



# Convention on the Rights of the Child

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## Committee on the Rights of the Child

### List of issues prior to submission of the seventh periodic report of Spain\*

1. The State party is requested to submit in writing the information requested below, of 21,200 words maximum, by 15 February 2024. The replies should take into consideration the Committee's previous recommendations contained in its concluding observations on the combined fifth and sixth periodic reports of the State party.<sup>1</sup> The Committee may take up all aspects of children's rights set out in the Convention and the Optional Protocols thereto during the dialogue with the State party.

#### I. New developments

2. The Committee requests the State party to provide:

(a) Information on the adoption or reform of laws, policies and programmes and any other measures taken, such as the creation or reform of institutions, that are significant for the implementation of the Convention, the Optional Protocol on the involvement of children in armed conflict and the Optional Protocol on the sale of children, child prostitution and child pornography;

(b) Information on the impact of the measures taken to mitigate the adverse effects of the coronavirus disease (COVID-19) pandemic;

(c) Any other information that the State party considers relevant in this regard and that is not covered in the replies to the questions below, including information on obstacles and challenges faced.

3. The Committee also requests the State party to provide information on how a children's rights-based approach is integrated into the planning, implementation and monitoring of measures for achieving the Sustainable Development Goals, including with regard to the participation of children and data collection, and how such measures promote the realization of children's rights under the Convention and the Optional Protocols thereto.

\* Adopted by the pre-sessional working group on 10 February 2023.

<sup>1</sup> [CRC/C/ESP/CO/5-6](#).



## **II. Rights under the Convention and the Optional Protocols thereto**

### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

#### **Legislation**

4. Please provide information on the legislative measures taken to harmonize the implementation of the Convention throughout the State party, in particular how the huge disparities among the autonomous communities have been addressed.

#### **Comprehensive policy, strategy and coordination**

5. Please provide information on the following:

(a) Measures taken to develop a new comprehensive policy covering all areas of children's rights under the Convention and the manner in which such a policy includes specific time bound and measurable goals and targets;

(b) The mechanism for the monitoring and evaluation of such a policy and strategy and the main findings of the monitoring and evaluation;

(c) The participation of children in the development, implementation and evaluation of such a policy and strategy;

(d) Measures taken to strengthen the coordination system within the central administration and the autonomous communities relating to the implementation of the Convention in the State party at the national, regional and local levels, and across sectors, and the role, composition and mandate of the entity responsible for addressing the disparities between regions, which could be addressed through effective coordination, and whether sufficient resources are allocated thereto.

#### **Independent monitoring**

6. With regard to the Ombudsperson, please provide information on the measures taken to ensure the visibility of its mandate regarding children's rights, including with regard to children's access to file complaints.

#### **Allocation of resources**

7. Please provide information on the following:

(a) Measures taken to introduce a children's rights-based approach to budgeting, at the national, regional and local levels, including a tracking system for the allocation and use of resources for children in budgets and how much of the autonomous communities' budgets are dedicated to children's policies;

(b) Budget allocations for children in vulnerable situations, including children with disabilities, children from disadvantaged households, children belonging to language and ethnic minority groups, children who are victims of abuse, children in situations of migration and children in institutions;

(c) Mechanisms in place to ensure transparent and participatory budgeting, involving children and non-governmental organizations working in the area of children's rights;

(d) Measures taken to assess the impact of austerity measures, in particular in the context of the COVID-19 pandemic, on children's rights.

#### **Data collection**

8. Please provide information on the measures taken at all territorial levels to improve data collection to ensure that it covers all areas of the Convention, and in particular on measures:

- (a) To develop and implement a comprehensive and integrated system for examining the situation of children in the State party;
- (b) To ensure that adequate child-focused statistics, disaggregated by age, sex, disability, geographical location, ethnic and national origin and socioeconomic background, are collected and published in mainstream statistical publications on a regular basis;
- (c) To improve the collection and analysis of data on children in situations of poverty or material deprivation, children with mental health concerns, children with disabilities, Roma children, children in alternative care, children who are victims of all forms of violence, including sexual violence, children who are victims of trafficking and asylum-seeking, refugee and unaccompanied migrant children.

