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# LAW FOR GENDER EQUALITY AND LIVES FREE OF MALE VIOLENCE AGAINST WOMEN: ACHIEVEMENTS AND CHALLENGES



BERDINTASUN, JUSTIZIA  
ETA GIZARTE POLITIKETAKO SAILA  
DEPARTAMENTO DE IGUALDAD,  
JUSTICIA Y POLÍTICAS SOCIALES



Herrri Ituna  
berdintasunaren eta  
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Pacto de país por  
la igualdad y  
vidas libres de  
violencia contra  
las mujeres.

**EMAKUNDE**  
Basque Institute for Women

# CONTENTS

## 1. INTRODUCTION

## 2. WHAT ARE THE KEY ASPECTS OF THIS LAW? ACHIEVEMENTS, CHALLENGES AND KEY DEVELOPMENTS

**Institutional architecture and measures for gender mainstreaming in the activities of Basque public authorities and government:**

- o *Equality bodies and facilitators*
- o *Coordination and funding*
- o *Statistics, studies and training*
- o *Plans, programmes and similar*

**Measures to promote equality in different areas of intervention:**

- o *Social and political engagement*
- o *Culture and media*
- o *Education*
- o *Employment*
- o *Work-life balance and shared responsibility*
- o *Other social rights*
- o *Male violence against women*
- o *Upholding the principle of equality and non-discrimination on the basis of gender*

## 3. LIST OF FOOTNOTES AND DATA SOURCES

# 1. INTRODUCTION



The Gender Equality Act, passed in 2005, was a groundbreaking piece of legislation that marked a turning point for equality policies in the Basque Country. It is a landmark moment in the history of the Basque Country in terms of equality-related legislation and represents one of the most important institutional developments since the creation of Emakunde in 1988. This law is directly aimed at public authorities and guides all stakeholders who wish to participate and contribute to a more equal and fairer Basque society for all people.

Since it was passed, it has been reviewed four times, making it possible to assess the progress that has been made, and to identify ongoing challenges and emerging issues.

Thanks to this, equality was defined as a social objective on the **political agenda** of public institutions, charting the way forward for each government agency and in different spheres of action related to organisation, structure, resources and mechanisms for action.

It is the framework for promoting and implementing equality policies. Among other things, it has fostered the creation of public bodies to promote equality, coordination between institutions, dedicated equality budgets and specialised equality staff in public administrations. In short, it is a legal framework that has added political weight to equality policies, as well as providing them with more resources and funding.

It represents a strong and essential legal instrument that has made it possible to shape equality policies. It has been useful for **organising the sector**, determining the competences and functions of each public authority, and for setting up bodies and adopting specific measures to ensure the practical and effective implementation of the right to equality.

With the introduction of this law, progress has also been made in the form of **further structural and cultural changes**, such as raising the visibility of women's role in society, the presence of women in participatory spaces or areas where they have been under-represented, and the empowerment of women on a personal, collective, social and political level. This has been made possible by a law that not only seeks to promote equality for individuals, but also seeks to take action on bodies that perpetuate inequality.

This year we are celebrating the first anniversary of **its second and most recent amendment, approved** in the Basque Parliament **on 3 March 2022**. This is the most significant amendment since it was first introduced almost 18 years ago, representing a further major step towards equality.

The latest amendment to the law not only broadened its scope, it completely overhauled it. It addresses the social and regulatory changes in recent decades that have brought us new challenges and it offers a more nuanced approach. As such, it broadens its underlying principles, including, among others, the principle of preventing and eradicating male violence against women, intersectionality, the right to the free development of sexual or gender identity and sexual orientation and bodily autonomy, male participation, internationalisation, engagement, innovation, transparency and accountability, and safeguarding linguistic rights and promoting the use of the Basque language.

Specifically, three quarters of the law's articles have been significantly changed and introduce new regulations which public institutions and other social actors will have to implement in order to make further progress. Many of the changes relate to measures in the areas of Violence, Care, Employment and Education.

This report aims to provide an overview of the main contributions and achievements made during the years of implementing our equality law, with a special focus on the changes and developments brought about by the latest amendment to the law.



**2. WHAT ARE THE KEY ASPECTS OF THIS LAW? ACHIEVEMENTS, CHALLENGES AND KEY DEVELOPMENTS**



## **INSTITUTIONAL ARCHITECTURE AND MEASURES FOR GENDER MAINSTREAMING IN THE ACTIVITIES OF BASQUE PUBLIC AUTHORITIES AND GOVERNMENT**

- EQUALITY BODIES AND FACILITATORS
- COORDINATION AND FUNDING
- STATISTICS, STUDIES AND TRAINING
- PLANS, PROGRAMMES AND SIMILAR

# • EQUALITY BODIES AND FACILITATORS

## What are the key aspects of the law? Why?

The law laid the foundations for the institutional architecture that has allowed equality policies to be rolled out in the Basque Country.

