



SOCIAL RIGHTS MONITOR 2020



COUNTRY MONITOR: SPAIN



SOLIDAR's Spanish National Strategy Group (NSG) remains worried about persistent poverty and social exclusion rates, high levels of labour precariousness, persistent gender inequalities, limited affordable housing and a weakened healthcare infrastructure. There are significant regional disparities, and the NSG considers there is still a lot of room for improvement despite recent positive developments that have followed the financial crisis. The new coalition government has shifted towards progressive initiatives intended to

ensure equality of opportunity and fairer participation in society, with targeted measures expected to benefit the most vulnerable groups, especially women, youth, migrants and asylum seekers. The NSG reported further positive developments, including moves towards a green economy and a just transition, backed by civil society. Nevertheless, a lack of multilevel cooperation, opposition between political parties and the outbreak of Covid-19 have hindered implementation and even halted plans for further reforms.

	2018	2019	EU-28 2019
Gini index ¹	33.2	33.0	30.1
Unemployment ²	15.3%	14.1%	6.3%
Gender Equality Index ³	63.0 (2019)	63.5 (2020)	67.9 (2020)
In-work poverty ⁴	13.0%	12.8%	9.2%
Housing Overcrowding ⁵	4.7%	5.9%	15.6%
CIVICUS Civic Space Monitor ⁶		NARROWED	N/A

Selected indicators on the state of social rights

1 Eurostat (2020). Gini coefficient of equivalised disposable income: http://appsso.eurostat.ec.europa.eu/nui/show.do?lang=en&dataset=ilc_di12

2 Eurostat (2020). Unemployment by sex and age: annual data: https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=une_rt_a&lang=en

3 European Institute for Gender Equality (2020). Gender Equality Index: <https://eige.europa.eu/gender-equality-index/2020/ES>

4 Eurostat (2020). In-work at-risk-of-poverty-rate : <https://ec.europa.eu/eurostat/databrowser/view/tespm070/default/table?lang=en>

5 Eurostat (2020). Overcrowding rate by age, sex and poverty status – total population: https://ec.europa.eu/eurostat/databrowser/view/ilc_lvho05a/default/table?lang=en

6 CIVICUS (2020). Civic space monitor - Spain: <https://monitor.civicus.org/country/spain/>

EQUAL OPPORTUNITIES AND FAIR WORKING CONDITIONS

SOLIDAR's Spanish National Strategic Group, led by Movimiento Por la Paz has reported recent positive developments in fiscal policies towards incremental and positive taxation taken by the PSOE-Podemos coalition government. According to the NSG, this new direction will continue to address the inequalities exacerbated by the austerity policies of the previous Popular Party government. By placing a series of progressive initiatives at the heart of its welfare reform package, Spain has introduced a new minimum welfare standard aiming for fairer participation in society and in the labour market. This is especially relevant given the sudden rise in unemployment to 14.41% in the first trimester of 2020 due to Covid-19. This rise will lead to greater welfare and social protection needs, despite a steady decrease of the unemployment rate from 14.7% to 13.78% during 2019.⁷

Amongst these measures, the NSG has highlighted the positive impact of the adoption of a minimum income scheme.⁸ This monthly support ranges from EUR 461.50 to EUR 1,015.00 and is subject to the situation of the family unit. In the context of the recent rise of the minimum statutory wage from EUR 735.90 to EUR 950.00 per month for permanent, casual and domestic workers,⁹ the minimum income scheme will serve as an additional push towards equality of opportunity, especially for vulnerable families at risk of social exclusion and material deprivation. The NSG notes that

government will thus be working towards the 2030 Agenda goals: reducing poverty, supporting sustained, inclusive and sustainable economic growth; incentivising decent job creation and ensuring equal opportunities for all.¹⁰

Similarly, another significant change to the welfare system in this direction has been the modification of the regulation on the access to unemployment benefit for those over age 52.¹¹ For the NSG, this measure recognises the significant difficulties that this age group faces in re-entering the labour market and effectively strengthens the safety net for this section of the workforce. The measure lowers the minimum age to access unemployment benefit from 55 to 52. It removes household situational conditionality clauses to access this scheme.

