



Convention on the Rights of the Child

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COMMITTEE ON THE RIGHTS OF THE CHILD Forty-sixth session 17 September- 5 October 2007

OPTIONAL PROTOCOL ON THE INVOLVEMENT OF CHILDREN IN ARMED CONFLICT

List of issues to be taken up in connection with the consideration of the initial report of SPAIN (CRC/C/OPAC/ESP/1)

The State party is requested to submit in written form additional and updated information, if possible before 6 August 2007

1. Please provide information on the provisions relating to international crimes covered by article 4 of the Optional Protocol on the involvement of children in armed conflict, article 3 (a) of International Labour Organization (ILO) Convention No. 182 (1999) concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour and article 8 (b, xxvi and e, vii) of the Rome Statute of the International Criminal Court in the Spanish Criminal Code.

2. Please provide information whether Spain has assumed extraterritorial jurisdiction over the war crime of conscripting or enlisting children under the age of 15 into the armed forces or using them to participate actively in hostilities. Also in relation to extraterritorial jurisdiction, please indicate whether Spanish courts have jurisdiction in case of forced recruitment or involvement in hostilities of a person under 18 if committed outside Spain, by or against a Spanish citizen.

3. Considering that Spain is engaged in United Nations peacekeeping operations and North Atlantic Treaty Organization (NATO)-led operations, please provide information on education and training on human rights, in particular on children's rights, provided to Spanish armed forces serving in these operations abroad.

4. Please provide disaggregated data (including by sex, age and country of origin) covering the years 2004, 2005 and 2006 on the number of unaccompanied asylum-seeking, refugee and migrant children coming to Spain from areas affected by armed conflict.

5. Please provide information on the procedures available to identify, among asylum-seeking children, those who may have been involved in armed conflict, in order to provide them with physical and psychological recovery measures. Furthermore, please provide information on the measures taken to implement the Committee's recommendation, in paragraph 46 of its concluding observations made in 2002 on the second periodic report of the State party (CRC/C/15/Add.185), regarding the measures required for the care of unaccompanied refugee and asylum-seeking children.
