



Convention on the Elimination of All Forms of Discrimination against Women

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Committee on the Elimination of Discrimination against Women

Concluding observations on the ninth periodic report of Spain*

1. The Committee considered the ninth periodic report of Spain ([CEDAW/C/ESP/9](#)) at its 1981st and 1982nd meetings (see [CEDAW/C/SR.1981](#) and [CEDAW/C/SR.1982](#)) held on 16 May 2023. The list of issues and questions prior to reporting is contained in [CEDAW/C/ESP/QPR/9](#).

A. Introduction

2. The Committee appreciates the submission by the State party of its ninth periodic report, which was prepared in response to the list of issues and questions prior to reporting ([CEDAW/C/ESP/QPR/9](#)). It also appreciates the State party's follow-up report to the previous concluding observations of the Committee ([CEDAW/C/ESP/CO/7-8/Add.1](#)). It welcomes the oral presentation by the delegation and the further clarifications provided in response to the questions posed orally by the Committee during the dialogue.

3. The Committee commends the State party on its delegation, which was headed by the Secretary of State for Equality and against Gender-based Violence, Ángela Rodríguez, and included representatives of the Ministry of Foreign Affairs, the European Union and Cooperation, the Ministry of Justice, the Ministry of the Interior, the Ministry of Health, the Ministry of Social Rights and the 2030 Agenda, the Ministry of Equality, and the Ministry of Inclusion, Social Security and Migration, and the Ambassador and Permanent Representative of Spain to the United Nations Office and other international organizations in Geneva.

B. Positive aspects

4. The Committee welcomes the progress achieved since the consideration in 2015 of the State party's combined seventh and eighth periodic reports ([CEDAW/C/ESP/7-8](#)) in undertaking legislative reforms, in particular the adoption of the following:

(a) Royal Legislative Decree No. 2/2023 on urgent measures to extend the rights of pensioners, reduce the gender gap and establish a new framework for the sustainability of the public pension system, in March 2023;

* Adopted by the Committee at its eighty-fifth session (8–26 May 2023).



(b) Law No. 4/2023 for real and effective equality for transgender persons and guaranteeing the rights of lesbian, gay, bisexual, transgender and intersex persons, in February 2023;

(c) Organic Law No. 1/2023, which amends Organic Law No. 2/2010 of 3 March 2010, on sexual and reproductive health and the voluntary interruption of pregnancy, in February 2023;

(d) Law No. 20/2022 on democratic memory, which recognizes the active role of women in the fight for democracy, in October 2022;

(e) Organic Law No. 10/2022 on the comprehensive guarantee of sexual freedom, which is a comprehensive regulatory framework for the comprehensive protection of women against all forms of violence, in September 2022;

(f) Comprehensive Law No. 15/2022 for equal treatment and non-discrimination, in July 2022;

(g) Organic Law No. 8/2021 on the comprehensive protection of children and adolescents against violence, in June 2021;

(h) Royal Legislative Decree No. 32/2021 on urgent measures for the labour reform, guarantee of employment stability and transformation of the labour market, in December 2021;

(i) Law No. 10/2021 on telecommuting, which recognizes equality in the exercise of rights to a work-life balance between employees who work in person and those who work remotely, in July 2021;

(j) Royal Legislative Decree No. 902/2020 on equal pay for men and women, in October 2020, together with Royal Legislative Decree No. 901/2020, which regulates equality plans and their registration and amending Royal Legislative Decree No. 713/2010 on the registration and deposit of collective labour conventions and agreements;

(k) Organic Law No. 3/2020 on education, amending Organic Law No. 2/2006 of 3 May 2006, which promotes effective equality between women and men, respect, co-education, non-discrimination, human rights and equal treatment, the elimination of gender stereotypes and, in turn, introduces measures against discriminatory stereotypes in educational curricula, in December 2020;

(l) Organic Law No. 2/2020, which amends the Penal Code to criminalize the forced or non-consensual sterilization of legally incapacitated persons with disabilities, in December 2020;

(m) Royal Legislative Decree No. 6/2019 on urgent measures to guarantee equal treatment and opportunities between women and men in employment and occupation, in March 2019.

