



# Introduction





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Once again and as part of its strategy to fight against discrimination, the Fundación Secretariado Gitano is pleased to present **its sixth Report on Discrimination and the Roma Community**.

The principle objective of this report is to show all of society –and, most especially, the competent authorities– the ongoing discrimination and stigmatisation that Spain’s Roma community continues to suffer, so that we can unite our greatest efforts to fight this violation of the fundamental right to equality. The Fundación Secretariado Gitano’s Department for Equal Treatment continues to address discriminatory situations suffered by members of the Roma community, thanks to financing from the Ministry of Health and Social Policy. Specifically, our work is organised around four basic focal points:

- Actions for identifying ethnicity-based cases of discrimination along with assessment and support for victims during the processes for defending their rights.
- Actions providing technical assistance and training for key actors in the fight against discrimination: technicians and officials from governmental agencies and social organisations, legal experts, law enforcement agencies and the media.
- The fostering of policies promoting equal treatment through the monitoring of anti-discrimination legislation and its practical application.
- Actions aimed at increasing social awareness through the dissemination of information related to combating ethnic discrimination and promoting equal treatment.

We at the Fundación Secretariado Gitano believe that –despite progress in the creation of the *Council for the Promotion of Equal Treatment and Non-Discrimination of Persons based on their Racial or Ethnic Origin* – in our country there is still an excessive delay in starting up the organisation that is to specialise in promoting equal treatment and that is supposed to undertake the functions established in Article 13 of Directive 2000/43/EC in order to provide an effective response to victims of discrimination.

The *2009 Report on Discrimination and the Roma Community* presented herein addresses four key areas:

1. Cases that we believe have had a major social and legal impact in the last year are thoroughly analysed.
2. The existence of ethnic discrimination suffered by the Roma community is shown through the recording of actual complaints and cases.
3. It reports on the most significant advances taking place in the fight against discrimination in 2008 and 2009 at both the state and European level.
4. We present a set of positive actions that have contributed to the promotion of equal treatment of the Roma community.



In the *2009 Discrimination and the Roma Community Annual Report*, we have thoroughly analysed three cases belonging to three fundamental areas that have had significant repercussions in the fight against discrimination: the right to physical and mental integrity; the recognition of the right to receive basic benefits such as a widow's pension; and the right to education. We analyse how those who carry out discrimination motivated by ethnic prejudice threaten their victims' personal development, and we present the actions that were implemented to fight against this violation of the right to equality.

As in previous years, the report includes cases of discrimination registered by the Fundación Secretariado Gitano –which in 2008 totalled 110– and identifies the type of discrimination involved and some of the actions undertaken to combat them, as well as some of the responses we obtained. This year, given that officially registering cases is very important, we have conducted a more comprehensive study, providing data broken down by gender, age and type of discrimination.

The report also includes the most significant advances occurring in the fight against discrimination at the state and European levels during 2008 and 2009, the studies, legislation and case law regarding the fight against discrimination and the new tools generated in this area.

Finally, we have incorporated the most important positive actions undertaken both by our organisation and by other agencies; it is our hope that they will be of interest and value to all those involved in the fight against discrimination.

After taking a look at the contents of this report, we would like to emphasise once again how the Roma community continues to suffer from daily violations of their right to equal treatment and how the victims of discrimination find themselves in a largely defenceless position. We must stop this situation, and thus it is necessary to combat discrimination by: implementing the specialised agency established in Directive 2000/43/EC; offering assistance to victims throughout the process; breaking down the stereotypes imposed on the Roma community; increasing awareness in society at large and in key players involved in the fight against discrimination in particular; and by the justice system applying anti-discrimination legislation.

We see that there is a long way to go, but there are also progress and good practices that all the organisations involved can use to continue to support the goal of ensuring that all people can enjoy the right to equality.

Once again, we would like to express our gratitude to all those individuals and institutions that have collaborated on drafting this report. We would first like to express a special thank you to all of the workers at FSG who, as part of their jobs, are involved in gathering and monitoring cases and offering assistance to victims of discrimination.

Secondly, we would like to thank the Ministry of Health and Social Policy that, year after year, continues to endorse and financially support the actions that we at the Fundación Secretariado Gitano carry out to promote equal treatment towards the Roma community.

We would also like express our gratitude for the increasing involvement of the Fuenlabrada local police who, through Sergeant David Martín, have collaborated in the preparation of this report by writing a section where they present their activities in defence of equality.

In addition we would also like to acknowledge the kind assistance given to Carmen Santiago Reyes who, as a professional, woman, Roma and attorney, carries out important work in defending the rights of her community.

In addition, as in past years, we offer our deepest appreciation to Dr Fernando Rey, Professor of Constitutional Law and an expert on equality, for his valuable contributions and his commitment to the fight against discrimination and in favour of equal treatment for all people.

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