Artificial Intelligence, Big Data and Fundamental Rights

Country Research Spain

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¹ Report prepared by Ecorys. While every effort has been made by the FRA contractor to refer to relevant national institutions, policy developments and law relating to the field of AI and fundamental rights, given the wide reach of AI developments and the quickly evolving nature of the field there may be omissions or recent developments at national level that are not referred to in this country research.
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## Abbreviations

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<th>Abbreviation</th>
<th>Full Form</th>
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<tr>
<td>AECID</td>
<td>Agencia Española de Cooperación Internacional para el Desarrollo</td>
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<td>AEI</td>
<td>Agencia Estatal de Investigación</td>
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<td>AEPD</td>
<td>Agencia Española de Protección de Datos</td>
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<td>AEPIA</td>
<td>Asociación Española para la Inteligencia Artificial</td>
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<td>AESAN</td>
<td>Spanish Agency for Food Safety and Nutrition</td>
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<td>AI</td>
<td>Artificial intelligence</td>
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<td>CAHAI</td>
<td>Ad Hoc Committee on Artificial Intelligence of the Council of Europe</td>
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<td>CEA</td>
<td>Spanish Committee of Automation</td>
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<td>COSCE</td>
<td>Confederación de Sociedades Científicas de España</td>
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<tr>
<td>CSIC</td>
<td>Spanish National Research Council (Consejo Superior de Investigaciones Científicas)</td>
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<td>EECTI</td>
<td>Spanish Strategy on Science, Technology and Innovation (Estrategia Española de Ciencia, Tecnología e Innovación)</td>
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<td>GDPR</td>
<td>General Data Protection Regulation</td>
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<td>OECD</td>
<td>Organisation for Economic Co-operation and Development</td>
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<td>SME</td>
<td>Small and Medium Enterprises</td>
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1 Constitutional and institutional context

1.1 Map of the major stakeholders

1.1.1 National bodies and agencies

Parliament and government
Spain is a constitutional monarchy, which recognizes the monarch as head of the state with a nominal and representative—rather than political—role within the state. The legislative power and control over the Government belongs to the Parliament (Cortes Generales), which is composed of the Congress of Deputies (lower house of 350 Deputies) and the Senate (upper house of 266 Senators). The parliament is also entitled to establish taxes, approve the national budget and ratify international agreements, besides other functions established by the Spanish Constitution (1978).

Given their role in the legislative process, the Congress of Deputies has the most authority of policies around artificial intelligence. In July 2018, the Popular Party (Partido Popular) proposed a law to develop a national strategy to advance AI and incorporate it within decision-making processes, especially within the financial, health and transportation sectors. This proposal also focused on fostering the growth of SMEs specialized in AI, preparing a national plan on professional training on AI and creating a legal framework for the use of robotics and AI that would be in line with the EU recommendations. The first version of the National Strategy on AI was issued in 2019.²

Within the public administration, the Secretary of State for Digital Transformation (SEAD), which is part of the Ministry of Economy (MINECO), is responsible for coordinating strategies, initiatives and plans to implement digitalization policies in the country.

From a fundamental rights perspective, the Spanish Data Protection Agency (Agencia Española de Protección de Datos – AEPD) is one of the most active national agency as concerns the data protection. Their role in this space will only increase as they have been examining different questions related to big data, AI, machine learning and other data processing techniques (see section 1.4).

Regional bodies and agencies
Spain is composed of 17 autonomous communities (comunidades autónomas) including the autonomous cities of Celta and Melilla. Each

² This strategy is described more in detail in the section on National strategies and guidelines.
community is composed of provinces (provincias), of which there are 50. Autonomous communities have substantial freedom to take decisions on social, economic and territorial policies. They also have their own legislative (Parlamento autónomo) and executive institutions (Gobierno autónomo).

There have been different regional initiatives related to AI, such as one in the Aragon autonomous community where one of the political parties suggested to develop a “Autonomic plan to foster the AI development in Aragon” in 2017.

Advisory councils
State Research Agency (La Agencia Estatal de Investigación [AEI]) is a public agency that allocates and monitors public funding to research institutions and individual researchers in the sciences. It also certifies, with the help of an international commission, the excellence of research centres as centres of excellence “Severo Ochoa” or research units of excellence “Maria de Maestu”, which means that these research centres or units have gained international recognition and have created strong social and business partnerships within their field of activity.

The Spanish National Research Council (Consejo Superior de Investigaciones Científicas [CSIC]) is a public agency that belongs to the Ministry of Science, Innovation and Universities and is the biggest public research institution: probably it is also one of the most important players within the national borders as concerns bringing into being the national politics on science and technology. Many scientific institutes, research centres and other public research institutions (such as universities) belong to this council and therefore there are many synergies that emerge between different members of this council: for example, last July, the Institute of AI Research, the Institute on Automation and Robotics and other institutions organized the debate "The AI impact on our society, the challenges and opportunities." Just recently, on October 7th, 2019, another event related to AI also took place at the premises of the council: this time the researchers from the Institute of AI Research, Institute of Industrial Robotics and Institute of Politics and Public Goods together with other researchers organized another public

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debate on ethical implications of AI on education, healthcare and healthcare services.⁶

The interest of the Spanish National Research Council in AI and its social, legal and ethical impact is also reflected in the variety of publications on this topic freely available in the digital library of the Council.⁷

Research institutions
There are many research groups within Spanish public and private universities working on AI from ethical, legal, technical, social and other perspectives. For example and besides other research institutions already mentioned in previous and forthcoming sections of this report:

- **AYRNA Research Group on Learning and Artificial Neural Networks** at the University of Cordoba
- The Research Group on Agent-Based, Social and Interdisciplinary Application (Grasia) at the Complutense University of Madrid;
- The academic unit working on Human Rights, diversity and new technologies (Dertecnia) and Applied AI Group (GIAA) at the University Carlos III de Madrid;
- **Department of AI**, Polytechnic University of Madrid, Group of AI and robotics (IAR) at the International University of Rioja;
- The Bioinformatics, Intelligent Systems and Educational Technology (BISITE) Research Group at the University of Salamanca;
- The common initiative of Universities of Granada and Jaén called Andalusian Research Institute in Data Science and Computational Intelligence (DaCSI), Research, Development and Innovation in Computing Research Group (IDINFOR) at the University of Sevilla;
- Intelligent Systems and Data Mining Research Group (SIMD) at the University Castilla-La Mancha;
- Advanced Data Mining Research, Business intelligence, Bioinformatics and Big data, Learning research group (The ADMIRABLE) at the University of Burgos;
- Intelligent Technologies for Advanced Knowledge Acquisition research group (ITAKA) and Research group on AI (Banzai) at the University Rovira i Virgili;
- Volume Visualization and Artificial Intelligence research group (WAI) at the University of Barcelona;
- Computer Architecture and Logic Design Group (ARCO) at the University of Extremadura;
- Lab on Research and Development of AI (LIDIA) at the University A Coruña;


Singular Research Centre of Intelligent Technologies (CITIUS) at the University of Santiago de Compostela;
AI and Knowledge Engineering Group (AIKE) at the University of Murcia;
The Joint Research Lab (JRC) at the University of Pais Basco;
Group of Information Technology – AI (GRI IA) at the Polytechnical University of Valencia.

Many of above mentioned universities and other research institutions also have specific graduate programs for AI, such as Masters degree in AI (online) at the International University of Valencia; Master’s in Software Engineering and AI at the University of Malaga; Master’s in AI at the Polytechnical University of Catalunya; and numerous others. The variety and quantity of courses show how important and requested this topic is in Spain. In addition, many undergraduate but in particular graduate programs in Spain are often attended by the students from Latin America: consequently Spain represents the educational epicenter for preparing and training future engineers and other specialists to work on AI-related applications and systems not only in Spain but also in many other countries, such as Chile, Peru, Argentina, Uruguay, Paraguay, Venezuela and others.

The Spanish Network of Supercomputation or RES (Red Española de Supercomputación) is a Unique Scientific and Technical Infrastructure (ICTS), whose “nets” are distributed throughout Spain and are connected to each other by an academic and research network called RedIris, which enables the exchange and circulation of enormous quantities of data between them. Right now there 12 supercomputers in Spain: Madrid, Zaragoza, two in Barcelona, Valencia, León, Santiago de Compostela, Cáceres, Málaga, La Palma and Santander.

For the purposes of this report, one institution of this infrastructure is of particular interest: Spanish Digital Innovation Hub (AI DIH) for High Performance Computing (esHPC) that works on, promotes, trains and launches different research projects on AI focusing mainly on private sector stakeholders (industry) and in particular on SMEs, but also provides with resources the public R&D institutions. In this later case, the RES provides the researchers with the possibility to apply for computing time on supercomputers and one of the conditions for these applications is to belong to the public or private research institution, although the rules also admit the possibility of joint university-business activities. As to businesses, the RES provides with the tools that enable businesses to use data in such a way as to optimize resources, create new products and services and become more competitive: RESxPyme (literally RES for SMEs) is a specific group within RES dedicated to this task: one of initiatives of this group is to allow the newly created spin-

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offs to access the supercomputing infrastructure for free during the first three years after their creation.

