



DISCRIMINATION

AND THE ROMA COMMUNITY

Headway made in 2006



Introduction

A large proportion of the most significant advances made in the fight for equal treatment and the struggle against ethnic discrimination recorded in this report relate to institutional recognition of the Roma community. This was the case with the creation of the Roma Cultural Institute Foundation, the reference to the Roma community in the Statutes of Autonomy of Andalusia, Catalonia, and Castile-Leon and the FSG's seminar and subsequent publication entitled Institutional recognition of the Roma community in Spain.

However, we also wanted to highlight other public and private initiatives in areas where best practices are not so prevalent such as in the media. The publication by the El País newspaper of a report entitled ¿Gitanos de clase media? (Middle Class Roma?) with a circulation of approximately 850,000 and an estimated readership of 2 million is therefore enormously relevant.

In 2006 social organisations have demonstrated their willingness to contribute to putting the fight on discrimination on Spain's political agenda. In this connection, we would especially highlight the debate on the status of Non-Discrimination held on 26 September with the participation of the FSG, the Red Cross, the ONCE Foundation and the Luis Vives Foundation and the FSG's research project on access of young Roma to secondary education.

Also within the sphere of the public authorities, the Plan Targeting the Roma People of Catalonia is especially relevant because Roma groups and associations were involved in its design and development and lastly, the Legal Assistance Group against Racism and Xenophobia, attached to the Anti-discrimination Unit of the Madrid City Council, stands out for being a pioneer (unique in all Europe) in offering free legal assistance, consultation and legal defence.



Roma Cultural Institute Foundation

On 31 May at Ministry headquarters the Minister of Culture, Carmen Calvo, chaired the meeting at which the Board of Trustees of the Roma Cultural Institute Foundation was constituted. The Foundation's purpose is to develop and promote all of the different facets of Roma history, culture and language and disseminate this through studies, research and publications and to promote initiatives targeting the integration of the Roma community based on recognition of its cultural identity.

This Foundation was created in compliance with a non-legislative motion passed by the Congress of Deputies (Spanish Parliament) on 27 September 2005 urging the Government to promote the culture, history, identity and language of the Roma people. In compliance with said motion and an electoral promise made by the Government, on 7 April 2006 the Minister of Culture presented the project for the creation of the Roma Cultural Institute Foundation.

Six hundred thousand euros were earmarked under the Ministry of Culture in the 2007 General State Budget for the initial launching of the Foundation and commencement of activities and operations.

The Foundation's statutes are comprised of 27 articles divided into five chapters regulating the constitution of the Foundation, its nature, legal domicile, scope, aims, objectives and beneficiaries, government, economic system and rules for introducing modifications.

In accordance with Statute provisions, the Foundation has the following aims:

1. Proposal of 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 the non-discrimination of the Roma population.
2. Development and promotion of all facets of Roma culture and language while simultaneously promoting and disseminating these through a process of ongoing communication envisaging studies, research and publication and the organisation of academic and cultural events.
3. Establishment of mechanisms and strategies effectively contributing to the conservation and development of the cultural acquis of the Roma community.



Seminar and publication entitled *Institutional recognition of the Roma community in Spain*

In 2006 the FSG published a text entitled *Institutional recognition of the Roma community in Spain* which is a compendium of work documents, intervention summaries, debates and conclusions from a seminar of the same name which was held on 6 February as part of the project funded by the Human Rights Office of the Ministry of Foreign Affairs and Cooperation.

Its aim is to spark debate around the institutional recognition of Roma in our country through the study of international rules, recommendations issued by international bodies and models adopted in other European countries. In this connection, the meeting and subsequent publication were a unique opportunity to gain insight into the structure of the international rights of minors, the models adopted in other countries (the Czech Republic, Hungary, Romania and Sweden) and the different recognition formulas which could be applied in the Spanish political-administrative context.