The NSG has noted that special attention has been given to improving the reception conditions for migrants and asylum seekers. The long-term goal driving these measures is to help migrants and asylum integrate into society and participate in the labour market. According to the NSG, this is especially relevant, as migrants from outside of the EU have a risk of poverty and social exclusion of 56%, compared to 47.7% for those from within the EU and 23.1% for the native Spanish population.¹²¹³ Existing programmes are trying to address this problem and ensure equality of opportunity. The NSG highlights the Humanitarian Reception Programme for Migrants in

7 National Institute of Statistics (2020) Unemployment rates by sex and age <https://www.ine.es/jaxiT3/Datos.htm?t=4086#ltabs-grafico>

8 State Official Newsletter (2020) Royal Decree-Law 20/2020 on the minimum income scheme. <https://www.boe.es/eli/es/rdl/2020/05/29/20/con>

9 State Official Newsletter (2020) Royal Decree-Law 231/2020, on the 2020 statutory minimum wage <https://www.boe.es/buscar/doc.php?id=BOE-A-2020-1652>

10 United Nations (2015) The 2030 Agenda for Sustainable Development <https://sustainabledevelopment.un.org/content/documents/21252030%20Agenda%20for%20Sustainable%20Development%20web.pdf>

11 State Official Newsletter (2019) Royal Decree-Law 8/2019 on urgent measures against labour precariousness <https://www.boe.es/buscar/doc.php?id=BOE-A-2019-3481>

12 UHCHR (2020) Statement by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights, on his visit to Spain, 27 January – 7 February 2020 <https://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=25524&LangID=E>

13 EAPN Spain (2019) Poverty Watch 2018 <https://www.eapn.eu/wp-content/uploads/2018/11/EAPN-PW2018-Spain-EN-FINAL.pdf>

Vulnerable Situations, which aids beneficiaries and those requesting for asylum with no available economic means by covering basic accommodation and nutrition needs. This programme, along with other integration and support schemes, is co-financed by the Asylum, Migration and Integration Fund and the European Social Fund. Its overall budget of EUR 380.49 million was agreed on in 2018, and this also covers the reintroduction of the Shelter and Integration of Migrants Support Fund for regions and municipalities.¹⁴

Yet the NSG still is concerned about persistent structural barriers to access the labour market, as well as recent trends towards precariousness in working conditions. Given the negative economic and social impacts of the Covid-19 global pandemic, the reach and impact of the above initiatives are expected to be limited. As a result, inequality still ranks as one of the three most pressing social issues in Spain, especially with regards to precariousness, (domestic and temporary) workers' working conditions and gender inequalities.

PRECARIOUSNESS AND ACCESS TO THE LABOUR MARKET

Labour precariousness is growing in tourism, catering and other key sectors of the Spanish economy, with more than 91% of the overall Spanish labour force experiencing non-standard career trajectories.¹⁵ This translates into the Spanish workers having a higher exposure to job fluctuation, poorer working conditions and inadequate registration in the social security system.¹⁶ The National Strategic Group reported that this trend was a result of the 2012

labour reform of the Rajoy government,¹⁷ which facilitated and reduced compensation for the termination of contracts, thereby lowering the cost of dismissing employees. Furthermore, the NSG is worried about the disproportionate effect of precariousness on women, young people and migrants.

In spite of this context, the coalition government's promises to repeal the 2012 labour reform and approve the national annual labour policy plan for 2020 are yet to materialise. However certain measures targeting the most vulnerable and regional active employment plans have been put in place to tackle certain groups' employment prospects in the volatile Spanish labour market. The NSG hopes these measures will tackle the worrisome precariousness.

The unemployment rate of 32.9%¹⁸ for those under 25 amplifies the low expectations of Spanish youth towards future prospects and generational improvement. More than one third of young people in Spain are financially dependent on their families, and two-thirds prolong their education, especially in higher education and English skills, out of a strong belief that it is the only way to reach decent employment.¹⁹ To address these concerns, the PSOE minority government adopted the 2019-2021 Action Plan for Youth Employment²⁰ after strong involvement by social partners and the Spanish Institute for Youth. Amongst the Action Plan's 50 measures, the National Strategic Group has highlighted the Youth Guarantee, which provides financial incentives for businesses to take on young people and strengthen the formative aspects of these employment programmes; the talent return and mobility

14 Millán Agustín (2019) The Government reintroduced the Support Fund for the reception of migrants <https://diario16.com/gobierno-restablece-fondo-apoyo-la-acogida-inmigrantes/>

15 Eurofound (2019) Labourmarket segmentation: Piloting new empirical and policy analyses https://www.eurofound.europa.eu/sites/default/files/ef_publication/field_ef_document/ef19033en.pdf

