

## SPAIN

### Short Cultural Policy Profile<sup>1</sup>

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**DATE: May 2024**

#### 1. Fact and figures

- **Political system:** Spain is a constitutional monarchy and a parliamentary democracy with a two-chamber parliament (with predominance of Congress over the Senate). The territorial model is asymmetrical and decentralised with 17 Autonomous Communities and 2 autonomous cities (Ceuta and Melilla). The involvement of regional governments in cultural matters has been traditionally greater in those communities that have their own language and in the so-called "historic nationalities", i.e., those that first obtained administrative autonomy: Andalusia, Basque Country, Catalonia and Galicia.
- **Official language(s):** Spanish, Catalan, Euskera, Gallego, Valencian and Aranés

	<i>Latest available data</i>	<i>Latest available data minus 5 years</i>
<b>Population on January 1st</b>	48 085 361 (2023)	46 658 447 (2018)
<b>GDP in million EUR</b>	1 327 108 (2022)	1 203 859 (2018)

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<sup>1</sup> The profile is based on official and non-official sources addressing current cultural policy issues. The opinions expressed in this profile are those of the author and are not official statements of the government or of the Compendium editors. Additional national cultural policy profiles are available on: <http://www.culturalpolicies.net>.

<b>GDP per capita in PPS Index (EU27_2020 = 100)</b>	89 (2023)	91 (2013)
<b>General government expenditure (in % of GDP)</b>	47.4 (2022)	41.8 (2018)
<b>Public cultural expenditure in million EUR</b>	9 012 (2022)	7 743 (2018)
<b>Public cultural expenditure as % of GDP</b>	0.7 (2022)	0.6 (2018)
<b>Public cultural expenditure per Capita</b>	190 (2022)	166 (2018)
<b>Share of cultural employment of total employment</b>	3.6 (2022)	3.6 (2018)

Sources:

Population on January 1st, *latest data available*:

<https://ec.europa.eu/eurostat/databrowser/view/tps00001/default/table?lang=en>

GDP in million EUR, *latest data available*:

[https://ec.europa.eu/eurostat/databrowser/view/namq\\_10\\_gdp/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/namq_10_gdp/default/table?lang=en)

GDP per capita in PPS Index (EU27\_2020 = 100), *latest data available*:

<https://ec.europa.eu/eurostat/databrowser/view/tec00114/default/table?lang=en>

General government expenditure (in % of GDP), *latest data available*:

<https://ec.europa.eu/eurostat/databrowser/view/tec00023/default/table?lang=en>

Public cultural expenditure / Public cultural expenditure as % of GDP / Public cultural expenditure per Capita: [https://ec.europa.eu/eurostat/databrowser/view/gov\\_10a\\_exp/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/gov_10a_exp/default/table?lang=en)

Share of cultural employment of total employment / *latest data available*:

[https://ec.europa.eu/eurostat/databrowser/view/cult\\_emp\\_sex/default/table?lang=en](https://ec.europa.eu/eurostat/databrowser/view/cult_emp_sex/default/table?lang=en)

## 2. Cultural policy system

### 2.1 Objectives

The main objectives of cultural policies implemented by any level of the Spanish public administration are the preservation of cultural heritage and the promotion of access to culture. The differences arise in what is considered cultural heritage (tangible versus intangible; of the state versus identities) and which types of cultural manifestations should be promoted and how access should be granted and financed.

If we analyse recent cultural policies in terms of the cultural policy principles defined by the Council of Europe, we see that the promotion of national identity - the main vehicle for articulating cultural policy in the regions, particularly in those having separate language environments -- has been exacerbated in the last years.

In terms of recognising diversity, the very way the Spanish state is organised territorially has been an admission of the cultural diversity of the country. Protection of diversity has been mainly interpreted by looking internally at the individual traits of the various cultures comprising modern-day Spain. Since 2000, as a result of the dramatic increase in immigration, recognition of another form of cultural diversity beyond national borders has been included in the cultural policy agendas, as part of the social integration of immigrant groups.

Support for cultural creativity has been traditionally articulated as an aim of cultural policy along three main axes: statutory protection of intellectual property; the teaching of creative arts; and specific measures to promote the work of creative artists themselves.

Access to culture and participation in cultural life are among the prime objectives of recent Spanish cultural policy. However, generating demand outside the sphere of mass culture turned out to be a complex issue. Equally, the democratisation of culture, understood as the citizens' right to have their say about how the cultural life of their communities is defined, leaves considerable room for development in the search for a fully rounded Spanish cultural policy.

## 2.2 Main features

Spanish cultural policy has undergone profound and rapid changes since 1977. The cultural model of the democratic period has combined the recognition of cultural pluralism, the determination of the state to foster culture and a massive decentralisation of administrative tools, in accordance with the rules for the territorial government laid down in the Constitution of 1978.<sup>2</sup> This model has also tried to favour an increase in the involvement of private companies and civil society in running the country's culture. The relevance of one characteristic or another depends on the political party in office and its relationships with regional governments.

Traditionally, the decentralised Spanish policy has favoured the adoption of different models for cultural management and for the support and promotion of artistic creation, though much of the funding is ultimately linked to public budgets. Thus, the economic and operational autonomy of the institutions could be somehow limited. Sometimes, the creation of arms-length bodies has been encouraged; sometimes, advisory councils have tried to connect cultural policy with relevant cultural stakeholders.