#### **Dissemination and awareness-raising**

9. Please describe the efforts made:

- (a) To disseminate and promote the provisions of the Convention, including in child-friendly formats;
- (b) To provide systematic training on the provisions of the Convention, the Optional Protocols thereto and the Committee's concluding observations on the combined fifth and sixth periodic reports of the State party to all relevant professionals and personnel who are in contact or who work with children.

#### **Cooperation with civil society**

10. Please provide information on progress made in establishing a mechanism to systematically involve civil society and non-governmental organizations working in the area of children's rights in the implementation of the Convention, including in the preparation of reports, policymaking, programming, budgeting and legislative processes concerning children's rights.

#### **Child rights and the business sector**

11. Please inform the Committee about efforts made to engage with the business sector on children's rights and to establish a regulatory child protection framework for companies operating under the jurisdiction of the State party, including with regard to policies, legislation, regulations, mechanisms for conducting children's rights impact assessments, monitoring and evaluation mechanisms and ensuring access to justice, in order to receive reports of, and to address, children's rights violations, including information on the implementation and evaluation of the national action plan on business and human rights.

#### **International cooperation**

12. Please provide information on any planned increase of the official development assistance provided, with a view to meeting the internationally agreed target of 0.7 per cent of gross national income.

### **B. General principles (arts. 2–3, 6 and 12)**

#### **Non-discrimination**

13. Please provide information on the measures taken:

- (a) To prohibit discrimination against children on all grounds and in all aspects of life, including multiple and intersectional discrimination;
- (b) To ensure that children in vulnerable situations, including children from economically disadvantaged households, children belonging to linguistic and ethnic minority groups, including Roma children, children in situations of migration, children with disabilities and children who are victims of violence and of trafficking, have access to essential services, housing, education, childcare facilities, health care, leisure activities and State support;

(c) To implement the national strategy for Roma equality, inclusion and participation in Spain, 2021–2030;

(d) To provide effective remedies for children who are victims of discrimination and the organizations representing them.

#### **Best interests of the child**

14. Please provide information on the development, and dissemination to all relevant professionals working with and for children, of the following:

(a) Policies, procedures, criteria and guidance to determine and consistently apply the best interests of the child as a primary consideration in programmes and administrative and judicial proceedings and decisions concerning children, in particular with regard to decisions of guardianship, cases of children who are victims of violence and children in situations of migration;

(b) An impact assessment of how the best interests of the child is taken into account in legislation, policies, programmes and decisions, at the national, regional and local levels.

#### **Respect for the views of the child**

15. Please provide information about the actions taken:

(a) To remove the age criteria with regard to the right to be heard and ensure effective legislation recognizing the right of every child, regardless of age, to be heard, according to his or her level of maturity, in all settings;

(b) To train professionals working with and for children on the right of the child to be heard;

(c) To encourage, promote and support the participation of children, in particular children in vulnerable situations, including children with disabilities, children in situations of migration and children belonging to linguistic and ethnic minority groups, within the family, community and schools, including in administrative and judicial proceedings and in relation to environmental issues and in the implementation and evaluation of the strategy on the rights of children, and the extent to which their views are taken into account;

(d) To ensure the provision of timely, pertinent and child-friendly information to children on regulations and plans that affect their lives;

(e) To involve the State Council for Child and Adolescent Participation in the planning, legal and policy processes to date and the plans for its involvement in the future.

### **C. Civil rights and freedoms (arts. 7–8 and 13–17)**

16. Please provide information on the measures taken:

(a) To encourage children to participate in student associations and to respect the right of children of any age to participate in associations that are relevant to them;

(b) To encourage companies to comply with the Committee's general comment No. 25 (2021) on children's rights in relation to the digital environment, including by protecting children's personal data, creating accessible complaint processes and developing policies and mechanisms to protect children from violence, excessive screen use and online bullying;

(c) To comply with European Parliament Directive No. 2018/1808, such that digital providers effectively prevent children from having access to adult content.