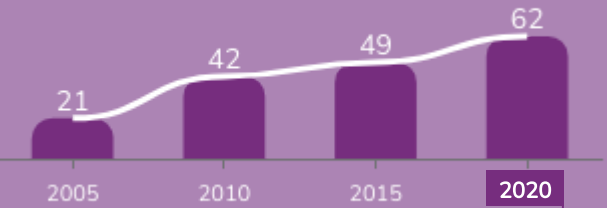
The equality units and their specialised technical staff are well established and are now a key lever for further progress.

## What has been achieved?

Currently, all Basque Government departments, a significant proportion of regional bodies and the three provincial councils have equality units. Furthermore, six out of ten Basque municipalities have permanent bodies to promote equality.

Over the last 15 years, the number of staff working in equality units in regional government has tripled.<sup>1</sup>

No. of people in equality units in regional government



15 departments  
9 autonomous agencies  
38 Emakunde

## What do the new regulations say?

The latest amendment further cements the commitment to dedicated equality bodies and to improving and standardising the basic minimum conditions for their functions and training, which will facilitate greater integration of these units in their institutions.

It is also aimed at those actors with the greatest scope for improvement in this area in order to create bodies that promote equality.

## Who are they primarily aimed at?

All regional bodies, public entities governed by private law, consortiums, foundations and companies under majority public ownership and with a headcount of more than 50 people.

# • COORDINATION AND FUNDING

## What are the key aspects of the law? Why?

The law has made it possible to create and consolidate permanent forums for inter-institutional coordination between all three levels of government, as well as spaces for internal coordination between departments or areas within the same institution.

It also underlines the importance of having dedicated resources to implement equality policies and stresses the need for gender mainstreaming in the planning and implementation of all resources.

Since it was approved, special emphasis has been placed on establishing criteria and procedures to design budgets that will help to eradicate gender inequalities, and to provide coherent and consistent information on investment in equality from the various public institutions.

## What has been achieved?

The Inter-institutional Committee and the Interdepartmental Committee, both of which have existed for more than fifteen years, are bodies created by law to enable institutions at different levels of government and with different competencies to adopt a shared vision, develop shared strategies and ensure consistent guidelines.

In addition, networks and other forums have been created for coordination and cooperation besides those established by the law itself. One example of this is Berdinsarea (the Basque network of municipalities for equality) and other areas and mechanisms for international cooperation with the EIGE, UN Women, UNFPA, UNDP, etc.

Tras 15 años de trabajo el Gobierno Vasco presenta anualmente su proyecto de presupuestos generales acompañado de un análisis cada vez más exhaustivo sobre su impacto en función del género y también de un informe elaborado por Emakunde.

Over this period, the public administration's budget allocated to equality bodies and organisations has increased by 157%, from 3,255,000 euros in 2004 to 8,297,256 euros in 2020, which represents 0.07% of the overall budget.<sup>2</sup>

This has been calculated based on the total sum of Emakunde's budget (€7,326,000) and the 22 positions held by technical equality staff at an estimated cost per unit of €44,148.

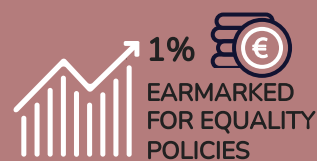


## What do the new regulations say?

The latest amendment to the law specifically calls on regional and local governments to organise interdepartmental coordination forums of this kind.

Furthermore, explicit reference is also made to cooperation, coordination and internationalisation for equality policies, with a view to gaining and sharing knowledge and resources as a means of tackling the universal problem of inequality between women and men in a globalised world.

The amendment to the law establishes minimum parameters for investment in equality by regional governments. This will lead to at least 1% of their budgets being earmarked for equality policies, with a target of 1.5% set for 2030.



## Who are they primarily aimed at?

Regional, provincial and local governments in the Basque Country. Emakunde.

# • STATISTICS, STUDIES AND TRAINING

## What are the key aspects of the law? Why?

The law has facilitated the development and consolidation of sex-disaggregated statistics. It has also promoted the development of gender-sensitive studies that have broadened knowledge about women's and men's specific inequalities, needs and interests.

Furthermore, it has promoted specialised training in equality for government employees. This has been a key factor in ensuring that the goal of achieving equality is embedded in all public policies.

## What has been achieved?

A clear example of gender-sensitive reports is the "Figures on the situation regarding women and men in the Basque Country", which Emakunde has been producing every year since 2005, with data on the circumstances of women and men in different social, economic and political spheres.



After the law came into force, Eustat intensified the work it had been carrying out to increase and improve knowledge of the situation of women and men in the Basque Country. It created a new section on its website devoted to equality and new statistical operations related to household production, work-life balance, violence and the gender equality index.

As of 2008, applicants for any position in the Basque Government whose duties include promoting and designing programmes and providing advice on equality issues must have completed at least one course on equality lasting for a minimum of 150 hours, provided by a university or by the public administration.<sup>3</sup>

The Basque Institute for Public Administration (IVAP) and Emakunde have been key drivers in the training of government staff. Moreover, almost all departments set aside funds for equality training. In 2020, a total of 37 training courses, sessions or seminars on gender equality were held in the departments, involving a total of 440 hours of training in which 786 people (33% men) participated. Regional bodies and public entities provided 586 hours of training with the participation of 1,099 people (55% men).<sup>4</sup>

## What do the new regulations say?

In order to build on this work, the amendment to the law advocates the creation of a Basque Observatory for gender equality within Emakunde.