Over 60 representatives of the Spanish public administration were present at the seminar (Ministry of Foreign Affairs and Cooperation, Ministry of Labour and Social Affairs, Ministry of Culture, Community of Madrid, Andalusian Regional Government, Basque Government, Catalanian Government); political parties represented by both state and regional officials (PSOE, PP, ERC, CIU) and a Member of the European Parliament; organisations representing different minorities in Spain and the rest of Europe (Minority Rights Group International, European Roma Rights Centre, ECRI...); other European bodies (the Czech Republic's Office of the Roma Affairs Council, the Office of the Parliamentary Defence of the Rights of National and Ethnic Minorities in Hungary, the Romanian Ministry of Cultural Affairs, Education and Integration, the Ministry of Justice of Sweden, the Portuguese High Commissioner for Immigration and Ethnic Minorities); and several universities (Universidad Carlos III, UNED, Universidad de Valladolid, Universidad Autónoma de Barcelona...).

Among a number of interesting conclusions, the report acknowledges headway made through the creation of Roma community participatory bodies at both regional and state level and points to the need to strive forward in the enforcement of the anti-discrimination framework because formal recognition on its own is not enough to put an end to discrimination and overcome the "citizenship deficit" characterising the Roma community in Spain. The report also points out that the institutional recognition of the Roma people in Spain affects the very core of the democratic system and is therefore an issue concerning everyone but it is up to the Roma community itself to assume the most active role in claiming such recognition.



Statutory reform in Andalusia and Catalonia

One of the most significant events contributing to equal treatment in 2006 was the mention of the Roma community in the regional reform of the Statutes of Autonomy of some of the Autonomous Communities. This reform process has concluded in Catalonia and Andalusia and is undergoing approval in Castile-Leon, Castile-La Mancha and Aragon.

As concerns Andalusia, in March 2006 the Andalusian Parliament initiated a process whereby to gather ideas from social agents regarding statutory reform. The following people were involved in the process on behalf of Roma organisations: Humberto García González-Gordón, territorial director of the Fundación Secretariado Gitano in Andalusia and Beatriz Carrillo representing the Andalusian Federation of Roma Women (Spanish acronym FAKALI).

The final text approved by the Congress of Deputies on 2 November refers to the Roma community in Article 10(3) 21 in stating that the Autonomous Community, in defence of general interests, shall discharge its duties with the following basic aims:

21. "Promotion of the conditions necessary for the full integration of minorities, especially the Roma community, in order to achieve full social incorporation"

Catalonia's Statutes, also the fruit of a participatory process and passed by means of a referendum held on 18 June 2006, were the first to include a specific reference to the Roma community in Article 42 which reads as follows:

"The public authorities must safeguard social, cultural and religious co-existence amongst all people in Catalonia and respect for diversity of personal beliefs and ethical and philosophical convictions and must likewise foster intercultural relations by encouraging and creating an atmosphere in which reciprocal knowledge, dialogue and mediation prevail. It must also guarantee recognition of the culture of the Roma people to safeguard the historic reality of this people".

This expressed acknowledgement of the reality of the Roma people by the regional (autonomous) governments of Spain in their most fundamental law and their place amongst the citizenry, in a certain sense settles the debt which the institutions have had with the Roma community and stresses a commitment to equality.

In this connection it is vitally important that this initiative taken by the Catalanian and Andalusian Communities to include this unprecedented recognition of the rights of the Roma community serve as an example for other regions which may embark upon the reform of their Statutes in 2007.



Report in the newspaper *El País*: *Middle-class Roma?*

The newspaper *El País* published an extensive three-page report in the *Domingo* section of the paper on 12 March devoted to the Spanish Roma community under the headline “Middle-class Roma? Yes and they’re in the majority. Despite stereotypes, the majority consider themselves ‘invisible’ citizens striving to lead a normal life”.

The report highlights a series of key ideas to combat the prejudices and stereotypes prevailing in our society such as the fact that integrated Roma account for 80% of the approximately 650,000 Spanish Roma and they do not live in shanty towns nor are they folkloric flamenco performers. According to the article, this latter Roma lifestyle which is much more visible and noticed, accounts for that remaining 20% of the Romany community in the view of experts and the few recent studies which can be found. Despite these figures it is the delinquency, drug sales, sub-standard housing conditions or the other extreme of fame and fortune which are given enormous publicity.

