

NATIONAL REPORT ON POLICIES THAT PROMOTE GENDER EMPOWERMENT. SPAIN

SHORT SUMMARY DELIVERABLE

Objectives

To contribute to a more holistic and situated understanding of Spanish policies on gender equality and empowerment, including both policy “ends” and policy “means” on different levels.

Main findings

Spain has experienced a steady trend towards overcoming the gender gap in all social areas through policies and regulations designed to turn official equality between women and men into effective rights.

However, the Spanish social protection model relies heavily on the family, specifically on women. Advances in gender empowerment and inclusion are endangered every time there is a crisis, as evidenced by the setbacks in the 2008 global financial crisis and the Covid-19 health crisis, mainly affecting working-class and immigrant women.

Women are active members of CSO, with a widespread presence across the country. However, regional inequalities persist due to different parties being in power at any given time.

SHORT

SUMMARY

This report presents a thorough overview of gender policy in Spain from 2010 to the present, focusing on the female population in general and women and girls with a migrant background, including specific laws, rules, and regulations on equality between women and men, as well as aspects related to the status of women’s inclusion and empowerment in the main public policy areas.

Furthermore, the document supplies an extensive list of examples of CSOs working in those areas.

The report also outlines the burning issues and public debates related to migration and gender in the policy areas reviewed of women’s inclusion.

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National report on policies that promote gender empowerment.

1. GENERAL CONTEXT

Spain enjoys one of the best positions in the world in many of the standard indicators used to assess the situation of women due to a long period of having had social-democratic governments since the recovery of democracy, which made the feminist agenda one of their landmark political objectives, beginning with the creation of the Women's Institute in 1983. A strong, organized feminist movement is present throughout the country, which has been demanding progress in equality and trying to stop attempted legislative setbacks (for example, in the issue of abortion, not accepted by the conservatives until 2014).

Before 2010, after the recovery of the divorce and abortion laws (although in practice the Free Abortion Act in force does not guarantee this right in various provinces within the Public Health Service), it is worth mentioning two very important laws: the Ley orgánica 2004 de medidas de protección integral contra la Violencia de Género (**2004 Comprehensive Act (Ley integral) against Gender-based Violence**) and the ley Orgánica 3/2007, de 22 de marzo, para la igualdad efectiva de mujeres y hombres (**2007 Equality Act between Women and Men**), which were later replicated in all the Autonomous Communities, with political powers transferred but at very different speeds depending on the political colour of each regional government (for example, with a conservative nationalist government, it took 4 years in Catalonia to replicate the Act against Gender-based Violence and 7 years to replicate the Equality Act; in contrast, Andalusia, governed by the social democrats, replicated both acts much faster). They are the first two laws that refer explicitly to the concepts and the agenda on "**gender empowerment**" (in Spanish *agency capacity* is more frequently used) and that also mention for the first time the concept of "**gender mainstreaming**" in all the areas of public policy, following the definitions of the political documents of the European Union (EIGE, 2023). This includes the obligation to carry out reports on "gender impact" before all bills are proposed by governments both at the national or regional level, as well as "gender budgeting" after the adoption of new laws. In addition, in 2008 the Ministry of Equality was created, and the role of the Women's Institute was reinforced to monitor the implementation and results of equality policies, through new observatories and equality plans.

In **2011 Spain signed the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention)**, the legally binding treaty that establishes the obligation of the signatory states to prevent and eradicate all forms of violence against women and domestic violence (original formulation) which clearly defines "gender" as oppression. In **2017 the Pacto de Estado contra la Violencia de Género (State Agreement Against Gender Violence)** was approved, which endowed the 2004 Act with a budget of €1,000M.

However, these advances have also experienced risks and setbacks, among which it is necessary to highlight the general impact of the 2008 economic crisis, the worst scenario for developing the 2007 Equality Act, given the impoverishment of the population, the increase in unemployment and its specific

impact on the living and working conditions of women, especially on immigrant women. In addition, the orientation to austerity in the management of the crisis following the Troika's precepts must be mentioned because it entailed a dramatic reduction in social benefits and the weakening of public services, which affected the most vulnerable. This scenario started to recover when the Covid 19 health crisis broke out, which, on the other hand, revealed the importance of the "essential services" for society provided by the immigrant especially immigrant women and not paid care work and services provided by women in general.

In this context, it is essential to consider that Spain had become one of the main immigrant-receiving countries of the in-flows produced by the process of neoliberal globalization (Delgado Wise, 2015) and its global mobility regime (Glick-Schiller and Salazar, 2013) at the beginning of the 21st century, climbing to second place in the world only behind the United States in 2005. Immigration laws and regulations (Ley Orgánica 4/2000, de 11 de enero, sobre derechos y libertades de los extranjeros en España y su integración social (Act 4/2000, of January 11, on the Rights and Freedoms of Foreigners/third country nationals in Spain and their Social Integration)) from 2000 until the last reform of 2022 in Spain have reflected the periods of economic expansion and recession, with more restrictive interpretations of the same norms, but always with added difficulties in the case of women, both legally and socially. However, we must also point out the greater participation, often ignored, of immigrant women in organizations that fight against precariousness, such as in the Platform of People Affected by Mortgages and the Crisis, remarkably relevant in Spain (PAHC, Plataforma de Afectadas por la Hipoteca y la Crisis).

All the regions have powers to develop **social integration plans**, and, with some variations, there is a significant number of third-sector organizations led by people with specific migrant backgrounds and/or with the participation of the immigrant population, which is partly a mirror of the high number of existing mainstream CSOs in Spanish society. Through social integration plans, later called social inclusion plans, the promotion of inclusion (usually defined more as participation than rights) of women of migrant origin has been an explicit part of these plans at all levels. That is, in political discourse, this is an issue accepted and repeated in all instances. However, the approach based on a management model of diversity that seeks to distance itself at the same time from assimilationist and multiculturalist models has not resolved common and specific basic problems that continue to threaten women and girls with a migrant background as citizens with rights, in parallel to the persistence of often paternalistic and victimizing representations. The question remains as to how these declarations and written goals are turned into real measures and practices and how they are assessed.

Finally, it is worth mentioning that in the first months of 2023, two important acts have been approved related to women's rights: the **Gender Recognition act** (*la Ley 4/2023, de 28 de febrero, para la igualdad real y efectiva de las personas trans y para la garantía de los derechos de las personas LGTBI*) and the *Anteproyecto de Ley Orgánica de Representación Paritaria de Mujeres y Hombres en los Órganos de Decisión* (**Equal Representation Act between women and men**). Related to Gender Recognition, there is no consensus in feminist movements on this issue and there is a public debate with two different positions, in favour and against the law.

2. Labour market policy

Compared to other European countries, the Spanish labour market's main problems are unemployment, chronic seasonality, and the underground economy. The year 2022 closed with an unemployment rate in Spain of 12.87%, according to Eurostat (Labour Force Survey), far from the EU average rate of 6%.

The population most affected by these problems are young people (with an unemployment rate of 32%) and women (with an unemployment rate of 14.61%), and those with the lowest qualifications. Precariousness, temporality, and informality affect mainly migrant women, the group that works most in the underground economy and in precarious situations.