It also envisages compulsory, progressive and ongoing basic training on equality for all public authority staff in the Basque Country and, in particular, for staff responsible for tackling gender-based violence. It also establishes the requirement to include gender mainstreaming in training that is not specific to gender equality.

## Who are they primarily aimed at?

All public authorities in the Basque Country.  
Emakunde.  
EUSTAT.  
IVAP.

# • PLANS, PROGRAMMES AND SIMILAR

## What are the key aspects of the law? Why?

The law has fostered a culture of equality planning and assessment as part of the wider approach of Basque public administrations.

It has also played an important role in ensuring that public authorities incorporate elements such as:

- Non-sexist use of language and images.
- Preliminary assessments of the gender impact of legislative output.
- The inclusion of equality criteria in contracts and grants.
- Equality clauses in selection processes for public sector employment access, provision and promotions.
- Clauses ensuring equal representation of women and men in the rules governing courts and juries.

## What has been achieved?

30 years after the approval of the 1st Affirmative Action Plan, the Regional Equality Plan provides the backbone for all other plans. Under this umbrella plan, all Basque Government departments, the three provincial councils and numerous local councils, associations of municipalities and groups currently have their own equality plans, which they update regularly.

Since 2005, the number of municipalities with an equality plan has almost quadrupled. 92% of the Basque population currently lives in a municipality with an equality plan.

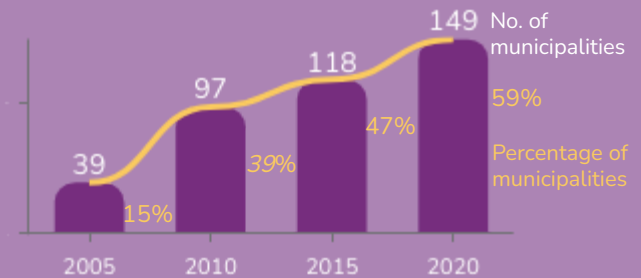
It is worth noting that these local plans usually include participatory mechanisms that promote dialogue between the government and women's associations and the women's rights movement.

Since the introduction of the law, there has been a greater number of entities and companies committed to equality that work in partnership with the public administration.

No. of Basque municipalities with an equality plan

*of the Basque population currently lives in a municipality with an equality plan*

92%



## What do the new regulations say?

The amendment of the law extends the obligation to have and implement equality plans to a wider range of actors.

It also contains new elements to improve equality planning tools and processes: it establishes the requirement to include gender mainstreaming and measures to promote equality and eradicate gender inequalities in sectoral and strategic plans, and to establish assessment indicators to measure the impact of these plans on the situations of women and men.

Furthermore, the amendment introduces mechanisms to reverse indirect discrimination in selection processes for access to employment and job promotions (the time spent on leave or leave of absence for care purposes or due to gender-based violence will be counted as professional experience, and the time and place of exams may be changed in the event of pregnancy, childbirth or nursing by female candidates).

It also stipulates that all public grants and contracts must include clauses for gender equality. It even states that companies that have received penalties or do not comply with legal equality obligations related to equality plans, transparency and equal pay, or the prevention of sexual or gender-based harassment will not be eligible to receive public contracts or grants.

## Who are they primarily aimed at?

All Basque public administrations. Basque Parliament, General Assemblies, Ararteko, Basque Court of Auditors and the University of the Basque Country. Consortiums, foundations and companies in which the Basque public institutions have a majority shareholding, with more than 50 people on their staff. Private companies 50 or more employees (as required by State legislation).



## TO PROMOTE EQUALITY IN DIFFERENT AREAS OF INTERVENTION:

- SOCIAL AND POLITICAL ENGAGEMENT
- CULTURE AND MEDIA
- EDUCATION
- EMPLOYMENT
- WORK-LIFE BALANCE AND SHARED RESPONSIBILITY
- OTHER SOCIAL RIGHTS
- MALE VIOLENCE AGAINST WOMEN
- UPHOLDING THE PRINCIPLE OF EQUALITY AND NON-DISCRIMINATION ON THE BASIS OF GENDER

# • SOCIAL AND POLITICAL ENGAGEMENT

## What are the key aspects of the law? Why?

The law has been a key instrument to promote women's empowerment and strengthen their social and political engagement.

It stipulated that at least 50% of the candidates in the elections to the Basque Parliament and the General Assemblies must be women.

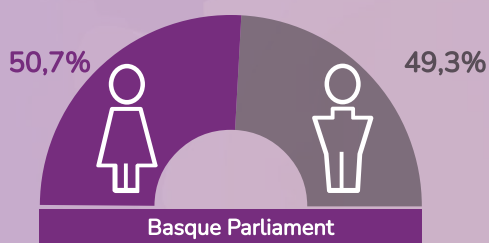
The law also establishes the principle of equal representation of women and men in the governing and steering bodies of the Basque public authorities and, within the scope of the law, it seeks to influence the decision-making bodies of private entities.

It also advocates promoting the participation of women in designing policies and decision-making by fostering and strengthening collaborative networks. To this end, the law has facilitated the creation of permanent exchange mechanisms between associations and institutions, such as the Equality Councils.

