[ES] Bill on the protection of minors in digital environments

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On 25 March 2025, the Spanish government formally transmitted the bill on the protection of minors in digital environments to the *Cortes Generales* (Congress of Deputies and the Senate). This text, the main elements of which had already been announced when the preliminary draft was presented by the Council of Ministers in June 2024, marks a decisive development in the regulation of the digital space with regard to children and teenagers.

The bill forms part of an ambitious legislative initiative aimed at providing a legal framework for the use of digital services by minors, while guaranteeing the fundamental rights of young people online. Its transmission to parliament now paves the way for a crucial legislative debate.

In line with the objectives set out in the preliminary draft, the bill recognises the right of minors, in digital environments, to effective protection, reliable information and fair and effective access to technological tools and connections. It aims to guarantee respect for their privacy, honour and image, while encouraging the responsible use of technologies through the development of digital skills.

This is achieved by imposing specific obligations on manufacturers of digital devices, who will be required to incorporate free parental control systems that are accessible, easy to activate and tailored to users' different maturity and skill levels. The competent audiovisual authorities will be responsible for assessing the effectiveness of these systems and ensuring that they function properly.

The text also provides for specific regulation of digital services with high addictive potential, in particular so-called random reward mechanisms (loot boxes), by limiting their accessibility to minors. At the same time, it introduces educational measures to regulate the use of mobile devices in schools in coordination with the rules applicable in each autonomous community.

As far as reforms are concerned, the bill substantially amends various provisions of the Spanish Criminal Code to incorporate emerging forms of crime linked to digital technologies. It introduces Article 173 bis, which criminalises the non-consensual dissemination of AI-generated sexual images that undermine moral integrity (deepfakes), with penalties of up to two years' imprisonment. Other offences are defined, such as online identity theft committed by adults in order to

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gain the trust of minors for the purposes of capturing sexual images (grooming), and unauthorised communication between convicted offenders and victims in a digital environment, extending no-contact orders to the online world.

In addition to punitive measures, the law introduces preventive obligations, notably through the development of a national strategy for the protection of children and adolescents in digital environments. This strategy, to be implemented by the public authorities, includes measures such as the creation of a school for parents dedicated to online educational support, the development of public digital culture laboratories and a research plan on the effects of technologies on minors. It was drafted with significant input from children and teenagers via the National Council for Child Participation, which gives it an unprecedented participatory dimension.

The bill also amends the general law on audiovisual communication. Major audiovisual content providers and influencers with large audiences are required to put in place reporting mechanisms for inappropriate content aimed at minors, provide clear information on potentially harmful content, deploy effective age verification systems and separate pornographic or violent content from their other content.

This bill, which is now in the parliamentary deliberation phase, is an essential pillar in the construction of a coherent legal framework for the protection of minors in the digital age. It includes measures to hold technological stakeholders accountable, updates criminal legislation to deal with the misuse of AI, and provides for an integrated public policy on education, health and digital risk prevention.

The legislation is expected to be adopted in the coming months.

Proyecto de Ley Orgánica para la protección de las personas menores de edad en los entornos digitales

https://www.congreso.es/public_oficiales/L15/CONG/BOCG/A/BOCG-15-A-52-1.PDF

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