In this sense, the [National Council for Culture and Arts in Catalonia](#) is a hybrid institution, an arms-length body that was the first instrument of its kind in the Spanish state. It was created by the *6/2008 Act* with the main objectives of ensuring the development of cultural activity and collaborating in drawing up both specific cultural policy and policy that supports and promotes artistic and cultural creation. The Council was reformed in 2011, and it was given a new structure and configuration that sought to reinforce its supervision and advisory role for public cultural policies, while losing many of its executive functions (*11/2011 Act of restructuring of the public sector*).

Since 2000, the Community of the Basque Country has an advisory collegial body of participation, cooperation and advice in the field of culture, attached to the relevant department in the field of culture of the Basque government (*Decree 27/2008 modifies Decree 219/2000*). In the same spirit, the Andalusian Agency of Cultural Institutions (*Act 1/2011* and *Decree 103/2011*) was created in 2011 by merging some previous arms-length institutions. It is attached to the regional cultural department and has wide functions in the management, programming and promotion of cultural programmes. One year later, the autonomous community of Castile-Leon created the Council for Cultural Policies (*Decree*

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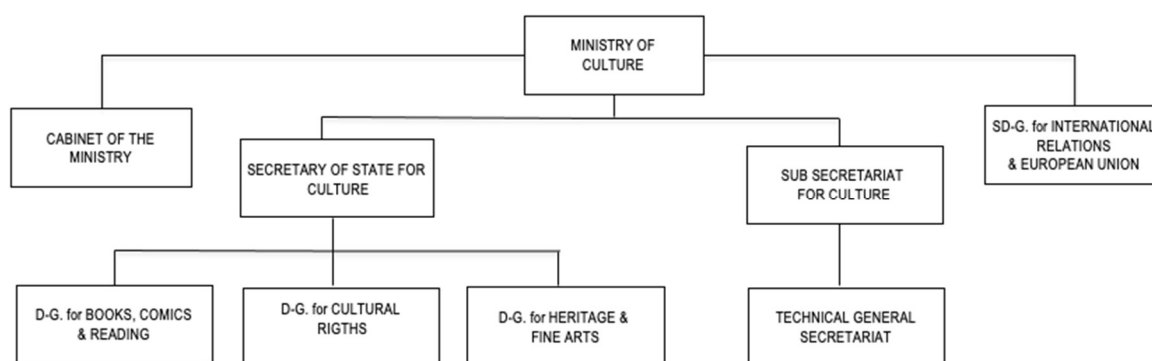
<sup>2</sup> Prieto de Pedro, J (2004) *Cultura, culturas y Constitución*. Editorial Centro de Estudios Políticos y Constitucionales. Madrid (second edition).

26/2012) as a regional organ of participation, consultation, analysis and coordination in the field of culture, arts and cultural heritage.

Since 2015, there have been significant changes in the Spanish political system with the emergence of Left-wing parties [*Podemos* (2015), *Unidas Podemos* (2019) and *Sumar* (2023)] and the eruption of the extreme Right-wing party [*Vox* (2019)], both in national and regional parliaments. As the political climate has become more polarised beyond the traditional bipartisan divide between the Socialist and Popular Parties, [cultural policies have become a more heightened political battlefield in electoral campaigns](#) and the public agenda. In 2023, local and regional coalition governments between the Popular Party and Vox in Madrid, Valencia, Balearic Islands, Aragon, and Castilla La Mancha have adopted a culture-hostile approach to linguistic, gender and sexual diversity policies and have actively pushed forward ideological vetoes and censorship of plays and exhibitions<sup>3</sup>. In 2024, a new left-wing coalition government between PSOE [Spanish Socialist Workers Party] and *Sumar* was formed with the support of Catalan, Basque, and Galician nationalist parties. Currently, the Ministry of Culture is not shared with Sport and is led by *Sumar*.

## 2.3 Governance system: Organisational Organigram

*Central level – Ministry of Culture*



DG: Directorate-General

SD-G: SUB-Directorate-General

<sup>3</sup> Rius-Ulldemolins, J.; Rubio-Arostegui, JA. & Gracia, JP. (2024) Nativist Nationalism, cultural homogenisation and bullfighting: VOX's cultural policy as an instrument for cultural battle (2019-2023). *International Journal of Cultural Policy*, DOI: 10.1080/10286632.2024.2320424

