

SPAIN

SUBMISSION TO THE UNITED NATIONS COMMITTEE ON ECONOMIC SOCIAL AND CULTURAL RIGHTS ON SPAIN

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Amnesty International submits this briefing to the United Nations Committee ('the Committee') in advance of the follow-up review to the concluding observations on Spain.

In 2018, the Committee requested Spain to provide information, within 18 months of the adoption of the concluding observations, on the action taken to give effect to the recommendations related to austerity measures, forced evictions and the right to health.¹ In this briefing, Amnesty International provides information on and raises concerns in relation to Spain's implementation of the recommendations, in particular with regard to the right to adequate housing, and the right to the highest attainable standard of physical and mental health.

THE RIGHT TO ADEQUATE HOUSING (PARAGRAPH 38)

- **STATISTICS ON EVICTIONS**

Since the second quarter of 2018 until September 2019 there were 84,256 evictions in Spain (54,528 rental evictions, 24,247 mortgage evictions and 5,481 for other reasons).²

Contrary to the obligation to collect qualitative and quantitative data on the housing needs of the population, and women specially, deriving from the Law 3/2007 on Equality of women and men,³ publicly available statistics on evictions continue to neither provide information about the number of people affected, nor is the data disaggregated in a manner that identifies how many men and women, children and adults, victims of gender-based violence, foreign nationals and other groups have been evicted, or whether the number of homeless people has gone up. Furthermore, statistics do not differentiate between homes and other properties. This lack of data means that the authorities do not have an accurate assessment of the impact of evictions on the right to adequate housing of different groups, which represents a clear obstacle to formulate and implement appropriate law and policy responses.

- **LEGISLATIVE FRAMEWORK FOR CONDUCTING EVICTIONS**

Recent measures taken by the government on rental housing are positive but are not sufficient to address the housing crisis in the country. Royal Decree Law 7/2019⁴ (RDL) includes measures that improve the protection of tenants and their security of tenure, for example, the extension of the duration of rental contracts from 3 to 5 years and up to 7 years in cases where the owner is a company; a mandatory extension after contract expiration extended to 3 years; and the extension of the period of notice that the landlord is required to give the tenant to inform them about the intention to terminate the contract, among other measures.

Regarding the eviction procedure, the RDL includes measures that improve the protection of tenants and their security of tenure. The RDL incorporates a requirement that courts provide details of the day and time of the eviction and where

¹ Concluding observations of the Committee on Economic, Social and Cultural Rights, UN Doc. E/C.12/ESP/CO/6, 25 April 2018, paras. 14, 38, and 42 available at https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/Download.aspx?symbolno=E%2fC.12%2fESP%2fCO%2f6&Lang=en

² General Council of the Spanish Judicial Authorities. Statistics available in: <http://www.poderjudicial.es/cgpj/es/Temas/Estadistica-Judicial/Estudios-e-Infomes/Efecto-de-la-Crisis-en-los-organos-judiciales/>

³ Article 20 of the Law 3/2007, 22th March, on Equality of women and men.

⁴ Real Decreto-ley 7/2019, de 1 de marzo, de medidas urgentes en materia de vivienda y alquiler <https://www.boe.es/buscar/doc.php?id=BOE-A-2019-3108>

there may be a situation of specific social and/or economic vulnerability, consider the possibility to delay the eviction by one month, or three months where the property is owned by a company.

However, this regulation does not contemplate a reform of the Civil Procedure Law that would require courts to examine the proportionality and reasonableness of the eviction on a case-by-case basis. This renders the court process of little value in a large number of cases. For example, nearly all the people who had gone through a foreclosure or rental eviction procedure who Amnesty International interviewed for its research and campaign from 2015-17 said that their lawyers had made clear from the outset that the outcome of the procedure was unavoidable: they were likely to lose their home regardless of their personal circumstances.⁵

Amnesty International has found that evictions have been carried out without sufficient guarantees for the protection of the rights of the affected people. As international human rights standards note, some evictions may be justified in case of persistent non-payment of rents, but all evictions must comply with international human rights standards.⁶ Amnesty International has documented cases of evictions affecting people with disabilities, people with chronic health conditions, families with children, among other groups.⁷

In its October 2019 decision, in XYZ vs Spain, the Committee also held that a State party cannot stipulate that a person who occupies a property without a legal title should be immediately evicted regardless of the circumstances, and without a court considering the proportionality of the measure.⁸