5. The Committee welcomes the State party's efforts to improve its institutional and policy framework aimed at accelerating the elimination of discrimination against women and promoting gender equality, such as the adoption and establishment of the following:

(a) Third strategic plan for the effective equality of women and men (2022–2025);

(b) State strategy to combat violence against women (2022–2025);

(c) Third action plan to combat the sexual exploitation of children and adolescents in the child protection system, in 2022;

(d) Strategy for the elimination of violence against children and adolescents, in 2022;

- (e) First plan on social and labour inclusion for victims of trafficking, sexual exploitation and for women in contexts of prostitution (2022–2026);
- (f) National strategy for Roma equality, inclusion and participation in Spain (2021–2030);
- (g) Strategy on mental health of the national health system (2021–2024);
- (h) National strategic plan against trafficking and exploitation of human beings (2021–2023);
- (i) First equality plan for the parliament (2020);
- (j) Third gender equality plan for the National Administration (2020);
- (k) Ministry of Equality (2020);
- (l) First equality plan for the Civil Guard (2019);
- (m) National strategy against organized crime and serious crime (2019–2023);
- (n) State pact on gender-based violence (2017);
- (o) National strategy for the elimination of violence against women (2013–2016).

6. The Committee welcomes the fact that, in the period since the consideration of the previous report, the State party ratified the Domestic Workers Convention, 2011 (No. 189) of the International Labour Organization, in February 2023.

C. Sustainable Development Goals

7. The Committee welcomes the international support for the Sustainable Development Goals and calls for the realization of *de jure* (legal) and *de facto* (substantive) gender equality, in accordance with the provisions of the Convention, throughout the process of implementing the 2030 Agenda for Sustainable Development. The Committee recalls the importance of Goal 5 and of the mainstreaming of the principles of equality and non-discrimination throughout all 17 Goals. It urges the State party to recognize women as the driving force of the sustainable development of the State party and to adopt relevant policies and strategies to that effect.

D. Parliament

8. The Committee stresses the crucial role of the legislative power in ensuring the full implementation of the Convention (see [A/65/38](#), part two, annex VI). It invites the parliament, in line with its mandate, to take necessary steps regarding the implementation of the present concluding observations between now and the submission of the next periodic report under the Convention.

E. Principal areas of concern and recommendations

Status and visibility of the Convention, the Optional Protocol thereto and the Committee's general recommendations

9. The Committee notes with satisfaction that the State party has adopted a progressive framework of laws and policies to achieve substantive equality between women and men, placing the Convention at its core. The Committee notes the training and awareness-raising activities for the judiciary and women concerning the Convention and the Optional Protocol. It also notes with satisfaction references made

to the principle of intersectionality as a central component in the implementation of the Convention. However, it is concerned about the limited effectiveness and need for impact assessments of these laws, notably in the areas of access to abortion services, guarantees for refugee and migrant women and access to justice. Lastly, it is concerned about the lack of effective application of the principle of intersectionality to ensure gender equality for women who are victims of intersectional discrimination.

10. The Committee recommends that the State party:

(a) Strengthen the constitutional status of the fundamental women's rights established in the Convention and their visibility within the constitutional framework;

(b) Ensure the systematic and effective follow-up to the Committee's communications;

(c) Continue to promote the Convention in international cooperation policies at all levels, in particular in autonomous communities;

(d) Take the necessary measures to ensure the universal enjoyment of rights and universal access to public services for women who are victims of intersectional discrimination;

(e) Strengthen compliance with extraterritorial obligations, based on the consideration of women's rights and empowerment in new value chains in the economic sector.

Discriminatory laws

11. The Committee notes the adoption of Law No. 4/2023 for real and effective equality for transgender persons and guaranteeing the rights of lesbian, gay, bisexual, transgender and intersex persons, addressing the issue of gender self-identification. The Committee, however, is concerned about its effective implementation.

12. The Committee recommends that the State party ensure that an ongoing evaluation process is integrated in the proposed legislation in order to assess its impact on the rights of all stakeholders, including women and girls in the State party.

Women's access to justice

13. The Committee notes with appreciation the reform of the justice system, with the adoption of Organic Law No. 1/2004 in December 2004, leading to the establishment of 113 courts specialized in the investigation of gender-based violence against women. It notes with concern, however, that despite the existence of specialized courts, the prosecution of perpetrators of gender-based violence has been insufficiently effective, notably owing to a judicial culture in which the Convention requires further consolidation.