*Regional Level - Autonomous Communities*

Autonomous Government	Department	Vice Department	Directorates
ANDALUSIA	Culture and Historic Heritage	Vice Department of Culture and Historic Heritage	General Secretariat of Cultural Heritage General Secretariat of Cultural Innovation and Museums Secretariat for Technical Affairs D-G. for Documental and Historic Heritage D-G. for Cultural Innovation and Museums
ARAGON	Education, Culture and Sport		Secretariat for Technical Affairs D-G. for Culture D-G. for Cultural Heritage
ASTURIAS	Culture, Linguistic Policy and Tourism		Secretariat for Technical Affairs D-G. for Culture and Heritage D-G. for Linguistic Policy
BALEARICS	Presidency, Culture and Equality		General Secretariat D-P. for Culture
CANARIAS	Education, Universities, Culture and Sports	Vice Department of Culture and Cultural Heritage	Secretariat for Technical Affairs D-G. for Cultural Promotion D-G. for Cultural Heritage
CANTABRIA	Universities, Equality, Culture, and Sport		General Secretariat D-G. for Cultural Heritage and Historic Memory D-G. for Cultural Action
CASTILE-LEON	Culture and Tourism	Vice Department of Culture	General Secretariat for Culture and Tourism D-G. for Cultural Heritage D-G. for Cultural Policies
CASTILE-LA MANCHA	Education, Culture and Sports	Vice Department of Culture and Sport	General Secretariat
CATALONIA	Culture		General Secretariat D-G. for Creation, Territorial Action and Libraries D-G. for Cultural Heritage D-G. for Popular Culture and Cultural Associations D-G. for Language Policy
CEUTA*	Education and Culture		D-G. for Culture and Cultural Heritage
VALENCIAN COMMUNITY	Education, Culture and Sport	Secretary for Culture and Sport	Sub-Secretariat D-G. for Culture and Heritage
EXTREMADURA	Culture, Tourism and Sports		General Secretariat General Secretariat for Culture D-G. for Libraries, Archives and Cultural Heritage
GALICIA	Culture and Tourism		Secretariat for Technical Affairs D-G. for Cultural Policies D-G. for Cultural Heritage
LA RIOJA	Education and Culture		Secretariat for Technical Affairs D-G. for Culture

MADRID	Culture and Tourism	Vice Department of Culture and Tourism	Secretariat for Technical Affairs D-G. for Cultural Heritage D-G. for Cultural Promotion
MELILLA*	Education, Culture, Sports, Celebrations and Equality	Vice Department of Culture, Intercultural Relations and Equality	D-G. for Culture and Equality
MURCIA	Education and Culture		General Secretariat Autonomic Secretariat for Culture D-G. for Cultural Assets
NAVARRRE	Culture and Sport		Secretariat for Technical Affairs D-G. for Culture - Príncipe de Viana Institution
BASQUE COUNTRY	Cultural and Linguistic Policy	Vice Department of Culture	Directorate for Cultural Heritage Directorate for Cultural Promotion

\*Cities with autonomous status

Source: Ministry of Culture and Sport (Updated January 2024)

## 2.4 Background

1939-1975: The official culture of Francoism combined fervent nationalism with equally fervent Catholicism. It's artistic predilection was for traditional styles. From the 1960s onwards, rigid press and education policies began to soften.

1977-1982: In 1977, the Ministry of Culture was established and by means of international exhibitions, congresses, prizes and appointments, much of the cultural heritage silenced by Francoism was recovered, and the work of exiled artists and intellectuals was recognised. The Constitution of 1978 and the charters of regional autonomy set up under its aegis, initiated a period of freedom of the press and artistic expression, combined with greater state activity in disseminating culture and giving full recognition to the cultural and linguistic diversity of Spain.

1982-1996: Different Socialist governments stressed the need for the state to be present in those areas where private initiative was likely to be lacking. In the initial phase, up to 1986, the central goal was to preserve the much-deteriorated historic and artistic heritage, renovate theatres and auditoriums, and subsidise artistic expression.

In a second phase, from 1986 to 1996, the authorities staged a series of events that brought their cultural policies to the foreground of public attention. These were years of exuberant artistic activity and freedom of expression. The decentralised structure of government often succeeded in recovering and strengthening regional cultural diversity but did not always bring about broader participation in cultural events or improve the standards of artistic creation.

1996-2004: Under the liberal-conservative government of the Popular Party, the broad outlines of ministerial action remained the same: protection and dissemination of Spain's historic heritage; management of the great national museums, archives and libraries, and promotion and dissemination of film, theatre, dance and music. The deregulatory tendency of the Popular Party's government led to efforts to involve the private sector in major cultural initiatives.

2004-2011: The Socialist Party restructured the departments of the Ministry of Culture on different occasions and made the cultural industries one of its main priorities. The economic crisis also had its effects on culture, resulting in austere budgets as a key way of reducing the public deficit.

2011- 2018: Besides structural changes and cuts in public budgets, culture and education were two of the subjects that caused greater disagreement between the central government (led by the Popular Party), the Autonomous Communities (in particular those with their own language) and the creative sector.

2018 – May 2024: The Left-Wing coalition government in Spain led by the Socialist Party and Unidas Podemos (and later Sumar) and supported by regional and nationalist parties prioritised cultural diversity, access to culture via cultural bonuses for young people and the development and implementation of a Statute of Artists and Cultural Professionals to guarantee cultural workers' rights.

### 3. Current cultural affairs

#### 3.1 Key developments

The *Culture Plan 2020*, passed in March 2017, under the Popular Party mainly focussed its first year on the promotion of reading and cinema, with new tax incentives, as well as on the adoption of measures to combat the high rates of piracy.

The unexpected rise to power of the Socialist Party in June 2018 introduced some changes in policy discourses recognising the cultural diversity of Spain. Among the initiatives undertaken until the 2023 elections, we can highlight: the follow-up of the statute of artists' proposal; the modernisation and digitisation of cultural industries, as well as the access to culture for the most vulnerable groups.

In December 2021, the Ministry of Culture and Sport launched the *Plan to Promote Reading 2021-2024* which focuses on the relevance of reading but also on the new ways of reading that are permeated by digital technologies and platforms.



