition there are six autonomous regions with their own co-official languages: Catalan in Catalonia, the Balearic Islands and the Valencian Community (also called Valencian), Basque in the Basque Country and Navarra; and Galician in Galicia.

The Spanish economy is the fifth-largest in the European Union based on GDP (Eurostat, 2017). Since the financial crisis of 2008, Spain has been plunged into a major recession which has had a significant social impact. The economic situation started to improve from 2014-2015 and growth has been faster than the Eurozone average. The Spanish economy is projected to grow by 2.4% in 2018. Spain's unemployment rate dropped sharply from 26.1% in 2013 to 17.22% in 2017. However, at the same time, many of the new jobs created are perceived as low-quality - temporary employment, part-time employment and low salaries.

Since the restoration of democracy after the Franco dictatorship, the political system in Spain has been a multi-party system. However just two parties have been predominant: the Spanish Socialist Workers' Party (PSOE) and the People's Party (PP). Nationalist parties, mainly Convergence and Union (CiU) in Catalonia and the Basque Nationalist Party (EAJ-PNV) in the Basque Country, have played a significant role both at the regional level and in national politics. In the last few years, new parties have emerged, benefitting from the lack of trust in the two main parties. The most important ones are Podemos, which followed on from the Indignados Movement, and Ciudadanos, a centre-liberal party. In the last election of 26 June 2016, Unidos-Podemos and Ciudadanos were the third and fourth-placed parties with 71 and 32 seats respectively (of the total 350 seats).

The political situation in Spain is currently highly unstable. There is a concern about corruption and the ruling Popular Party is involved in several massive corruption cases. There is also uncertainty about when the General State Budget for 2018 will be presented and approved. However, the main challenge that Spain is facing is the current political situation in Catalonia.

The media system in Spain follows the Polarized Pluralist or Mediterranean model, as described by Hallin and Mancini.² Although there is a large number of news media they are normally easily identified with political positions or parties. The media market is characterised by an overall dominance of television, which attracts about 40% of the total advertising expenditure in the country. Television also remains the most popular medium (85.2%), followed by the Internet (75.7%), radio (59.3%), and newspapers (24.3%).³ With regard to television, the majority of viewers access the main TV channels by DTT (Digital Terrestrial Television) (60%), followed by IPTV (22%), satellite (10%) and cable (8%).⁴ Spain has a dual media system dominated by public broadcasters, both at the national and regional levels, and by two main private television groups (Atresmedia and Mediaset). The level of press circulation has fallen during the last 15 years from 4.2 million to 2.3 million copies per day. The average daily newspaper circulation in Spain is 22,170 copies, one of the lowest figures in the EU.⁵

1 Instituto Nacional de Estadística (2016). Cifras de población. Madrid: INE. Available at: http://www.ine.es/dyngs/INEbase/es/categoria.htm?c=Estadistica_P&cid=1254735572981

2 Hallin, D. and Mancini, P. (2004). Comparing media systems. Cambridge: Cambridge University

3 AIMC (2017) Estudio General de Medios: Resumen general: Febrero-Diciembre 2017. Available at: <https://www.aimc.es/a1mc-c0nt3nt/uploads/2017/05/resumegm317.pdf>

4 SES (2017) 'El desarrollo del mercado de la TV en 2016'. Available at <http://www.audiovisual451.com/wp-content/uploads/El-desarrollo-del-mercado-de-la-TV-en-2016-1.pdf>

5 AEDE (2016) Libro Blanco de la Prensa 2015. Madrid: Asociación de Editores de Diarios Españoles



3. RESULTS FROM THE DATA COLLECTION: ASSESSMENT OF THE RISKS TO MEDIA PLURALISM

Implementation of the MPM2017 in Spain indicates an overall medium risk to media pluralism. Since the restoration of democracy in 1978, Spain has adopted progressive legislation and developed a comprehensive legal framework for ensuring media pluralism. However, implementation is often weak and ineffective.

None of the four areas reaches high risk levels. Political Independence, Market Plurality, Social Inclusiveness and Basic Protection all show as medium risk. Social Inclusiveness is the area which is most at risk (52%). Overall, three indicators are at low risk, 15 are at medium risk, and only two are at high risk.

On average the indicators for Basic Protection show a medium risk (43%). Four out of five indicators scored a medium risk; the only one that did not reach the medium threshold was Journalistic profession, standards and protection. The assessment of “Protection of right of information” as well as “Universal reach of traditional media and access to the internet” (56%) puts Spain at the higher end of the medium risk range.

The indicators for market plurality show some important risk levels, especially regarding the “Cross-media concentration of ownership and competition enforcement” (75%). Although media law provides ownership restrictions in the media sector, specific cross-media concentration limits have not been established. Medium risk has also been found with the ‘Media ownership concentration (horizontal)’ (54%) and ‘Commercial & owner influence over media content’ (50%).

