

# Better Internet for Kids (BIK) Policy Monitor Country Profile 2024: SPAIN

The Better Internet for Kids (BIK) Policy Monitor is a tool used to compare and exchange knowledge on policy making and implementation in EU Member States, Iceland and Norway on the pillars and recommendations of the [European Strategy for a Better Internet for Children \(BIK+ strategy\)](#). The 2024 edition of the BIK Policy Monitor report examines the implementation of the BIK+ strategy in 29 European countries, including all EU Member States, Iceland, and Norway.

The country profile outlines findings about the implementation of the BIK+ strategy based on BIK policies and BIK+ actions across the strategy's three pillars as surveyed in the BIK Policy Monitor (as per February 2024). Download the full [BIK Policy Monitor report 2024](#) from the Better Internet for Kids website.

## BIK policies

### Policy frameworks

Policy frameworks describe the overarching approach for a better internet, and establish the underlying goals, principles and guidelines that shape individual policies within this area.

- This topic is an **important and emerging policy priority**.
- There are **separate, dedicated policies** that address children and the digital environment (protection, empowerment, and participation).
- Although the BIK / BIK+ strategy is **not explicitly mentioned in national policies**, it has informed policy development on children and the digital environment.
- **National/regional policies and policy documents explicitly recognise children's rights** in the digital environment.

	High	Medium	Low	Other
Coverage of BIK+ issues in national policies		X		
Integration of policy provision		X		
Influence of the BIK+ strategy		X		
Recognition of children's rights	X			

*Table 1: Topic summary - policy frameworks*

### **Key national policy frameworks are:**

- The Organic Law for the Protection of Children and Adolescents against Violence (LO 8/2021)(LOPIVI) (summary available in English) and the Eradication of Violence and Abuse in Childhood and Adolescence (EEVIA) Strategy aim to ensure online safety.
- The Organic Law on Protection of Personal Data and Guarantee of Digital Rights (LOPDGDD) safeguards minors' data privacy, contributing to a secure online environment. Both LOPIVI and LOPDGDD emphasise the protection of children's rights in the digital realm, ensuring that their dignity, privacy, and overall well-being are safeguarded online. They explicitly address issues such as consent, information transparency, and the right to be forgotten, aligning with the principles outlined in the [UN Committee on the Rights of the Child General Comment No. 25 \(2021\)](#) on children's rights in relation to the digital environment.
- The [General Law on Audiovisual Communication \(Law 13/2022\)](#) includes provisions for child protection in audiovisual content.
- The [State Strategy for the Rights of Children and Adolescence \(2023-2030\)](#) aims to articulate the action of the State and Administrations to create safe and participatory environments for minors, including the digital sphere.
- The [National Digital Competence Plan](#) and the [Education Law \(summary available in English\)](#) both play important roles in fostering digital skills among minors, emphasising their critical capabilities and active participation.

### Policy design

Policy design asks whether evidence and research support BIK-related policies and whether systems are in place for monitoring and evaluating those policies.

- Surveys of children’s digital activities **are undertaken but only irregularly**.
- **Systems are in place at the government level** to gather information on children and the digital environment (e.g., dedicated research units, think tanks or commissions).
- **Existing national research funding is available** for research on children and the digital environment, but this is **not explicitly specified**.
- **Policies are monitored and evaluated but not systematically**. It depends on the needs at a particular time or when policies are being considered.

	High	Medium	Low	Other
Regular data collection			X	
Other information supports	X			
National research fund		X		
Monitoring and evaluation		X		

Table 2: Topic summary - policy design

### Recent national research studies include:

- The National Institute of Statistics (INE): collects data regularly on internet use, device ownership, and online activities of all household members, including children.
- The Survey on the Information Society (CIS), conducted annually, occasionally includes modules focusing on specific digital topics like online learning or media consumption, potentially including children's experiences.
- The National Observatory for Telecommunications and the Information Society (ONSTI), through its Cybersecurity Observatory, conducts

comprehensive studies on citizens' technology usage, including online behaviours, potential risks, and emerging trends among young users.

- The **Ministry of Education Vocational Training and Sports** (hereafter, Ministry of Education): Periodic surveys and studies conducted by the Ministry collect data on technology use and digital skills in schools, indirectly informing about children's digital activities in an educational context.
- Other organisations, including the **Spanish Safer Internet Centre (SIC) Consortium**, NGOs and research institutions, conduct surveys and collect data on specific aspects of children's digital lives and online safety.
- The **Spanish Data Protection Agency's (AEPD) Privacy and Digital Health Working Group** plays an important role in studying and proposing initiatives to protect the rights of individuals in the digital field, with a special focus on minors. It comprises experts in digital health, privacy, cybersecurity, and other relevant areas and includes representatives from public bodies and private entities.