Apart from the cultural activity of the central administration, regional and local authorities hold many of the responsibilities for culture in Spain and execute the highest proportion of public expenditure (85% in 2021). The central government is, therefore, left with a limited scope of responsibility in terms of public policy making, though it has considerable weight in underlying policy through its constitutional mandate and its control of culture vis-à-vis foreign policy, not to mention its continued control over the best known and most influential cultural institutions.

As a result of the COVID-19 pandemic crisis, the Ministry of Culture and Sport as well as regional and local authorities undertook different initiatives to face the devastating effects of the crisis in the cultural sector<sup>4</sup>.

On the occasion of the Spanish Presidency of the Council of the EU (from July 1 to December 31, 2023), the Ministry of Culture and Sport announced four main lines of action: improving the status of culture, recognising it as an essential public good; the sustainable management of heritage, the Artists' Statute and the support for the video game sector.

As part of its cultural diplomatic efforts, in November 2023, the Ministers for Culture of the European Union approved the [Cáceres Declaration](#) promoted by the Spanish Presidency of the Council of the European Union. The document contains the unanimous commitment of the 27 Member States that "culture will henceforth be considered an essential public good and a global public good at the highest political level". Also as part of these efforts, Spain will host the [UNESCO's MONDIACULT meeting](#) in 2025 in the city of Barcelona.

## **3.2 Key themes**

### **3.2.1. Cultural rights**

Main developments on that topic, at the national level, include:

- the right of access to culture through the modernisation of facilities and of cultural management practices, but also through the improvement of social accessibility to culture. Initiatives to promote social accessibility are the programme 'Museos más sociales' [More Social Museums] that seeks to improve the social accessibility to cultural heritage, 'Cultura que transforma' [Culture that transforms], aimed at promoting effective access and full participation in culture for vulnerable children, or the 'Bono Cultural Joven' [Youth Cultural Bonus] that is a direct aid of 400 EUR to those

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<sup>4</sup> For more details see: <https://www.culturalpolicies.net/covid-19/country-reports/sp/>

who turn 18 to acquire and enjoy cultural products and activities, among others;

- the development of the Statute of Artists and Cultural Professionals, in line with the [proposals suggested by a Subcommittee of the Congress of Deputies](#). Among other things, this report made recommendations for the taxation of irregular incomes (typical for artists), VAT reduction for artistic intermediate and final services, training activities, social security measures and the right to receive income on copyrights<sup>5</sup>;
- the promotion of a citizen culture through the establishment of networks on current cultural practices and policies, as well as on cultural innovation;
- [the creation of a Directorate-General for Cultural Rights](#) to protect creative freedom, promote equity and articulate intersectoral policies between culture, education, territories and the environment (Agenda 2030).

Following the local and regional elections of May 2023, the Popular Party and Vox gained terrain and managed to seal accords in several municipalities and regions to govern and implement policies that curtail cultural diversity and collective rights. Just before the snap general election of July 2023, several incidents were reported: from [cutting support to linguistic policies](#) in Balearics, Valencia and Aragon to [censoring a theatrical adaptation of Virginia Woolf's Orlando in Valdemorillo](#) (Madrid) and emulating policies that date back to the [Franco regime](#).

### 3.2.2. Audiovisual sector

One of the strategic lines of the Ministry of Culture and Sport is the launch of the 2021-2025 Plan [“Spain, Audiovisual Hub of Europe”](#) to promote the film and audiovisual sector in the country, which is part of the government’s wider [2026 Digital Agenda](#) and supported by the European Union’s Recovery, Transformation and Resilience Funds ([component 25](#) of the [NRRP](#)), FEDER and Creative Europe programme. The Plan is articulated around three priorities:

- turn Spain into a pole of attraction for audiovisual production;
- improve the competitiveness of companies through the application of new technologies, and
- generate talent by reducing the gender gap.

Similar initiatives at the regional level are the Audiovisual and Digital Content Cluster in Andalusia, the Digital, Audiovisual and Video Game Hub in Catalonia and the Audiovisual Hub of the Cultural Industry in Galicia.

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<sup>5</sup> For more details see: <https://www.cultura.gob.es/dam/jcr:5e6071c8-830f-44f0-bdb6-8ab1911f12d6/folleto-informativo-estatuto-artista.pdf>

### 3.2.3. Gender

To great extent as a result of the international movement in defense of the role of women in the cultural and creative industries, gender equality has become an issue in the political agenda. Recent initiatives include the establishment of a Gender Equality Committee on Cultural Affairs, the requirement of a balanced representation of women and men as a transversal objective in the *Strategic Plan on Grants of the Ministry of Education, Culture and Sport 2018-2020* and solutions for the gender pay gap in the National Institute of Performing Arts and Music (INAEM).

Following the *Equality Act* (LO 3/2017) approved in 2007<sup>6</sup>, and which established the provision of Equality Units in each ministry including the Ministry of Culture and Sport, gender equality policies have been reprioritised and some advancements have been made in recent years, with the creation of the [\*Observatory for Gender Equality in the Cultural Sector\*](#).

The topic of gender equality and differences is specifically addressed in a micro-site of the Spanish Ministry of Culture and Sport: [\*Equality Space\*](#).

### 3.3 International Cultural Cooperation

The promotion of Spanish culture abroad is a joint endeavour between the Ministry responsible for cultural affairs, and the Ministry of Foreign Affairs, European Union and Cooperation. At present, the Sub Directorate General for International Relations and the European Union is responsible for the promotion of Spanish culture abroad.