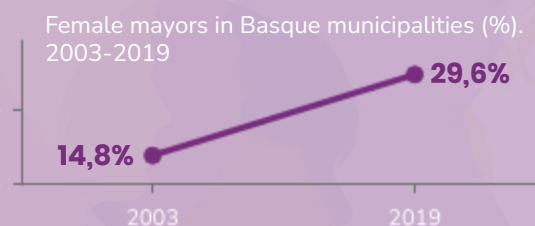
## What has been achieved?

The law initially led to an unprecedented quantitative leap in the inclusion of female candidates, elected representatives and members of parliament, which over time has resulted in equal representation of women and men in the highest legislative and executive bodies at regional, historical territory and municipal levels.

The current Basque Parliament has parity in its composition (50.7% women) thanks to the fact that the percentage of women has increased by 15.7% since the law was passed. Likewise, the percentage of female mayors in Basque municipalities has doubled in this period.<sup>5</sup>



The number of women in senior positions in the Basque Government has increased by 22 points and the number of women in leadership positions in the provincial councils has increased by 37 points in the last 20 years.<sup>6</sup>



Over the last 10 years, the number of women sitting on the boards of directors of financial institutions based in the Basque Country has almost doubled. Female participation in trade unions has also increased (by almost 7 points) and in Basque employers' organisations (by 8.6 points between 2015 and 2019). However, at present, women only account for 18% of board members in Basque employers' organisations.<sup>7</sup>

18% female board members in Basque employers' organisations



Outstanding contributions to empowerment and social and political engagement have been made by: Emakunde's Advisory Committee, which was set up in 1998 to act as a channel of communication between women's associations and the Institute; the Women's Clubs and Empowerment Schools that are gradually spreading across the Basque Country; and the Virginia Woolf Basqueskola programme has been running since 2012 to facilitate the recruitment and retention of women in senior public positions.

## What do the new regulations say?

The amendment to the law requires Basque public administrations to promote equal representation of women and men on the governing bodies of professional, business, social enterprise, trade union, political, cultural, etc., associations and organisations.

## Who are they primarily aimed at?

Regional, provincial and local governments in the Basque Country. Public and private entities (trade unions, companies, associations, foundations...).

# • CULTURE AND MEDIA

## What are the key aspects of the law? Why?

The Basque law identifies culture as a key area in which to promote equality, which in itself is worth highlighting.

It took the novel approach of envisaging the creation of a specific body to oversee advertising and media messages: the Begira Advisory Committee. In its earliest form, it established measures to encourage presenting a diverse image of both genders, to eradicate content and attitudes that present people as inferior or superior, or that trivialise or incite violence.

It is also committed to promoting measures to prevent discrimination and promote equal participation in cultural activities, and to guaranteeing equal treatment and opportunities in all sporting activities.

## What has been achieved?

Major strides have been made in developing analyses that have made it possible to start quantifying the inequalities existing in the realm of cultural production and creation. The Gender in Basque Museums and Art Centres project is one of the initiatives launched for this purpose.

In recent years, there has been a widespread increase in local plans, by-laws and other initiatives to promote non-discrimination in local popular festivals, often driven by women's associations. In order to disseminate these experiences, Emakunde published the study "Strategies for female participation in local festivals in the Basque Country" in 2021.

The promotion of equality in sport has been notable, in terms of increasing visibility, encouraging the participation of women and promoting minority sports.

Begira<sup>10</sup> has created spaces for discussion, the implementation of corrective measures and dialogue with the media.

This has helped to raise awareness and provide guidelines on the non-sexist use of language and images, and on presenting a diverse image of both genders.

Begira also provides an outlet for any complaints from the public on this issue.



## What do the new regulations say?

The law's new regulations aim to:

- promote the development and reconstruction of collective memory and memorialisation processes from a gender perspective;
- provide visibility for women's contributions to heritage and culture and to help to overcome gender prejudices;
- remove existing barriers to ensure equal access and use of information and communications technologies by women and men;
- ensure that there is no sexist content on the internet, social media and in video games.

## Who are they primarily aimed at?

Departments responsible for culture, sport and media at the three levels of government of the Basque Country. EITB (Basque Public Radio & Television). Begira. Actors in the cultural and sporting realms. The media.

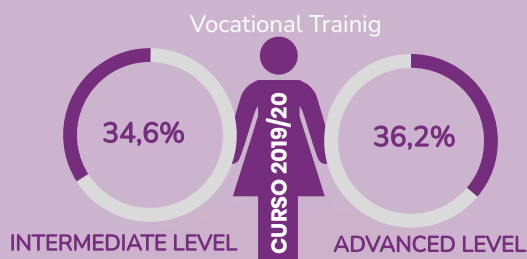
# • EDUCATION

## What are the key aspects of the law? Why?

From the outset, the law has been advocating a co-educational model based on the all-round development of the individual, without stereotypes or gender-based roles. It recognises schools as key socialising agents in supporting this transition and it sets out guidelines for both non-university and university education.

