

World Report 2024



Spain

Events of 2023

Several boats used by migrants are destroyed and taken to a location outside the port of La Restinga, Spain, November 10, 2023.

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The government's pushback policy and failure to offer legal routes to claim asylum at its borders continued to contribute to deaths at sea. Despite multiple calls for accountability, there was no credible investigation into the deaths of more than 20 African men on the Spanish-Moroccan land border in June 2022.

A botched reform of consent laws in 2022 led to controversial reductions in sentences and releases from prison of people convicted of sexual offenses.

The government also took positive steps, passing legislation to improve housing rights, simplify gender recognition procedures for transgender people, strengthen rights for LGBTI people, reduce obstacles to abortion care, and repeal the offense of sedition. A new government was sworn in at the end of November, following snap elections in July.

Although more than one-quarter of the population remained at risk of poverty or social exclusion, poverty rates fell marginally according to midyear data.

Migration and Asylum

The [United Nations refugee agency \(UNHCR\)](#) said that by early November, at least 45,575 people had arrived irregularly by sea to Spain, more than two-thirds to the Canary Islands, while 437 had arrived by land. Caminando Fronteras, a migrant rights group, [estimated](#) that 951 people, including [49 children](#), died trying to cross by boat from Africa to Spain during the first half of the year, primarily on the Atlantic route.

At time of writing, there has been [no credible investigation, justice, or reparation](#) for the events of June 24, 2022, when at least 23 African men died while attempting to enter Spain's fenced enclave of Melilla from Morocco. In February, Spain and Morocco [announced](#) "intensified" cooperation on migration control. In March, the human rights ombudsperson said 470 pushbacks on June 24, 2022, were unlawful. In May, the commissioner for human rights of the Council of Europe (CoE) [called](#) for accountability for the deaths and noted the lack of legal routes to enter Spain's enclaves to request international protection. The commissioner called on Spain to ensure that its cooperation with Morocco did not contribute to further abuses. In August, the UN Committee Against Torture [called](#) for an independent investigation into the June 2022 deaths and for measures to prevent the repetition of such events.

A [draft law](#), proposed in February to regularize the migration status of up to 470,000 people following a [nationwide petition campaign](#), was [shelved](#) in May.

The dysfunctional digital system for requesting appointments to make asylum and migration-related applications was largely replaced by a [clandestine market](#). In April, the human rights ombudsperson [criticized](#) authorities for failing to undertake necessary structural reforms. In June, more than 20 organizations jointly [lodged a complaint](#) with the European Commission arguing that the breakdown in the digital appointment system breached European Union law.

Poverty and Inequality

Official [data](#) published in June showed 26 percent of the population was "[at risk of poverty or social exclusion](#)" in 2022, with 7.7 percent facing "severe material or social deprivation." Although both rates fell from the previous year, about half of single-parent households, largely women-led, remained at risk of poverty and the risk among older people is rising. [Detailed analysis](#) showed southern regions were experiencing above average at-risk rates.

By August, [falling inflation](#), coupled with [government measures](#) to reduce energy taxes, cap gas prices, and extend a moratorium on utility cutoffs to households considered "socially or economically vulnerable" seemed to alleviate some of the pressure on low-income households.

In January, the human rights ombudsperson [called](#) on authorities to fix a breakdown in the system for requesting social security office appointments, noting the specific impact on unemployed people, people awaiting disability assessments, and older people. In [March](#) and [May](#), Civio journalists documented a near-complete paralysis of the online system.

In May, the government passed a [new housing law](#) to increase public housing provision, introduce clearer private rent increase limits, strengthen tenants' rights, and improve safeguards against "open evictions," in which the occupier is not told the enforcement date. Some housing rights activists [welcomed](#) the law's emphasis on a [right to housing](#), while others [were critical](#) of the law's [failure to include](#) the full set of international human rights law protections against forced evictions or any mention of mortgage-holding owner-occupiers and of its [insufficient targets](#) for new public housing.

In June, the government [extended](#) to the end of the year a moratorium on evicting people who could demonstrate "social and economic vulnerability" but [lifted the bar](#) on increasing rents on privately rented homes, with [some exceptions](#).

[In what the human rights ombudsperson called a "humanitarian emergency,"](#) at time of writing, authorities had not restored electricity to an estimated 4,500 people, including 1,800 children, in the

Cañada Real informal settlement near Madrid, despite a recommendation for [immediate measures](#) from the European Committee of Social Rights in October 2022.

Gender-Based Violence, Including Sexual Abuse

By [September](#), 1,205 people convicted of sexual offenses had their sentences reduced and 121 had been released as a result of a loophole in 2022 [legislation](#) on rape and sexual consent. In April, the prime minister [apologized publicly](#) for these “undesired effects.”

