SPAIN

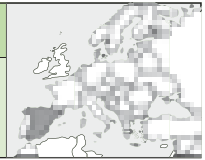**Pangea**
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Introduction

Information and communications technologies (ICTs) constitute a market where diverse industries, producers and consumers converge, but also a public space where citizens and organisations live and interact. Although the ICT market is huge and involves a large part of the population, the ICT public space as a social structure where citizens and organisations exercise the right to communicate is fragile and underdeveloped. In this context, this report focuses on appropriateness of technology and locally relevant content, applications and services.

Access to technology

Access to ICTs is widespread in Spain (Atkinson et al., 2008; OECD, 2008), but the quality varies significantly between urban and rural areas. In urban areas, particularly in large cities, several operators offer voice and high-speed, good-quality internet access, while rural areas have fewer options, lower quality and even no coverage at all. The market for ICT services is dominated by the former monopoly operator Telefónica – 81.8% of fixed phone lines were operated by Telefónica in 2006, according to the Telecommunications Market Commission (CMT) – and competition is the most fragile in less populated areas. Although the government has institutions that monitor and regulate the market, and several organisations defend the rights of citizens or specific groups (such as musicians and other professional content creators), Telefónica's de facto monopoly is entrenched, with limited and artificial competition among service providers. At the same time, the quality of ICT services is controversial, specifically those from telephony and internet operators, who register a high number of complaints.

Low-cost telephony and internet access at low speed, equivalent to a connection over a phone line, is practically universal except in particularly remote areas. The most widespread technology for accessing the internet at high speed, accounting for roughly 79% of all high-speed internet connections, is asymmetric digital subscriber line (ADSL). ADSL registered 6.6 million lines in 2008 (CMT, 2008; OECD, 2008) in a population of 45 million. Mobile access is the fastest growing technology. This includes the offerings of data services from commercial mobile telephony operators (general packet radio service [GPRS] and third generation [3G]), commercial operators offering Wi-Fi services, and a few community-based organisations offering open networks based on Wi-Fi technology, particularly in areas where commercial operators provide little or no service at all.

Wireless community networks are a remarkable development, illustrated by Guifi.net,[1] with near 5,000 nodes in 2008. Guifi.net is a network owned by its users, and operates beyond commercial operators. It is mainly established in a rural area where ICT services by commercial operators are not sufficiently offered. It is clear proof of how an open network can be established and maintained by a community, and how it contributes to the social and economic development of the area.[2] Local governments and local businesses are also involved, showing how a public-private-commercial partnership can be established and sustained. These networks have become an incentive for commercial operators to provide ICT services in underserved areas, as open networks enlarge considerably the population of educated users demanding advanced ICT services.

There is also a growing number of content applications and services, as more and more people have access to and use the internet regularly. There is an ongoing effort by the public administration to allow citizens to interact with it via the internet – for instance, at the European Union (EU) and national level with a plan for the development of the information society and convergence with Europe (2006-2010), known as "Plan Avanza". In practice, however, many services have yet to get off the ground, particularly for tax-related issues. The electronic identification card for citizens, containing a chip with an X.509 certificate that can be used for electronic authentication, has been introduced. The recently introduced laws regarding electronic services (LSSI, 2002 and LISI, 2007, based on EU directives) have established a stable legal framework for businesses and citizens dealing with content, applications and services. But this has come at the price of introducing obligations and bureaucracy for internet providers and restrictions to freedom of expression and privacy that are considered excessive by some people and organisations.

There is growing awareness of free and open source software (FOSS). This is suggested by the adoption of FOSS applications such as Firefox, the number of local Linux distributions, particularly for schools and universities, the number of FOSS-related events, and active discussions on FOSS adoption by public administrations.

Content created in Spain is mainly written in the "Spanish" language (Castilian), but a notable exception is the introduction in 2006 of the .cat domain name system (DNS) top-level domain. This was established to serve the needs

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1   www.guifi.net

2   For more information see: www.comesfa.org/WCL_EN

of the Catalan linguistic and cultural community. Some 30,000 domains have been registered in only two years of operation.

Local content

There are other languages spoken in Spain besides Castilian. These include Aranese (*Aranés*), a variant of Occitan, in Catalonia; Basque (*Euskera*) in the Basque Country and Navarre; Catalan (*Català*) in Catalonia, the Balearic Islands and in the Valencian Community; and Galician (*Galego*) in Galicia. There are also other languages that do not have any official status, with fewer speakers and lower popular demand for their recognition in their regions, or insufficient legal and institutional support. As a reference, the number of articles on Wikipedia in various languages of Spain is as follows: Castilian 386,000, Catalan 124,000, Galician 38,000, Basque 28,000, Occitan 14,000, Asturian 11,000 and Aragonese nearly 10,000. All these "minor" languages have an asymmetric relationship to Castilian, as they do with the rest of the European languages spoken in the EU.