16 Ibid.

17 State Official Newsletter (2012) Royal Decree-Law 3/2012 on labour market reform <https://www.boe.es/boe/dias/2012/02/11/pdfs/BOE-A-2012-2076.pdf>

18 Eurostat (2020) Unemployment by sex and age – annual data https://appsso.eurostat.ec.europa.eu/nui/show.do?dataset=une_rt_a&lang=en

19 Century 21 (2019) Housing Observatory In Spain: The Difficulties Of Young People In Accessing Housing <https://www.century21.es/media/1162030/observatorioinmobiliario.pdf>

20 Ministry of Labour and Social Economy (2020) Shock Plan For Youth Employment 2019-2021 <https://www.sepe.es/HomeSepe/Personas/encontrar-trabajo/plan-de-choque-empleo-joven-2019-2021.html>

programme; and the extension of information points and the personalisation of service structures. This national-level Action Plan builds on the success of the 2013 Education Reform in modernising vocational training,²¹ and it is being complemented further by sub-national programmes especially targeting low-skilled young workers through regional or municipal variations.

As another vulnerable group, migrants and asylum seekers in Spain face a higher unemployment rate, raging between 15% and 20% depending on their country of birth.²² The case for better inclusion of migrants and asylum seekers in the Spanish labour market is being made by expanding the International Protection and Asylum Reception Programme's employment programmes to 30 months and the targeted measures in the European Social Fund 2014 – 2020 Operational Programme Social Inclusion and Social Economy.²³ The National Strategic Group has indicated that these initiatives have so far proven to be positive in reducing these groups' vulnerability and inequality and in integrating them into society. Yet it indicates that working conditions for this societal group remain worrying.

GENDER EQUALITY

Despite the existing constitutional and legal framework provision that upholds the principle of gender equality for all public policies,²⁴ ²⁵ the National Strategy Group reports that gender disparities in the labour market are still very much present in Spain. Despite a rise in

women's employment rates since 2013, these have not reached 48.8%, the lowest employment rate of men during the crisis. At the end of 2019, the difference between the employment rates for men and women was 11.5 percentage points.²⁶ This is also a result of inadequate incentives for a work-life balance, as six out of 10 women indicate that they have set aside their professional careers after maternity leave.²⁷ Furthermore, the gender pay gap in Spain is 14% of male gross earnings and has not improved significantly since 2014.²⁸ These disparities are already being exacerbated during the Covid-19 crisis, despite women being at the frontline of the fight against the pandemic, especially as domestic workers and carers and in the healthcare sector. For these reasons, the National Strategic Group considers gender inequalities as one of the three most pressing issues regarding fair working conditions and labour rights. Addressing gender inequality will form a basis for further social development.

Taking into account this background, the NSG considers it important to address these inequalities. The new public policy updates focus on three key issues: improving work-life balance, enhancing transparency and correcting systemic barriers to welfare. Most of these have been addressed through the updated version of the Equal Treatment and Opportunities Guarantee.²⁹

With regards to work-life balance, the new legislative framework strives towards equality in caregiving and to address the implications of caring for dependent people. A roadmap to

21 State Official Newsletter (2013) Royal Decree-Law 8/2013 on the improvements for quality education <https://www.boe.es/buscar/pdf/2013/BOE-A-2013-12886-consolidado.pdf>

22 Eurostat (2020) Migrant integration statistics – labour market indicators https://ec.europa.eu/eurostat/statistics-explained/index.php/Migrant_integration_statistics_%E2%80%93_labour_market_indicators

23 European Commission (2020) OP ESF 2014 Social Inclusion and Social Economy Spain https://ec.europa.eu/regional_policy/en/atlas/programmes/2014-2020/spain/2014es05sfop012

24 State Official Newsletter (2020) Spanish Constitution <https://www.boe.es/buscar/act.php?id=BOE-A-1978-31229>

25 State Official Newsletter (2007) Law on effective equality between men and women <https://www.boe.es/buscar/act.php?id=BOE-A-2007-6115>

26 Spanish National Statistics Institute (2020) Employment rates by different age groups, sex and autonomous community <https://www.ine.es/jaxiT3/Datos.htm?t=4942#ltabs-grafico>

27

28 Eurostat (2020) Gender pay gap in unadjusted form https://ec.europa.eu/eurostat/tgm/table.do?tab=table&init=1&language=en&pcode=sdg_05_20&plugin=1

