

## **United Nations urges Spain to end detrimental austerity measures**

- ***UN Committee on Economic, Social and Cultural Rights calls for a more redistributive fiscal system that addresses rising economic and social inequalities***
- ***Spain urged to restore universal health coverage, rectify disparities between autonomous communities and address chronic unemployment and persistent wage gaps***

Madrid / Geneva / New York, April 9, 2018—Following its periodic review of Spain, the United Nations Committee on Economic, Social and Cultural Rights (CESCR) has called on the Spanish state to consider putting an end to austerity measures, as they have disproportionately affected marginalized groups and contributed to increasing inequality.

The [Concluding Observations of the Committee](#) following its review of Spain's compliance with the [International Covenant on Economic, Social and Cultural Rights](#) (ICESCR) on March 21-22, express concern that, despite signs of economic recovery since 2014, the State has failed to evaluate or address the disproportionate effects of five years of austerity on disadvantaged groups—including women, migrants, the Roma community, young people and children.

Reflecting the recommendations of a [“shadow report”](#) submitted to the Committee by the Center for Economic and Social Rights (CESR), Médicos del Mundo and 34 Spanish civil society organizations, the Committee, made up of 18 experts of different nationalities, urged Spain to carry out a thorough assessment of austerity's impacts on economic, social and cultural rights (ESC rights) with a view to bringing them to an end, in full consultation with affected groups. It also recommended that ESC rights be granted the same enforceable status as civil and political rights in its legal system and criticized the State's lack of an adequate mechanism to implement Committee recommendations.

## **Fiscal policy should address growing social and economic inequalities**

In its [Concluding Observations](#), the Committee maintained that Spain must ensure a more socially just and redistributive fiscal system, and made unusually detailed and far-reaching recommendations regarding the State's duty to mobilize the “maximum available resources” to guarantee the enjoyment of ESC rights.

Echoing the findings of the [civil society report](#), the Committee reiterated that Spain's regressive tax system and its loss of revenue due to tax evasion and avoidance have prevented the State from collecting sufficient resources to ensure compliance with its obligations in the area of ESC rights, leading to growing social inequalities. The Committee urged Spain to comprehensively evaluate the effects of its current fiscal policy on human rights, specifically by examining the validity of personal tax exemptions and by instituting strict measures to combat tax fraud committed by companies and wealthy estates.

## **Health coverage must be universal and without discrimination**

The Committee called on Spain to take the necessary measures to ensure that undocumented migrants have access to all necessary health services, without discrimination, in accordance with the ICESCR. It determined that the Royal Decree Law 16/2012 had a regressive effect on the enjoyment of the right to health, since it not only limited access to health services for migrants, but also degraded the quality of health services in general and increased health disparities between Spain's regions or autonomous communities.

The CESCR also cited the negative impact of RDL 16/2012 on women's equal access to sexual and reproductive health information and services like abortion and contraception across the different autonomous communities. In addition, it recommended that Spain ensure comprehensive and appropriate sexual health education and institute an effective mechanism guaranteeing access to abortion in the context of "conscientious objection" by health providers. Finally, it requests the elimination of the requirement for adult consent to abortion for adolescents between 16 and 18 years of age as well as for women with disabilities.

### **State must correct rights inequalities between autonomous communities**

The Committee called on the Spanish State to intensify its efforts to close the unjustified gaps in ESCR rights attainment between the autonomous communities by ensuring more effective coordination between central and regional government institutions. The Committee expressed concern that recent Constitutional Court rulings had prevented autonomous communities from using their own resources to provide additional ESC rights protections beyond those guaranteed at the national level. These have included decisions at the regional level extending health coverage to groups like undocumented migrants excluded at the national level.

### **State must evaluate current employment policy and close wage gaps**

The Committee recommended that the State commit to a thorough evaluation of its current employment policy, addressing the root causes of unemployment and ameliorating persistent wage gaps between men and women. As indicated in the [parallel civil society report](#), in 2017 Spain's 16% unemployment rate was the second highest in Europe; in that same year youth unemployment rose sharply to 44% and immigrant women earned half of what Spanish men did. According to the Committee, in the context of economic recovery, deficits in the enjoyment of the right to work require that the State redouble its efforts to eliminate the persistent wage gap between men and women and the high incidence of precarious temporary work mostly undertaken by women.

The organizations endorsing the civil society shadow report confirm that the Concluding Observations of the Committee—which cover other critical issues including the rights to housing and social security, labor rights, migration and asylum, corporate accountability and Spain's sustainable development commitments—constitute a comprehensive frame of reference for demanding that the Spanish State fulfill its legal obligations under the ICESCR. The

State must report within the next 18 months on the progress made on the implementation of the Committee's recommendations regarding the assessment of the human rights impacts of austerity measures, including RDL 16/2012, and the measures taken to protect against forced evictions. The signatory organizations view the recommendations as an opportunity for the State to demonstrate its political will to comply with its human rights obligations and the coherence of its policies for a fair and sustainable economic recovery.

**Signatory organizations:**

Center for Economic and Social Rights (CESR) • Médicos del Mundo • Oxfam-Intermón • Observatori DESC • Asociación de Economía de la Salud (AES) • Federación de Asociaciones en Defensa de la Sanidad Pública (FADSP) • Federación de Planificación Familiar Estatal (FPFE) • Sociedad Española de Medicina Familiar y Comunitaria (semFYC) • Sociedad Española de Salud Pública (SESPAS) • Asociación de Enfermería Comunitaria • Comisiones Obreras (CCOO) • Sindicato Unión General de Trabajadores (UGT) • ARI-PERU • Asociación con la A • Asociación de Mujeres Integradoras para la Igualdad Psicosocial (AMILIPS) • Asociación Feminista Tiemar • Asociación de Investigación y Especialización sobre Temas Iberoamericanos (AIET) • Asociación de Planificación Familiar de Catalunya I Balear (APGCIB) • Asociación de Usuarios de la Sanidad de la Región de Murcia • Centro de Estudios e Investigación sobre Mujeres (CEIM) • Ciudadanía Contra la Exclusión Sanitaria (CESIDA) • Federación Mujeres Jóvenes • Forum de Política Feminista • Frente de Lucha Feminista (FLF) • Fundación Haurralde • Iniciativas de Cooperación Internacional para el Desarrollo (ICID) • Liga Internacional de las Mujeres por la Paz y la Libertad España (WILPF) • Medicusmundi • ODUSALUD • Oxfam-Intermón • PASUCAT • Red Transnacional de Mujeres/Networkwoman • Salud por Derecho • SOS Racismo • Trabajando en Positivo • Women's Link Worldwide (WLW).

**For more information, please contact:**

Center for Economic and Social Rights (CESR): Terry Roethlein - [troethlein@cesr.org](mailto:troethlein@cesr.org) - +1 (718) 237-9145