As of mid-October, official sources [confirmed](#) that 51 women had been killed in gender-based violence during the year.

The human rights ombudsperson’s [reported](#) in March that it had collected 445 survivor accounts in its ongoing investigation into clerical sexual abuse. In June, bishops at the [Spanish Episcopal Conference acknowledged](#) they were aware of the sexual abuse of 927 children in church institutions or activities between 1945 and 2022. [Investigations](#) by the newspaper *El País* suggested this was an underestimate and that payment of [reparations](#) to victims was slow.

Prosecutors [filed sexual assault charges](#) in September against the then-football federation president—who subsequently [resigned](#)—for kissing a player without her consent after Spain’s team won the Women’s World Cup. Women players have [long demanded](#) systemic changes to protect and respect their rights, pay them the same as men, and remove abusive coaches and officials from their workplace.

The International Labour Organization Violence and Harassment Convention (C190) came into force in Spain in May.

Right to Health

In February, the UN Committee on the Elimination of Discrimination Against Women [said Spanish health authorities](#) violated a woman’s rights in 2009 when they performed a cesarean section delivery without her consent. The committee recommended state reparations, systematic improvements to training on informed consent and gender-based violence in reproductive health contexts, and better access to remedies for victims of obstetric violence.

Legal [reforms](#) passed in February removed obstacles to abortion care, such as a three-day waiting period and parental consent for girls aged 16 and 17, and limited the right of health professionals to declare “conscientious objection.” The CoE commissioner for human rights acknowledged these advances but [noted](#) that some regions still had no abortion care in public hospitals. In July, the Constitutional Court [ruled](#) that public health authorities in Murcia violated a woman’s rights when they failed to ensure her access to public abortion services, directing her instead to private services some 400 kilometers away in Madrid.

Government [data](#) attributed more than 3,000 deaths to extreme heat between June and September. In July, the Spanish government [established](#) a Health and Climate Change Observatory to study the health impacts of the climate crisis and improve emergency systems.

Sexual Orientation and Gender Identity

In February, parliament passed a [new law](#) creating a gender recognition procedure for transgender people based on self-determination without discriminatory medical diagnosis and treatment. The law also expanded access to assisted reproductive techniques, strengthened sexuality education, banned medically unnecessary surgeries for intersex children, and instituted parental recognition for unmarried same-sex couples.

Discrimination and Intolerance

In July, the Interior Minister [published data](#) showing that law enforcement had investigated 1,869 hate crimes during 2022, a minor increase over 2021; almost half of the crimes had a racist or xenophobic motive, and one-quarter related to sexual orientation or gender identity.

In July, the government [approved](#) an action plan against hate crimes. The Interior Ministry [issued](#) guidelines on suspending sporting events in response to racist or xenophobic conduct after instances of [racist abuse](#) during football games in the first half of the year. NGOs and civil society groups [criticized delays](#) in creating an Independent Authority for Equal Treatment and Non-Discrimination, promised in a 2022 equality law.

Rule of Law

In its yearly *Rule of Law Report*, the European Commission [criticized](#) Spain's lack of progress on renewing appointments to the Council of the Judiciary and making needed changes to the appointment process for members and its failure to undertake structural reform to ensure a genuinely independent prosecutor general.

Both the European Commission and the CoE commissioner for human rights [noted](#) the lack of progress in reforming a restrictive 2015 public security law that limits the freedoms of assembly and expression, including the work of journalists.

In August, the UN Committee Against Torture [recommended](#) that Spain revise its definition of torture to comply with the Convention against Torture and also called for the abolition of incommunicado detention and an end to summary returns and migration pushbacks.

In September, for the first time, a judge [ruled](#) that a lawsuit alleging [torture and crimes against humanity](#) during the Francoist dictatorship was admissible. Previously, such lawsuits were blocked by a 1977 amnesty law, the reach of which was limited by passage of the 2022 [Democratic Memory Law](#).

After a [criminal code reform entered into force](#) in January, an investigating judge [dropped sedition charges](#) against five pro-independence Catalan politicians for their actions during the disputed 2017 independence referendum but [maintained](#) misappropriation charges against three. In February, the Supreme Court lifted previously imposed bans on holding public office on four pro-independence Catalan politicians and one civil society activist but maintained the bans on [four other pro-independence politicians](#).

In July, the judge investigating the use of Pegasus spyware in 2020-2021 to hack the phones of senior government ministers [dropped the investigation](#), citing a lack of cooperation from authorities in Israel, where the spyware