## **D. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

### **Freedom of the child from all forms of violence**

17. Please provide information on the following:

(a) Plans to review and improve the child protection system and improve coordination between institutions, following the approval of Organic Law No. 8/2021 on the protection of children against violence;

(b) Measures taken for the effective implementation of Organic Law No. 8/2021, including for children 3 years old and younger in infant education centres and to redress the increase in the number of children suffering abuse in the family home;

(c) Coordination of infrastructure, service delivery and human and economic resources at the autonomous regional and local levels, allocated to prevent, refer and respond to situations of abuse and violence against children;

(d) Role of the central Government, the autonomous regions and the local authorities with regard to prevention, awareness-raising among the public and the provision of capacity-building for professionals;

(e) Existing detection, reporting, investigation, protection and judicial procedures in cases of domestic violence, including physical and sexual violence, and the therapeutical services accessible by children who are victims and witnesses of such violence;

(f) Existing multi-agency avenues for seeking justice for children who are victims of abuse and neglect, including child-friendly justice procedures with regard to interviewing children, avoiding their retraumatization and preserving their narratives as evidence for judicial proceedings;

(g) Status of implementation of specialized courts and prosecutors' offices and guarantees that children between 14 and 18 years of age are not to be subject to revictimization in the courts and measures taken to allow children's statements to be taken in child-friendly facilities followed by cross-examination during the pretrial stage;

(h) The State party's response to complaints raised, including by the Special Rapporteur on violence against women and girls, its causes and consequences, regarding children who have witnessed, experienced or lived with violence and whose custody or visitation arrangements are continued without a comprehensive assessment of the best interests of the child or ensuring that the child is heard, in particular in the context of gender-based violence.<sup>2</sup>

### **Sexual exploitation and abuse**

18. Please provide information on the following:

(a) Steps taken and the effect of measures taken to prevent the sexual exploitation, including online, and abuse of children, including by raising awareness and strengthening capacity among the public and professionals, and the status of implementation of the third action plan to combat the sexual exploitation of children and adolescents;

(b) Reporting, investigation and prosecution of, and sanctions imposed in, cases of sexual exploitation and abuse of children and steps taken to prevent the revictimization of such children;

(c) Progress made in establishing child-friendly facilities for forensic interviews and medical evaluations and the provision of psychological therapy and social integration assistance for victims of sexual exploitation and abuse;

(d) Existing support services for children who are victims of sexual exploitation and abuse, in particular unaccompanied migrant children.

<sup>2</sup> See [www.ohchr.org/sites/default/files/documents/issues/women/sr/activities/2023-01-31/20230124-SR-VAWG-Statement-European-Parliament.pdf](https://www.ohchr.org/sites/default/files/documents/issues/women/sr/activities/2023-01-31/20230124-SR-VAWG-Statement-European-Parliament.pdf).

**Harmful practices**

19. Please provide information on the measures taken to prevent the unnecessary medical or surgical treatment of intersex children, to provide families with intersex children with adequate counselling and support and to guarantee access to effective remedies for victims subjected to such treatment during childhood, including the statute of limitations for raising a claim against such treatment.

20. Please provide information on steps taken to prohibit the participation of children under 18 years of age as bullfighters and as spectators in bullfighting events.

**E. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))****Family environment**

21. Please provide information on progress made with regard to the following:

(a) Mediation services in the context of divorce and parents' conflicts concerning custody of and access to their children and measures for enforcing child support orders;

(b) Measures providing for adequate paid parental leave, family counselling and the equal sharing of family responsibilities and supporting parents in taking care of young children.

**Children deprived of a family environment**

22. Please describe the steps taken:

(a) To develop strategies and policies and put mechanisms in place, including budget allocation and technical support, to reverse the steady increase in the number of children in alternative care, in particular in residential care, to increase investment in prevention programmes and to promote foster care;

(b) To phase out the institutionalization of children, with particular attention given to children under 3 years of age, children who are victims of violence and children with disabilities, and please specify what human, technical and financial resources are allocated to this end;

(c) To provide adequate support and orientation to families, with a view to avoiding separation, in particular for families living in poverty and families of children with disabilities, and to disseminate information about available support;

(d) To strengthen the foster care system, including for children with disabilities;

(e) To strengthen the quality of care, including through education, respect for privacy, the participation of children in decision-making and the external monitoring of all residential care facilities, including for unaccompanied minors;

(f) To ban measures such as isolation and the use of mechanical fasteners and restraints in preliminary reception centres, residential facilities, centres specializing in behavioural disorders and juvenile detention centres;

(g) To provide support to children leaving care to enable them to reintegrate into the family and society;

(h) To establish measures for the prevention of violence exercised by, among others, workers in the protection system, for the detection of such cases and for the protection of children against such violence.

