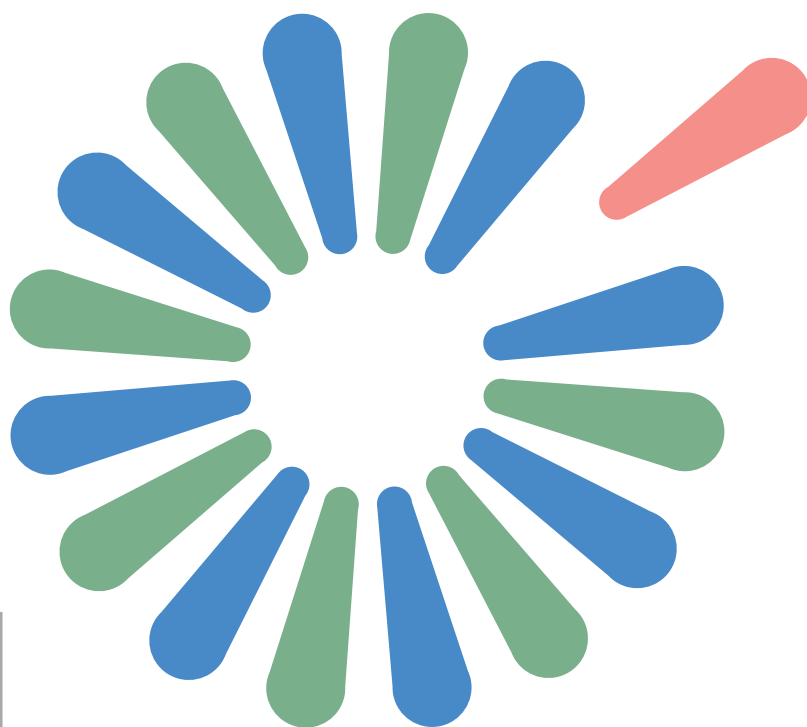


**FSG Annual Report 2018**

# Discrimination and the Roma Community



## IN DEPTH

Analysis of intersectional discrimination,  
with a spotlight on Roma women

**Presentation of 232 cases of discrimination**  
**Progress, good practice and case law**

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CONSEJO PARA LA ELIMINACIÓN  
DE LA DISCRIMINACIÓN  
RACIAL O ÉTNICA

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# Introduction





# Introduction

This year, Fundación Secretariado Gitano (FSG) presents its XIV Report on Discrimination and the Roma Community. We have been producing this publication for 14 years, for the main purpose of uncovering and reporting the discrimination that, sadly, the Roma community continues to suffer. The report depicts 232 cases of discrimination in which we have assisted 278 people, includes special analysis of a core issue—intersectional discrimination—with particular attention for the situation of Roma women, and indicates progress and best practice in this area.

We must take into account the current context of the fight against discrimination; everyday discrimination we see year after year in these reports that affects the Roma community. It is a seemingly perpetual rejection and translates into denial of access to employment, housing and goods and services, and anti-Roma discourse in the media and online, etc. As well as being detrimental to human dignity, all that is a barrier to the exercise of other essential human rights in the pursuit of a dignified life. Let's think of ourselves: what would our lives be like if we went to school at a segregated centre, and when we looked for a job, we could not secure an interview because of our surname? Or when trying to buy or rent a home, we were told it is not available, or at the supermarket we were followed by a security guard? Sadly, for Roma people in our country, such realities are not occasional but everyday.

There is a disconnect in the exercise of the right to equality that no society should tolerate. As well as pioneering in technology, industry, economy etc., our society must pioneer in the guarantee of fundamental rights. To do that, we must raise awareness in society of certain groups in the population that are frequently subject to prejudice and stereotypes. We must know the heterogeneous reality of Roma men and women; school textbooks must include this minority, and legislation must be more comprehensive.

Now is the ideal time to promote the Council for the Eradication of Discrimination for Race or Ethnicity and for our country to follow the recommendations of multiple anti-discrimination bodies, to approve a general anti-discrimination framework, to appropriately transpose European directives and to pass advanced anti-discrimination law, including on anti-Gypsyism and intersectional discrimination. Likewise, victims must be provided with an effective protection system from acts of discrimination that do not constitute a crime, which is why encouraging a Comprehensive Equality Act in Spain is so important, to reach consensus across all political parties. When it comes to fundamental rights, political leanings should not impose conditions. A protection framework should unite everyone. Now is the time to educate our society on tolerance, which means raising awareness of, preventing and sanctioning discriminatory behaviour.

We need to look to Europe, where extreme political ideologies are gaining ground in a number of countries (Italy, France, Germany, Hungary, Slovakia, Bulgaria, Austria, etc.), using political discourse that threatens the human rights of the most disadvantaged in society—populist discourse that society responds to but that leads to a concerning ideological context if we remember that lamentable facts in our past have had dreadful consequences for Roma, immigrants, LGBT people, disabled people, Jewish people, etc. For that reason it is vital that European institutions give a robust response and defend the key values that have built the advanced, cohesive Europe respectful of fundamental rights that we are.

In addition, we must be aware of the situation of victims of discrimination; we have a serious problem of under-reporting nationally and at European level, as shown in the study "Second European Union minorities and discrimination survey" (EU-MIDIS II) by the Agency for Fundamental Rights, which found that 90% of people discriminated against do not report it. Therefore, it is essential to provide information to exercise their rights and accompany them throughout the process, because assimilating discrimination, fear and lack of trust in the system to protect rights have a great bearing on discriminated persons. We have a great challenge before us, where we can look to the support given to victims of inequality and gender violence as an example to follow, and make people trust in the system, inform them, accompany them, defend them and get redress for them. This year we have been pleased to see how, thanks to the accompaniment we offer through our equality officers, we are increasingly empowering Roma people, including to report instances of anti-Roma discrimination before the courts and public prosecutors for hate crime and discrimination.

On the subject of victims, this year we wanted to analyse intersectional discrimination, focusing on the situation of Roma women, since we are born with the condition of being both women and Roma, which places us at a special disadvantage when exercising our right to equality. This is a concept we have to work on; we must know how to identify discrimination and our legislative system must contemplate and know how to respond to it.

As in previous years, we have analysed progress and best practice of note in this area, which offer a good reference guide of the path being taken by various stakeholders (public, private and social organisations). We also highlight recent case law on discrimination and hate crime, in which we analyse various rulings of the European Court of Human Rights.

Once again this year we would like to thank every person and institution that has worked on this Report—first and foremost, the members of staff at FSG who have been involved in collecting and following up on cases and offering support to victims of discrimination.

Secondly, we would like to thank the Ministry of Health, Social Services and Equality (now the Ministry of the Presidency, Court Relations and Equality), which once again this year has continued to support and offer economic resources for the FSG's activities to promote the equal treatment of the Roma community.





Lastly, we would like to thank Soraya Post and Tania Sordo for their insightful articles, and all the other professionals who have worked daily to defend equality. We would also like to give a special mention to all the victims of ethnic discrimination who have trusted our organisation for the last 14 years and who have sought our help to defend their rights. All this is why FSG will continue to work boldly, pushing to defend the right to equality and the fight against anti-Roma sentiment.

*Sara Giménez Giménez*

Lawyer, and Head of the Department of Equality and Fight Against Discrimination.

Fundación Secretariado Gitano.





**General  
conclusions  
to drive the  
fight against  
discrimination**





# CONCLUSIONS

## 1. Media, access to good and services and housing as the most prominent areas

In the 2018 Annual Report we find some similar trends to in previous years, yet we wanted to shine a spotlight on certain new developments this year, such as the importance for our organisation of having a new professional profile in our teams: **equality officers in 28 towns** to allow us directly to help and accompany Roma victims of discrimination. In addition, among the **232 cases recorded** we would like to highlight the following special interest cases:

- **Cases from the media and online continue to be the most prolific (44%)**, largely because they are easier to detect through our Communications Area's monitoring of specific press. We have seen that anti-Roma hate speech remains extensive across social media, and that certain media outlets exercise bad practice, by mentioning ethnicity when not necessary. Thanks to more systematic, coordinated and structured work, **this year the FSG quickened its response to the media, which often resulted in a better response from media outlets**. A positive response was obtained in 30 instances, removing inappropriate content and comments inciting hate from certain readers, or apologising for their mistake and opting for a more correct and neutral approach in certain articles. In spite of this, it is important to remember that no response to our complaints were received in more than 70 cases, which proves the need to make the professional media more aware of the issues, as key participants in raising awareness in our society.
- **Aside from the media**, the areas of access to goods and services (18%) and employment (12%) are those with the greatest number of cases of discrimination. Many young Roma men and women are discriminated against when attempting to enter bars, clubs, swimming pools and other spaces. We have seen greater awareness among young people in the exercise of their rights, since many victims do now report discrimination and submit complaints and claims, which is a very important

indicator of their empowerment to exercise their rights. In this respect, in 21 of the 43 cases recorded in this area, an official claim was filed by the affected persons; in three the police were asked to intervene, and in another three a complaint was filed with the public prosecutor for hate crimes and discrimination. In addition to this, we have been concerned by the intersectional discrimination suffered by Roma women in shopping centres and supermarkets due to being watched and followed by security guards—something that can be seen in the detailed analysis in the next section.