Several linguistic communities in Spain have made their presence felt in EU institutions since the start, but the visible lack of institutional support from the Spanish government has meant that there has been no effective use of these languages in EU institutions or on websites. This was exemplified by the European Year of Intercultural Dialogue 2008.[3] While this initiative aimed to "explore the benefits of our rich cultural heritage and opportunities to learn from different cultural traditions," 27 countries but only 23 languages were represented – and only Castilian was represented among the languages in Spain.

This contradicts the objectives of Spain's National Strategy for the European Year of Intercultural Dialogue: "To help this intercultural dialogue to become established as a permanent and dynamic process within Spanish society and to make this process a fundamental mechanism ensuring and facilitating the application of the goals stipulated in the UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions."[4] This failure to represent the plurality of languages in Spain was particularly striking in an intercultural campaign. The cost of translation is one of the arguments used, but there are counter examples, such as www.europarl.cat, where the whole website for the European Parliament has been translated into Catalan and put online by a single person to show how feasible it is. The result is that languages such as Latvian or Estonian (with less than two million speakers) are official, whereas Catalan, with more than nine million speakers, is not recognised at the European level.

Private copying levy

The private copying levy, a fee for private copying, is charged on the purchase of various recording media and hardware, such as CDs, digital cameras and scanners.[5] This is done to compensate content producers for the private copying of acquired content, which is legal in Spain. It was established a decade ago, and ratified after an intense controversy during the reform of the copyright law passed in December 2007. New tariffs have been in effect since 20 June 2008. This levy is collected without considering the use of the media and distributed in a rather arbitrary way. It is supported by the traditional media industry that relies on the distribution of physical products (CDs and DVDs), but has been rejected by a large part of the population, industry and professional organisations.[6] However, an innovative community of artists has emerged adopting alternative models for the distribution of their artistic productions.

Action steps

There are a number of barriers hindering the participation and involvement of citizens in the information society, as well as solutions to overcome them.

Traditional channels are still used by the public administration, which does not take advantage of the opportunities for transparency and openness afforded by ICTs.

Citizens need to be empowered and public administrations forced to be transparent. Every state action or budget must be announced, documented and debated in public using blogs, open forums, and other internet-based platforms.

The access infrastructure and the networks are owned and exploited by private companies, with some support from governments in less profitable areas. Citizens have little information about and no control over the functioning of the networks that support the internet as a public space.

More dialogue and more support (legal and economic) is needed to facilitate, develop and promote the involvement of citizens and citizen organisations in the governance of the networks. This requires establishing plans, forums, follow-up mechanisms, reports, etc.

Citizen networks – networks created by citizens for self-service such as wireless community networks – must be explicitly supported and protected, not just left in a legal limbo or seen as unfair competition to commercial operators. They are a viable alternative way for building networks that are open and owned by the community, particularly by places and people who are not the focus of commercial offerings. Laws should support and protect these citizen initiatives, with measures such as the allocation of additional spectrum, facilitating the legal establishment of the networks, and introducing legal and fiscal incentives for their development. This should especially be the case in rural areas and in areas where they serve people otherwise excluded from commercial offerings.

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3   www.interculturaldialogue2008.eu

4   www.interculturaldialogue2008.eu/fileadmin/downloads/documents/133-nationalcampaigns/national_strategy/strategy_spain_en.doc

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5   For more information see: en.wikipedia.org/wiki/Private_copying_levy

6   Todos contra el canon: www.todoscontraelcanon.org

The network, software and content industries fight for monopolies by courting political power.

Regarding networks, more effective policies need to be developed that reduce the advantage of dominant operators and create true and more open markets. The need for this is particularly clear with Telefónica, which is the de facto monopoly operator in Spain. Alternative operators need to be better supported.

Regarding software, the adoption of free software by the public administration should be encouraged. Monopolistic pressures from companies with anti-competitive practices such as Microsoft should be discouraged.

Regarding content, alternative, innovative and small content creators should be protected from the large national and international media groups. It is also necessary to open a dialogue between government, content creators, content consumers and citizens to find an acceptable agreement among them to regulate the content market. Research needs to be conducted on new business models for the media industry that are ethically and commercially more acceptable and fair, as an alternative to the unfair and regressive current levy model.

There is an urgent need to establish policies to promote the diversity of languages online. As technology is not neutral, a decision should be made at all the political levels to use the internet to save, digitise, enhance and promote the cultural heritage of the country's many languages, major and minor, officially recognised or not. Otherwise the internet can become a tool that erodes the rich cultural heritage of linguistic diversity. ▪

References

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