**F. Children with disabilities (art. 23)**

23. Please provide information on the measures taken:

- (a) To implement the disabilities strategy, 2022–2030, and the extent to which children have been included;
- (b) To conduct a study to assess the effectiveness of laws and policies on the rights of children with disabilities;
- (c) To reform the system of social assistance for children with disabilities and their families to improve coherence and coordination and to avoid institutionalization;
- (d) To ensure access to specialized health services, in particular mental health services, and rehabilitation services for children with disabilities, including early detection and intervention programmes, in particular in rural areas;
- (e) To develop and implement inclusive education, including by training and assigning an adequate number of specialized teachers and professionals to teach children with disabilities in inclusive classes;
- (f) To ensure that mainstream schools have the necessary support resources, throughout all stages of education, including for children 3 years of age and younger and in pre-primary and post-compulsory education;
- (g) To facilitate the full inclusion of children with disabilities in all areas of public life, including leisure, play and cultural activities, and in community-based care.

## **G. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**

### **Health and health services**

24. Please provide information on the measures taken:

- (a) To re-establish universal health coverage, including oral health, and ensure that the undocumented migrant population and Roma people have access to health care;
- (b) To ensure the provision of paediatric care services staffed by specialized professionals and the creation of paediatric palliative care units;
- (c) To increase the percentage of children with access to vaccines and vaccinate the most vulnerable children;
- (d) To combat obesity and overweightness among children, implement the national strategic plan for the reduction of childhood obesity, 2022–2030, and ensure an adequate provision of school meals, including in early childhood;
- (e) To raise the Code of Co-Regulation of Advertising for Food Products and Beverages Directed to Children, Prevention of Obesity and Health to normative rank and approve the royal decree on the regulation of publicity of non-healthy food and drinks directed towards children;
- (f) To provide access to sexual and reproductive health services to all children, in particular children from disadvantaged backgrounds, children with disabilities and lesbian, gay, bisexual and transgender children;
- (g) To address tobacco, alcohol and drug use by children, including through the use of awareness-raising activities, and introduce community-based drug dependence treatment.

### **Mental health**

25. Please provide information on the measures taken:

- (a) To implement the strategy on mental health of the national health system, 2021–2024, and please provide information on the allocated budget and the programmes available to children with mental health needs;
- (b) To promote mental health and emotional well-being and strengthen prevention, early detection and care;

(c) To provide specialized resources, recognize the speciality of child psychologist and address the psychosocial care needs of children, in particular in reception centres for unaccompanied, asylum-seeking migrant children;

(d) To respond to the increasing number of children affected by mental health issues due to the COVID-19 pandemic;

(e) To address children's mental health needs, prevent adolescent suicide and ensure that the necessary psychological and psychiatric services are available to children, including by equipping schools with multidisciplinary health professionals who can diagnose the early signs of mental health concerns.

### **Environmental health**

26. Please provide information on the following:

(a) Measures that have been put in place to respond to the climate crisis, in particular with regard to the implementation of the national plan for adaptation to climate change and the Climate Change and Energy Transition Law, and the extent to which children's views have been taken into account with regard to policy initiatives and the implementation and evaluation thereof;

(b) Measures to facilitate the filing of complaints by children for violations of their rights in relation to environmental hazards and their access justice;

(c) Updates to the national health and environment plan and the extent to which it addresses the link between children's rights and the right to a safe, clean, healthy and sustainable environment.

### **Standard of living**

27. Please provide an update on the measures taken:

(a) To address the high rate of children suffering from multidimensional poverty and social exclusion, including information on funding for all child-related social protection programmes and activities, access to them, the coordination thereof and the extent to which they are focused on the most disadvantaged children;

(b) To implement the child guarantee national action plan, 2022–2030;

(c) To increase the percentage of gross domestic product devoted to combating child poverty;

(d) To ensure that all children have access to adequate housing and energy supply, especially in settlements, and end all evictions of families with dependent children until alternative housing is found.

