



# **Equality and the Roma Community in 2006**





**A**s in 2005, the main advances made in the area of equal treatment and the Roma community were in the field of institutional recognition. First of all, the State Council of the Roma People was constituted by virtue of Royal Decree 891/2005 of 27 July for the purpose of promoting the participation and collaboration of the Roma associative movement in the implementation of general policies and in promoting equal opportunities and treatment targeting this sector of the population.

Secondly, the Roma Cultural Institute Foundation was created and one of its aims is to propose actions to foster harmonic co-existence between the different groups and cultures comprising our society while making sure that they remain mindful of equal opportunity, equal treatment, gender equality and non-discrimination of the Roma population.

We would also draw attention to the mention and institutional recognition of the Roma community in Catalonia's and Andalusia's new Statutes of Autonomy and in those which are currently being drawn up in Castile-Leon, Castile-La Mancha and Aragon which acknowledge the fundamental contribution made by Roma to the social and cultural wealth of these Autonomous Regions.

However, outside of this institutional recognition and despite the fact that 2007 is the European Year of Equal Opportunities for All, 2006 has not particularly stood out for contributing to the fight against racial discrimination in general and that perpetrated against the Roma community in particular.

The fact is that in its last report focusing on 2006, the European Monitoring Centre on Racism and Xenophobia warned that in Spain immigrants and the Roma community suffer from discrimination in a number of areas including employment, housing and education especially highlighting the rise of difficult to detect and covert discrimination in our country.

This report also points out that the Roma continue to suffer from clear public and private discrimination in all spheres of society and that racist violence is a real phenomenon which requires urgent attention.

The third report by the European Commission against Racism and Intolerance (ECRI) focusing on Spain likewise concludes that some groups, including Roma, continue to suffer from daily racial discrimination in very diverse ambits and are particularly affected by the common police practice of ethnic profiling which increases their probability of being subjected to police misconduct.

In contrast, the ECRI also notes advances made in the area of immigration which is in the transition stage from an alien affairs policy to a full-fledged immigration and integration policy and also applauds the adoption of some measures to re-



duce the disadvantages faced by Roma such as the State Council of the Roma People or the educational reform envisaging the promotion of equal opportunity. However, the ECRI does make the criticism that some of its recommendations have not been complied with and continues to observe, for example, the lack of awareness-raising campaigns, failure to enforce anti-discrimination regulations and the lack of a specialised body to combat discrimination.

In this connection it is important to point out that still in 2006 the draft version of the Royal Decree regulating the Council for the advancement of equal treatment and non-discrimination of persons for reasons of racial or ethnic origin, made mandatory following the approval of Directive 2000/43, had yet to be passed. As of the first semester 2007, the draft had still not been officially approved although some organisations have been working to try to remedy the clear shortfalls detected in this text for which the Ministry of Labour and Social Affairs is responsible. Among these shortfalls we would point out that the Roma issue continues to be addressed almost exclusively from a social inclusion perspective which could leave those members who are not in risk of exclusion but who continue to suffer from racism and ethnic discrimination unprotected.

Furthermore, it appears that the Spanish Racism and Xenophobia Observatory has also been also lax in discharging one of its main duties, i.e. the compiling of statistics and reports which it has failed to publish since its creation in 2006.

Hence, today we are still without a public body to draw up reports on discrimination or to carry out wide-ranging and effective awareness-raising campaigns or research to systematise and study its nature and characteristics. In practice, all of these functions continue to be carried out by social organisations which, unfortunately, lack the means needed to have a real impact on civil society and public authorities.