## Policy governance

Policy governance examines how policies are coordinated at the governmental level, whether other implementation bodies are involved in their delivery, and whether structured mechanisms are available to guide their implementation.

- **Policy development sits across a range of ministries, and there is no lead with specific assigned responsibility** for developing government on policies, guidelines and programmes relating to children and the digital environment.
- **Coordination happens more informally across the different departments and entities** that contribute to government policies, guidelines, and programmes regarding children and the digital environment.
- **One or more programmes of action are underway** supporting children's online safety and participation in the digital environment. However, these lack accountabilities such as defined timelines, assigned responsibilities or key performance indicators (KPIs).

	High	Medium	Low	Other
Lead ministry for policy development			X	
National coordination body		X		
National action plan or strategy		X		

**Table 3: Topic summary - policy governance**

Various public bodies, ministries, and agencies have competences in developing policies for a better Internet for children. These include the Ministry of Digital Transformation and Public Service, the Ministry of Education, the Ministry of Justice, the Ministry of Interior, the Ministry of Social Rights and Agenda 2030, and the Spanish Data Protection Agency (AEPD).

Recognising the need for greater coherence, the government recently proposed establishing a **Committee of Experts** dependent on the Ministry of Children and Youth to develop recommendations for a comprehensive online protection plan for children and young people. The committee will be composed of 50 specialists from academia, professional sectors, government and social organisations. This initiative represents a significant step towards more centralised policy development in this crucial area.

Within the framework of LOPIVI, an assessment report will be produced to evaluate the compliance and the effectiveness of the Eradication of Violence and Abuse in Childhood and Adolescence (EEVIA) strategy. This report, to be presented to the Council of Ministers, will be developed in collaboration with the Ministries of Justice, Interior, Health, Education, and Vocational Training, as well as the High Commissioner for the Fight against Child Poverty. The results of the annual evaluation report, which will encompass available statistical data on violence in the digital environment against children and adolescents, will be made public to enhance general awareness.

### Stakeholder involvement

Stakeholder involvement enquires how different stakeholders can participate in policy development. Children’s involvement in policy-making is one such key issue. Additionally, international knowledge exchange about children's digital participation is also relevant to this topic.

- **There is a designated multi-stakeholder forum in place** which facilitates the involvement of all relevant stakeholder groups.
- **Members of the public are regularly and routinely consulted** as part of the policy development process.
- **Children are listened to directly in the policy development process** (e.g., through hearings, consultations, specific surveys) but are not formally involved in decision-making.
- **Policy makers actively participate in various EU-level** and other international inter-governmental groups related to digital policies for children.

	High	Medium	Low	Other
Stakeholder forum	X			
Public consultation	X			
Involvement of young people		X		
International knowledge exchange	X			

Table 4: Topic summary - Stakeholder involvement

Public consultation is a common practice in policy development in Spain, including areas related to children and the digital environment. The government often seeks input from various stakeholders, including members of the general public, experts, NGOs, and industry representatives. The consultation process typically involves releasing draft policies or legislative proposals for public review and feedback.

Within the framework of LOPIVI and its associated strategy (EEVIA), the State Council for the Participation of Childhood and Adolescence aims to engage children and adolescents actively in the decision-making process.

Likewise, the Ministry of Education promotes active participation through initiatives such as the "State Conference on Childhood and Adolescence." INCIBE, in collaboration with the Platform for Childhood, also has a Youth Panel to ensure that young people's voices are included in the development of initiatives aimed at promoting safe Internet use.

## BIK+ actions

### Pillar 1 – safe digital experiences

Safe digital experiences refer to actions taken to protect children from harmful and illegal online content, conduct, contact, and risks as young consumers and to improve their well-being online through a safe, age-appropriate digital environment created in a way that respects children's best interests.

#### *Responses to EU laws:*

- The Ministry for Digital Transformation and Public Service has officially designated the [National Markets and Competition Commission \(CNMC\)](#), as Coordinator of Digital Services at the national level. This action is carried out in accordance with the provisions of the [Digital Services Act \(DSA\)](#). In Spain, legislation has not yet been enacted to adapt its implementation, but work is being done on it.

