

## Spain

### *1.Industrial Strategy*

The Spanish government's current industrial policy is closely linked to its digital, green, and innovation agendas, with a strong focus on sustainability, digitalization, and strengthening the competitiveness of Spanish industry within the European and global economy.

The Spanish Government introduced its **Recovery, Transformation and Resilience Plan**. The plan guides Spain's economic recovery and modernization. It aims to create jobs and grow the economy. The Recovery, Transformation and Resilience Plan is based on ten key policies. Policy 5 focuses on modernizing and digitizing small and medium-sized businesses, boosting tourism, and promoting Spain as an entrepreneurial country. Part of Policy 5 is **"Industrial Policy Spain 2030."** Its goal is to improve Spain's industry and services by digitizing the value chain, increasing productivity, and strengthening key sectors. These sectors support ecological transition and digital growth. Industrial Policy Spain has the following aims:

- Boost industrial competitiveness and sustainability.
- Support companies in the industrial sector, including services to develop key parts of the value chains that make up Europe's opportunity ecosystems.
- Offer loans and grants for strategic projects that focus on innovation and digitalization to target areas such as energy efficiency, renewable energy, circular economy, eco-innovation, and improving value chains.
- Support decarbonization, advanced materials, and product development.
- Help companies improve quality and safety processes.
- Promote digital tools like data processing, artificial intelligence, and industrial simulation.
- Encourage advanced manufacturing methods such as additive design.
- Support projects involving augmented reality, virtual reality, and artificial vision, collaborative robotics and sensory technologies.<sup>1</sup>

The **National Strategy for Connected Industry 4.0** is another initiative that supports the digital transformation of Spanish industry, promotes the adoption of Industry 4.0 technologies (IoT, AI, big data) and fosters public-private collaboration. It focuses on a smart and connected industry through new business models and smart goods and services. It seeks to foster the creation of environments and tools to promote communication, brainstorming and collaboration between technological and industrial sectors, and ensure the necessary

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<sup>1</sup> 'Ministry of Industry and Tourism - Welcome to the Website of the Ministry of Industry and Tourism' <<https://www.mintur.gob.es/en-us/Paginas/index.aspx>> accessed 24 July 2025  
; see General Guidelines of the New Spanish Industrial Policy 2030 <<https://industria.gob.es/es-es/Documents/Directrices%20Generales%20de%20la%20Pol%C3%ADtica%20industrial%20espa%C3%B1ola%2025.02.19%20FINAL.pdf>>.

conditions for the development of digital enablers in Spain.<sup>2</sup> The **National Strategy for Circular Economy** further aims to reduce resource consumption, promote recycling, reuse and foster sustainable industrial practices.<sup>3</sup>

## ***2.Digital (Development) Strategy***

**Digital Spain Agenda 2026** is the government's comprehensive digital strategy, aiming to position Spain as a leading digital economy in Europe. The Agenda aims to ensure digital transformation and maximize the use of new technologies fully. The goal is to boost the economy, create good jobs, increase productivity, improve social and regional unity and bring prosperity and well-being to everyone in Spain.

The Digital Spain agenda prioritises two new themes. The first is the Strategic Projects for Economic Recovery and Transformation and the second is Retech which is a network of important digital projects that are proposed by the autonomous communities. The agenda focuses on:

- Expanding digital infrastructure
- Promoting digital skills and inclusion
- Supporting digital transformation of businesses, especially SMEs
- Enhancing cybersecurity and data protection
- Fostering the development and adoption of emerging technologies such as artificial intelligence, cloud computing, and quantum technologies
- Promoting digital public services and e-government<sup>4</sup>

The Red.es is a Spanish public entity that supports businesses with digital transformation projects, digital skills training, and the deployment of digital infrastructure.<sup>5</sup>

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<sup>2</sup> 'Connected Industry 4.0 - Eurofound EU PolicyWatch'

<[https://static.eurofound.europa.eu/covid19db/cases/ES-2016-](https://static.eurofound.europa.eu/covid19db/cases/ES-2016-28_2697.html#:~:text=The%20Spanish%20government%20strategy%20'Industria,employment%20in%20the%20industrial%20sector.>)

28\_2697.html#:~:text=The%20Spanish%20government%20strategy%20'Industria,employment%20in%20the%20industrial%20sector.> accessed 24 July 2025.