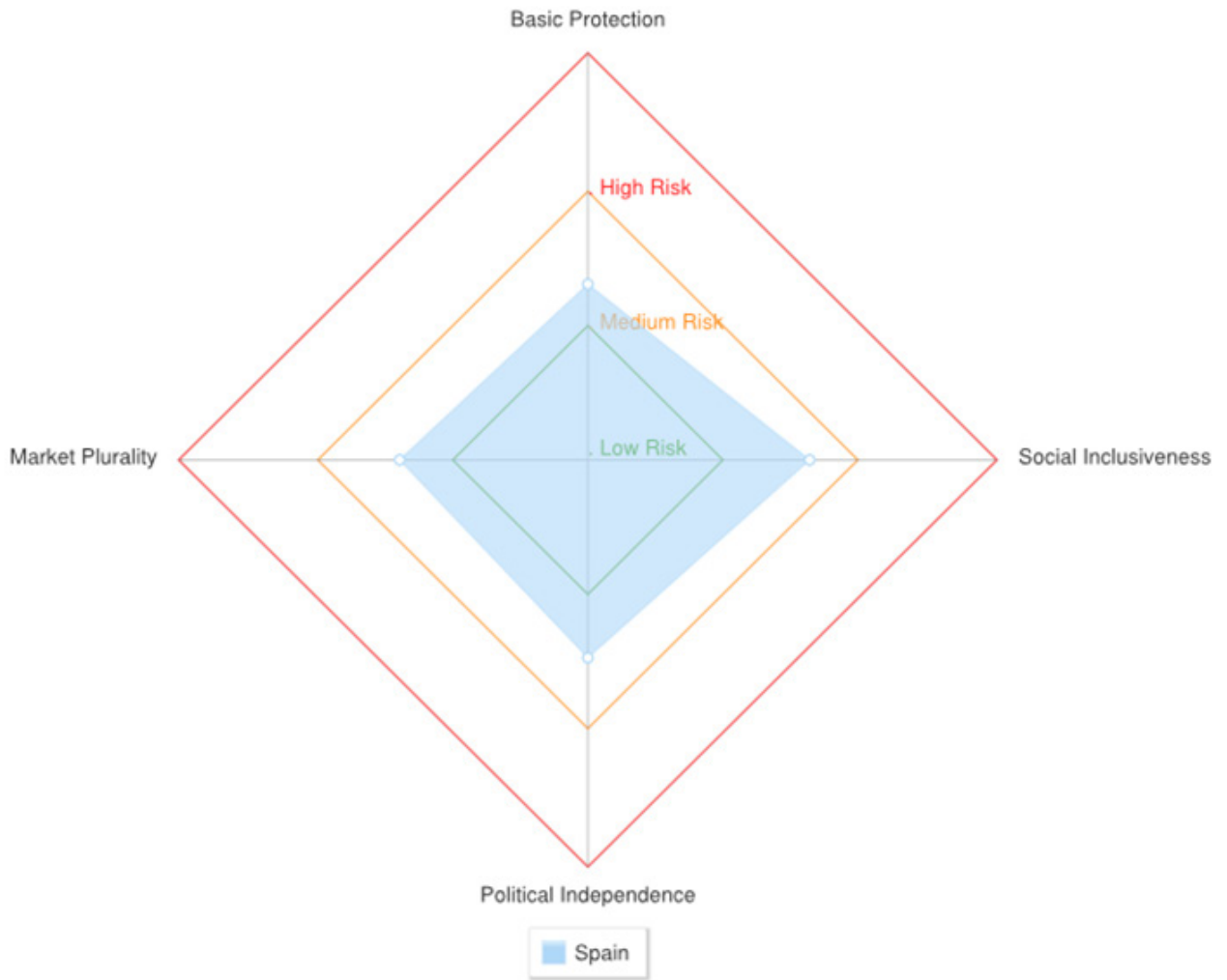
With regard to the Political Independence area, all indicators score as medium risk. ‘Editorial autonomy’ (63%), ‘Political independence of media’ (50%), and ‘Independence of PSM governance and funding’ (50%) show significant warning signs. Although political influence on the public broadcasting system has been long-standing in Spain, reports about pro-governmental manipulation and influences on PSM governing bodies have multiplied in the latest years.⁶

The Social inclusiveness area scores as medium risk on average (52%). ‘Access to media for minorities’ scores as high risk (69%), since Spain does not recognize the concept of a minority. ‘Access to media for women’ (64%) is placed at the higher end of the medium risk range. The indicators on “Access to media for local/regional communities” and on ‘Media literacy’ also scored a medium risk (44% and 55% respectively), being the only indicator with low risk (although in the highest end) the indicator on ‘Access to media for people with disabilities’ (33%).

6 International Press Institute (2015). The State of Press Freedom in Spain: 2015. International Press Institute . Available at:https://www.access-info.org/wp-content/uploads/IPISpainReport_ENG.pdf