29 State Official Newsletter (2019) Royal Decree-Law 6/2019 on urgent measures to guarantee equal treatment and opportunities between women and men in employment and occupation <https://www.boe.es/buscar/act.php?id=BOE-A-2019-3244>

achieve equal maternity and paternity leave by 2021 has been introduced. This has started by extending fathers' right to leave to 12 weeks, the first four being uninterrupted and non-transferable. Following this, the right to adapt working hours and to request more flexible work schedules was strengthened in order to improve work-life balance. Since the entry into force of the new legal text, the efforts taken by non-professional caregivers of dependent people have also been recognised as social security contributions, thus taking into account the economic impact of caregiving, especially for women caregivers. Further measures are envisioned to improve work-life balance, such as the universalisation of free early-years education. But these are currently blocked due to a deadlock in budgetary negotiations.

As for enhancing transparency, the Real Decreto Ley 6/2019 [Decree-Law 6/2019] makes it compulsory for companies to register the mean values of salaries and additional wage supplements disaggregated by gender and distributed by professional groups and by categories of similar work positions. In the event that there is a 25% gender pay difference within a company of more than 50 employees, that organisation will have to provide a non-discrimination justification.

Last but not least, the government plans for gender equality encompass measures to address gender-based barriers to welfare support. New regulation has been put in place to tackle the worrying decline in the working conditions of domestic workers, who are mostly female migrants highly exposed to gross exploitation. The regulation improves their access to social security, yet the National Strategic Group reiterates that more improvements need to be put forward. Additionally, the widowhood pension, which has been supporting 400,000 women, has been raised to an annual

minimum of EUR 7,249.20, with additional support depending on the individual context of the widow.^{30, 31}

In spite of these advances, the National Strategic Group points out that the measures are not sufficient, mainly due to limitations in their implementation. A lack of party-political agreement, budgetary limitations, business-sector sensibilities and a lack of co-responsibility towards childcare especially during Covid-19 confinement measures – all these add more pressure to an implementation mechanism that cannot realistically ensure the realisation of these gender-equality policies.

SOCIOECONOMIC IMPACT OF COVID-19

To manage the health crisis resulting from the Covid-19 global pandemic, the Spanish government enacted its State of Emergency, which introduced a series of limitations on mobility and economic activity. Recognising the impact that these limitations have on employment, remuneration and working conditions, Spain has put forward a series of measures to safeguard the protection of workers and the most vulnerable, which build on the previously-mentioned new welfare provisions. The new measures were designed with the intentions of preventing further job losses resulting from the cessation of work activities and of facilitating access to benefits. As of 5 May 2020, these measures cover 4 million workers.³²

Real Decreto Ley 09/2020 and 18/2020 provide a framework for the temporary workforce restructuring plan (ERTE) and required adaptation of working conditions for non-essential workers aimed at avoiding further redundancies. Around 3.5 million workers are now benefiting from this plan, which provides them with

30 Gómez, Manuel V. (2020) This is how your pension remains after the 0.9% rise approved this week https://elpais.com/economia/2020/01/14/actualidad/1579041129_553759.html

31 Ministry of Labour and Social Economy (2018) Improvements in Widowhood Pension <https://revista.seg-social.es/2018/07/20/mejoras-en-la-pension-de-viudedad/>

32 Gómez, Manuel V. (2020) The aid to 4.5 million people affected by ERTE and the self-employed prevent a greater collapse in employment <https://elpais.com/economia/2020-05-05/el-paro-registrado-sube-en-casi-300000-personas-en-abril-y-llega-a-39-millones.html>

support of up to 70% of their social security contribution base.³³

Employment regulations for the agriculture sector were temporarily eased by the Real Decreto Ley 13/2020 to favour recruitment both of nationals and migrants. These measures extended the compatibility of agricultural labour regulations with other existing social protection measures during the state of emergency. New employees will be able to combine their earnings with unemployment benefits.

To tackle the urgent economic and social needs of domestic workers, both the Real Decreto Ley 10/2020 and the Real Decreto Ley 11/2020 introduce a temporary extraordinary subsidy to act as a safety net. This protects against any negative impact caused by lack of activity, a decrease in hours worked, or termination of a contract resulting from the health

crisis. This support, which can rise at a maximum to the level of the new minimum wage, is context-dependent and takes account of the beneficiaries' situation. This targeted measure for domestic workers is especially relevant, as they are not covered by the ERTE framework. In addition, the new minimum income scheme approved during confinement will complement this temporary economic support.