The most significant development in recent years has been the **labour reform carried out recently in 2022** (Real Decreto-ley 32/2021, de 28 de diciembre, de medidas urgentes para la reforma laboral, la garantía de la estabilidad en el empleo y la transformación del mercado de Trabajo (Royal Decree-Law 32/2021, of December 28, on urgent measures for labour reform, guaranteeing employment stability and transforming the labour market); and the **increase in the minimum wage** (which in 2018 stood at 735.9 euros per month, in 2019 increased to 900 euros and then a final increase was set at 1080 euros). These measures mainly benefited disadvantaged people, including migrants. Similarly, the obligatory nature of the Gender Equality Plans and the ratification in 2022 of the ILO Convention 189 for decent domestic service conditions are essential measures to reduce inequality between men and women, which benefited the migrant population. In particular, the increase in the minimum wage has helped to reduce the gender pay gap, as women have a lower contribution rate. However, there is a consensus among trade unions, government, CSOs and social movements that it is still a priority to reduce the wage gap and combat what is known as the "glass ceiling" and "sticky floor" affecting women.

Legal context and practice

Equality Act 2007

This is the most significant legal framework affecting the labour market. The law establishes measures to promote equal opportunities between men and women in different areas, such as employment, education, and social and political spheres. In the labour sphere, one of the most important aspects of the law is that it promotes equality in collective bargaining and employment contracts and makes it compulsory for companies with more than 250 employees to draw up and implement an equality plan.

Gender Equality Plans must be drawn up and implemented by companies through a Negotiating Committee together with the legal representation of workers. Equality plans establish professional classifications; promotion and training of workers; working conditions, including a gender pay audit; measures to reconcile personal, family and working life; female under-representation and pay and the prevention of sexual harassment. In addition, a system for monitoring and evaluating the objectives set must be established.

The Labour Reform (2022)

As mentioned, the transcendental legal framework that has also been important for equality between men and women, insofar as it aimed to curb the precariousness of the Spanish labour market, was the 2022 Labour Reform. The Labour Reform resulted from a broad social and political agreement to improve the quality of employment, end fraud, and stop temporary and precarious contracts, which were structural elements of the Spanish labour model. The Labour Reform came into force in 2022. According to recent reports by the largest main trade unions, it has impacted on reducing the wage gap and female precariousness as it reduced female temporary employment from 22.6% to 17.1% between 2021 and 2022.

Social Security and the pension system

Spain has a centuries-old history of working-class insurance. The 1978 constitution introduced the right to social security in Article 41. It established a public social security system for all citizens that would guarantee sufficient assistance and social benefits in situations of need, especially in the case of unemployment. Regarding pensions, the historic milestone was the signing of the so-called **Toledo Pact** in 1995, which ensured financial stability and future benefits of Social Security. From the 1990s to date, substantial changes have been introduced, some related to gender inequality and the protection of women, such as non-contributory benefits (including widows' and orphans' pensions) and a better match between the benefits received and the contribution exemption previously made.

Although pensions have always been the subject of some controversy, it is in recent years that the debate has been reopened, and a working committee has been set up to renew the Toledo Pact. Very recently, in March 2023, the Spanish government approved the pension reform to increase pensions, but it is not yet clear whether it will have an impact on reducing the gender gap in pensions.

In terms of Social Security membership, in 2022, there was a record number of female enrolments into the Social Security system. According to government and trade union reports, women's employment increased more than men's (3.1% female employment compared to 2.4% male employment). However, the enrolled population is still predominantly male, 53%, compared to 47% female.

Despite the progress and increased female membership of the SS, the gap between men and women in the pension system remains high. Its origin lies in the precariousness of the labour market. Lower contribution bases and interrupted working lives due to an unequal distribution of family care directly result in women receiving lower pensions in old age. For example, in 2019, 59,446 leave of absence permits for family care were registered, of which 86.96% (52,889) correspond to women.

Convention 189

Another new development that positively affects women and especially migrant women is the approval of the **Convention on Domestic Workers, 2011 (No. 189), known as ILO Convention 189**, after more than a decade of demands from domestic workers' organisations. In Spain, domestic workers comprise more than 700,000 people, 97% of whom are women and the vast majority of whom are of migrant origin.

Although paid care work in Spain is regulated by the *Real Decreto 1620/2011, de 14 de noviembre, por el que se regula la relación laboral de carácter especial del servicio del hogar familiar (Royal Decree 1620/2011*, of November 14, 2011, which regulates the particular employment relationship of the family home service) which had already incorporated some of the recommendations of Convention 189, since

the ratification, other rights have been incorporated, such as, for example, the abolition of "free dismissal", that is, dismissal due to lack of trust, and the Prevention of Occupational Hazards. Nevertheless, the most important novelty for the sector was the approval of the unemployment benefit, a measure also from 2022, which is still in process.

Organisations in the domestic workers' sector and trade unions consider the adoption of Convention 189 and the right to unemployment benefits to be significant advances. However, it should not be forgotten that the recognition of collective bargaining and the solution to the impossibility of carrying out labour inspections at home are still pending. On the other hand, this is a sector where, despite the progress being made, it is challenging to combat informality and irregularity. One of the main problems is that migrant women in an irregular situation are employed in domestic service and perform live-in care work for older people, or as they say in Spain, 24 hours a day or 24/7 (Poblet, 2020).

3. EDUCATION POLICY

Although there are national education laws and regulations, education policy in Spain is completely decentralized, and actual powers almost exclusively belong to regional governments (with almost no municipal responsibilities in education policy). By the end of 2020, the last reform of the **Education Act**, Ley Orgánica 3/2020, de 29 de diciembre, por la que se modifica la Ley Orgánica 2/2006, de 3 de mayo, de Educación, (**known as LOMLOE**) was passed establishing easier ways to graduate from compulsory education (ages 16 through 18) and navigate across vocational and academic tracks in upper secondary education, among other innovations to combat one of the major education problems in the country, namely ELET rates.

Education has been one of the most controversial political battlegrounds in Spain and with every change of government an educational reform is carried out, especially since the late 1990s when the social democratic government passed an Education Act. Inspired by a comprehensive approach they extended the stages of compulsory education from 3 to 16 years of age. However, the conservatives won the elections following the approval of this unprecedented reform and the planned financial resources allocated to implement it were diverted to help finance the private education sector. Therefore, the number of state-funded private-owned schools exponentially grew, and a double school network was consolidated. The core approach to education made an emphasis on “quality” and “effort” rather than comprehensiveness and inclusion, which ended up introducing more selective practices based on testing and performance, and lower budgets to support diversity-based needs or curricular diversification programmes.

This process ran parallel in time with massive new arrivals of migrants and eased the way for native families, including middle-class, and even working-class families, to fly away from public schools in their neighbourhoods. Some state-funded private schools use quasi-legal strategies to make families pay some fees and have long been allowed to apply their own recruitment rules, which has resulted in social and ethnic segregation. Although segregation is also found in public schools, on average students with a migrant background are over-represented within them. This situation has not changed since 2010.

The deep economic and health crises before and after 2010 have also marked the context and conditions of integration (Crul & Schneider, 2010; Carrasco, Pàmies & Narciso, 2012) of the children of immigrants across the country due to great reductions in the budgets of public education and the availability of resources and provisions to support students with an immigrant background in schools. The management of the financial crisis at the dictate of the neoliberal austerity policies of the conservative governments in Spain and in the European Union included cuts of up to 40% in public education (Bonal & Verger, 2017), much higher than that affecting privately-owned, state-funded schools. In addition, in-service teacher education related to improving care for immigrant students was cut back, and language and curricular support for immigrant students was no longer funded and virtually disappeared from schools’ services. The dismantling of these specific provisions was justified on the grounds that there were no longer arrivals of immigrant students.