**In the area of employment**, we recorded 28 cases: Roma people continue to be rejected when attempting to **access the job market** (they are not given interviews, or companies say, "we don't want gypsies here"), which is fundamental to anyone's life. In this area, in 13 cases we have liaised and raised awareness with the business sector; in three cases we submitted a complaint to the appropriate public authorities (labour inspectorate) and in one case we pursued a strategic litigation before the social court, which had a positive outcome: we reached a final settlement that was highly satisfactory for the victim as it allowed them to enter the work centre in question. In addition, the person responsible recognised their discriminatory act (see case no. 18 set out below, in the Employment Cases section).

- **There is also a material problem in accessing housing**, which is a basic fundamental right. Many Roma people are rejected when attempting to rent a house; these are the cases where fighting discrimination is most difficult, since they depend on individuals and real estate companies. We often find in this respect the real estate companies are instructed by property owners to discriminate. In our interventions we have seen that, in spite of considering it to be unfair, certain property owners do follow this discriminatory practice. It is difficult to solve this problem because, hitherto, the private individual's right has prevailed and there are virtually no defence mechanisms in place.



## 2. Accompanying victims—a key factor in the fight against discrimination

In addition to implementing the current anti-discrimination laws, it is increasingly evident that parallel close work with potential and actual victims must be pursued. Victims must be **informed of their rights**, of how to identify discrimination and of how to report issues or make complaints. At FSG we have been systematically working on this, through numerous talks to raise awareness among and inform our participants, often as part of the *Calí programme for equality of Roma women*, which has given 166 sessions in 28 cities to 2,400 people. **It is a boost to the empowerment of many Roma people**, who are now more aware of their rights and how to defend them.

Likewise, the FSG has availed itself of Spanish Act 4/2015 of 27 April on the Statute for victims of crime. The Act is an attempt from public powers to give as broad a response as possible –not just legal but social– to victims, not just to remedy harm and damage in a criminal process, but to minimise other traumatic effects that may be generated, all irrespective procedural status. **This Act has been very useful in the strategic litigation pursued by FSG, to help accompaniment of the victim through all procedural stages**, to activate protection measures and to request restorative justice.

## 3. Strategic litigation as a fundamental channel to defend the rights of the Roma population

One of the conclusions drawn from the breakdown and study of cases recorded is that the Roma community continue to be subject to multiple discriminations in their everyday lives; that requires a satisfactory response to eradicate the current feeling of abandonment and impunity, which is precisely one of the fundamental causes of the extreme under-reporting of incidents by Roma people. The FSG considers the response of the courts in this area to be vital. That is why **one of our strategies is focused on strategic defence of anti-discrimination and anti-Roma hate crimes before the courts, as a basic mechanism to improve visibility and demand justice** for those whose rights have been violated, to create case law in this area and to secure redress for victims.

As part of our long-term journey to promoting and defending the rights of the Roma community, in recent years, with the specialist accompaniment of victims of discrimination by Equality Officers since 2016, we have gained momentum in strategic litigation in Roma discrimination cases before the courts. This translated, in 2017, into working with and accompanying 17 cases of discrimination and hate crime, which we are currently pursuing before the appropriate judicial bodies, principally specialist public prosecutors of hate crimes and discrimination. We would highlight the following:

- **Of the 17 cases pursued before the courts**, FSG has provided support by being a party to proceedings in four, due to their condition as symbolic cases that are prolific across the country: denial of young people's access to leisure premises due to ethnic discrimination (such as the cases of Puertollano and Valladolid); or due to being cases of hate crime towards the Roma population (such as the Castellón case, in which a Roma minor was bottled in the head to shouts of, "Exterminate the gypsy race" and "get out of our town"). Likewise, we have provided strategic defence in the case of a violation of fundamental rights, in order to make progress in the recognition of the rights to housing and non-discrimination of Roma people in Cañada Real, Madrid.
- **This year, the Social Court issued a favourable ruling on 15 March 2018**, in a case of discrimination in access to employment experienced by a young Roma girl (*see case 18 in the employment case studies*). This case is exemplary in showing the importance of pursuing such cases before the Courts, in order to get a response from the justice system when there has been a violation of the principle of non-discrimination on the basis of ethnicity under article 14 of the Constitution. The complaint reached the courts thanks to the indignation and bravery of the young person and the specialist legal defence we were able to offer her. It is a positive achievement that the ruling recognises the ethnic motivation, since it is rare for guilty judgments in our country in this kind of cases to recognise discrimination due to ethnicity. Moreover, the defendant company showed its disposition to conciliation to remedy the harm produced, as the victim has since been hired by the work centre in question.



Considering that discriminatory acts are a serious attack on fundamental rights such as equal treatment, the right to no discrimination and respect for the dignity of all, we believe **strategic litigation to be a key channel (together with others such as awareness raising and training) to heighten visibility of anti-Roma acts and to achieve social change** through a response from judicial bodies of all echelons. It is essential that victims can trust the judicial system as a way to seek a response to violations of their rights and to guarantee that such violations are recognised and repaired.

#### 4. Anti-Roma hate speech on social media and online—a reality we are fighting in cooperation with online business and European institutions

In response to the growth of online hate speech, in 2016 the European Commission signed a Code of Conduct with internet corporations Facebook, Twitter and Google, to counter illegal hate speech on social media. Organisations in each European Union Member State, such as FSG in Spain, play an active role in monitoring compliance with the Code.

At the end of 2017, the European Commissioner for Justice, Vera Jourová, announced the results of the third evaluation of the Code of Conduct to analyse the eradication of illegal hate speech from social media. On average, these internet companies removed 70% of reported illegal hate speech. Compared with the 59% rate of removal in the second evaluation (May 2017) and 28% in the first evaluation (2016), rates of removal of hate speech have clearly and steadily improved. In general, internet companies removed 70% of reported content, while 30% remained online.

Specifically, Facebook removed 79.8% of content, YouTube 75% and Twitter 45.7%. There was substantial progress made by the three companies compared with the results from May 2017 and December 2016. Ethnic origin (17.1%), Islamophobia (16.4%) and xenophobia (16%) were the most common areas of hate speech. **It is important to stress that cases of ethnic origin are mostly cases of anti-Roma hate speech, which indicates that the Roma community is still one of the main targets of hate speech.**

Of the 2,982 cases reported by 35 social organisations across the EU, 507 were cases of hate speech based on ethnic origin—the vast majority anti-Roma. NGOs from Italy, Slovakia, the Czech Republic, Romania, Bulgaria, Hungary and Spain reported numerous cases of this type, where death threats were made against Roma people, inciting their extermination, or they were dehumanised by comparing them with animals. All these cases are an attack on the dignity of people due to their ethnicity, and indicate precisely the limit of freedom of expression, as indicated in various rulings of the European Court of Human Rights.

In Spain, three organisations were involved in the reporting of such cases: Fundación Secretariado Gitano, which reported 116 cases (one of the highest rates of reporting of the 35 organisations across Europe), the Federación Estatal de Lesbianas, Gais, Transexuales y Bisexuales (FELGTB) (35 cases) and the Observatorio Español del Racismo y la Xenofobia (OBERAXE) (86 cases). The FSG achieved a 90% rate of removal of reported cases (100 pieces of anti-Roma hate content on social media removed, of 116 reported)—one of the highest success rates of the whole process.

We are proud to note that FSG was one of a number of social organisations recognised as a “trusted flagger” by the three main internet and social media companies: Facebook, Twitter and Google–YouTube. This has afforded us more fluid and effective communication when reporting and removing extreme hate speech from these social media outlets.

In order to make further progress in addressing this area, FSG has just published a “**Guide to combat hate speech**”, because we believe it is fundamental to fight against this phenomenon, which feeds and reinforces stereotypes and prejudices against Roma people, which in turns often leads to discriminatory behaviour and, at times, hate crimes. Greater harmony with and respect for the Roma community will come from educational and preventive policy on equality and the right to no discrimination, and from greater awareness in society that social media must not be used as a platform to spread hate and discrimination.



## 5. Spain must follow the latest recommendations from international organisations

The fifth report of the ECRI (European Commission against Racism and Intolerance, Council of Europe) to the Spanish Government, published on 27 February 2018, urged Spain to **establish an “independent equality body” and strongly recommended that comprehensive anti-discrimination legislation be adopted.** In turn, the United Nations Committee on Economic, Social and Cultural Rights (CESCR) published its concluding observations on the sixth periodic report of Spain on 3 April 2018. The Committee was concerned that Act 62/2003, which transposes the Equal Treatment Directive 2000/43 “is a little-known and incomplete law that fails to ensure protection against multiple forms of discrimination or to provide procedural safeguards or lay down adequate penalties, leaving the State without a comprehensive anti-discrimination law.” Therefore, **the Committee urges Spain “to adopt a comprehensive law on non-discrimination that guarantees adequate protection** and explicitly includes all the prohibited grounds for discrimination referred to in article 2 (2) of the Covenant; defines multiple discrimination, as well as direct and indirect discrimination, in accordance with the State party’s obligations under the Covenant; prohibits discrimination in both the public and the private spheres; and incorporates provisions under which redress can be obtained in cases of discrimination, including by judicial and administrative means.”

