COUNTRY: **SPAIN**

SCORE: 73.7 | RANK: 11/24

Spain has comprehensive privacy legislation in place, although it relies heavily on a data registration process that could act as a barrier for cloud computing services.

Spain has up-to-date cybercrime legislation and has ratified the Convention on Cybercrime. Spain also has comprehensive electronic commerce and electronic signature legislation, and ISPs are free from any Internet filtering or censorship.

Some minor gaps exist in intellectual property protection, especially regarding ISP liability.

Spain is a very active participant in international forums and supports international standards development and interoperability.

Spain is one of just three countries whose score falls in the 2013 Scorecard (by just two-tenths of a point), and the country falls two spots in the rankings — to 11th.

Q SPAIN	RESPONSE	EXPLANATORY TEXT
DATA PRIVACY		
1. Are there laws or regulations governing the collection, use, or other processing of personal information?	✔	Organic Law 15/1999 of December 13, 1999, on the Protection of Personal Data (Ley Orgánica 15/99 de 13 de Diciembre 1999 de Protección de Datos de Carácter Personal [LOPD]). The law is often referred to simply as the Data Protection Act. The law was strengthened and updated by royal decrees in 2009 and 2010.
2. What is the scope and coverage of privacy law?	Comprehensive	The legislation is comprehensive, covering all sectors.
3. Is the privacy law compatible with the Privacy Principles in the EU Data Protection Directive?	✔	Spain is bound by the EU Directive, and its legislation is compatible with the text of the EU Directive.
4. Is the privacy law compatible with the Privacy Principles in the APEC Privacy Framework?	✔	Spain is not a member of APEC. The Spanish legislation is equivalent to, or more far-reaching than, the APEC Privacy Principles.
5. Is an independent private right of action available for breaches of data privacy?	Available	Article 18 of the Spanish Constitution includes broad privacy rights, including "the right of honour, personal, and family privacy and identity" and "secrecy of communications." A private right of action is therefore available, although in practice most cases are resolved using the Data Protection Act rather than private rights.
6. Is there an effective agency (or regulator) tasked with the enforcement of privacy laws?	National regulator	The Spanish Data Protection Agency (Agencia Española de Protección de Datos) <www.agpd.es> is the national regulator. Regional data protection agencies also operate in Madrid, Catalonia, and the Basque Country.
7. What is the nature of the privacy regulator?	Sole commissioner	An independent commissioner is appointed by royal decree on advice from the Minister of Justice.
8. Are data controllers free from registration requirements?	✘	The Spanish privacy legislation includes extensive registration requirements and the establishment of a public personal data register.
9. Are cross-border transfers free from registration requirements?	✘	Article 33 of the Data Protection Act provides that transfers of personal data to countries that do not provide a level of protection comparable to that provided by the law, in addition to complying with the law, also require prior authorization from the director of the Data Protection Agency, "who may grant it only if adequate guarantees are obtained."
10. Is there a breach notification law?	◑	In 2007, mandatory security measures for data controllers and processors were introduced in Royal Decree 1720/2007. The law requires the mandatory development of an internal register of all customers affected by the breach, but notification is voluntary.