DIHs related to AI, such as DIHs working on robotics, autonomous systems, cognitive systems or internet of things, are 47. For instance, Artificial Intelligence & Robotics for Sustainable Development Goals (AIR4S) is a fully operational DIH which provides AI and robotics related services to both public and private sectors. Some of their initiatives in the fields of healthcare, agronomics/food industry, climate, mobility and smart cities, industry/energy and society include (the examples were selected bearing in mind their relevance to the issues of fundamental rights):

- Healthcare:
  - Development of tools to integrate clinical trial data within Insite platform, which is dedicated to trustworthy re-use of electronic healthcare records.

- Society:
  - open data for citizen participation and transparency for the city of Zaragoza;
  - AI services for detection of potential fake news for the Radio Televisión Española (national TV) and CIVIO foundation.
  - AI applied to calculate the risk of social exclusion via smartphone in the Castilla y Leon region;

**Judiciary**

The General Council of the Judiciary (Consejo General del Poder Judicial) is an institution composed of judges and lawyers, which governs the judges and courts and works to ensure the independency of the judicial system in Spain. There are many initiatives related to the “Plan of modernization of Justice” (Plan de la modernización de la Justicia) of 2008 that aims to implement the necessary means to ensure e-justice with the help of different software programs and other technologies that would ensure interoperability within different autonomous communities and within different stakeholders of the judicial system.

AI is not yet implemented within the General Council of the Judiciary, although different regions have organized courses to introduce the topic to judges: for example, in 2018 Navarra region judges could attend a course on Informatics and Law that dealt with the topic of AI.9

As recently as the end of November 2019, the Ministry of Justice — represented by Manuel Jesús Dolz, the State Secretary for Justice, and Sofia Duarte, director for the modernization of Justice— have presented three new technologies, developed by the Ministry itself, which also is in

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charge of training and technical support to the people who are going to use these tools:

- **Calculator 988 (Calculadora 988)**, which calculates the sentences in cases of sentence accumulation and selects the one that is the most favorable for the defendant. This tool uses the algorithm that was elaborated by the Public Prosecutor’s Office of the Supreme Court (Fiscalía del Tribunal Supremo) within the framework of art. 988 of the Law of Criminal Procedure, art. 76 of the Criminal Code and other legal norms. Calculator 988 will enable the judicial, prosecution and penitentiary institutions to speed up their work, save resources and will increase the trust in the whole system by preventing the errors of calculation of sentence: right now this work could take even a few days whereas thanks to this tool it will take only a few seconds. The implementation of this tool within the courts and prosecutor’s offices will start at the beginning of 2020.

- A system that automatically creates documents out of trial recordings: this tool helps to search, pinpoint and access the contents of what has been said during the trial. Currently it is being tested at the judicial office of Cuenca.

- Handwritten digital signature tool that collects the signatures of citizens when they appear in the administrative offices of the courts and do not have an electronic signature. Right now the document needs to be printed and signed manually, whereas thanks to this new system, the citizen will have to sign on a tablet, thus creating an electronic document which will be later on added to digital file. The courts of Segovia are already testing it and progressively it will be implemented in the regions of Castilla-La Mancha, Castilla y Leon, Extremadura, Balearic Islands, Murcia and in the autonomous cities of Ceuta and Melilla.

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10 Sentence accumulation applies when a person has been sentenced for committing different crimes and different punishments apply: that is, some people commit more than one crime and in those cases there is more than one punishment to be arranged. Spain does not use the US formula when a person can be put to jail for hundreds of years because in the US sentence accumulation simply means a sum of all the imprisonment years that foresee different crimes. In Spain there is a general rule that a person cannot spend more than 20 years in prison, unless certain circumstances apply (such as terrorism). There are numerous rules how these calculations should be carried out and always bearing in mind the interests of the convicted and always interpreting the norms in the most favorable terms for him or her, i.e. calculating that a month is always 30 day long, whereas in reality only some months are 30 day long and others are 31 day long.
1.2 Public-private partnerships

1.2.1 Civil society

In recent years Spanish society has been informed continuously about the threats and possibilities of AI by newspapers and magazines (such as Retina of El Pais) and other means of mass media: almost in every debate the questions related to human rights and vulnerability of human beings in front of technological developments have been addressed.

Civil society is aware of the questions related to social, ethical and legal impact of AI: one of the examples of We the Humans think tank which aims to foster social debate on correct use and development of AI and foster ethical AI. Another institution of this kind is the Royal Institute “Elcano” a private think tank that focuses on the international studies from Spanish, European and global perspectives and in the last years has organized events and published numerous reports and policy papers on the topic of AI, regarding AI and cybersecurity, proposal on Spanish AI Ecosystem, Geopolitics of AI Ethics, AI and power, and others.

Another of such institutions representing public interest is the Spanish Observatory of Ethics and Social Impact of AI (ODISEIA). It is a nonprofit organization whose members are persons, companies, universities and other entities interested to ensure that AI evolves in a human friendly way. It was created just 4 months ago and does not have much activities yet, but the existence of this Observatory is already a proof that there is a feeling and a necessity to fill in a gap on the topic of social acceptance of AI.

In addition B Debate, International Center for Scientific Debate Barcelona, has launched in 2017 the manifesto called Barcelona Declaration for the Proper Development and Usage of AI in Europe. It is a proposal of code of conduct for AI developers, users and practitioners. It elaborates 6 principles —Prudence, Reliability, Accountability, Responsibility, Constrained Autonomy and Human Role— and distinguishes between knowledge-based AI and data-driven AI: the combination of the two reveals the full potential of AI but certain precautions should be taken so that the success of AI would not overwhelm the humanity.

1.2.2 Relations between the public and private sector

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There are numerous initiatives that prove how serious Spain is responding to the technological challenges of the last decades: there are very large associations that unite different private and public organizations, such as the Spanish Confederation of Scientific Societies (Confederación de Sociedades Científicas de España – COSCE) and also smaller and more focused AI associations, such as the Spanish Association for AI (Asociación Española para la Inteligencia Artificial - AEPIA) (more about it: 1.3.3).

The government promotes collaboration between public and private sectors because technological advancement is not feasible without the support of private companies: Hisparob is a Spanish technological platform of Robotics which aims to promote Spanish leadership in robotics by developing new robotics-based products and services. Many national and international technological companies have joined this platform (and is therefore relevant for section 1.3), such as Airbus (which has research facilities in Madrid), Elmeq, Asti, Adele Robots, and also research institutions, such as the Professional School of New Technologies (La Escuela Profesional de Nuevas Tecnologías – CICE), the Polytechnical school (EPS) of University of Girona, University Rey Juan Carlos, University of Salamanca, and University of Alcalá.

Another example of strong private-public relations in the field of AI and robotics is the Spanish Committee of Automation (CEA), a non-profit organization that focuses on the development of automation and among its members are both private companies and public institutions. CEA has released in 2011 a White Book of Robotics in Spain: Research, Technologies and Training.

There is wide implementation by public and private entities of the different applications of Savana program, which transforms the clinical records of the patients into Big Data that enables the physicians and other medical personnel to establish unknown correlations and links between different data, predict the evolution of illness and to make decisions: it is currently used by healthcare services of community of Madrid (Salud Madrid) and many different private and public hospitals.13

Mutual benefit society of Spanish lawyers (Mutualidad Abogacia) has also announced the creation of Ethics Committee for AI in the field of finance and insurance.14

13 These hospitals are University hospital Rey Juan Carlos, Infanta Elena, Infanta Leonor, La Princesa, Puerta del Hierro Majadahonda, Hospitals HM, Quirón Salud and many other institutions.

1.3 International relations

1.3.1 General strategy

Spain is a party to many international treaties and has committed to the 2030 Agenda for Sustainable Development: the National Strategy on AI (1.4) highlights the importance of AI to achieve the goals of this Agenda.

1.3.2 European linkages

Spain has agreed to “Coordinated Plan on the Development and Use of AI Made in Europe – 2018” (COM(2018) 795 final) which includes, among other things, the objective to ensure the synergies between national strategies on AI of Member States and invites the Member States to elaborate them by 2019. Spain has adhered to this task (see National strategies and guidelines).

Spain has also signed, together with other Member States of the EU, Norway and Switzerland, the Declaration of cooperation on AI in 2018 agreeing to cooperate, among other things, to ensure “an adequate legal and ethical framework, building on EU fundamental rights and values, including privacy and protection of personal data, as well as principles such as transparency and accountability” and also to guarantee that “the humans remain at the centre of the development, deployment and decision-making of AI, prevent the harmful creation and use of AI applications, and advance public understanding of AI.”

The Spanish General Council of Judiciary also collaborates with The European Judiciary Training Network (Red Europea de Formación Judicial-REFJ), which organizes different courses and training sessions, such as the course “Artificial intelligence and its implications for the criminal justice system” (CP/2019/26, October 24-25, 2019, Rome, Italy).15

Spain is also a part of Digital Innovation Hubs initiative of the European Commission (smart specialization platform),16 and together with other member states forms part of the Pan-European network of DIHs and in particular as concerns AI and related technologies (robotics, Internet of Things and cognitive systems) Spain has 47 DIHs distributed throughout national territory.

