

**Futuro en Común's brief document to submit to UN Special Rapporteur on Extreme Poverty and Human Rights Team**

**1) NATURE OF POVERTY AND INEQUALITY IN SPAIN.<sup>1</sup>**

*People disproportionately Impacted by them (focused on impact on their human rights -civil, political and also social, economic and cultural rights). Impact of environmental issues and **current discriminatory legal factors** on poverty and inequality and discriminations.*

**The structural dimension of poverty and inequality**

Spain faces a huge challenge in terms of reducing inequality, poverty and exclusion. Despite the macroeconomic end of the crisis, recovery is not reaching all people equally. There are structural barriers that avoid it. Data is very clear: after a 17% growth in the Gross Domestic Product of the Spanish economy between 2014 and 2018, the reduction of extreme poverty has barely been 0'7% (EAPN Spain Report). The extension (and chronicity) of poverty can be linked to a persistent inequality rate (the Gini coefficient was 32.9 when crisis started in 2009, after an expansive and growing period of the Spanish economy, 33.2 in 2018), were 20% of the population with the highest income level multiplied by 6 or 7 times the income of the 20% with the lowest income level. This resulted in a profound social polarization, with the pauperisation of middle classes and the uplift of the new wealthy classes. In 2019 (EAPN), while 2.6 million people live in "extreme poverty" (less than 355 euro/month for a single-person household) and 4.3 million people live in "severe poverty"\* (less than 473 euro/month for a single-person household), more than 800,000 new millionaires were added.

According to other multidimensional approaches to the measurement and analysis of social exclusion, there exists a particularly worrying reality of 1.8 million people who accumulate a certain amount of difficulties that places them outside of society. They are the group plagued with inequality and precariousness in its various forms: lack of access to housing, insecure and inadequate housing, persistent unemployment, instability and and extreme precarious employment, lack of access to citizenship rights and its invisibility to political parties. They are only being able to survive on a day-to-day basis and to whom protection mechanisms are probably no longer effective (Cáritas-FOESSA Report, 2019).

This reality is the result of an **economic and social model unable to resolve inequality, to guarantee the protection of people's social rights and to leave no one behind**. A model unable to solve the structural problems that affect the labor market - in the form of unemployment, temporary employment, high accident rates, precariousness, wage gap between women and men, sexual division of labor or inability to attend to people in a situation of vulnerability, among other phenomena— and who are not compensated for by a social protection system capable of acting as a network for the protection of people or, failing that, by a social investment sufficient to co- regulate the starting inequalities that affect women, children, and other sectors of the population.

---

<sup>1</sup> Data sources not referenced in this document can be consulted in:  
<https://futuroencomun.net/wp-content/uploads/2019/11/informe-clavesagenda2030.pdf>  
<https://www.sdgwatcheurope.org/wp-content/uploads/2019/06/FALLING-THROUGH-THE-CRACKS-JUNE-2019.pdf>  
 (pag42)  
<https://futuroencomun.net/informe-de-la-agenda-2030-una-mirada-desde-la-sociedad-civil/>

## The figures

### Income and poverty

Ranked sixth most unequal country in Europe, with a GINI coefficient of 33.2 in 2018 Spain is experiencing increasing rates of inequality, poverty and exclusion. Since the 2008 economic crisis, the rate of people at risk of poverty and exclusion (AROPE) has risen by over 2,3 pp to 26.1% and the overall number of people in AROPE grew from 11 to 12.2 million. In 2019, 55% of households have difficulties making ends meet. There are 570,000 households (more than 1 million individuals) without any income. Thus, poverty and social exclusion constitute the most widespread violation of human rights in Spain. In 2017, 70% of households had seen no benefit from economic recovery, with this figure rising to 91% for households already below the poverty threshold. Third of all children are affected, two thirds in the case of those with non-Spanish parents, half of all single-parent households, three out of four Roma households, one out of three persons with disabilities and more than half of non-EU foreigners.

**Spain's labour market is unstable**, disadvantaging women and young people especially, with a high rate of involuntary temporary and partial work.

*Royal Decree-Law 3/2012* approved a labor reform in Spain that, with the permissiveness of precariousness in hiring and dismissal, and the weakening of collective bargaining as the main characteristics, has allowed the generation of economic growth at the expense of the precariousness that ravages the labor market.

The unemployment figures of the Spanish population under 25 are the second highest in the EU, only behind Greece.

