



European network of legal experts in gender equality and non-discrimination

FLASH REPORT

Country:	Spain
Title:	Comprehensive Bill for Equal Treatment and Non-discrimination withdrawn
Date:	8 March 2019
Expert:	Lorenzo Cachón
Update of flash report nr:	090-ES-ND-2018-Comprehensive Equality Bill 2018 - overarching
<u>Context</u>	
Issue at stake:	The dissolution of Parliament and the announcement of early elections implies the withdrawal of the bill which contained a general reform of anti-discrimination legislation and the creation of an independent "Authority for equal treatment and non-discrimination"
Grounds of discrimination:	All grounds
Field of application:	All fields
Source:	Legislation

Content

Policy development: As previously reported in December 2018,¹ a comprehensive anti-discrimination bill was reintroduced in the Parliament (first introduced in 2011 and then withdrawn because of the early elections of 2012), with the aim of filling the existing gaps in anti-discrimination law in Spain. The bill showed three features: it provided guarantees for individuals as mechanisms to ensure the exercise of rights were introduced, the law was general as it was redressed deficiencies and imbalances in various fields and was comprehensive as it covered all grounds and fields.

The Report pointed out that "although the Bill seems to have enough support in Congress to be approved, we must not lose sight of the Government's parliamentary weakness (whose political group is only 84 of the 350 parliamentarians) and the possibility of early general elections due to the current political instability. In addition, the conservative Popular Party group has a majority in the Senate, which could also hinder the approval of the law".

On 13 February 2019, the Parliament rejected the draft General State Budget presented by the government of the nation. And as a result, on 4 March 2019, the president of the government has dissolved the Parliament and has called for general elections on 29 April 2019.

As a result, all bills have been withdrawn. And among them the Comprehensive Bill for Equal Treatment and Non-discrimination.

¹ See news report available at: <https://www.equalitylaw.eu/downloads/4773-spain-comprehensive-bill-for-equal-treatment-and-non-discrimination-pdf-308-kb>.

Key points of analysis: With this withdrawal of the Comprehensive Bill for Equal Treatment and Non-discrimination, the experience of 2012 is repeated. Then it was produced due to lack of time in the processing of the bill and the early dissolution of the Parliament. Now, however, it has occurred because the conservative parties (Partido Popular and Ciudadanos) that control the Parliament have prevented the bill from being voted in the Plenary in recent weeks.

Internet link source:

<https://www.boe.es/boe/dias/2019/03/05/pdfs/BOE-A-2019-3109.pdf>.