



CITIZENSHIP AND LIFELONG LEARNING MONITOR 2021

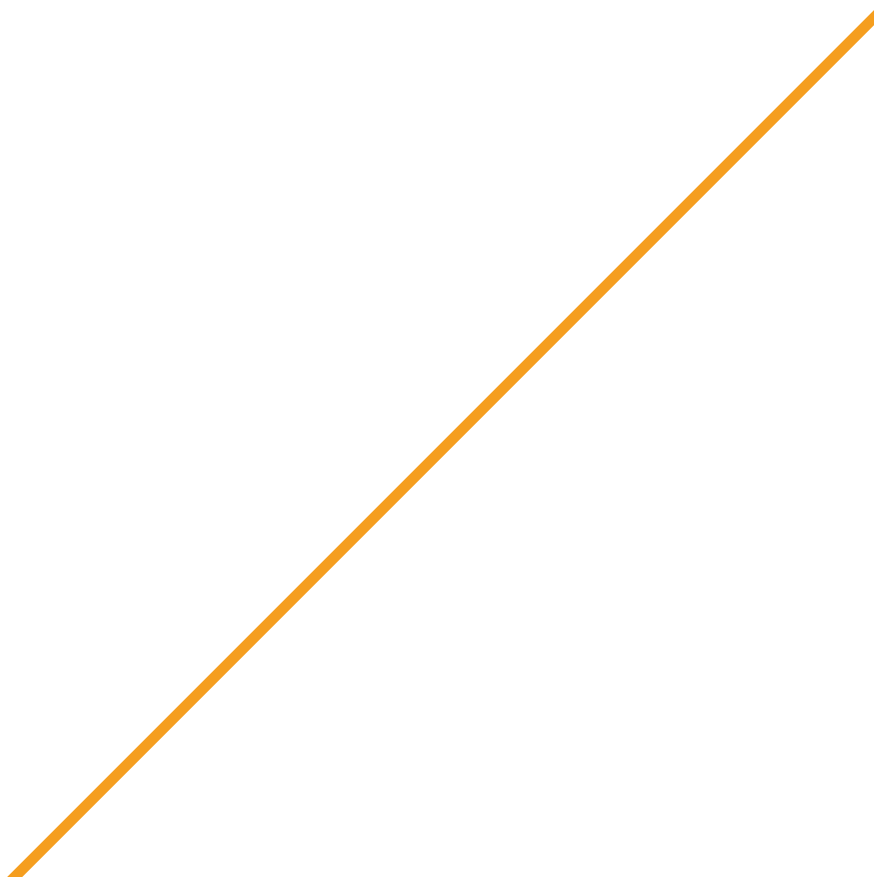
SPAIN





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ABSTRACT

The following report represents one of eleven national case studies feeding into the sixth edition of the SOLIDAR Foundation's annual Citizenship and Lifelong Learning Monitor. The purpose of the Monitor is to analyse the developments in the fields of Global Citizenship Education (GCE) and lifelong learning policies in Spain and their linkages with the state of the civic space in the country. The Spanish report is focused on two main topics: Education for Environmental Sustainability (EES) in the frame of Global Citizenship Education, and the shrinking civic space and the interconnectedness and cross-border solidarity among Civil Society Organisations (CSOs) to counter such shrinking space. The [2020 Citizenship and Lifelong learning Monitor](#) painted the picture of a country which had just started to reintroduce Global Citizenship Education and sustainability in formal education, cognisant of the ecological and social challenges of our times. While Spain has undertaken serious efforts to implement Education for Sustainable Development (ESD) and Education for Environmental Sustainability, by means of a myriad of environmentally focused legislation, policies and initiatives, the process is still in its inception and is

moving slightly slower than needed considering the climate crisis. The informal and non-formal education providers are not yet well-connected to the formal education providers, as most of the reforming is focused, for now, on formal education. The situation is not aided by the fact that the civic space is experiencing restrictions in terms of the freedom of expression, with a strong chilling effect being created by previously passed legislation and the way it was enforced during the COVID-19 pandemic. The impact on this is fewer opportunities for learners to become accustomed to being active in the civic space and pushing their green competences there, actualising them, but also learning together with the community on what can be done jointly to address the climate crisis and pressure the decisionmakers to take action. This situation, together with the financial impact of the post-2008 austerity measures and of the pandemic on CSOs, has created many hurdles for the Spanish society to equip learners with the tools needed to adapt to the green and digital transition in the 21st century world. The Monitor will conclude with a set of recommendations to address these hurdles.



INTRODUCTION

The report begins by analysing and assessing the provision of Education for Sustainable Development (ESD) and Education for Environmental Sustainability (EES) outlining the efforts undertaken by the Spanish authorities to mainstream EES and ESD in formal education. In recent years, the commitment to integrate sustainability in education and training has been a consistent feature of educational reform in Spain. The Monitor will then look at the non-formal and informal education sector, seeing how it contributed to the mainstreaming of the EES. It will then consider the situation of the civic space, since here learners can be empowered and while vulnerable groups that have been excluded by formal education can be included, so that they can all actualise their

green competences and pressure decision-makers to take meaningful decisions for addressing the environmental crisis. The report delves into how the civic space has been progressively narrowing in Spain, particularly in regard to the inclusion of CSOs in policy-making and cuts to their funding, but also in relation to the chilling effect that the civil society have been experiencing in the past years in Spain. The Monitor will focus on these aspects while providing good practice examples from the membership of SOLIDAR Foundation and will conclude with a set of recommendations for upscaling the practices and for ensuring that the challenges identified by the Monitor can be addressed.