As we have asserted for a number of years, Fundación Secretariado Gitano believes that a comprehensive equality and anti-discrimination law is vital. The criminal legislative framework must be added to, and acts of discrimination that do not constitute a crime, which encompass the vast majority of everyday discrimination experienced by certain people and groups in our country, must not end up in a legislative void that leaves victims of discrimination unprotected. Now is the time to update the draft Bill presented in 2011 and presented again on 28 February 2017. This is legislation to protect a fundamental right and, as such, must be above partisanship and move forward with political consensus. We need to complete the anti-discrimination legislative framework and have a general framework that contains preventive, awareness-raising and penalty measures. This framework must take into account the current context of discrimination, anti-Gypsyism (and other motivations) as a specific motivation that drives discrimination against Roma people, structural discrimination that leads to the existence of segregated schools, or inciting discrimination in social media and online—a phenomenon that must be addressed as a matter of urgency

Principally, the changes that the Act would bring would be to have an authority for equal treatment and anti-discrimination, a penalty system and a prevention system in the fight against discrimination. Currently, advanced and bold legislation is required, not legislation that is a mere statement of recognition of rights. It is vital that specific measures and tools are established to prevent discrimination and protect victims. We should look to other European countries (France, Belgium, Sweden etc.) that have an Equality Act that allows penalty proceedings to be pursued against discriminatory acts, to sanction and to remedy for the victim.

On equality and anti-discrimination matters we must educate citizens, in the same way we do in other fields (such as road safety). On many occasions, the protection of fundamental rights is deserving of legislation to raise awareness and set out the limits that cannot be crossed; one of those is discriminatory treatment.

Moreover, in December 2017, the ECRI published an update to its *recommendation no. 2 on equality organisations to combat racism and intolerance at national level*. **In this new version, the ECRI insists on the need for such bodies to be really independent, and to have the ability to pursue litigation,** which are two important shortfalls of the Spanish equality body. It also gives guidance about its management:

“Another important safeguard for the independence of equality bodies is the right to decide independently on their internal structure, the management of their budget and financial and human resources, and the hiring of their staff, and to identify and occupy their own, separate premises. These premises should, in size and purpose, correspond to the needs of the equality body. Secondment of staff from public sector institutions should be limited as this could impair the independence of the equality body and affect perceptions of its independence.

The adequacy of funding and staffing of equality bodies is a key factor for their effectiveness and should be calculated on the basis of objective indicators. These could include (i) the size of the member State and of its population, (ii) the level and nature of reported and unreported incidents of discrimination and intolerance including hate speech, (iii) the range, capacity and contribution of other bodies working on equality, discrimination and intolerance, (iv) the costs involved for the equality body in implementing its functions and competences to a scale and quality necessary to make an impact and (v) the scale of the national budget of the member State. Peer-to-peer reviews with other member States could assist in determining the appropriate level of resources for the equality body.”

1 <http://hudoc.ecri.coe.int/eng?i=REC-02rev-2018-006-ENG>





We believe this recommendation is a fine opportunity to push both a Comprehensive Equality Act and an equality body in Spain to respond to the needs of victims and the guidelines of European directives and recommendations in this area.

## 6. Concern for anti-Roma speech by certain European political leaders

In terms of protecting the fundamental right to equality, we find ourselves at a key moment, since equality is one of the key principles to building a diverse and tolerant Europe. Political parties with a racist ideology continue to grow: we have witnessed anti-Roma speech in the European Parliament by Italian MEP from the Lega Nord Mara Bizzotto, or Bulgarian MEP Angel Dzhambazki. In the most recent anti-Roma statements made by the Italian Interior Minister Matteo Salvini, he proposed a census of Italian Roma people, adding that, "Unfortunately we will have to keep the Italian Roma." In response, FSG and other organisations of the Consejo Estatal del Pueblo Gitano showed our repulse and submitted the appropriate complaints to the European Parliament and other competent authorities. We received a weak response from the European Commission and a positive response from certain MEPs who stated

their outrage, the Council of Europe's Commissioner for Human Rights, the Italian Ambassador to Spain, and the Spanish Government, which on 28 June 2018 made a statement in the plenary of Congress reproaching this kind of racist proposals and statements, positioning itself in favour of the rights and freedoms of all, free of discrimination. Civil society organisations represented by the Plataforma del Tercer Sector also joined in publicly condemning the comments.

**These events lead us to insist on the need for a robust response by European institutions to anti-Roma speech from certain political leaders**, and it is vital to remind ourselves of the repercussions that such extreme ideologies have had in history. We have built a European society based on core values that we cannot allow to be endangered at any time. Stigmatising political speeches, which are used in populist political campaigns, attempt to blame certain vulnerable groups for the economic difficulties of a country, proposing ideas that trample on the human rights of those groups. Such speeches are unacceptable, unjust and inadmissible; they violate the Lisbon Treaty, the Charter of Fundamental Rights and European and international human rights legislation.

FSG believe that EU institutions should establish precise measures to prevent, block and sanction racist discourse by certain political leaders.





**Cases of  
discrimination**





# 1. Cases of discrimination collated by Fundación Secretariado Gitano in 2017

## Cases of discrimination in the media and online

### 1. Jaén. Social media. Direct discrimination.

**FACTS:** A cultural association called "Círculo ánimas" published a video about the poor condition of Jaén's historic quarter. In minute 13 of the video, a woman appears, working with a theatre group whose works are shown in the historic quarter's Arabic baths. This woman said: *"The actor outside has to hide because around this particular area, Roma families do not want tourism. They know us by now, but sometimes they decide to support us and others they destroy us. Some actors have had to hide in a corner of the Arabic baths because they have been thrown insults and kicked..."*

**INTERVENTION:** The woman was contacted, because her comment was discriminatory to the Roma community.

**OUTCOME:** Positive. The woman recognised her mistake, apologised and explained that it was not her intention to mention ethnicity and to foster stereotypes against the Roma community, which was unwitting, and that it would not happen again. She also commented that she would talk with the video makers and her colleague who shot the video, since they were also unaware when they publicised it.

She also thanked us for getting in touch, and used the opportunity to involve us in the problem she was having with the neighbours, allowing us to mediate between the parties to find a solution.

### 2. Pamplona. Social media. Direct discrimination.

**FACTS:** The website *desmotivaciones.es* features various images with certain phrases that create stereotypes and prejudices towards the Roma community.

For example:

"Site surveillance by gypsies. They'll mug you or rob you at work".

"A gypsy gets on a motorbike and falls off... Don't laugh. Why? Because it's yours."

"Don't laugh at a gypsy on a bike. Because that bike could be yours".

"Be more useless than a gypsy without cousins".

"Curtain up: a gypsy appears. The curtain disappears".

**INTERVENTION:** The FSG sent the following message to the website: *"We at the Fundación Secretariado Gitano's Department of Equality and Fight Against Discrimination ask that you immediately remove the offensive and discriminatory images from your website, which violate the fundamental rights of non-discrimination enshrined in our legal system. The images and comments can be found at: <http://desmotivaciones.es/carteles/gitanos>"*



CASE 2



OUTCOME: Negative. Our actions were not effective. They have not removed the content, but the images are not considered to be serious enough to report them to the authorities.

Reference: <http://desmotivaciones.es/carteles/gitanos>

### 3. Santiago de Compostela. Media. Direct discrimination.

FACTS: The following article was published in the newspaper *Diario de Pontevedra*. Title: "Group of thieves on trial in Pontevedra".

One of the paragraphs in the article says:

*"The group of thieves, mostly of Roma origin, who were behind a wave of burglaries looking for gold, jewellery and other high-value items in Pontevedra and its outskirts in 2013, admitted the charges. All the group's members, some of whom were drug addicts..."*

INTERVENTION: A letter of complaint was sent by email to the section that featured the discriminatory article. It was explained how harmful it was to mention ethnicity in the account of the crimes, and they were provided with the FSG's journalism best practice guidelines.

OUTCOME: Positive. They responded to our email that they would take into consideration our suggestions in future and thanked us for our interest.

### 4. Almería. Social media. Media. Direct discrimination.

FACTS: We became aware of the existence of a Twitter handle called @AntigitanosAE, a public profile, which had a profile photo that stated: "No stopping for gypsies". The account holder wrote comments such as: "Fucking Romanian gypsies on their bikes looking for rubbish". "RT if you have messed up a gypsy who tried to rob you".

We also discovered an account, this time on Instagram, with the profile name "Antihitanos", which had the caption: "Gypsies you're destroying Spain". Although the account has yet to post anything, it has 27 followers.

INTERVENTION: On 27/01/2017 we reported the Instagram and Twitter accounts.

OUTCOME: Positive. The strategy was effective. Both accounts have been deleted.

### 5. Málaga. Media. Direct discrimination.

FACTS: An online publication *Mediterráneo Digital* published an article that featured discriminatory comments about the Roma community. It mentioned ethnicity in spite of it having no relevance to the news article, and associated the Roma community with crime.