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Spanish companies play an important role in the EU AI and robotics sector. For example, Spanish technological research and innovation centre Tecnalia, together with Danish Technological Institute (Denmark), Fraunhofer IPA (Germany), and Manufacturing Technology Centre (UK) have founded Robot Technology Transfer Network (ROBOTT-NET) that aims to support and promote European industrial robotics sector.

Another initiative which already counts more than 20 years of existence is The European Centre of Companies and Innovation (Centro Europeo de Empresas e Innovación del Principado de Asturias - BIC Asturias) created by a common initiative of Institute of Regional Development of Asturias, Economic Development Agency of the Principality of Asturias and the Directorate General of Regional Policies of the European Commission together with other local organizations and businesses.

Spain is also part of Ad Hoc Committee on Artificial Intelligence – CAHAI, that was set up by the Committee of Ministers of Council of Europe: this initiative is very young and Spain is still preparing the country report on national initiatives. However the first meeting was attended by representatives of Spanish Ministry of Justice, Artificial Intelligence Area of the Secretary of State for Digital Advancement, Ministry of Economy and Business, Ministry of Interior, the Cabinet of the General Secretariat for the Coordination of Scientific Policy, Ministry of Science, Innovation and Universities, and other Spanish institutions.

1.3.3 International linkages

Spain, as a member state of OECD, has adopted, the OECD Council Recommendation on AI, which included OECD Principles on AI. These principles promote AI that respects and promotes human rights and democracy. These principles were later used to draw the AI principles adopted by G20.

There are also many non-profit organizations working to start and maintain the existing relations and collaborations on AI: one of the oldest such organizations is Spanish Association for AI (Asociación Española para la Inteligencia Artificial – AEPIA), which was created in 1983 to promote the research on AI in Spain and in Latin America. It is a non-profit association which has founded different other AI-oriented associations, such as Iberoamerican Society of Artificial Intelligence (IBERAMIA). AEPIA is also a member of the European Coordinating Committee for AI (EURAI) and is currently involved in a variety of initiatives, conference organization and publication activities.

There are also other initiatives that are not directly (or not only) digitalization and technology oriented, such as The Knowledge Transfer, Exchange and Management Plan for the Development of Spanish
Cooperation in Latin America and the Caribbean (Plan de Transferencia, Intercambio y Gestión de Conocimiento para el Desarrollo de la Cooperación Española en América Latina y el Caribe – INTERCOONECTA), supported by the Spanish Government, Ministry of Foreign Affairs which among its thematic clusters has that of innovation. The cluster of innovation is supported by expert network CEDDET on knowledge and innovation (Red CEDDET, conocimiento y innovación). Among its academic and training activities, INTERCOONECTA through the Spanish Agency for International Cooperation for the Development (Agencia Española de Cooperación Internacional para el Desarrollo – AECID) has organized courses on GDPR at the Educational Center of Montevideo (Uruguay), on blockchain and its link to Real Estate Registry at the Educational Center of La Antigua (Guatemala) and electronic signature and electronic registry at the Educational Center of Cartagena de Indias (Colombia).

At the same time INTERCOONECTA is seriously committed to the human rights issues, such as human rights, businesses and social responsibility, gender based violence, situation of indigenous women and rights of indigenous people, support for the Inter-American Court of Human Rights, and many other related issues.17

1.4 National strategies and guidelines

The National strategy on Research, Development and Innovation (RDI) on Artificial Intelligence (La Estrategia Española de I+D+I en Inteligencia Artificial) has been issued by the Interministerial Group on AI coordinated by the Ministry of Science, Innovation and Universities (Ministerio de Ciencia, Innovación y Universidades) and guided by the Government Commission for Scientific, Technological and Innovation Policies (Comisión Delegada por Gobierno para Política Científica, Tecnológica y de Innovación) made of 11 ministers and vice Prime Minister. This strategy represents the preparatory work on the future National Strategy on AI that should be released in forthcoming months,18 and also define the Spanish Strategy on Science, Technology and Innovation (Estrategia Española de Ciencia, Tecnología e Innovación (EECTI), which will last from 2021 to 2028, but this current National

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17 For a full list of activities, see: Cooperación Española Conocimiento Intercoonecta, ‘Base de Conocimiento’, 2020, https://intercoonecta.aecid.es/gestion-del-conocimiento/recursos-intercoonecta?accion=filtro&texto=derechos%20humanos&materia=&productor=&pais=&reggeo=&regpol=#Default=%7B%22k%22%3A%22d%22%2C%22p%22%3A%22Created%22%7D%5D%7D.

18 Because of the temporal nature of current government and in the light of the forthcoming elections of November 10, many initiatives are pending and should be confirmed as soon as new Government will be formed.
Strategy covers the span of time until 2027. and establishes the following six priorities:

- Priority 1: To create an organizational structure that would enable the creation of system for R+D+I of AI and control its impact;
- Priority 2: To establish strategic areas on which the activities of R+D+I should focus;
- Priority 3: To facilitate the knowledge transfer and its return to the society;
- Priority 4: To plan training and professionalization activities within the field of AI;
- Priority 5: To develop digital data ecosystem and assess the available infrastructures;
- Priority 6: To analyze the ethics of AI from the perspective of R+D+I.

As concerns this last priority, Spanish government puts a strong emphasis on fight any illegal uses of AI, such as discrimination, and attributes newly appointed Spanish Ethics Committee of Research with the task to develop, monitor and apply the necessary measures to ensure ethical use of AI.  

The National Strategy on AI also presents with seven recommendations that are in line with the goals described above:

- To launch a new National Strategy on AI that would enable the development and implementation of specific measures for national strategic sectors. The monitoring and follow up of these measures could be performed by Spanish Observatory of AI;
- To use AI to realize the objectives of Agenda 2030 of Sustainable Development;
- To design and implement specific actions that would propel knowledge transfer into socioeconomic setting;
- To start or to adapt the programmes of promotion of vocation, not limited to R+D, attraction, withholding and recovery of talents dedicated to AI;
- To use AI to guarantee the best use of open data. To create a National Data Institute that could plan and regulate the data coming from different levels of public administration;
- To detect the needs of adaptation and competence improvement of different levels of Spanish educational system;
- To watch over all the initiatives and activities deriving from strategic frameworks focusing on AI development and also over the results and their compliance with ethical, legal and social commitments of Spain and EU.

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19 In addition AI should comply with ethical, legal and social aspects and should avoid discrimination. Within the description of this priority this priority also refers to AI has to be build “on the basis of decades of consensual application of fundamental rights in the EU” (p.40)The Committee was established in 2011 by specific law, see: ‘Ley 14/2011, de 1 de Junio, de La Ciencia, La Tecnología y La Innovación’ (2011), https://www.boe.es/buscar/act.php?id=BOE-A-2011-9617.

20 This Observatory does not exist yet.
One of the goals of this strategy was to map all the entities that work on AI in Spain and to provide with as complete as possible picture of what is being done on AI in the national territory. This map includes four types of institutions:

- Public administration, such as the town council of Villalbilla (Madrid community), Office of the Director General of Police, Information Technology Management for the Social Security (Gerencia de Informática de la Seguridad Social), many public research institutions, such as Institute of Cross-Disciplinary Physics and Complex Systems, Public Foundation of Andaluzia for the Management of Healthcare Research in Sevilla, State Security Infrastructure and Equipment Office, Healthcare Services of Balearic Island, and Murcia Healthcare services, etc.;
- Businesses, such as Kenmei Technologies SL, Magtel Operaciones SLU, SemanticBots, IBM Spain, Smart IoT Labs, and many others;
- Higher education institutions, such as Aragon Institute of Technology, Universities of Alicante, Jaén, Granada, Cordoba, Deusto, Oviedo, Murcia and many others;
- Private non-profit organizations, such as the Centre for Applied Research in Digital Technologies (VICOMTECH), Tecnalia, AIR Institute (Fundación Instituto Internacional de Investigación en Inteligencia Artificial y Ciencias de la Computación).

This map is also related to the commitment to the EU coordinated plan on AI (1.3.2) and is particular useful to discover the Spanish AI ecosystem and its private and public components.21

The Spanish Data Protection Agency (AEPD, 1.1.1. b) also has issued:

1. A technical note to protect personal data in the cases when these data are processed with the help of Big Data, AI or machine learning-based techniques: in particular the technical note aims to protect personal data against the risk of re-identification, also known as k-anonymity;

2. A memo 1/2019 on the treatment of personal data related to political opinions and delivery of electoral propaganda through electronic means or instant messaging systems by political parties, federations, coalitions or groups of voters. This memo argues that the use of personal data by political parties coupled with modern technologies based on AI has generated debate on where the limits of personal data protection should be placed and whether the use of AI in elections could be used to manipulate people with the help of fake news or online disinformation. AI is seen in this memo as a technology that could be used to influence personal political ideology;

3. Code of Good Practices for Data Protection in projects dedicated to big data. This Code of Good Practices promotes the idea of data as a

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value as such and highlights the importance of data subject and his or her rights to access, rectify, suppress, oppose or exercise his or her right of portability of personal data, even in cases of big fata. This code also promotes the idea that the right to personal data protection is compatible with industrial and business development as long as the human rights are taken into account.