EDUCATION FOR ENVIRONMENTAL SUSTAINABILITY (EES) IN A POST-PANDEMIC WORLD

EES IN FORMAL EDUCATION

In recent years, Spain has undertaken considerable efforts to integrate Education for Sustainable Development (ESD) and particularly Education for Environmental Sustainability (EES) in formal education, as already reported in the previous two editions of the Monitor¹. The concept of Education for Environmental Sustainability (EES) is now enshrined in the [Law Amending the Organic Law of Education \(LOMLOE\)](#), which progressively entered into force in 2021, repealing the [Law on the Improvement of the Quality of Education \(LOMCE\)](#), and which is foreseen to be fully implemented by the school year 2023/2024². The reform law indicates a positive stance towards sustainable development from Spanish authorities, since the previous educational law led to the dismantling of the Education for Citizenship and Human Rights subject in the curriculum. The subject had initially been introduced in the curriculum through the [Law of Education \(LOE\)](#), in force from 2006 to 2013, which introduced it as a new area of knowledge to be taught throughout primary and secondary education, but the LOMCE removed the subject. However, the LOMLOE represents the first Spanish educational law that incorporates explicit references to ESD and Education for Global Citizenship (GCE), stressing the need for them to

be implemented across compulsory education both as specific subjects and transversally³. It states that EES is to be recognised as "essential to address the climate emergency, so that students know what consequences our daily actions have on the planet and generate, consequently, empathy towards its natural and social environment"⁴. The curriculum reform foreseen by LOMLOE is underway, with the drafting process on-going since 2021 starting from the concept of the 'Exit Profile'. This entails understanding the competences that each learner needs when finalising their formal education⁵, and it represents the starting point to understand what will then be the curricular needs. **The competence and values oriented curriculum is an encouraging approach as well as the fact that the education for the ecological transition is devised with social justice as a criterion for its implementation, revealing a strategy that not only has environmental sustainability at its heart, but also social and economic sustainability**⁶. Such an approach is exactly what SOLIDAR Foundation and its members are encouraging in light of the global interconnections and global solidarity needed to combat the current global crises⁷.

The commitment to EES is further encompassed in the [Environmental Education Action](#)

1 Frank, Andrei (2021). *Citizenship and Lifelong Learning Monitor 2020: Spain National Report*. SOLIDAR Foundation. Available at: https://www.solidar.org/system/downloads/attachments/000/001/318/original/CLLL_Monitor2020_National_report_Spain.pdf?1617695049. Last accessed: 4 March 2022.; Frank, Andrei (2020). *Citizenship and Lifelong Learning Monitor 2019: Spain National Report*. SOLIDAR Foundation. Available at: https://www.solidar.org/system/downloads/attachments/000/001/131/original/Country_Spain.pdf?1588761277. Last accessed: 4 March 2022.

2 Eurydice (2021). *New Education Law in Spain*. Available at: https://eacea.ec.europa.eu/national-policies/eurydice/content/new-education-law-spain_en. Last accessed: 24 February 2022.

3 Head of State of Spain (2020). *Ley Orgánica 3/2020, de 29 de diciembre, por la que se modifica la Ley Orgánica 2/2006, de 3 de mayo, de Educación*. Available at: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2020-17264. Last accessed: 4 March 2022.

4 Ibid.

5 Eurydice (2022). *National Reforms in School Education: Spain*. Available at: https://eacea.ec.europa.eu/national-policies/eurydice/content/national-reforms-school-education-70_en. Last accessed: 1 March 2022.

6 Head of State of Spain (2020). *Ley Orgánica 3/2020, de 29 de diciembre, por la que se modifica la Ley Orgánica 2/2006, de 3 de mayo, de Educación*.

7 SOLIDAR Foundation (2020). *Global Citizenship Education Policy Paper*. Available at: https://www.solidar.org/system/downloads/attachments/000/001/148/original/GCE_Policy_Paper.pdf?1594110914. Last accessed: 4 March 2022.

[Plan for Sustainability \(2021-2025\)](#), which establishes the strategic lines of environmental education in Spain, with the aim of promoting a cultural change that allows an adequate response to contemporary socio-environmental challenges in a coordinated, participatory manner and with institutional and social co-responsibility. The document recognises that education is an essential engine of social transformation, and Environmental Education for Sustainability, specifically, is called to play a relevant role⁸. The Plan foresees the integration of sustainability in education and training through changes at the curricular level, increase of teacher training programmes and the design of programmes in coordination with community-based educational centres. At the policy and strategy level, Spain is ahead of many other European countries when it comes to the mainstreaming of EES, and to its teaching in a way that is attuned to GCE. For the moment, it is difficult to evaluate the process of implementing this comprehensive policy architecture. As most aspects of the LOMLOE are currently being developed and will be implemented fully only in the upcoming academic years, for now only a concern should be raised so that the proper implementation of the policies can be achieved. This concern is linked to the mechanisms that will be put in place to monitor how the reforms are implemented, to assess how learners and education professionals respond to the changes and to how quickly the process of incorporating this new paradigm in education operates. Without these elements, there is a risk that the topic will be implemented as a cross-curricular add-on that is referred to but that never fully guides the direction in which education goes. This challenge will be better reflected in the European

Overview of the Monitor, considering the comparisons with how the topic is implemented in other EU Member States.

Some steps were already taken to show the long-term commitment of the Spanish government in relation to the topic, and such an example is the existence of the National Centre of Environmental Education (CENEAM) of Spain. It serves as a place for networking but also as a collection of resources that can aid education professionals in providing and mainstreaming EES⁹. The CENEAM will serve as a wealth of resources for when the LOMLOE will be fully implemented, but it is important to highlight that this network for education professionals is already set up, providing the resources, and, therefore, points towards a smoother mainstreaming of EES. At the same time, the government has been investing or promoting similar initiatives that serve as support mechanisms for the full development of LOMLOE. The case study below is just one example of what exists around the formal education sector in the preparation of the new educational curriculum.



8 Government of Spain (2021). *Plan de Acción de Educación Ambiental para la Sostenibilidad (2021-2025)*. Available at: https://www.miteco.gob.es/en/ceneam/plan-accion-educacion-ambiental/plandeacciondeeducacionambientalparalasostenibilidad2021-202508-21_tcm38-530040.pdf. Last accessed: 2 March 2022.

9 Global Environmental Education Partnership (2021). *Spain*. Available at: <https://thegeep.org/learn/countries/spain>. Last accessed: 3 March 2022.