Q SPAIN	RESPONSE	EXPLANATORY TEXT
SECURITY		
1. Is there a law or regulation that gives electronic signatures clear legal weight?	✔	The Spanish Law on Electronic Signatures 2003 sets out relevant concepts and terminology, introduces a digital signature for legal entities, and establishes certification infrastructure.
2. Are ISPs and content service providers free from mandatory filtering or censoring?	✔	There is generally no Internet censorship in Spain, although sites may be blocked for copyright infringement under the Law on the Sustainable Economy 2011 (Ley Sinde), which is discussed in the intellectual property sections below.
3. Are there laws or enforceable codes containing general security requirements for digital data hosting and cloud service providers?	Limited coverage in legislation	There are some limited security requirements set out in privacy legislation. Other regulations apply to specific sectors and to critical infrastructure, but these are generally not applicable to general data hosting.
4. Are there laws or enforceable codes containing specific security audit requirements for digital data hosting and cloud service providers?	None	There are no specific security audit requirements in Spain.
5. Are there security laws and regulations requiring specific certifications for technology products?	Comprehensive requirements (including common criteria)	Certification requirements are common in Spain, and Spain is a Certificate Authorizing Member (the highest level of membership) of the Common Criteria Recognition Arrangement (CCRA) <www.commoncriteriaportal.org>.
CYBERCRIME		
1. Are cybercrime laws in place?	✔	The Spanish Penal Code includes coverage of cybercrime. Royal Decree 3/2010 strengthened these provisions.
2. Are cybercrime laws consistent with the Budapest Convention on Cybercrime?	✔	The Spanish Penal Code was amended and strengthened by Royal Decree 3/2010 to ensure compliance with the Convention on Cybercrime. Spain ratified the Convention in June 2010.
3. What access do law enforcement authorities have to encrypted data held or transmitted by data hosting providers, carriers, or other service providers?	No access	Access to third-party stores of encrypted data is not yet covered by Spanish legislation, although there have been several proposals to reform this area of law.
4. How does the law deal with extraterritorial offenses?	Comprehensive coverage	Generally, the jurisdiction of the Spanish courts is limited to the principle of "territoriality" (when the criminal act took place on Spanish soil) or the principle of "personality" (when the perpetrator of the crime is Spanish). However, the law also recognizes jurisdiction under the principle of "protection of national integrity" regardless of who committed the crime, and use of this principle is becoming increasingly common in Spain.
INTELLECTUAL PROPERTY RIGHTS		
1. Is the country a member of the TRIPS Agreement?	✔	Spain became a member of the TRIPS Agreement in 1995.
2. Have IP laws been enacted to implement TRIPS?	✔	Spain has implemented the TRIPS Agreement in local law.
3. Is the country party to the WIPO Copyright Treaty?	✔	Spain signed the WIPO Copyright Treaty in 1996 and ratified it in 2009. It entered into force in Spain in March 2010.
4. Have laws implementing the WIPO Copyright Treaty been enacted?	✔	Spain has implemented the provisions of the treaty.
5. Are civil sanctions available for unauthorized making available (posting) of copyright holders' works on the Internet?	◑	Ley Sinde focuses exclusively on information society service providers that may violate copyright. It is not aimed at users that illegally make available copyrighted material. It has been difficult to implement civil sanctions in Spain, as this requires the cooperation of network operators and access providers. Also, IP addresses are protected by personal data protection laws (refer to case C-275/06, Promusicae v. Telefonica).

Q SPAIN	RESPONSE	EXPLANATORY TEXT
6. Are criminal sanctions available for unauthorized making available (posting) of copyright holders' works on the Internet?	◐	Article 270 of the Spanish Penal Code states that it is a criminal offense to reproduce, plagiarize, distribute, or publicly communicate a copyrighted work, with lucrative intent and without the authorization of the rights holder. Sanctions include fines and imprisonment from six months to two years.
		However, Circular 1/2006 from Spain's Office of the Prosecutor-General (Attorney General) explains that unauthorized uploading or downloading of copyright protected materials over the Internet, including via P2P systems, does not meet the requirements for consideration as criminal offenses under Article 274 of the Criminal Code unless such acts are "for commercial profit." The Spanish government has stated that the circular is not binding on any judge, but in practice it has halted Internet piracy enforcement.
7. Are there laws governing ISP liability for content that infringes copyright?	✔	Law 34/2002 on Information Society Services and Electronic Commerce (LSSI) and the EU E-Commerce Directive (2000/31/EC) provide a limited liability regime for ISPs.
8. Is there a basis for ISPs to be held liable for content that infringes copyright found on their sites or systems?	✔	Article 16 of the LSSI establishes liability for an ISP if it has effective knowledge of the infringement and does not act to remove or block access to the infringing content. However, rights holders cannot establish "effective knowledge" on the part of an ISP by directly notifying a site operator of the presence of infringing material on the operator's site or service. Instead, rights holders must submit evidence to a court or administrative body that has previously declared such content illegal.
		However, in one case in 2010 (SGAE v. Asociación de Internautas (2004-2010) <www.internautas.org/pagweb/11.html>), the Spanish Supreme Court ignored Article 16 and applied the EU E-Commerce Directive to find an Internet service provider liable for hosting defamatory material provided by a third party.
9. What sanctions are available for ISP liability for copyright infringing content found on their site or system?	Civil	The sanctions available are shutting down of Web sites and orders to remove infringing content. Further, non-compliance of the Article 11 of the LSSI (i.e., an intermediary service provider's non-compliance with instructions to suspend specified services received from the competent administrative body) is classified as a "very serious" infraction carrying a fine of 150,000 to 600,000 euros. If two or more serious infractions, are committed within three years, the ability to operate in Spain may be prohibited for up to two years.
		However, criminal prosecutions on ISP liability have been unsuccessful. The Sharemula v. Brigade of Technological Investigations (2008) <derecho-internet.org/proyectos/procedimientos-libres>)case held that a Web site did not carry out a criminal offense under the Spanish Criminal Code because its activity could not be considered as a communication to the public. (The site itself had no illegal content, but it provided links to P2P channels from which downloads could be obtained.) Further, the court found that the site and its administrators had not engaged in copyright infringement for publishing links to P2P networks as such act had no commercial purpose.
10. Must ISPs take down content that infringes copyright, upon notification by the right holder?	✔	Under the Ley Sinde, the following steps are required prior to closure of a website that contains infringing content: 1. The rights holder requests that the Intellectual Property Commission initiates proceedings against the offending Web site. The commission will contact the Web site or ISP, informing it of the alleged infringement and request that it remove the content in question, or give reasons why it will not remove content. 2. The ISP has 48 hours to comply or submit an appeal why the content should remain. 3. The commission has another 48 hours to consider its decision. 4. Parties are given five days to submit reports. 5. The commission has three days to issue a resolution and the appointed judge will rule whether the suspected Web site is guilty of breaching IP rights and will be shut down. Final decisions by the commission must be approved by a judge. 6. If the Web site doesn't adhere to such a decision, the case will be brought forward before the Court of Contentious Administrative Proceedings.
		Also, under Article 11 of the LSSI, intermediary ISPs are under the obligation to cooperate when a competent body (defined as "all jurisdictional or administrative bodies ... which exercise legally attributed powers") demands that content be removed or that the rendering of a service be discontinued.

