



Convention on the Rights of the Child

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Committee on the Rights of the Child

77th session

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Item 4 of the provisional agenda

Consideration of reports of States parties

List of issues in relation to the combined fifth and sixth periodic reports of Spain

The State party is requested to submit in writing additional, updated information (10,700 words maximum), if possible before 15 October 2017. The Committee may take up all aspects of children's rights set out in the Convention during the dialogue with the State party.

Part I

1. Please explain how the State party ensures that legislation and administrative regulations are uniformly applied in all the Autonomous Communities, and conform fully to the principles and provisions of the Convention and the two Optional Protocols (see CRC/C/ESP/CO/3-4, para. 10), including in the fields of education and child protection where updates to regional legislation are still pending.
2. Please indicate how the entities facilitating cooperation between the central administration and the Autonomous Communities are working to ensure effective coordination in the implementation of the Convention (see CRC/C/ESP/5-6, paras. 19 and 20 and CRC/C/ESP/CO/3-4, para. 12). Please provide information on the practical achievements of the Interregional Commission on Children and Families and the State Childhood Observatory in promoting institutional cooperation with observatories in the Autonomous Communities. Please provide updated information on the current situation, in view of the completion of the Second National Strategic Plan for Children and Young Persons for the period 2013-2016 (see CRC/C/ESP/5-6, para. 22).
3. Please explain the measures adopted to ensure the adequate provision of specific resources to implement existing laws, policies and national strategic plans (see CRC/C/ESP/5-6, paras. 10 to 12). Please also explain the measures taken, particularly in the Autonomous Communities, to identify the budgetary resources allocated for spending on children, and to establish specific mechanisms to provide financial protection for children, including in times of crisis (see CRC/C/ESP/CO/3-4, para. 16).
4. Please explain the existing cooperation mechanisms between the Children's Observatory, the National Statistics Institute and other actors involved in compiling statistical data. Please also explain the measures taken to strengthen the mechanism for systematically compiling and analysing reliable disaggregated data on the condition of children, with emphasis on less visible children and adolescents (see CRC/C/ESP/CO/3-4, para. 18).



5. Please explain the reasons for the closure of the offices of the Ombudsman for Children, and measures taken to strengthen the capabilities of the Ombudsman at the national level and in the Autonomous Communities to address child-related matters (see CRC/C/ESP/5-6, paras. 47 and 48).
6. Please indicate the measures taken to eliminate de facto discrimination, particularly against children and adolescents of Roma origin, unaccompanied foreign children, children of illegal migrants and children with disabilities (see CRC/C/ESP/CO/3-4, para. 26).
7. Please provide information on the efforts that have been made to reduce rates of gender-based, domestic and school violence, and to adopt a comprehensive approach, coordinated between different levels of Government, to address situations of violence, ill-treatment and abuse (see CRC/C/ESP/5-6, paras. 125 to 144). Please provide detailed information of progress made to prevent such situations through training and campaigns to raise public awareness (para. 142). Please provide information on measures taken to address school bullying, as well as to address the sexual harassment of children through the Internet or new technologies.
8. Please provide more detailed information on the sections of the report (see CRC/C/ESP/5-6, paras. 220 to 249) relating to progress made in measures to address the structural causes of child poverty, and specifically on those adopted to increase social inclusion and offset the costs incurred by families. In reference to paragraph 28 of the report, please explain the steps taken to implement the European Commission recommendation “Investing in children: breaking the cycle of disadvantage” as a road map (para. 220).
9. Please provide information on the measures that have been taken to facilitate the social inclusion of children and adolescents with disabilities, and indicate the initiatives taken and the percentage of investment set aside to eliminate discrimination specifically associated with disability. In addition to the information contained in paragraph 198 of the report, please give details of the measures adopted to ensure that national and regional regulations, policies and practices relating to children and adolescents with disabilities are in line with the Convention throughout the country.
10. Please provide updated information on the assessment of the general state of health of children and adolescents, as well as on the adoption and implementation of a mental health plan for children and young persons (see CRC/C/ESP/5-6, para. 204). Please describe the outcome of the 2009-2016 National Drug Strategy and its 2013-2016 Action Plan with regard to the Committee’s recommendation on combating the illegal use of psychotropic substances among adolescents (see CRC/C/ESP/CO/3-4, para. 51), and provide information on current plans.
11. Please indicate whether the State party is planning to reform the education sector in order to achieve harmonization within the sector and to eliminate existing inequalities in access to quality education according to, inter alia, Autonomous Communities, urban or rural areas, or the socioeconomic status of the students or that of their families, their gender, ethnic origin or type of disability. Please explain the measures that have been taken to increase the nationwide provision of preschool education between the ages of 0 and 3. Kindly explain whether the State party intends to increase investment in education to bring it up to the level of the European average.
12. Please inform the Committee regarding:
 - (a) Current reforms related to children and adolescents who are asylum seekers, refugees or migrants;
 - (b) Measures envisaged to improve the information provided to children and adolescents about their right to seek asylum;
 - (c) Whether asylum regulations will include the right of minors to apply for asylum independently;
 - (d) Planned measures to ensure that unaccompanied foreign children are not turned away at the border, particularly in Ceuta and Melilla, and that all procedures and regulations are appropriate to their status as minors.