1.5 Sample recent cases

1.5.1 Ethyca

Ethyca is an AI module with ethical norms integrated into it, developed by a Spanish company Acuilae. The company informs that this module is the first AI technology of this kind: it is able to analyze different complex problems and choose solutions or strategies that are compatible and inspired by human ethical reasoning. According to Acuilae this AI module is incorruptible, that is, it cannot learn or be taught ethically questionable behavior. This module can be implemented into chatbots, smart speakers and other tools to be used in the fields of banking, human resources, healthcare, retail and other fields of business and commercial activities. For example, chatbots with Ethyca module can identify inappropriate content (photos, videos, speech) and does not adopt it because Ethyca module works as protection from these kinds of experiences, thus making the particular chatbot not only ethically but also legally compliant.

1.5.2 Jidoka Robot

In September 2019, there was an enormous public and mass media attention to the court decision that declared illegal a dismissal of a worker in Las Palmas de Gran Canaria because she was substituted by a chatbot. This worker worked for the Lopesan Hotel Management S. L. for 13 years since 2006, until last year the employer bought the licence of Jidoka RPA (Robotic Process Automation) system that manages payments. The court decided that automation of processes, that so far have been carried out by human workers, is not an acceptable reason to fire people because it goes against the social rights—in particular labour rights—of a person and would mean that the court agrees with the idea of reducing the right to work and increasing the freedom of enterprise. This case has caused many discussions about AI, robotics and the threat of unemployment.

1.5.3 Race for AI

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22 Consejo General del Poder Judicial, SJSO_4141_2019 (Social Court Las Palmas de Gran Canaria 23 September 2019).
There is big interest and attention to the race and competitiveness among different countries as concerns AI. AI is seen as an enormous opportunity but at the same time there is a kind of fear not to be able to use this opportunity and let it pass. This race for AI can be observed not only on the state level but also at the institutional level: for example almost all the educational institutions are now proposing the graduate LLM programs dedicated to (some aspects of) AI and there is a competition between private and public educational institutions because private are much more flexible and introduce new (AI-oriented) programs easier and more quickly than public educational institutions.
## 2 Overview of laws and regulations

<table>
<thead>
<tr>
<th>Sector</th>
<th>Title in English (unofficial translations)</th>
<th>Fundamental rights addressed</th>
<th>EU law basis</th>
<th>Remedies if rights violated</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>Cross sectoral</td>
<td>Spanish Constitution</td>
<td>Right to life, right to physical and moral integrity, freedom of religion, right to freedom and security, right to due process and fair trial, right to privacy (and as concerns the IT, art. 18 (4) explicitly restricts “the use of data processing in order to guarantee the honour and personal and family privacy of citizens and the full exercise of their rights”) freedom of movement, right to</td>
<td>EU law basis (e.g., Art 2 of the ECHR)</td>
<td>Legal remedies in case of rights violations are awarded by national courts (civil, criminal, labour and administrative) and the Constitutional Court, which comes into play once appeal on grounds of unconstitutionality is presented.</td>
<td>Spanish Constitution is the main legal document of Spain that also has symbolic value of representing Spain’s transition from authoritarian to democratic regime. It includes the list of fundamental rights, the constitutional organization of the state (Houses of Parliament, the Crown, International Treaties), judicial powers, relationship between Government and other institutions of public administration, territorial</td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>Date</th>
<th>Document</th>
<th>Description</th>
</tr>
</thead>
<tbody>
<tr>
<td>23 September 2002</td>
<td>amending Council Directive 76/207/EEC on the implementation of the principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions (Text with EEA relevance);</td>
<td>Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services; Council Directive 92/85/EEC of 19 October 1992 on the introduction of measures to encourage improvements in the concerns equality among their workers.</td>
</tr>
</tbody>
</table>

The overall aim of the law is to deal with the discrimination that women are subject to in different social contexts and achieve a real and effective equality between men and women.
| Law 1/2004 on measures of Total Protection from Gender Violence\(^24\) (Equal treatment legislation) | Fundamental freedoms and basic human rights, in particular, right to life, right to physical and moral integrity, freedom from torture and freedom from inhumane or degrading | This law cover all the preventive, social, assistance, educational and other aspects of attention to victims of gender violence. |

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| Law 13/2005 which modifies the law on the right to marry\(^25\) (Equal treatment legislation) | Right to marry, right to equality, right to no discrimination | This is a modification to the civil code that includes the couples of same sex and consequently modifies the wording of other articles of the law so as to include and cover the same sex marriages. This law introduces a national System of Attention to Dependency and how it functions within the decentralized administration.

<table>
<thead>
<tr>
<th>Organization of the State</th>
<th>Freedom and basic human rights, right to information, right to data protection and privacy, right to personal autonomy, social rights, economic rights, that do not comply with the quality requirements. Infringements can be mild, serious and very serious and sanctions can be the loss of financial support, fines, closure of center (for good or temporarily), fines can reach 1 000 000 euros.</th>
<th>General Data Protection Regulation</th>
<th>Legal remedies are represented by administrative fines of three types: Up to 40 000 euros From 40 001 to 300 000 More than 300 000 Remedies are imposed by Nacional Agency of Data Protection or Regional data protection authorities.</th>
<th>This law implements within the national legal framework the General Data Protection Regulation and adds protection of digital rights of Spanish citizens which are not part of General Data Protection Regulation.</th>
</tr>
</thead>
<tbody>
<tr>
<td>General Data Protection Regulation and related national law on data protection and digital rights (LOPD-GDD, 3/2018)</td>
<td>Right to privacy and personal data protection, right to security, right to information, right to erasure, right to access, right to rectification, right to restrict processing, right to data portability, right to oppose. Another group of rights is digital</td>
<td>General Data Protection Regulation</td>
<td>---</td>
<td>---</td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Law</th>
<th>Provisions</th>
<th>Reference</th>
<th>Status</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Rights of citizens</strong></td>
<td>rights of citizens such as net neutrality, right of universal access, right to digital security and right to digital education, right to digital will, right to disconnect from work, freedom of expression online</td>
<td>protection institutions.</td>
<td></td>
</tr>
<tr>
<td><strong>Book 4 “On the obligations and contracts” of the Civil Code</strong></td>
<td>Provisions concerning party’s responsibility as concerns contractual and extra-contractual liability and negligence. It might apply in cases of breaches of data protection laws. Freedom of expression, freedom of Access and democratic participation, right to respond</td>
<td>There is no reference to EU law</td>
<td>National judicial system</td>
</tr>
<tr>
<td><strong>National Television and Radio Law 17/2006</strong></td>
<td></td>
<td>The current directive is newer than this law, namely the Directive 2018/1808 concerning the provision of audiovisual media</td>
<td>One of the main laws regulating general cases which are not specifically regulated by other laws.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>The law regards national TV and radio services and the third parties that are involved in providing these services</td>
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</tbody>
</table>
services (Audiovisual Media Services Directive) in view of changing market realities. It has not been implemented in national law at the time of writing.

<p>| Audiovisual Law 7/2010 | Freedom of expression, media pluralism, linguistic pluralism, citizens’ rights in general | Directive 2007/65/CE on the coordination of certain provisions [...] concerning the pursuit of television broadcasting activities | The State Audiovisual Authority has power to stop the transmission of audiovisual services from another country if these services are against the law (for instance, as concerns minors) but in those cases the State Audiovisual Authority has to inform the EU Commission and the Member State whose services it is stopping to stopping. There can be other limitations | This law regards private television and radio services |
|-------------------------------|-----------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------|
| Ombudsman law: Ley organica 3/1981 del defensor del pueblo | Citizens’ fundamental rights and liberties if they have been violated by the public administration (including children) | The ombudsman’s office investigates the complaint on certain (in)action of public administration, and, in case it establishes |
|                               |                 | The law establishes the functioning, internal structure, admissibility requirements and procedures and other details that define |
| Public Administration | Law of Transparency or Act 19/2013 on transparency access to public information and good governance | Right of citizen to access the information on public services and activities of public administration and duty of public administration to provide the information online | Council of Europe Convention on Access to Official Documents, No. 205: Spain has not yet ratified it | The violations are classified as: 1. mild: punishable with warning, 2. serious: punishable with declaration of incompliance in the Official Journal, and/or no compensation in case the person has to abandon his or her position 3. very serious: punishable with all the above mentioned sanctions. | The law aims to improve transparency of public administration and ensure the citizens’ right to get the information related to its activities, services and procedures. It also establishes what kind of duties on public administration side correspond and ensure citizens’ right to information. This law applies to all the public administration starting from the Royal House and |</p>
<table>
<thead>
<tr>
<th>Royal Decree 3/2010, of 8 January 2010, on the national scheme of security within the electronic administration framework</th>
<th>The rights to honor, personal and family privacy, right to image and other requirements related to personal data which will be taken into account when the public administration will register the activities of the users for the purposes of investigation, analysis or monitoring of inappropriate or unauthorized activities</th>
<th>Commission Decision of 29 November 2001 amending its internal Rules of Procedure, (2001/844/EC, ECSC, Euratom); Council Decision of 18 June 2007 amending Decision 2001/264/EC adopting the Council’s security regulations (2007/438/EC)</th>
<th>Not specifically General rules apply: if an entity does not agree with the fine, it can present a claim to the administrative body responsible for the fine. Different phases of such procedure exist. Only once the given procedure is completely done, an entity can go to the respective administrative courts</th>
<th>This decree establishes main principles and basic requirements that ensure the electronic safety of information and services that are provided by the public administration.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law 39/2015, on Common Administrative</td>
<td>Citizens’ rights in dealing with public administration, including the rights of minors. These</td>
<td>1. Regulation (EU) No 910/2014 of the European Parliament and of the Council of 23 July 2014 on</td>
<td>Citizens can present claims directly to the public administration that, according to citizen,</td>
<td>This is a law that regulates the relations between public administration and citizens. This law</td>
</tr>
<tr>
<td>Procedure for Public Administration</td>
<td>rights include but are not limited to right to communicate to public administration electronically, be assisted in electronic communication with public administration, use official languages (different from Spanish) in communicating with public administration of a specific autonomic region, access to public information, ask for accountability of public administrations, and other rights.</td>
<td>electronic identification and trust services for electronic transactions in the internal market and repealing Directive 1999/93/EC 2. Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)</td>
<td>has violated his or her rights. There is a specific part of this law dedicated to the procedure of remedies. As noted above, for such remedies, general rules apply: if an entity does not agree with the fine, it can present a claim to the administrative body responsible for the fine. Different phases of such procedure exist. Only once the given procedure is completely done, an entity can go to the respective administrative courts</td>
<td></td>
</tr>
</tbody>
</table>

