



REPORT OF THE FUNDACIÓN SECRETARIADO GITANO ON THE SITUATION OF ROMA WOMEN IN SPAIN

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the Elimination of Discrimination
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Preliminary matters: an intersectional and intercultural approach to the situation of Roma women.

The Fundación Secretariado Gitano (FSG) is a non-profit intercultural social organisation which has been working for more than 40 years for advancement, equal opportunities and the defence of rights for the Roma population in Spain and Europe. Our main lines of action are the enhancement of employability, educational advancement, social inclusion, and the fight for equal treatment and against the antigypsyism and discrimination suffered by the Roma community.

In carrying out our work along all these lines of action, we include an intersectional and gender perspective, having observed that gender specificity has a specific effect on Roma women, who experience inequality of opportunities in comparison with non-Roma women and with men from their own community. To find the best way of incorporating these perspectives, we have been supported and advised by the Roma Women's Group (GMG), which comprises professional Roma women from the FSG who are experts in gender and in interventions with Roma women. This group has also participated in the drafting of this report.

We believe this intersectional and intercultural approach should also be taken by the authorities in order to ensure genuine and effective access for Roma women to the rights recognised under the Convention. The intercultural approach considers the specific circumstances of each person and does not refer only to respecting and managing cultural diversity, but also values this diversity as an element and driver of cohesion and citizenship. In addition, it is important to go beyond a welfare-based approach and replace this with a human-rights-based approach.

1. The Economic, Social and Cultural rights of Roma women and girls

1.1. Education

Roma girls still face many barriers to accessing a high-quality, inclusive education on equal terms, as set out in Article 10 of the Convention.

A series of data demonstrates the enormous educational gap which still separates the Roma population and the general population, the situation of Roma women and girls being of particular concern:

- (i) First, the rate of illiteracy is much higher than the national average: it stands at 14% for Roma women (7 times higher than the rate for women in the general population, 2%) and 6% for Roma men (6 times higher than the rate for men in the general population, 1%)ⁱ.
- (ii) Second, only 17% of Roma people (19% among men and 15.5% among women) have completed at least compulsory secondary education, compared with 77% of the general populationⁱⁱ.



- (iii) 60% of Roma women aged over 45 have not completed any level of education (even elementary)ⁱⁱⁱ, which means that the vulnerability of women in this age group is particularly worrying.

These data are explained by a series of factors which impede access to an inclusive education, such as school segregation among Roma students^{iv}, low expectations of Roma girls within the educational system due to discriminatory stereotypes and prejudices, the invisibility of Roma people in the educational curriculum, and the digital divide which, as we will see later, disproportionately affects Roma women and girls.

For these reasons, it is recommended that the Spanish state implements effective, tailored measures to boost the educational success of Roma girls, adolescent girls and women: (i) the adoption and implementation of an Emergency Action Plan against Educational Failure with specific measures for Roma students, particularly Roma girls and adolescent girls; (ii) the effective prohibition of all types of discrimination in the school environment, including segregation, applying what is stipulated by the new Equal Treatment Act adopted in 2022; (iii) training and awareness-raising for teachers relating to inclusive education; and (iv) the inclusion of Roma women as role models in the educational curriculum.

1.2. Employment

In terms of access to decent employment, protected by Article 11 of the Convention, Roma women unfortunately still face a situation of especial disadvantage. The labour market participation of Roma women is much lower than that of men from the same community: in 2018 their activity rate was 38%, compared with 76% for Roma men, while their employment rate was 17%, compared with 44% for Roma men. The unemployment rate for Roma women stands at 60%. This compares with 52% for the Roma community as a whole, 14.5% for the general population and 16% for women in the general population^v.

The main reason for this lack of participation in the labour market, according to research, is the enormous educational gap affecting Roma women and girls as described above. Roma women also cite their caring responsibilities and domestic work, factors which experts agree are key to understanding their distance from the labour market. In addition, Roma women have low expectations of their own possibilities: 24.2% do not look for work because they do not believe they will find it, compared to 3.4% of men^{vi}.

Finally, another important factor contributing to this lower presence in the labour market is the existence of discrimination in the world of work. 42% of Roma women^{vii} say they have felt discriminated against in job interviews. Furthermore, every year FSG witnesses and records many cases of discrimination and antigypsyism in the labour market, a large number of which involve women^{viii}.

For all these reasons, the Spanish authorities are recommended to develop, as part of public employment policies, specific measures to provide training and access to employment. These



measures should be tailored to the profiles and circumstances of Roma women and drive their inclusion in the labour market. The barriers facing women trying to access the labour market must also be tackled, with measures to help them combine work with their personal and family life, and more public services to reduce the burden of domestic work. Furthermore, measures must be taken to avoid discrimination at work, including an obligation for companies to adopt diversity and interculturality plans.