Q SPAIN	RESPONSE	EXPLANATORY TEXT
11. Are ISPs required to inform subscribers upon receiving a notification that the subscriber is using the ISP's service to distribute content that infringes copyright?	✖	There is no specific notice requirement. Also, in Spain, processing IP addresses to pass on infringement warning notices to users is prohibited, unless the ISP obtains the consent of the data subjects. Data disclosure is regulated by Article 11 of the Data Protection Act, which does not allow data disclosure to initiate a civil action, unless the ISP obtains the consent of the data subjects. In addition, this would violate the Data Retention Act, since personal data retained under this law can be processed only for limited purposes, which do not include disclosing data to right holder to enable them to warn Internet users.
12. Is there clear legal protection against misappropriation of cloud computing services, including effective enforcement?	Comprehensive protection	Spain has some minor gaps in copyright protection, but it has strong privacy and cybercrime provisions. The overall level of protection for cloud computing services may suffer from inconsistencies in enforcement.
SUPPORT FOR INDUSTRY-LED STANDARDS & INTERNATIONAL HARMONIZATION OF RULES		
1. Are there laws, regulations or policies that establish a standards-setting framework for interoperability and portability of data?	✔	The Spanish Association for Standardisation and Certification ((Asociación Española de Normalización y Certificación [AENOR]) <www.aenor.es> was established in 1986 by a legal decree recognizing it as the sole standards-setting body in Spain.
2. Is there a regulatory body responsible for standards development for the country?	✔	AENOR is a private, non-profit organization.
3. Are e-commerce laws in place?	✔	LSSI, referred to as the E-Commerce Act.
4. What international instruments are the e-commerce laws based on?	UNCITRAL Model Law on E-Commerce	The E-Commerce Act implements the EU E-Commerce Directive (2000/31/EC) into Spanish law. It is largely based on the UNCITRAL Model Law on E-Commerce.
5. Is the downloading of applications or digital data from foreign cloud service providers free from tariff or other trade barriers?	✔	There are no relevant tariffs or other trade barriers in place in Spain.
6. Are international standards favored over domestic standards?	✔	Spain favors EU and international standards.
7. Does the government participate in international standards-setting process?	✔	Spain is an active participant in EU and ISO standards development processes.
PROMOTING FREE TRADE		
1. Are any laws or policies in place that implement technology neutrality in government?	✔	The 2007 Law on Citizens' Electronic Access to Public Services (also known as "Law on eGovernment") includes a technology neutrality principle.
2. Are cloud computing services able to operate free from laws or policies that mandate the use of certain products (including, but not limited to, types of software), services, standards, or technologies?	✔	There are relevant no mandatory product requirements in Spain.
3. Are cloud computing services able to operate free from laws or policies that establish preferences for certain products (including, but not limited to, types of software), services, standards, or technologies?	✔	There are no specific preferences in Spain. However, the Spanish Parliament passed a non-binding resolution promoting open source software in 2007.
4. Are cloud computing services able to operate free from laws that discriminate based on the nationality of the vendor, developer, or service provider?	✔	Procurement is governed by the Law 30/2007 on Contracts of the Public Sector. There is no domestic preference requirement in Spain. Spain is a member of the WTO plurilateral Agreement on Government Procurement