CASE STUDY

The environmental NGO, [Ecoembes](#), has been promoting for years the circular economy and sustainability oriented behaviours. However, recently they reframed some of their work, trying to bring sustainability straight into the classroom for learners in primary education. This comes in the form of the [Naturaliza](#) project, which aims to provide transversal environmental education via the Nature Sciences, Social Sciences, Mathematics and Spanish Language subjects in formal education and through cooperative and project-based learning. The approach is consistent to much of the work done in the informal and non-formal education sector by CSOs and NGOs, and is yet again an example on the wealth of experience with more participatory educational practices that can unshackle the formal education system and support it in delivering transversal topics in a more effective manner. The project foresees [educational resources](#), as well as intervention and diagnostic activities, to fully understand the level of the classroom and find different ways to engage the learners based on their needs. The added value of a curriculum that has been adapted to contain environmental principles and a set of experiential learning that can be done outside of the classroom are tried and tested methods of the project which can be upscaled by the government when planning for the implementation of aspects linked to the new law of education. At the same time, the project also targets teachers' education, as the project provides expert tutors that can offer online training for

teachers on enriching their repertoire of pedagogies for EES.

The project operates in a similar way to SOLIDAR Foundation member's, [La Liga Española de la Educación y la Cultura Popular](#), project 'Classrooms with a Taste of Earth'. This was presented at lengths in the prior edition (2020) of the Citizenship and Lifelong Learning Monitor, but it effectively creates methods for including EES in formal education and trains teachers to bring this experiential and practical learning in the classroom. Such resources reveal yet again how essential informal and non-formal education providers, especially CSOs and NGOs, are in speeding up the implementation of the new reforms in education in Spain. For this reason, they need to be better included in policymaking and policy implementation as their expertise on the ground can prove to be essential for the effective mainstreaming of EES in all forms of education in Spain.



The need for the integration of EES has also been recognised in vocational training policy, with the [Plan for the Modernisation of Vocational Training](#) which foresees the inclusion of EES as well as permanent updating and agile adaptation to the emerging needs in the productive sectors, especially those associated with the ecological transition, environmental sustainability, as well as digitalisation¹⁰. Though encouraging to see all levels of education considering for the greening up of the approaches and contents, the reforms on VET seem to lose sight of the holistic development of the learners in this direction, and rather seem to become a tool in the service of the labour market.

This perspective is encouraged by the way that the reforms in VET are presented in Spain's National Recovery and Resilience Plan, which discusses little the greening of VET and rather focuses on the need for the VET to be better attuned to the labour market needs¹¹.

Beyond what was presented so far, SOLIDAR Foundation member, La Liga, expands its work also to Early Childhood Education and Care (ECEC), revealing yet again how the state authorities can rely on CSOs and their methodologies to mainstream EES in education at all levels, regardless of age and for a lifelong learning approach.

CASE STUDY

SOLIDAR Foundation member, [La Liga](#), administers a [Network of Early Childhood Education Centers and Houses for children aged 0-3](#). They are responsible for 13 such children's centers in different municipalities of Spain, in which the pedagogical action is oriented, among other aspects, to the commitment with the environment.

One of the most significant programs in the field of EES, that has begun to work in two of their centres in the province of Valladolid (Pajarillos and Maestro Claudio), is the "Program of re-naturalization and adaptation to climate change of schoolyards". This program, which is developed in the centers by the Fundación Patrimonio Natural de Castilla y León and which has the support of the Ministry of Education and

the Ministry of Development and Environment of Castilla y León, is funded by the EU as part of the response to the COVID-19 pandemic and its social consequences, to prepare for a green, digital and resilient recovery of the economy. The actions of the project aim to achieve a significant and exemplary transformation of the outdoor spaces (patios) of the Educational Centers, through greening actions to favour their adaptation to climate change. In a complementary way, the Ministry of Education of Castilla y León, within its contribution to the 2030 Agenda, will develop an educational program in the participating centers, for the didactic use of the interventions of adaptation to climate change to be carried out in the courtyards, as well as training for teaching teams.

10 Government of Spain (2021). *Plan de Modernización de la Formación Profesional*. Available at: <https://www.todofp.es/dam/jcr:-5d43ab06-7cdf-4db6-a95c-b97b4a0e1b74/220720-plan-modernizacion-fp.pdf>. Last accessed: 2 March 2022.

11 European Commission (2021). *Analysis of the recovery and resilience plan of Spain*. Accompanying the document Proposal for a Council Implementing Decision on the approval of the assessment of the recovery and resilience plan for Spain {COM(2021) 322 final}. Available at: <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52021SC0147&from=EN>. Last accessed: 2 March 2022.

Further documents to complete the policy and legislative landscape in Spain have been published in connection with a whole-government approach. An example is the [National Sustainable Development Strategy](#), adopted in 2021, which is a soft policy instrument that includes EES. The Strategy recognises how education is a fundamental tool to transmit knowledge about the environment and its conservation according to the principles of sustainability and the preservation of natural resources, also acknowledging the severe impact of the new challenges posed by the pandemic. Due to the decentralised nature of Spanish government, Autonomous Communities and local governments have also been working in parallel with the central government in the development of plans and strategies linked to the implementation of the United Nations 2030 Agenda at local level. Further legislation of interest for the provision of EES is the [Law on Climate Change and Energy Transition](#) which, in its title VIII, addresses the importance for the involvement of Spanish society in response to climate change and for the promotion of energy transition through education and training, establishing that “the educational system will promote the involvement of Spanish society in responses to climate change, reinforcing knowledge about climate change and its implications, training for a low-carbon technical and professional activity and resilient in the face of climate change and the acquisition of the necessary personal and social responsibility.”¹². The [Declaration of the Status of Climate Emergency](#), adopted in January 2020, also established as one of the priorities of the Government in reversing climate change, the “reinforcement of the incorporation of the contents of climate change in the educational

system and approval of an Action Plan for Environmental Education for Sustainability.”