Participation in ECEC in Spain is high, but the academic performance of Spanish students remains low in relation to neighbouring countries. Even though girls outperform boys in all the education stages, recent

reports show they are less confident in their abilities as early as age 6. There are currently national and regional programs to promote girls' participation in STEM-related careers and, because of school lockdowns, which revealed the unequal preparation of schools for online teaching and the availability of infrastructure to do so adequately, a **national strategy to increase digital competencies** has been launched. It is also worth mentioning the recently introduced approach to promote competency-based learning, specifically in relation to **improving VET itineraries and programs**, where working-class students and students with a migrant background are overrepresented.

However, as mentioned above, the worst indicator of education in Spain is that the average ELET in the country is still one of the highest in the EU and also one of the most polarized by gender and immigrant status: native boys leave education and training earlier (around 20%) than girls (around 10%) and although the ELET rate is very high for second generation girls (around 30%), that of second generation boys is even higher (around 40%). Regional variations in ELET rates is high, from almost 30% in the islands, the cities in Northern Africa, Murcia or Andalusia, through to lower than 10% in the Basque Country, partly due to diverse productive sectors and labour market demands across the country. The problem was masked for a while by a strong demand for low-skilled labour where boys who were early school leavers found relatively well-paid jobs (Carrasco, Narciso, Beltran, 2015). The dynamics of early school leaving of girls were easily naturalised and remain largely unexplored.

Education as the key to social integration has been the mantra at the core of the political discourse. The focus of action has been put on language learning and (failed) attempts both to reduce segregation between schools and promote the performance of working-class, immigrant students.

But despite discourses celebrating uncritical, reifying notions of cultural diversity in schools as if they could prevent racism, actual immigrant students have been represented by deficit views, low expectations, and compensatory approaches. Clear frameworks for intervention regarding controversial topics specifically affecting girls from certain migrant groups such as debates around dress codes, exemption from physical education activities, barriers to remaining in education after compulsory stages, etc., are still absent from the education policies. Thus, decision-making with respect to girls' full participation in education resides with local school management teams.

Despite the former remarks, Spain has a strong tradition in education for equality. In Spain, co-education is regarded as a tool for achieving women's emancipation, far beyond gathering girls and boys in the same classrooms and exposing them to the same curriculum. It is worth mentioning the *Women's Legacy: Our Cultural Heritage for Equity*, an Erasmus+ project lead by Spanish scholars commissioned by the Department of Education in Valencia, to analyse the persistence of androcentric curricular contents and the low presence of women's contributions and experiences in the contents of compulsory education. In recent years "coeducation" is being implemented as a mandatory area with a special focus on sex-education to prevent gender-based violence against women and girls, which has grown in recent years (see corresponding section on this).

4. HEALTH POLICY

4.1. Legal context

Universal Health Care

Since the approval of the Spanish Constitution in 1978 and the Ley 14/1986, de 25 de abril, General de Sanidad (Act 14/1986, of April 25, General Health), Spain has had a universal healthcare system for the entire population registered in Spanish territory. In 2012, the conservative party PP introduced a reform restricting access to migrants in an irregular status, although the social democratic government recovered the universality of health care in 2018.

However, beyond some general regulation at the national level, the health system in Spain is the responsibility of the regional governments. Migrants may face different access barriers depending on their regional government.

On voluntary termination of pregnancy (VTP):

Since 2010, abortions can be freely performed up to 14 weeks of gestation. After that and up to 21 weeks, a termination can be performed for medical reasons (Ley Orgánica 2/2010, de 3 de marzo, de salud sexual y reproductiva y de la interrupción voluntaria del embarazo (Organic Act 2/2010, of March 3, on sexual and reproductive health and the voluntary interruption of pregnancy)).

The right of 16- and 17-year-old girls to decide to terminate their pregnancies without the authorisation of their parents was withdrawn by the Conservative Party PP in 2015 but restored with the new 2023 Act.

2023 Act on sexual and reproductive health

This year the Ley Orgánica 1/2023, de 28 de febrero, por la que se modifica la Ley Orgánica 2/2010, de 3 de marzo, de salud sexual y reproductiva y de la interrupción voluntaria del embarazo (The 2023 Act, which amends the 2/2010 Act, of March 3, on sexual and reproductive health and voluntary termination of pregnancy) has been approved by the coalition government of PSOE and Podemos.

Some other objectives of this act have been to guarantee that the regional governments ensure the right to abortion in public hospitals, at least in the provincial capitals; to eliminate the previous obligation to provide the pregnant woman with information on maternity assistance and to abolish the until now mandatory three days of reflection; to set up a register of conscientious objectors in each autonomous community, which will apply to both the public and private spheres; to allow up to five days' leave for painful periods, possibly leading to temporary incapacity; to approve paid leave in the last month of pregnancy; and to establish protocols against forced abortion, contraception, and sterilisation.

The act alludes to surrogacy as one of the forms of violence against women, but the prosecution of people who rent wombs outside Spain is not contemplated.

Assisted Reproduction Regulations

In Spain, the social security system covers assisted reproduction treatments, but it requires women to be under 40 or 38. Since most women seeking assisted reproduction are over this age, most cases are treated in private clinics. In 2013, the Ministry of Health during the PP government restricted assisted reproduction treatments to couples composed of a man and a woman. Since 2021, with the progressive coalition in government, these treatments are no longer vetoed in the public health system for single women and lesbians.

4.2. Practices and implementation (local, regional, national)

Different studies have highlighted that the health of the immigrant population is usually better than that of the local people at to start but worsens over time, probably related to poor living conditions in the country of reception and their exposure to health risks (Domínguez-Rodríguez and González-Rábago, 2022a). Migrant women have worse health than migrant men, with some exceptions. In general, the migrant population has more significant problems with access to all health services, even when accounting for socioeconomic differences. However, more research is needed to know how issues such as administrative status affect access to health services by the migrant population (Domínguez-Rodríguez and González-Rábago, 2022b). Other possible barriers can be difficulties requesting time to attend a medical appointment due to precarious work situations or not having an easily accessible permanent residence when screening is done by mail (Barrera-Castillo, Fernández-Peña, Valle-Gómez, 2021).

Regarding sexual health in young people, the latest studies warn about how the consumption of pornography among the youngest profiles "may involve the assumption of sexist and domination-centred sexual practices" and about the need to strengthen public policies on sex education (Ministerio de Igualdad, 2021).

Territorial equity on free access to VTP is not guaranteed. 87.14 % of the VTPs were performed outside the public system, of which 79.02 % were in private centres (Ministerio de Igualdad, 2021). In addition, from 2011 to 2020, eleven provinces (plus Ceuta and Melilla) did not report any voluntary termination of pregnancy (Martín, 2022).

There are not only significant inequalities in access to VTP according to regions. After the 2012 PP health reform and even after recovering universal healthcare in 2018, there have been situations where women without registration (see "empadronamiento" in section 7.2) have had more difficulty accessing free healthcare depending on the local requirements to demonstrate their social roots (López-Tomás, 2020).

Despite recent changes in the law to penalise the harassment of women who go to clinics for VTP, 'pro-life' groups continue to harass women who wish to terminate their pregnancies at the entrances of clinics (Martín, 2023).

