

Spain

WBL 2.0 legal frameworks score	WBL 2.0 supportive frameworks score	WBL 2.0 expert opinions score
90.0	82.5	81.3

Women, Business and the Law 2024 (WBL 2024) identifies barriers for women’s economic empowerment in three areas: women’s legal rights, policy instruments designed to support the implementation of these rights, and how these rights are realized in practice. For that purpose, three new *Women, Business and the Law 2.0* indexes are presented for ten indicators: (1) legal frameworks, (2) supportive frameworks, and (3) expert opinions. For the WBL 2.0 legal frameworks index, 40 questions are scored across the ten indicators for 190 economies. For the WBL 2.0 supportive frameworks index, 30 questions are scored across the ten indicators for 190 economies. Overall economy level legal and supportive frameworks scores are then calculated by taking the average of each indicator, with 100 representing the highest possible score. The WBL 2.0 expert opinions index is created for a total of 164 economies. Expert opinion scores are not available for 26 economies due to an insufficient number of responses received from those economies during data collection. Individual responses at the economy level for 15 expert opinions questions across the ten indicators are scored by taking the median value of all responses per question. The economy level expert opinions index is equal to the simple unweighted average of the ten indicator scores.

For Spain, data refer to the legal frameworks, supportive frameworks, and expert opinions that are applicable to the main business city (Madrid). The scores for Spain are shown in the table below.

Women, Business and the Law 2024 2.0 indicator scores

										
WBL 2.0	Safety	Mobility	Workplace	Pay	Marriage	Parenthood	Childcare	Entrepreneurship	Assets	Pension
Legal frameworks score	50.0	100.0	100.0	100.0	100.0	100.0	75.0	75.0	100.0	100.0
Supportive frameworks score	75.0	100.0	66.7	100.0	100.0	100.0	50.0	100.0	33.3	100.0
Expert opinions score	50.0	100.0	75.0	62.5	100.0	100.0	50.0	100.0	100.0	75.0

In summary, the **WBL 2.0 legal frameworks score** for Spain (90.0 out of 100.0) is higher than the global average (64.2) and higher than the High income: OECD regional average (84.9). When it comes to constraints on freedom of movement, laws affecting women's decisions to work, laws affecting women's pay, constraints related to marriage, laws affecting women's work after having children, laws affecting women's property and inheritance and laws affecting the size of a woman's pension, Spain obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Spain is on the indicator measuring laws affecting women's safety. To improve on the Safety indicator, Spain may wish to consider putting in place legislation on domestic violence and introducing legislation on child marriage.

The **WBL 2.0 supportive frameworks score** for Spain (82.5 out of 100.0) is higher than the global average (39.5) and higher than the High income: OECD regional average (68.1). When it comes to supportive frameworks affecting freedom of movement, supportive frameworks affecting women's pay, supportive frameworks related to marriage, supportive frameworks affecting women's work after having children, supportive frameworks related to women starting and running a

business and supportive frameworks affecting the size of a woman's pension, Spain obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Spain is on the indicator measuring supportive frameworks affecting women's property and inheritance. To improve on the Assets indicator, Spain may wish to consider putting in place awareness measures to improve women's access to information about marital and inheritance rights and publishing anonymized sex-disaggregated data on property ownership on a regular basis.

The **WBL 2.0 expert opinions score** for Spain (81.3 out of 100.0) is higher than the global average (65.7) and lower than the High income: OECD regional average (82.9). When it comes to expert opinions on freedom of movement, expert opinions on marriage, expert opinions on women's work after having children, expert opinions on women starting and running a business and expert opinions on women's property and inheritance, Spain obtains a perfect score (100.0 out of 100.0). As an example, one of the lowest scores for Spain is on the indicator measuring expert opinions on women's safety.