<sup>3</sup> National Strategy for Connected Industry 4.0 <

[https://circulareconomy.europa.eu/platform/sites/default/files/espana\\_circular\\_2030\\_executive\\_summary\\_en.pdf](https://circulareconomy.europa.eu/platform/sites/default/files/espana_circular_2030_executive_summary_en.pdf)>.

<sup>4</sup> 'S.E. de Digitalización e Inteligencia Artificial y S.E. de Telecomunicaciones e Infraestructuras Digitales - España Digital 2026' <[https://avance.digital.gob.es/programas-avance-digital/Paginas/Espana\\_Digital\\_2026.aspx](https://avance.digital.gob.es/programas-avance-digital/Paginas/Espana_Digital_2026.aspx)> accessed 24 July 2025.

<sup>5</sup> 'Home | Red.Es' <<https://www.red.es/es>> accessed 24 July 2025.

### ***3.Main Constitutional Provisions***

The Spanish Constitution does not explicitly reference industrial or digital policy. The preamble requires the government to promote the progress of economy for ensuring a dignified quality of life. The government's authority to legislate on economic, trade, and technological matters is derived from general constitutional provisions, including Article 38, that Guarantees the freedom of enterprise within the framework of a market economy, Article 40, that mandates public authorities to promote favorable conditions for social and economic progress, including scientific and technical progress.

Under Article 51, Public authorities are responsible for guaranteeing the protection of consumers by safeguarding their economic interests. Article 52 requires the law to regulate professional organizations while Article 128 requires the public initiative in economic activity to be recognized. Public authorities are under an obligation to promote the modernization and development of all economic activity under Article 130. The State's power to devise an overarching strategy for economic activity through legislation aimed at fulfilling societal needs, harmonizing regional and sectoral development, and promoting income and wealth growth alongside their fair distribution is set out in Article 131. Article 149 grants the State exclusive competence over basic legislation on economic matters, telecommunications, financial affairs and the promotion and general coordination of scientific and technical research.<sup>6</sup>

### ***4.Main Regulatory Provisions and Policy Developments***

Certain legislative and regulatory acts have a considerable impact on industrial policy aspects surrounding digital development. These include:

- General Data Protection Regulation (GDPR, EU 2016/679) implemented via the Organic Law 3/2018 on the Protection of Personal Data and Guarantee of Digital Rights.<sup>7</sup>
- The General Telecommunications Law in Spain 11/2022<sup>8</sup>
- Articles and provisions relating to e-government of the Laws 39/2015 and 40/2015<sup>9</sup>

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<sup>6</sup> España S de, 'Spanish Constitution | Spanish Senate'

<<https://www.senado.es/web/conocersenado/normas/constitucion/detalleconstitucioncompleta/index.html?lang=en>> accessed 25 July 2025.

<sup>7</sup> 'Data Protection in Spain' (*GDPRhub*) <[https://gdprhub.eu/index.php?title=Data\\_Protection\\_in\\_Spain](https://gdprhub.eu/index.php?title=Data_Protection_in_Spain)> accessed 25 July 2025.

<sup>8</sup> The General Telecommunications Law

<[https://www.congreso.es/public\\_oficiales/L14/CONG/BOCG/A/BOCG-14-A-74-1.PDF](https://www.congreso.es/public_oficiales/L14/CONG/BOCG/A/BOCG-14-A-74-1.PDF)> .

<sup>9</sup> Law 40/2015, of 1 October, on the Legal Regime of the Public Sector and Law 40/2015, of 1 October, on the Legal Regime of the Public Sector < file:///Users/applepc/Downloads/ArticlesAndProvisions\_Laws-30-40-2015.pdf>.