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<table>
<thead>
<tr>
<th>Law Enforcement</th>
<th>Law on Security Institutions and Forces</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law 40/2015 on Legal Regime of Public Sector 28</td>
<td>Citizens’ rights in general, with reference to equality, individual and collective rights, right to remedy for inaction or illegal action by public administration, right to security, personal data protection and digital rights, rights of the disabled people, rights of non Spanish citizens</td>
</tr>
<tr>
<td>Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data and on the free movement of such data, and repealing Directive 95/46/EC (General Data Protection Regulation)</td>
<td>Citizens can present claims directly to the public administration that, according to citizen, has violated his or her rights. There is a specific part of this law dedicated to the procedure of remedies. Specifically, administration applies in the first place and only afterwards can a citizen and/or entity go before administrative courts</td>
</tr>
<tr>
<td>This law is dedicated to regulate the relationship between different public administrations. It was enacted almost at the same time with the law 39/2015 between they both represent the novelties and reforms within the public sector.</td>
<td></td>
</tr>
</tbody>
</table>

| Law on National Security<sup>30</sup> | Human rights in general: explicit reference is made to justice, wellbeing, freedom. The law also refers to “fundamental rights and public freedoms of citizens” | Directly this law does not make any reference to EU law. This law establishes how powers on the issues of national security are distributed among different public institutions. It establishes the nacional security system, how the rules apply: if an entity does not agree with the fine, it can present a claim to the administrative body responsible for the fine. Different phases of such procedure exist. Only once the given procedure is completely done, an entity can go to the respective administrative courts. | law enforcement institutions (national police, Civil Guard, Mosos de Esquadra, criminal police (policia judicial); etc.) in different regions and how national police interact with regional police. |

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<sup>30</sup> Gobierno de España, ‘Ley 36/2015, de 28 de septiembre, de Seguridad Nacional’ (2015).
| Law on National Defences<sup>31</sup> | Human rights generally and fundamental rights of military professionals, explicit reference is made to the right and duty of citizens to defend Spain. | Crisis should be managed, how the autonomous regions interact with central government in dealing with national security matters, participation of citizens and private sector, which institutions are in charge of national security problems and how the resources should be distributed if the threat to national security should arise. | It is a general law on military organization of Spain: it establishes the internal organization of military forces. |

| Law on state of alarm, exceptional circumstances and state of siege | Rights and freedoms of citizens, guarantees of prisoners (right to be informed why) | There is a general rule that people who will not obey public authorities during the state of alarm, will be processed by the law | The law concerns the organization of public institutions and their functioning in such particular situations, as alarm, exceptional |

| Law on protection of citizen security \(^{33}\) | Constitutional rights, as established in Spanish | Directly this law does not make any reference to EU law. | The law whereas if these people are public officers, they will be suspended immediately and will be fined administratively. In such a case, general rules apply; if an entity does not agree with the fine, it can present a claim to the administrative body responsible for the fine. Different phases of such procedure exist. Only once the given procedure is completely done, an entity can go to the respective administrative courts. Legal remedies are either administrative or criminal. The infringements are circumstances and siege. There are rules that apply in all three cases and there are specific rules that apply to each of them. |

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| Constitution and legal system, both individual and collective. It also specifically refers to the rights of the owner of the National ID. | mild, serious and very serious, and, differently from the laws that we have seen so far in this table, the infringements can have degrees: for instance very serious infringement of medium degree (infracción muy grave de grado medio). The law also specifies competencies of institutions to sanction different kinds of infringements. The fines range from 100 to 600 000 euros and further sanctions could apply, such as temporal suspension of licences, closing down, etc. The law also establishes Central Registry of Infringements to act in case the danger for citizens emerge. It also establishes what kinds of powers each of the institutions have and in particular gives a lot of attention to infringements and sanctions for these infringements. |
| Royal Decree 769/1987 on Judicial Police\(^\text{34}\) | No reference to human rights | Directly this law does not make any reference to EU law | Judge or Court can sanction the judicial police officers (besides other institutions, that sanction these officers in circumstances foreseen by other | This law is dedicated to specific police section, that is judicial police that carries out the criminal investigation. The law focuses in explaining the links between this |

| Law regulating rights and obligations of members of Spanish Civil Guard\(^{35}\) | Fundamental rights of citizens and fundamental rights and professional rights and duties (called rights-duties or derechos-deberes) of members of Spanish Civil Guard, such as right to choose a place to live and freedom of movement which in case of these professionals, could be limited. Right to association of | Directly this law does not make any reference to EU law | This law regulates a specific body of law enforcement, that is Civil Guard (Guardia Civil). It describes in detail the rights and duties of its members: in particular this law introduces the right to association of the members of Civil Guard and establishes the rights of such association. |

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| Health services | Royal Decree 1718/2010 on medical prescriptions and order of distribution[^36] | these professionals (and the rights of such associations), freedom from discrimination and right to equality within the Civil Guard, personal data protection and freedom of expression and information, right to vote, right to join trade unions and right to strike. Right to health and other rights of patients, such as data protection of clinical records. Freedom of conscience of pharmacist: the right not to sell certain drugs because of ethical reasons. | Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients’ rights in cross-border healthcare; Directive 2001/83/EC OF on the Community code relating to medicinal products for human use, on the common organisation of the agricultural market in the Community; and Directive 2001/20/EC of the European Parliament and of the Council of 4 May 2001 on the approximation of the laws of the Member States relating to the commercialisation of medicinal products. Legal remedies are sanctions to the perpetrators awarded by civil, criminal, administrative or other courts. General rule is that what is not regulated by this law, is regulated by the aforementioned Law 39/2015, on Common Data Protection Directive. | This law regards the medical prescriptions in general and, among other things, how the patients can access the medicines through electronic means (electronic prescriptions). It also regards distribution rules, formats and data of medical prescriptions, rules of electronic health records. |

| Law 29/2006 on guarantees and rational use of medicines and sanitary products | Fundamental rights and specific reference is made to personal autonomy of a patient and rights and duties as concerns information and clinical documentation, safety and security and wellbeing (in particular as concerns people | Administrative Procedure for Public Administration. The law makes reference to the law 29/2006 (see below). | There is a classification of offences as concerns medicines: mild, serious and very serious. Similar classification exists for offences regarding medical products, offences regarding cosmetics and personal care products. Legal remedies are administrative fines, whereto general prescriptions, identification of the pharmacist, patient and further details explaining how the prescription system works in Spain. It also explains how patient data should be protected. | This law regards the medicines for human use, their production, storage, commercialization, quality control, distribution, circulation, import and export and other aspects related to their life cycle. |

| No direct reference to human rights | Directive 2001/83/EC OF on the Community code relating to medicinal products for human use; [some of the references are out of date and inaccessible online] | No direct reference to human rights | Directive 2011/24/EU of the European Parliament and of the Council of 9 March 2011 on the application of patients' rights in cross-border healthcare; Regulation (EC) No 2822/2010 on the execution of administrative acts in the public interest | No direct reference to human rights | This law introduced the technological novelties into the national healthcare system, such as electronic health records and electronic prescriptions. |

| Royal Decree-Law 9/2011 on the measures to improve the quality and cohesion of national medical system37 | participating in clinical trials | 

<table>
<thead>
<tr>
<th>Source</th>
<th>Description</th>
<th>Legal Remedies</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royal Decree 1093/2010 on minimal amount of data necessary for clinical records of the National Health System[^38]</td>
<td>Personal autonomy of a patient and rights and duties as concerns information and clinical documentation</td>
<td>Legal remedies are represented by administrative fines of three types: Up to 40,000 euros (mild) From 40,001 to 300,000 (serious) More than 300,000 (very serious)</td>
<td>The law also established a rational use of pharmaceutical products, their price policy, and some tax rules related to healthcare system.</td>
</tr>
</tbody>
</table>

Remedies are imposed by Nacional Agency of Data Protection or regional data protection institutions.

treated at Emergencies, enter hospitals, during primary healthcare, laboratory tests.