14. The Committee recommends that the State party:

(a) Carry out, within a reasonable period of time and based on a participatory approach, an impact assessment of the specialized courts with a focus on efficiency in the handling of complaints;

(b) Ensure better care and legal assistance for victims in access to justice, in particular for women who are victims of human trafficking or asylum seekers, and greater legal convergence between the 17 autonomous communities and the two autonomous cities of Ceuta and Melilla;

(c) Strengthen capacity-building and further application of the relevant legislative framework to eradicate gender stereotypes in the judiciary, with a

focus on the systematic integration of the Convention in legal reasoning and decision-making.

Reservations and declarations

15. The Committee notes with regret that the State party upholds its reservation concerning the succession to the Spanish Crown.

16. The Committee reiterates its previous concluding observations (CEDAW/C/ESP/CO/7-8, para. 13) and encourages the State party to consider the timely withdrawal of its declaration to the Convention concerning the succession to the Spanish Crown.

National machinery for the advancement of women

17. The Committee welcomes the establishment of the Ministry of Equality in 2020 and the establishment of a national architecture for women's rights. It also notes efforts taken by the State party to strengthen the coordination of its work on gender equality and welcomes the increase in the allocation of resources for the implementation of public policies on gender equality and women's rights and increased statistics on women. The Committee is concerned, however, about:

(a) The insufficient coordination between the Ministry of Equality, the Institute of Women and the autonomous communities, as well as the insufficient coordination between the various entities responsible for the collection of statistical data;

(b) The lack of information on the extent of gender integration in the formulation and implementation of climate change mitigation policies;

(c) The lack of coherency in the policies on gender equality of the autonomous communities;

(d) The lack of assessment policies based on relevant indicators.

18. The Committee recommends that the State party:

(a) **Strengthen coordination between the relevant ministries working on gender equality and women's rights within the autonomous communities to ensure the convergent and coherent application of the Convention;**

(b) **Strengthen the mandate of autonomous communities to promote gender equality, including by adopting measures that support judicial convergence between them, in particular regarding the application of the law;**

(c) **Ensure that a gender perspective is systematically integrated into the development and implementation of climate change mitigation policies and, if necessary, revise existing policies accordingly;**

(d) **Strengthen the existing data collection system and coordination mechanisms.**

Temporary special measures

19. The Committee welcomes the series of laws on the rights of women, such as Organic Law No. 10/2022 on the comprehensive guarantee of sexual freedom, which is a comprehensive regulatory framework for the comprehensive protection of women against all forms of violence. It also notes the State party's intention to establish an observatory of equality. It notes with concern, however, that the implementation of these gender equality-based laws lacks an intersectional approach to adequately address the situation of Roma women, refugee and migrant women and other women

affected by intersectional discrimination. It is further concerned about climate refugees in the State party, the majority of whom are women and children, and about the disproportionate impact of the climate crisis on women and girls, which requires specific and urgent measures.

20. The Committee recommends that the State party:

(a) **Continue to systematically use temporary special measures to correct imbalances and ensure their effective implementation to anticipate structural changes and urgently tackle the causes and impact of climate change on women and girls;**

(b) **Take the necessary steps to ensure that adequate resources are allocated to the observatory of equality and to provide it with a mandate to consider complaints on women's rights violations;**

(c) **Maintain and broaden the Calí programme to empower Roma women;**

(d) **Ensure the effective application of Organic Law No. 1/2023 on sexual and reproductive health for vulnerable women, including women with disabilities.**

Stereotypes

21. The Committee welcomes efforts made by the State to strengthen support for gender equality in society, in particular through the policy on co-responsibility, which provides for the balanced division of labour between men and women with respect to care and domestic work, as well as the effective prosecution of gender-based discrimination against women and the strengthening of education on gender equality, action against stereotypes in the media and in particular the Observatory on Women's Image, which is in charge of identifying and removing images promoting stereotypes in the public domain, including the Internet. The Committee is concerned over new forms of violence that are emerging from new frontiers of technology, such as artificial intelligence.

22. The Committee also notes the adoption of Law No. 20/2022 on democratic memory and its potential to eliminate stereotypes, especially by promoting the role of women in the history of Spain's democratic transition in educational curricula.