In the case of women, in addition to the precariousness of current jobs, we must add the specific discrimination they suffer in the workplace. Lacras such as the wage gap, glass ceilings (which prevent women from reaching positions of responsibility), precariousness (especially acute in the sectors that women have traditionally occupied), or a *differentiated labor regime for domestic workers* (which subtracts rights with respect to the general regime) undermine the quality of female employment and women labor rights.

Wages have lost weight in the National Income. Specifically, its share of national income has fallen from 50.14% in 2008 to 47.27% last year. Social security payments (including unemployment) are inadequate and do not reach those whom they are supposed to benefit: during 2017 more than 100 people died every day without having received the assistance to which they were entitled. Rates of child support are almost half of the European average. Spain lags behind on pensions and on minimum income.

### In-work poverty

The most relevant of the current behavior of the labor market in Spain is that job creation has become insufficient as guarantor of poverty reduction and inequality in society. Even for those homes where one of its members found a job, this has not meant a guarantee of their living conditions will improve significantly. Currently, 16% of all workers in Spain are at risk of poverty or exclusion, affecting greater intensity to homes where there are children. The precarious employment that reflects these figures is a consequence of the low wages of the labor market (with almost half of the employed persons in the country charging less than 1,000 euros per month), the temporality of the contracts, administrative irregularities and the strong weakening of collective bargaining

**Gender** The gender wage gap is calculated at 12.7 (2018). Single parent households – 83% of which are headed by women – are those most likely to experience poverty. Currently, more women than men are unemployed (15.92% and 12.17%) and in AROPE (27% and 25.1%). Women with single-parent households face a 50% AROPE rate. The poverty rate among women over 65 is higher than among men and 87.7% of widow's pensions do not reach 1,000 euros.

Gender violence is widespread and, despite improvements in recent years, there is insufficient recognition of the issue on the part of government. Between 2003 and 2018, 937 women were murdered by partners and ex-partners. 12.5% of women reported having experienced physical or sexual violence during their lifetimes. Between 2016 and March 2019 in Spain, 104 have recorded multiple sexual assaults, more than 111 women, 36% minors, by 356 sexual aggressors, 87 of them

(24.4%) minors. Only 9 of the 17 Autonomous Communities have specialized care centers for victims of sexual violence, which are not sufficient, accessible, or appropriate, as established in art. 25 of the Istanbul Convention. Of every 100 women who filed a complaint between 2015 and 2017, for different reasons, 79 do not achieved the protection of justice through a conviction. *The justice system does not do enough* to protect female victims of sexual violence and deters migrant women from reporting violence with the threat of expulsion.

**Education and health.** Spain's school drop-out rate of 17,9 % (2018) is the third highest in the EU. Children from non-EU, Roma and poorer Spanish families have the highest drop-out rates. The low levels of financing of education system in Spain does not guarantee the right to a quality education to all children, being those who are in a worst economic situation, who suffer most the lack of investment: Spain invests in scholarships 0.17% of GDP, whereas the European average is 0.44%, and they are not focused on most vulnerable children (25% of students in the lowest income quintile, despite meeting financial requirements, do not receive scholarships). On the other hand, children from poorer families do not have general access to 0-3 education (26.3% of schooling), and it is mostly the middle and upper classes that enter this stage of education (62.5% of schooling).

Migrants without residency lost the right to treatment in the public health system in 2012, and though the situation was partially reversed by a legislative modification in 2018, it still needs the approval of a regulation to fully enter into force.

**Housing.** There are no guarantees of universal access to essential services, including the Human Right to housing. Spain is one of the OECD countries where people allocate a higher part of their income to payment for housing. In 2016, 9.8% of people had difficulties with mortgage payments or rent. Energy poverty and evictions remain high (According to the National Strategy against Energy Poverty 2019-2024, energy poverty affects between 3.5 and 8.1 million citizens in Spain), sub-standard housing is common and the number of homeless people is on the rise. The *State Housing Plan 2018-2021*, is not an effective tool to ensure the right to decent housing, not aimed at prioritizing social rent and rehabilitation. UN Committee on Economic, Social and Cultural Rights has issued several decisions establishing Spain has violated the Right to Housing.

**Environment** In 2016 72.3% of all energy was derived from imported fossil fuels, with only 17.3% of primary energy coming from renewable sources. Misuse of irrigation systems, hydroelectric dams and habitat destruction have adversely affected water quality. In 2016, 43% of rivers and wetlands and 44% of Spanish aquifers were in bad condition. Spain is the heaviest user of agrochemicals in the EU. 59% of agricultural land has less than acceptable content of organic matter.