Though the measures are intended to minimise the impact of the health crisis on already-vulnerable social groups, the National Strategic Group reiterates that the measures should take into account the diversity of the situations of those affected. More specifically, the NSG emphasises the need for suitable solutions to the precariousness faced by domestic workers and youth and to the impacts of this precariousness on the support they eventually receive.

33 European Commission (2020) Council Recommendation on the 2020 National Reform Programme of Spain and delivering a Council opinion on the 2020 Stability Programme of Spain <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX-:52020DC0509&from=EN>

SOCIAL PROTECTION AND INCLUSION

According to the National Strategy Group, significant concerns remain regarding poverty and living conditions. The level of poverty and social exclusion in Spain is still above 23.8%, the 2008 pre-financial crisis rate. The most recently available AROPE rate (2018) stands at 26.1%, or 12.2 million people, as a result of an additional 1.2 million people being classified as this status since the start of the financial crisis. EAPN Spain reported that 2.6 million people were living in extreme poverty and an additional 4.3 million³⁴ experiencing severe poverty. The UN Rapporteur on extreme poverty raised this as a concern after a study visit to Spain in 2020.³⁵

Yet a more nuanced approach, which disaggregates the data on poverty and social exclusion in Spain, can provide a more accurate insight into the inequalities behind these figures. The AROPE rates are higher for women (27%, compared to 25.1% for men), those between the ages of 16 and 39 (33.8%), those with lower secondary education (34%), migrants and asylum seekers (56% for non-EU residents and 47% for EU-nationals) and single-parent households (50%).³⁶ Additionally, EANP's 2019 Poverty Watch Report on Spain indicates that employment in itself does not guarantee an escape from poverty and social exclusion. This is especially so in Spain, as in-work poverty stands at 13.8% despite a steady decrease in unemployment up until the Covid-19 crisis.

To address the persistent challenge, the Spanish government has introduced in the last two

years a series of social protection measures specifically targeting the different dimensions of poverty. Most noticeably is the National Strategy for the Prevention and Fight Against Poverty and Social Exclusion 2019-2023.³⁷ Both the newly adopted minimum income scheme and EUR 352 million-worth of social programmes to tackle child poverty are part of this strategy. Nevertheless, the strategy itself has not been allocated its own budget, and further incentives are required for cooperation with regional authorities, which often manage essential services included in the new framework.

GOOD PRACTICE

Following a change in the General Metropolitan Plan, Barcelona City Council has approved the rezoning of grounds into the public housing registry to support young and elderly people. The 530 new public housing units will be provided through five-year affordable renting contracts and will be further supported by additional communal services according to the areas' social needs.

Living conditions have further been exacerbated by limited access to essential services such as adequate housing. The National Strategic Group reports that adequate housing is not guaranteed in Spain, mainly due an increasing housing price-to-income ratio, and a reduced market for affordable rental accommodation

34 Futuro en Común (2020) Futuro en Común's brief document to submit to UN Special Rapporteur on Extreme Poverty and Human Rights Team https://www.ohchr.org/Documents/Issues/Poverty/34_Futuro_en_Comun_Public_version.pdf

35 National Institute of Statistics (2020) Risk of poverty or social exclusion (AROPE indicator), by nationality (persons aged 16 years old and over), <https://www.ine.es/jaxiT3/Datos.htm?t=10009>.

36 EAPN Spain (2019) 2019 Poverty Watch Report on Spain <https://www.eapn.eu/wp-content/uploads/2019/01/EAPN-03-Poverty-Watch-Spain-00.pdf>

37 ESPN (2019) ESPN Flash Report 2019/50: A new Strategy to prevent and combat poverty and social exclusion in Spain <https://www.google.com/url?sa=t&rct=j&q=&esrc=s&source=web&cd=&ved=2ahUKewiylanUgl7sAhVFMewKHYoeD78QFjAAe-gQlAxAB&url=https%3A%2F%2Fec.europa.eu%2Fsocial%2FblobServlet%3FdocId%3D21554%26langId%3Den&us-g=AOvVaw0ccjkteBq2jHd5LCkD1GFp>

exacerbated by rising renting costs. Since 2013, the cumulative increase in house prices has been 23%³⁸ and for renting costs above 50%, without a similar rise in household incomes.³⁹ This increase had been more noticeable in Madrid, Cataluña, and the Balearic Islands, which have above-average rates and are already struggling with the consequences of a rising demand for tourist accommodation.⁴⁰ The Observatorio Social de la Caixa [Social Observatory of La Caixa] reported that more than one fifth of the population of Spain dedicates more than 30% of their income to housing, indicating that housing-related payments entail a considerable added financial pressure on households.⁴¹ A National Housing Plan is in place for 2018-2021,⁴² which focuses on promoting renting and rehabilitation for housing. However, its ability to reach its objectives seems to be limited due to a lack of public housing stock. Moreover, only 2.5% of the unoccupied housing stock is dedicated to social renting, further limiting alternative options for adequate housing.⁴³