Amnesty International therefore reiterates that the proportionality and reasonableness assessment is essential to prevent a situation where the evictions further entrench patterns of poverty and discrimination including indirect discrimination against women.⁹ It is also of critical importance when children are involved.¹⁰

The lack of justiciability of the right to housing in Spain lies at the root of the ineffective remedies for people experiencing rental evictions.¹¹

- **ACCESS TO SOCIAL HOUSING**

As mentioned above, the RDL provides that in cases of specific social and/or economic vulnerability, the court clerk might consider the possibility of delaying the eviction by one month, or three months where the property is owned by a company, until measures that social services consider appropriate are adopted. RDL however, does not provide for the need to ensure adequate alternative housing for most vulnerable people who do not have the resources to access to alternative housing in the private market.

Following an eviction, many people cannot escape the trap of insecure housing. Public authorities are failing to adopt the necessary measures to ensure that evictions do not result in individuals being rendered homeless. The government of Spain has not invested the necessary resources in significantly and progressively increasing the social housing stock in order to protect and fulfil the right to housing of those people after eviction.

⁵Amnesty International “Evicted rights: Right to housing and mortgage evictions in Spain”. June 2015 and “The housing crisis is not over”: Right to housing and impact of rental evictions on women in Spain, May 2017.

⁶ CESCR, General Comment No. 7, 1997, para. 11. Also the Human Rights Committee has highlighted that every interference with the right to private and family life should be reasonable in the particular circumstances (Human Rights Committee, General Comment No. 16, 1988, para. 4) and the European Court of Human Rights has established that any person and any person at risk of loss of their home should be able to have the proportionality of such a measure assessed by an independent tribunal (ECtHR, McCann v. UK, 2008, para. 50; Paulić v. Croatia, 2009, para. 43; Zehentner v. Austria, 2009, para. 59; Kay et al v. UK, 2010, para. 68; Buckland v. UK, UK, 2012, para. 65; Rousk v. Sweden, 2013, para. 137).

⁷ Amnesty International “Evicted rights: Right to housing and mortgage evictions in Spain”. June 2015 and “The housing crisis is not over”: Right to housing and impact of rental evictions on women in Spain. May 2017. Also, Amnesty International denounced the risk of eviction of a woman with a 66% of degree of disability that finally took place. “El desahucio de Safira Sánchez, de llevarse a cabo, incumpliría medidas cautelares dictaminadas por Naciones Unidas y no debe realizarse” <https://blogs.es.amnesty.org/castilla-la-mancha/2018/10/18/el-desahucio-de-safira-sanchez-de-llevarse-a-cabo-incumpliria-medidas-cautelares-dictaminadas-por-naciones-unidas-y-no-debe-realizarse/>

⁸ CESCR Communication N°37/2018 E/C.12/66/D/37/2018, October 2019.

⁹ “Good quality of justice systems requires that all components of the system adhere to international standards of competence, efficiency, independence and impartiality and provide, in a timely fashion, appropriate and effective remedies that are enforced and that lead to sustainable gender-sensitive dispute resolution for all women.” (CEDAW Committee, General Recommendation No. 33 on women’s access to justice, 2015, para. 14.d, UN doc: CEDAW/C/GC/33.

¹⁰ Article 3 of the Convention on the Rights of the Child.

¹¹ Housing, similarly to the majority of other economic, social and cultural rights, is not duly guaranteed in the Constitution and in ordinary legislation. See Amnesty International. Derechos a la intemperie: Obstáculos para hacer valer los derechos económicos, sociales y culturales en España. April 2011 https://www.es.amnesty.org/uploads/pics/derechos_a_la_intemperie.pdf

Where people affected by an eviction are unable to provide for themselves, the state must take all appropriate measures, to the maximum of available resources, to ensure that adequate alternative housing is made available.¹²

The UN Committee on Economic, Social and Cultural Rights and the Special Rapporteur on adequate housing have recommended consistently since 2008 that Spain invests more resources in increasing the social housing stock in order to meet demand, reiterating this recommendation in 2018.¹³ However, national authorities have continued to fail to meet this obligation.

During the economic crisis, the social housing budget experienced the most severe cuts in the Spanish public budget.¹⁴ Between 2009 and 2018, the Spanish public budget for access to housing and support for housing renovation was cut by over 70.4%.¹⁵ In 2019, there was an attempt by the government to increase the budget on housing, but it was not approved by the Parliament, so the 2018 budget was extended which meant that there was no increase in the access to housing budget line.