Q SPAIN	RESPONSE	EXPLANATORY TEXT
ICT READINESS, BROADBAND DEPLOYMENT		

1. Is there a national broadband plan?	• By 2015, 100 Mbps broadband available to 50% of population	Spain's Avanza I (Advanced Infrastructures Program) (2008-2011) set a number of broadband targets:
		• By 2011, minimum speed of 1 Mbps broadband access available to 100% of population
		• By 2015, 100 Mbps broadband available to 50% of population
		Spain has developed a number of sequential broadband strategies:
		• Avanza Infrastructures Programme (Advanced Infrastructures programme) (2008-2011)
		  – The objective of "Avanza Infrastructures" funding program is to facilitate investments to extend telecommunication services' coverage to isolated and rural areas. Additionally, the target is to provide telecommunications services with conditions similar to those available in urban areas in order to foster economic development and the integration of citizens in the Information Society.
		  – The objective is to continue rural broadband development program successes by increasing broadband coverage in very small population centers. The objective is also to improve bandwidth and network capacity provided by telecommunication operators at rural areas.
		• Avanza II Infrastructures Programme (Advanced Infrastructures programme) (2011-2015)
		Details of funded programs under Avanza II are limited.
		Note: The European Commission has set targets for all European households to have download speeds of at least 30 megabits per second (Mbps) by 2020, and by 2025 50% of households at 100 Mbps.

2. Are there laws or policies that regulate the establishment of different service levels for data transmission based on the nature of data transmitted?	Regulation under consideration by government and extensive public debate	Spain does not have specific net neutrality regulation, though general competition law applies. The EU is actively considering options to manage net neutrality issues, including the 2012 public consultation on 'Specific aspects of transparency, traffic management and switching in an Open Internet' <ec.europa.eu/digital-agenda/en/line-public-consultation-specific-aspects-transparency-traffic-management-and-switching-open>. This may have an impact on the implementation of net neutrality principles in member countries.
3. Base Indicators		
3.1. Population (2011)	46,454,895	In 2011, the population of Spain increased by 0.4%. [International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ict/publications/world/world.html>]
3.2. Urban Population (%) (2011)	77%	[United Nations, Department of Economic and Social Affairs, Population Division (2012). World Urbanization Prospects: The 2011 Revision, <esa.un.org/unup/CD-ROM/Urban-Rural-Population.htm>]
3.3. Number of Households (2011)	15,942,000	In 2011, the number of households in Spain increased by 1.9%. [International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ict/publications/world/world.html>]
3.4. Population Density (people per square km) (2010)	92	[World Bank, Data Catalog, Indicators, Population Density (2012) <data.worldbank.org/indicator/EN.POP.DNST>]
3.5. Per Capita GDP (US$ 2011)	$32,244	In 2011, the per capita GDP for Spain increased by 0.7% to US$32,244. [World Bank, Data Catalog, Indicators: GDP per capita, current US$ (2012) <data.worldbank.org/indicator/NY.GDP.PCAP.CD> and GDP growth, annual % (2012) <data.worldbank.org/indicator/NY.GDP.MKTP.KD.ZG>]
3.6. Public Cloud Services Market Value (2011) (Billions of US$)	1.31	Gartner has calculated the value of the public cloud services market in Spain in 2011 to be US$1.31 billion. This is a 7% increase from 2010 and ranks Spain 12 (out of 20 countries) in the forecast. Gartner has projected the five-year compound annual growth rate (CAGR) to 2016 to be 9.7%, and this ranks Spain 20 (out of 20 countries) for growth in the value of the market for public cloud services to 2016. [Gartner, Forecast Overview: Public Cloud Services, Worldwide, 2011-2016 (August 2012 Update) <www.gartner.com/id=2126916>]