#### Un coche con 8 gitanos, perseguido por 5 zetas y un helicóptero de la Policía Nacional

Publicado el Martes, 17 Enero 2017 20:40 Escrito por Mediterraneo Digital



CASE 5

*"A car with 8 gypsies, chased by 5 National Police response cars and a helicopter". Another paragraph stated: "The driver had no licence or insurance and the car had no MOT. The eight passengers of the A4 included three children, one of whom was just a few months old. They were all of Roma ethnicity. They have now been detained, awaiting prosecution".*

INTERVENTION: A letter of complaint was sent to the newspaper editor on 24/01/2017.



**OUTCOME:** Negative. The complaint strategy was not effective since there was no response from the publication.

Reference: <http://www.mediterraneodigital.com/sucesos-espana/ultimas-noticias-sucesos-espana/se4/un-coche-con-8-gitanos-perseguido-por-5-zetas-y-un-helicoptero-de-la-policia-nacional.html>

The publication is renowned for often publishing false or manipulated news items to defame the Roma community (and immigrants, feminists and left-wing politicians). After sending plenty of letters of complaint, it currently uses circumlocutions such as “you can’t mention ethnicity”, but makes clear that they are talking about Roma by using words such as clan, brawl, patriarch, etc.

#### 6. Santiago de Compostela. Media. Direct discrimination.

**FACTS:** A discriminatory article appeared in the print version of *El Ideal Gallego* on 27 January 2017. The article dwelled on another incident that it had published 25 years previously.

The article wrote: *“the conflict between local residents and Roma tenants who allegedly sell drugs came to a head at around nine in the evening, when they accused the community of having cut off the electricity.”*

**INTERVENTION:** The FSG sent a letter of complaint to the newspaper.

**OUTCOME:** Negative. There was no response.

#### 7. National. Media. Direct discrimination.

**FACTS:** We found a news item on *Ecodiario.es* that mentioned Roma ethnicity in relation to fights and violence. The headline was: *“Ten detained after two Roma clans fight with knives in Lavapiés (Madrid).”*

**INTERVENTION:** A letter of complaint was sent to the website.

**OUTCOME:** Negative. There was no response.

Reference: <http://ecodiario.economista.es/sucesos/noticias/8119850/01/17/Diez-detenido-en-una-pelea-con-armas-blancas-entre-dos-clanes-gitanos-en-Lavapiés-Madrid.html>

### Diez detenidos en una pelea con armas blancas entre dos clanes gitanos en Lavapiés (Madrid)



CASE 7



## 8. Luanco-Gozón. Media. Direct discrimination.

FACTS: The newspaper *el Faro de Gozón* published a news item with the headline *"New aid rules demand seekers produce a bank statement"*, which refers to the financial aid offered by the City Hall; the article features an image of a town inhabited by people of Roma ethnicity, easily identifiable. We believe this to be bad journalism, since the aid is not exclusively for the Roma community, and the photo helps to reinforce negative stereotypes.

INTERVENTION: A letter was sent to the newspaper, informing it of its bad practice in writing the article, because it depicted Roma as destitute.

OUTCOME: We received a response thanking us for the suggestion and explaining that they will take it into account in future. The strategy was, therefore, effective.

## 9. Madrid. Media. Direct discrimination.

FACTS: The newspaper *Gente Digital* published an articles on an incident of gender violence, which mentioned Roma ethnicity four times.

The headline read: *"Twenty years in prison sought for a Roma man accused of killing his wife"*.

INTERVENTION: We sent a letter to the editorial team of the newspaper about the mentions of Roma ethnicity throughout the article, as we believed it encouraged a negative view of Roma people.

OUTCOME: Negative. We received no response.

Reference: <http://www.gentedigital.es/madrid/noticia/2087228/piden-20-anos-de-carcel-para-un-hombre-de-etnia-gitana-acusado-de-matar-a-su-mujer/>

## 10. Málaga. Media. Direct discrimination.

FACTS: The online newspaper *Diario Sur* published an article with the headline *"Ricky Martin's gypsy wedding"*.

The articles used stereotypes on the Roma community such as *"The party is going to be massive. I'm planning to make a lot of noise. Three-day wedding"*.

Finally, the headlines triggered negative reader comments such as:

*"I'm happy for them... but gypsy wedding? It's not like homosexuals are popular among gypsies..."*

INTERVENTION: A letter of complaint was sent to the newspaper management.

OUTCOME: Negative. There was no response, so the strategy was not effective.

**Gente en Madrid**

Portada Comunidad de blogs Vi-Gente Diver-Gente Ciudades Madrid Castilla y León Golbi

Madrid: Comunidad de Madrid Últimas noticias Opinión

### Piden 20 años de cárcel para un hombre de etnia gitana acusado de matar a su mujer

La Fiscalía de Madrid solicita veinte años y nueve meses de prisión para un acusado de etnia gitana por presuntamente matar a su mujer, a quien durante años sometió a palizas y humillaciones continuas.

CASE 9





### 11. Avilés. Media. Direct discrimination.

**FACTS:** The newspaper *El Comercio* published an article on an altercation in La Carriona, which referred to the ethnicity of those involved and used words such as “reyerta” (brawl). The article related Roma people to delinquency and stated that their presence caused a climate of insecurity.

**INTERVENTION:** A letter was sent to the newspaper’s management.

**OUTCOME:** Negative. There was no response from the management team or the author of the article.

Reference: <http://www.elcomercio.es/aviles/201703/05/herido-arma-blanca-dedo-20170305010739-v.html>

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### National. Media. Direct discrimination.

**FACTS:** The newspaper *Última Hora* published an article with the headline: “A fight between two Roma families over a debt ends with seven arrested in Palma”.

The article related the Roma community to criminality and violence. It is offensive and discriminatory towards the Roma community.

**INTERVENTION:** A letter was sent to the newspaper editor-in-chief to ask that the comments be removed from the forum and that our comments be taken into account.

**OUTCOME:** Positive. We received the following response: “Thank you for your note. I have passed it on to the section chiefs for their consideration. We will attempt to be more careful in future. Sincerely, the editor-in-chief.”

The strategy was, therefore, effective. Following the complaint, references to ethnicity were removed from the article.

Reference: <https://ultimahora.es/sucesos/ultimas/2017/03/13/254152/rina-entre-dos-familias-gitanas-por-deuda-acaba-siete-detenidos-palma.html>

### 13. Santiago de Compostela. Media. Direct discrimination.

**FACTS:** In the print edition of *La Voz de Galicia*, an article with the following content appeared:

*“One dead and two injured in a shooting in a marginal neighbourhood. (...) At least three men were involved in the shooting, two of them brothers aged 21 to 24, of Moroccan nationality, and a group of Roma ethnicity people”.*

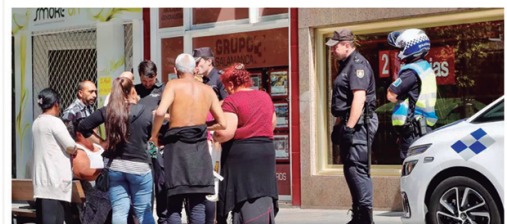
**INTERVENTION:** A letter was sent to *La Voz de Galicia* for publication in the “Letters to the Editor” section.

**OUTCOME:** Negative. There was no response.

**La Voz de Galicia**

#### Tangana entre 15 personas ante el hospital Povisa

La Policía Nacional y la Local se desplegaron para evitar incidentes, que se redujo a insultos y palabras subidas de tono entre dos bandos de etnia gitana



CASE 13



#### 14. Sevilla. Media. Direct discrimination.

FACTS: The newspaper *ABC Sevilla* published a news article on a violent incident in which two Roma people, among others, were involved. The article included a social message that associated the Roma community with crime, drugs and violence, reinforcing stereotypes and prejudices, and generating racism and intolerance of the community.

There were anonymous comments insulting, degrading and discriminating against Roma people, and the newspaper did nothing to remove them.

INTERVENTION: A letter was sent to the newspaper's editor-in-chief stating our indignation and disagreement with the treatment of the Roma community in both the news article and the user comments. They were also invited to read the *"A practical guide for journalists: equal treatment, the media and Roma community"*, available on the FSG website, and to discuss it further with us if they wished to.

OUTCOME: Negative. There was no response to the letter sent in March. We tried again in April, writing directly to the national newspaper, but we still received no response.

Reference: [http://sevilla.abc.es/andalucia/granada/sevi-muerto-y-heridos-tiroteo-zona-norte-granada-201703091514\\_noticia.html](http://sevilla.abc.es/andalucia/granada/sevi-muerto-y-heridos-tiroteo-zona-norte-granada-201703091514_noticia.html)

#### 15. Santiago de Compostela. Media. Direct discrimination.

FACTS: The newspaper *El Correo Gallego* published a news item with the headline *"Threat on Cortiñas still lies beneath", which stated:*

*"They say that gypsy laws don't expire, that the crimes never lapse, and that the threat of an eye for an eye, a tooth for a tooth never goes away". The article used terms such as "clans", "gypsy law" and "violent branches". They blamed the violence on an alleged infidelity or on alcohol: "We are told that Pepe Cortiñas suspected the unborn child was not his, that Lupe had cheated on him with a close friend and, in an outburst of rage, as the perpetrator acknowledges, he stabbed her 16 times".*

The text is sensationalist, speculative and salacious in the way it reports the violence against women and in the references to Roma ethnicity.