## **H. Education, leisure and cultural activities (arts. 28–31)**

28. Please inform the Committee about the measures taken:

(a) To guarantee the right to education for all children, including compulsory education for those over 16 years of age in Ceuta and Melilla, and access for all children to supplementary educational services, such as school meals and school transportation;

(b) To regulate preschool education, make it universal and compulsory and increase the school enrolment rate of children 3 years of age and younger;

(c) To address the overrepresentation of Roma children in the rates of academic failure, guarantee equal opportunities and combat and revert the processes of school segregation that affect Roma students;

(d) To steadily and rapidly decrease the high percentage of early school dropout that disproportionally affects Roma, migrant, asylum-seeking and refugee children;

(e) To promote a healthy and safe relationship between children and technology;



- (f) To have health personnel in all educational centres.

**Rest, leisure, recreation and cultural and artistic activities**

29. Please provide information about the measures taken to promote the availability and accessibility of spaces for children to play and the existence of policies to promote free play in schools and day-care centres and at home, especially for children at risk of exclusion and children with disabilities.

**I. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)**

**Asylum-seeking, refugee and unaccompanied children and children in situations of migration**

30. Please describe the measures taken:

(a) To initiate, conclude and implement regulatory reforms related to children in situations of migration, including the migration contingency management model for unaccompanied children, the comprehensive strategy on unaccompanied migrant children and the updated Aliens Law;

(b) To ensure that migrant children are protected from abuse and do not face obstacles to access to basic social rights, such as education, and to access to psychosocial services, with particular attention given to Melilla, Ceuta, the Canary Islands and Andalucía;

(c) To respect the principle of non-refoulement in all cases of migrant children, including those in an irregular situation, and ensure their immediate access to free legal aid, appropriate guardians and other forms of assistance at all stages of the process;

(d) To ensure that all asylum-seeking children and their guardians are systematically provided with information on their rights and obligations, asylum procedures and available services;

(e) To strengthen the mechanism for the identification and assessment of special needs and vulnerability among children seeking asylum;

(f) To facilitate family reunification of asylum-seekers and refugees by ensuring that the definition of eligible family members is kept broad, that the procedure is undertaken without undue delay and that the time to submit an application is extended as required;

(g) To ensure the adequate representation of unaccompanied migrant children in age determination and asylum processes and regulate the determination of age of both unaccompanied and accompanied children, ensuring uniform multidisciplinary due procedure guarantees at the national level and the possibility to reopen a decision in case of new documentation, and please inform the Committee as to how the new age determination procedure addresses each type of violation under the Convention;

(h) To simplify the documentation procedure for unaccompanied foreign children in order to allow them access to the labour market when they turn 16;

(i) To promote information campaigns to combat the criminalization and stigmatization of unaccompanied migrant children;

(j) To avoid the saturation of protection systems and guarantee infrastructure with qualified personnel at arrival sites;

(k) To develop an independent and effective complaint mechanism to receive and address complaints from asylum-seeking children in custody;

(l) To implement the agreement on the technical instrument of collaboration and protocol for the transfer of unaccompanied migrant children and adolescents between autonomous communities and cities in situations of migratory contingency.

**Sale, trafficking and abduction of children**

31. Please provide information on the following:

- (a) The status of a law against trafficking;
- (b) The investigation and prosecution of, and sanctions imposed in, cases of trafficking in persons involving children;
- (c) Measures taken to strengthen the identification of children who are victims of trafficking;
- (d) The recovery and reintegration assistance and services provided to children who are victims of trafficking;
- (e) Efforts made to prevent the trafficking of children and to address its root causes.

**Administration of child justice**

32. Please share information on measures taken:

- (a) To ensure that the detention of children, including pretrial detention, is used as a measure of last resort and for the shortest possible time, promote alternatives to detention and ban the use of solitary confinement for children;
- (b) To stop children being detained in the same facilities as adults;
- (c) To improve conditions of detention for children and reduce overcrowding in juvenile detention centres;
- (d) To establish a specialized child-friendly justice system across the country and promote non-judicial measures in cases of children accused of criminal offences, such as mediation, diversion or non-custodial sanctions.