WBL 2.0 legal frameworks data

QUESTION	ANSWER	LEGAL BASIS
Safety		
Does the law address child marriage?	No	No applicable provisions could be located
Does the law address sexual harassment?	Yes	Código Penal, Arts. 172 ter, 184 y 197; Ley Orgánica 3/2007 para la Igualdad Efectiva de Mujeres y Hombres, Arts. 10 y 48
Does the law address domestic violence?	No	No applicable provisions could be located
Does the law address femicide?	Yes	Código Penal, Art. 22(4)
Mobility		
Can a woman choose where to live in the same way as a man?	Yes	Código Civil, Art. 70
Can a woman travel internationally in the same way as a man?	Yes	Real Decreto 896/2003, Arts. 2(1) y 4
Can a woman travel outside her home in the same way as a man?	Yes	No restrictions could be located
Do a woman and a man have equal rights to confer citizenship on their spouses and their children?	Yes	Código Civil, Arts. 17(1a), 20(1b) y 22(2d)
Workplace		
Can a woman get a job in the same way as a man?	Yes	No restrictions could be located
Does the law explicitly prohibit discrimination in recruitment based on marital status, parental status, and age?	Yes	Real Decreto Legislativo 2/2015, Art. 17(1)
Does the law prohibit discrimination in employment based on gender?	Yes	Real Decreto Legislativo Núm. 2/2015, Arts. 4 y 17; Ley Orgánica Núm. 3/2007, Art. 5
Does the law allow employees to request flexible work?	Yes	Real Decreto Legislativo 2/2015, Art. 34(8)
Pay		
Does the law mandate equal remuneration for work of equal value?	Yes	Real Decreto Legislativo Núm. 2/2015, Art. 28; Real Decreto Núm. 902/2020, Art. 4
Can a woman work at night in the same way as a man?	Yes	No restrictions could be located
Can a woman work in a job deemed dangerous in the same way as a man?	Yes	No restrictions could be located
Can a woman work in an industrial job in the same way as a man?	Yes	No restrictions could be located
Marriage		
Is the law free of legal provisions that require a married woman to obey her husband?	Yes	Código Civil, Art. 66
Can a woman be "head of household" or "head of family" in the same way as a man?	Yes	No restrictions could be located
Can a woman obtain a judgment of divorce in the same way as a man?	Yes	Código Civil, Arts. 81 y 86
Does a woman have the same rights to remarry as a man?	Yes	Código Civil, Arts. 45-46
Parenthood		

Is paid leave of at least 14 weeks available to mothers?	Yes	Real Decreto Legislativo Núm. 2/2015, Art. 48
Are leave benefits for mothers paid solely by the government?	Yes	Real Decreto Legislativo Núm. 8/2015, Art. 179
Is paid leave available to fathers?	Yes	Real Decreto-Ley Núm. 6/2019, Arts. 2(18) y 3(4)
Is dismissal of pregnant workers prohibited?	Yes	Real Decreto Legislativo Núm. 2/2015, Art. 55
Childcare		
Does the law establish the provision of center-based childcare services?	Yes	Ley Orgánica 2/2006, de 3 de mayo, de Educación, Arts. 14-15 y 108; Decreto 18/2008, Art. 2
Does the law establish any form of support for families for childcare services?	Yes	Orden 349/2017, Art. 3; Orden 3657/2023; Decreto Legislativo 1/2010, Art. 11
Does the law establish any form of support for nonstate childcare providers?	Yes	Decreto 31/2019, de 9 de abril, Art. 3; Ley Orgánica 2/2006, de 3 de mayo, de Educación, Arts. 108-109
Does the law establish quality standards for the provision of center-based childcare services?	No	No applicable provisions could be located
Entrepreneurship		
Can a woman undertake entrepreneurial activities in the same way as a man?	Yes	Código Civil, Art. 66
Does the law prohibit discrimination in access to credit based on gender?	Yes	Ley Orgánica 3/2007 para la igualdad efectiva de mujeres y hombres, Art. 69
Does the law prescribe a gender quota for corporate boards?	No	No applicable provisions could be located
Does the law include gender-sensitive procurement provisions for public procurement processes?	Yes	Ley Para la Igualdad Efectiva de Mujeres y Hombres, Art. 33; Ley de Contratos del Sector Público, Arts. 1(3), 71, 145 y 147(2)(b)
Assets		
Do a woman and a man have equal administrative power and ownership rights to immovable property, including land?	Yes	Código Civil, Arts. 66, 350 y 1375-1377
Do sons and daughters have equal rights to inherit assets?	Yes	Código Civil, Arts. 807, 808 y 931
Do male and female surviving spouses have equal rights to inherit assets?	Yes	Código Civil, Art. 807
Does the law provide for the valuation of nonmonetary contributions?	Yes	Código Civil, Arts. 1316, 1344 y 1345
Pension		
Are the ages at which a woman and a man can retire with full pension benefits the same?	Yes	Real Decreto Legislativo Núm. 8/2015, Art. 205
Are the ages at which a woman and a man can retire with partial pension benefits the same?	Yes	Real Decreto Legislativo Núm. 8/2015, Art. 208
Is the mandatory retirement age for a woman and a man the same?	Yes	No applicable provisions could be located
Are periods of absence due to childcare accounted for in pension benefits?	Yes	Real Decreto Legislativo Núm. 8/2015, Arts. 6, 144(4), 165(3) y 237(1)