4.3. Political discourse

In general, **freely available abortion until the 14th week** is accepted by almost all political forces, including the PP, except for some more conservative sectors of the party (Lucas-Torres & De la Hoz, 2022), and Vox, the extreme right-wing party. These reject VTP in all cases. In Castilla y León, an autonomous community where Vox governs with the PP, Vox has proposed a care protocol for women who decide to have an abortion which involves things like making women listen to the foetal heartbeat. However, this protocol is not being applied because of refusal by their partner in government.

An aspect with less political consensus is **abortion for minors** without the need for parental permission, which the PP does not support.

Many aspects regarding **obstetric treatment** are being questioned, and obstetric violence is now also considered by many as gender-based violence (Rigol, 2018). This debate is beginning to influence health professionals and the political discourse, which has led to the consideration of sexual and reproductive rights in the gynaecological and obstetric field in the 2023 Act.

Despite the advances in gender mainstreaming since the 2007 Equality Act, or thanks to them, the **lack of a gender perspective in health** is also currently being debated. For example, the over-medicalisation women suffer is being questioned, due to misdiagnosing them and attributing ailments with other causes to anxiety or depression (Niebla, 2020).

In the case of **migrant women**, in domestic and care work and with the working conditions to which they are exposed (see section 2), there is even more **over-medicalisation**.

One of the most heated debates promoted by the conservative sectors is the one that connects the **problems of the health system with the overuse of it by the immigrant population**. However, numerous studies show that, on the contrary, the immigrant population makes less use of public health care. Moreover, these discourses ignore how this population contributes to Spanish tax revenues.

5. FAMILY POLICY

Spain has a weak welfare state like other Southern European countries. The poor development of family policy has been associated with two of the main characteristics of the so-called "Mediterranean welfare model" (Moreno, 2007): the high participation of civil society organisations (NGOs) in the provision of social services that have been regularly receiving public and private funding, and especially, the centrality of family networks as the main units of social intervention.

In parallel to a context of profound changes in the family structure, with the pluralisation of the forms of organisation of family life, the decrease in marriage, the ageing of the population, the low birth rate, the decrease in the number of members per household unit, among others, different measures have been developed that have consolidated a process of democratisation and Europeanisation in this area, through the following:

- Income/financial support to families, with measures conditional on family income: direct aid (for vulnerable populations) or mainly through tax treatment of families with descendants under 25 years of age.
- Care and support services for family carers
- Childcare service provisions
- Parental leave rights

5.1. Legal context

The first decade of the 21st century has seen significant progress in Spain regarding family policy to reconcile work and family life and promote gender equality. The legislation to be highlighted is as follows.

Ley 39/2006, de 14 de diciembre, de Promoción de la Autonomía Personal y Atención a las personas en situación de dependencia (**Law 39/2006, of 14 December, on the Promotion of Personal Autonomy and Care for Dependent Persons**) in Spain, better known as the "Dependency Law", conceived as the fourth pillar of the Welfare State. It sets the primary conditions for promoting personal autonomy and deploys care measures for dependent persons.

The 2007 Equality Act mentioned above involved a reform of the Spanish parental leave system and the extension of paternity leave to 16 weeks in 2020. For the first time, the law guarantees parents an individualised right financed by the social welfare system. The law also provides flexible options for reduction of work time to care for children from one-eighth to half of the parent's work time, extending this right until the child turns 8 (or 12 in the public sector, where the cut-off age was previously 6) and to care of a dependent family member.

Family Support Plan (2015-2017) (Plan Integral de Apoyo a la Familia (2015-2017))

This is an instrument to improve the protection of families in all policies in a cross-sectional manner.

The more than 225 measures in the plan entail increased public spending in health, education, housing and dependency, thus moving away from previous austerity policies.

The plan refers to a specific purpose of supporting families with special needs, mentioning different groups among which "immigrant families" are explicitly mentioned.

Family draft bill (*Anteproyecto de Ley de familia*) was approved on 28 March 2023. The draft bill recognised families as an important social institution and aimed to fully recognise the diversity of family models, seeking their social and economic protection. It **would** apply to all families domiciled in Spanish territory regardless of the nationality of their members (Article 2). Among some of the most important measures were the extension of the existing economic benefit of 100 euros per month for each child under three years of age (Article 10) which **was** limited before to the concept of "women with children under three years of age...". It included improving support services for the care and attention of family members. It aimed to extend the offer of public places in ECEC, progressively tending towards being free of charge. With the announcement of elections at the end of May, the act could not be passed.

5.2. Practices and implementation (local, regional, national)

In Spain, there has been a process of change towards much better social coverage of the family policy, with increasing services and advances in measures towards parity, due to various forms of competition between the parties, public opinion and developments in female employment (Jurado-Guerrero & Naldini, 2018). Some authors refer to it as a model transition in a clear process of development and modernisation of the social protection structure since the responses to the 2008 crisis, but the welfare model remains weak. The most significant example is that in 2020 Spain had a rate of public spending on families and children of 1.19% of GDP, while the OECD average is 2.11 (OECD, 2021).

Several authors have identified the first attempt to break with the family welfare model during the first period of Zapatero's social democratic government (2004-08) through the development of work-family reconciliation policies and the reversal of measures to deregulate childcare services that the previous conservative government had introduced in the early 2000s. The 2008 crisis and the austerity measures imposed by the EU led to the reduction or abolition of various family allowances promoted by the same ruling party, and the extension of paternity leave which was being considered was put on hold (Bürgisser, 2022).

It was not until the entry of the social democratic government in coalition with the left that the impulse in social policy and equity became more significant, accompanied by an EU social investment policy in response to the COVID-19 crisis.

Nevertheless, income measures or financial support for families are currently the lowest in Europe. This means having the highest rates of child poverty or maintaining the feminisation of poverty. Reconciliation measures, such as childcare services and paid leave to care for children, have experienced notable improvements. However, they remain underfunded (Jurado-Guerrero & Naldini, 2018), fail to eradicate the asymmetry in care work and have less impact on the most vulnerable families and single-parent households headed by women (Moreno-Mínguez & Ortega-Gaspar, 2022).

It should be noted that the social protection system in Spain is characterised by its decentralisation of services at the regional and local levels. At the same time, only aid and tax benefits are the responsibility of the state, so we find territorial diversity in social policy.

5.3. Political discourse

PiiNA (Equal and Nontransferable Leave)- PETRA (Transferable Leave) debate

During the paternity leave legislation process, there has been a debate between different models of childcare leave within the Spanish feminist movement, a debate marked by mutual accusations of "anti-feminism". Pro-PiiNA positions denounce PETRA's alleged essentialism that would place women back in the space of domesticity. For its part, PETRA openly criticises the patriarchal reform for extending fathers' rights while maintaining short leave periods, insufficient even to comply with the recommendations of the World Health Organisation of six months of exclusive breastfeeding and preventing the transferability of the other parent's rights.

6. GENDER REPRESENTATION IN POLITICAL, ECONOMIC AND SOCIAL ELITES

6.1. Legal context

On March 7, **2023**, the Spanish government approved the **2023 Equal Representation draft project between women and men** to guarantee equality in different political, economic, and social domains.

The basis for this act dates back to the beginnings of democracy in Spain with the **Spanish Constitution of 1978**. This laid the foundations for legislation against sex discrimination and for granting the public authorities the responsibility of promoting the right conditions to avoid discrimination.

Some other advances toward this trend were the electoral acts in four autonomous communities between 2002 and 2005, which imposed parity in elections to their Legislative Assemblies: Balearic Islands, Castilla-La Mancha, Basque Country and Andalusia (Araujo, 2011:320).