**J. Optional Protocol on the sale of children, child prostitution and child pornography**

33. Please provide information on measures taken to implement the recommendations of the Committee contained in its concluding observations on the report of the State party submitted under article 12 (1) of the Optional Protocol,<sup>3</sup> in particular:

- (a) To enact legislation to ensure the protection of children who are victims of sexual exploitation, including by shifting the burden of proof onto the alleged perpetrators;
- (b) To provide free legal aid and psychological, medical and social support for children who are victims of offences prohibited under the Optional Protocol;
- (c) To undertake research on the extent and root causes of the sexual exploitation of children and increase efforts to combat the sexual exploitation of children in the context of travel and tourism;
- (d) To integrate provisions for the liability of legal persons for offences under the Optional Protocol into the Penal Code and ensure the legal accountability of business enterprises operating in or managed from the State party, especially in the tourism industry;
- (e) To increase allocations and resources for awareness-raising campaigns and deliver training materials and courses for relevant professionals, including police officers and labour inspectors.

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<sup>3</sup> [CRC/C/OPSC/ESP/CO/1](#). See also [CRC/C/ESP/CO/5-6](#), para. 48.

## **K. Optional Protocol on the involvement of children in armed conflict**

34. Please inform the Committee about the measures taken to implement its recommendations contained in its concluding observations on the combined fifth and sixth periodic reports of the State party,<sup>4</sup> including on progress made:

(a) To increase the number of professionals providing adequate multidisciplinary assistance for the physical and psychological recovery and social reintegration of migrant, asylum-seeking and refugee children in the State party who may have been involved in armed conflict abroad;

(b) To take into account whether the country receiving exports of defence material has been involved in grave violations perpetrated against children in the context of armed conflict, in particular whether children are recruited and used in hostilities.

## **III. Statistical information and data**

35. The statistical information and data provided by the State party should cover the period since the consideration of its previous reports on the implementation of the Convention and the Optional Protocols thereto. The data should be disaggregated by age, sex, ethnic origin, national origin, type of disability, geographical location and socioeconomic status, as well as by year or other relevant time frame.

36. The provision of tables setting out trends over the reporting period is recommended, and explanations of, or comments on, significant changes that have taken place over the reporting period should also be provided.

### **A. General measures of implementation (arts. 4, 42 and 44 (6))**

37. Please provide information on the budget lines regarding children and the social sectors by indicating the amount and the proportion of each budget line in terms of the total national budget.

### **B. Definition of the child (art. 1)**

38. Please provide data, disaggregated as described in paragraph 35 above, on the number and proportion of children under 18 years of age living in the State party.

### **C. General principles (arts. 2–3, 6 and 12)**

39. Please provide data, disaggregated as described in paragraph 35 above, on the number of children who have attempted or who have died by suicide.

### **D. Civil rights and freedoms (arts. 7–8 and 13–17)**

40. Please provide data, disaggregated as described in paragraph 35 above, on the number of stateless children and children with undetermined citizenship.

### **E. Violence against children (arts. 19, 24 (3), 28 (2), 34, 37 (a) and 39)**

41. Please provide data, disaggregated as described in paragraph 35 above, on the following:

<sup>4</sup> [CRC/C/ESP/CO/5-6](#), para. 49. See also [CRC/C/OPAC/ESP/CO/1](#).

- (a) Number of cases of violence perpetrated against children, including corporal punishment, that have been reported to the authorities, investigated and prosecuted and the sanctions applied to the perpetrators, further disaggregated by type of offence;
- (b) Number and type of protective measures provided to children who are victims of violence;
- (c) Number of intersex children who have been subjected to non-urgent and irreversible surgical and other procedures.

**F. Family environment and alternative care (arts. 5, 9–11, 18 (1)–(2), 20–21, 25 and 27 (4))**

42. Please provide data, disaggregated as described in paragraph 35 above, on the number and proportion of families and children receiving economic and other type of support services.
43. Please provide data, disaggregated as described in paragraph 35 above, on the number of children in:
- (a) Institutional care and the average number of days of their stay;
  - (b) Family-based and community-based care.
44. Please provide information on restraint measures used against children, disaggregated by age, sex, disability, the type of centre, the duration of the measure, the reason for the measure, the individual requesting the measure and the official carrying it out.