To this end, measures covering a variety of areas are set out in its articles: adapting curriculum content and teaching materials to educational goals; penalties for sexist materials that seriously violate human dignity; the inclusion of co-education specialists in educational bodies such as teacher support services and appraisal services; co-education training for teaching staff; and promoting gender equality in the different areas of university education.

## What has been achieved?



Although we are still far from reaching desirable levels, the educational pathway chosen by some students seems to be less constrained by gender stereotypes today than it was a few years ago. The figures for segregation by field of study in the Gender Equality Index have improved by four percentage points over the last six years.<sup>11</sup>

Two Co-education Plans have been approved which have helped the Basque education system to strengthen its support structures and resources for schools and have enabled them to improve the structuring of their own co-education plans and consolidate the role of the co-education director.

Segregation by field of study (domain of knowledge in the Gender Equality Index)



The percentage of women leading non-university education centres in the Basque Country rose from 57.7% in 2009 to 61.5% in 2013, and their presence in secondary schools has also increased.

The percentage of women among university teaching staff has increased by more than 11 percentage points in the last 15 years, from 35.2% in the 2004-2005 academic year to 46.6% in the 2019-2020 academic year.

Female research staff have also been gaining ground, despite the gaps between women and men in the most cutting-edge sectors.

Basque universities have introduced equality plans and have taken a marked preventive approach by implementing protocols for dealing with cases of sexual or gender-based abuse.

They are also a key driver of the long-term provision of specialised training for gender equality officers, which has become increasingly prevalent over the years: Master's Degree in Equality between Women and Men at the UPV, Master's Degree in Intervention in Cases of Violence against Women at the University of Deusto, Master's Degree in Feminist and Gender Studies at the UPV or the Doctorate Programme of the same name.

Presence of female teaching staff in universities in the last 15 years



# • EDUCATION

## What do the new regulations say?

The 2022 amendment supports the work being done on co-education in the classroom. It obliges the education authorities to draw up and implement co-education plans and all centres of learning to have co-education and equality officers with appropriate training among their teaching staff and in their highest representative bodies.

It also stipulates that the administration must ensure that the timetables and school calendars facilitate a good work-life balance for the parents of pupils. It will also promote shared responsibility of parents in the care of their children and their participation in the educational and associational life of schools.

The aim is to improve student course selection orientation programmes. The goal is to tackle the under-representation of women in certain key sectors of vocational training, as well as in areas such as industry, science and technology. However, it is also aimed at addressing the under-representation of men in areas such as the humanities, education and health.

It also emphasises respect for sexual diversity, addressing prejudices related to sexual orientation and identity and promoting free, positive and healthy sexuality, as well as comprehensive and systematic sex education, with age-appropriate methods.

Additionally, the administration will encourage the universities in the Basque University System to integrate gender mainstreaming in all disciplines and areas of knowledge. In particular, to include specific content on co-education in training for non-university educators and on equality and gender-based violence in degree courses for professionals who care for victims and in courses related to communication.

## Who are they primarily aimed at?

The department responsible for education in the Basque regional government.

Schools.

The Basque University System.

Other education stakeholders.

# • EMPLOYMENT

## ¿Qué destaca de la ley? ¿Por qué?

The law has been groundbreaking in the way it breaks with traditional concepts around work, addressing inequalities in the labour market, but also in domestic and care work, in the same section.

It highlights the sexual division of labour, recognising that the work done mainly by women is overlooked, undervalued and is not recognised from an economic standpoint. Thus, from the outset, the law included measures to highlight the value of unpaid domestic work.

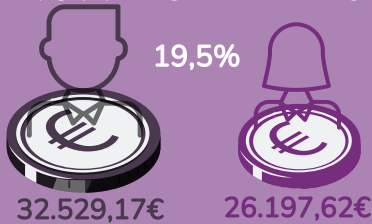
It is an ambitious law establishing measures aimed at addressing various problems such as eliminating gender discrimination in the workplace; promoting the participation of women in certain employment sectors; encouraging entrepreneurship initiatives promoted by women; promoting equality in companies; minimising pay discrimination; and combating sexual and gender-based harassment in the workplace.

## What has been achieved?

Thanks to the Domestic Work Satellite Account produced by EUSTAT, we know that as of 2018 the value of household production in the Basque Country was 27.7% of GDP.<sup>12</sup>



Pay gap (average annual earnings)



Although there is still a long way to go, significant progress has been made in recent years. The Pay Gap Index, measured according to inequalities in the labour market and the sharing of care, was around 19.5% in 2019, which is an improvement on 2010 when the gap was 23%.<sup>13</sup>

The fact that Lanbide has had an equality unit with its own budget for almost a decade has allowed it to implement numerous measures to ensure that gender mainstreaming is integrated into procedures involving the Basque Employment Service and has helped to promote greater equality of opportunity in women's access to paid employment. Further progress has also been made in the implementation of affirmative action criteria aimed at improving women's employability in an increasing number of employment support programmes and measures.

The law has enabled the creation of the Bai Sarea Network, led by Emakunde and composed of organisations committed to equality and working together to achieve this objective. Another groundbreaking initiative was the launch of Emakunde's approval process for consultancy firms to ensure that high-quality equality plans are implemented in companies.