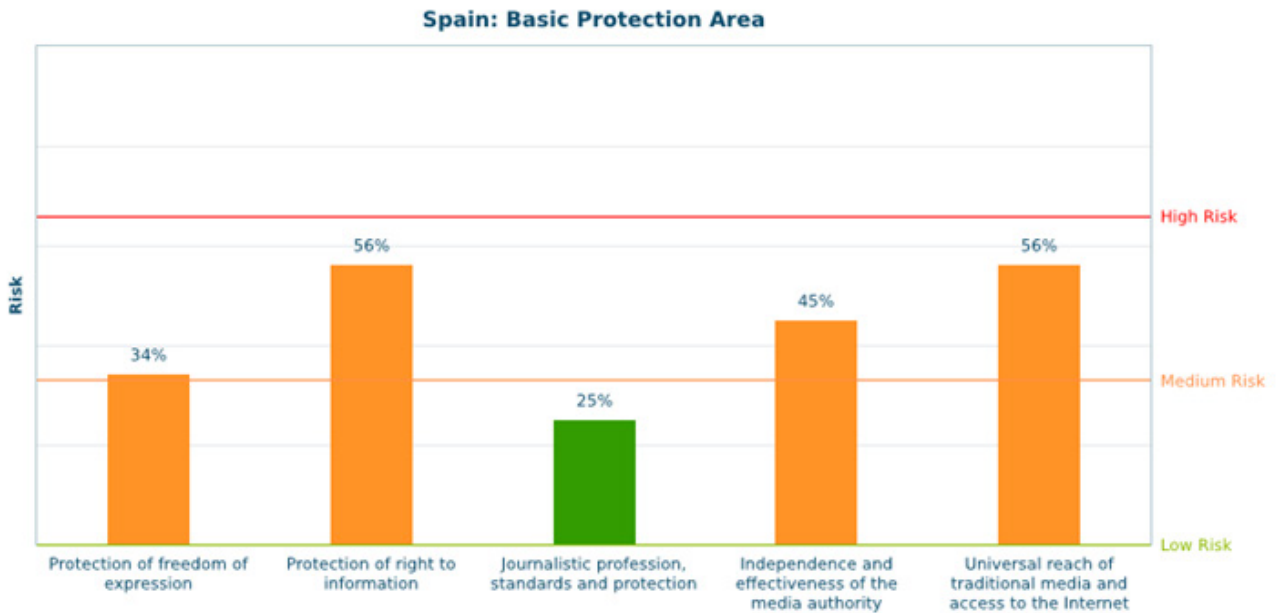


Spain: Media Pluralism Risk Areas



3.1 BASIC PROTECTION (43% - MEDIUM RISK)

The Basic Protection indicators represent the regulatory backbone of the media sector in every contemporary democracy. They measure a number of potential areas of risk, including the existence and effectiveness of the implementation of regulatory safeguards for freedom of expression and the right to information; the status of journalists in each country, including their protection and ability to work; the independence and effectiveness of the national regulatory bodies that have competence to regulate the media sector; and the reach of traditional media and access to the Internet.



The five indicators in this area show risk levels from 25% to 56%, with four of them at medium risk. Two of the indicators - ‘Protection of right to information’ and ‘Universal reach of traditional media and access to the internet’ - show particularly high levels of risk in the medium range: 56%.

With regard to the indicator of ‘Protection of right to information (56%)’, this right is explicitly recognised in the Spanish Constitution but two main factors explain the high score: firstly, the maintenance of legal reforms that limit freedom of expression and right of information. Secondly, the struggle between the Spanish state and the Catalan pro-independence movement that resulted in political, judicial and police actions that have limited even further these basic rights. Similarly, “Protection of freedom of expression” also scores medium risk (34%), although in the lowest end.

The Spanish Constitution of 1978 recognises, among the rights and freedoms of public communication, the right of freedom of expression as well as the right to information. However, in 2015 some legal reforms generated significant controversy regarding their impact on the exercise of these rights. Particularly, the reform of the Spanish Penal Code (Organic Law 1/2015) as well as the Organic Law 4/2015 on the protection of public safety, have a negative effect on the effective exercise of these rights. Organic Law 4/2015 introduces an extensive catalogue of measures and administrative sanctions that threaten the exercise of freedom of expression and particularly the right to information. The Spanish Ombudsman and advocacy groups such as The Platform in Defence of the Freedom of Information have reported several cases of disciplinary proceedings initiated against journalists carrying out reporting activities, in the application of this law.

Furthermore, some judicial decisions have been perceived as threats against the freedom of expression. This is the case with César Strawberry who was sentenced to one year imprisonment for the glorification of terrorism in some tweets.

Within the context of the pro-independence movement in Catalonia, several organisations such as The Platform in Defence of the Freedom of Information have also reported that the police have entered media newsrooms, identified journalists or prohibited political events, as well as closing down more than 140 websites, including those of civil organisations and the pro-independence parties. There have been reports that major telecom operators have been asked to monitor and block traffic to political websites and, following a court order, the police have raided the offices of the .CAT registry in Barcelona, checking computers and arresting the staff. According to some media some of these



actions have been carried out without a court order.

The indicator “Universal reach of traditional media and access to the Internet” ranks at medium risk (56%). Coverage of PSM (Public Service Media) and broadband is almost universal. However, with regards to Internet Service Providers, the market shows high levels of concentration that have increased in recent years.

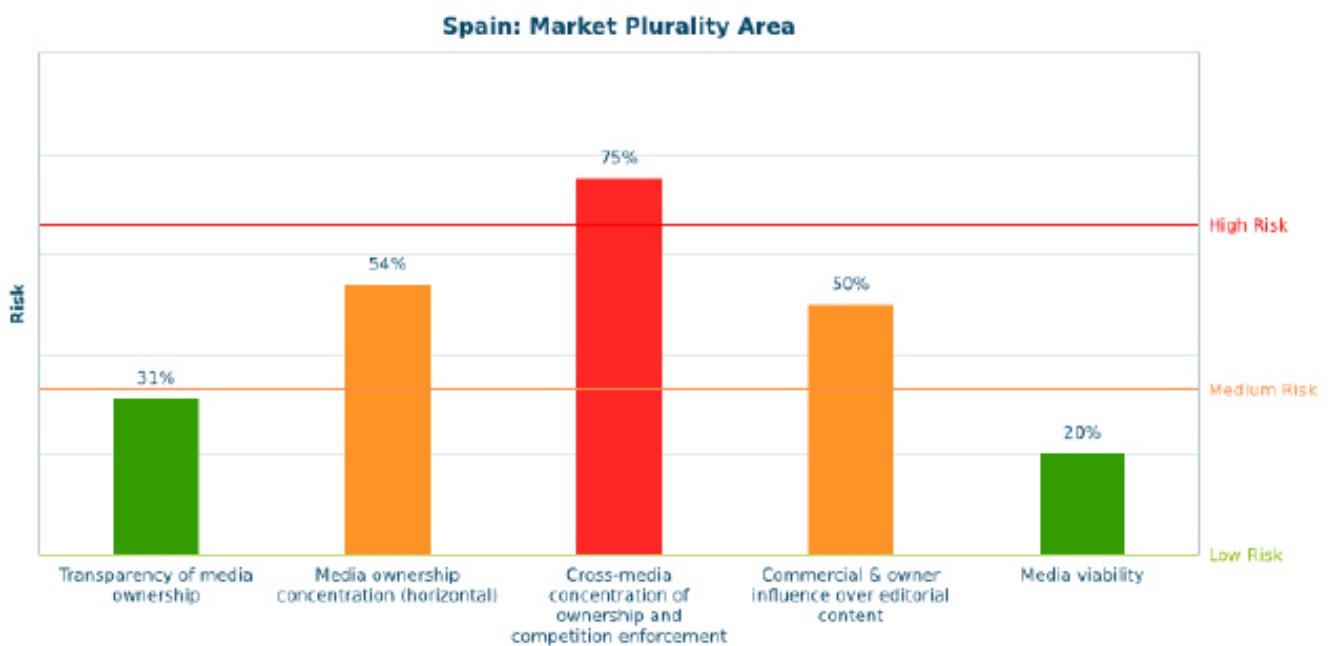
The risks to the independence and effectiveness of the media authority scores a medium risk (45%). The National Markets and Competition Commission (CNMC) is the regulatory body for the sectors subject to regulation, such as the audio-visual sector. There is no specific authority involved in regulating the press or any other media sector. Similar to the CNMC, in Catalonia there is also the Catalan Audiovisual Council (CAC).