- Cybersecurity Law 8/2011 on the Measures for the Protection of the Critical Infrastructures<sup>10</sup>
- Law on Science, Technology and Innovation 14/2011<sup>11</sup>
- Law on Industry 21/1992<sup>12</sup>
- Royal Decree 43/2021 Implementing Royal Decree-Law 12/2018 on Security of Networks and Information Systems<sup>13</sup>
- Law 6/2020 on Electronic Trust Services<sup>14</sup>
- Law 34/2002 on Information Society Services and Electronic Commerce<sup>15</sup>
- Digital Spain Agenda 2026<sup>16</sup>
- The Digital Infrastructure and Connectivity Plan<sup>17</sup>
- Artificial Intelligence Strategy<sup>18</sup>
- Strategy for the Promotion of 5G Technology 2020<sup>19</sup>
- Spanish Science, Technology and Innovation Strategy 2021-2027<sup>20</sup>
- Strategy for Connected Industry 4.0<sup>21</sup>
- National Plan for Digital Skills<sup>22</sup>
- AI Sandbox<sup>23</sup>
- Recovery, Transformation and Resilience Plan<sup>24</sup>

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<sup>10</sup> Law 8/2011 on the Measures for the Protection of the Critical Infrastructures < <https://www.boe.es/buscar/act.php?id=BOE-A-2011-7630>>.

<sup>11</sup> Law on Science, Technology and Innovation 14/2011 < [https://www.uspceu.com/Portals/0/docs/transparencia/normativa/legislacion-universitaria/EN%20-%20BOE-A-2011-9617%20\(003\).pdf](https://www.uspceu.com/Portals/0/docs/transparencia/normativa/legislacion-universitaria/EN%20-%20BOE-A-2011-9617%20(003).pdf)>.

<sup>12</sup> Law on Industry 21/1992 < <https://www.wipo.int/wipolex/en/legislation/details/1307>>.

<sup>13</sup> Royal Decree 43/2021 Implementing Royal Decree-Law 12/2018 on Security of Networks and Information Systems < <https://www.boe.es/buscar/act.php?id=BOE-A-2021-1192>>.

<sup>14</sup> Law 6/2020 on Electronic Trust Services < <https://www.boe.es/buscar/act.php?id=BOE-A-2020-14046#dd>>.

<sup>15</sup> Law 34/2002 on Information Society Services and Electronic Commerce < <https://www.boe.es/buscar/act.php?id=BOE-A-2002-13758>>.

<sup>16</sup> Digital Spain Agenda 2026 < [https://avance.digital.gob.es/programas-avance-digital/Paginas/Espana\\_Digital\\_2026.aspx](https://avance.digital.gob.es/programas-avance-digital/Paginas/Espana_Digital_2026.aspx)>.

<sup>17</sup> The Digital Infrastructure and Connectivity Plan < [https://avance.digital.gob.es/es-espana\\_digital/210204\\_Connectivity\\_Plan.pdf](https://avance.digital.gob.es/es-espana_digital/210204_Connectivity_Plan.pdf)>.

<sup>18</sup> Artificial Intelligence Strategy < <https://www.lamoncloa.gob.es/consejodeministros/resumenes/Documents/2024/140524-Estrategia%20de%20Inteligencia%20Artificial%202024-completa.pdf>>.

<sup>19</sup> Strategy for the Promotion of 5G Technology < [https://avance.digital.gob.es/es-espana\\_digital/210204\\_Strategy\\_for\\_the\\_promotion\\_of\\_5G.pdf](https://avance.digital.gob.es/es-espana_digital/210204_Strategy_for_the_promotion_of_5G.pdf)>.

<sup>20</sup> Spanish Science, Technology and Innovation Strategy 2021-2027 < <https://stip.oecd.org/stip/interactive-dashboards/policy-initiatives/2023%2Fdata%2FpolicyInitiatives%2F3577>>.

<sup>21</sup> 'Connected Industry 4.0 - Eurofound EU PolicyWatch' < [<sup>22</sup> National Plan for Digital Skills < <https://www.google.com/url?q=https://portal.mineco.gob.es/RecursosArticulo/mineco/ministerio/ficheros/210902-digital-skills-plan.pdf&sa=D&source=editors&ust=1753902122045021&usg=AOvVaw3r7eceCXNE-UNVv8mLTOZr>>.](https://static.eurofound.europa.eu/covid19db/cases/ES-2016-28_2697.html#:~:text=The%20Spanish%20government%20strategy%20'Industria,employment%20in%20the%20industrial%20sector.> accessed 25 July 2025.</a></p>
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<sup>23</sup> AI Sandbox < <https://avance.digital.gob.es/sandbox-IA/Paginas/sandbox-IA.aspx>>.