**G. Children with disabilities (art. 23)**

45. Please provide data, disaggregated as described in paragraph 35 above, on the number of:
- (a) Children with disabilities;
  - (b) Children with disabilities living with their families and living in family-based and community-based care;
  - (c) Children with disabilities placed in institutions;
  - (d) Reported cases of torture, inhuman or degrading treatment and neglect and sexual violence perpetrated against children with disabilities who are placed in institutions, the number of investigations and prosecutions carried out and the sentences imposed on the perpetrators.

**H. Basic health and welfare (arts. 6, 18 (3), 24, 26, 27 (1)–(3) and 33)**

46. Please provide data, disaggregated as described in paragraph 35 above, on the following:
- (a) Number and rate of children with health insurance;
  - (b) Number of paediatric and mental health services and professionals specialized in young children and adolescents, further disaggregated by region.
47. Please provide data, disaggregated as described in paragraph 35 above, on the number of:
- (a) Adolescent mothers;
  - (b) Children who abuse drugs and alcohol;
  - (c) Sexual and reproductive health services available to adolescents, further disaggregated by region.

48. Please provide data, disaggregated as described in paragraph 35 above, on the number and proportion of children living under the poverty line and in extreme poverty.

## **I. Education, leisure and cultural activities (arts. 28–31)**

49. Please provide data, disaggregated as described in paragraph 35 above, on the following:

- (a) Number and proportion of children between 16 and 18 years of age who are not attending school;
- (b) Number and proportion of children who drop out of school;
- (c) Number of children in special schools and in special classes, in regular schools, for children with special educational needs arising from disabilities;
- (d) Number of children with disabilities with access to inclusive high-quality education in ordinary schools in each autonomous community, further disaggregated by educational level;
- (e) Number and proportion of children attending early childhood education and the average years of attendance;
- (f) Number of children in public and private schools, including religious schools.

## **J. Special protection measures (arts. 22, 30, 32–33, 35–36, 37 (b)–(d) and 38–40)**

50. Please provide data, disaggregated as described in paragraph 35 above, and further disaggregated by country of origin and accompanied or unaccompanied status, on the number of:

- (a) Applications for international protection of children, both accompanied and unaccompanied, and the number of children who have been granted asylum since 2018;
- (b) Asylum-seeking and refugee children;
- (c) Children in situations of migration, including migrant children arriving in the Canary Islands, Ceuta and Melilla;
- (d) Unaccompanied foreign children, including asylum-seeking children;
- (e) Asylum-seeking and refugee children and children in situations of migration who have been detained, including in transit centres;
- (f) Children expelled from the territory of the State party;
- (g) Asylum-seeking and refugee children and children in situations of migration, who are attending school and who have access to health care.

51. Please provide data, disaggregated as described in paragraph 35 above, as well as by type of violation reported, on the following:

- (a) The number of reported cases of trafficking and the number of children involved in trafficking;
- (b) The number of such children who have been provided with access to rehabilitation programmes;
- (c) The number and percentage of such cases that have resulted in sanctions, with information on the country of origin of the perpetrator and the nature of the penalties imposed.

52. Please provide data, disaggregated as described in paragraph 35 above, and further disaggregated by the type of crime, on the number of children:

(a) In detention facilities, including information on the average length of stay, further disaggregated by whether the child is in pretrial detention, whether the child is detained in a police custody or in prison and the child's race, gender, religion and other relevant characteristics;

(b) Who have been referred to diversion programmes and non-custodial sentencing options;

(c) With access to legal counsel within pretrial detention;

(d) Who have been the victim of sexual exploitation, further disaggregated by the type of sexual exploitation and other relevant characteristics of the victim.

**K. Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography**

53. Please provide data, disaggregated as described in paragraph 35 above, on the number of:

(a) Reported cases of sale of children, the sexual exploitation of children in prostitution and the use of children in child sexual abuse performances and material;

(b) Such cases that have been investigated, prosecuted and for which sanctions have been imposed;

(c) Children who are victims of such crimes who have been provided with recovery assistance or compensation.

**L. Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict**

54. Please provide data, disaggregated as described in paragraph 35 above, on the number of:

(a) Migrant, asylum-seeking and refugee children entering the State party from areas where children may have been recruited or used in hostilities;

(b) Children who have been recruited or used in hostilities who benefit from physical and psychological recovery and social reintegration measures.

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