INTERVENTION: A letter was sent to the newspaper about the discriminatory content of the news article and the way a case of violence against women had been reported. They were also sent a copy of the FSG Guide for journalists and some recommendations of the Andalusia Audio-visual Council on reporting violence against women.

CRÓNICA NEGRA

### La amenaza sobre los Cortiñas sigue en estado latente

Tres años después del considerado primer crimen de violencia de género entre gitanos, Pepe Cortiñas cumple condena por matar a Lupe Jiménez// Su familia que huyó por temor a la venganza empieza a volver a Galicia pese al miedo



Pepe Cortiñas Roberto acabó con la vida de Lupe Jiménez a finales de febrero de 2014. Fue detenido, juzgado y condenado. Tres años después sigue encarcelado y con el temor a que cualquier día se cumpla la venganza de la ley gitana. Incluye un artículo. FOTOS: S.Saa

OUTCOME: Negative. There was no response.

References: <http://www.elcorreogallego.es/galicia/ecg/amenaza-cortinas-sigue-estado-latente/idEdicion-2017-03-13/idNoticia-1045556/>

<http://www.elcorreogallego.es/galicia/ecg/familia-lupe-jimenez-hubo-amenazas-cortinas-somos-violentos/idEdicion-2017-03-17/idNoticia-1046275/>

CASE 15



## 16. Barcelona. Media. Direct discrimination.

**FACTS:** On 18 February 2017, the newspaper *Mediterráneo Digital* published a news item in the Incidents section that referred to Roma ethnicity, relating to an assault on members of the Mossos police force:

*"50 gypsies brutally lynch Mossos d'Esquadra in Hospitalet".*

The wording of the article and the way the information was reported was a case of journalistic bad practice. Mentioning Roma ethnicity in a news article about assault does not offer any relevant information to understand what happened. The headline included Roma ethnicity and words such as "lynch" and "brutally".

**INTERVENTION:** The FSG sent a complaint to the Consell de la Informació de Catalunya (CIC) of the Colegio de Periodistas de Catalunya (CPC).

**OUTCOME:** Negative and positive. The response was:

*"Once we received the complaint you made to the Catalonia Information Council (CIC) against Mediterráneo Digital, the chairman and general secretariat have admitted it and agreed to open case file (5/2017). Having admitted the complaint, it will be passed on to the media outlet that allegedly committed the infringement so that it may present its arguments. Once the deadline is reached for the newspaper to present its arguments, a presiding officer or reporting committee will be appointed, to issue a decision and the corresponding report. Technical reports may also be requested from expert bodies or persons, to clarify the content of the complaint. (...) However, the article does not give a voice to local residents, any member of the Roma minority or the group that caused the fight, or those who attended later and joined the fray. The appended video shows multiple images and shouting from the fight, and offers readers to participate through comments, thus creating defaming and discriminatory messages of the community. (...) The CIC also believes that appendix F of the Code on nationalities and ethnicities has been violated, which states: "Use by audio-visual media outlets of words and concepts relating to nationality or place of origin in a headline to label individuals or groups that have committed crimes is discriminatory. When the media outlets report events in a way that can be considered discriminatory, for the purpose of grabbing the reader's attention, the result is that readers acquire a negative attitude on migration and immigrants. The CIC recommends that the media take special responsibility and be particularly rigorous when reporting or offering opinions with content that can be discriminatory by gender, ethnicity, beliefs or social or cultural origin, by avoiding generalisations and labelling people by differentiating features, whether ethnic, religious, economic or social."*

In this case, the strategy of reporting the bad practice to the media outlet, in order to open dialogue and enable the article to be corrected, was not effective, since the newspaper did not respond and the article was not amended. For that reason, from this perspective the outcome was negative.

However, the complaint sent to the CIC was an effective strategy to report the newspaper's actions and raise awareness of the case.

Reference: <http://www.mediterraneodigital.com/sucesos-espana/ultimas-noticias-sucesos-espana/se2/50-gitanos-linchan-brutalmente-a-6-mossos-d-esquadra-en-l-hospitalet.html>

This particular newspaper publishes many false or manipulated articles with the specific purpose of criminalising Roma people.



### 17. Oviedo. Media. Direct discrimination.

FACTS: The media outlet *La Nueva España* published an article on a series of crimes committed in Colloto, where the director of FSG Asturias has asked that Roma people not be criminalised:

However, readers of the newspaper published racist comments against Roma people:

1° *"The gypsy community are always begging, begging for us to mould themselves around them and always causing problems for the neighbourhoods they move to, showing a social inadaptability that does nothing but cause more problems for the other neighbours."*

2° *"Their being stigmatised isn't down to us, it's down to them. If they behaved like civilised people they wouldn't be stigmatised. If they carry on behaving as they do, the stigma will remain."*

3° *"It is the first time they are talking clearly about the ethnicity of the people behind the savagery in Colloto. Until now, it was all about "troublesome families", but we all knew their ethnicity so why not say it? And of course the police, a bit, but mostly housing, subsidies, jobs and everything is very "social". Why do they still allow a bunch of criminals to squat in houses, where the only people who pay are their victims, who not only have to sustain them but are permanently terrorised? When the law and the government cannot guarantee safety and peace for residents but they guarantee housing, benefits, subsidies and all kinds of privileges for those yobs, it's just a matter of time. Luckily for them, people have been taught to be good since school will take some time, but eventually they will get fed up and will kick out this antisocial, parasitic virus."*

4° *"Sure—Colloto, Avilés, Cíaño, La Corredoria... Places with crime waves and always committed by people of that ethnicity, but we mustn't stigmatise. If they are so worried about being stigmatised, why don't they take control of their own people, because if one of them has a problem with someone who doesn't belong to them, they all pile in to defend them. Towns and cities have been trying to "integrate" them for years, handing out money, so they can live without working, and homes, to the detriment of their neighbours, because across the board it is still very hard to live side by side with them."*

INTERVENTION: A letter of complaint was sent to the editor-in-chief, thanking them for reporting and covering the news item and for giving the Roma community a voice, but asking for the racist reader comments to be removed.

OUTCOME: Positive. The strategy was effective. *La Nueva España* did not respond to the letter but it did remove the racist reader comments.

Reference: <http://www.lne.es/oviedo/2017/03/16/comunidad-gitana-ruega-colloto-estigmatice/2073805.html>

### 18. Granada. Media. Direct discrimination.

FACTS: Various articles were published by the newspaper *Granada hoy* on the Roma and Moroccan populations. They include:

1. *"Security forces called to protect residents in the north of the city":*

*"It seems that the dispute took place between two clans, one Roma and another Moroccan, which control the marijuana business in the La Paz neighbourhood. The indications are that the brawl, which began around 12:00, was caused by members of a Roma ethnicity clan assaulting two Moroccan brothers aged 22 and 24, as they walked along the street. One of them then opened fire on the Moroccan young men, seriously injuring them."*

2. *"Alarm among residents in the north of the city fearing a war among clans":*

*"Members of a Roma ethnicity clan assaulted two Moroccan brothers belonging to another clan".*

*"A 44-year-old man belonging to the Roma clan was also injured in the attack, who is suspected to have fired shots".*



*"Another murder in the district. A shoot-out between two clans, one Roma and another Moroccan, last Thursday ends with one dead".*

INTERVENTION: An email was sent to the newspaper.

OUTCOME: Negative. There was no response.

References: [http://www.granadahoy.com/granada/Llamada-fuerzas-seguridad-proteger-Norte\\_0\\_1116488956.html](http://www.granadahoy.com/granada/Llamada-fuerzas-seguridad-proteger-Norte_0_1116488956.html)

[http://www.granadahoy.com/granada/Alarma-vecinal-Norte-guerra-clanes\\_0\\_1117388319.html](http://www.granadahoy.com/granada/Alarma-vecinal-Norte-guerra-clanes_0_1117388319.html)

### 19. Jaén. Social media. Direct discrimination.

FACTS: A video was found on Facebook about an eviction at a house occupied by Roma people.

Racist user comments were posted, such as, *"the story of the gypsy and the payo (non-Roma) is done. They make programmes for them on Four to show how well they live and how much they work. They should be subject to the vagrancy law"; "how shameless, the law protects those who don't deserve it and gives hand-outs to everyone..."; "fucking awful gypsies, they make me sick, if I was that guy I'd hire a bunch of Albanians and those scum gypsies would never come back, fucking garbage", "shoot that vermin in the head and throw him in an unmarked grave", "fucking garbage gypsies, how about giving them a dose of Zyklon B? Goodbye fucking rats".*

INTERVENTION: The FSG tried to have the racist comments removed.

OUTCOME: We were not successful at getting the discriminatory content removed.

Reference: <https://www.facebook.com/100002349197723/videos/788094794612153/?pnref=story>

### 20. Badajoz. Media. Direct discrimination.

FACTS: On 22 March 2017, *El Periódico Extremadura* published a news article that cited Roma ethnicity in the context of a conflict:

*"The initial hypothesis is that it was owing to a feud among Roma family members".*

INTERVENTION: We sent a letter to the editor-in-chief of *El Periódico Extremadura* to complain about the inappropriate use of words when referring to the Roma community.