While the commitment of the Spanish government in mainstreaming EES in education and training is commendable, adequate, long-term funding is fundamental in order to fully unlock the full potential of EES across all learning sectors. The Environmental Education Action Plan for Sustainability (2021-2025) recognises that “insufficient stable resources have been allocated over time and appropriate lines of financing that would make it possible to overcome the implementation of specific programs and give way to more ambitious projects in line with the crisis”, however such recognition does not seem to have been concretely addressed by the Spanish authorities. This situation must be contextualised with the austerity measures adopted in the aftermath of the 2008 economic crisis. Over 10000 environmental educators were directly impacted by the cuts with dozens of environmental education facilities and companies closing down and about half of the educators mentioned going into unemployment¹³.



12 Head of State of Spain (2021). *Ley 7/2021, de 20 de mayo, de cambio climático y transición energética*. Available at: https://www.boe.es/diario_boe/txt.php?id=BOE-A-2021-8447. Last accessed: 2 March 2022.

13 Benayas del Álamo, Javier et al. (2017). *Educación para la Sostenibilidad en España: Reflexiones y propuestas*. Documento de Trabajo Opex N°86/2017. Pp.8-9. Available at: https://www.unirioja.es/servicios/os/pdf/Informe_Educacion_Sostenibilidad_Espana.pdf. Last accessed: 28 February 2022.

Clearly, the world of EES in Spain was stunted by this situation and significant investment is needed to be able to offset the many years in which the topic was neglected. Such has been the case for the [National Recovery and Resilience Plan](#), approved by the European Commission in June 2021 and posed to be an ambitious reform program structural and legislative measures, guiding the implementation of 72,000 million euros of European funds until 2023¹⁴. While Policy 7 of the Plan proposes the development of a series of projects to evaluate and reform the education system at different levels, focusing on digitalisation and vocational it makes no specific mention of Global Citizenship Education, ultimately ended up not offering opportunities for development on the issues of GCE and EES. The plan does include LOMLOE and foresees parts of this investment to go into the implementation of the comprehensive new education law, however, most references made are in connection with its goals to close inequity gaps in education or to ensure that the infrastructural needs are met in each education institution¹⁵. This is commendable, especially in light of the serious structural issues identified by the previous Monitor editions in Spain, as well as the significant regional inequalities¹⁶, but it seems to be a missed opportunity that the tackling of equity issues in education is not done while taking into consideration the way in which the entire educational process must be adapted to better prepare learners to adapt to the green transition. The green transition remains an adjacent goal of the NRRP rather than a central element considering how learners' capacity to live sustainably and in harmony with their environment is crucial for offsetting the impacts of the climate crisis.

EES IN INFORMAL AND NON-FORMAL EDUCATION

Formal education by itself cannot ensure that Spain will achieve the [United Nations 2030 Agenda](#), therefore, the role of non-formal and informal education is a vital component for the achievement of the [United Nations 2030 Agenda](#) and its approaches should be integrated into strategies and actions to fulfil the provision of EES. **Such non-formal and informal learning should be geared towards pursuing a holistic and transformative approach to learning for sustainability, focusing on “life skills”, including green skills. At the same time, a strategy that makes use of all forms of education should also be a strategy that targets all learners, regardless of their age.** This is crucial because the adult population must also be prepared for the environmental crisis considering how urgent action needs to be taken by everyone on the planet.

Given this, it must be mentioned that, in Spain, adult education is comprised of different types of programmes, which are organised by education, employment, and local authorities. According to the OECD, participation and willingness to participate in the available adult learning opportunities were already low before the pandemic, then COVID-19 mitigation strategies had a strong impact on the availability of learning opportunities, especially derived from informal and non-formal learning. In Spain, 49% of adults do not participate in adult learning and report being unwilling to participate in the learning opportunities that are currently available to them¹⁷. [The Royal decree for the validation of professional skills acquired through work experience](#), published in March

14 European Commission (2021). *Spain's Recovery and Resilience Plan (español)*. Available at: https://ec.europa.eu/info/files/spains-recovery-and-resilience-plan_en. Last accessed: 2 March 2022.

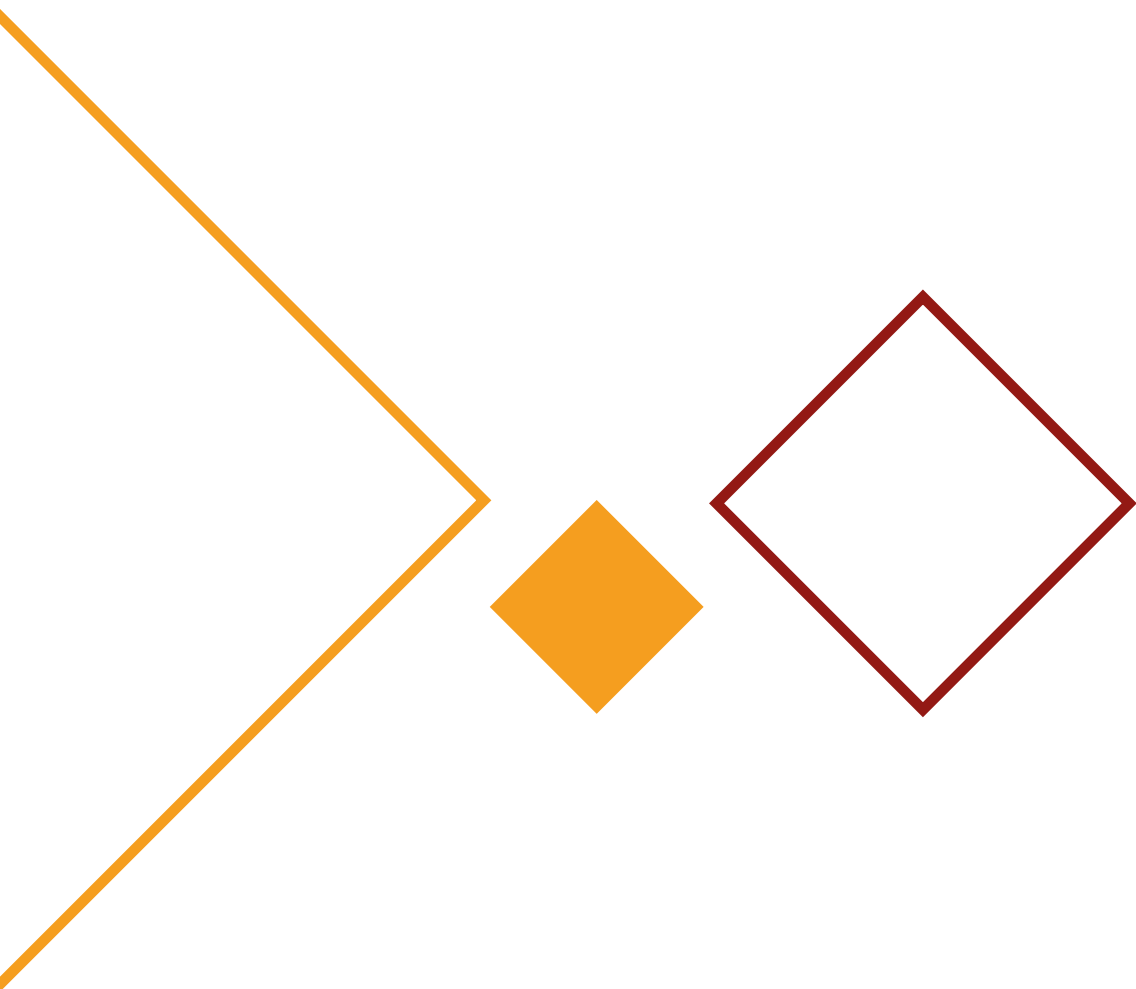
15 European Commission (2021). *Analysis of the recovery and resilience plan of Spain*.