Social housing stock in Spain comprises only 2.5% of all dwellings, compared to 30% in the Netherlands, 24% in Austria, 17.6% in the UK or 16.8% in France.¹⁶ This scarcity of social housing stock has had a devastating impact for low-income families, especially those who have not been provided any alternative housing following evictions. Many of these families are single parent households, headed by women. The lack of adequate social housing stock has meant that many families have had no choice but to seek housing in the private rental market where they must pay higher rents thus making housing unaffordable.

The UN Special Rapporteur on adequate housing recommended that authorities in Spain make more intensive use of vacant buildings.¹⁷ However, according to the latest official Population and Housing census, in 2011 there were 3.44 million empty homes in Spain.¹⁸ The number of empty homes increased by 10.8% between 2001 and 2011 and this census has not been updated since 2011.

Measures included in the Royal Decree Law 7/2019 are also insufficient for increasing the social housing rental stock as they do not include a time frame and a budget allocation.¹⁹ Regarding the vacant buildings, it includes some fiscal measures.²⁰ However, the law fails to define what constitutes a vacant building. It instead leaves the task of identifying and defining 'vacant building' to sectorial, autonomous or state housing regulations without establishing a time frame for doing so.

● AFFORDABILITY OF HOUSING

In a context of social housing scarcity, Spain has not adopted adequate measures to protect people, especially those more vulnerable to discrimination and marginalisation, and who cannot afford renting in the private market or owning a property.

In order to comply with international human rights obligations, housing must be affordable. The state must not only ensure that the average cost of housing is proportionate to average income,²¹ it must also make sure that housing is affordable for all, including the most disadvantaged households, in line with their limited resources.

¹² Committee on Economic, Social and Cultural Rights, General Comment N. 7. The right to adequate housing (art. 11 (1) of the Covenant): Forced evictions.

¹³ CESCR E/C.12/ESP/CO/6, April 2018, CESCR Communication N° 5/2015, E/C.12/61/D/5/2015. June 2017; CESCR (2012): Concluding Observations: Spain, para. 21, Special Rapporteur on the Right to Housing, Miloon Kothari (2008): Report after mission to Spain, para. 101.

¹⁴ Ministerio de Hacienda y Administraciones Públicas, Estadísticas 2007-2016, Presupuestos Generales del Estado Consolidados 2016, 18 de noviembre de 2015, p. 11, available at <https://www.sepg.pap.hacienda.gob.es/sitios/sepg/es-ES/Presupuestos/DocumentacionEstadisticas/Estadisticas/Documents/2016/01%20Presupuestos%20Generales%20del%20Estado%20Consolidados.pdf>

¹⁵ Spanish public budget on access to housing and support for housing renovation was just over €450.352,67 million in 2017, for €1,606 billion in 2009 Ministry of Finance. <https://www.sepg.pap.hacienda.gob.es/sitios/sepg/es-ES/Presupuestos/PGE/PresupuestosEjerciciosAnteriores/Paginas/presupuestosejerciciosanteriores.aspx>

¹⁶ Housing Europe, State of Housing within the EU, 2019.

¹⁷ Special Rapporteur on the Right to Housing, Miloon Kothari (2008): Report after mission to Spain, para. 101 and 91.

¹⁸ Instituto Nacional de Estadística. Available in: http://www.ine.es/censos2011_datos/cen11_datos_inicio.htm

¹⁹ Real Decreto Ley 7/2019. Disposición adicional primera. Medidas para promover la oferta de vivienda en alquiler. <https://www.boe.es/buscar/doc.php?id=BOE-A-2019-3108>

²⁰ Real Decreto Ley 7/2019. Artículo cuarto. Modificación del texto refundido de la Ley Reguladora de las Haciendas Locales, aprobado por Real Decreto Legislativo 2/2004, de 5 de marzo.

²¹ ECSR, Feantsa v. Slovenia, Complaint No. 53/2007, para. 76-77.