## What do the new regulations say?

With a view to making further progress, the amendment to the law has further embedded affirmative action measures for recruiting women in sectors in which they are under-represented and which are more strategically important for the economy.

At the same time, it has put in place measures to improve employment conditions in professional sectors related to the provision of care services, in particular domestic services. The administration will also provide free legal advice and promote public employment mediation in order to prevent job insecurity and the violation of the rights of family domestic workers.

Furthermore, organisations that procure or receive grants from the public sector are required to adhere to the principles of transparency and equal pay.

Notably, the amendment urges the Basque public authorities to promote a shift towards an economic and social model that prioritises care and sustainability of life, by adapting employment structures and business cultures and practices.

## Who are they primarily aimed at?

Departments responsible for labour, employment or economic development at the three levels of government in the Basque Country.  
Trade unions.  
Companies.  
Third sector.  
Other economic and social actors..

# • WORK-LIFE BALANCE AND SHARED RESPONSIBILITY

## What are the key aspects of the law? Why?

The law has raised awareness of the need for work-life balance and co-responsibility from an overall perspective, with problems no longer deemed to affect just personal and family lives, but instead affecting the different members of the family, businesses and society as a whole.

From the outset, the law included measures aimed at improving work-life balance, as well as encouraging men to share in the responsibility of caregiving tasks.

To this end, it proposes adapting employment structures, creating and adapting social and community services and promoting economic benefits and tax measures.

## What has been achieved?

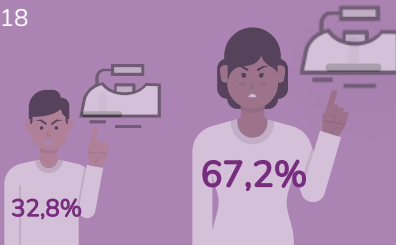
The figures show that even now women still do two thirds of domestic work within households<sup>14</sup> and the gap in terms of care leave remains significant (9 out of 10 people who take care leave are women).

However, the long-standing support provided for work-life balance and shared responsibility in the Basque Country has had a positive impact. Requests from men are increasing at a faster rate than those from women. More specifically, parental leave taken by women has increased by a factor of 2.5, while that taken by men has increased 7.3-fold over the last 15 years.<sup>15</sup>

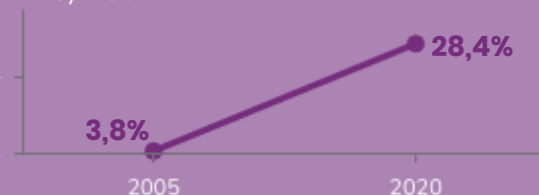
In recent years, the measures and financial support available have been improved and broadened, including, most recently, support to allow both parents to enjoy equal periods of contributory benefits for the birth and care of a child under the age of one.<sup>16</sup>

The roll-out of services (haurreskolak, school canteens, services and resources for dependants, etc.) has also been noteworthy. There has also been a large increase in initiatives related to positive parenting and networks of companies that are committed to shared social responsibility.

Domestic work undertaken. 2018



Childcare leave requested by men



## What do the new regulations say?

This approach has been stepped up since 2022 and aims to promote shared social responsibility for care through the dissemination of care ethics and practices, and the universal and public provision of care through affordable, flexible, high-quality and easy-to-access services.

It stipulates that public authorities must guarantee equal and non-transferable leave for their staff in the event of a birth, adoption or fostering for both parents and must encourage, within the scope of their powers, the provision of such leave in the private sector.

They must also ensure the right to respite for non-professional carers.

## Who are they primarily aimed at?

All public authorities in the Basque Country, in particular departments responsible for labour, employment and economic development at the three levels of government in the Basque Country.

# • OTHER SOCIAL RIGHTS

## What are the key aspects of the law? Why?

Our law also covers other social rights such as health, social inclusion, the environment and housing.

With regard to social inclusion, the provisions made in the law concerning poverty and social exclusion of women have enabled the Basque Social Services System to promote actions and services to support the social inclusion of women through the implementation of these regulations.

The existence of a specific article on the environment and housing has helped to focus attention on this issue, which had been overlooked or considered of secondary importance.

## What has been achieved?

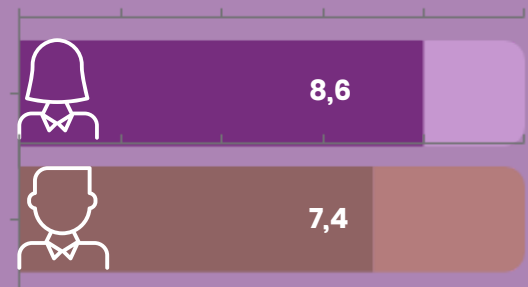
Since it was approved, there have been major advances in studies on diseases specific to women, and a subjective approach to health has gradually been adopted. Furthermore, within the Basque Social Services System, specific programmes have been launched to promote the inclusion of highly vulnerable women and support and respite resources for carers, who are mostly women.