23. The Committee recommends that the State party:

(a) **Continue and strengthen information and awareness campaigns, in particular in the area of education;**

(b) **Maintain and strengthen policies promoting co-responsibility and the effective implementation of Organic Law No. 10/2022;**

(c) **Take legislative and policy measures to strengthen the self-regulation of Internet platforms to combat stereotypes, to reform the regulatory landscape to eradicate gender bias in artificial intelligence and to domesticate the new Regulation of the European Parliament and of the Council laying down harmonised rules on artificial intelligence;**

(d) **Strengthen the effective prevention and criminalization of sexist behaviour.**

Gender-based violence against women

24. The Committee welcomes the many legislative and policy efforts taken by the State party to build a policy to prevent and address gender-based violence against women, such as the adoption of Organic Law No. 10/2022 on the comprehensive

guarantee of sexual freedom, removing the burden of proof from the victim. It notes with concern, however, that:

- (a) Gender-based violence against women is prevalent with a high rate of femicide and that women and girls with intersecting identities are particularly vulnerable, notably to forced marriage and female genital mutilation;
- (b) Legislation and efforts to address specific forms of gender-based violence against women and girls, such as incest and pervasive cyberviolence against women and girls, are insufficient;
- (c) There are no specific structures in place to provide the necessary support to children who are witnesses to gender-based violence against women;
- (d) New forms of cyberviolence targeting women and children have emerged;
- (e) The principle of retroactivity, such as in the case of Organic Law No. 10/2022, has had a retrogressive effect, resulting in a significant number of reduced sentences and releases from prison of detainees sentenced for gender-based violence.

25. The Committee recommends that the State party:

- (a) **Consolidate policies on preventing violence against women, notably by reinforcing the identification of vulnerable situations and the prevention of recidivism;**
- (b) **Strengthen the Observatory of Femicide;**
- (c) **Conduct an assessment of the domestic legal framework to combat gender-based violence against women and of the implementation thereof, with a view to strengthening its efficiency;**
- (d) **Take the necessary legislative measures to recognize femicide in the law;**
- (e) **Engage with the European Union for the prompt adoption of a draft law on artificial intelligence that includes measures to mitigate and prevent the high risks posed in terms of violence against women, in line with pioneering Organic Law No. 10/2022;**
- (f) **Evaluate the child protection policy, direct and indirect violence suffered by children and the legal consequences in terms of parental authority;**
- (g) **Take into account new forms of violence, such as cyberharassment and hate speech, and the need for specific legislation, as well as violence affecting minorities, such as forced marriage and female genital mutilation.**

Trafficking and exploitation of prostitution

26. The Committee notes the steps taken by the State party to combat trafficking, which include the adoption of the national strategic plan against trafficking and exploitation of human beings (2021–2023) and the national strategy against organized crime and serious crime (2019–2023). The Committee is concerned, however, about:

- (a) The absence of comprehensive legislation on trafficking;
- (b) The fact that the majority of victims of trafficking are women and girls, trafficked for the purpose of sexual exploitation, and that they are not often detected by border officials and often face obstacles to their access to justice;
- (c) The significant number of female migrants that have been trafficked for the purpose of forced labour, particularly in the agricultural sector;

- (d) The lack of a holistic approach to address the demand side of prostitution, which is interrelated with trafficking for sexual purposes;
- (e) The limited definition of pimping.

27. The Committee recommends that the State party:

- (a) **Ensure the prompt adoption of the draft organic law on trafficking and exploitation of human beings and strengthen its focus on prevention and protection against trafficking, continuing its close collaboration with civil society;**
- (b) **Continue to evaluate and strengthen public policies to combat human trafficking and sexual exploitation, particularly in terms of victim identification procedures and simplification of the procedures for access to justice, and strengthen support for women who are victims of trafficking;**
- (c) **Prevent and combat trafficking of migrant women who become victims of forced labour and ensure application of the principle of non-refoulement to guarantee protection against gender-based violence against women;**
- (d) **Adopt, without delay and as a matter of urgency, legislation to prevent the sexual exploitation of women, through control, abuse and/or situations of superiority or need or vulnerability, to perform any work or service, including benefits of a sexual nature;**
- (e) **Adopt a comprehensive definition of pimping to make possible the adequate prosecution of those who exploit prostitution, as recommended in its previous concluding observations ([CEDAW/C/ESP/CO/7-8](#), para. 23 (d)).**