With regards to access to affordable, accessible and quality healthcare, the recent reform of the Real Decreto Ley 7/2018 is yet to deliver initial results. The 2012 Decree-Law had restricted free access to public services for adults not registered or authorized to reside in Spain, which the government justified by ‘a need for public finance sustainability’. To address this limitation of a fundamental right, the latest legal provisions reintroduce a guarantee

of universal coverage to all people residing in Spain, regardless of their nationality or residency status. Yet vulnerable groups, such as elderly foreign-national relatives of Spanish citizens, are often covered neither by social security, due to not having an income of their own, nor by private insurance programmes, out of a lack of existing services for this group. Unable to prove medical coverage as required by the Real Decreto 240/2007, the added vulnerability results from their inability to formalise their residency in Spain.

Furthermore, as healthcare administration is a regional competence, regional disparities in service quality remain an issue, as reported by the National Strategic Group. The different approaches taken to privatisation and the limiting of public investment in healthcare have led to a saturated system, which does not have adequate capacity to respond in times of need. In addition, a slowing rate of recruitment, persistent reliance on temporary contracts, a below-EU-average ratio of nurses to population and a lack of sufficient resources present serious systemic challenges in the context of a rapidly ageing demographic and their associated long-term medical needs.⁴⁴ The National Strategic Group points towards Madrid as the paradigmatic example of this situation. In the wake of these regional divergences and common challenges, the government agreed, with the support of regional governments, healthcare professionals, patients and users, on a Strategic Framework for Primary and

38 European Commission (2020) Country Report Spain 2020 <https://eur-lex.europa.eu/legal-content/EN/TX-?qid=1584543810241&uri=CELEX%3A52020SC0508>

39 Club de las madres (2017) Sociological Report: Somos Equipo <https://clubdemalasmadres.com/app/uploads/old/SOMOSE-QUIPO-informe-2017.pdf> Bank of Spain (2020) Housing Market in Spain between 2014 and 2019 <https://www.bde.es/f/webbde/SES/Secciones/Publicaciones/PublicacionesSerias/DocumentosOcasiones/20/Fich/do2013.pdf>

40 European Commission (2020) Country Report Spain 2020 <https://eur-lex.europa.eu/legal-content/EN/TX-?qid=1584543810241&uri=CELEX%3A52020SC0508>

41 Fundación la Caixa (2019) Social Observatory of la Caixa: The situation in Spain <https://observatoriosociallacaixa.org/-/seccion-la-situacion-en-espana-inf-vivienda>

42 State Official Newsletter (2018) Royal Decree-Law 106/2018 on the State Plan for Housing 2018-2021 <https://www.boe.es/buscar/doc.php?id=BOE-A-2018-3358>

43 Fundación Alternativas (2019) Hybrid management of social housing in Spain: Towards collaborative public provision models beyond profit https://www.fundacionalternativas.org/public/storage/estudios_documentos_archivos/869139bafa28a1680969e-9a1b3fb79e8.pdf

44 European Commission (2020) Country Report Spain 2020 <https://eur-lex.europa.eu/legal-content/EN/TX-?qid=1584543810241&uri=CELEX%3A52020SC0508>

Community Care⁴⁵ to address the above-mentioned systemic issues and establish standards for healthcare provision.

Nevertheless, the Covid-19 health crisis has provided further evidence for significant flaws in Spain's healthcare system. The public healthcare system has been unable to cope with the increase in demand due to insufficient hospital beds, material and human resources, often leaving a vast number of patients unattended. On top of this, the National Strategic Group reported medical staff having to endure longer intensive work shifts, often under precarious work contracts and with insufficient protection means.

According to EAPN Spain, the social groups that will be most affected by this health and subsequent economic crisis are households in poverty, women, immigrants, the homeless, the elderly and people with disabilities. All of these are facing a common lack of access to much needed aid and support such as housing, healthcare, gender-violence support services and domestic and care services. EAPN Spain indicates that these barriers were most likely related to confinement measures, restriction of movement and increased isolation. The further long-term impact of the lack of access will be determined by the measures in the government's envisioned Stimulus Plan.