In accordance with the law, the regulatory authority is autonomous and fully independent of the Government, public authorities and all business and commercial interests. However, the law that establishes the regulatory and competition system was perceived as an attempt by the government to move some regulation back to Ministries to the detriment of the independent bodies. There have even been formal calls from the EC to the Spanish Government to preserve the independence of the regulatory authority. CNMC has claimed the need for political and financial independence. At the regional level, audiovisual regulators have also shown vulnerability vis-a-vis political influence, as experts assert.

The indicator on “Journalistic profession, standards and protection” scores a low risk (26%). The profession of journalism in Spain is open to all without exception. Professional associations have traditionally played an important role in reporting cases of attacks or threats to the physical safety of journalists. However they have had very limited success in guaranteeing editorial independence. The conditions of journalists in Spain have worsened because of the financial crisis as well as the crisis in the media sector.

3.2 MARKET PLURALITY (46% MEDIUM RISK)

The Market Plurality indicators examine the existence and effectiveness of the implementation of transparency and disclosure provisions with regard to media ownership. In addition, they assess the existence and effectiveness of regulatory safeguards to prevent horizontal and cross-media concentration of ownership and the role of competition enforcement and State aid control in protecting media pluralism. Moreover, they seek to evaluate the viability of the media market under examination as well as whether and if so, to what extent commercial forces, including media owners and advertisers, influence editorial decision-making.



This area shows a medium risk for media pluralism according to the data collected. Two of the indicators have been identified as low risk. These are ‘Transparency of media ownership’ (31%) and ‘Media viability’ (20%). Audio-visual media information on the ownership structure is available in the official registry managed by the ‘Ministerio de Energía, Turismo y Agenda Digital’. However, there is no public record of print media ownership.



As regards media viability (20%), the various media show different trends: while TV (+9%) and radio (+5%) markets seem to be slightly increasing their revenues, in the newspaper sector there has been a reduction of 2% in recent years. The mainstream or traditional news media are not generally identifying new sources of revenue as a means of diversification.

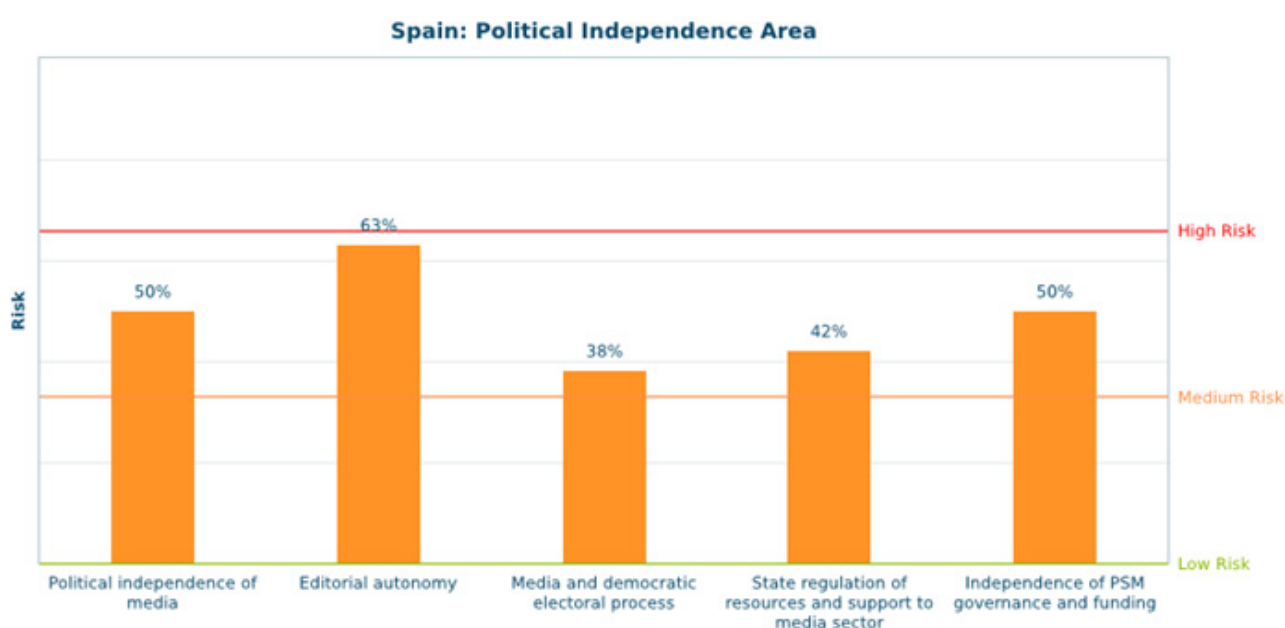
The indicator ‘Commercial and owner influence over editorial content’ shows a medium risk (50%). Although it exists, the right to apply the conscience clause has scarcely been invoked by Spanish journalists. Furthermore, there are no regulatory prescriptions that guarantee the independence of editors-in-chief from commercial interests and there are no regulations on the status of journalists in the country. In a recent report of the Press Association of Madrid only 20% of journalists interviewed stated that they had never been pressured to alter significant parts of their work.⁷