Participation in political and public life

28. The Committee notes with appreciation the State party's commitment to achieving gender equality in decision-making bodies and welcomes the positive developments in this area, such as women's representation in the Government, with 14 ministers who are women and 8 who are men, and the fact that 44 per cent of the seats in the lower chamber of the parliament and 39 per cent in the upper chamber are held by women. However, the participation of women in other areas of political and public life remains low, such as in the high courts, in particular in the Constitutional Court, and in sports, diplomatic careers or in the private sector.

29. The Committee recommends that the State party:

- (a) **Continue and further strengthen its measures to ensure the equal participation of women in all areas, such as in the parliament, the Administration and the diplomatic service, with a special focus on the highest instances of justice, such as the Constitutional Court;**
- (b) **Institutionalize the requirement of achieving gender equality as one of the main criteria when appointing and promoting staff in the public sector, as well as the establishment of appointment systems in all State services;**
- (c) **Institutionalize measures to reach parity at the local level of governance, including within the framework of the new project for the organization of municipalities;**
- (d) **Continue activities to increase the representation of women in management and high-level positions, such as Chief Executive Officer positions in the private sector and entrepreneurship and media holdings.**

Education

30. The Committee notes with satisfaction the adoption of Organic Law No. 3/2020 that recognizes the right to education, leading to increased equal opportunities, as well as the adoption of the national strategy for Roma equality, inclusion and participation (2021–2030). The Committee, is concerned, however, about:

- (a) The underrepresentation of women in vocational training and in science, technology, engineering and mathematics;
- (b) The low level of education among Roma women and girls and the obstacles faced by refugee and migrant women to gain access to education;
- (c) The need for sexual and reproductive health education to reflect legislative developments in the area;
- (d) The frequent absence of digital literacy among students, parents and teachers, in particular among women and girls.

31. **The Committee recommends that the State party:**

- (a) **Continue and strengthen its policies to increase the participation of women in the area of science, technology, engineering and mathematics, including in the context of the European Union;**
- (b) **Allocate adequate resources to ensure the effective implementation of Organic Law No. 3/2020 and ensure equal access to education for all women, by ensuring that Roma women have access to education, by establishing additional educational infrastructure in the areas where they live;**
- (c) **Ensure effective implementation of Organic Law No. 1/2023 and strengthen comprehensive and age-appropriate sexual and reproductive health education at school, ensuring that it is rights-based, addresses issues of power and consent, responsible sexual behaviour and respect for sexual orientation, and promotes joint responsibility between men and women and the elimination of gender-based violence, and assess the innovative experience of education on responsibility;**
- (d) **Develop training at school and for the public at large on artificial intelligence and new technologies, ensuring that women and girls have access thereto on an equal basis with men and boys.**

Employment

32. The Committee commends the State party for the recognition of the right to social security in article 41 of its Constitution and the adoption of Royal Legislative Decree No. 2/2023 on urgent measures to extend the rights of pensioners, reduce the gender gap and establish a new framework for the sustainability of the public pension system, in March 2023. The Committee notes with appreciation the adoption of the strategic plan on equal opportunities and the plan for gender equality in the fisheries and aquaculture sector (2021–2027). It also welcomes progress made to facilitate the reconciliation of family responsibilities with employment, such as the innovative menstrual leave for women. The Committee also takes note of the adoption of Organic Law No. 19/2021 on the minimum living income in December 2021 and the State party's will to strengthen the principle of intersectionality in the promotion of gender equality for rural women and other disadvantaged women, such as Roma women and migrant and refugee women. However, the Committee is concerned that:

(a) The laws and policies referred to in paragraph 32 have been insufficiently effective, in the light of data showing that despite women being more educated than men, they are less represented in employment than men;

(b) Women remain disproportionately responsible for traditional care work, which frequently hampers the successful reconciliation of family responsibilities with work in the formal sector.