The UN Committee on Economic, Social and Cultural Rights has already expressed its concern about the "growing lack of affordability" of housing in Spain and recommended the adoption of "necessary measures to regulate the private housing market in order to facilitate the accessibility, availability and affordability of adequate housing for low-income people".²²

In Spain, the lack of public investment is offset by an increase in private spending. The personal expenditure on housing has increased from 17.4% of total household expenditure in 2005 to 21.9% in 2018.²³

The price of rental housing in Spain has gone up more than 50% since it hit lows at the end of 2013 to the peak observed in May 2019.²⁴ In addition, although salaries have gone up by 2.2% during last year²⁵ in the last decade salaries lost 7.8% of their purchasing power.²⁶

Also, 36,9% of working people in Spain earn less than twice the Interprofessional Minimum Wage. Of these, 4,3% are women, compared to 33.7% of men.²⁷ The at-risk-of-poverty rate is 21.5%²⁸ which rises up till 42.9%²⁹ for single-parent families, and in the case of single-parent families headed by women it is 81.8%.³⁰ In September 2019, women's unemployment rate was 15,92%, while men's was 12,17%.³¹

The Royal Decree Law includes in its explanatory memorandum the need to "address the serious situation of economic and social vulnerability of a large number of families to meet the payments for a home". It also highlights the fact that "more than 42% of Spanish households spent in 2017 more than 40% of their income to pay rent".

For this purpose, it includes positive measures such as limiting the annual updating of rent during a contract based on the Consumer Price Index and reducing the amount of the guarantee/deposit to two months payments. The second Additional Provision also contemplates the establishment of a reference index system of rental prices to be drawn up within a period of eight months. These measures could be important initial steps towards improving affordability of adequate housing for persons with low incomes. However, no further information on these steps has been published as of January 2020.

These measures, while positive, are insufficient to meet the international obligation of States to ensure affordability of housing and to protect individuals from the largest increase in rental housing prices in the last decade.

● RECOMMENDATIONS

Amnesty International recommends that the Spanish authorities:

- Request the National Statistics Institute to compile and monitor disaggregated information on housing conditions and evictions.
- Modify the Civil Procedure Law to require judges to assess the proportionality and reasonableness of a rental eviction on a case-by-case basis.
- Work in coordination with autonomous communities to draw upon the maximum available resources to increase social rental housing stock.
- Adopt a framework protocol in relation to evictions, including measures to improve the coordination between courts and local authorities that lead to the provision of adequate housing alternatives for people with limited resources.
- Take necessary measures to regulate the private housing market in order to improve the accessibility, availability and affordability of adequate housing for persons with low incomes for example through mechanisms such as rent control.

²² CESCR E/C.12/ESP/CO/6, April 2018, para. 35 and 36 b.

²³ Eurostat. Final consumption expenditure of households by consumption purpose (COICOP 3 digit). October 2019 <http://appsso.eurostat.ec.europa.eu/nui/submitViewTableAction.do>

²⁴ Banco de España. Evolución reciente del mercado del alquiler de vivienda en España. David López-Rodríguez y María de los Llanos Matea. August 2019.

²⁵ Instituto Nacional Estadística (INE) Encuesta Trimestral de Coste Laboral (ETCL) Segundo trimestre de 2019. September 2019 <https://www.ine.es/daco/daco42/etcl/etcl0219.pdf>

²⁶ UGT. <http://www.ugt.es/los-salarios-tienen-que-despegar-en-2019>.

²⁷ INE Encuesta anual de estructura salarial de 2017, published 21 June 2019, https://www.ine.es/dyngs/INEbase/es/operacion.htm?c=Estadistica_C&cid=1254736177025&menu=ultiDatos&idp=1254735976596

²⁸ Instituto Nacional Estadística (INE) Encuesta de condiciones de vida, 2013 - 2018, published on 27 June 2019.

²⁹ INE encuesta de condiciones de vida, 2019.

³⁰ Statistics from Instituto de la Mujer. April 2019 <http://www.inmujer.gob.es/MujerCifras/FamiliaHogares/FamiliaHogares.htm>

³¹ INE. September 2019.

RIGHT TO HIGHEST ATTAINABLE STANDARD OF PHYSICAL AND MENTAL HEALTH (PARAGRAPH 42)

● HUMAN RIGHTS IMPACT ASSESSMENT

Amnesty International's research shows that certain groups were particularly and disproportionately impacted by the austerity measures, specially by Royal Decree-Law No. 16/2012 (RDL 16/2012).³² These included people who are economically vulnerable and within this category, people with disabilities, people using mental health services, older persons, and people with chronic illnesses. Health workers and experts also raised concerns to Amnesty International that the budget cuts -particularly in the initial years of the crisis -were not specific or targeted.³³ Therefore, their impact was felt by a very large set of groups, often disproportionately disadvantaging certain marginalized groups. These concerns have also been raised by others.³⁴