<sup>24</sup> Recovery, Transformation and Resilience Plan < [https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility/country-pages/spains-recovery-and-resilience-plan\\_en](https://commission.europa.eu/business-economy-euro/economic-recovery/recovery-and-resilience-facility/country-pages/spains-recovery-and-resilience-plan_en)>.

- Spain's National Cybersecurity Strategy<sup>25</sup>

## 5. *(Regional) Economic Treaties to which Spain is a Signatory*

Spain is a participant in multiple economic agreement. These agreements include:

- EU Free Trade Agreements: With Canada (CETA), Japan (EPA), South Korea, Singapore, Vietnam, and others.
- European Economic Area (EEA) Agreement: With Norway, Iceland, and Liechtenstein.
- EU–UK Trade and Cooperation Agreement.
- EU–Eastern and Southern Africa (ESA) Interim Economic Partnership Agreement.
- EU–Cariforum Economic Partnership Agreement.
- EU–Mexico Agreement.<sup>26</sup>

## 6. *Plurilaterals*

Spain participates in multiple plurilateral initiatives and agreements, primarily through the European Union and the World Trade Organization (WTO). Key plurilaterals include:

- WTO Information Technology Agreement (ITA)<sup>27</sup>
- WTO Agreement on Government Procurement (GPA)<sup>28</sup>
- WTO Joint Initiative on E-commerce.<sup>29</sup>
- WTO Trade Facilitation Agreement.<sup>30</sup>

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<sup>25</sup> Spain's National Cybersecurity Strategy <<https://dig.watch/resource/spains-national-cybersecurity-strategy#:~:text=Spain%20has%20a%20National%20Cybersecurity,recovery%20actions%20against%20cyber%20threats>>.

<sup>26</sup> 'EU Trade Relationships by Country/Region' (25 July 2025) <[https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region\\_en](https://policy.trade.ec.europa.eu/eu-trade-relationships-country-and-region_en)> accessed 29 July 2025; WTO | Regional Trade Agreements' <<http://rtais.wto.org/UI/PublicMaintainRTAHome.aspx>> accessed 25 July 2025.

<sup>27</sup> 'WTO | Information Technology Agreement' <[https://www.wto.org/english/tratop\\_e/inftec\\_e/inftec\\_e.htm](https://www.wto.org/english/tratop_e/inftec_e/inftec_e.htm)> accessed 25 July 2025.

<sup>28</sup> 'WTO | Government Procurement - The Plurilateral Agreement on Government Procurement (GPA)' <[https://www.wto.org/english/tratop\\_e/gproc\\_e/gp\\_gpa\\_e.htm](https://www.wto.org/english/tratop_e/gproc_e/gp_gpa_e.htm)> accessed 26 July 2025.

<sup>29</sup> 'WTO JSI on E-Commerce' <<https://dig.watch/processes/wto-ecommerce>> accessed 26 July 2025.

<sup>30</sup> 'WTO | Trade Topics - Trade Facilitation - Background' <[https://www.wto.org/english/tratop\\_e/tradfa\\_e/tradfatheagreement\\_e.htm](https://www.wto.org/english/tratop_e/tradfa_e/tradfatheagreement_e.htm)> accessed 26 July 2025.

***7.Proceedings Initiated Against Spain, or by It, Before International Fora for the Adoption/Implementation of Industrial Policy Measures (e.g., Before WTO Panels, the WTO's AB)***

Spain as an EU member state is represented by the European Union in WTO dispute settlement proceedings. The EU has been involved in numerous WTO dispute settlement proceedings with some concerning industrial and digital policy measures. For instance, EU recently requested consultations with the Chinese Taipei for measures regarding local content requirements in investments in offshore wind installations.<sup>31</sup> Spain itself has not been the direct subject of major international proceedings specifically regarding the adoption or implementation of its national industrial or digital policy measures.

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<sup>31</sup> Chinese Taipei – Measure Relating to Investments in Offshore Wind Installations. Request for Consultations by the European Union, WT/DS625/1, G/TRIMS/D/48 S/L/548, G/L/1532.