33. The Committee recommends that the State party:

(a) **Carry out an assessment of the impact of existing legislation designed to strengthen gender equality in the area of employment, with a view to improving the implementation thereof, including in the autonomous communities;**

(b) **Maintain and enhance efforts to remove wage inequalities, in particular with regard to female seasonal workers and migrant workers, and ensure access to social security for all women, through the effective implementation of Royal Legislative Decree No. 2/2023;**

(c) **Ensure the inclusion of the principles of co-parenting and co-responsibility for both women and men in workplace policies and the equal use of related measures by both women and men, such as flexible schedules, parental leave and access to childcare services, to increase women's access to employment and decision-making positions;**

(d) **Ensure that private companies with over 50 employees develop and adopt gender equality plans and monitor the effective implementation of these plans;**

(e) **Improve women's access to employment in the police, fire and other protection services;**

(f) **Fight against all forms of discrimination at work through the effective implementation of existing legislation, such as Royal Legislative Decree No. 6/2019, Royal Decree No. 902/2020 and Royal Legislative Decree No. 32/2021;**

(g) **Develop artificial intelligence systems to better detect gender bias in recruitment with a view to eliminating gender bias more effectively.**

Health

34. The Committee notes with appreciation the recognition of rights to medically assisted reproduction and to abortion following the adoption of Organic Law No. 1/2023, amending Organic Law No. 2/2010 of 3 March 2010, on sexual and reproductive health and the voluntary interruption of pregnancy. The Committee also notes with appreciation efforts taken by the State party to combat obstetric violence, following the recommendations provided in the Committee's communication No. 154/2020. It is concerned, however, that the implementation thereof is not systematic and characterized by significant disparities between regions. The Committee is further concerned that health issues are not addressed in the workplace, in particular mental health conditions that may have arisen as a result of the coronavirus disease (COVID-19) pandemic, and that a significant number of women suffer from addictions, such as drug users.

35. The Committee recommends that the State party:

(a) **Increase the allocation of all necessary human, technical and financial resources to effectively implement the recommendations provided in the Committee's communication No. 154/2020;**

(b) Ensure the effective and widespread application of legislation on abortion, provided for in Organic Law No. 1/2023, through an increase in the provision of services at the local level by regional authorities, while preserving universal access to care, with particular attention to women in disadvantaged situations, especially migrant women and Roma women;

(c) Take measures to address mental health issues, particularly work-related conditions, and ensure the availability, accessibility and quality of mental health-care services and gender sensitive addiction rehabilitation services at the national and local levels.

Rural women

36. The Committee remains concerned that despite the existence of Organic Law No. 35/2011 of 4 October 2011 on shared ownership of farms to redress the inequality and invisibility of rural women in the agricultural sector, the percentage of women farm owners is still below that of men.

37. **The Committee recommends that the State party:**

(a) **Allocate the necessary resources to ensure effective implementation of Organic Law No. 35/2011 throughout the State party in order to achieve parity in the ownership of farms;**

(b) **Ensure recognition of the specific situation of Roma women and refugee and migrant women in the agricultural sector, as well as in all areas covered by the Convention;**

(c) **Accelerate and conclude the development of the draft equality strategy for rural women, within the framework of the national strategic plan of the Common Agricultural Policy 2023–2027, to effectively implement actions in favour of all women working in the agricultural sector, in particular regarding access to ownership and access to social security.**

Disadvantaged groups of women

Roma women

38. The Committee welcomes the adoption of the national strategy for Roma equality, inclusion and participation in Spain (2021–2030). It is, nevertheless, concerned about the lack of specific legislation and remaining gaps between Roma women and other women, in all areas, such as education, employment, health, social protection and participation.

39. **The Committee recommends that the State party:**

(a) **Adopt a national organic law in consultation with representatives of the Roma community, ensuring that women and men are equally represented in these consultations;**

(b) **Ensure that this law includes temporary special measures and permanent measures to eliminate discrimination and achieve substantive equality for Roma women in all areas;**

(c) **Ensure the effective application of the law throughout the State party in coordination with the autonomous communities.**

Refugees and migrant women

40. The Committee notes with appreciation the support provided to refugee and migrant women. It also welcomes the opening of four centres for refugees from

Ukraine. It is concerned, however, that asylum procedures are not gender sensitive, especially for refugee and migrant women arriving irregularly by sea to the autonomous cities of Ceuta and Melilla.