States should ensure that austerity measures are not directly or indirectly discriminatory, either in intent or effect.³⁵ One way by which the possibly discriminatory effects of austerity measures can be identified and corrected is through conducting human rights impact assessments of these measures before and after they are developed and implemented. It is for this reason that several human rights monitoring bodies have recommended that Spain conduct such an impact assessment of the austerity measures implemented.³⁶

For example, in his report on Spain in 2013, the Commissioner for Human Rights of the Council of Europe noted "the need to ensure that members of social groups that are particularly vulnerable to and affected by fiscal austerity measures, such as children and persons with disabilities, are identified and effectively protected by the state on the basis of impact assessments". The need for such assessments also came up during Spain's Universal Periodic Review (UPR) in 2015.³⁷

Amnesty International asked representatives of the central government about whether any human rights impact assessments were conducted before and after the public health budget was cut or RDL 16/2012 was enforced. The representatives said they were unaware of any such assessments. Nearly eight years after the adoption of the RDL no impact assessment has been made public by the government.

In Spain there is a legal requirement to conduct a gender impact assessment of all budgets and laws under Ley Orgánica 3/2007. However, the government has not made public the findings of this assessment with respect to RDL 16/2012.³⁸ While a gender impact assessment is crucial and is a positive step, this alone would not be sufficient, given the range of risks austerity measures pose. For example, it would not capture what specific risks that people living with disabilities, older people, people accessing mental health care or people with chronic health conditions could face.

● ACCESS TO RIGHT TO HEALTH FOR MIGRANTS

In July 2018, the Government adopted the Royal Decree Law 7/201839 (RDL 7/2018), on universal access to the National Health System, which represents an improvement in terms of access to health care for migrants. RDL 16/2012 had limited the amount of free health care that migrants in irregular administrative situations could access through the public health system. Since the adoption of RDL 16/2012 several United Nations mechanisms have recommended its review due to the impact on the human rights of migrants.⁴⁰

³² See generally: Amnesty International, Wrong Prescription: Impact of austerity measures on the right to health in Spain, <https://www.amnesty.org/download/Documents/EUR4181362018ENGLISH.PDF>

³³ Interviews with health workers, Andalusia and Galicia, September 2017.

³⁴ J Gené-Badia et al, 'Spanish health care cuts: Penny wise and pound foolish?', 2012, Health Policy, 106 (1), pp.23-28; BLopez-Valcarcelet al, 2017.

³⁵ Office of the United Nations High Commissioner for Human Rights Report on austerity measures and economic and social rights 2013 https://www.ohchr.org/Documents/Issues/Development/RightsCrisis/E-2013-82_en.pdf

³⁶ CESCR, E/C.12/ESP/CO/6, CESCR E/C.12/ESP/CO/5. In his report on Spain in 2013, the Commissioner for Human Rights of the Council of Europe noted "the need to ensure that members of social groups that are particularly vulnerable to and affected by fiscal austerity measures, such as children and persons with disabilities, are identified and effectively protected by the state on the basis of impact assessments".

³⁷ UN Human Rights Council, Report of the Working Group on the Universal Periodic Review: Spain, 13 April 2015, A/HRC/29/8, para 131.123, available at: <http://www.ohchr.org/EN/HRBodies/UPR/Pages/ESIndex.aspx> [hereinafter: Spain UPR report, 2015].

³⁸ Amnesty International interview, January 2018.

³⁹ Real decreto-ley 7/2018, de 27 de julio, Sobre el acceso universal al sistema nacional de salud.

HTTPS://WWW.BOE.ES/DIARIO_BOE/TXT.PHP?ID=BOE-A-2018-10752

⁴⁰ ESCR Committee. Concluding observations. Spain E/C.12/ESP/CO/5. 17 May 2012; Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance. Report of the visit to Spain. A/HRC/23/56/Add.2. 6 June 2013; allegation letter sent to Spain by six UN special mechanisms. Special Rapporteur on extreme poverty and human rights, the European Committee on Social Rights of the Council of Europe. Conclusions XX-2 (2013) (Spain), nine country recommendations in the UPR (A/HRC/29/8 April 2015); Working Group on the issue of discrimination against women in law and in practice (A/HRC/29/40/Add.3 June 2015) and the Committee on the Elimination of Discrimination against Women (CEDAW/C/ESP/CO/7-8. July 2015)