**Civil liberties** The so-called '*Gag Law*' of 2015 is threatening freedom of peaceful assembly, expression and information, and is leading to the criminalisation of the poor in public spaces, affecting sex workers, street traders and homeless people. In 18 months alone the law was used to impose 25,000 penalties.

**Migrants** victims of human trafficking are seen first and foremost as illegal migrants. Finding and protecting them should not be seen as an issue for migration control but should be handled by a specialist body. A *comprehensive law against Human Trafficking* is needed to place victims at the center and guarantees a comprehensive approach based on human rights, with a clear perspective on gender, childhood and interculturality.

Migrants' rights are violated before and after they arrive in Spain, they are mistreated by officialdom and experience harsh detention regimes and delays in the handling of applications for asylum. *The "immediate returns" policy and collective expulsions in Ceuta and Melilla* make it impossible to identify people seeking protection and intensify the difficulties faced by unaccompanied minors for whom there are no special safeguards. 400,000 people and their families are held in reception centres waiting for decisions on their nationality approval on the basis of their residency.

## 2030 AGENDA IN SPAIN: THE ROADMAP TOWARDS TRANSFORMATION. FeC's PROPOSALS

To face the challenges presented, Futuro en Común has adopted the 2030 Agenda for sustainable development as its advocacy framework, with the aim of contributing to an SDG transformative implementation.

Despite the advances in the last legislature, especially in the design and approval of governance structures of the Agenda (but without it being launched yet) and the dialogue between the Government and all the stakeholders involved, the implementation of the **2030 Agenda in Spain still does not lead to relevant structural transformations.**

A reflection on our development model must be rigorously addressed. Spain does not yet have a national strategy for the implementation of the 2030 Agenda that establishes the transformative horizon for our country and the proper way to measure progress towards it. We believe that the implementation of a participatory and consensus-building process to elaborate the **Sustainable Development Strategy** may be the opportunity to face the systemic issues and structural economic, social and environmental obstacles to move towards a more inclusive, sustainable and egalitarian society

Besides facing structural causes, the **2020-2030 National Strategy** for Sustainable Development should be a framework for coherent policies which will accelerate the transformation. **Policy coherence** is a must to achieve the SDG and it is a field in which Spain has great challenges without hardly any progress since the approval of the 2030 Agenda. The National Strategy should define a specific policy coherence mechanism that is operational and at the service of government management at the highest level, to ensure the coherence of all political decisions, at the state and international level, with the principles of sustainable development as well as international human rights, gender equality and environmental protection obligations, avoiding negative impacts on the lives of people outside our borders and in global public goods.

Commitment and action for structural model changes are needed. Also policies and public investment that should address the deep causes of problems:

- A. Changes in the economic model and the labor market, tackling **structural reforms in the labour and tax fields** so that they enable both an improvement in job quality and an increase in the public resources available for social expenditure in a gradual way.
- B. **Strengthen social protection** through a minimum income guarantee system configured as a subjective right compatible with labour income and sufficient in quantity to guarantee a decent minimum amount, and through a universal provision per dependent child, as well as more resources for the Dependency Law.
- C. **Promotion of social housing** of permanent public ownership and always of rent for households and individuals without stable incomes or with incomes below the established minimum, and reform of the eviction procedure established in the Civil Procedure Act for enhanced protection of vulnerable households in application of the CESCR Committee's recommendations.
- D. Energy poverty: design and implementation of a new protection mechanism that enables the detection and automatic granting of protection and that extends its coverage, while improving transparency and regulation of the energy sector, including the price shaping system.
- E. **Approval of a Climate Change and Energy Transition Law** as well as other regulatory frameworks and policies aimed at ensuring a fair transition to a clean energy economy that leaves no one behind.
- F. **Increase public investment** and momentum of legal reforms to ensure universal access to health, decent housing and quality and inclusive education for all.
- G. **Raising the minimum wage to 60% of the average wage**, as stated in the European Social Charter

- H. Develop **policies against any violence** that threatens human security and deepens democratic civic spaces.
- I. Reform the **Comprehensive Law against Gender-Based Violence** adapting it to the Istanbul Convention.
- J. Adopt a **Comprehensive Law on Violence against Childhood**;
- K. **Modify the Aliens Act-LOEX** to prevent the type of irregular immigration that has occurred, that increases migrants' vulnerability to labour exploitation and social exclusion, as well as to guarantee health care and children's rights for all;
- L. **Reform the Gag Law** to guarantee a safe civil public space for citizen participation;
- M. Adopt a **Comprehensive Law against Human Trafficking**.