16 Frank, Andrei (2021). *Citizenship and Lifelong Learning Monitor 2020: Spain National Report*.; Frank, Andrei (2020). *Citizenship and Lifelong Learning Monitor 2019: Spain National Report*.

17 OECD (2021). *OECD Skills Outlook 2021: Spain*. P.4. Available at: <https://www.oecd.org/spain/Skills-Outlook-Spain-EN.pdf>. Last accessed: 24 February 2022.

2021, amends the procedure for validation of professional skills, therefore offering a permanent procedure for their assessment that places the learner at its centres, by providing them with the chance to apply for the process validation of skills at any time. Such a change is welcome, as it puts an end to the limitations of the existing procedure through specific calls for applications referring to one or several qualifications¹⁸. SOLIDAR Foundation welcomes the initiative, however it signals that outside of such programmatic documents, the role of education is not acknowledged and there seems to be a long way coming towards proper validation and recognition, as SOLIDAR Foundation member, [La Liga Española de la Educación y la Cultura Popular](#) reports. For the successful integration of EES the Environmental Education

Action Plan recognises the role of cooperation among education providers (foundations, associations, companies) as co-responsible actors, together with the administration and the educational centres. **It specifically recognises that civil society plays a key role in the provision of Education for Environmental Sustainability, asserting that “it is more necessary than ever to develop a plural plan, truly participatory and open to society” and that “institutional collaboration and social agents are key to face difficulties and to seek synergistic solutions”**¹⁹. Such recognition should be accompanied by the integration of a lifelong element that acknowledges that education is symptomatic of a bigger issue with lack of investment in supporting informal and non-formal education.



18 CEDEFOP (2021). *Spain: more than three million workers eligible to validate their skills*. Available at: <https://www.cedefop.europa.eu/en/news/spain-more-three-million-workers-eligible-validate-their-skills>. Last accessed: 23 February 2022.

19 Government of Spain (2021). *Plan de Acción de Educación Ambiental para la Sostenibilidad (2021-2025)*.

SHRINKING CIVIC SPACE

SHRINKING CIVIC SPACE IN THE CONTEXT OF THE PANDEMIC

The existence of a vibrant civic space is needed so that learners can actualise their green competences, but even more so to be empowered through their participation in the civic space to understand global phenomena and see how global challenges can be addressed by the participants to the civil society collaborating. To this end, a healthy and thriving civic space is paramount, especially in times of crisis, as it enables citizens to organise, participate and express their views to influence and shape the political, economic and social life of their societies, especially, in the Monitor's context, towards embracing the mainstreaming of the EES. In this case, the narrowing of the civic space is even more worrying in times of emergency, such as the current public health

crisis, caused by the COVID-19 pandemic. The debate on the limitation of the exercise of certain rights due to the pandemic has been held in parallel and in relation to the debate on public health and on the consequences of the socio-economic crisis generated by the pandemic. SOLIDAR Foundation member, [La Liga](#) reported that CSOs in Spain have had to adjust their work to respond to the increase of situations of vulnerability among beneficiaries. Such adjustments required paying particular attention to the development of public policies, which left some of the needs of the beneficiary groups unattended, therefore drastically increasing the necessity of social projects to be implemented. [Oxfam Intermón](#) reported that the coronavirus crisis had an eight times greater impact on the poor than on the rich in Spain, threatening to leave 700.000 people in poverty and significantly increasing the poverty rate, which before the pandemic was 21.5%, to 23.1%²⁰. [Caritas](#) and the [Foessa Fundation](#) further reported²¹ on the staggering impact of the pandemic on social cohesion in Spain, linking it to the impact of the austerity policies implemented after the economic crisis in 2008. Such policies, together with the subsequent reduction of financing for social policies, undoubtedly led to precariousness among the most vulnerable, de facto leading to a more fragmented society. According to the report, the pandemic has increased the levels of exclusion in the population as a whole in all social dimension, although it is employment (24.7%) and housing (24%) that affect a higher percentage of households.

Civil society in Spain, faced with the increase in socio-economic inequalities, poverty and discrimination, highlighted the need for the COVID-19 recovery to be rooted in more equitable measures, through the increase of the



20 Oxfam Intermón (2020). *Una reconstrucción justa es posible y necesaria*. P.6. Available at: <https://www.oxfamintermon.org/es/publicacion/reconstruccion-justa-posible-necesaria>. Last accessed: 3 March 2022.