In addition, the Ministry of Foreign Affairs, European Union and Cooperation is responsible for foreign cultural activities through its State Secretariat for International Cooperation, which is part of the *Spanish Agency for International Cooperation and Development* (AECID). This unit also deals with cultural and scientific exchanges, including grants and scholarships, as well as Spain's international undertakings in this respect. It acts through Spanish embassies and consulates or through AECID centres on foreign soil.

The *Cervantes Institute*, the self-governing body set up in 1991, under the aegis of the Ministry of Foreign Affairs and Cooperation, is entrusted with promoting the

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<sup>6</sup> For details on the application of the *Equality Act* see:  
<https://www.culturaydeporte.gob.es/dam/jcr:e2da2c11-5e2d-40c7-bbb6-b536f4ba9d88/informe-igualdad-completo.pdf>

Spanish language and culture internationally, for which it has more than 90 centres in 45 countries.

The *Spanish Public Agency for Cultural Action* (AC/E) was set up in 2010 to promote and disseminate the cultural realities of Spain inside and outside the country, to joint projects of different regions and cultural institutions throughout the country and support projects that involve artists, scientists and cultural and creative industries abroad. The AC/E runs the Programme for the Internationalisation of Spanish Culture (PICE) since 2013.

## 4. Cultural Institutions

### 4.1 Overview

Spain's leading cultural institutions can be divided into three groups depending on their origins: national institutions, institutions set up by civil society, and institutions that emerged during the period of restored democracy. National institutions have been linked to the central government from the outset and most of them are in Madrid (Prado Museum, Royal Theatre, National Library of Spain, etc.). The second type can usually be traced to the cultural aspirations of the cultural elites at specific moments in history, particularly in those cities having a strong industrial base, for example, Barcelona, Bilbao, Oviedo, etc. Lastly, there are numerous public initiatives undertaken over the last 30 years by various levels of government, such as the construction of several major cultural spaces, the majority outside Madrid, thereby promoting cultural decentralisation. Some of those cultural facilities, promoted before the deep financial crisis without any feasibility study, remain inconclusive or without cultural activity.

National institutions depend nearly entirely on the central government for funding, although boards of governors are allowed considerable leeway in decision-making<sup>7</sup>. A significant number of the other cultural institutions in the country are financed and self-managed under agreements between different levels of government. This inter-institutional cooperation seeks to promote coherence in regional development strategies and, indirectly, encourages greater self-management in the day-to-day running of the institutions.

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<sup>7</sup> Rubio-Arostegui, Juan Arturo & Villarroja, Anna (2022) Patronage as a way out of crisis? the case of major cultural institutions in Spain, *Cultural Trends*, 31(4), 372-391. DOI: 10.1080/09548963.2021.1986670

## 4.2 Data on selected public and private cultural institutions

Data on cultural institutions have been taken from the [Cultural Statistics Yearbook](#) published by the Ministry of Culture. Although it was not always possible to distinguish between public and private ownership, as shown in Table 1, the general trend in recent years has been the increase in cultural institutions. The most significant growth has occurred in public concert houses which increased by 43% between 2020 and 2022 (from 795 to 1 139). They were followed by dance and ballet companies which increased by 13.2% in the period 2017-2022 (from 833 to 943), symphonic orchestras which grew by 11.3% (from 194 to 216) in the period 2018-2022, and theatre companies which grew by 10.8% (from 4 144 to 4 590). At the lower extreme, public owned libraries, publishers, and cultural heritage sites (historical) experienced a decrease around 12% between 2017 (or 2018) and 2022.

### Cultural institutions, by sector and domain

Domain	Cultural Institution (Subdomain)	Public Sector		Private Sector	
		2022	2017/2018	2022	2018
<b>Cultural Heritage</b>	Cultural heritage sites (recognised)*	451 (2022)	514 (2017)		
	Archaeological sites*	2 318 (2022)	2 257 (2017)		
<b>Museums</b>	Museum institutions and museographic collections	1 120 (2022)	1 074 (2018)	348 (2022)	359 (2018)
<b>Archives</b>	Archive institutions**	37 (2022)	36 (2018)		
<b>Visual arts</b>	Public art galleries / exhibition halls	Na		Na	
<b>Performing arts</b>	Scenic and stable spaces for theatre	1 245 (2022)	1 193 (2018)	503 (2022)	461 (2018)
	Concert houses	1 139 (2022)	795 (2020)	114 (2022)	110 (2020)

	Theatre companies*	4 590 (2022)	4 144 (2018)		
	Dance and ballet companies	943 (2022)	833 (2017)		
	Symphonic orchestras*	216 (2022)	194 (2018)		
<b>Libraries</b>	Libraries***	4 832 (2022)	5 516 (2018)	785 (2022)	785 (2018)
<b>Audiovisual</b>	Cinemas*			731 (2022)	734 (2018)
	Broadcasting organisations	Na			
<b>Interdisciplinary</b>	Socio-cultural centres / cultural houses	Na			
<b>Others (please explain)</b>	Publishers	286 (2022)	327 (2018)	2 846 (2022)	2 786 (2018)

Source: Ministry of Culture and Sport (several years) [Cultural Statistics Yearbook](#).