Indicators on media concentration show levels of medium and high risk. ‘Media ownership concentration (horizontal)’ scores medium risk (54%). Media ownership in the audio-visual market is regulated by the Media Act and by the National Competition and Market Commission Act. Although Spanish legislation monitors ownership restrictions in the audio-visual and radio sectors, based on audience share and the number of licences respectively, the concentration is high in both sectors. Advertising revenue is highly concentrated in the two major groups –Mediaset España and Atresmedia–, which jointly account, in almost equal shares, for 89% of total advertising revenue in the free-to-air TV market. Audience concentration for the two media groups represents 57.8%. As regards the radio sector, the Top4 owners hold a 97.6% market share and have 88.6% of the audience. There is no specific law to prevent ownership concentration in the press market.

The indicator on ‘Cross media concentration of ownership and competition enforcement’ scores high risk (75%). Current media legislation does not limit cross-media concentration of ownership. Merger control is based only on the normal free competition criteria (exceeding certain thresholds in terms of market share or turnover). Media pluralism is not taken into account in making decisions on cross media ownership concentration. In spite of the lack of specific legislation, nowadays cross-media ownership is not relevant neither in terms of market share nor audience concentration.

3.3 POLITICAL INDEPENDENCE (49% MEDIUM RISK)

The Political Independence indicators assess the existence and effectiveness of regulatory safeguards against political bias and political control over the media outlets, news agencies and distribution networks. They are also concerned with the existence and effectiveness of self-regulation in ensuring editorial independence. Moreover, they seek to evaluate the influence of the State (and, more generally, of political power) over the functioning of the media market and the independence of public service media.



⁷ APM (2016). Informe de la profesión periodística 2016. Madrid: Asociación de la Prensa de Madrid



The five indicators in this area score medium risk. ‘Editorial autonomy’ and ‘Political Independence of media’ are assessed as 63% and 50% respectively. Although public broadcasters and private media companies seem to be independent of political influence, in practice during recent years there is evidence of political interference in the appointment and dismissal of editors-in-chief. In 2013 the Parliamentary Assembly of the Council of Europe was already showing concern about political pressure on public service broadcasters in some countries, including Spain. During 2016 and 2017 appointments and dismissals of editors-in-chief for political reasons have been reported. For example, in October 2017, according to news reports, the vice-president of the Government, Soraya Sáez de Santamaría, vetoed the replacement of Juan Luis Cebrián by Javier Monzon as President of the PRISA group, the publisher of the El País newspaper.⁸ Also in 2017, the appointment of the new director of TV3 (Catalan Public Television) was criticised by several political parties and media outlets who accused him of having a pro-independence bias. RTVE has also been widely accused of manipulation and censorship in covering the Spain-Catalonia conflict, as well as bias towards the government. Between April and June 2017 the Information Council of TVE detected at least 70 examples of manipulation, censorship and double standards.⁹

The indicator ‘Independence of PSM governance and funding’ scores as “medium risk” (50%). This indicator has improved when compared with previous results. In 2017 the Spanish Parliament passed the Law 5/2017, which amends Law 17/2006, of June 5, on National Public Radio and Television. According to the reformed law, election of the members of the board of directors of CRTVE will require two-thirds of MPs. Therefore the new threshold required a broad consensus among political parties and made it difficult for the Government to control the PSM. In spite of the reform, at the time of writing this report, political parties have not come to an agreement regarding the composition of the board of directors of CRTVE, and it remains the same as before the reform, being severely criticised for bias and manipulation, for some years.

The indicator ‘State regulation of resources and support to media sector’ scores as medium risk (42%). There is no ownership control by parties, partisan groups or politicians over the media in Spain. However, political parties, particularly ruling parties, have several mechanisms by which they can influence media decisions. Three of them must be highlighted: institutional advertising, subsidies and the award of licenses. Over recent years, there have been frequent complaints about the irregular use of the aforementioned mechanisms.

The Media and Democratic electoral process indicator scores a medium risk (38%). Access by the main social and political groups to PSM and private channels is guaranteed by law. During election campaigns the law also imposes rules which aim to guarantee political pluralism and airtime to political parties. In spite of this, and following a similar pattern to previous events, complaints of political bias and pro-government manipulation of PSM are frequent. Reports of manipulation by TVE in the coverage of the pro-independence referendum were frequent, most of them supplied by its own journalists.¹⁰ Complaints of bias have also spread to other PSM, particularly TV3 (Catalan PSM). Proportionality and plurality in the coverage of political parties during elections were not observed by private broadcasters.¹¹

8 Cano, F. (2017) “Soraya aborta el relevo de Cebrián para no perder el control de Prisa” El Español (13/10/2017). Available at: https://www.elespanol.com/economia/medios/20171013/253975767_0.html

9 Consejo de Informativos de TVE (2017) Informe de malas prácticas en Informativos y programas de actualidad de TVE (abril, mayo y junio 2017) Available at: <https://www.losgenoveses.net/rtve/Consejo%20informativos%20RTVE.%20Informe%20trimestral%202017.pdf>