#### *Addressing harmful online content:*

- The [General Law on Audiovisual Content of Spain \(LGCA\)](#) recognises the importance of self-regulation and co-regulation in the digital environment. The law establishes a framework for developing and implementing codes of conduct by digital platforms to ensure the protection of users, including minors, and to promote competition and transparency in the audiovisual sector.

- There is no single, universally agreed-upon definition of "harmful online content" in Spanish law, regulations, or policies. However, several legal frameworks address various aspects of it:
  - The [Organic Law for the Protection of Children and Adolescents against Violence \(LO 8/2021\)\(LOPIVI\)](#) (summary available in English) does not include a specific definition of "harmful online content." However, it does define what violence against minors is, including violence carried out through information and communication technologies, such as threats, insults and slander, exploitation, including sexual violence, corruption, child pornography, prostitution, bullying, sexual harassment, cyberbullying, unsolicited access to pornography, sexual extortion, and the public dissemination of private data, carried out through digital media.
  - The [Organic Law on Protection of Personal Data and Guarantee of Digital Rights \(LOPDGDD\)](#) prohibits processing personal data that incites violence, hatred, or discrimination.
  - The [General Law on Audiovisual Communication \(Law 13/2022\)](#) categorises certain types of content as "unsuitable for minors" and restricts access accordingly.
- In Spain, the [General Advertising Law](#) (Ley General de Publicidad) and the [Unfair Competition and Advertising Act](#) (Ley de Competencia Desleal y Publicidad) provide some guidelines on truthful advertising and the protection of consumers from misleading practices. The [Spanish Advertising Self-Regulation Code](#) (Código de Conducta Publicitaria) also serves as a self-regulatory framework for the advertising industry. In addition, the Spanish Association of Advertisers (AEA) and the Association for Self-Regulation of Commercial Communication (AUTOCONTROL) developed a [Code of Conduct for managing relationships with influencers](#).



### ***Addressing harmful online conduct:***

- National/regional laws, regulations, or policies in place to protect children and young people from intimate image abuse are covered under Article 197.7 of the Spanish Penal Code. This provision criminalises the disclosure of intimate images without the consent of the individuals involved. It aims to protect individuals, including children and young people, from unauthorised private and sensitive content sharing. Offenders may face criminal charges, including fines and imprisonment, for violating this provision.
- There is no specific legislation on cyberbullying in Spain, but there are laws that address these behaviours through various legal provisions, and those responsible may be held accountable both criminally and under civil law. Article 173 of the Penal Code deals with the "offense against moral integrity." This article can be applied in cases of cyberbullying, often in conjunction with other criminal offenses such as assault, threats, coercion, defamation, or slander. Additionally, when cyberbullying occurs through electronic means, it may also involve computer crimes.

### ***Age verification and digital identity systems:***

- [Law 13/2022 General of Audiovisual Communication \(LGCA\)](#) obliges providers of video-sharing services through platforms to establish and operate age verification systems for accessing content that may harm minors' physical, mental, or moral development. These systems must also prevent minors from accessing more harmful audiovisual content, such as gratuitous violence or pornography.
- The [AEPD has issued guidelines on age verification](#), setting out principles to balance age-gating with data protection and user privacy. However, there are no specific national technical standards. The AEPD encourages the responsible development and implementation of age verification methods, taking into account factors such as effectiveness, privacy, and transparency.
- In December 2023, the Spanish National Markets and Competition Commission (CNMC) initiated [a public consultation on appropriate age verification systems](#) for audiovisual platforms.

- Spain has implemented the use of electronic ID cards (**DNI electrónico**) for citizens, allowing electronic authentication and signature. It can be obtained at any age, but it is only mandatory for those aged 14 and older.

	In place	In development	Not in place	Other
DSA legislation enacted		X		
Codes of practice of digital services		X		
Consumer code of practice	X			
Definition of harmful content			X	
Children's complaints mechanism	X			
Bodies can order content removal				X
Intimate image abuse laws	X			
Cyberbullying laws	X			
Age verification for adult content		X		
Digital identity systems				X

Table 5: Topic summary - pillar 1: safe digital experiences

## Pillar 2 – digital empowerment

Digital empowerment incorporates actions so that all children, including those in vulnerable situations, acquire the necessary skills and competences to make sound choices and express themselves in the online environment safely and responsibly.