However, the social inclusion of women remains a challenge; poverty still has a woman's face. The poverty rate of women is higher than that of men,<sup>17</sup> and 6 out of 10 people who receive income support are women.<sup>18</sup>

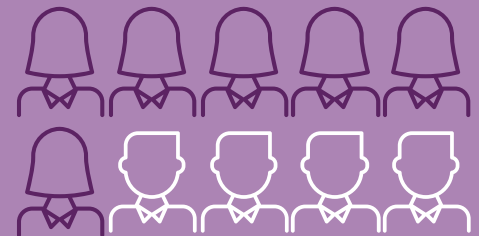
With regard to prostitution, a number of studies have been carried out in conjunction with associations that work with female prostitutes.

It has also helped to promote policies for mainstreaming equality in urban and land-use planning policies so that due consideration is given to women's needs in these areas and different approaches can be included in the analysis. There have also been studies and measures concerning urban mobility and equality, and it is becoming increasingly common to include a gender perspective in environmental studies.

Poverty rate



Recipients of income support



## What do the new regulations say?

The amendment to the law stresses the need to take steps to safeguard the welfare and social protection of highly vulnerable women. Among other issues it refers to:

- ensuring that maintenance and child support are paid;
- establishing supplementary allowances for the lowest widows' and widowers' pensions;
- providing personal assistance to mothers with disabilities;
- encouraging the participation of older women in political, economic, social and cultural spheres;
- promoting real and effective equality for foreign and migrant women and women of other nationalities, as well as for Roma women;
- addressing the circumstances, conditions and needs of women with disabilities, and for women in prisons, homeless women and women experiencing severe social exclusion;
- ensuring that there are suitable channels for the participation of women's associations that represent the interests of these groups.

## Who are they primarily aimed at?

Public authorities in the Basque Country.  
Third sector organisations.

# • MALE VIOLENCE AGAINST WOMEN

## What are the key aspects of the law? Why?

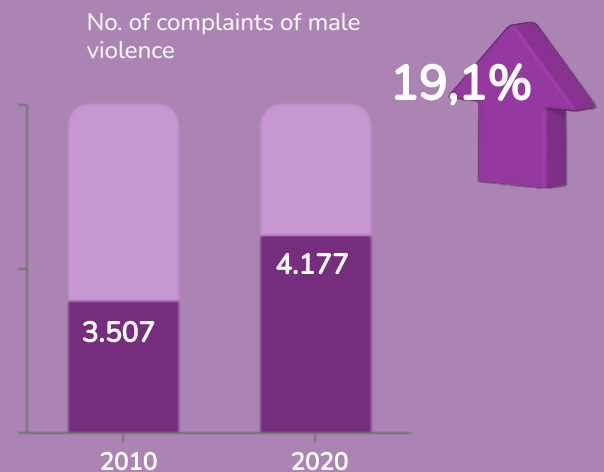
The law was groundbreaking at the outset because, in a single piece of legislation, it was able to reflect the structural nature of violence against women and how it is linked to inequality and discrimination.

It was consistent with the international guidelines at the time, which called for a holistic understanding of violence, and was also consistent with the current approach of further strengthening the response to violence within the framework of equality legislation.

The law highlights the complexity of violence, its manifold consequences and the need for a comprehensive institutional response through directives and measures aimed at different areas (health, education, justice, housing, social services, police, employment, etc.) and institutional levels. Notably, the need for inter-institutional coordination is set out in the regulations.

## What has been achieved?

There is growing awareness of violence against women in its many forms and an increasing number of women are turning to institutions for help. For example, in 2020 the Ertzaintza recorded a total of 4,177 complaints of male violence, 19.1% more than a decade ago.<sup>19</sup>



The amount of dedicated research on violence has grown exponentially and the data collection systems have improved. Regular assessments of resources, analyses of the incidence and prevalence of violence, etc. are carried out.

Significant preventive efforts have been made through long-standing programmes such as *Beldur Barik*, which is aimed at adolescents and young people. There have also been considerable efforts in training, through *Jabetuz*, a programme for the specialised training of professionals from all areas and systems involved in supporting victims of gender-based violence.

Especially noteworthy is the progress made in inter-institutional coordination for the care of victims. Prior to the current law, in 2001, the "1st inter-institutional agreement on support for female victims of domestic abuse and sexual aggression" was signed, a groundbreaking initiative both within and outside the Basque Country. The guidelines contained in it laid the foundations for the "2nd inter-institutional agreement to improve support for female victims of domestic abuse and sexual violence" in 2009 and also served as an essential benchmark and blueprint for all the local protocols that were rolled out throughout the country. Recently, in January 2023, the "3rd inter-institutional agreement for the coordination of support for victims of male violence against women in the Basque Country" was signed, having been adapted to the regulatory, social and political changes that have occurred in recent years.

# • MALE VIOLENCE AGAINST WOMEN

## What do the new regulations say?

The most significant changes made in the latest amendment to the Basque law are related to violence. It envisages bolstering economic, human and technical resources for the development of equality policies and measures to combat violence.

Since 2022, the support system for victims of all forms of gender-based violence (including, for example, genital mutilation or trafficking) has been extended. In addition, male violence is also that which is perpetrated against the people who support the victims, and against people in their close or intimate circle, especially against their children or other family members, with the intention of causing distress to the woman.