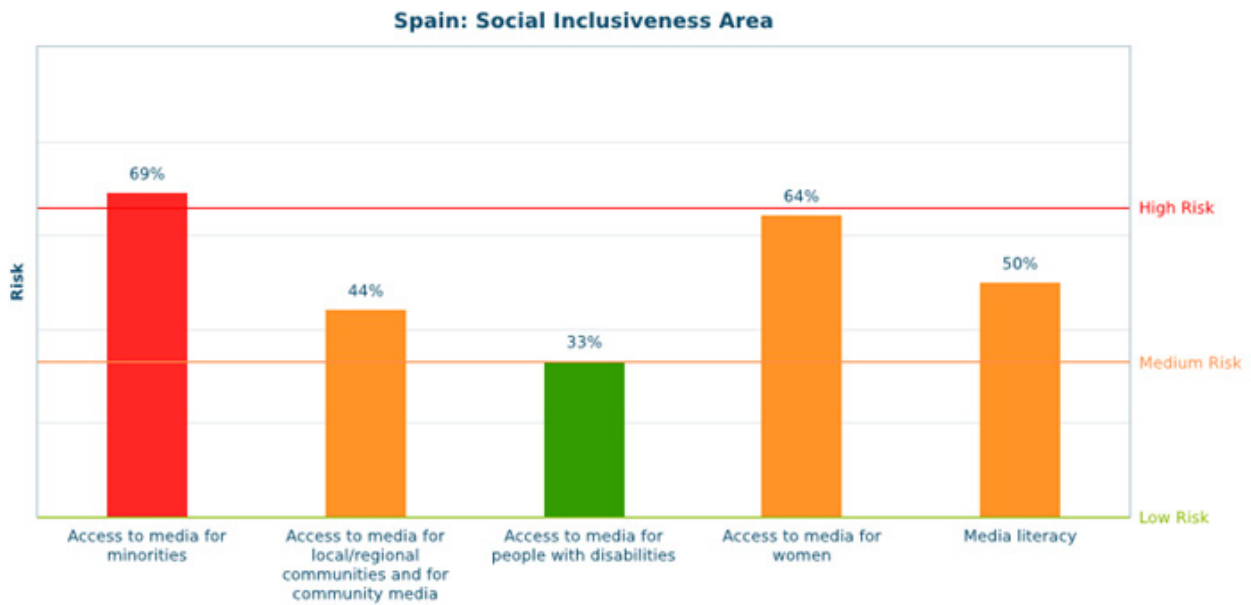
10 Consejo de Informativos de TVE (2017) Informe de malas prácticas en Informativos y programas de actualidad de TVE (julio, agosto y septiembre 2017) Available at: https://cdn27.hiberus.com/uploads/documentos/2017/11/28/informetercertrimestre17_1e1388bc.pdf

11 CAC (2018) Informe específic de pluralisme a la televisió i a la ràdio durant la campanya de les eleccions al Parlament de Catalunya 2017. Available at: http://www.cac.cat/pfw_files/cma/actuacions/IP_21d.pdf



3.4 SOCIAL INCLUSIVENESS (52% - MEDIUM RISK)

The Social Inclusiveness indicators are concerned with access to media by various groups in society. The indicators assess regulatory and policy safeguards for community media, and for access to media by minorities, local and regional communities, women and people with disabilities. In addition to access to media by specific groups, the media literacy context is important for the state of media pluralism. The Social Inclusiveness area therefore also examines the country's media literacy environment, as well as the digital skills of the overall population.



The indicator ‘Access to media for minorities’ scores a high risk (69%). This indicator presents the highest level of risk in the area of social inclusiveness. Spanish laws do not recognise any national minority. However, both the Spanish Constitution and the Law on National Public Radio and Television state that the main social groups should have access to public service media. In this context, some minorities - particularly linguistic and religious minorities - have access to airtime on PSM channels (not always proportional to the size of their population). With regard to the use of official languages other than Spanish (Catalan, Galician and Basque) in regions with two official languages, the number of hours of airtime can be considered to be low or very low for national public or private broadcasters.

The indicator ‘Access to media for women’ is the second one that presents a high risk (64% - in the higher end of medium risk), being very close from being considered high risk. Situations of discrimination are a reality in the media sector, in which wage inequality and poor access to leadership positions for women journalists have been the subject of complaints by unions and professional associations. Also, the majority of unemployed journalists are women. With regard to PSM, gender equality plans have yet to be approved or fully implemented. There is a wage gap and a shortage of women in leadership positions.

The indicator on ‘Media literacy’ scores as medium risk (50%). Policies on Media Literacy in Spain have suffered a marked slowdown from the beginning of the financial crisis as cuts in projects really accelerated from 2012 on. In 2011 the Institute of Educational Technology of the Ministry of Education published a study concluding that the degree of media literacy of the Spanish population is very low on virtually all dimensions: there is a limited ability to critically understand the media and assess its many and varied contents and to establish effective forms of communication in emerging contexts.