1.3. Health

The intersectional discrimination suffered by Roma women is also clearly reflected in the field of health, protected under Article 12 of the Convention. The situation of inequality and discrimination which Roma women face on a daily basis affects their physical and psychological health, with high numbers of women diagnosed with anxiety and depression resulting from the stress caused by discrimination and their low degree of satisfaction with their situation.

As seen earlier, the majority of domestic responsibilities fall on Roma women's shoulders, which means they put care for others before care for themselves. They thus fail to pay attention to their own health, attending health services only in serious situations, and neglecting preventive care or self-care. This is reflected in the results of various surveys, such as the *Second National Health Survey of the Roma Population 2014*^x by the Ministry of Health, Social Services and Equality or the *Observatory on the Health of Young Roma People*^x by the FSG, which shows that Roma women and girls more frequently say that they do not see their own health as good, compared with Roma men or non-Roma women.

Because they are Roma, these women often suffer discrimination in their encounters with public health services^{xi}, in terms of both the way they are treated and the frequency with which they are treated, and this discrimination includes obstetric violence. For example, Roma women encounter health service staff who insist in a paternalistic manner that they agree to sterilisation regardless of their age or the number of children they have, in contrast with public policies which generally seek to incentivise childbearing in Spain.

The Spanish authorities are therefore recommended to take effective measures to improve the health of Roma women, including sexual and reproductive health, and must tackle possible discrimination in this area, for example by training health professionals to overcome discriminatory stereotypes.

1.4. Housing

Roma women also face problems in accessing decent housing, a right set out in Article 14 Section 2.h of the Convention. According to data from a recent FSG study awaiting publication, Roma people represent 77% of the population living in settlements of slum housing or inadequate housing in Spain (that is, about 18,000 out of 24,000 people). This shows that the existence of these settlements is the product of a situation of structural antigypsyism^{xii}. Many more Roma families, although their housing may be adequate, live in very underprivileged areas where access



to basic social and health services is not guaranteed. In 36.5% of neighbourhoods where Roma people live, situations of especial vulnerability have been documented relating to high levels of unemployment and social problems, while serious problems relating to the state of the buildings have been reported in 22.64% of these neighbourhoods^{xiii}.

In order to guarantee Roma women's ability to exercise their right to housing, the Spanish authorities are recommended to effectively tackle the situations of greatest residential exclusion, relating to both housing and the surrounding environment, and to eradicate slum settlements and inadequate housing, problems which affect the Roma population in a specific and disproportionate manner.

1.5. Poverty

The Roma community, and in particular Roma women, face a serious situation of socioeconomic vulnerability. The rates of poverty and exclusion among the Roma population in 2018 were higher than 80%^{xiv}, compare with 21.5%^{xv} among the general Spanish population. The child poverty rate, meanwhile, is 89% compared with 30.7% in the general population^{xvi}.

The Spanish authorities are therefore recommended to develop specific measures to eradicate the high levels of extreme poverty and child poverty found among the Roma population, paying particular attention to the situation facing Roma women and girls. They should guarantee adequate minimum income levels, along with measures to enable Roma women to become economically active and thereby escape poverty.

2. Stereotypes in the media and in the legal sphere

Article 5 of the Convention sets out that States party will take measures to avoid stereotypes, prejudices and practices which discriminate against women. The Roma community as a whole and Roma women in particular are affected by deep-rooted anti-Roma prejudices affecting various aspects of their daily lives. Roma women are perceived as a homogenous group, the label of "Roma" being affixed to them regardless of their diverse circumstances, personalities and experiences. These stereotypes especially affect them in the media and in the legal sphere.

In the media, Roma women are usually reduced to news items related to folklore and flamenco, or to situations of poverty and marginalisation. This renders their history and their plural, heterogeneous reality invisible. Moreover, many negative practices continue, such as references to Roma ethnicity in news items related to criminality^{xvii}.

These stereotypes, existent in society and reinforced by the media, are transferred into the legal sphere, above all in the criminal justice system, with unconscious biases related to the commission of crimes by Roma women. As evidenced in a recent research report^{xviii}, Roma people suffer institutional racism owing to unconscious bias among the main agents involved in criminal proceedings (police, judges, prosecutors, lawyers, etc.). Likewise, there is evidence that various forms of discrimination are habitually experienced by the Roma population: being stopped or identified based on ethnic profiling, a pattern of being systematically followed by private security



guards, and discriminatory comments and attitudes encountered during judicial proceedings. Such stereotypes can affect Roma women in particular, as shown in one of the cases of strategic litigation undertaken by the FSG, in which a young Roma woman was unjustly sentenced for a theft she had not committed, despite having solid evidence to prove her innocence^{xix}.