WBL 2.0 supportive frameworks data

QUESTION	ANSWER	SOURCE
Safety		
Has the government developed comprehensive mechanisms to address violence against women?	Yes	Protocolo para la prevención y actuación frente al acoso sexual y acoso por razón de sexo en el ámbito laboral (Manual de referencia, Ministerio de Igualdad, 2021); Government Delegation against Gender Violence
Are special procedures in place for cases of sexual harassment?	No	Insufficient evidence located
Is a government entity responsible for monitoring and implementing national services, plans and programs addressing violence against women?	Yes	Government Delegation Against Gender Violence
Is an annual budgetary allocation devoted to violence against women risk mitigation, prevention, and response programs?	Yes	Budget 2023
Mobility		

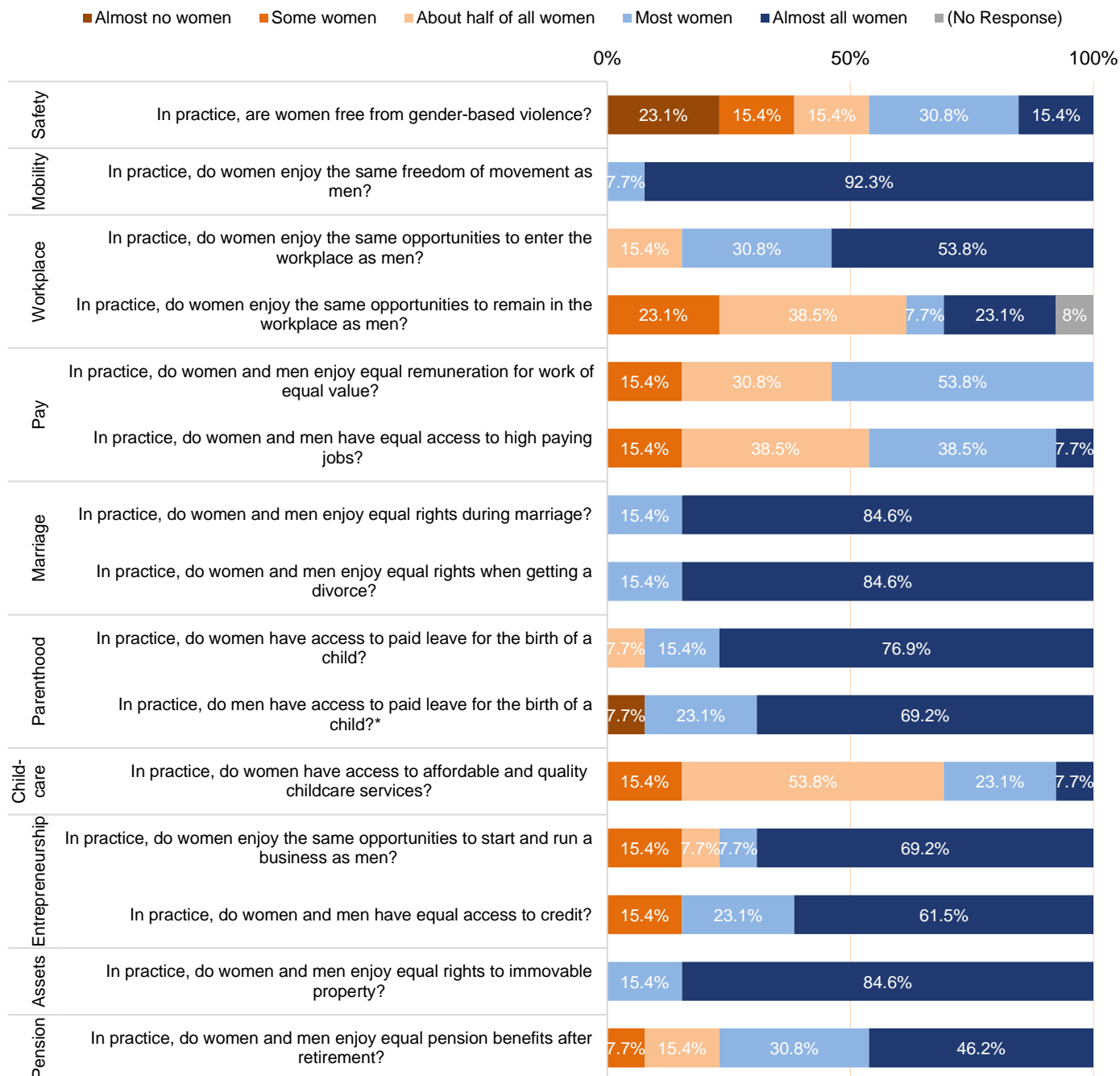


Are passport application processes the same for a woman and a man?	Yes	Passport application procedures
Are the application processes for official identity documents the same for a woman and a man?	Yes	ID application procedures
Does a current policy or plan explicitly consider the specific mobility needs of women in public transportation?	Yes	Estrategia de Movilidad Segura, Sostenible y Conectada 2030
Workplace		
Does a specialized body receive complaints about gender discrimination in employment?	Yes	Ley 16/1983 que crea el Instituto de la Mujer, Arts. 1 and 3.b
Has the government published guidelines on nondiscrimination based on gender in recruitment?	Yes	Guía para la elaboración de planes de igualdad en las empresas
Has the government published guidelines on flexible work arrangements?	No	Insufficient evidence located
Pay		
Are pay transparency measures or enforcement mechanisms in place to address the pay gap?	Yes	Ley Orgánica 3/2007, Art. 45.
Have sex-disaggregated data on employment in different industries or sectors been published?	Yes	Ministerio de Energía y Transición Ecológica
Marriage		
Is there a fast-track process or procedure for family law disputes?	Yes	Ley de Enjuiciamiento Civil, Art. 748 y 753
Are there specialized family courts?	Yes	Juzgados de Familia
Is legal aid available for family law disputes?	Yes	Comisión de Asistencia Jurídica Gratuita
Parenthood		
Is it possible to apply for maternity benefits through a single government application process?	Yes	Real Decreto Núm. 295/2009, Art. 14