However, the most significant predecessor to the 2023 Equal Representation Act is the 2007 Equality Act. It incorporated European regulations regarding the balanced representation between women and men, promoting parity (40/60) in the electoral lists of political parties and companies' executive committees. In addition, it established gender units as structures within each ministry that would oversee applying it (Lombardo & León, 2014).

The 2008 crisis led to the suppression or loss of status of equality institutions. However, since the return of the social democratic party to power in 2018 and because of the intense pressure from the feminist movement in recent years, the feminist agenda is again at the centre of current policies, at least at the discursive level.

With **the 2023 Equal Representation draft project**, the current government aims to bring the goals of the United Nations 2030 Agenda into Spanish law, guaranteeing women and girls the same opportunities as men and boys in employment, leadership, and decision-making at all levels. In addition, this Act transposes Directive (EU) 2022/2381 of the European Parliament and of the Council of 23 November 2022 on a better gender balance among directors of listed companies and related measures (2023, Ministerio de la Presidencia).

Some of the objectives of this act include the requirement that listed companies or large unlisted companies must ensure that their boards of directors have at least 40% female directors. The principle of balanced representation must also be complied with in the governing boards of professional associations and tribunals, award juries or public recognitions. At the political level, electoral candidacies must have a parity composition using a zipper system, with candidacies integrated by persons of one and the other sex alternatively ordered. The Government will also have to be governed by the principle of a balanced presence of women and men, and no sex will have a presence of less than 40% in the Council of Ministers. (La Moncloa, 2023).

6.2. Practices and implementation (local, regional, national)

Since 2007, there has been an increase in the presence of women in elected office. In May 2019, the Spanish Congress became the most equal in Europe, with 47.4% of the lower house, ahead of Nordic countries such as Sweden and Finland. Right now, that proportion has decreased: there are 200 male deputies (57.3%) and 149 female deputies (42.7%), according to the latest data from Congress (Marcos, 2023).

Although parity representation models have been promoted or adopted by centre-left parties, an increase in the presence of women has also been observed in centre-right parties.

The extreme right-wing party remains outside this trend. Unsurprisingly, the only regional government of which it forms part, together with the Partido Popular, that of Castilla y León, is the government with least parity in all of Spain, with nine men and three women in the highest positions of responsibility.

As far as the financial world is concerned, according to the 2021 report of the Comisión Nacional del Mercado de Valores (CNMV) (National Securities Market Commission), women are gaining more and more presence in the management bodies of listed companies. Female presence on boards experienced an increase to 29.3% (26.1% in 2020), which reached 34.2% in the Ibex 35. In 2021, this increase occurred in all categories, although it was more significant for independent female directors. Executive female directors also increased to 6.4% (5.6% in 2020). However, the goal of parity is still far from being achieved (Marcos, 2023). In senior management positions, the presence of women on boards is still below 20% (La Moncloa, 2023).

In other social spaces, such as science, the report “*Científicas en cifras 2023*” (“Women scientists in figures 2023”) (Ministry of Science and Innovation, 2023) also reflects progress: women are 42% of the researchers in our country (in 2015 it was 40%), above the value of the EU as a whole. However, in the business sector, female researchers represent 31%. The progress is still slow, and the report also observes that gender gaps have persisted and even increased in some cases. For instance, there are fewer students in STEM areas (especially engineering and technology), women drop out of their scientific careers more frequently than men, and women's careers progress more slowly than those of their men colleagues. Also, despite regulatory advances, not all universities and public research bodies have equality units, GEPs and protocols for preventing sexual and sexist harassment (EIGE, 2022).

Serious doubts arise when we think about how the objectives of the new act will be transferred to the economic sectors most overrepresented by migrant women, that of household and care work. Moreover, it would be necessary to combine parity acts with a public policy on care from the perspective of co-responsibility and not to continue with the family-based tradition that relegates household and care work to women.

6.3. Political discourse

Generally, centre-left parties consider the lack of female presence a structural problem and hold public authorities responsible for its solution by promoting active equality policies (Lombardo & León, 2014). Still, **parity representation has been questioned by conservative and liberal sectors.** The PP's

rejection of this position has led it to, for example, claim that various equality laws are unconstitutional. However, the Constitutional Court has dismissed the appeals filed by the PP (Ministerio de la Presidencia, 2023).

Another argument against parity representation is that it goes against **meritocracy**. All the centre-right parties adopt this position, although it is especially wielded by the centre-liberal Ciudadanos party, which opposes parity to meritocracy and equality of conditions. This type of discourse can also be observed among groups of professional women who face the questioning of their worth if they have access to their jobs through quotas. For example, given the legislative change of the Catalan regional government that has implemented an affirmative action measure to force parity, some women firefighters in Barcelona expressed their dissatisfaction because of the impact of this measure, "as if we could not pass the exams by ourselves, always having to justify that we are capable" (Bomberos de Barcelona, 2023).

The far-right has, above all, a family-based approach. However, it also appeals to meritocracy, considering that parity laws infringe on the freedom of companies and are, in fact, discriminatory against men.

7. Migration and minority policy

7.1. Legal context

The Spanish migration model is mainly governed by the ***Ley Orgánica de Extranjería 7/1985 de los Derechos y Libertades de los Extranjeros en España*** (Organic Law on Foreigners 7/1985 on the Rights and Freedoms of Foreigners in Spain), popularly known as the Foreigner's Act. It is a partly restrictive framework (for example, in terms of access to regularisation) but also guarantees rights concerning access to registration, health, labour rights and family reunification.

The most decisive and controversial aspect of this Law is the access to the regularisation of migrants. Since 2009, the most common device to access regularisation has been that of "*arraigo social*" (social roots), which can be accessed with three years of continuous registration in Spain and with a work contract of 40 hours per week (full-time). These requirements made access to regularisation very difficult, especially during the recession, since few people could access a full-time contract.

In 2022, significant reform of the regulations of the Foreigner's Act was carried out to correct some general shortcomings in managing migratory flows, access to regularisation (for example, through self-employment contracts or contracts at origin), the residence of unaccompanied minors and family reunification. These aspects were essential demands made for years by social movements and CSOs.

Another critical aspect of the Immigration Law that directly affects migrant women is family reunification, which was incorporated as a right in 2000. In the last reform of the regulations of the Foreigner's Law in 2022, the flexibility of family reunification was implemented considering the reality of the feminisation of migration.

Asylum Rights and International Protection

In Spain, international protection is regulated by the Ley 12/2009, de 30 de octubre, reguladora del derecho de asilo y de la protección subsidiaria (Law 12/2009 of October 30, known as **the Asylum Law**). In 2022, the Real Decreto 220/2022, de 29 de marzo, por el que se aprueba el Reglamento por el que se regula el sistema de acogida en materia de protección internacional (**Royal Decree 220/2022**, of March 29, approving the Regulations governing the reception system for international protection) was approved.

The Asylum Law provides for persecution based on gender or sexual orientation as a ground for asylum and specific consideration of persons in vulnerable situations, including pregnant women, persons who have suffered torture, rape, physical or psychological violence, and victims of trafficking. In 2014, the possibility of extending international protection status to family members, or requesting family reunification, was also incorporated.