Important progress towards integration is recognised in the area of education where school enrolment is universal although a lot of work lies ahead in terms of combating school absenteeism and assuring permanence in secondary education and access to university studies. Today only 1% of the Roma population studies at university and of these, 80% are women.

The report looks into the challenges facing Roma today and how the new emerging generation puts a priority on keeping touch with their Roma roots without renouncing the rights and benefits offered by the welfare state. It also offers the testimony of men and women who, while keeping their Roma identity, living in standard housing, work and fulfil their obligations as citizens and therefore demand equal treatment free of prejudice and discrimination.

This Sunday section of the newspaper has a circulation of approximately 850,000 and an estimated readership of over 2 million and it would therefore be safe to say that this initiative was an important precedent in how the social image of Roma is addressed in the media.

However, this report is more the exception than the rule, the media generally demonstrating a profound ignorance of the Roma reality as seen by their repeated portrayal of both positive (enthusiasm for life, the world of flamenco) and negative stereotypes (run down housing, drugs trafficking, theft, violence, etc.) which only serves to distort the public image of this community.



Debate on the state of non-discrimination

On 26 September, labour market integration programme participants from the Red Cross, the ONCE Foundation, the Fundación Secretariado Gitano and the Luis Vives Foundation submitted a Decalogue of proposals for the new stage of European Union Structural Funds to the Congress of Deputies. Immigrants, Roma, people with disabilities and social action NGOs presented a balance of the actions carried out under the 2000-2006 Operational Programme to Combat Discrimination and launched a decalogue of proposals for the future management of the Structural Funds which finance and assure the continuity of this programme.

The debate was chaired by the journalist José Luis Fernández Iglesias who gave the floor to the spokespersons from the four parliamentary groups each composed of 15 people representing the beneficiaries and technicians of the organising entities. Each group presented its experience over these last several years in respect of the search for employment and accompaniment of the NGOs in their pathways towards the labour market in dignified conditions while concurrently highlighting best practices models in social intervention in this area.

A labour market open to everyone is viable but requires a new injection of resources into the Operational Programme which, in its initial period of action, benefited over 190,000 people and was instrumental in achieving 64,000 labour contracts. The Acceder Programme run by the Fundación Secretariado Gitano accounted for one third of these contracts with over 30,000 people taking part in training actions and mediation for labour market integration. These results support the presentation of a common Decalogue proposing:

1. The spread of citizenship rights and greater democracy.
2. Continued work to raise social awareness against stereotypes and prejudices.
3. Work at grass-roots level, i.e. close to the needs of those in risk of exclusion.
4. Studies to update knowledge about groups in risk of exclusion.
5. Greater empowerment of individuals through improved training.
6. Improvement in gaining access to information.
7. The design of more ambitious, integral and multi-annual intervention plans.
8. The participation of the target groups themselves in programming processes.
9. Strengthening and enhancing the work of organisations in the tertiary social sector.
10. Improved coordination between NGOs and the public administrations.



FSG study on Roma children's access to secondary education

This study was conducted by the FSG in collaboration with the Educational Research and Documentation Centre (Ministry of Education and Science) and the Women's Institute (Ministry of Labour and Social Affairs) with the aim of diagnosing the educational situation of Roma youth at the compulsory secondary level of education and identifying those variables facilitating or hindering the mainstreaming process of these students on an equal footing with the rest of their classmates. Information was collected from the education administrations, teachers, the Roma students enrolled in compulsory secondary education, Roma families and Roma early school leavers.

A total of 800 students, 407 of whom were Spanish Roma, took part in the field study at their schools during the 2004-2005 and 2005-2006 academic years. These students were from all of the Autonomous Communities throughout mainland Spain and were enrolled in a total of 118 public and semi-private secondary education schools.