Are incentives in place to encourage fathers to take paternity leave on the birth of a child?	Yes	Workers' Statute Law, Art. 55.5 a) and c)
Have sex-disaggregated data on unpaid care work been published?	Yes	Instituto Nacional de Estadística
Childcare		
Is there a publicly available registry or database of childcare providers?	Yes	Sitio Oficial del Gobierno de Madrid
Is there a clearly outlined application procedure to request financial support from the government for childcare services by parents?	Yes	Sitio Oficial del Gobierno de Madrid
Is there a clearly outlined application procedure to request financial support from the government for childcare services by nonstate childcare providers?	No	Insufficient evidence located
Has the government published any reports on the quality of childcare services?	No	Insufficient evidence located
Entrepreneurship		
Have sex-disaggregated data on business activities, entrepreneurship, or women-owned businesses been published?	Yes	Instituto Nacional de Estadística; Ministerio de Igualdad; Instituto de las Mujeres
Are government-led programs supporting female entrepreneurs providing access to finance and training, coaching, or business development?	Yes	Programa de Apoyo Empresarial a las Mujeres (PAEM)
Does a current national government plan or strategy focus on women's access to financial services?	Yes	Plan Estratégico para la Igualdad Efectiva de Mujeres y Hombres (2022-2025)
Assets		
Are mechanisms or incentives in place to encourage women to register immovable property (including joint titling)?	Yes	Reglamento Hipotecario, Art. 93(1); Plan Estratégico para la Igualdad Efectiva de Mujeres y Hombres 2022-2025, Instituto de la Mujeres (Ministerio de Igualdad)
Are awareness measures in place to improve women's access to information about marital and inheritance rights?	No	Insufficient evidence located
Have anonymized sex-disaggregated data on property ownership been published?	No	Insufficient evidence located
Pension		



Are incentives in place to increase women's retirement benefits?	Yes	Real Decreto Núm. 8/2015, Art. 60
Is a procedure in place for pension beneficiaries to challenge the decisions of the competent authority regarding their benefits?	Yes	Ley Núm. 36/2011, Art. 71

WBL 2.0 distribution of expert opinion responses



*Note: The response options for the second Parenthood question above are formatted as almost no men, some men, about half of all men, most men, almost all men.