### Supports in formal education:

- The Organic Law 3/2020, amending the Organic Law 2/2006 on Education (LOMLOE), is the current educational law in Spain. LOMLOE establishes the general framework for education in the country, with digital competencies, including online safety, considered fundamental in the educational curriculum.
- The curriculum for primary and secondary education includes the development of digital competencies, ranging from basic digital skills to

critical understanding of online information and internet safety. Primary education focuses more on basic digital skills, online safety, and responsible technology use, while secondary education delves into critical thinking, digital citizenship, and more in-depth online safety skills. The autonomous communities have some autonomy to adapt and complement the national curriculum according to their specific needs.

- The [Common Framework for Digital Teaching Competence](#) (based on the European framework) outlines the skills and knowledge that teachers should possess to integrate technology into teaching effectively. This includes aspects related to online safety.
- There is also the [Digital Competences Plan](#), a national initiative aimed at strengthening the population's digital skills as a whole. This plan addresses topics such as online safety and the promotion of responsible technology use.
- The [National Institute of Educational Technologies and Teacher Training](#) (INTEF), under the Ministry of Education, plays a key role in promoting the use of technology in education. It provides teachers diverse resources and training programs covering various topics, including online safety. INTEF collaborates with the [Spanish Safer Internet Centre](#) (IS4K), coordinated by INCIBE, to offer specialised training for teachers in cybersecurity and online safety. This collaboration involves the development of training modules, workshops, and other educational resources.

### ***Informal education:***

- The Ministry of Education offers online courses and resources covering various digital skills, including online safety topics such as responsible technology use, digital citizenship, and critical thinking. Some of these initiatives are conducted together with the [Spanish SIC](#). The SIC provides workshops, webinars, and resources on online safety for diverse audiences, including families, adults, and teachers.

**Empowering through digital skills:**

- INTEF, under the Ministry of Education and Vocational Training, develops digital competency frameworks and provides teacher training. These efforts indirectly contribute to improving young people's digital literacy skills by ensuring educators are well-prepared to guide students in using digital technologies responsibly. Some of these training initiatives and resources are developed in collaboration with the Spanish SIC.
- There are several regional initiatives in Spain aimed at promoting online safety through peer-to-peer training and support programs. For example:
  - The **ADA Programme** (Andalusian Digital Student Helpers), from the Autonomous Community of Andalusia, aims to raise awareness and provide training to the educational community on preventing bullying and cyberbullying in the educational environment.
  - **Cibervolunteers Foundation** (NGO) is focused on technological volunteering to promote an inclusive digital transition and eliminate the digital divide.
  - The **Cibercooperantes Programme** of the Spanish SIC promotes the collaboration of individuals interested in spreading cybersecurity awareness.

	In place	In development	Not in place	Other
Teaching online safety		X		
Online safety policies in schools	X			
Adequate teacher training	X			
Informal education about online safety	X			
Peer-to-peer training in online safety	X			
Support for digital literacy skills	X			
Children's media literacy	X			
Challenge hate speech/digital civil courage	X			

Table 6: Topic summary - pillar 2: digital empowerment

### Pillar 3 – active participation, respecting children’s rights

Active participation, respecting children’s rights, refers to actions which give children and young people a say in the digital environment, with more child-led activities to foster innovative and creative safe digital experiences.

#### **Active participation:**

- The **Youth Institute** (Injuve) in Spain focuses on promoting youth engagement. The Injuve Youth Portal often serves as a platform providing information on youth opportunities, including events, campaigns, and initiatives related to civic participation and digital engagement.
- The **Consejo de la Juventud de España** (CJE) plays a role in representing and promoting the interests of young people in Spain. It often engages in initiatives related to youth participation, advocacy, and digital engagement.
- **Platfaforma de Infancia**, a non-governmental organization focused on children's rights, operates in coordination with the Spanish SIC a **Youth Panel** that actively engages young people in promoting online safety.

#### **Inclusivity:**

- The **State Strategy for the Rights of Children and Adolescence (2023-2030)** refers to the right of children and adolescents to participate in decisions that affect them, in the creation of safe spaces and to ask for help, learning to participate critically and actively in society. In September 2021, the State Council for the Participation of Children and Adolescents was created in line with the demand of the Committee on the Rights of the Child.
- The current Minister of Youth and Childhood has announced that she will promote the first Youth Law at the national level, based on the Youth Strategy 2030. The draft of the law will start with a **process of active participation of young people**.

#### **Digital creativity:**

- The **Digital Agenda 2026** and the **Digital Skills Plan** are two key instruments that aim to stimulate the creation of digital content in Spain. These initiatives

promote the development of digital skills among the population, support the production of high-quality digital content, and foster the participation of citizens in the digital economy.