The Spanish authorities are recommended to establish mechanisms to avoid the propagation in the media of stereotypes relating to Roma women, and to undertake awareness-raising campaigns which present a real and diverse image for these women, as well as assessing the way in which anti-Roma gender stereotypes affect access to justice for Roma women.

3. The digital divide

The digital gender divide is a reality which affects all women. However, Roma women, as a group who suffer discrimination and exclusion from many basic social processes, are affected by this divide to a greater degree than other women. Not having access to the economic resources which would allow them to buy ICT devices, or to housing which could be equipped with an internet connection, makes it difficult for Roma women to have their own devices. This in turn prevents them from accessing all kinds of rights: communicating through social networks, looking for work, broadening their education and carrying out administrative tasks. The UNICEF study “Los niños y niñas de la brecha digital en España”^{xx} (Girls and boys and the digital divide in Spain), carried out in 2018, highlights the fact that, among vulnerable groups, the Roma community is probably the group which has most difficulties in accessing and using technologies.

The Spanish authorities are recommended to take measures to reduce the digital divide affecting Roma women. Within the framework of action to boost digital training for women, along with their participation in technological training pathways, there should be encouragement to develop specific programmes tailored for women in situations of vulnerability, such as Roma women.

4. Roma women who are victims of gender violence

The proportion of women who suffer gender violence in the Roma community is the same as in other social groups in Spain. However, as for other women who suffer intersectional discrimination, access to both public and private resources is made more difficult by negative stereotypes relating to the Roma community, which presuppose that violence against women is a cultural phenomenon and can therefore be relegated to the community’s private sphere. For economic, social and cultural reasons, many women need specific mechanisms which can make it more difficult for women to escape a cycle of violence. These include the absence of social support networks, or a precarious situation in terms of income or housing. A lack of such mechanisms prevents Roma women who experience gender violence from receiving effective, empathic assistance, which in turn reduces levels of trust in these mechanisms.



For all these reasons, the Spanish State is recommended to (i) adapt resources devoted to combating gender violence to the circumstances of Roma women and their relatives; (ii) provide training in intersectionality and interculturality to key agents involved in providing assistance to victims of gender violence; and (iii) increase and improve the resources and services of assistance to victims under the framework of the State Pact against Gender Violence, eliminating the criteria for accessing resources which sometimes exclude Roma women.

5. Intersectional discrimination

Roma women suffer intersectional discrimination which can be aggravated by other factors such as their sexual orientation, their financial situation, being a migrant (Roma women from Eastern Europe) or any kind of disability. Roma women and girls therefore face situations which do not affect Roma men or non-Roma women to the same degree, such as persecution in supermarkets and shopping centres, the denial of a widow's pension due to having been married in a Roma ceremony, low expectations within the education system or the lack of protection for women who are victims of gender violence^{xxi}. While the new Comprehensive Law on Equal Treatment and Non-Discrimination^{xxii} covers multiple and intersectional discrimination, it is also true that this Law is still not being applied, and such forms of discrimination are not being taken into account in the design of public policies.

For this reason, Spain is recommended to take an intersectional approach to the design of public policy and to apply the Comprehensive Law on Equal Treatment and Non-Discrimination in order to remedy this type of discrimination and provide adequate protection for victims. Penalties and compensation should be proportionate to the greater seriousness of intersectional discrimination.

6. The social, political and economic participation of Roma women

Roma women, due to the gender biases they suffer and the discrimination which excludes them from public spaces, are often unable to exercise their right to participate in the country's political, social and economic life on equal terms, as set out in Article 7 of the Convention.

In this area, the Spanish State is recommended to boost active citizenship through the promotion of social, economic, political, cultural and civic participation for Roma women and girls, primarily through the development of leadership and other skills.

7. Obtaining disaggregated quantitative data with all necessary safeguards

Spain still does not disaggregate its statistics in terms of the racial or ethnic origins of the people making up the country's resident population. This information, as human rights organisations have established, is essential to be able to measure the inequalities and the possible racial, ethnic and intersectional discrimination experienced by women belonging to groups which have historically suffered discrimination.



The Spanish State is therefore recommended to improve its system for collecting statistical data in order, after a process including the participation of all affected communities, to obtain information disaggregated by racial or ethnic origin. This should be done with respect for the confidentiality, anonymity and free decision to participate of the individuals the data relate to, and with the sole end of measuring discrimination and inequalities.