13. Please provide updated information on the outcomes of strategic plans to combat the sexual exploitation of children, as mentioned in paragraph 309 of the report, as well as of the 2015-2018 Comprehensive Plan to Counter Trafficking in Women and Girls for the Purposes of Sexual Exploitation (see CRC/C/ESP/5-6, para. 316). Please explain the measures taken to ensure that all cases of trafficking in children and adolescents are investigated, and provide information on the protection and support provided to child victims of trafficking, particularly those who are undocumented or unregistered.

Part II

14. The Committee invites the State party to provide a brief update (not more than three pages) on the information presented in its report with regard to:

- (a) New bills or laws, and their respective regulations;
- (b) New institutions (and their mandates and financing) or institutional reforms;
- (c) Recently introduced policies and programmes, and their nationwide scope and financing;
- (d) Recent ratifications of human rights instruments.

Part III

Data, statistics and other information available

15. Please provide information on the budget allocated to family support services at the level of municipalities and Autonomous Communities. Please indicate the percentages of coverage by age, geographic location, migrant or refugee status and type of disability.

16. Please provide statistical data disaggregated by age, sex, type of disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographic location, for the past three years concerning:

(a) The number of children and adolescents who have been victims of abuse and violence, with additional information on the type of violence (such as sexual violence, domestic violence or school bullying) and the type of assistance provided to child victims, the compensation received and the action taken, including the prosecution of perpetrators and the sentences handed down in the State party. Where possible, please also provide information on the offenders, specifying whether they were family members, teaching staff or others;

(b) Investigations and convictions in cases of sexual violence and harassment that particularly affect girls in educational establishments, specifying the type of punishment imposed on those responsible;

(c) The number of cases of school bullying and the percentage of schools that have introduced a system to record, document and respond to such cases.

17. Please provide data, disaggregated by age, sex, type of disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographic location, for the past three years regarding:

(a) The percentage of primary and secondary schools that provide compulsory human rights education as part of their curricula;

(b) The number of children and families with children living in shanty towns or other marginalized settlements;

(c) The number of children whose cases have been transferred and who have left the criminal justice system;

(d) The profile of children who have come into contact with the juvenile justice system;

- (e) The number of children and adolescents who use addictive substances.

18. Please provide data disaggregated by age, sex, type of disability, ethnic origin and geographic location regarding the situation of children deprived of a family environment or separated from their parents, for the past three years, on:

- (a) The number of children separated from their parents;
- (b) The number of children placed in institutions, including those in “therapy centres”;
- (c) The number and proportion of children with foster families;
- (d) The number and proportion of children in residential homes;
- (e) The number of children adopted domestically or through intercountry adoptions, including information on countries of origin.

19. Please provide data, disaggregated by country of origin, on the number of children who have been granted asylum or humanitarian protection, and on how many have been returned, extradited or deported. Please provide detailed information on the reasons for the decisions taken, including a list of the countries to which the children were returned.

20. Please provide data disaggregated by age, sex, type of disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographic location, for the past three years, on the number of children and adolescents with disabilities:

- (a) Living with their families;
- (b) Living in institutions;
- (c) Attending regular primary schools with individual support;
- (d) Attending regular secondary schools with individual support;
- (e) Attending special schools;
- (f) Out of school.

21. Please provide data disaggregated by age, sex, type of disability, socioeconomic status, ethnic origin, rural/urban place of residence and geographic location, for the past three years, on investigations and convictions related to crimes listed in the Optional Protocol on the sale of children, child prostitution and child pornography.

22. Please provide the Committee with an update of any data in the report that may have become outdated and replace those with more recent data collected or other new developments.

23. In addition, the State party may list areas affecting children that it considers to be of priority with regard to the implementation of the Convention.