21 La Información (2017). *Cáritas constata un "empobrecimiento de la pobreza" en España con un 70% de hogares que no notan la recuperación*. Available at: https://www.lainformacion.com/economia-negocios-y-finanzas/Caritas-constata-empobrecimiento-Espana-recuperacion_0_1037896886/. Last accessed: 1 March 2022.

provision of social services. SOLIDAR Foundation member, [La Liga](#); reported that in Spain, the role of civil society in providing public services, which often involved complementing the work of public administrations is not reflected in a material recognition that would allow CSOs to carry out their work with a lower level of uncertainty. Consequently, there is a lack of adequate resources allocated to civil society for supplying such services.

In addition to that, civil society in Spain has also seen the implementation of considerable restrictions on the rights to freedom of assembly and expression, during the State of Emergency which was established on 14 March 2020 and ended in July 2020²². Greenpeace and the Civil Liberties Union for Europe [reported](#) that the responses of governments to the pandemic have led to unnecessary and disproportionate restrictions on space and civic freedoms, therefore obstructing activism and democratic participation. The monitoring carried out by [CIVICUS](#), expressly mentions that “the application of the new restrictions in Spain is based on existing repressive laws”²³. The [Law for the Protection of Citizen Security](#) (2015) popularly known as the “Gag Law” elicited serious concerns of censorship due to the restrictions placed on the freedom of assembly and speech. More specifically, the law prohibits the people's right to record the police officials without authorization and seriously restricts the capacity for public demonstrations, and peaceful interruption of official acts²⁴. Its adoption led to major protests in Spain as well as sparking criticism from the international human rights community. A group of experts of the Office of the



United Nations High Commissioner for Human Rights expressed their concerns, calling for the Spanish government to rectify the law proposal²⁵. The Council of Europe High Commissioner for Human Rights, Nils Muiznieks, has also emphasized the threat that the law poses for the exercise of the right of peaceful assembly²⁶. The Law represents a repressive response to the rise of social mobilisation due to the austerity measures imposed during and in the aftermath of the 2008 economic crisis. This Law, which has not yet been repealed despite the commitment to do so by the latest government, severely limits the rights of assembly, demonstration and protest, as well as the privacy of citizens, providing the State security forces and bodies with a high degree of discretion when punishing the infractions provided for in the law. During the 2020 state of emergency decreed by the COVID-19 pandemic, established on March 14 and which ended on June 21, 2020, the state security forces in Spain used the law to sanction citizens who did not comply with the agreed restrictions by the authorities. This represented most comprehensive use of the

22 International Center for Not-For-Profit Law (2022). *COVID-19 Civic Freedom Tracker: Spain*. Available at: <https://www.icnl.org/covid19tracker/?location=144&issue=&date=&type=>. Last accessed: 4 March 2022.

23 Liberties and Greenpeace European Unit (2020). *EU Governments Use Pandemic Measures to Restrict Civic Space and Freedoms: Liberties & Greenpeace Report*. Available at: <https://www.liberties.eu/en/stories/liberties-greenpeace-civic-space-report/18879>. Last accessed: 2 March 2022.

24 Congreso de los Diputados (2014). *Proyecto de Ley Orgánica de protección de la seguridad ciudadana*. Proyecto de Ley 121/000105. Available at: https://www.congreso.es/public_oficiales/L10/CONG/BOCG/A/BOCG-10-A-105-1.PDF. Last accessed: 28 February 2022.

25 Oficina del Alto Comisionado Derechos Humanos Naciones Unidas (2015). “*Dos proyectos de reforma legal socavan los derechos de manifestación y expresión en España*” – *Expertos de la ONU*. Available at: <https://www.ohchr.org/SP/NewsEvents/Pages/DisplayNews.aspx?NewsID=15597&LangID=S>. Last accessed: 3 March 2022.

26 European Association for the defence of Human Rights (2014). *Organic law for the protection of public security: a threat to civil liberties in Spain*. Available at: <https://www.aedh.eu/en/organic-law-for-the-protection-of-public-security-a-threat-to-civil-liberties-in-spain/>. Last accessed: 4 March 2022.

Gag Law considering that 75 days of confinement brought 42% more sanctions under this law than how many were given in the period 2015-2018²⁷. It remains to be seen if the Law will be repealed in 2022 considering the widespread reaction against, which has seen even the police unions supporting the elimination of sections of the law which are violating the rights of the people²⁸.

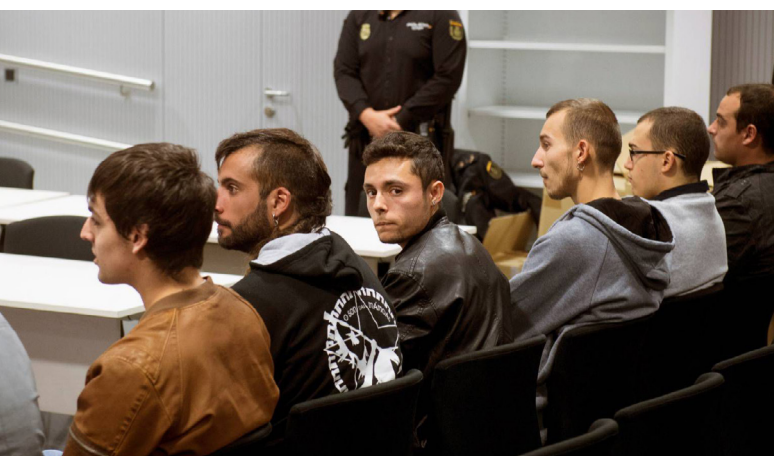
SPOTLIGHT: RESTRICTION OF FREEDOM OF EXPRESSION



Further controversial cases of repressive measures include persecution or even conviction for justification or “glorification” of terrorism on social media. Greenpeace reports that the country has seen a sharp increase in the number of prosecutions since 2015 for the crime of glorification of terrorism²⁹. Many Twitter users, musical artists, journalists and lawyers have been the subject of this provision, the broad

and vague formulation of which is having a serious chilling effect on freedom of expressions. [Amnesty International reported](#) that social media users - including musicians and journalists - have been prosecuted on grounds of national security. Convictions under laws banning the “glorification of terrorism” or “humiliating victims of terrorism” has led to the creation of a chilling effect, as in this environment, people are increasingly afraid to express alternative views. Examples such as the case of 12 rappers from the collective La Insurgencia who were fined, sentenced to more than two years in prison each and banned from working in the public sector are common place under this law³⁰. Though vile and distasteful comments should be combatted, the fact that people can be jailed and have their life impacted in such a significant way by simply expressing views is a clearly disproportionate punishment that simply creates a chilling effect and a climate of fear.

