

Spain

Spain is a Member State of the Council of Europe (COE) and of the United Nations (UN), and has human rights obligations at the regional and universal levels.

Regional: European System



As a Member of the COE, Spain has ratified the European Convention on Human Rights and is subject to the jurisdiction of the [European Court of Human Rights](#). Spain has ratified the European Social Charter, but has not authorized the [European Committee of Social Rights](#) to decide collective complaints against it. Its human rights policies and practices are also monitored by the [COE Commissioner for Human Rights](#), who identifies gaps in human rights protection, conducts country visits, engages in dialogue with States, and prepares thematic reports and advice.

Individuals and groups have submitted complaints of human rights violations committed by Spain to the European Court of Human Rights. For example, in *Del Río Prada v. Spain*, the Court held that Spain unlawfully detained an individual in violation of her right to liberty and to “no punishment without law” when authorities retroactively applied a new sentencing policy to extend her sentence. See ECtHR, [Del Río Prada v. Spain](#), no. 42750/09, ECHR 2013, Judgment of 21 October 2013. Additionally, the Court may grant [interim measures](#) to protect people in urgent situations of risk in Spain.

As a State party to the European Social Charter, Spain must submit yearly reports to the European Committee of Social Rights on its implementation of the Charter’s provisions.

Spain is a [party](#) to the following **regional human rights treaties**:

- European Convention on Human Rights and several of its [protocols](#)
- European Social Charter
- COE Convention on Preventing and Combating Violence against Women and Domestic Violence
- COE Convention on Action against Trafficking in Human Beings
- European Convention for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment
- Framework Convention for the Protection of National Minorities

United Nations System

As a UN Member State, Spain is subject to the oversight of various [UN human rights bodies](#), including the [Human Rights Council](#) and its [Universal Periodic Review](#) and thematic [special procedures](#). As a party to specific universal human rights treaties, Spain's policies and practices are monitored by UN [treaty bodies](#). It has accepted the complaints procedure of eight treaty bodies.

Spain has ratified the following **UN human rights treaties**:

- International Covenant on Civil and Political Rights (ICCPR)
- International Covenant on Economic, Social and Cultural Rights (ICESCR)
- Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT)
- Convention for the Protection of All Persons from Enforced Disappearance (CED)
- Convention on the Elimination of All Forms of Discrimination Against Women (CEDAW)
- Convention on the Rights of Persons with Disabilities (CRPD)
- Convention on the Rights of the Child (CRC)
- International Convention on the Elimination of All Forms of Racial Discrimination (CERD)

Spain has submitted a declaration that modifies its obligations under the [CRC](#).

Spain has also ratified the Second Optional Protocol to the ICCPR aimed at abolishing the death penalty, and Optional Protocols to the CRC addressing children in armed conflict and the sale of children, child prostitution, and child pornography. Spain has a duty to submit **State Reports** to each UN treaty body that is associated with the relevant treaty Spain has ratified. These reports must be submitted on a periodic basis, and describe the steps Spain has taken to implement the treaty provisions.

Spain has also ratified [optional protocols](#) and made appropriate declarations allowing individuals to submit **complaints** against the State alleging violations of the ICCPR, ICESCR, CAT, CED, CEDAW, CRPD, CRC, and CERD. Additionally, certain UN treaties contain **inquiry procedures**, which allow the UN treaty body to consider allegations of grave or systematic human rights violations. Spain has accepted the inquiry procedures of the CAT, CED, CEDAW, CRPD, and CRC.

In March 2001, Spain extended a **standing invitation** to UN special procedures, which means that any such mandate holders are welcome to conduct visits in Spain. For example, the Special Rapporteur on human rights while countering terrorism visited Spain in 2008 and published a visit [report](#) that year.

For more information on Spain's engagement with [UN human rights bodies](#), visit <http://www.ohchr.org/EN/countries/ENACARRegion/Pages/ESIndex.aspx>.

Last updated: February 2020