Notes: Na: not available / \* No distinction between public and private / \*\* It refers to central-owned archives (ownership of the Ministry of Culture and Sport and the Ministry of Defence) / \*\*\* Public central, regional and local libraries.

## 5. Cultural Funding

### 5.1 Overview

The majority of public cultural expenditure in Spain comes from regional and local governments, which together represent 85% of public cultural spending (see Table 2). This shows the decentralised nature of the Spanish model in which territorial authorities are assumed to be mainly responsible for financing the cultural sector.

Total public culture expenditure per capita in 2021 was EUR 122.5. By levels of government, the per capita expenditure of the central government (in 2021) amounted to EUR 18.4, and that of the Autonomous Communities and local governments was EUR 32.4 and EUR 71.7 respectively.

The per capita figure varies widely from region to region. Using the liquidated regional expenditure on culture for 2021, the highest amount per capita allocated by an Autonomous Community was Navarre, at EUR 77.7, followed by the Basque Country (EUR 65.5), and Catalonia (EUR 44.9). At the lower extreme were the Canary Islands (EUR 14.7) and Madrid (EUR 16.2).

Public expenditure on culture accounted for approximately 0.48% of Spanish GDP in 2021. It has had a slightly positive evolution since 2016 when public spending on culture accounted for 0.43% of GDP. Data on public spending on culture compared to the total public expenditure, which is only available by levels of government, accounted for 0.24% at the central government, 0.61% at the regional level and 4.28% at the local level. Local and central governments have had a negative evolution during the period 2016-2021, with a decrease of 0.31 and 0.01 points respectively. Autonomous Communities experienced an increase of 0.03 points over the period.

## ***5.2 Public cultural expenditure by level of government***

The data in Table 2 show a high level of decentralisation in public spending on culture. Traditionally, territorial governments (autonomous and local) account for 85% of government spending in the sector. In 2021, regional and municipal authorities spent a total of EUR 4 933 552 000, of which 26.5% was spent by the regional powers and 58.5% by municipal authorities. The regions spending the highest percentage of public expenditure on culture in Spain were Catalonia (22.4%), Andalusia (18.3%), Valencia (9.4%) and Basque Country (9.3%).

The evolution of public cultural expenditure over the period 2016-2021 shows an increase of approximately 20.9% in nominal terms, and 12.7% at constant prices for 2021. By levels of government, Autonomous Communities had the highest increase (45.7% in nominal terms, which represents an increase of 35.8% in real terms), followed by the central government (31.4% and 22.5%, respectively), while local government experienced a less prominent increase (10.2% and 2.7%, respectively).



**Public cultural expenditure by level of government, in thousand EUR, 2016 and 2021**

<b>Level of government</b>	<b>2021</b>		<b>2016</b>	
	<b>Total expenditure in EUR</b>	<b>% share of total</b>	<b>Total expenditure in EUR</b>	<b>% share of total</b>
<b>State (central, federal)</b>	870 389	15%	662 627	13.8%
<b>Regional (provincial, Länder, etc.)</b>	1 536 431	26.5%	1 054 331	22%
<b>Local (municipal, incl. counties)*</b>	3 397 121	58.5%	3 083 367	64.2%
<b>TOTAL</b>	<b>5 803 941</b>	<b>100%</b>	<b>4 800 325</b>	<b>100%</b>

Notes: \* For the years 2015 onwards, the Basque Country does not include the local entities of the province of Álava, except for the Provincial Council.

Source: Ministry of Culture and Sport (several years) [Cultural Statistics Yearbook](#).

### **5.3 Public cultural expenditure per sector**

In 2021, the central government spent EUR 870 389 000 on culture. By sectors, the central government in 2021 spent approximately 35% of its resources for culture on the historic and artistic heritage sector, since its area of competence covers mainly the large museums and national monuments. The second largest area of spending was performing arts and music, with 20%, and with a clear predominance of music, since the central government is responsible for the national and lyric orchestras. In third place were the resources allocated to cultural relations abroad, which are particularly important in a country with a high level of internal decentralisation and a firm international commitment to Latin America. Finally, cinema production and other audiovisual services and goods (12%) concentrates a large part of the resources allocated to the culture industries. The allocation of central government resources among different cultural sectors has remained more or less equal during the last six years.



**State public cultural expenditure: by sector, in EUR, 2016 and 2021**

Field / Domain	2021		2016	
	Total expenditure in EUR	% share of total	Total expenditure in EUR*	% share of total
<b>Cultural Heritage</b>	142 705	16%	121 238	18%
<b>Museums</b>	158 973	18%	139 586	21%
<b>Archives</b>	24 668	3%	23 600	4%
<b>Visual Arts</b>	1 882	0%	1 559	0%
<b>Performing Arts*</b>	177 739	20%	132 860	20%
<b>Audiovisual and Multimedia**</b>	102 923	12%	63 311	10%
<b>Interdisciplinary Sociocultural***</b>				
Cultural Rel. Abroad	16 114	2%	10 301	2%
Administration	116 617	13%	118 621	18%
Cultural Education	73 966	8%	9 418	1%
	Na	Na	Na	Na
<b>Not covered by the above domains****</b>	54 802	6%	42 132	6%
<b>TOTAL</b>	<b>870 389</b>	<b>100%</b>	<b>662 626</b>	<b>100%</b>

Source: Ministry of Culture and Sport (several years) [Cultural Statistics Yearbook](#).