Furthermore, emphasis is placed on:

- Providing greater protection for children and adolescents, with care services that are tailored to their needs. The introduction of specific support for orphans of victims of gender-based violence is envisaged.
- It expressly states that intersectionality must underpin all actions and it sets out the need to adapt institutional responses to ensure comprehensive care for all victims, without overlooking those who are most vulnerable.
- Promoting comprehensive support for women regardless of whether or not they are involved in legal proceedings.
- Introducing police protection measures, even when the victim decides not to file a complaint, in addition to a specialised legal support service for victims.
- Establishing the need to ensure that there are ongoing campaigns and programmes aimed at the whole of society and especially at men and boys, as well as information campaigns and women's empowerment programmes.
- Enshrining the right to reparation for damages suffered by victims. Groundbreakingly, it provides for financial assistance or measures by the Basque Government in the event of non-payment of court-ordered compensation.

It also sets out measures to improve the system, such as:

- Compulsory training in equality for all Basque public authority employees involved in tackling gender-based violence. At the same time, forums for exchanges between professionals from different sectors to promote common learning and shared approaches.
- Integrated file management and the introduction of an electronic system for shared information on cases of the different forms of gender-based violence.
- Population-wide opinion surveys and regular assessments of the extent of the problem and the availability, accessibility and quality of existing resources.
- Updated screening protocols for professionals in the different systems, so that they act in a proactive and coordinated way to detect cases of violence and deal with them appropriately.

## Who are they primarily aimed at?

Emakunde.

Departments responsible for equality, education, housing, health, security, employment, justice and social policies at the three levels of government in the Basque Country.

# • UPHOLDING THE PRINCIPLE OF EQUALITY AND NON-DISCRIMINATION ON THE BASIS OF GENDER

## What are the key aspects of the law? Why?

Emakunde is responsible for defending citizens faced with discrimination on the basis of gender and for encouraging adherence to the principle of equal treatment of women and men in the Basque Country.

## What has been achieved?

This Service submits an annual report to the Basque Parliament detailing the progress made.

Since 2015, immediate advice has been provided on 1,722 occasions.<sup>20</sup>

## What do the new regulations say?

Following the latest amendment to the law, the functions and characteristics defined in the 2015 amendment remain unchanged.

## Who are they primarily aimed at?

Emakunde.



# 3. LIST OF FOOTNOTES AND DATA SOURCES



- [1] EMAKUNDE. Assessment of Law 4/2005 on Gender Equality in the Basque Country, 2020.
- [2] This has been calculated based on Emakunde's budget (€7,326,000) and the 22 positions held by technical equality staff at an estimated cost per unit of €44,148.
- [3] EMAKUNDE. Assessment of Law 4/2005 on Gender Equality in the Basque Country, 2020.  
[4] EMAKUNDE. Assessment of Law 4/2005 on Gender Equality in the Basque Country, 2020.
- [5] Gender report on local councils in the Basque Country. 2019.  
[6] EMAKUNDE. Assessment of Law 4/2005 on Gender Equality in the Basque Country, 2020.  
[7] EMAKUNDE. Assessment of Law 4/2005 on Gender Equality in the Basque Country, 2020.
- [8] <https://www.euskadi.eus/politicas-genero-museos-centros-de-arte/web01-a2kultur/es/>  
[9] EMAKUNDE. Strategies for female participation in local festivals in the Basque Country. [https://www.emakunde.euskadi.eus/contenidos/informacion/publicaciones\\_informes/es\\_emakunde/adjuntos/informe\\_46\\_participacion\\_mujeres\\_fiestas\\_cae.pdf](https://www.emakunde.euskadi.eus/contenidos/informacion/publicaciones_informes/es_emakunde/adjuntos/informe_46_participacion_mujeres_fiestas_cae.pdf)  
[10] <https://www.emakunde.euskadi.eus/advertising-communication/webema01-contentproyect/en/>
- [11] EUSTAT. (Basque Statistics Office). Gender Equality Index 2019.
- [12] EUSTAT. (Basque Statistics Office). Domestic Work Satellite Account 2018.  
[13] INE. (Spanish National Statistics Institute). Wage Structure Survey 2019.
- [14] EUSTAT. (Basque Statistics Office). Domestic Work Satellite Account 2018.  
[15] STATISTICS FROM THE MINISTRY OF EMPLOYMENT AND SOCIAL SECURITY. Preview of the Statistical Yearbook 2019.  
[16] EMAKUNDE. Assessment of Law 4/2005 on Gender Equality in the Basque Country, 2020.
- [17] DEPARTMENT OF EMPLOYMENT AND SOCIAL POLICY. Poverty and Social Inequalities Survey 2020.  
[18] LANBIDE. Recipients of Income Support by Historical Territories in 2021.
- [19] EMAKUNDE. Figures on the incidence of male violence against women in the Basque Country - 2020 figures.
- [20] EMAKUNDE. Assessment of Law 4/2005 on Gender Equality in the Basque Country, 2020.



Herri Ituna  
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Pacto de país por  
la igualdad y  
vidas libres de  
violencia contra  
las mujeres.