	In place	In development	Not in place	Other
Activities to promote active participation	X			
Laws that mandate youth participation	X			
Awareness raising on children's rights	X			
Inclusiveness regarding active participation	X			
Child-friendly versions of policy documents	X			
Positive digital content		X		
Activities encouraging digital creativity		X		

**Table 7: Topic summary - pillar 3: active participation, respecting children's rights**

## BIK+ index 2024: Spain

The BIK+ index has been developed to provide an aggregated at-a-glance overview of the levels of implementation across the two dimensions, BIK policies and BIK+ actions, in Spain compared to the EU27+2 average. Values are shown in per cent.

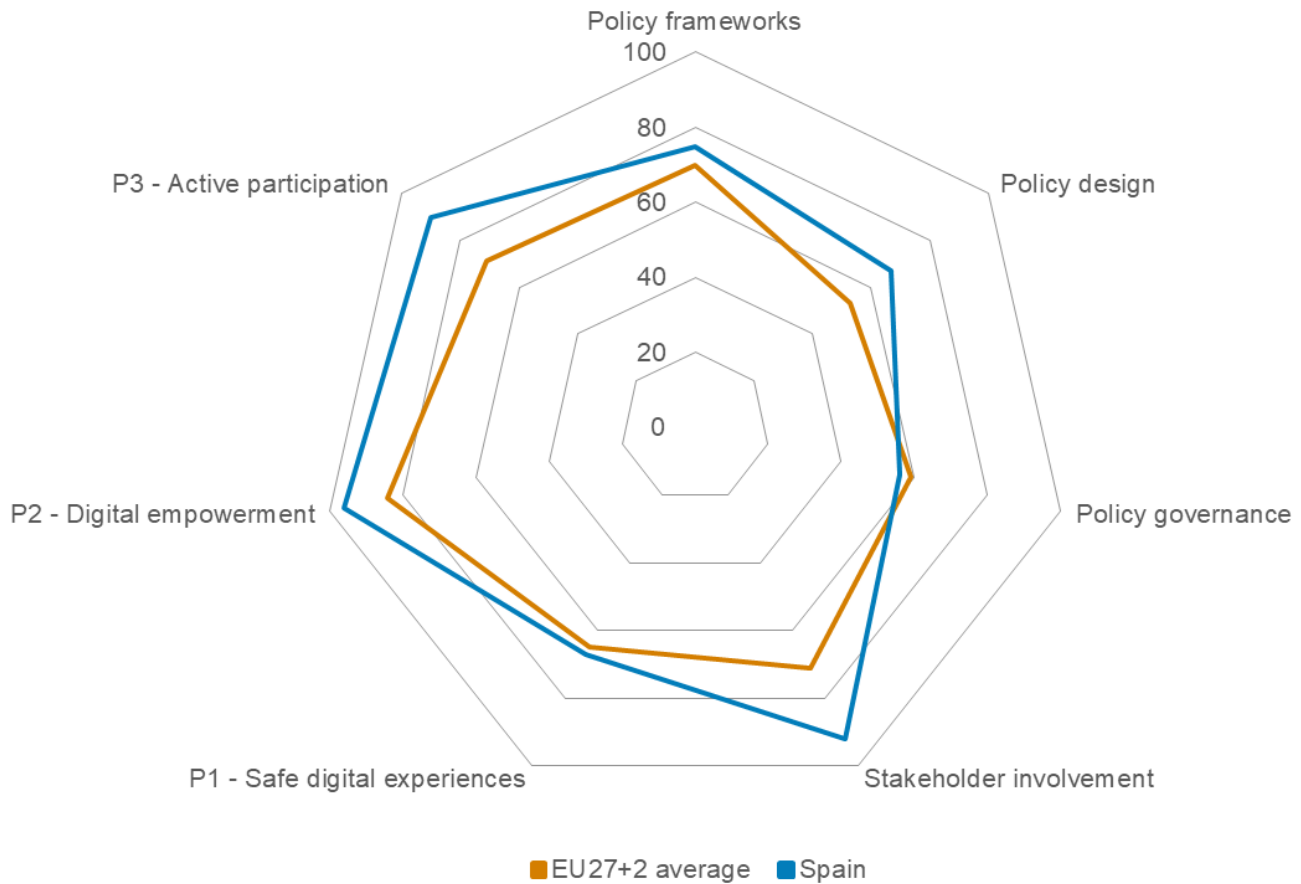


Figure 1: BIK+ index 2024: Spain - EU27+2 average comparison

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