Access to citizenship

Access to Nationality is regulated in the Civil Code, which has been reformed several times in recent years. In Spain, nationality can be obtained by residence, by letter of nature, by option, by simple presumption and by Spanish of origin. Among the migrant population, the most common is to get nationality by residence. The requirement in Spain is ten years of legal and continuous residence (Spain is the country of the EU that requires most years). However, there is an exception for the countries of the ex-Hispanic colonies of Latin America, the Philippines, Equatorial Guinea, Andorra and Portugal, for whom two years are required. So, migrants from Latin America can quickly opt for access to nationality, but in practice, the process takes more than two or three years, and the bureaucracy makes it difficult. Refugees can access nationality by residence within five years of residence.

7.2. Practices and implementation (local, regional, national)

Spain's asylum and reception system has shortcomings and problems, from the political approach to issues related to people's daily lives. The periods of the established phases are short (with 18 months, it is difficult to start a new life in another country), and the system for assigning places is somewhat limited. This is especially detrimental to women, as it is more challenging to consolidate the emancipation phase. Another difficulty with the asylum system in Spain is that, as it depends on the central government, asylum places are assigned in different provinces. Asylum seekers are forced to move from cities such as Madrid or Barcelona to a smaller city where there is a place, often losing social networks and ties and do not get a job.

At a regional level, the Autonomous Communities have their own laws and/or agencies that regulate or guarantee the reception and social integration of migrants and refugees, which include access to reception courses, learning the native language, etc.

At the local level, the main difficulty is that of the "**empadronamiento**" (registration in the local council), a fundamental step for migrants to access rights such as public health and education—usually, all persons are registered at the address where they live. However, many newly arrived migrants have difficulty registering because the dwelling owner does not allow it, or there are too many people in the dwelling, the person has no fixed address or lives in a shack, a shop, squatted premises or substandard housing, etc. One solution to this situation is the "**empadronamiento sin domicilio fijo**" (registration without a fixed address), also contemplated in the Law, through which people can register in their municipality. However, this device is not used in practice because many large cities do not accept it. According to CSOs and social movements, this has been one of the main problems for migrants last few years.

7.3. Political discourse

In 2010 the political discourse on immigration changed dramatically because of the economic crisis that broke out in 2008, and it generated the **public discourse based on the "immigrant as Kleenex"** (throwaway paper) (Poblet, 2020). During the recession years, the focus of the immigration issue ceased

to be "the illegal immigrant" as it was in previous years and became "the unemployed immigrant" and, therefore, "returnable" (De Genova, 2012). At the same time, the integration and reception plans that predominated in previous years were no longer promoted.

Since 2014 the media focus and political discourse have been situated on the **southern border and the Mediterranean**, with the death by rubber bullets of 15 migrants from Africa on the Tarajal beach in Ceuta (border with Morocco). After these events, the public debate focused on the controversy over **devoluciones en caliente** ("hot returns") and Human Rights on the border.

Since 2015, with the so-called "**refugee crisis**", the debate on international migrations has focused on international protection policies at the European level and reception. Social movements and CSOs organised around a "we want to welcome" discourse. Specifically in Barcelona in 2016, the platform **Casa nostra, casa vostra** was organised with significant economic and media support, the largest and most massive demonstration in Europe to demand the reception of refugees.

The focus on the southern border, the Mediterranean Sea and the Syrian war generated a social imaginary of the Syrian refugee and a paternalistic climate around the concept of reception, mainly of Syrian women and families as "refugees to be welcomed". However, the migration reality was very different. Since 2015, **most refugees and asylum seekers arriving in Spain came from Latin American** countries such as Colombia, Venezuela and Central American countries. These migratory flows remained invisible in the social imaginary and the political discourse. They were also highly feminised flows, mainly from Honduras, with a 70% feminisation rate in Barcelona city (Poblet, 2020; Poblet & Carrasco, 2022).

In 2018 another situation tarnished this discourse of "we want to welcome". It was the massive arrival of unaccompanied minors in the main cities of Spain, most of them from Morocco. Although this is a highly masculinised group, it should not be forgotten that there are also unaccompanied minor girls, totally invisible to public opinion and political discourse. They are mostly girls from Morocco, Romania or Nigeria who are victims of trafficking.

8. OTHER IMPORTANT POLICY AREAS – IF RELEVANT TO NATIONAL OR LOCAL CONTEXT

In this section, we will focus on gender violence policies.

8.1. Legal context

Since it entered democracy, Spain has experienced a process of awareness of the magnitude of the problem of gender violence.

An example of this tendency is the ratification of **the State Agreement Against Gender Violence of December 2017**, with over 200 measures and a budget of 1 billion euros. Previously, the 2004 Comprehensive Act against Gender-based Violence and the 2007 Equality Act were crucial. The 2004 Act was crucial for diagnosing violence as a structural problem of gender inequality that public authorities must solve with comprehensive measures (Bustelo et al., 2007).

Since 2011, one of the European documents that have marked the agenda on equality measures and against gender violence is the Istanbul Convention. The biggest difference between the Istanbul Convention and the Spanish legislation until then is that the latter focused on the violence in the context of the partner or ex-partner. The Istanbul Convention includes any form of violence against women, such as sexual harassment, rape, forced marriage, genital mutilation or crimes committed allegedly in the name of "honour". La Ley Orgánica 10/2022, de 6 de septiembre, de garantía integral de la libertad sexual (**The 2022 Act on the comprehensive guarantee of sexual freedom**), better known as the ley del 'solo sí es sí' (**'only yes is yes' law**), introduces regulations to incorporate the perspective of the Istanbul Convention. This Act, approved by the coalition government of PSOE and Podemos, wants to end the difference between aggression and abuse, with which any act without consent will be considered sexual aggression. In addition, victims of sexual violence, sexual exploitation, and trafficking for sexual exploitation are recognised as victims of gender-based violence. Female genital mutilation (FGM) and forced marriages also fall under this concept of violence.

This law has been highly questioned because, despite a willingness to broaden what is understood by sexual assault, it has had "*anti-punitive*" consequences that has resulted in reduced sentences. A recent reform has been approved, which continues to consider all sexual crimes in which there is no consent as aggression but introduces the aggravating factor of violence or intimidation so that penalties cannot be lowered for the future cases.

Legislation and migrant women

The 2004 Act and the 2007 Act, referred to above, specify that there can be no discrimination based on immigrant status or administrative situation, in addition to clarifying that the immigrant population at greater risk of gender-based violence must be considered.

El Real Decreto 557/2011, de 20 de abril 14 (Royal Decree 557/2011, of April 20, 2011), known as "Alien Regulation" (Reglamento de Extranjería), regulates the authorisation of residence and independent work for the spouse who is a victim of gender violence and not only granted if the reunited spouse had sufficient economic means, as it happened before. This legislative change does not yet reach migrant women who suffer sexual violence outside the couple's sphere.

The 2022 Act speaks of the need for an intersectional approach.

Legislation on violence and minors

Ley Orgánica 8/2021, de 4 de junio, de protección integral a la infancia y la adolescencia frente a la violencia (2021 Act, of June 4, on the comprehensive protection of children and adolescents against violence): It is a law for the protection of children and adolescents against the violence that broadens the definition of violence, making it mandatory to report any attack, prosecuting online crimes, creating specialised units, a welfare coordinator in schools and extending the statute of limitations for sexual crimes.

8.2. Practices and implementation (local, regional, national)

There is a **clear overrepresentation of migrant women as victims of gender violence**, not migrant aggressors. According to data from the Government Delegation against Gender Violence in 2021, 43 women were murdered by their partners or ex-partners, of which 19 were foreigners, 44.2% of the total number of victims, while migrant women account for 11% of the female population in Spain. (Retamozo, 2020).