Notes: Na: not available / \* It includes music / \*\* It includes cinema and other audiovisual goods and services / \*\*\* Cultural promotion and cooperation / \*\*\*\* It includes libraries, other cultural goods and services, and book sector

In 2021, the autonomous governments spent EUR 1 536 431 000 on culture. The expenditure of the autonomous governments was almost double that in comparison to the expenditure of the central government.

The fields in which the autonomous governments are most active are interdisciplinary spending (40%) and historical and artistic heritage, including museums (31%), which together receive approximately 61% of public spending on culture. The volume of

spending on heritage relates to its high symbolic value and its importance as a public asset in the development of cultural tourism. In the case of interdisciplinary spending, significant sums are allocated to cultural promotion, diffusion and cooperation. In any case, there are large divergences between the various Autonomous Communities. As for the rest of the sectors, performance arts and music spending predominate (15%), given their local importance.

### ***Regional public cultural expenditure: by sector, in EUR, 2016 and 2021***

<b>Field / Domain</b>	<b>2021</b>		<b>2016</b>	
	<b>Total expenditure in EUR</b>	<b>% share of total</b>	<b>Total expenditure in EUR</b>	<b>% share of total</b>
<b><i>Cultural Heritage</i></b>	337 539	22%	85 917	9%
<b><i>Museums</i></b>	141 295	9%	127 261	12%
<b><i>Archives</i></b>	24 988	2%	29 014	3%
<b><i>Visual Arts</i></b>	13 934	1%	19 269	2%
<b><i>Performing Arts</i></b>	232 666	15%	232 126	22%
<b><i>Audiovisual and Multimedia</i></b>	34 305	2%	35 365	3%
<b><i>Interdisciplinary</i></b>				
<i>Sociocultural*</i>	452 146	29%	232 607	22%
<i>Cultural Rel. Abroad</i>	14 992	1%	2 546	0%
<i>Administration</i>	151 189	10%	105 379	10%
<i>Cultural Education</i>	Na	Na	Na	Na
<b><i>Not covered by the above domains**</i></b>	133 376	9%	184 848	18%
<b><i>TOTAL</i></b>	<b>1 536 431</b>	<b>100%</b>	<b>1 054 332</b>	<b>100%</b>

Source: Ministry of Culture and Sport (several years) [Cultural Statistics Yearbook](#).

Notes: Na: not available / \* It includes music / \*\* It includes cultural promotion and cooperation, as well as linguistic policy / \*\*\* It includes libraries, book sector and areas not covered by the above domains

## 6. Legislation on Culture

### 6.1 Overview national cultural legislation

In the 1978 Constitution, culture appears as one of the main spheres of government action. The importance attached to culture is made clear in the way various tasks are entrusted to the constituted authorities in guaranteeing cultural processes, i.e. the creation, transmission and protection of culture. The Constitution states that culture is a right of all citizens and is to form part of the presiding principles of social and economic policy. To that end, the Constitution entrusts the public authorities with specific tasks in the field of culture. In addition to access to culture (Articles 9 and 44), cultural democracy, that is, freedom of expression and creativity (Article 20), and protection of the historic, cultural and artistic heritage (Article 46) are other important mandates of the Constitution. Linguistic and cultural plurality is expressly protected by the Constitution, both in the preamble and in its articles (Article 3.2). It is equally guaranteed in the charters of the Autonomous Communities.

There is no overall legislation for culture in Spain. The only Act establishing the scope, operation and governing structure is the 323/2024 Royal Decree on the Basic Structure of the Ministry of Culture.

Recent developments regarding specific regulations are, on the one hand, the approval of the different legislative reforms comprising the Artists' Statute that represents the recognition, for the first time in Spain, of the cultural exception. This entails the settlement of a debt with a sector that is characterised by the intermittent nature of its activity, which needs to be properly recognized and regulated. Regulations approved so far include: 5/2022 *Royal Decree-Law*, passed in March 2022, that adapts the special regime governing the labour relationship of persons engaged in artistic activities, as well as the technical and auxiliary activities necessary for their undertaking, and improving working conditions in the sector, 31/2022 *Act of 23 December, on General State Budgets for 2023* (articles 66 and 69); *Royal Decree-Law 1/2023 of 10 January* on urgent measures regarding hiring incentives and improved social protection for artists and *Royal Decree 31/2023 of 24 January*, amending the Personal Income Tax Regulation, approved by Royal Decree 439/2007 of 30 March, to comply with the measures contained in the Artists' Statute regarding withholdings. On the other hand, the approval of a new *General Act on Audiovisual Communication* (13/2022 Act) to adapt the audiovisual regulation to the emergence of new actors, the diversification of audiovisual formats and the fragmentation of the audience, creating new categories of services, equating some obligations between the different providers,

paying special attention to the protection of minors and guaranteeing cultural, linguistic and gender diversity. The Act passed with more than a year and a half delay in the transposition of the Directive (EU) 2018/1808 on Audiovisual Media Services, and a complaint by the European Commission before the Court of Justice of the EU for that delay. Its publication also complied with one of the actions of the Government's Recovery, Transformation and Resilience Plan, in the "*Spain, Audiovisual Hub of Europe*" component. Mention should also be made of the development of a new act for cinema. In December 2022, the government approved the *draft Act on Cinema and Audiovisual Culture* aimed at strengthening the entire value chain of the creative and industrial fabric, with special attention to the independent sectors for constituting essential elements of cultural diversity. The *draft Act* also stresses the importance of the protection and dissemination of cinematographic and audiovisual heritage, in addition to promoting diversity, equality and accessibility.