Q SPAIN	RESPONSE	EXPLANATORY TEXT
3.7. Personal Computers (% of households) (2011)	73%	In 2011, 72.6% of households in Spain had personal computers. This is a 5.6% increase since 2010 and ranks Spain 37 out of 182 countries surveyed. The growth from 2010 is above the five-year CAGR from 2006 to 2011 of 4.9%. [International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx>] Note: In some jurisdictions this is an estimate and subsequent editions of the ITU ICT Indicators Database may update this indicator for prior years.
4. ICT and Network Readiness Indicators		
4.1. ITU ICT Development Index (IDI) (2011) (Score is out of 10)	6.62	Spain's ITU ICT Development Index (IDI) for 2011 is 6.62 (out of 10), resulting in a rank of 28 (out of 161 economies). The 2011 IDI for Spain has increased by 4.9%, and the IDI ranking has declined by one place from a rank of 27 since 2010. [International Telecommunication Union (ITU), Measuring the Information Society (2012) <www.itu.int/ITU-D/ict/publications/idi/2012>] Note: In some jurisdictions this is an estimate and subsequent editions of the ITU ICT Indicators Database may adjust this indicator, both for 2011 and prior years.
4.2. World Economic Forum Networked Readiness Index (NRI) (2012) (Score is out of 7)	4.54	Spain has a Networked Readiness Index (NRI) score of 4.54 (out of 7), resulting in a rank of 36 (out of 142 economies) and a rank of 33 (out of 47) in the high income grouping of economies. The 2012 NRI for Spain has increased by 4.8% and improved from a rank of 37 since 2011. [World Economic Forum, Global Information Technology Report (2012) <www.networkedreadiness.com/gitr>]
4.3. International Connectivity Score (2011) (Score is out of 10)	5.09	Spain has a Connectivity Score of 5.09 (out of 10), resulting in a rank of 19 (out of 25) in the innovation-driven grouping of countries/economies. [Nokia Siemens, Connectivity Scorecard (2011) <www.connectivityscorecard.org>]
4.4. IT Industry Competitiveness Index (2011) (Score is out of 100)	50.40	Spain has an IT Industry Competitiveness Index Score of 50.4 (out of 100), resulting in a rank of 24 (out of 66 countries/economies included in the index). The 2011 index score is a 2% increase on the 2009 score. Spain has moved up the ranking by one place since 2009. [Business Software Alliance (BSA) / Economist Intelligence Unit (EIU), IT Industry Competitiveness Index (2011) <globalindex11.bsa.org>]
5. Internet Users and International Bandwidth		
5.1. Internet Users (2011)	31,403,509	[calculated from 8.3.1. and 8.5.2.]
5.2. Internet Users as % of Population (2011)	68%	In 2011, 68% of the population in Spain used the Internet, resulting in a ranking of 46 out of 199 countries surveyed. This is a 2.7% increase since 2010. The growth from 2010 is below the five-year CAGR from 2006 to 2011 of 6.1%. [International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (December 2012) <www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx>] Note: There may be some variations as to how countries calculate this. Some countries base this upon all or part of the population, such as between 16 and 72 years of age. Note: In some jurisdictions this is an estimate and subsequent editions of the ITU ICT Indicators Database may adjust this indicator, both for 2011 and for prior years.
5.3. International Internet Bandwidth (bits per second per Internet user) (2011)	64,069	Spain's International Internet Bandwidth (per Internet user) has increased by 14% since 2010. [International Telecommunication Union (ITU), Measuring the Information Society (2012) <www.itu.int/ITU-D/ict/publications/idi/2012>]
5.4. International Internet Bandwidth (2011) (total gigabits per second [Gbps] per country)	2,012	Spain has increased its International Internet Bandwidth by 18% since 2010 to 2,012 Gbps and is ranked 12 out of 188 countries surveyed. The growth from 2010 is below the five-year CAGR from 2006 to 2011 of 49.7%. [International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ict/publications/world/world.html>]