| Law 16/2003 on cohesion and quality of National Healthcare System[^39] | Human rights, in particular right to healthcare and specific rights as concerns National Healthcare System, such as a right to second opinion, to get healthcare services in one’s region of residence, and receive the medical services in another region as if he or she was resident of that region. The law also refers to patient’s autonomy and his or her right | There are general references to EU law, but not to specific legislation. | This law concerns public healthcare institutions and in particular focuses on their coordination and cooperation. It establishes the catalogue of services provided by the National Healthcare System, by regions and introduced regulations on specific public health services such as primary care, pharmaceutical services, emergencies, etc. |

| General Healthcare Law<sup>40</sup> | to information and clinical documentation. Respect to personality, human dignity, intimacy, equality, right to be informed about the healthcare services, right to confidentiality and data protection (in particular as concerns data related to person’s health), right to healthcare in general | General reference to the EU directives on pharmaceutical products | There is a general framework of administrative sanctions for infringements related to healthcare, which does not exclude civil or criminal law measures. The infringements are classified as mild, serious and very serious. The fines can reach 600 000 euros and additional sanctions can apply, such as temporal shutting down of the establishment or service for maximum 5 years. In the case of legal remedies against such sanctions, general rules apply: if an entity and/or

| The law regulates all the activities that contribute in bringing into being the right to health that is recognized by the Spanish Constitution (art. 43): it regulates the general principles of national healthcare system, the duties of public healthcare institutions nationally and regionally, a focus is also on mental healthcare, healthcare of employees, and the monitoring of health situation in Spain. Law also refers to financing of healthcare section, healthcare professionals, and also private healthcare sector.

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| Public Healthcare Law\(^{41}\) | Right to healthcare and right to the information on public healthcare related questions, right to participate (individually or through associations that represent them) in actions related to public healthcare, right to personal data protection, | General reference to EU laws on healthcare | Sanctions are administrative and can be either national or regional. The infringements are classified as mild, serious and very serious. The fines can reach 600 000 euros, and additional sanctions can apply, such as temporary shutting down of the |

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| **Law on Special Measures in Public Healthcare**[^1] | **No reference is made to human rights** | **establishment or service for maximum 5 years. In case of violations, general rules apply: if an entity does not agree with the fine, it can present a claim to the administrative body responsible for the fine. Different phases of such procedure exist. Only once the given procedure is completely done, an entity can go to the respective administrative courts. The law itself does not provide any information, but general rule apply: if an individual and/or entity does not agree with the fine, a claim can be presented.** | **addresses the duties of public healthcare administration, citizens’ rights and generally promotes the actions that increase the public trust in national healthcare system.** |

<table>
<thead>
<tr>
<th>Law on Transplantation of organs(^{43})</th>
<th>No reference is made to human rights</th>
<th>Presented to the administrative body responsible for the fine. There exist different phases of such a procedure. Only once the procedure in question is completely done, an entity and/or individual can go to administrative courts.</th>
<th>Check up, treatment, hospitalization, monitoring, take other preventive measures in cases of transmissible diseases.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Law on sexual and reproductive health and abortion(^{44})</td>
<td>Fundamental rights in general, but the law specifies also right to human dignity, personal development, intimacy, moral and physical integrity, privacy.</td>
<td>European Parliament resolution on sexual and reproductive health and rights (2001/2128 (INI)); Parliamentary Assembly Resolution “Access to safe and</td>
<td>The law establishes general rules on organ transplantation.</td>
</tr>
<tr>
<td></td>
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<td></td>
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</tbody>
</table>


The also specifically refers to women rights to sexual and reproductive healthcare protection, right to freely decide on her sexuality, right to have control over her sexuality, freedom from discrimination, pressure and violence. Rights of disabled people. Right to life. Right to freely chosen maternity: right to abortion and right to access medical facilities to have it. Right to conscientious objection of medical professional. Right to personal data protection and confidentiality.

<table>
<thead>
<tr>
<th>legal abortion in Europe”, RES 1607</th>
</tr>
</thead>
<tbody>
<tr>
<td>side of public healthcare institutions to ensure the accessibility of the services related to women freedom to make her own choices as concerns her sexuality or reproductive capacity.</td>
</tr>
<tr>
<td><strong>Law on athletes’ healthcare and fight against doping</strong>&lt;sup&gt;45&lt;/sup&gt;</td>
</tr>
</tbody>
</table>


<p>| Royal Decree on national registry of previous instructions and its automated filing | Right to privacy and personal data protection, in particular, rights and liberties as concerns patient’s | (i.e. football) of the club or prohibition to exercise within the sport industry for several years. For legal remedies against such sanctions, general rules apply: if an entity does not agree with the fine, it can present a claim to the administrative body responsible for the fine. Different phases of such procedure exist. Only once the given procedure is completely done, an entity can go to the respective administrative courts. Legal remedies are represented by administrative fines of three types: Up to 40 000 euros (mild) | This law created a Registry of previous instructions (Instrucciones previas) as concerns the wills of adult |</p>
<table>
<thead>
<tr>
<th>System of Personal Data(^{47})</th>
<th>Autonomy and Patients’ Right to Information and Clinical Documentation</th>
<th>From 40,001 to 300,000 (Serious) More than 300,000 (Very Serious) Remedies are imposed by <a href="https://www.boe.es/buscar/act.php?id=BOE-A-2007-3160">Nacional Agency of Data Protection</a> or regional data protection institutions.</th>
<th>People as concerns the situations in which they might not be able to express their will in relation to medical treatment, use of their bodies and organs after their death and related issues.</th>
</tr>
</thead>
<tbody>
<tr>
<td>Royal Decree 1716/2011 on Basic Rules for Biobanks(^{48})</td>
<td>Rights to Intimacy and Informative Self-Determination, Rights to Privacy and Data Protection, Rights to Artistic, Scientific and Technological Production and Creation.</td>
<td>Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on Services in the Internal Market</td>
<td>The law regulates the use of biological samples for scientific and research purposes and ensures the rights of people whose biological samples are used for these purposes by establishing biobanks where these samples are stored.</td>
</tr>
</tbody>
</table>


| Royal Decree on human tissues and cells<sup>49</sup> | Reference is made to individual rights, with specific reference to rights to information and clinical documentation of patients, right to confidentiality, and also a right to healthcare | Directive 2004/23/EC of the European Parliament and of the Council of 31 March 2004 on setting standards of quality and safety for the donation, procurement, testing, processing, preservation, storage and distribution of human tissues and cells; Commission Directive 2006/17/EC of 8 February 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards certain technical requirements for the donation, procurement and distribution of human tissues and cells; Sanctions are competence of the institutions of autonomous regions: the plans of inspections that these institutions are in charge of carrying out is approved by the Interterritorial Council of National Healthcare System. The infringements are not addressed more in detail, nor the fines specified. Thus, for legal action against sanctions, general rules apply: if an entity does not agree with the fine, it can present a claim to the administrative body responsible for the fine. Different | This law regulates the use of human biological tissues and samples and also the products that derive thereof: it addresses collecting, storage, use, distribution, import and export and other activities related to these tissues and samples. It also addresses professional responsibility of people working with this material. |

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<table>
<thead>
<tr>
<th>Phase of the Procedure</th>
<th>Description</th>
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</thead>
<tbody>
<tr>
<td>Testing of human tissues and cells (Text with EEA relevance); Commission Directive 2006/86/EC of 24 October 2006 implementing Directive 2004/23/EC of the European Parliament and of the Council as regards traceability requirements, notification of serious adverse reactions and events and certain technical requirements for the coding, processing, preservation, storage and distribution of human tissues and cells (Text with EEA relevance)</td>
<td>Phases of such procedure exist. Only once the given procedure is completely done, an entity can go to the respective administrative courts</td>
</tr>
<tr>
<td>Royal Decree on personal medical card⁵⁰</td>
<td>Right to healthcare, right to information and clinical documentation, right to confidentiality</td>
</tr>
<tr>
<td>------------------------------------------</td>
<td>------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>Royal Decree on portfolio of healthcare services of National Healthcare System⁵¹</td>
<td>Right to healthcare and right to health, right to informed consent, to autonomy and other rights of patient, including right to information and clinical documentation</td>
</tr>
<tr>
<td>Royal Decree-Law 7/2018 on the universal access to Right to healthcare and to health protection</td>
<td>General reference to EU law</td>
</tr>
</tbody>
</table>


<table>
<thead>
<tr>
<th>National Healthcare System</th>
<th>Law on patient’s autonomy and rights and obligations as concerns medical information and documentation</th>
<th>CoE Oviedo Convention (1997), there are other references to the data protection and patients’ privacy laws that as for today have been substituted by GDPR.</th>
<th>The law refers to General Healthcare Law as concerns the sanctions (see above)</th>
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| Law on patient’s autonomy and rights and obligations as concerns medical information and documentation | Human rights, human dignity generally, but also and in particular rights related to biomedicine, rights of patients, in particular those related to rights of information and clinical documentation, informed consent, confidentiality, patient’s autonomy, privacy and data protection, rights and liberties of EU citizens, rights and duties of health professionals, citizens and healthcare institutions | The law established the contents of patient’s right to information and to clinical documentation, how the respect to patient’s autonomy is exercised, how his or her clinical records should be treated and related details. |}


| Financial Services | Spanish National Bank Notice 2/2019 on the requirements of the Informative Documents of Commissions and State of Commissions, of the webpages of price comparison of bank accounts, that modifies the Notice 5/2012, de 27 for credit institutions and Payment service providers on the transparency of bank services and responsibility for credit granting\(^\text{54}\) | Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features Text with EEA relevance; Commission Implementing Regulation (EU) 2018/33 of 28 September 2017 laying down implementing technical standards with regard to the standardised presentation format of the statement of fees and its common symbol according to No information available in this document | This notice aims to improve the transparency of banking services and also bank responsibility for granting mortgages. The notice also includes unification of terminology, creation of websites that permit to compare the prices of bank accounts, and also refers to a common procedure by which a person could transfer his or her bank account from one bank to another. |