In April 2023, the reform of the *patronage and sponsorship Act* was approved, pending the process in the Senate. The amendment aims to increase incentives for patronage, but changes not only affect patronage, but also the taxation of non-profit entities.

At the regional level, there have been several legislative initiatives in the area of cultural rights. It is the case of Navarre (*Regional Law 1/2019*) and the Canary Islands (*Regional Law 1/2023*). Currently, Catalonia is working on the development of a future Cultural Rights Law. At the local level, an outstanding initiative is the [Barcelona Cultural Rights Plan](#) (2021-2023), passed in 2021, which reinforces the role of culture as an essential tool to promote participation, diversity and also social cohesion, as well as the [Interculturality Plan](#) (2021-2030).

## 6.2 Overview international cultural legislation

### *International legal instruments implemented by Spain in the cultural field*

<b><i>Title of the international legal instrument</i></b>	<b><i>Year of adoption</i></b>
<i>Berne Convention for the Protection of Literary and Artistic Works</i>	<i>1887 (Spain became Member)</i>
<i>Constitution of the United Nations Educational, Scientific and Cultural Organisation (UNESCO)</i>	<i>Signed in 1945</i>
<i>Universal Copyright Convention</i>	<i>Ratified in 1954</i>
<i>Agreement on the Importation of Educational, Scientific and Cultural Materials</i>	<i>Acceded in 1955</i>
<i>European Cultural Convention</i>	<i>Ratified in 1957</i>
<i>Convention for the Protection of Cultural Property in the Event of Armed Conflict</i>	<i>Ratified in 1960</i>
<i>Convention concerning the international exchange of publications</i>	<i>Ratified in 1963</i>

<i>European Agreement on the Protection of Television Broadcasts</i>	<i>Acceded and entry into force in 1971</i>
<i>Agreement concerning Programme Exchanges by means of Television Films</i>	<i>Acceded in 1973 and entry into force in 1974</i>
<i>Convention for the Protection of Producers of Phonograms Against Unauthorised Duplication of Their Phonograms</i>	<i>Ratified in 1974</i>
<i>Universal Copyright Convention as revised at Paris on 24 July 1971</i>	<i>Ratified in 1974</i>
<i>European Convention on the Protection of the Archaeological Heritage</i>	<i>Acceded in 1975</i>
<i>Convention concerning the Protection of the World Cultural and Natural Heritage</i>	<i>Accepted in 1982</i>
<i>Convention for the Protection of the Architectural Heritage of Europe</i>	<i>Signed in 1985. Ratified and entry into force in 1989.</i>
<i>Convention on the Means of Prohibiting and Preventing the Illicit Import, Export and Transfer of Ownership of Cultural Property</i>	<i>Ratified in 1986</i>
<i>Ibero-American Film Integration Agreement</i>	<i>Signed in 1989 and entry into force in 1991</i>
<i>Latin American Film Co-production Agreement</i>	<i>Signed in 1989 and entry into force in 1992</i>
<i>European Convention on Transfrontier Television</i>	<i>Signed in 1989. Ratified and entry into force in 1998.</i>
<i>International Convention for the Protection of Performers, Producers of Phonograms and Broadcasting Organisations</i>	<i>Acceded in 1991</i>
<i>European Charter for Regional or Minority Languages</i>	<i>Signed in 1992. Ratified and entry into force in 2001</i>
<i>European Convention on Cinematographic Co-Production</i>	<i>Signed in 1994. Ratified in 1996 and entry into force in 1997</i>
<i>European Convention relating to Questions on Copyright Law and Neighbouring Rights in the Framework of Transfrontier Broadcasting by Satellite</i>	<i>Signed in 1994</i>
<i>WIPO Performances and Phonograms Treaty</i>	<i>Signed in 1996. Ratified in 2009 and entry into force in 2010</i>
<i>European Landscape Convention</i>	<i>Signed in 2000. Ratified in 2007 and entry into force in 2008</i>
<i>Convention on Cybercrime</i>	<i>Signed in 2001. Ratified and entry into force in 2010</i>
<i>Convention on the Protection of the Underwater Cultural Heritage</i>	<i>Signed in 2011. Ratified in 2005 and entry into force in 2009</i>
<i>Convention for the Safeguarding of the Intangible Cultural Heritage</i>	<i>Ratified in 2006</i>
<i>Convention on the Protection and Promotion of the Diversity of Cultural Expressions</i>	<i>Ratified in 2006</i>
<i>WIPO Copyright Treaty</i>	<i>Ratified in 2009 and entry into force in 2010</i>
<i>Beijing Treaty on Audiovisual Performances</i>	<i>Spain became a Member in 2012</i>
<i>Faro Convention</i>	<i>Spain ratified 2018</i>

Recent technological developments like AI or social media platforms have had and will continue a huge impact in arts and culture, intellectual property and copyrights. National and international legislative systems are still coming to terms with all the challenges associated, with the European Union approving its first AI regulation<sup>8</sup> in 2024. The Ministry of Culture has recently developed a guide of good practices related to the use of artificial intelligence.

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<sup>8</sup> For more details see: <https://artificialintelligenceact.eu/>