Q SPAIN	RESPONSE	EXPLANATORY TEXT
6. Fixed Broadband		
6.1. Fixed Broadband Subscriptions (2011)	11,048,496	Spain has increased the number of fixed broadband subscribers by 5% since 2010, to 11,048,496, and is ranked 13 out of 182 countries surveyed. The growth from 2010 is below the five-year CAGR from 2006 to 2011 of 10.4%.
		[International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ict/publications/world/world.html>]
		Note: In some jurisdictions this is an estimate and subsequent editions of the ITU ICT Indicators Database may adjust this indicator, both for 2011 and prior years.
6.2. Fixed Broadband Subscriptions as % of Households (2011)	69%	[calculated from 8.3.3. and 8.6.1.]
		Note: This may be skewed by business usage in some countries (refer to OECD comments about this).
6.3. Fixed Broadband Subscriptions as % of Population (2011)	24%	Spain has increased its fixed broadband subscriptions (as a share of the population) by 4% since 2010, which is below the five-year CAGR from 2006 to 2011 of 9.2%. This ranks Spain 13 out of 187 countries surveyed.
		The OECD figures below present a breakdown on the type of fixed broadband connections in Spain.
		In the OECD, Spain was ranked 22 (out of 34) for fixed (wired) broadband subscribers as a percentage of population [OECD Broadband Subscribers (Dec 2011) <www.oecd.org/sti/ict/broadband>]
		– DSL: 19.6%
		– Cable: 4.5%
		– Fiber/LAN: 0.4%
		Total: 24.5% (11,289,980 subscriptions). The OECD average total for 2011 was 25.6%.
		Spain's fixed broadband growth for 2011 was 4.9% (ranked 17 out of 34 for growth), above the OECD average growth of 4.1%.
		Note: There may be minor variations in the ITU and OECD subscriber totals due to definition, timing or population baseline differences.
		[International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (July 2011) <www.itu.int/ITU-D/ICTEYE/Indicators/Indicators.aspx>]
6.4. Fixed Broadband Subscriptions as % of Internet Users (2011)	35%	[calculated from 8.5.1 and 8.6.1]
7. Mobile Broadband		
7.1. Mobile Cellular Subscriptions (2011)	52,597,587	In 2011, Spain increased the number of mobile cellular subscriptions by 2.4% and is ranked 26 out of 195 countries surveyed. The number of subscriptions account for 113% of the population.
		[International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ict/publications/world/world.html>]
		Note: This figure may be inflated due to multiple subscriptions per head of population but excludes dedicated mobile broadband devices (such as 3G data cards and tablets).

Q SPAIN	RESPONSE	EXPLANATORY TEXT
7.2. Active Mobile Broadband Subscriptions per 100 inhabitants (2011)	42	Spain has increased the number of active mobile broadband subscriptions (as a share of the population) by 64% since 2010. This ranks Spain 28 out of 144 countries surveyed. The OECD figures below present a breakdown on the type of mobile broadband connections in Spain in 2011. For 2011, Spain's OECD rank has improved 13 places and is 11 (out of 34) for Mobile Wireless Broadband Subscribers as a percentage of population [OECD Broadband Subscribers (Dec 2011) <www.oecd.org/sti/ict/broadband>] – Satellite: 0% – Terrestrial fixed wireless: 0.2% – Standard mobile broadband subscription: 40% (up from 8.2% in 2010) – Dedicated mobile data subscriptions: 25.5% (down from 27.8% in 2010) Total: 65.7% (30,254,282 subscriptions). The OECD average total for 2011 was 54.3%. Spain's wireless broadband growth for 2011 was 136% (ranked 5 out of 34 for growth), well above the OECD average growth of 30.5%. Note: The mobile broadband subscription types were first reported by OECD in 2010, and ITU data is beginning to have this granularity. Note: The OECD figures include mobile data subscriptions, which are not as consistently reported in the ITU indicators. [International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ict/publications/world/world.html>] Note: This refers to the sum of standard mobile broadband and dedicated mobile broadband subscriptions to the public Internet. It covers actual subscribers, not potential subscribers, even though the latter may have broadband-enabled handsets. Note: In some jurisdictions this is an estimate and subsequent editions of the ITU ICT Indicators Database may adjust this indicator, both for 2011 and for prior years.
7.3. Number of Active Mobile Broadband Subscriptions (2011)	19,313,800	In 2011, Spain increased the number of active mobile broadband subscriptions by 66% and is ranked 28 out of 145 countries surveyed. [International Telecommunication Union (ITU), World Telecommunication/ICT Indicators Database (Dec 2012) <www.itu.int/ITU-D/ict/publications/world/world.html>]