41. The Committee recommends that the State party:

- (a) Reinforce gender-sensitive reception conditions and develop strong measures to prevent and address sexual and gender-based violence within the reception system;**
- (b) Adopt guidelines and adequately train asylum officers on addressing gender-based persecution of women to ensure effective and accelerated border procedures and the adequate assessment of asylum applications;**
- (c) Adopt and implement standard operating procedures and referral mechanisms on disembarkation to attend to the specific needs of women arriving irregularly by sea;**
- (d) Strengthen steps taken to reinforce the international protection system, such as the opening of two police offices in Ceuta and implementation of the new digital system for case follow-up;**
- (e) Strengthen measures to support and integrate Ukrainian refugee women located in the four centres in line with the Convention.**

Marriage and family relations

42. The Committee notes with appreciation the adoption of Organic Law No. 8/2021 on the comprehensive protection of children and adolescents against violence. The Committee notes with concern:

- (a) That despite the legal age of marriage having been raised to 18 years of age, marriages may be contracted from 16 years of age with the approval of a legal guardian or a judicial authority;
- (b) The lack of regulations and protocols to address the issue of forced marriage, which still occurs among certain communities, including among migrant as well as Roma communities;
- (c) The negative economic consequences of widowhood for women, owing to the insufficient protection of the legal framework relating to inheritance law;
- (d) The ongoing application of parental alienation, despite its prohibition by Organic Law No. 8/2021, when considering the custody of children in cases of domestic violence, which may place the mother and children at risk of domestic violence.

43. The Committee recommends that the State party:

- (a) Adopt the necessary legal amendments to remove all exceptions to the legal minimum age of marriage of 18 years of age and strengthen its efforts to combat child and forced marriage;**
- (b) In reiteration of its previous concluding observations and in line with the Committee's communication No. 47/2012 and communication No. 154/2020, ensure that guardianship and visitation rights without supervision are not granted to fathers in cases in which the rights, well-being and safety of children may be jeopardized ([CEDAW/C/ESP/CO/7-8](#), para. 39 (a), and [CEDAW/C/58/D/47/2012](#) and [CEDAW/C/84/D/154/2020](#));**

(c) Improve the legal framework relating to the right of succession of spouses to protect women and prevent the negative economic consequences of widowhood for them;

(d) Take the necessary measures to prevent and redress harmful practices within the family, such as forced marriage and female genital mutilation.

Beijing Declaration and Platform for Action

44. The Committee calls upon the State party to use the Beijing Declaration and Platform for Action and to further evaluate the realization of the rights enshrined in the Convention in order to achieve substantive equality between women and men.

Dissemination

45. The Committee requests the State party to ensure the timely dissemination of the present concluding observations, in the official language of the State party, to the relevant State institutions at all levels (national, regional, local), in particular to the Government, the parliament and the judiciary, to enable their full implementation.

Ratification of other treaties

46. The Committee notes that the adherence of the State party to the nine major international human rights instruments¹ would enhance the enjoyment by women of their human rights and fundamental freedoms in all aspects of life. The Committee therefore encourages the State party to ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families, to which it is not yet a party.

Follow-up to concluding observations

47. The Committee requests the State party to provide, within two years, written information on the steps taken to implement the recommendations contained in paragraphs 18 (c), 27 (a), 39 (a) and 41 (d) above.

Preparation of the next report

48. The Committee will establish and communicate the due date of the tenth periodic report of the State party in line with a future predictable reporting calendar based on an eight-year review cycle and following the adoption of a list of issues and questions prior to reporting, if applicable, for the State party. The report should cover the entire period up to the time of its submission.

49. The Committee requests the State party to follow the harmonized guidelines on reporting under the international human rights treaties, including guidelines on a common core document and treaty-specific documents (see [HRI/GEN/2/Rev.6](#), chap. I).

¹ The International Covenant on Economic, Social and Cultural Rights; the International Covenant on Civil and Political Rights; the International Convention on the Elimination of All Forms of Racial Discrimination; the Convention on the Elimination of All Forms of Discrimination against Women; the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment; the Convention on the Rights of the Child; the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families; the International Convention for the Protection of All Persons from Enforced Disappearance; and the Convention on the Rights of Persons with Disabilities.