Situations related to difficulties in registering in the local council (see sections 7 and 4) disadvantage these women since sometimes this complicates access to public health care, which is crucial in detecting cases of gender violence. In places such as Ceuta and Melilla, registration is still required to access public health care.

Other barriers that place them in a more vulnerable situation are, among many, being financially dependent on the aggressor; difficulties renting an apartment; problems accrediting or validating studies; or the time slots to access the services to which they are entitled to access. It is not contemplated that many women work as interns or in schedules that coincide with the opening hours of these services or have limitations of movement because they can only go when their partner is away from home (Tutistar, 2021).

Moreover, migrant women often encounter professionals with a lack of intersectional approach training. Even if there is staff trained in gender perspectives, they may not be trained in the laws affecting foreigners and may not advise adequately.

On July 26, **2007**, **VioGén System**, Sistema de Seguimiento Integral en los casos de Violencia de Género de la Secretaría de Estado de Seguridad del Ministerio del Interior (the Comprehensive

Monitoring System for Gender Violence Cases of the Secretary of State for Security of the Interior Ministry), came into operation.

Its objective is to facilitate compliance with the provisions of the 2004 Comprehensive Act. However, it is only activated when the case is reported; if it is not, women are excluded from its resources. In addition, the lack of resources has made it impossible to carry out long-term follow-ups. Furthermore, the VioGén system has focused on how gender-based violence is understood in the 2004 Act. It does not delve into other forms of gender-based violence, such as sexual aggression, to which migrant women are more exposed due to the multiple forms of discrimination they experience (Tutistar, 2021). Likewise, in contrast to the requirements of the Istanbul Convention, there is a lack of measures that include girls. It seems that the 2022 Act wants to solve some of these shortcomings. For now, despite the promise to consider all femicides to be victims of gender violence, it is still not being done. The feminist movement does, and the figures are doubled when victims without a partner or ex-partner relationship with the aggressor are included.

8.3. Political discourse

The 2017 State Agreement Against Gender Violence, with no votes against it before the far-right party VOX's arrival, shows the **unanimity in the political discourse regarding the importance of eradicating gender violence** from our society. However, there are differences in the political discourse of the social democratic and conservative parties. The PP has had a discourse that weakens a comprehensive approach to gender violence by speaking more of 'domestic violence' than 'gender violence'. In this way, it emphasises where violence occurs and not the structural causes or the actors who carry it out (Lombardo and León, 2014:30).

Vox is the only party that denies gender violence with statements such as "violence has no gender". However, their denialist position on gender violence does not prevent them from connecting it to immigration, reinforcing their anti-immigration discourse. A position that the Popular Party may also adopt, especially during election campaigns.

Another burning issue is **the role conferred on consent in the "Only yes is yes" Act (2022 Act)**. Although the political discourse that supports it presents it as a progressive advance, it is problematic due to unequal power relations between women and men at all levels.

There are also significantly **opposing discourses on sexual exploitation and human trafficking for sexual exploitation**. While the feminist movement calls for the inclusion of these as extreme forms of violence against women and girls with proposals such as the abolitionist proposal on the prostitution system in December 2020, other discourses and political forces move between inaction or open support for a regulative position on the issue of prostitution, but agree on fighting against human trafficking for sexual exploitation.

9. ROLE AND POSITION OF CIVIL SOCIETY IN GENDER EMPOWERMENT AND INCLUSION

- 9.1. Role of women CSOs in the political system / addressing the gaps, family, education, equal pay, managerial positions, political positions (local – regional- central level) - CSOs dedicated to women's situation (national, women-immigrants)

In Spain, there is a wide range of CSOs, social enterprises, non-profit organisations and social movements that play a fundamental role in the inclusion of migrant women and girls; on the one hand, because the system of reception, asylum and other services to migrants is primarily outsourced, and on the other hand because in Spain there is a strong tradition of social movements and associations that carry out social advocacy.

To understand the role and position of CSOs in Gender empowerment and inclusion, they could be classified according to their legal nature and their role as social action complementary to welfare:

Institutional organisations

Organisations or councils that institutions promote but in which civil society participates in an organised way. They have a consultative, advisory or advocacy role in public policy and empowerment. For example, in Catalonia, there is the **Consell Català de les Dones**. In Barcelona city, there is the **Consell Municipal d'Inmigración**, which brings together more than 50 reception and migrant organisations in which migrant women participate.

International CSOs

Well-known international organisations (NGOs) with international funding and partners, such as Save the Children, Red Cross, and others, which are linked to the Catholic Church, such as Caritas. These wide-ranging NGOs carry out different types of work and programmes for migrants. In many cases, they have programmes aimed explicitly at migrant women and/or girls focusing on empowerment and inclusion.

NGOS

Non-governmental organisations that are dedicated to development cooperation and education for global citizenship. There is a network of more than 70 development organisations throughout Spain. Among this typology is InterRED, an NGO promoted by the Teresian Association, which is committed to transformative education, gender equality and inclusion. <https://interred.org/es/conocenos/mision-vision-valores-e-identidad>

Foundations and local grassroots organisations

NGOs, cooperatives, foundations and non-profit organisations that are grouped around a social objective or cause or to support vulnerable groups, such as refugee reception, support for migrant women, etc. and have different lines of action and approaches: social action, coexistence, interculturality, reception, recreational, sporting, cultural and so on.

Many of these organisations provide services and are contracted by regional or local governments through tenders or subsidies. Many of these grassroots organisations also raise funds through specific activities such as stalls, merchandising, handicrafts from the countries of origin or made by migrant women, food catering, etc. For example, many migrant women's organisations organise catering and selling food at fundraising events. Some also practice and/or reproduce specific forms of "ethnic economy" of mutual economic support. (Estapé-Dubreuil, & Torreguitart-Mirada, 2014).

CSOs focused on whistleblowing and political advocacy.

As mentioned in the introduction, Spain has also been characterised by having a strong, organised feminist movement throughout the country and a strong network of organisations focused on the reception of migrants and refugees, racism, denunciations of rights violations at the border, against male violence, against trafficking and forced marriages, among other examples.

Many of these CSOs have a long tradition as a social movement and were founded in the 1980s, such as SOS Racism. Others were created recently based on a campaign or specific objectives, such as, for example, the campaign for the closure of the **Centros de Internamiento de Extranjeros** (CIEs) (Detention Centres for Foreigners) <https://ciesno.wordpress.com/>, the platform **RegularizaciónYa** which campaigns for the regularisation of migrants (<https://regularizacionya.com/>), the **Asociación Valientes y Acompañadas** which fights against forced marriages, or some extensive campaigns for the reception of refugees, such as **Refugees Welcome** and numerous local organisations in small and medium-sized cities, have also had a great impact in recent years.

Some platforms reporting violations of migrants' rights have focused on advocacy on issues specific to women and/or girls of migrant origin. For example, PRODEIN on the southern border denounced the situation of unaccompanied minor girls as potential victims of trafficking; and the platform CIES NO specifically denounced the situation of undocumented women in the **Aluche CIE** in Madrid, many of whom are victims of trafficking.

Feminist organisations

The large number of long-established feminist organisations and platforms throughout the country does not differentiate between the demands and needs of women concerning their immigrant backgrounds and adopting an active secular perspective on the inclusion and empowerment of all women.