\(^\text{54}\) Gobierno de España, 'Circular 2/2019, de 29 de marzo, del Banco de España, sobre los requisitos del Documento Informativo de las Comisiones y del Estado de Comisiones, y los sitios web de comparación de cuentas de pago, y que modifica la Circular 5/2012, de 27 de junio, a entidades de crédito y proveedores de servicios de pago, sobre transparencia de los servicios bancarios y responsabilidad en la concesión de préstamos' (2019).
| Royal Decree 164/2019 establishing free bank accounts for vulnerable social groups or groups that risk financial exclusion[^55] | Right to have a basic bank account for vulnerable social groups and people that risk financial exclusion | Directive 2013/11/EU of the European Parliament and of the Council of 21 May 2013 on alternative dispute resolution for consumer disputes and amending Regulation (EC) No 2006/2004 and Directive 2009/22/EC (Directive on consumer ADR); Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment | If an individual does not receive such a card, the following procedure applies: a claim can be made before the bank itself. However, the person in question can also refer to the consumer protection associations and/or go before the Bank of Spain. The problem is that the decisions of the Bank of Spain are not mandatory for the banks, although they usually follow the Bank of Spain’s decisions. Finally, relevant courts are also an option. | This decree established the right of some social groups to have a basic bank account for free: the decree establishes who could access such bank accounts and under what circumstances. |

| **Royal Decree 309/2019 which partially develops the law 5/2019 that regulates real estate contracts and adopts other measures on financial matters**[^56] | **Rights of consumers (consumer protection is included in the Spanish Constitution)** | **Directive 2014/17/EU of the European Parliament and of the Council of 4 February 2014 on credit agreements for consumers relating to residential immovable property and amending Directives 2008/48/EC and 2013/36/EU and Regulation (EU) No 1093/2010 Text with EEA relevance; Directive (EU) 2017/2399 of the European Parliament and of the Council of 12 December 2017 amending Directive** | **Although there is no relevant information in the law itself regarding relevant legal remedies, it is logical to assume that in such a situation a claim can be made before the bank itself. However, the person making the claim can also refer to the consumer protection associations and/or go before the Bank of Spain. The problem is that the decisions of the Bank of Spain are not mandatory for the banks, although they usually follow** | **The law regards the contracts of real estate mortgage as one of the key elements of social stability, cohesion and wellbeing of citizens. Such elements also require transparency of credit institutions and urges for action on the State’s side to ensure both, this transparency and stable legal framework on the topic. In particular, as there is big information asymmetry between the banks and customers, the law is** |

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| | 2014/59/EU as regards the ranking of unsecured debt instruments in insolvency hierarchy; Commission Delegated Regulation (EU) No 1125/2014 supplementing Directive 2014/17/EU of the European Parliament and of the Council with regard to regulatory technical standards on the minimum monetary amount of the professional indemnity insurance or comparable guarantee to be held by credit intermediaries; Regulation (EU) 2016/679 of the European Parliament and of the Council of 27 April 2016 on the Bank of Spain’s decisions. Finally, relevant courts are also an option. | necessary to lessen it and ensure that people understand their mortgage fees and costs. |
| Royal Decree-Law 19/2018 on payment services and other urgent measures in financial sector | General reference to rights of citizens established in the Constitution of Spain, specific reference is made to equality and non-discrimination, with the reference to Charter of Fundamental Rights of the EU; consumer rights | Directive (EU) 2015/2366 of the European Parliament and of the Council of 25 November 2015 on payment services in the internal market, amending Directives 2002/65/EC, 2009/110/EC and 2013/36/EU and Regulation (EU) No 1093/2010, and repealing Directive 2007/64/EC (Text with EEA relevance) and general reference to EU law | The law established the Bank of Spain as a body that has to make sure that the norms are being complied with by the financial and credit institutions. The law also foresees that public administration could also violate these norms and Bank of Spain is entitled to act against any such actions. The | This law introduced within the national legal framework the Directive 2015/2366 and regards the payment services, in particular how the right to provide these services is granted to financial and credit institutions, protection of consumers and SMEs, contractual issues, transparency, sanctions for |

| Infringements can be mild, serious and very serious. The fines can reach 1000 000 euros. When it comes to relevant legal remedies if an individual's rights under the given law have been violated, the following procedure applies: a claim can be made before the bank itself. However, the person in question can also refer to the consumer protection associations and/or go before the Bank of Spain. The problem is that the decisions of the Bank of Spain are not mandatory for the banks, although they usually follow the Bank of Spain’s decisions. Finally, |  |  |
| Royal Decree-Law 19/2017 on basic bank accounts, their transfer and comparison of their fees\(^{58}\) | Right to access to a basic bank account, right to transparency and right to information | Directive 2014/92/EU of the European Parliament and of the Council of 23 July 2014 on the comparability of fees related to payment accounts, payment account switching and access to payment accounts with basic features Text with EEA relevance; Directive 2007/64/EC of the European Parliament and of the Council of 13 November 2007 on payment services in the internal market amending Directives 97/7/EC, 2002/65/EC, 2005/60/EC and 2006/48/EC and repealing Directive 97/5/EC (Text with EEA relevance); Directive | Bank of Spain is the national authority that can sanction the infringements foreseen in this law. Any infringement of this law is considered to be a very serious infringement, unless it was accidental and isolated: in such a case, the infringement could be requalified to a serious infringement. | This law incorporates the Directive 2014/92/EU within the national legal framework. This law refers only to the basic bank accounts and permits the comparison of prices and fees of bank accounts, regardless whether these bank accounts are considered to be basic or not. The law applies to consumers and not to professionals or legal persons. |

| Royal Decree-Law 1/2017 on urgent measures to protect consumers on issues of floor clauses\(^{59}\) | Rights of consumers | Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts; | For legal remedies, the majority of affected consumers have gone through relevant courts. | This law is reply to economic crisis and to the decisions of Court of Justice of EU (C-154/15; C-307/15 and C-308/15) that concerns consumer protection against floor causes that became unsustainable to them and the court recognized as illegal. This order ensures a higher protection for financial consumer, for example, making it mandatory for the financial and credit industries... |

| Information and classification of financial products⁶⁰ | Documents for packaged retail and insurance-based investment products (PRIIPs) (Text with EEA relevance); Commission Regulation (EU) No 583/2010 of 1 July 2010 implementing Directive 2009/65/EC of the European Parliament and of the Council as regards key investor information and conditions to be met when providing key investor information or the prospectus in a durable medium other than paper or by means of a website (Text with EEA relevance); Directive 2009/65/EC of the European Parliament and of the Council of | Institutions to provide their clients with “risk indicator” which helps the clients to understand how risky a certain financial operation is. |

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<tr>
<th>Law 1/2013 to strengthen the protection of mortgage debtors, debt restructuring, and social rent(^61)</th>
<th>Rights of debtors</th>
<th>Bank of Spain has the role of sanctioning body, the infringements can be either serious or very serious</th>
<th>The law is related to economic crisis and decisions of the EU Court of Justice and aims to improve the situation of those in debt with the financial and credit institutions</th>
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<tr>
<td>Royal Decree-Law 6/2013 on protection of owners of certain savings and investment</td>
<td>Rights related to personal data protection</td>
<td>Regulation (EU) No 260/2012 of the European Parliament and of the Council of 14 March 2012 establishing technical and business requirements for trade repositories Text with EEA relevance; Regulation (EC) No 1060/2009 of the European Parliament and of the Council of 16 September 2009 on credit rating agencies (Text with EEA relevance) Council Directive 93/13/EEC of 5 April 1993 on unfair terms in consumer contracts</td>
<td>Although there is no relevant information in the law itself regarding relevant legal remedies, it is logical to assume that in such a situation a claim can be made before the</td>
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<th>products and other financial measures&lt;sup&gt;62&lt;/sup&gt;</th>
<th>credit transfers and direct debits in euro and amending Regulation (EC) No 924/2009 Text with EEA relevance</th>
<th>bank itself. However, the person making the claim can also refer to the consumer protection associations and/or go before the Bank of Spain. The problem is that the decisions of the Bank of Spain are not mandatory for the banks, although they usually do follow the Bank of Spain’s decisions. Finally, relevant administrative and civil courts are also an option.</th>
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<tr>
<td>Order of ECC/2502/2012 on complaint management against Spanish National Bank, National Securities Market Commission, and Directorate-Consumer protection (rights of users of financial services)</td>
<td>No reference directly (indirectly: if, during complaint management, an infringement is discovered, it should be reported to competent authorities)</td>
<td>This order regards how the complaints against the most important national institutions should be presented, processed and managed.</td>
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<th>General for Insurance and Pension Funds⁶³ Law 16/2011 on credits for consumption⁶⁴</th>
<th>Rights of consumers</th>
<th>Directive 2008/48/EC of the European Parliament and of the Council of 23 April 2008 on credit agreements for consumers and repealing Council Directive 87/102/EEC;</th>
<th>The infringements are sanctioned by the General Law on Consumer Protection (Royal Decree-Law 1/2007), other laws and regulations established by each autonomous region. On certain issues related to duty to inform, the Spanish Agency of Data Protection is authorized to sanction. If an individual’s rights have been violated in this context, the courts defend the consumers (or the associations that defend them). The Spanish Agency of Data Protection can</th>
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This law incorporates the Directive 2008/48/EC within the national legal framework: it describes the contract of credit for consumers, requirements that apply to it (especially as concerns the duty to inform), rights and duties of the parties of such contracts, intermediaries, law applicable to pre-existing (to this law) contacts and related issues.