Civil society further remarked that rushed policy-making processes justified by the State of Emergency declared during the pandemic did not allow for the adequate consultation of civil society with regards to law making and changes in parliamentary procedure, thus significantly limiting opportunities for citizens, activists and civil society organisations to express their views on government actions³¹. Likewise, Spain is [highlighted](#) as one of the countries in which serious concerns were expressed about the very limited opportunities given to civil society actors to convey the opinions of the people on the measures proposed by the governments to counter the pandemic. Such a phenomenon, that symptomatises the narrowing of the civic



Source: El País. Members of the La Insurgencia band on trial

27 López-Fonsenca, Óscar (2020). *Spain resorted to 'gag law' more than ever before during coronavirus lockdown*. El País. Available at: <https://english.elpais.com/politics/2020-06-30/spain-resorted-to-gag-law-more-than-ever-during-coronavirus-lockdown.html>. Last accessed: 24 February 2022.

28 Bellamy, Daniel (2021). *Spanish police protest plan to reform unconstitutional "gag law"*. Euronews. Available at: <https://www.euronews.com/2021/11/27/spanish-police-protest-plan-to-reform-unconstitutional-gag-law>. Last accessed: 1 March 2022.

29 Civil Liberties Union for Europe and Greenpeace European Unit (2020). *Locking Down Critical Voices: How governments' responses to the Covid-19 pandemic are unduly restricting civic space and freedoms across the EU*. P.8. Available at: https://dq4n3btxmr8c9.cloudfront.net/files/Mq7uU3/Civic_Space_Report_2020_Liberties_Greenpeace.pdf. Last accessed: 2 March 2022.

30 Amnesty International (2018). *Tweet...If You Dare: How Counter-Terrorism Laws Restrict Freedom of Expression in Spain*. Pp.8-10. Available at: <https://www.amnesty.org/en/wp-content/uploads/2021/05/EUR4179242018ENGLISH.pdf>. Last accessed: 4 March 2022.

31 Civil Liberties Union for Europe and Greenpeace European Unit (2020). *Locking Down Critical Voices: How governments' responses to the Covid-19 pandemic are unduly restricting civic space and freedoms across the EU*. Pp.3-4.



space in the country, has also manifested itself through limitation of participation in public consultations, as has been the case for the preparation of the [National Recovery and Resilience Plan](#) (NRRP). Spanish Civil society called out the lack of inclusion and consultation in the process of the creation and the designing of the plan, that foresees the inclusion of civil society being accounted only for the implementation of the NRRP. The [European Anti-Poverty Network](#) highlighted such a negligence, assessing that there has been no participation or proposals, despite the fact that other governments of the European Union have opened dialogue processes with social and civil partners³². While the NRRP outlines the inclusion of civil society in its implementation, outlining the financing possibilities to present projects in public calls for grant, ultimately, the participation of civil society in the process of preparing the Plan has been deemed insufficient³³.

CIVIL SOCIETY STRIKES BACK

SOLIDAR Foundation member, [La Liga](#) has addressed the shrinking of the civic space by enhancing citizenship education and developing

projects focused on the exercise of fundamental rights, as well as arguing for defending said rights before public administrations, and indirectly, through their participation in platforms of civil society organisations at national level. Citizenship education is key to foster a healthy and strong civil society, therefore it is fundamental that the authorities empower civil society and ensure that they are provided with adequate financing and ensuring collaboration and cooperation among stakeholders. It can also be an effective tool to respond to the restricting of civic space, as education raises awareness of the challenges of the civic space and promotes citizen's engagement in the decision-making processes³⁴. The work brought forward by civil society through its best practices and innovation is also key to supporting the role of educators in formal education, through mutual learning and knowledge sharing. Cooperation should also encompass information-sharing at all levels of policy-making as civil society can and should support other education providers in an effective way.

To counter the closing of civic space and the lack of inclusion in policy-making, the exchange of good practices and the training of trainers are fundamental aspects of intersectoral coordination. The strengthening of civil society and capacity building activities have been at the core of the pandemic recovery for many organisations. Cross-border cooperation particularly plays a key role for the effective operation of CSOs, as it enhances mutual learning and knowledge sharing among CSOs with various levels of expertise. SOLIDAR Foundation member, [La Liga](#); reports that European cross-border cooperation has great value for them, as evidenced by the participation in European networks and projects. Furthermore, support at the European level provides them with more legitimacy when formulating

32 EAPN-ES (2020). *Valoración de EAPN-ES del Plan de Recuperación, Transformación y Resiliencia de la Economía Española*. Available at: <https://www.eapn.es/noticias/1222/valoracion-de-eapn-es-del-plan-de-recuperacion-transformacion-y-resiliencia-de-la-economia-espanola>. Last accessed: 1 March 2022.

33 Caimi, Valentina and Farrell, Fintan (2020). *Participation of civil society organisations in the preparation of the EU National Recovery and Resilience Plans*. Civil Society Europe and European Center for Not-For Profit Law. Available at: <https://ecnl.org/sites/default/files/2021-01/CSE-ECNL-Participation-of-CSOs-in-the-preparation-of-the-EU-NRRPs.pdf>. Last accessed: 3 March 2022.

34 SOLIDAR Foundation (2021). *Statement on the state of the civic space in Europe*. Available at: <https://www.solidar.org/en/news/solidar-foundation-statement-on-the-state-of-the-civic-space-in-europe>. Last accessed: 4 March 2022.

advocacy demands at national level, implying a greater legitimacy of their proposal. Cooperation also is considered significantly valuable for the exchange of knowledge, ideas and good practices, through constant and mutual learning. The case study below is proof of the

benefits of cross-border approaches, but more importantly it is an example of citizenship education that prepares learners to take an active role in society and question assumptions that are harming the possibility for increased collaborations among citizens in the civic space.