8. Temporary special measures

Article 4 of the Convention considers the creation and application of temporary special measures which will speed up the achievement of equality between men and women, and is supported by General Recommendation no. 25. However, the CEDAW Committee has reiterated in numerous final reports on Spain that these measures are applied only in a limited fashion, and that the personnel required to apply them are lacking as no relevant training is provided^{xxiii}.

It is therefore recommended that Spain implement temporary special measures aimed specifically at Roma women and girls, with the goal of overcoming the inequalities and intersectional discrimination they face.



NOTES AND REFERENCES:

ⁱ Fundación Secretariado Gitano (2019), “Estudio comparado sobre la situación de la población gitana en España en relación al empleo y la pobreza 2018” (Comparative study of the situation of the Roma population in Spain in terms of employment and poverty 2018), p. 15. Available at:

https://www.gitanos.org/estudios/comparative_study_on_the_situation_of_the_roma_population_in_spain_in_terms_of_employment_and_poverty_2018.html.en

ⁱⁱ Ibid, p. 15.

ⁱⁱⁱ The European Union Fundamental Rights Agency – FRA (2019), Second European Union Minorities and Discrimination Survey. [Roma women in nine EU Member States](#), p. 23.

^{iv} According to FRA data, more than 30% of Roma pupils study in segregated centres. On this topic, see the European Union Fundamental Rights Agency – FRA (2016), EU MIDIS II

^v Fundación Secretariado Gitano (2019), op. cit., p. 52.

^{vi} Ibid.

^{vii} Ibid, p. 45.

^{viii} See FSG annual reports published since 2005 “Discriminación y comunidad gitana” (Discrimination and the Roma community): <https://informesdiscriminacion.gitanos.org/informes-completos-ingles>

^{ix} More information at:

<https://www.mscbs.gob.es/en/profesionales/saludPublica/prevPromocion/promocion/desigualdadSalud/docs/ENS2014PG.pdf>

^x More information at:

https://www.gitanos.org/upload/24/01/Informe_Observatorio_VII_2020_Completo.pdf

^{xi} See FSG annual reports, op. cit.

^{xii} Fundación Secretariado Gitano (2023) “Estudio sobre el perfil y la situación de las personas en los asentamientos chabolistas y la infravivienda en España” (Study on the profile and situation of people in slum settlements and inadequate housing in Spain), awaiting publication.

^{xiii} Ibid.

^{xiv} Ibid, p. 125.

^{xv} Source in Spanish: National Institute of Statistics. Tasa de riesgo de pobreza en España en 2018 (Risk-of-poverty rate in Spain in 2018).

^{xvi} Fundación Secretariado Gitano (2019), op.cit, p. 125.

^{xvii} For more information, see Fundación Secretariado Gitano (2010), *Guía práctica para periodistas. Igualdad de trato, medios de comunicación y comunidad gitana*, (Practical guide for journalists. Equal treatment, the communications media and the Roma community) available in Spanish at:

https://www.gitanos.org/upload/54/77/Guia_Practica_Com_FinalCompleto.pdf

^{xviii} Rights International Spain (2020), *Proyecto ROMA: la lucha contra el sesgo inconsciente hacia las personas de etnia gitana en el sistema de justicia penal* (ROMA project: combating unconscious bias against people of Roma ethnicity in the criminal justice system). Available at:

<https://rightsinternationalspain.org/wp-content/uploads/2022/02/La-lucha-contra-el-sesgo-inconsciente-hacia-las-personas-de-etnia-gitana-en-el-sistema-de-justicia-penal-INFORME-NACIONAL.pdf>

^{xix} For more information in Spanish on the case, see:

<https://www.gitanos.org/actualidad/prensa/comunicados/131851.html>

^{xx} <https://www.unicef.es/publicacion/estado-mundial-de-la-infancia-2018-los-ninos-y-ninas-de-la-brecha-digital>

^{xxi} For more information, see the FSG annual reports on discrimination and the Roma community at <https://informesdiscriminacion.gitanos.org/informes-completos-ingles>, along with our *Guía sobre Discriminación Interseccional. El caso de las mujeres gitanas* (Guide to Intersectional Discrimination. The case of Roma women), available in Spanish at:

https://www.gitanos.org/upload/18/56/GUIA_DISCRIMINACION_INTERSECCIONAL_FSG.pdf

^{xxii} Available at: <https://www.boe.es/buscar/act.php?id=BOE-A-2022-11589>

^{xxiii} In [CEDAW/C/ESP/CO/6](#) y [CEDAW/C/ESP/CO/7-8](#).