



SPAIN

ASYLUM

The Ministry of Interior [shared](#) that approximately 10% of all asylum applicants are LGBTI+, but the acceptance rate of their claims [dropped](#) from 16% to 10% between 2020 and 2021, as reported by KifKif.

BIAS-MOTIVATED SPEECH

Hate speech against LGBT people continued to be a serious issue (see cases [here](#) and [here](#)) and anti-trans rhetoric continued to gain more ground. Based on 7-8% of the overall population being LGBTI, 29% claimed to have suffered harassment, 27% suffered discrimination, and 8% verbal or physical attacks.

A study by a private consultancy [showed](#) that online hate grew 130% between 2019 and 2022. Another study by the Lambda collective found that most anti-LGBTI+ hate speech online [targets](#) trans people.

Hate speech from politicians also remained common (see [here](#) and [here](#)). Vox and the Popular Party (PP) continued to [threaten](#) the challenge the new trans law. Stickers were [posted](#) against the trans law in Tarragona, calling it homophobic. The Madrid College of Physicians [called](#) the law “barbaric”.

Because of divided opinions on trans rights and sex work, cities including Madrid, Santiago de Compostela and Gijon staged [opposing](#) Women’s Day marches.

Several perpetrators of anti-LGBTI+ hate speech were convicted this year (see [here](#), [here](#), [here](#), [here](#), [here](#), [here](#)). 13 organisations including NGOs and trade unions signed a [Social Pact against hate speech](#) calling for a national agreement protecting minorities from hate speech in the public sphere.

BIAS-MOTIVATED VIOLENCE

The Ministry of Interior [documented](#) 459 anti-LGBT hate crimes in 2022 (2021: 466), the second most common type after racist attacks. Another survey from the LGTBI+ State Federation showed that [8,6%](#) of LGBTI+ people have suffered aggression in the last five years. NGOs [continued](#) the awareness-raising campaign to ‘[Stop the Hate](#)’.

Coruña’s Observatory against LGBTI-phobia [published](#) its fifth annual report, [finding](#) a 17% decrease in cases in 2022 compared to 2021. The Observatory against Homophobia of Catalonia also documented fewer anti-LGBTI hate crimes in

the same period, but those were [more violent](#) than before. It also [found](#) a significant [increase](#) this year, 18% in the first half of 2023. Barcelona announced that it would [provide](#) free legal advice to victims of anti-LGBTI+ violence. The Non-Discrimination Office of Valencia is [putting](#) in place a hate crime documentation system.

Countless hate crimes took place again this year, all across Spain (see [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), [here](#), and [here](#)), including cases of [family violence](#) where parents mistreated their children for their SOGI. A trans woman was [murdered](#) in Barcelona in February.

A memorial for a popular trans icon was yet again [vandalised](#) in May in Madrid and rainbow flags were [torn](#) down again.

Several perpetrators of anti-LGBT hate crimes, including murder and sexual violence, were convicted this year (see [here](#), [here](#), [here](#), [here](#) and [here](#)).

BODILY INTEGRITY

Citing procedural reasons, in January Madrid’s government [closed](#) the second case against Elena Lorenzo for running her ‘Road to Heterosexuality’ course, i.e. a form of so-called ‘conversion practice’.

The [LGBTI law](#), which [includes](#) a ban on so-called ‘conversion practices’ and non-consensual surgeries performed on intersex children under the age of 12, was [adopted](#) in February.

EDUCATION

A 12-year-old trans boy [committed](#) suicide in Barcelona in February due to transphobic bullying in school. A 15-year-old trans girl [committed](#) suicide in Mallorca in June, in what could have been the consequence of transphobic bullying in school.

COGAM’s [study](#) found that 35% of students in Madrid have prejudices towards LGBTI classmates (2019: 15%). 7% of LGBT and 17% of trans students [suffered](#) insults. 42% of students would [prefer](#) if their partner was not bisexual.

Asturias [amended](#) its [protocol](#) against bullying to include sexual orientation and gender identity as protected grounds.

The new Family Law, adopted in March, [does not include](#) a ban on ‘parental veto’, which would have allowed parents to prevent their children from participating in school workshops that include content that goes against their beliefs or morals.



EMPLOYMENT

FELGTBI+'s study [found](#) that only one in ten LGBTI+ people were out to their superiors at work. 75% of LGBTI+ people believe they have less professional opportunities, [according](#) to a large study by a national trade union.

An employee was [fired](#) for subjecting a colleague to homophobic harassment.

A gay farmer [went](#) on hunger strike and [walked](#) over 100km for a meeting with the region's Minister of Agriculture after he was [denied](#) using the public pastures in his village and was targeted by homophobic slurs.

The new LGTBI law [sets out](#) that companies with over 50 workers will have to have LGTBI equality plans within a year.

EQUALITY AND NON-DISCRIMINATION

FELGTBI+'s study [found](#) that more than half of respondents hid their identity from their family. The Basque Youth Observatory [found](#) that 14% of LGBT youth (15-29) felt discriminated against on the basis of SOGI. 70% of LGBTI+ people and 82% of trans people in Palma have been [discriminated](#) against.

Valencia [adopted](#) its first Municipal Plan for Sexual and Gender Diversity (2023-2027), which among other things, envisions gender-neutral bathrooms and changing rooms. Castilla-La Mancha [introduced](#) the Comprehensive Care Service for LGTBI people in March.

In July, the Canary Islands agreed to [set up](#) a Consultative Committee for Social Equality and Non-Discrimination based on gender identity, gender expression and sex characteristics, to implement the regional LGTBI law adopted in 2021.