During the various periods of social democratic government, feminist platforms and organisations that were semi-institutional were promoted by the public administration, especially since the 2007 Equality Act came into force, among which the following stand out for their political influence and advocacy: the **CEDAW** shadow platform, made up of all the feminist organisations that choose to join it, and which carries out the annual prescriptive UN Women report on the development and deficits of the government's equality policies; the **Forum for Feminist Politics**, present in 10 large cities (in others, alternative centres and spaces were created, such as **Ca la Dona, or Women's House**, in Barcelona), which participates in and helps organise for the annual calendar of feminist demands and mobilisations together with the rest of the feminist movement (8 March, 25 November, etc.), and the **Federation of Progressive Women**, which is very close to the PSOE. Many women's organisations in medium-sized and small towns across the country that are still active also emerged during these periods.

One specific feature of the Spanish feminist movement is the international coordination with international platforms, with specific connections to Latin American women's organisations, both at the government and grassroots levels.

9.2. Examples of CSOs active in the gender empowerment and inclusion field

Most migrant women's associations are grouped by ethnic origin, linked to networks of regional and local migrant organisations, and the issues they cover are varied and numerous. For example, Latin American migrant women in Catalonia formed the association **Diáspora Solidaria**, or an extensive network of **Migration, Gender and Development** with a decolonial view, founded by Latino women. Another example is the numerous Moroccan women's organisations, especially in small and medium-sized cities in the Metropolitan Area of Barcelona, such as Cornellà, Castelldefels, Sant Joan Despí, etc. Many were formed because they did not see themselves represented in the strongly masculinised Moroccan or Muslim migrant organisations.

On the other hand, in the last decade, many migrant women from Latin America and elsewhere have organised in all the country's major cities to fight for the rights of domestic and care workers. Most of them also participate in networks throughout the country, although there are many splits and differentiations according to the type of work, approach or affinities. All these organisations related to care and domestic labour have empowerment as a central issue.

The most relevant in the big cities are:

Madrid:

- **SEDOAC: Servicio doméstico Activo:** Founded by Latin American migrant women in 2005, It is based on four pillars: empowerment, networking, awareness-raising and advocacy. It is worth noting that SEDOAC states that its mission is: To empower domestic and care workers to be the architects of the sector's dignification and improve their working conditions. SEDOAC website <https://sedoac.org/quienes-somos/>
- **Territorio doméstico:** Defines itself as a space for struggle, meeting and empowerment of migrant women from different origins. It comprises Dominican, Colombian, Salvadorian, Ecuadorian, Romanian, Spanish, Senegalese, Nicaraguan, Bangladeshi, Bolivian and Moroccan women. <https://www.facebook.com/territoriodomestico/>

Barcelona

- **SINDILLAR:** Union of domestic workers. Founded in 2011 by migrant women from other associations and with solid links to the "Sin papeles" movement. (Papers per tothom).
- **Mujeres palante:** Founded by women from Colombia and Ecuador, they work on various projects with a clear focus on empowerment. It defines itself as a space for accompaniment. <http://www.mujerespalante.org/>, and they also have a cooperative and catering service.

- **Mujeres Unidas entre Tierras (MUET):** founded by migrant women in 2020, it is a spin-off of Mujeres palante. In addition to being an organisation for the rights of domestic workers, they fight against sexist violence and discrimination.
- **Mujeres Migrantes Diversas (MMD):** Founded by Honduran women in 2017, it mainly accompanies, although, in recent years, it has had some splits.
- **Amb Cura:** founded in 2022 by a split from MMD to claim care workers' rights and provide shelter. It has support from social movements in Catalonia that focus on human rights.

9.3. Financial situation: change (improving-worsening) over time (2010-2022)

Before 2010 there was a significant proliferation and growth of CSOs throughout Spain that received funding. With the recession, as funding was reduced, many CSOs were forced to reduce their structure and staff and even disappear, especially the medium-sized CSOs. Only large CSOs or CSOs with stable agreements, or those not dependent on public funding, remained. After the recession, there was again a proliferation of CSOs and, above all, cooperatives as a form of organisation, service provision and employment for professionals in the social field. Some large organisations that had partly reduced their structure began to contract small or medium-sized NGOs for other services or projects. For example, a large part of the budget of European funds or the Gender Pact is dedicated to financing NGO projects whose beneficiary population are migrant women.

10. SUMMARY

Recent evolutions and future trends in gender empowerment and inclusion policies. From the laws against Gender-based Violence (2004) and for Equality between Women and Men (2007) to the latest laws of the current social democratic government, such as the 2021 Labour Reform of the 2023 Equal Representation Act between women and men, there has been a steady trend towards eliminating the gender gap from all public policies and to developing regulations that take the struggle against gender discrimination from a legal right recognised in the 1978 Spanish Constitution to an effective right.

However, the Spanish social protection model is part of the 'Mediterranean' approach. It relies heavily on the family, specifically on women, and little on the public system. One consequence of this approach is that advances in gender empowerment and inclusion are endangered every time there is a crisis, as evidenced by the setbacks in this area with the economic crisis of 2008 and the Covid-19 health crisis.

The fact that governance is quasi-federal in Spain and actual powers are mainly transferred to the regional governments (17 autonomous communities and two cities in Northern Africa) means that there can be inequalities in the scope of some policy trends depending on the territory and the various parties in power at any given time.

Even though there have been advances consolidated by both conservatives and parties on the left, in recent years, the far right has entered the political and social arena with a discourse that is clearly contrary to many advances in the two areas under the focus of this project: an increasing denial of the inequalities between women and men and what they call "gender ideology", a demonisation of feminism, and the widespread double discourse against immigration, openly racist. The influence of these ideas can further weaken achievements that seemed to have been consolidated in Spain, such as free access to abortion or universal access to healthcare, as well as pushing public opinion towards biased views on crime, welfare state resources or gender-based violence. Blaming immigration, however, goes well beyond the far right, for example, when analysing the average student performance by origin and the bad position of Spain compared to other EU countries, for example, in the ELET rates, where students with an immigrant background are dramatically overrepresented.

Part of the weakness of the welfare state has been eased through the action of third sector CSOs, which have proliferated enormously throughout Spain. Although the issue of Gender Empowerment and Inclusion appears to be key within these organisations' proposals for action, and there is a clear tendency to include the voices of migrant women, this model can also lead to clear regional inequalities. Finally, although CSOs have often denounced and made visible situations of vulnerability that have been later the object of legislative changes, it must also be kept in mind that it is difficult to evaluate the actual impact of their interventions and that these are not free from the influence of paternalistic and victimising representations of migrant girls and women.

Acronyms & Abbreviations

CIE	Centro Internamiento de Extranjeros (Detention centre for foreigners)
CCAA	Comunidades Autónomas (Autonomous Communities)
CSO	Civil social organisation
ECEC	Early Childhood Education and Care
ELET	Early leaving from education and training.
GEP	Gender Equality Plan
ILO	International Labour Organization
NGO	Non-governmental Organisation
OECD	Organisation for Economic Co-operation and Development
PETRA organisation	An organisation that advocates for Transferable Leave
PiiNA Platform	Plataforma por Permisos Iguales e Intransferibles de Nacimiento y Adopción (Platform that advocates for Equal and Nontransferable Leave)
PP	Partido Popular (Right and Conservative Party)
PSOE	Partido Socialista Obrero Español (socialist Party)
SS	Social Security
VioGén System	Sistema de Seguimiento Integral en los casos de Violencia de Género de la Secretaría de Estado de Seguridad del Ministerio del Interior (the Integral Monitoring System for Gender Violence Cases of the Secretary of State for Security of Home Office)
VTP	voluntary terminations of pregnancy

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