



Conclusions and recommendations



Conclusions and recommendations

1. The Roma community continues to be one of the groups held in lowest social esteem and that negative image, to which the media contribute actively, encourages discriminatory practices which have consequences on Roma standard of living and on the exercise of their rights as citizens. The 2006 Discrimination and the Roma Community Report contains a higher number of complaints with respect to the preceding year and while this cannot lead us to the conclusion that more discrimination has taken place given the lack of other data or research in this regard, it does show that the situation has not changed with regard to the Roma community.
2. Discrimination is a global phenomenon which is pervasive throughout all of Spain. The Discrimination and the Roma Community report is merely qualitative in nature and does not have the elements needed to analyse the situation in geographical terms but does point to the existence of discriminatory practices in all of the Autonomous Communities where the FSG has territorial offices.

Recommendations:

- Collect statistical data and conduct research to analyse the causes and consequences of discrimination and to quantify the latter.
 - Foster campaigns to make the social image of the Roma community more realistic having a real effect on public opinion and giving members a leadership role in the process.
 - Disseminate anti-discrimination regulations, especially among victims and potential perpetrators, using all suitable means in accordance with article 10 of Directive 2000/43/EC.
 - Develop integrated anti-discrimination measures on the state, regional and especially on the local level given that this latter level of government is in closest contact with citizens..
3. The discrimination endured by the Roma community mostly takes the form of barriers to access and use of rights and services in essential areas such as health-care, housing, employment and education and likewise



manifests itself in the form of harassment for reason of racial or ethnic origin as defined in Directive 2000/43/EC.

4. There are still serious examples of direct discrimination in private spheres which, on many occasions, also violate the victims' right to honour and dignity. Serious indirect structural discrimination which is difficult to compute in terms of individual complaints was also found to exist especially in the public sector putting members of the Roma community in general at a disadvantage.

Recommendations:

- Train key agents in the public and private sectors in the fight against ethnic discrimination including entrepreneurs and trade unions, those responsible for hiring, judges and lawyers, prison personnel, law enforcement officials, etc.
- Safeguard equal access to essential public services by adopting measures against concentration and segregation and promoting cultural diversity.
- Implement codes of conduct and equality programmes which prohibit discrimination and incorporate measures for the monitoring, control and assessment of compliance.
- Foster the hiring of members of ethnic minorities in public services adopting the necessary positive action measures mainly in the area of training..

5. The fight on discrimination against the Roma people did not make significant headway in 2005 in Spain from a legal standpoint. The transposition of Directive 2000/43/EC into Spanish law is still incomplete and the enforcement of anti-discrimination law is perfunctory at best.
6. A wide gap exists between anti-discrimination law and institutional practice indicating the need for a suitable legal framework. This is not enough, however, as enforcement measures effectively implementing legal provisions are needed as well.



Recommendations:

- Harmonise anti-discrimination law to make it more clear and accessible and furnish suitable training for law professionals to make them more familiar with it and to encourage enforcement.
- Approve the Royal Decree regulating the Council for the advancement of equal treatment assuring that the latter complies with the functions vouchsafed to it by law in line with the principles of independence, plurality, financial autonomy and accessibility to victims.
- Forge ahead in the development of practical enforcement instruments guaranteeing attention to victims, mediation, research and updated information, awareness raising and the training of agents, promotional work in the area of education and the media and dissemination of codes of conduct.

7. The Roma community is only partially aware that their right to equal treatment is being violated and assume some practices as being natural and inevitable.
8. Lack of awareness as to the means available to defend their rights, fear of reprisals and distrust of institutions all act as hindrances when it comes to victims' denouncing of discrimination.

Recommendations:

- Provide victims of discrimination due to ethnic origin with integral help in defending their rights through partnership with their representative organisations/associations guaranteeing accessibility and efficacy in services rendered, especially legal and mediation services.
- Make headway in the institutional recognition of the Roma community and strengthen its social participation mechanisms.