OUTCOME: Negative. We received no response from the newspaper.



### 21. Salamanca. Media. Direct discrimination.

FACTS: *La Gaceta de Salamanca* published an article that referred to Roma ethnicity:

*"More than fifty gypsies gathered on Sunday afternoon at the doors of the religious building to decide the retaliation to take against the relatives of the woman who last week stabbed multiple times and killed "Amparo", a resident of calle América".*

The article triggered various anti-Roma hate comments, which included: *"They do whatever they like, no matter the time of day and no one says anything. It's not right; each generation is worse and they are completely out of control, someone has to do something because they don't integrate".*

*"Every gypsy who has any sort of criminal record should be thrown out. At least 1,000 km away".*

*"Rootless and unintegrated gypsies have the fortune of not living in age of Hitler, which is why they take advantage of payos (non-Roma). They do what they like and use our country as they like, until the extreme right wing come back with vengeance."*

INTERVENTION: An FSG officer held a meeting with the editor of *La Gaceta de Salamanca*, to make them aware and inform them of the negative influence on society and the Roma community of including ethnicity in articles.

OUTCOME: Positive. The meeting ended with the editor committing not to mention ethnicity in negative news articles when it is irrelevant to the article. The strategy was, therefore, effective.

### 22. Almería. Social media. Direct discrimination.

FACTS: On 25 March 2017, the beatification of the first Roma woman, Emilia "La Castanera" was held in Roquetas de Mar (Almería). It caused a reaction in the media because people from all over Spain went to Almería to attend. On the Facebook page "Eres de Aguadulce" (You're from Aguadulce), a debate began on the event. One user and one of the 9,240 members of the group made a series of racist comments about Roma ethnicity, such as:

*"Of 6,000 people, 5,000 were gypsies. Where are the miracles? In their pockets".*

*"6,000 people were there. 5,000 were gypsy race. Or ethnicity. I don't care. The church. Is a scam. Gypsies are evangelists. They have no place with the Catholics."*

INTERVENTION: Mediation took place between an FSG officer and the writer of the comments.

OUTCOME: Positive. The comments were removed. The strategy was, therefore, effective.

### 23. Ponferrada. Media. Direct discrimination.

FACTS: The newspaper *Diario de León* published an article on a dispute in a hospital. Mention was made of the ethnicity of the alleged attackers.

*"A group of smokers attack a porter at hospital"*

DL | PONFERRADA *The hospital porters' trade union SAC yesterday condemned the attack on an employee at Bierzo hospital early on Tuesday morning by a group of people smoking on the hospital grounds. Witnesses told Radio Bierzo that the worker called out to a group of between 15 and 20 people of Roma ethnicity to tell them to stop smoking."*



The article also triggered a series of anti-Roma comments, such as:

- *"They were gypsies... Let's call a spade a spade... smokers... the majority of people who smoke don't do that... the headline is misleading tell the truth."*
- *"SMOKERS gypsies!!! So we all know exactly what happened at the hospital, it's sad but always down to the same people... cheers everyone."*
- *"Lots of these people are uncivilised beings who cannot fit into society, which is why they have to be sent to the edges of society."*

INTERVENTION: From the FSG Equality Department, an equality officer sent a letter of complaint to the *Diario de León* for the mention of ethnicity in negative press, when such mention is not important to the news item.

OUTCOME: Negative. There was no response. The strategy was not effective.

#### 24. Pamplona. Media. Direct discrimination.

FACTS: In Navarre, two newspapers, the *Diario de Navarra* and the *Diario de Noticias de Navarra*, echoed an article that mentioned Roma ethnicity and Romanian nationality, which is totally irrelevant information to the understanding of the news item. The item was published in Córdoba, Girona, Tarragona, Burgos, Salamanca, Cádiz, Jerez, Navarre, Seville, Vizcaya, Andalusia, Galicia, Aragon, Granada and Extremadura, as well as nationally.

*"Arrested for forcing 16-year-old child to marry for the third time".*

INTERVENTION: A letter of complaint was emailed to both newspapers.

OUTCOME: Positive. The web article was removed, and the *Diario de Navarra* responded to our email:

*"Good afternoon, in response to your request to remove an article from the Diario de Navarra, we have proceeded to remove it. We wish to clarify that the article originated from a news agency and was not written by our reporters. In any event, please accept our apologies for the offence that may have been caused."*

The strategy was effective.

#### 25. National. Media. Direct discrimination.

FACTS: In the TVE1 news programme of 28 March, an item was broadcast that related Roma ethnicity to crime, organised gangs, drug trafficking, counterfeit money, arrests, etc. This is bad journalistic practice that contributes to negative stereotypes and prejudices that have been bearing down on the Roma community for a long time.

INTERVENTION: A letter of complaint was sent on 29 March to the Head of News at TVE.

OUTCOME: Positive. TVE called FSG to apologise for the mention of ethnicity in the item. The strategy was effective



## ASTURIAS

ASTURIAS | OVIEDO | GIJÓN | AVILÉS | CUENCAS | SIERO Y CENTRO | ORIENTE | OCCIDENTE | MÁS CONCEJOS | EDUCACIÓN | UNIVERSIDAD | STARTINNOVA

### Más de mil gitanos viven en las 196 chabolas y barracones que aún quedan en Asturias

El porcentaje de infraviviendas se redujo a la mitad en ocho años, pero todavía hay núcleos de este tipo en veintiocho concejos



CASE 26

#### 26. Oviedo. Media. Direct discrimination.

**FACTS:** The newspaper *El Comercio* published an article on the FSG's study on housing and the Roma community. The article triggered numerous racist reader comments.

**INTERVENTION:** FSG called the editorial team at the newspaper to thank them for covering the news item and for the writing of the article. We asked that they remove all hate comments.

**OUTCOME:** Positive. They told us that they understood the complaint perfectly. They took five minutes to remove the comments.

The outcome of our intervention was, therefore, effective.

**Reference:** <http://www.elcomercio.es/asturias/201704/04/gitanos-viven-chabolas-barracones-20170404000852-v.html>

#### 27. National. Social media. Direct discrimination.

**FACTS:** Following the rehousing of a Roma family in a home in Vitoria, a petition appeared on the website Change.org seeking signatures to throw the family out of the neighbourhood. The petition cited the family's nickname they were known by and dubbed them the "troublesome gypsy clan".

**INTERVENTION:** FSG sent a complaint to the website citing that it violated certain articles of the website's terms of use, as well as the Spanish Data Protection Act.

**OUTCOME:** Positive. Change.org contacted the petition creators to ask them to remove any mention of Roma ethnicity, and the mention was swiftly removed. The intervention was, therefore, effective.





## 28. Gijón. Media. Direct discrimination.

FACTS: The newspaper *El Comercio* published an article on 8th April, International Roma Day.

<http://www.elcomercio.es/gijon/201704/08/gitanos-luchan-visibility-20170408015236-v.html>

The article triggered numerous racist reader comments.

INTERVENTION: We phoned the newspaper to ask that they remove the comments.

OUTCOME: The person we spoke to promised to review them, but in the end decided to remove only one – a very serious one – and left the rest online, arguing freedom of expression.

Our intervention was not entirely effective since not all the racist comments were removed.

Reference: <http://www.elcomercio.es/gijon/201704/08/gitanos-luchan-visibility-20170408015236-v.html>

## 29. Madrid. Media. Direct discrimination.

FACTS: The newspaper *La Razón* published an article that mentioned the ethnicity of protagonists on two occasions: *“Group foiled scrapping stolen cars in a San Blas warehouse they were squatting in”*.

*“The criminals, of Roma ethnicity, posed as car mechanics”: “...The four are Spanish nationals of Roma ethnicity...”*.

The articles links ethnicity to criminality, squatting, the black market, etc.

INTERVENTION: We sent a letter to the editor-in-chief of *La Razón*, asking that future news articles avoid mentioning ethnicity, in order not to further encourage stereotypes and prejudices against Roma people.

OUTCOME: Negative. We received no response.

## Barcelona. Media. Direct discrimination.

30

FACTS: On 27 March 2017, *El Periódico* published an article in the Opinion section by Xavier Martínez-Celorio, a sociology professor at the University of Barcelona, entitled *“Eternal violence across bloodlines”*.

In relation to an incident occurring in the La Mina neighbourhood, the writer used words and expressions such as conflict, war, family clans or bloodlines, banish, Mafia, etc., and emphasised that the incident was *“like a violent, bloody and primitive gypsy film.”*

The writer gave the impression that this type of incident is normalised and even looked on favourably by the Roma community. An example is when he writes, *“Rivalry of bloodlines, following historical stories of blood and vengeance, is passed along generations and is often all children inherit, together with a firm alliance with other trustworthy families.”*

We believe such content contributes to discriminatory practices and can violate the right to equal treatment and dignity of Roma people. Likewise, it not only threatens the dignity of these families but of Roma people in general, by spreading ideas and value judgments that are ridden with stereotypes.