Given these limitations, the National Strategic Group has identified a need to further develop measures and extend the positive developments of recent years. Among other issues, it highlighted the need to guarantee better life conditions for all, reduce gender-based violence, introduce more incentives for long-term

contracts, strengthening the public healthcare system, ensure a common and stable education policy at national level and futureproof the pension system. To implement these necessary improvements, the Spanish government will have to overcome the barrier formed by the distribution of competences between the national and regional levels, as well as ensure a compromise with most political parties.

JUST TRANSITION TO A GREEN ECONOMY

The Spanish government has made significant advances towards inclusive green growth, which have been positively recorded by the National Strategy Group. The commitment towards this ecologically just transition by the coalition government has been supported by the creation of the Spanish Ministry for the Ecological Transition and the Demographic Challenge (MITECO) in 2019. The current Minister, Teresa Ribera, publicly voiced the need to reform the economic and development model as a way to address the environmental and social needs of current and future generations, counting on additional support from civil society.⁴⁶ But the NSG reiterates that this institutional visibility will have to be continuously matched with measures that can lead to the following: adaptation of all public policies; significant changes in lifestyle; and the fundamental values of circularity, collaboration, solidarity, resilience and awareness of humanity's interdependence and fragility. Amongst the approved measures, the National Strategy Group highlights the new Climate Change and Energy Law, the second National Adaptation Plan and the Energy and Climate Framework (PNIEC). Together, these

45 Government of Spain Presidency's Office (2019) The Strategic Framework for Primary Care receives the majority support of the Interterritorial Council of the National Health System <https://www.lamoncloa.gob.es/serviciosdeprensa/notasprensa/sanidad/Paginas/2019/100419-atencionprimaria.aspx>

46 Ministry for Ecological Transition and Demographic Challenge (2020) Teresa Ribera sets as priorities the correction of territorial imbalances and the demand to put the citizen as the ultimate goal of the fight against climate change and the energy transition <https://www.miteco.gob.es/es/prensa/ultimas-noticias/teresa-ribera-fija-como-prioridades-la-correccion-de-desequilibrios-territoriales-y-la-exigencia-de-poner-al-ciudadano-como-objetivo-%C3%BAltimo-de-l/tcm:30-507324>

establish emission reduction targets, specific decarbonisation, evaluation and renewable energy measures and a plan to tackle the impact of climate change.

Most importantly, these moves towards a greener economy are further supported by the National Just Transition Strategy⁴⁷ as part of the above-mentioned PNIEC. This broad framework includes social protection measures such as active green employment policy objectives and green vocational training. Furthermore, the Strategy introduces urgent action plans for those most affected by climate change, such as people living in regions with coal mines and thermal power plants. The main integrated tools of the Just Transition Strategy are the Just Transition Agreements, strengthened by So-

administrations, unions, businesses and other relevant social partners, focusing especially on “emptied” rural Spain.

Despite these recent developments, Covid-19 has temporarily put on hold the implementation of the green transition plans in their current forms. The NSG is awaiting the approval of a green stimulus plan that supports an inclusive ecological transition that can capitalize on recent societal changes, such as changes in mobility, move towards teleworking, a re-appreciation of rural spaces and local food production. The required measures will have to be addressed through the development of decent green employment opportunities, a green and progressive fiscal reform and a social protection system that places care services at its core.



cial Dialogue Roundtables that bring together

47 Ministry of Ecological Transition and Demographic Challenge (2020) The Just Transition Strategy within the Strategic Energy and Climate Framework https://www.miteco.gob.es/en/prensa/etj-english-interactive_tcm38-505653.pdf

CIVIC SPACE

Following the recent politically challenging period in Spain, which has included general elections, regional disputes, the establishment of the coalition government and the state of emergency measures, the CIVICUS Civic Space Monitor said that civic space has narrowed.⁴⁸

Despite constitutional protection of the freedoms of association, peaceful assembly and speech, several concerns remain, as reported by the National Strategy Group, CIVICUS and Amnesty International. The use against artists and twitter users of penal code provisions outlawing the “glorification of terrorism” shines a light on the lack of clarity over restrictions on freedom of speech described in article 578 of the Spanish Penal Code.⁴⁹ This clashes with the prevailing legal tolerance of organisations that support a return to dictatorship and the lack of criminalisation of the exaltation of the figure of former dictator Francisco Franco.⁵⁰ The use of police force during Catalan pro-independence marches and the ongoing limitations to the organisation of migrants in irregular situations have raised several concerns over the respect of peaceful assembly and protest.⁵¹ Furthermore, the continuous attacks on the media from far-right parties such as Vox infringe on the freedom of the press and the freedom to inform.⁵²