However, after the adoption of the RDL 7/2018 migrants in irregular administrative situations still face obstacles to access healthcare.⁴¹ Although the new legislation recognises in its explanatory statement the need to guarantee the right to health care under the same conditions for all persons in the Spanish State, the new law does not ensure the same level of protection migrants had prior to the 2012 reform.⁴²

The excessive ambiguity in the wording of the text, as well as the introduction of multiple conditions to be able to access health care through the public health system create continuing barriers against access to health care by migrants in irregular administrative situations. These barriers include the requirement to be resident in the country for more than 90 days, the obligation to provide documentation such as the certificate of non-export of the right (an official document which proves that their State of origin does not cover the costs of their medical attention in Spain) or the requirement that there is no third party obliged to pay.

Beyond these barriers, the new legislation does not in all cases and without exception - as RDL 16/2012 did - guarantee access to health care in the public health system for some groups amongst migrants in irregular administrative situations including: pregnant women, children, victims of trafficking and asylum seekers. Nor does the new legislation ensure access to emergency care for all until medical discharge.⁴³

Furthermore, the new legislation does not ensure that persons who have a residence permit granted through a family reunification procedure can access the public health system. This is the procedure by which non-European citizens with a residence permit in Spain can bring their relatives to the country.

In June 2019, the Supreme Court issued a ruling that prevented access to health care to a Cuban woman who had legally been reunited with her daughter in Spain on the grounds that a temporary residence permit for a family member of European Union citizens does not imply the automatic recognition of this right. The ruling highlights that the right to health is linked to the requirement that the applicant has sufficient resources not to become a burden for the social assistance in Spain during the period of residence and that the applicant has health insurance covering any health risks while in Spain. The ruling implies that the current legislation on universal access to the National Health System does not guarantee that all non-citizens residing in Spain can access the public health system without any discrimination and on the same terms as citizens in Spain.⁴⁴

● RECOMMENDATIONS

Amnesty International recommends that the Spanish authorities:

- Urgently conduct a human rights impact assessment to assess how austerity measures have impacted the right to health in Spain, in particular the rights of groups at risk of greater impact, including people with disabilities, people accessing mental health care, people with chronic health conditions, and older persons. Make the results of this assessment public.
- The Ministry of Health, Social Services and Equality should urgently adopt legislative and other measures to ensure that all persons, including irregular migrants, can access public health care, free from discrimination.

⁴¹ Amnesty International (Spanish Section): El laberinto de la exclusión sanitaria. Vulneraciones del derecho a la salud en las Islas Baleares, July 2013 and Sin tarjeta, no hay derecho. Impacto en derechos humanos de la reforma sanitaria en Castilla-La Mancha y en la Comunitat Valenciana, April, 2015. (in Spanish only).

⁴² Amnistía Internacional Organizaciones sociales exigen una nueva regulación que proteja el derecho a la salud de todas las personas <https://www.es.amnesty.org/en-que-estamos/noticias/noticia/articulo/organizaciones-sociales-exigen-una-nueva-regulacion-que-recupere-el-derecho-a-la-salud-de-todas-las/>

⁴³ Amnistía Internacional. España: Cuatro meses después del nuevo decreto sobre sanidad universal se deben abordar sus fallos y ambigüedades <https://www.es.amnesty.org/en-que-estamos/noticias/noticia/articulo/espana-cuatro-meses-despues-del-nuevo-decreto-sobre-sanidad-universal-se-deben-abordar-sus-fallos-y/>. Amnistía Internacional. España: El nuevo Real Decreto Ley sobre sanidad, un paso adecuado hacia la universalidad. <https://www.es.amnesty.org/en-que-estamos/noticias/noticia/articulo/espana-el-nuevo-real-decreto-ley-sobre-sanidad-un-paso-adecuado-hacia-la-universalidad/>

⁴⁴ Tribunal Supremo. Sentencia núm. 364/2019 de 13 de mayo de 2019. <https://supremo.vlex.es/vid/791617817> This ruling overrides the decision of the Galician High Court of Justice which declared her right to health care, as other higher courts in different autonomous communities have done in order to effectively guarantee the right to health to people legally regrouped in Spain. Amnistía Internacional “La sentencia del Tribunal Supremo, una muestra más de que la salud universal no está garantizada” <https://www.es.amnesty.org/en-que-estamos/noticias/noticia/articulo/la-sentencia-del-tribunal-supremo-una-muestra-mas-de-que-la-salud-universal-no-esta-garantizada/>