The professor assumes that Roma people in Spain are still entrenched in a *“historical and primitive, violent and separatist past”*; an image that feeds hate speech towards Roma people in general.



**INTERVENTION:** A letter of complaint was sent to the editor-in-chief of *El Periódico* stating our discontent with the article, as stated above. We also invited the newspaper to meet the regional director of the FSG in Barcelona.

**OUTCOME:** Negative. The strategy was not effective, as the newspaper did not respond.

Reference: <http://www.elperiodico.com/es/noticias/opinion/gitanos-minaviolencia-eterna-linajes-5930921>

Another three complaints were made about the same **FACTS:**

*One.*

**INTERVENTION:** We sent a letter of complaint to the Arbitration, Grievance and Conduct Commission of the Spanish Federation of Journalist Associations, setting out the case and asking for a conduct inquiry to be opened on *elperiodico.com*. On 21 April, we received the following response from the Federation: *"In relation to your request of 31 March 2017 on behalf of FUNDACIÓN SECRETARIADO GITANO, to make a complaint against the news outlet elperiodico.com, concerning the reporting of various articles written by Mr Xavier Martínez-Celorio on 27 March being found to breach various articles of the code of conduct applicable to the media outlet he represents, please be informed that the Standing Committee of the Journalism Arbitration, Grievance and Conduct Commission does not believe the precautionary circumstances established in its regulations to have been met. It has appointed the Presiding Officer to examine your complaint and propose the appropriate decision to the Plenary. Likewise, please be informed that we have passed on your complaint to the editor-in-chief and writer of the publication in question, for them to make their arguments."*

**OUTCOME:** Negative. On 7 June, the decision of the Federation was received: the Journalism Arbitration, Grievance and Conduct Commission found that *"Elperiodico.com has not violated article 7 of the Code of Conduct, since it does not threaten the Roma collective's right to dignity and it does not incite violence of degrading human practices, nor does it show contempt due to race, colour or religion"*.

The initiative was, therefore, not effective.

*Two.*

**INTERVENTION:** A letter of complaint was sent to the Dean of the Economics and Business Department of the University of Barcelona, where the article's author works as a professor. The letter reads: *"FSG believe that the spreading of such ideas is particularly serious given they come from a university professor, since his work as a teacher has an impact on students. We also criticise the lack of academic rigour in the article in question. The University must ensure scientific quality and objectivity of knowledge, and avoid the spreading of subjective, biased and discriminatory messages that threaten the principle of equality enshrined in our Constitution. We believe that the University has a responsibility not to contribute to prejudice and negative stereotypes of certain groups that are already stigmatised enough, as is the case of the Roma community."*

**OUTCOME:** Negative. There was no response from the Department.

*Three.*

**INTERVENTION:** Complaint to the Ombudsman. A copy of the complaints was also sent to the public prosecutor for hate crimes and discrimination at the Barcelona Province Public Prosecutor's Office (which we reported solely because we thought that it may be difficult to classify the facts in a particular crime).

**OUTCOME:** Negative. Our actions were not effective.



### 31. A Coruña. Media. Direct discrimination.

**FACTS:** In relation to the rehousing of Roma families in A Coruña, from the beginning of April *El Ideal Gallego* and *La Voz de Galicia* published articles virtually on a daily basis about the rehousing of families living in shanty towns in A Pasaxe (A Coruña). The mention of the ethnicity of the affected persons, and the allusions to events and crime in other towns in Galicia, the images accompanying the news articles (many stock photos), references to scrap metal and supposed mess and mobilised neighbours in the areas where they were to be rehomed, all contributed to creating social alarm that was a barrier to their rehoming and right to a dignified home. It made no mention of the majority positive experiences, since the city had already seen a rehousing in another neighbourhood.

**INTERVENTION:** The Equality Officer sent a letter to both publications, explaining the journalistic bad practice and asking them to change the way they reported.

**OUTCOME:** Negative. There was no response.

References: <http://www.elidealgallego.com/articulo/coruna/chabolistas-pasaxe-emplean-espacio-limpio-de-jar-chatarra/20170413221246329427.html>

<http://www.elidealgallego.com/articulo/coruna/rechazo-vecinal-frustra-traslado-chabolistas-poblado-pasaxe/20170328224759327336.html>

[http://www.lavozdegalicia.es/noticia/galicia/2017/05/07/galicia-33-nucleos-chabolistas/0003\\_201705G7P6991.htm](http://www.lavozdegalicia.es/noticia/galicia/2017/05/07/galicia-33-nucleos-chabolistas/0003_201705G7P6991.htm)

[http://www.lavozdegalicia.es/noticia/coruna/2017/04/30/poblado-enfrenta-tercer-definitivo-desalojo/0003\\_201704H30C3994.htm](http://www.lavozdegalicia.es/noticia/coruna/2017/04/30/poblado-enfrenta-tercer-definitivo-desalojo/0003_201704H30C3994.htm)

### 32. Santiago de Compostela. Media. Direct discrimination.

**FACTS:** The print edition of *El Correo Gallego* published in May 2017 included a news article with the following headline: "Roma patriarch says he was scared during fight".

The article mentions the ethnicity of the protagonist, in spite of it making no contribution, and at the same time consolidates negative stereotypes of the Roma community. It tries to be sensationalist by using terms such as "patriarch" and marking a difference between Roma people and the rest of society ("is more than the patriarch of his group").

**INTERVENTION:** We looked for articles published by the newspaper during the trial and sent a letter asking that they report in a more neutral way.

**OUTCOME:** There was no response from the publication.

Reference: <http://www.elcorreogallego.es/galicia/ecg/patriarca-gitano-alega-tuvo-miedo-pelea/idEdicion-2017-05-06/idNoticia-1053950/>

### 33. Sevilla. Media. Direct discrimination.

**FACTS:** In March 2017, an article was published in numerous media outlets on a Romanian Roma family, which included expression such as "gypsy ritual, forced marriage, human trafficking and abuse" and references to Roma ethnicity, which encourages stereotypes and prejudices about Romanian Roma and relates them all to this type of criminal activity.

**INTERVENTION:** A letter was sent to the editor-in-chief of the newspaper to complain about the incorrect reporting of the news item. We also invited them to read "Payo Today", one of the latest campaigns launched by Fundación Secretariado Gitano, aimed principally for journalists and the media.



OUTCOME: The intervention was not effective as we received no response.

Reference: [http://www.diariodesevilla.es/andalucia/Detenida-obligar-contrajer-matrimonio-tercera\\_0\\_1120688670.html](http://www.diariodesevilla.es/andalucia/Detenida-obligar-contrajer-matrimonio-tercera_0_1120688670.html)

#### 34. Sevilla. Media. Direct discrimination.

FACTS: The newspaper *Diario Mediterráneo Digital* published an article with a headline that mentioned the Roma ethnicity of the person associated with a crime (drinking under the influence and with a disqualified driving licence).

The inclusion of the word "gypsy" in the headline links Roma people to the irresponsible, illegal and unlawful activity, which is discriminatory and has a direct negative impact on the social image of the community reinforcing stereotypes and prejudices.

INTERVENTION: A letter of complaint was sent to the editor-in-chief of the newspaper about the bad practice of mentioning ethnicity in the article. We asked them to review and remove offensive and racist comments left by readers.

OUTCOME: The intervention was not effective as we received no response.

Reference: <http://www.mediterraneodigital.com/espana/andalucia/detenido-un-gitano-en-sevilla-conduciedo-borracho-y-con-menos-35-puntos-en-el-carnet.html>

#### 35. Pamplona. Media. Direct discrimination.

FACTS: Two media outlets in Navarre, *Diario de Navarra* (print and online edition) and *navarra.com* (online news site) published a news article that mentioned the Roma ethnicity of the persons involved, which was completely irrelevant to understanding the article. It also used the word "brawl".

This bad practice perpetuates and bolsters the stereotypical, negative image of the Roma community, associating it with violence.

INTERVENTION: A letter of complaint was emailed to the editor-in-chief of the *Diario de Navarra*. He responded that he found no basis in our complaint, citing freedom of expression and refused to remove or change the wording of the article.

OUTCOME: The intervention was not effective.

References: <http://www.diariodenavarra.es/noticias/navarra/2017/05/21/detenidos-suegro-yerno-por-agredirse-con-arma-blanca-navarra-532711-300.html>

<http://navarra.elespanol.com/articulo/sucesos/reyerta-familiar-heridos-suegro-yerno-cortes-cuchillo-arma-blanca-detenidos/20170521093438116603.html>

#### 36. National. Social media. Direct discrimination and hate speech.

FACTS: On the site Forocoches, an article was published with the title, "Cowardly driver who killed an elderly man is... an isolated case", which is a way of saying they were Roma without doing so explicitly. Other comments mentioned that he was "etniano" (referring indirectly to Roma ethnicity to avoid the word "gitano"). The news article triggered a series of very extreme anti-Roma comments that could constitute a hate crime: "Gassing here and there, extermination is fun", "Gypsies are the worst piece of shit produced by Mother Earth", "Gypsy, how could it not be... They honestly make me sick, fucking scumbags", "A firing squad would sort them out", "We need another vagrancy law", "As my granddad used to say, where the ethnics belong is six feet underground".