From among the main conclusions reached, we would highlight the following:

- Academic training is at the root of the Roma community's social advancement but Roma students are at a clear disadvantage in comparison with other mainstream society groups. There is a clear need for role models and special support for Roma students if they are to achieve academically.
- Integrated and inter-disciplinary measures addressing difficulties and bearing in mind different variables and agents are vital as are preventive measures during pre-school and primary education; closer monitoring and prevention of early school-leaving at the governmental, educational and social levels; and application of alternative learning techniques for Roma students who are early school leavers or who have not earned their primary school diploma.
- Expectations of teachers and family in the construction of the life projects of young people and their interests over the middle and long term are of the utmost importance.
- It is essential for Roma families to take a new look at the significance of academic learning: greater and more explicit functionality and real advancement of the group and of the entire community.
- The potential of Roma girls is just awakening: greater motivation, better academic results and expectations of individual and group advancement thus making it even more important to foster equal opportunities in terms of gender.



Creation of an anti-discrimination unit and legal assistance group to combat racism and xenophobia

In 2006 the Madrid City Council created the Anti-discrimination Unit as a public service run by civil servants with the mission of promoting the sort of awareness-raising which helps eradicate discriminatory attitudes and behaviours and defend equal opportunity and promote best practices between peoples of different national, ethnic, religious or cultural origin and with different physical characteristics.

The Unit will likewise act as a mediator in cases of actual or potential discrimination through the Mediation Services of the Madrid City Council.

The Joint Standing Committee for Study and Monitoring comprised of two civil servants from the Anti-discrimination Unit and two members of the Legal Assistance Group seeks to gain as clear an insight as possible into the reality of discriminatory or xenophobic phenomena within the city of Madrid. This Committee also issues reports and recommendations to prevent possible discriminatory acts.

The Legal Assistance Group against Racism and Xenophobia is also a municipal public service, a pioneer among European municipalities, offering free legal assistance, consultation and legal defence – the only group of its kind in Europe.

This Group will also compile an Equal Treatment Manual for the purpose of training and informing professionals who are liable to come up against cases of racism and xenophobia and seeks to be a useful awareness-raising tool for work with lawyers and civil servants.

Access to legal defence is through the Municipal Legal Counselling Services (21 Districts) and a further 11 information centres already set up by the Madrid Bar Association.

With a view to providing adequate assistance to victims of discrimination, the Legal Assistance Group has signed collaboration agreements with different NGOs (including the Fundación Secretariado Gitano) with which it has closely collaborated in providing counsel and legal defence in many of the cases identified by the FSG.



Catalonia's Roma Peoples Scheme

On 3 April Catalonia's Roma Peoples Scheme was presented to the public at an institutional act organised by the Welfare and Family Department of the regional government of Catalonia at the Caixa Forum auditorium in Barcelona.

The FSG hostess service welcomed the more than 300 people who attended the event where, in addition to presenting the Integral Scheme and outlining its most salient characteristics, different institutional experiences implemented by the various state administrations targeting the Roma people were shared. In this connection, a panel discussion was held to debate the different integrated schemes implemented in several Autonomous Communities, namely Catalonia, Andalusia and the Basque Country.

Another panel discussion was organised to present Roma participatory bodies throughout Spain and how they operate: the Roma Advisory Council in Catalonia, the Roma Municipal Council of Barcelona, the Council for the Integrated Advancement and Social Participation of the Roma People in the Basque Country, the Participatory Council of the Andalusian Roma Socio-Cultural Centre and the State Council of the Roma People.

At the presentation it was made clear that Roma groups and associations took part in the design, development, implementation and evaluation of this Integral Scheme which was passed by the Catalanian Regional Government on 22 November 2005. In short, Catalanian Roma have a vested interest in this scheme.

The Integral Scheme features two main lines of action: First of all, to put Roma on an equal footing with the rest of society in terms of access to and advancement in the labour market, access to housing, educational opportunities and access to university and the advancement of youth and women, and secondly to provide the opportunity to develop, maintain, study and disseminate Roma culture and language throughout Catalonia.