CASE STUDY

The project “BEST (Build European Solidarity Today)” implemented by SOLIDAR Foundation member, La Liga, aims to develop and disseminate good practices in inclusive education and the promotion of common values, from the local level, to replicate them in other contexts, e.g., in different EU countries, with different ages, including adults and non-formal education. The project is implemented in partnership with ARCI, in Italy, Center for Peace Studies, in Croatia, la Ligue de l'enseignement in France, School with Class Foundation in Poland and Humanitas in Slovenia within the Erasmus+ programme. The project emphasises the importance of coexistence of various ideas, religions, races, status groups through the simple activity of sending messages of solidarity from school students to random people in their communities, resembling the idea of a 'message in a bottle'. On the 21st of March, during the International Day for the Elimination of Racial Discrimination, young people send postcards containing messages of solidarity and fraternity to randomly chosen strangers and hope for a response, which is then shared with the coordinating organisation. Before writing the postcard, students and their teachers discuss topics

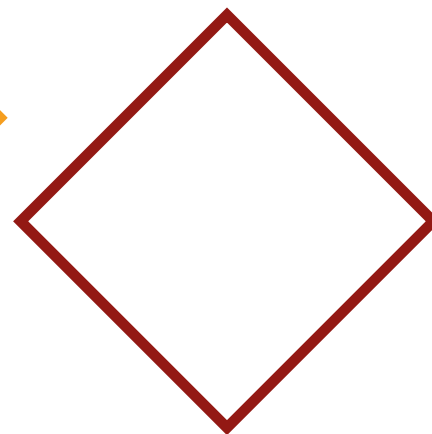
related to discrimination, migration, poverty, the growing lack of tolerance and different forms of marginalisation. The overarching aim of the project is to enhance the acquisition of social and civic competences, through fostering knowledge, understanding and the promotion of ownership of values and fundamentals. The project provides young people with the chance to reflect on diversity and forms of discrimination, developing critical thinking and imagination. It also aims to teach students to speak openly, analysing and confronting their own prejudices.

Within the framework of the project, La Liga and partner organisations promote the exchange of good practices among teachers through transnational exchange activities. In addition to developing a methodology to the needs detected by the local organisation, the project promotes the exchange of experiences among the different educational centers. The project ultimately promotes the scaling up of good practices on inclusive education and on promoting common values, initiated in particular at local level by replicating good practice on a wider scale, transferring it to new contexts and advocating it at EU level.

CONCLUSION

Spain remains one of the most advanced countries in Europe when it comes to the government's initiatives linked to EES. The process of reforming education has been captured in the previous two SOLIDAR Foundation Monitors and the passing of the new education law at the end of 2020 represented a milestone moment that showed the commitment of the public authorities and lawmakers in Spain to work in this direction. The comprehensive policy and legal infrastructure needs to be implemented now. For the moment, it is hard to assess how this implementation is working given that it is at the beginning, but the funding allocated to education and the NRRP do not seem to reveal a specific urgency in implementing the measures foreseen by the EES-related strategies. A slower process of implementation would not be necessarily such an issue if the climate crisis would not be looming over Europe and the entire world, or if the previous education law in Spain would not have removed completely the opportunity to adequately study citizenship education, or if the austerity measures implemented after the 2008 crisis would have not hit the public services so hard. Therefore, there is a worry that the situation needs to be sped, especially considering that Spain remains a country with glaring regional inequalities and among the well-off and more disadvantaged families. The process of mainstreaming EES and then ensuring that learners actualise it in their daily life, requires a civic space that is

vibrant and welcoming for all learners to take an active participation and assume ownership over processes that push the public authorities towards taking a decision regarding EES and in general the protection of the environment. However, this situation is stunted in Spain considering the recent pieces of legislation that were passed under the previous Conservative government. The current coalition government has announced its intention to repeal and correct some of these, such as the controversial Gag Law, but at the same time it has not taken meaningful action in this regard yet. Under such circumstances, the chilling effect created prevents learners to actively participate in the civic space and push decisionmakers to meaningfully act towards the protection of the environment. This situation is exacerbated by the numerous funding lines that were cut or reduced since 2008 for CSOs and the difficulties that they experienced in terms of supporting the disadvantaged populations that were suffering from the increasing inequities. The Monitor concludes with a set of recommendations that aim to address the challenges identified in this national case study with the aim of ensuring that all learners benefit to equal access to comprehensive EES, ESD and GCE and that they enjoy a free civic space in which they can actualise their green competences and exact the changes needed to protect against the climate crisis.



RECOMMENDATIONS

- ◆ Speed up the process of drafting the new educational curriculum and up-scale the way in which the initiatives foreseen by the new Education Law (LOMLOE) are being implemented to ensure a swift answer to the looming environmental crisis
- ◆ Allocate adequate financial support to CSOs implementing community-based initiatives and actions related to sustainability and Education for Sustainable Development and Education for Environmental Sustainability, compensating for the years in which the funding of environmental CSOs was cut during the austerity measures post-2008
- ◆ Better connect the NRRP with the aims of the new Education Law (LOMLOE), ensuring that the speeding up of the law's implementation can be facilitated by the EU funding but also that any investment in education is done in a coordinated manner, reforming the structural challenges but placing them in a context in which the education paradigm is addressed according to the new competences identified as essential for every learner to have after leaving formal education
- ◆ Increase the avenue for cooperation between formal, informal and non-formal education providers to facilitate a lifelong and lifewide learning process for the mainstreaming of education for environmental sustainability
- ◆ Strengthen the protection of freedom of expression and assembly through the repealing of the Law of Citizen Security
- ◆ Ensure the meaningful involvement of CSOs as relevant stakeholders in the implementation phase of the National Recovery and Resilience Plan and improve the existing frameworks for stakeholder consultations
- ◆ Involve CSOs in the monitoring and adjustment of the NRRPs as they represent an essential tool in the fight against corruption and inefficiency, ensure the transparency in the communication around the approaching targets and the fulfilment of objective.

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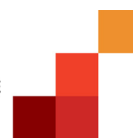
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