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⁶³ Gobierno de España, ‘Orden ECC/2502/2012, de 16 de noviembre, por la que se regula el procedimiento de presentación de reclamaciones ante los servicios de reclamaciones del Banco de España, la Comisión Nacional del Mercado de Valores y la Dirección General de Seguros y Fondos de Pensiones’ (2012).

| Law 22/2007 on online financial services for consumers 65 | Rights of consumers | Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC; Directive 2000/31/EC of the European Parliament and of the Council of 8 June 2000 on certain legal aspects of information society services, in particular electronic commerce, in the | Sanctions are regulated in another law (Law 34/2002 on Information Society and e-Commerce), then the sanctions depend on the nature of the infringing institution, whether it is credit institution, insurance institution, institution managing pension funds, etc. The infringements that this law refers to can be either serious or very serious. | This law incorporates the Directive 2002/65/EC within the national legal framework: it aims to increase the consumer protection as concerns financial services that can be carried out online. |

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| Retail, Marketing and Pricing | Law 34/1988 on Advertising[^66] | Constitutional human rights, in particular the reference is made to the articles 14 (equality), 18 (privacy, honor, personal data protection, image), 20 (4) protection of children and young people's rights in relation to personal data protection, and other privacy related rights. In addition the law also refers to civil and commercial rights: right to property and right to intellectual property protection. The law explicitly refers to Internal Market (‘Directive on electronic commerce’) Council Directive 84/450/EEC of 10 September 1984 relating to the approximation of the laws, regulations and administrative provisions of the Member States concerning misleading advertising | Legal remedies are foreseen in the law on Unfair Competition (3/1991) which also foresees particular cases when women rights are involved and legal remedies can be carried out by autonomous institutions dedicated to women rights, Government Office on Gender Violence, or Prosecution Ministry (Ministerio Fiscal). Another possibility is to go to the courts and ask for judicial solution of the controversy. | This law introduces general rules on advertising, rules that govern illegal advertising, measures to stop illegal advertising, advertising of specific products and services (such as drugs), and specific advertising contracts (creation, dissemination, sponsorship contracts). |

| Law 7/1996 on Ordinance of Retail\(^{67}\) | Consumer rights (in Spain, consumer protection is included in Spanish Constitution) and freedom to enterprise | Directive 2006/123/EC of the European Parliament and of the Council of 12 December 2006 on services in the internal market | Legal remedies depend on each region: remedies can be either related to administrative law or to criminal law. The offences are classified into mild, serious and very serious and the corresponding regime of fines is foreseen (from 6 000 to 900 000 euros). Access to courts and/or judicial reviews is also available. | This law was a response to social, legal and technological changes related to retail: it updates very basic rules (warrants, rights of consumers, contracts, pricing and payments, sales, special offers, clearance sales), introduces the sales online, mobile sales, and franchise. |

| Royal Decree-Law 1/2007 which approves the General Law of consumers’ and users’ protection | Consumer rights (in Spain, consumer protection is included in Spanish Constitution), | Directive 98/27/EC of the European Parliament and of the Council of 19 May 1998 on injunctions for the | Sanctions can be imposed by the public administration in those cases where there are risks to | This is one of the main laws on consumer and user protection in Spain and it establishes the basic rights of |

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and other complimentary laws\textsuperscript{68} specifically also the rights of consumer associations, and specifies the rights of consumer and user; it also refers to the freedom of enterprise and some of the rights of the businesses in this regard.

| protection of consumer interests (no longer in force); Directive 2002/65/EC of the European Parliament and of the Council of 23 September 2002 concerning the distance marketing of consumer financial services and amending Council Directive 90/619/EEC and Directives 97/7/EC and 98/27/EC; Directive 2005/29/EC of the European Parliament and of the Council of 11 May 2005 concerning unfair business-to-consumer commercial practices in the internal market and amending Council Directive 2002/31/EC | public health or violations of consumer rights: each region has its own institutions. However on the national level there is The Spanish Agency for Food Safety and Nutrition (AESAN). The infringements are classified as mild, serious and very serious. There are fines from 3000 to 600 000 euros and additional sanctions, such as public advertisements about the sanctions that were given. Access to courts is also available. | consumers and users, the basic terminology, and articulates specific rights, such as right to information and education of the consumers and users, requirements and rules for contracts with consumers, right to withdrawal of consumer, regulation of abusive clauses, contracts at a distance and e-contracts; product liability; rights of consumer associations; specifies which public administration institutions are to focus on consumer protection and how they should cooperate to ensure as complete as  

| Law of Unfair Competition\(^69\) | Consumer rights (in Spain, consumer protection is included in Spanish Constitution), rights of entrepreneur | The law does not make any direct reference to EU legislation, but indirectly refers to Directive on Misleading Advertising (Directive 2006/114/EC of the European Parliament and of the Council of 12 December 2006 concerning misleading and comparative advertising). | The regime of remedies in not addressed and therefore the injured party can proceed either via commercial courts or, in case the party is consumer, via consumer protection institutions (see above). | This law is dedicated to unfair competition and in particular specifies different forms that it could take, that is, actions of unfair competition and commercial practices that are against fair competition. |
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<th>Law on Audivisual Communication\textsuperscript{70}</th>
<th>Consumer rights (in Spain, consumer protection is included in Spanish Constitution) and rights of citizens to the audio-visual information that would respect cultural and linguistic pluralism (therefore this law refers to the human rights to education, freedom of thought, right to IP protection, right to nationality). It also specifically refers to children rights and rights of disabled people and also privacy and data protection. Indirectly it also refers to the freedom of enterprise because</th>
<th>Directive 2007/65/EC of the European Parliament and of the Council of 11 December 2007 amending Council Directive 89/552/EEC on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the pursuit of television broadcasting activities; Directive 2010/13/EU of the European Parliament and of the Council of 10 March 2010 on the coordination of certain provisions laid down by law, regulation or administrative action in Member States concerning the provision of</th>
<th>The National Council of Audiovisual Media (El Consejo Estatal de Medios Audiovisuales) is the main supervision and sanctioning institution, but the autonomous regions are also entitled to sanction the infringements that take place in their territory. The infringements are classified into mild, severe and very serious. The fines can reach 1 000 000 euros. Consumers can also go to court by themselves or via consumer associations.</th>
<th>This law refers to general rules of this sector, without interfering with local governance of audiovisual sector. It explains what rights the citizens have, what rights service providers have, explains what kind of communication is not allowed (for instance, any kind of communications that foster discrimination or violates human dignity), provides with general rules of the national audiovisual market and introduces the regime of legal remedies by listing different kinds of infringements, corresponding fines and competent institutions to apply these fines.</th>
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<td>\textsuperscript{70} Gobierno de España, 'Ley 7/2010, de 31 de Marzo, General de La Comunicación Audiovisual' (2010).</td>
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<td>it ensures the rights of audiovisual service providers to carry out their services freely and independently.</td>
<td>audiovisual media services (Audiovisual Media Services Directive)</td>
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As concerns future developments, the Spanish Government has made public its plans to establish new institutions to deal with AI. One of them will be the **National Council for AI** which will help the public administration to implement the National Strategy of AI, and another will be **National Committee on Ethics of AI** that will deal with ethical issues related to this technology and will aim to ensure that new technological breakthrough of AI will not threaten human rights.

The Spanish government is also working on the **Spanish Strategy of Science, Technology and Innovation for the years 2021-2027**, which at the moment is not yet available and on the new version of **the National Strategy on AI**.

RES (Spanish Supercomputing Network, more about it, (see section on 1.1.1) is planning to focus on Data Infrastructure and related data management services: the expertise necessary for these services will relate to the one necessary to provide AI services and therefore Spanish Digital Innovation Hub for High Performance Computing (esHPC) considers its competences on optimization of AI models, support in simulation, analytics and prediction, training, research and networking of fundamental importance to achieve this goal.\(^{71}\)

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4 References


**SPAIN**


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EU


communications networks and services (Framework Directive),
https://eur-lex.europa.eu/legal-content/EN/ALL/?uri=CELEX%3A32002L0021


Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin,
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32000L0043

Directive 2000/78/EC of 27 November 2000 establishing a general framework for equal treatment in employment and occupation,
https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=celex%3A32000L0078