



INTRODUCTION



Introduction

Another year running the Fundación Secretariado Gitano, as part of its strategy to combat discrimination, presents its **sixth Report on Discrimination and the Roma community**, with the aim of making further headway in the fight against discrimination of the Roma community by showing the entire society, and especially the competent government administrations, the social rejection and stigma that, unfortunately, this ethnic minority continues to suffer.

The Area of Equal Treatment of the Fundación Secretariado Gitano continues to deal with situations of discrimination suffered by the Roma community thanks to the financing provided by the Ministry of Health, Social Policy and Equality. Our work basically revolves around four fundamental pillars:

- Initiatives to identify cases of ethnic discrimination and counselling and support of victims who are defending their rights.
- Technical assistance and training initiatives targeting the key players in the fight against discrimination: mainly technical personnel and the heads of administrations and social organisations, jurists, law enforcement officials and the media.
- Promotion of policies supporting the advancement of equal treatment by monitoring anti-discrimination legislation and its everyday enforcement.
- Social awareness-raising actions through the dissemination of information related with the fight against ethnic discrimination and the promotion of equal treatment.

The Fundación Secretariado Gitano has observed deplorable events such as the mass expulsion of Community citizens (Romanians and Bulgarians) of Roma ethnic origin from France as well as important steps forward such as the favourable judgement delivered by the European Court of Human Rights acknowledging María Luisa Muñoz's right to a survivor's pension and the creation and commissioning of the *Council for the Advancement of Equal Treatment and Non-discrimination of Persons for Reasons of Racial or Ethnic Origin* and, more specifically, the creation of a network to provide assistance to victims of discrimination for reason of racial or ethnic origin composed of social organisation like ours which work day in and day out with groups suffering from discrimination. This service is of vital importance for all victims of discrimination who, until the middle of 2010, were provided with only scant information, counselling and accompaniment services to deal with a situation of rejection based on their ethnic or racial background.

We believe that we must continue forward in this line of work and delve deeper into the creation of an independent body to promote equal treatment to carry out the duties laid down in Directive 2000/43/EC¹. Moreover, it is essential for the future Equality Act to be published before the end of 2010 and that it be an integral Act fostering the defence of rights and non-discrimination in a practical sense.

The *2010 Discrimination and the Roma Community Report* begins this year with a survey of the situation endured by Community citizens of Roma ethnic origin in France and the efforts made by organisations like ours which champion rights and non-discrimination. Together with that survey we have included several specialised articles through which we seek to take a closer look at two vital services: the Council for the Advancement of Equal Treatment and the Special Hate and Discrimination Crime Service of the Barcelona Provincial Public Prosecutor. We conclude that section with an introduction to gender equality and a closer look at the situation of multiple discrimination faced by Roma women.

As in previous years, the report includes the cases of discrimination recorded by the Fundación Secretariado Gitano (131 in 2009) but this year they are grouped by area of discrimination identifying the type of discrimination they represent and some of the actions implemented to combat them and some responses obtained. Once again, with due consideration of the importance of collecting formal cases, we have conducted a more thorough analysis offering data broken down by sex, age and area of discrimination.

The report also reflects the most noteworthy advances made in the fight against discrimination at national and European level in 2009 and 2010, i.e. benchmark studies, new legislation and case law in the fight against discrimination and new tools developed in this area.

Lastly, we have included the most relevant affirmative action initiatives carried out by our organisation and others in the hope that these are of interest to and can be used by other agents involved in combating discrimination.

Following this overview of the content of this report, we would once again highlight that the Roma community continues to suffer daily violations of the right to equal treatment and that the victims of discrimination find themselves in a serious situation of defencelessness. This situation must be stopped and to that end we need to combat discrimination while accompanying the victims throughout the discrimination process and this highlights the need for the specialised equality body provided for in Directive 2000/43/EC to be independent. Another fundamental aspect is the need to further social awareness-raising among all key players in the fight against discrimination of the society as a whole and to see to it that anti-discrimination law is enforced by judicial authorities.

Although there is still so much to be done, progress has been made and best practices implemented which all organisations involved can use in our endeavour to see to it that all people may enjoy the right to Equality.

Once again, we would like to express our gratitude to all of the individuals and institutions who have collaborated in compiling this Report. Firstly and especially to the workers of the FSG who, from their different work centres, were involved in the collection of and follow-up on the different cases and provided assistance to the victims of discrimination.

Secondly, to the Ministry of Health, Social Policy and Equality which once again has provided the Fundación Secretariado Gitano with economic support for the actions we carry out in the promotion of equal treatment of the Roma community.

¹ Article 13 of Council Directive 2000/43/EC of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.



Lastly, we would like to express our gratitude for the collaboration offered by José Manuel Fresno, President of the Council for the Advancement of Equal Treatment, Miguel Ángel Aguilar, Public Prosecutor and coordinator of the Hate and Discrimination Crime Service of the Barcelona Provincial Public Prosecutor, María Macías, Professor of Constitutional Law at the University of Madrid and Fernando Rey Martínez, Constitutional Law Professor at the Universidad de Valladolid. All of these individuals are noteworthy professionals involved in the daily struggle in favour of real and effective Equal Treatment for all people and not just legal recognition of that right.

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