In November, Madrid [proposed regional amendments](#) to curtail the rights of its LGTBI population especially trans people, including allowing conversion practices for trans people. 30 organisations organised a protest that [gathered](#) 15,000 participants, according to organisers.

FAMILY

The LGTBI law, adopted in February, [allows](#) same-gender female couples to both be automatically recognised as parents, without having to be married and go through adoption.

The new Family Law, adopted in March, [recognises](#) and protects diverse family forms.

FREEDOM OF ASSEMBLY

An estimated record number of 1.5 million people (2022: 600,000) [joined](#) this year's Madrid Pride demonstration, which took place a few weeks before the general elections and with the motto '[For our rights, for our lives: with Pride](#)'.

Thousands joined [Madrid's Critical Pride](#) in late June to [speak](#) up against the far-right.

FREEDOM OF EXPRESSION

Legal rows over the display of rainbow flags [continued](#) this year. Vox council members requested that the flags be removed from public buildings in several regions (see [here](#), [here](#), [here](#), [here](#), and [here](#)). The Superior Court of Justice of Castilla y León [ruled](#) the flag should not be removed from the regional parliament's building or the [city council](#) of Valladolid. Madrid's Superior Court of Justice [ruled](#) against the flag.

Vox and ultra-conservative religious groups continued to wage a cultural war on LGBTI+-themed works, including plays, books, exhibitions and films (see [here](#) and [here](#)).

In A Coruña, ruled by the left party PSOE, the city council [has not flown the rainbow flag](#) in the last four years, despite this being requested every year by LGTBI+ organisations.

HEALTH

Spain [introduced](#) period- and abortion-related sick leave.

Vox [re-stated](#) its stance against minors' access to trans-specific healthcare. Madrid [announced](#) it would require an expert opinion from a psychologist before providing hormones to trans minors 16 and over.

The Balearic Islands [adopted](#) Spain's first healthcare protocol for intersex people. The newly elected regional conservative government has not established a timeline for its implementation.

The HIV Unit of the Hospital Clínic of Barcelona [spoke](#) about the vulnerability of trans migrants and sex workers to HIV. According to the Clínic, 87% of the trans population with HIV that the Clínic serves are Latin American women and 88% are sex workers.

Reporting [shared](#) that the University of Navarra Clínic (Opus Dei) classifies 'transsexuality' and 'homosexuality' as "disorder" or "deviation."



LEGAL GENDER RECOGNITION

In February, the Senate adopted the federal gender recognition law (the LGTBI law) which was given voted for in the Lower House in December 2022. UN High Commissioner for Human Rights and other UN experts, and the Commissioner for Human Rights of the Council of Europe praised the progressive legislation. The law, which entered into force on 1 March, sets out self-determination for those 16 or over, parental consent for those 14-15, and court authorisation for those aged 12-13. All applicants will however have to register their application, wait for up to three months, and then re-affirm their desire for LGR.

LGR will be accessible for asylum seekers and residents who come from countries where LGR is not available.

Non-binary recognition is not included. Nevertheless, the Superior Court of Justice of Andalusia ruled in May that the gender identity of a non-binary person, Andrea Speck, must be recognised in the European Citizenship Register of the Ministry of the Interior. Speck has German nationality and has had 'divers' as a gender marker in their German documents since 2019. Civil society welcomed the law, but are concerned about the remaining gaps for minors and non-binary people.

The media shared stories of the first trans people to change their legal gender on the basis of the new trans law.

Vox maintained its position against the trans law submitting an appeal to the Constitutional Court in May, claiming that the law was an "assault by gender ideology" that harmed minors (see more under Equality and Non-discrimination). The PP announced in April that they would do the same, presenting their appeal in June.

PARTICIPATION IN PUBLIC, CULTURAL AND POLITICAL LIFE

In June, trans activist Sandra Rodríguez Salas resigned as PSOE councillor in Granada due to "latent transphobia" in the party. Carla Antonelli, who left PSOE for Más Madrid, became the first trans senator in July. Municipal candidate Pilar Lima in Valencia was targeted by ableist and lesbophobic speech. A gay candidate in the municipal elections, Óscar Balcones, reported homophobic threats and hate messages.

Under Spain's new Sports Law, discrimination against LGBTI people in sports is prohibited. In May, however, the Spanish Basketball Federation refused to allow a trans player to participate in the second league. Valencia hosted a running

race, which featured a non-binary category for the first time. A goalie in the fourth football division came out with an affectionate kiss after a successful game. A famous flamenco singer also came out.

A production of the opera, Tosca in Seville received homophobic backlash for featuring a same-sex scene.

POLICE AND LAW ENFORCEMENT

Upon the request of Spain's Ombudsperson, the authorities shared that as of April this year, 79 trans people were held in prisons, but did not clarify what determined which gendered facilities they were placed in. Since 2006, Penitentiary Institutions allow trans convicts to be accommodated in prison according to their gender.

SEXUAL AND REPRODUCTIVE RIGHTS

The new abortion law, which allows people over 16 to interrupt their pregnancy without parental permission, entered into force on 1 March. The law also establishes the right to abortion at state clinics and provides for free contraceptives and the morning-after pill at state clinics. UN High Commissioner for Human Rights, Volker Türk, praised the progressive law. A clinic specialising in supporting trans people with fertility care opened in Valencia.

SOCIAL SECURITY AND SOCIAL PROTECTION

Catalonia published a guide for all child and adolescent social service providers to incorporate LGBTI+ perspectives in their work and a guide for those working with seniors.



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