The indicator on ‘Access to media for local/regional communities and for community media’ shows a medium risk (44%). By law the State is responsible for the overall management of radio spectrum. However, the law ensures that regional and local media can be audio-visual service providers. The final decision at the regional and local levels lies exclusively with the Autonomous Communities. Normally, those regions that have their own official languages have more regional and local media. With regard to community media, the Media Law (7/2010) recognizes the right of non-profit community media to access media platforms, through authorisation and licence. However, this has never been acknowledged in further legal provisions and because the different governments (both national and regional) no actions were adopted to promote community media. The situation of community media in Spain has also been criticised by the Community Media Forum Europe in a joint declaration – with the World Association of Community



Radio Broadcasters and the Red de Medios Comunitarios -in which it argues that the current situation in Spanish legislation is a mere recognition of the existence of community media but that effective implementation of supporting measures is also needed.¹²

Finally, the indicator on 'Access to media for people with disabilities' scores in the highest level of low risk (33%). Regarding access to media for people with disabilities the Media Law (7/2014) requires broadcasters to offer 75% of contents with subtitles and at least two hours per week with audio description. CERMI (Comité Español de Representantes de Personas con Discapacidad – the Spanish Association of Representatives of People with Disabilities) acknowledges the progress made with regard to access to media content by people with disabilities but it still considers that services for people with disabilities are insufficient (for example, DTT, IPTV and other systems should be included) and must be improved.

12 Available at http://cmfe.eu/docs/2009_December_1_Declaration_ReMC_CMFE_AMARC.pdf



4. CONCLUSIONS

The implementation of the 2017 media pluralism monitor for Spain indicates a medium risk for media pluralism in the country. There are objective elements to consider. There is also a risk that certain political decisions as well as political and financial pressures could affect media independence and plurality.

We can confirm in this MPM edition the persistence of some structural problems which were already identified in the 2016 MPM. Due to the particular political context in Spain, these problems have become more acute in 2017, strongly affecting basic fundamental rights, diminishing freedom of expression and information. Singers, comedians, rappers or Twitter users have been accused and sentenced for hate crimes or terrorism because of what they have written or sung. Furthermore, under the application of what is commonly known as the “Gag law”, journalists and normal citizens have been fined (more than 22,000 fines since 2015). These events are not merely impeding the normal free development of the journalistic profession, but also make journalists suffer from a lack of protection, favouring self-censorship and intimidation. This contributes to the creation of a certain environment of restriction and fear towards the interpretation of a basic fundamental right i.e. freedom of expression.

Hence, the political independence of the media - public and private - is strongly under threat in Spain. All the indicators included in the Political independence area score medium risk. There are frequent reports of pro-government manipulation of public media, both in state-owned and in regional public service broadcasting. In addition there is also evidence of political interference in private media as well as complaints of lack of plurality in the coverage of political parties during electoral processes.

Although pressures and influence exerted by political forces can be considered common in Spain, the political conflict between the Spanish state and the Catalan pro-independence movement have polarized news media even more; and it has eroded the rights of freedom of expression and information. An example of this is the statement issued by the editor of one of the most prominent newspapers: “We need media that defend values such as the unity of Spain”¹³. In this context, disturbing events which happened during 2017 have been either under- reported by the media or reported in a biased way, depending on their ideology. We are talking about events such as attacks on journalists, police forces entering newsrooms and the closure of pro-independence websites with or without judicial warrants, etc.

Finally, with regard to social inclusiveness, threats to media pluralism are frequent. Two should be highlighted. Minorities do not have access to airtime in proportion to the size of their population, and the use of official languages other than Spanish (Catalan, Galician and Basque) in regions with two different languages, can be considered to be low or very low.

Despite the legislative and political efforts in this area, women are still disadvantaged in the labour market in Spain. This situation of inequality also occurs in the media sector, in which wage inequality and poor access to leadership positions for women journalists have been criticised by unions and professional associations.

Recommendations:

- to reform the legal framework in order to place greater emphasis on freedom of expression and information;
- to ensure an impartial model of PSM governance and especially appointment procedures, urging political parties to come to an agreement on the application of the new law relating to changes in the board of directors of the Spanish public broadcaster (RTVE);
- to implement existing legislation and policy on gender equality; and,
- to urge professional associations to report situations in which the free practice of journalism is at risk, as well as bad practices, remembering that the function of news media is to offer truthful information regardless of individual ideologies.

13 La Información (2016). Bieito rubido: "españa necesita medios que ataquen y combatan prácticas poco sanas" https://www.lainformacion.com/economia-negocios-y-finanzas/radio/bieito-rubido-espana-necesita-medios-que-ataquen-y-combatan-practicas-poco-sanas_sr8whnPtj0XVfVohS2ZHi3/



ANNEXE 1. COUNTRY TEAM

First name	Last name	Position	Institution	MPM2016 CT Leader (please indicate with X)
Pere	Masip	Professor	School of Communication and International Relations Blanquerna - University Ramon Llull	X
Carlos	Ruiz	Professor	School of Communication and International Relations Blanquerna - University Ramon Llull	
Jaume	Suau	Lecturer	School of Communication and International Relations Blanquerna - University Ramon Llull	

ANNEXE 2. GROUP OF EXPERTS

First name	Last name	Position	Institution
Joan	Barata	Legal Consultat	CommVisions
Hugo	Aznar	Professor	Universidad CEU-San Pablo