Last but not least, the law 4/2015 on the protection of citizens security (informally known as the Ley Mordaza, the gag law, because it limits freedom of association and speech, as well as the rights to strike and assembly) is yet to be repealed despite the promises of the coalition government. Not only have these plans been temporarily halted due to Covid-19, but the law will have to overcome the fragility of the government’s majority in parliament.

On another note, the NSG reports that there is a good environment for social dialogue, which is especially favourable for post-Covid-19 reconstruction. The existence of a good network of third-sector platforms both at national and regional level, such as Plataforma del Tercer Sector, Plataforma de Voluntariado, CONGDE, EAPN, POAS and EAPN-ES, allows the building of good communication channels with the government. Several representatives of these platforms are also present in the Spanish National Congress of Deputies’ social and economic reconstruction working groups. Yet the National Strategy Group suggests building a permanent structure to link organised civil society and national and regional governments that can withstand party political turnovers and propose proactive measures to address major social issues.

48 CIVICUS (2020) CIVICUS Monitor: Spain <https://monitor.civicus.org/country/spain/>

49 Carrasco, Laura (2018) ‘Tweet if you dare’ Amnesty International denounces the violation of freedom of expression in Spain https://www.infolibre.es/noticias/politica/2018/03/13/amnistia_internacional_libertad_expresion_80562_1012.html

50 Maestre, Antonio (2020) The crime of apology for Francoism without our Historikerstreit, a historical error of calculation and memory https://www.eldiario.es/opinion/zona-critica/apologia-franquismo-historikerstreit-historico-calculo_129_1003116.html

51 CIVICUS (2020) Calls for newly elected government to repeal the so-called Gag Law <https://monitor.civicus.org/updates/2020/04/06/calls-newly-elected-government-repeal-so-called-gag-law/>

52 Ibid.

COMPARISON WITH THE COUNTRY SPECIFIC RECOMMENDATIONS

The European Commission's Country Specific Recommendations⁵³ were published during the Covid-19 pandemic and subsequent economic crisis, and most of the recommendations for Spain take into account the severity of these times. The Commission recognizes the negative impact the pandemic is having on Spain's job market and education and healthcare services, as well as the potential ramifications for the spread of poverty. The Commission proposals clearly indicate that the measures taken by the Spanish government to tackle Covid-19 are much needed – an observation in line with the view of the National Strategy Group – as well as being within the Commission guidelines for a coordinated economic response. There is an additional push from the Spanish government to ensure that the recovery plans include all national actors, greater input from social partners, and an overall improvement in coordination between the various levels of government. These are also important governance and implementation concerns for the National Strategy Group.

Regarding employment, healthcare, poverty eradication and education policies, there seems to be much room for agreement between the European Commission recommendations and the National Strategy Group suggestions. The Commission recommends a push towards more-sustainable long-term employment initiatives, which would tackle concerns over precariousness and promote

gender equality in the workforce, as previously called for by the NSG. Both the Commission and the NSG note a need to increase support to build up the healthcare infrastructure and improve the working conditions of healthcare professionals so that they can provide care for all social groups. Additionally, the Commission goes as far as signalling a need to improve the attention given towards care of ageing, growing chronic conditions and disabilities, three key issues also reported by the National Strategy Group. Furthermore, the Commission insists on extending welfare benefits and the minimum income scheme for low-to-medium income households, addressing the pressing matters of in-work and child poverty. Last but not least, the Commission and the NSG both indicate the need for a broad, lasting consensus on education policy to tackle inequalities and to futureproof Spain's workforce.

Yet there are some differences in their approaches to a just transition towards a green economy. Despite agreement on the need to support green job creation, there is disagreement on how to do this. The Commission insists on further measures to attract private investment in the green and digital transition, whereas the NSG is adamant that it should be addressed through public measures. The country-specific recommendations do not include any of the NSG suggestions on the positive impact on the green transition of progressive fiscal reform or care-centred social protection.

53 European Commission (2020) Council Recommendation on the 2020 National Reform Programme of Spain and delivering a Council opinion on the 2020 Stability Programme of Spain <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX-52020DC0509&from=EN>

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