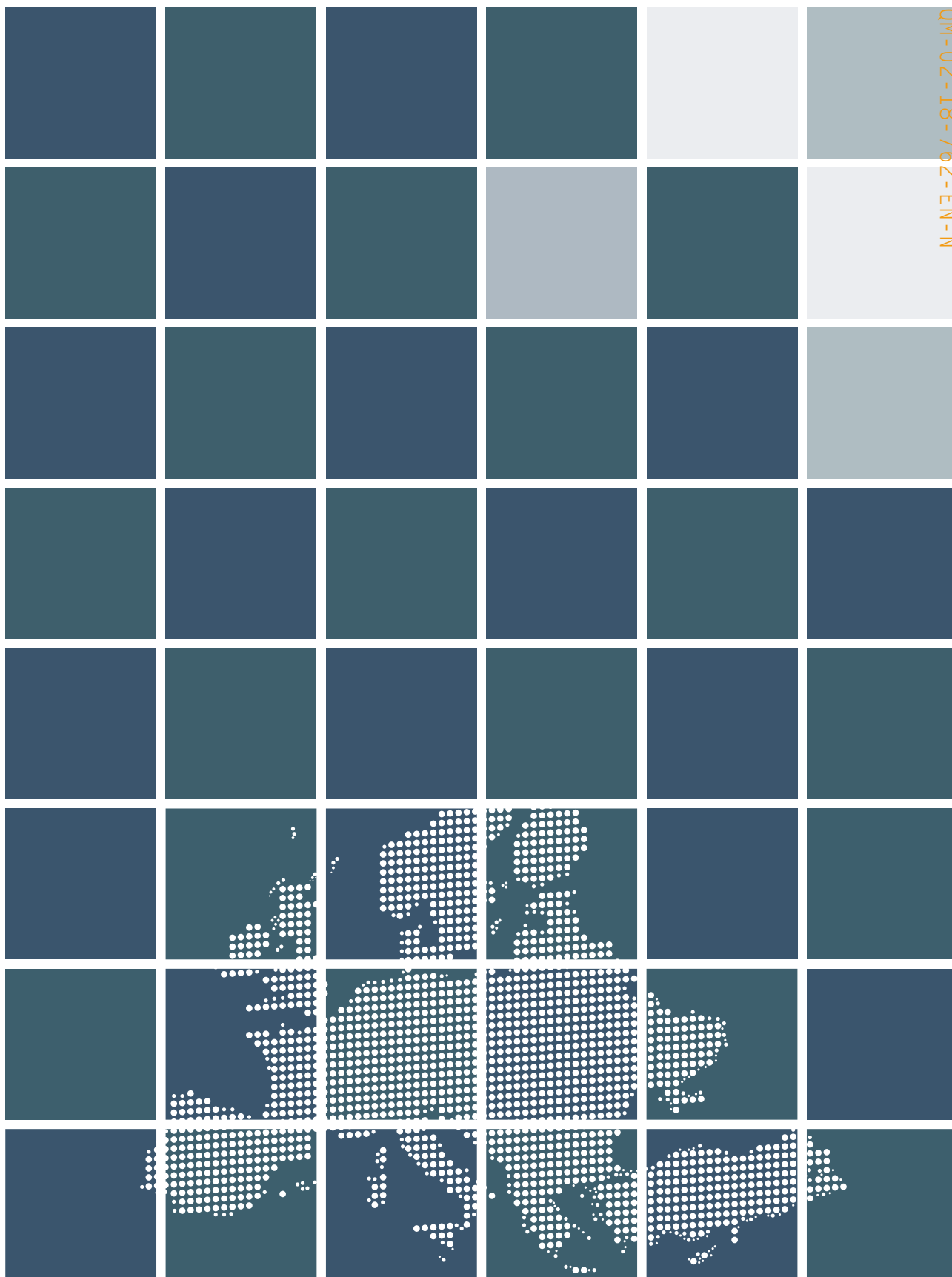


REFERENCES

- AIMC (2017) Estudio General de Medios: Resumen general: Febrero-Diciembre 2017. Available at: <https://www.aimc.es/a1mc-c0nt3nt/uploads/2017/05/resumegm317.pdf>
- AEDE (2016) Libro Blanco de la Prensa 2015. Madrid: Asociación de Editores de Diarios Españoles
- APM (2016). Informe de la profesión periodística 2016. Madrid: Asociación de la Prensa de Madrid
- CAC (2018) Informe específico de pluralisme a la televisió i a la ràdio durant la campanya de les eleccions al Parlament de Catalunya 2017. Available at: http://www.cac.cat/pfw_files/cma/actuacions/IP_21d.pdf
- Cano, F. (2017) “Soraya aborta el relevo de Cebrián para no perder el control de Prisa” El Español (13/10/2017). Available at: https://www.lespanol.com/economia/medios/20171013/253975767_0.html
- Consejo de Informativos de TVE (2017) Informe de malas prácticas en Informativos y programas de actualidad de TVE (julio, agosto y septiembre 2017) Available at: https://cdn27.hiberus.com/uploads/documentos/2017/11/28/informetercertrimestre17_1e1388bc.pdf
- Consejo de Informativos de TVE (2017) Informe de malas prácticas en Informativos y programas de actualidad de TVE (abril, mayo y junio 2017) Available at: <https://www.losgenoveses.net/rtve/Consejo%20informativos%20RTVE.%20Informe%20trimestral%202017.pdf>
- Hallin, D. and Mancini, P. (2004). Comparing media systems. Cambridge: Cambridge University
- INE- Instituto Nacional de Estadística (2016). Cifras de población. Madrid: INE. Available at: http://www.ine.es/dyngs/INEbase/es/categoria.htm?c=Estadistica_P&cid=1254735572981
- ReMC; CMFE; AMARC. Declaration of the Red de Medios Comunitarios (ReMC, Spain), the Community Media Forum Europe (CMFE) and the World Association of Community Radio Broadcasters (AMARC - Europe). 2009. Available at http://cmfe.eu/docs/2009_December_1_Declaration_ReMC_CMFE_AMARC.pdf
- SES (2017) ‘El desarrollo del mercado de la TV en 2016’. Available at <http://www.audiovisual451.com/wp-content/uploads/El-desarrollo-del-mercado-de-la-TV-en-2016-1.pdf>



QM-02-18-762-EN-N



Publications Office

[http://monitor.cmpf.
eui.eu](http://monitor.cmpf.eui.eu)
ISBN: 978-92-9084-669-7
doi: 10.2870/941747