**INTERVENTION:** Given the seriousness of the messages, they were reported to the Arganzuela branch of the National Police. They told us that they would forward our complaint to their headquarters at Puente de Vallecas. We have a copy of the police statement.

We called the Vallecas National Police office to arrange a meeting about our complaint.

We also reported the messages to the Madrid public prosecutor for hate crime and discrimination. On 24 October 2017, a notice was received from the public prosecutor's office informing that investigatory proceedings had been opened and the case had been referred to Madrid Examining Court no. 52.

**OUTCOME:** The action was partly effective, because the public prosecutor opened preliminary proceedings, but the case has yet to be resolved. The hate comments remain online.

Reference: <https://www.forocoches.com/foro/showthread.php?t=5645221>

### 37. Lugo. Media. Direct discrimination.

**FACTS:** The newspaper *La Voz de Galicia* published a news article on a fight, which mentioned that some of the persons involved were of Roma ethnicity.

**INTERVENTION:** A letter was sent to the newspaper to make them aware of the consequences and repercussions in mainstream society of making this type of reference in the news, because it fosters stereotypes and prejudices of the Roma community.

**OUTCOME:** There was no response from the newspaper, so the intervention was not effective.

Reference: [http://www.lavozdegalicia.es/noticia/galicia/2017/05/18/dos-heridos-catana-ferrol-tras-discusion-perro/0003\\_201705G18P11991.htm](http://www.lavozdegalicia.es/noticia/galicia/2017/05/18/dos-heridos-catana-ferrol-tras-discusion-perro/0003_201705G18P11991.htm)

### 38. Málaga. Media. Direct discrimination.

**FACTS:** The newspaper *Diario Sur* published an article on some firearm incidents that mentioned multiple times the ethnicity of the persons involved and the word "clan": "*Six members of a Roma clan opened fire...*"; "*...firearm incidents in the capital instigated by the same clans...*"; "*...knife injuries following a fight between Roma clans*".

**INTERVENTION:** We emailed the editor-in-chief a letter of complaint stating our disagreement with how the information was reported. We asked for the article to be removed from the website, and awaited their response and the publication of our letter of complaint.

The newspaper responded that they did not mind publishing our letter. They asked only that it was shorter, so we sent a more succinct revision and awaited its publication.

**OUTCOME:** The intervention was effective, as the letter of complaint was published.

Reference: [http://www.diariosur.es/malaga-capital/201705/20/familia-abre-paso-tiros-20170519230025.html?nscampaign=diariosur&ns\\_mchannel=web&ns\\_source](http://www.diariosur.es/malaga-capital/201705/20/familia-abre-paso-tiros-20170519230025.html?nscampaign=diariosur&ns_mchannel=web&ns_source)



### 39. Málaga. Media. Direct discrimination.

FACTS: The newspaper *El País* published the following news item on 23 May 2017 with the headline, “*The move from the shanty to the apartment*” on the handover of keys for a series of homes to eight Roma families in the Bosnian town of Kakanj. It seemed unnecessary to mention the ethnicity of the persons cited in the headline, since it related marginalisation with Roma ethnicity people.

INTERVENTION: We emailed the editor-in-chief a letter of complaint stating our disagreement with how the information was reported. We asked for the article to be removed from the website, and awaited their response and the publication of our letter of complaint.

OUTCOME: There was no response from the newspaper.

Reference: [http://elpais.com/elpais/2017/05/17/album/1495023906\\_767429.html#1495023906\\_767429\\_1495109414](http://elpais.com/elpais/2017/05/17/album/1495023906_767429.html#1495023906_767429_1495109414)

### 40. Lugo. Media. Direct discrimination.

FACTS: *La Voz de Galicia* published a news article on an incident of verbal abuse suffered by local police in Lugo, which mentioned the ethnicity of the persons accused, even though it was not relevant to the news article.

INTERVENTION: A letter of complaint was sent to the newspaper explaining the consequences of their journalistic bad practice, which has an impact on the image of the Roma community.

OUTCOME: The intervention was not effective as we received no response.

Reference: <https://www.lavozdeg Galicia.es/noticia/lugo/lugo/2017/06/02/identifican-tres-hombres-etnia-gitana-insultos-policia-local/00031496394607486855460.htm>

### 41. Lugo. Media. Direct discrimination.

FACTS: The newspaper *El Progreso* published a news article on an incident of verbal abuse suffered by local police in Lugo, which mentioned the ethnicity of the persons accused, even though it was not relevant to the news article.

INTERVENTION: The equality officer telephoned the editor responsible to request a meeting. The purpose of the meeting was to introduce the discrimination department, its functions and objectives, and to explain the damage to the Roma community’s image caused by certain news articles they publish.

The meeting took place at the headquarters of *El Progreso* in Lugo with the deputy editor-in-chief. Both sides expressed their points of view about whether it is relevant to mention ethnicity in news articles. We did not manage to reach an agreement, as the deputy editor-in-chief believed that it was necessary. The meeting was conciliatory and our explanation of our standpoint may have given them pause for thought when writing their news articles. This was actually seen in future articles as the word “Roma” did not appear in the headline compared with the same article in another newspaper that did include it.

OUTCOME: Positive. There was a change of attitude from the deputy editor-in-chief since future news items did not include the reference to the ethnicity of the persons involved.

Reference: <https://www.elprogreso.es/articulo/lugo/identificados-tres-individuos-por-increpar-e-insultar-policias-en-lugo/20170602102931407003.html>



#### 42. National. Media. Direct discrimination.

FACTS: An online neo-Nazi media outlet (*Dailystormer*) published an anti-Roma article the day after the presentation of FSG's Discrimination Report. The article used numerous extremist racist hate expressions:

- *"Committed by that garbage race".*  
 - *"The question is, who wouldn't gas the gypsies?"*  
 - *"Until there is a referendum to throw out the gypsies, there is no democracy in Spain".*  
 - *"You may ask: how has such an inept parasite been able to survive? When you see a parasite, naturally you slap it away and rejoice in squashing it. If the Spanish haven't yet gassed the gypsies, it's because they are systematically protected by our institutions."*

INTERVENTION: A screen shot was taken of the article and it was reported to the National Police's office in Vallecas. An email was sent informing that the complaint had been submitted to the Civic Participation Section.

We informed the Provincial Public Prosecutor for Hate Crime and Discrimination of our complaint in writing. It referred it to the Madrid Examining Court no. 11 and preliminary proceedings were opened.

OUTCOME: Partly positive because preliminary proceedings are ongoing and it will be investigated. However, the outcome is not entirely satisfactory because the page featuring the hate comments is still online.

Reference: <https://es.dailystormer.name/2017/06/15/fundacion-secretariado-gitano-denuncia-discriminacion-a-la-basura-gitana/>

#### 43. Avilés. Media. Direct discrimination.

FACTS: In June, the newspaper *El Comercio* published two news articles about a troublesome family that mentioned their Roma ethnicity.

The article used words such as *"matriarch, prison, conflict, danger, drugs"*, and expressions such as *"let the blood run"* relating the Roma community with crime, violence and insecurity.

INTERVENTION: A letter of complaint was sent to the newspaper, explaining the damage that this type of reporting causes.

OUTCOME: We received no response, so the intervention was not effective.

References: <http://www.elcomercio.es/aviles/201706/20/vecinos-carriona-denuncian-conflictividad-20170620000350-v.html>

<http://www.elcomercio.es/aviles/201706/21/servicios-sociales-perdida-familia-20170621000538-v.html>



**44. Santiago de Compostela. Media. Direct discrimination.**

FACTS: El *Diario de Ferrol* published a news item on four outstanding murder trials. One of the cases mentioned that Roma people were involved and, as well as mentioning ethnicity, used a sensationalist tone with words such as "patriarch, clan, vow of silence...". It reported: "The oral proceedings, which included a viewing of a video that showed the stabbing, lasted just a few days and barely with any witnesses due to a pact among the gypsy families. Given the context of the rowdy fight in which the fatal stabbing took place, the patriarch of the Morachos clan was considered the perpetrator of one count of murder".

INTERVENTION: A letter was sent to the newspaper explaining that their approach to reporting the events was harmful to the image of the Roma community, and proposed suggested best practice.

OUTCOME: There was no response from the publication.

Reference: <http://www.diariodeferrol.com/articulo/ferrol/reportaje-crime-nes-comarca-esperan-fecha-nuevas-resoluciones/20170625000406194096.html>

**45. Santiago de Compostela. Media. Direct discrimination.**

FACTS: The newspaper *La Voz de Galicia* published a news article on a family that was about to be evicted due to non-payment of rent. The mention of the ethnicity of the family to be evicted perpetuates the prejudices towards this community, as shown in a particular reader comment:

"They don't work or pay for their house but they have a car. Can someone who defends that explain it to me?"

INTERVENTION: A letter was sent to the newspaper explaining that their approach to reporting the events was harmful to the image of the Roma community, and proposed suggested best practice.

OUTCOME: There was no response from the publication.

Reference: [http://www.lavozdegalicia.es/noticia/vigo/2017/06/16/juzgado-paraliza-desahucio-familia-tres-ninos/0003\\_201706201706161497603945879.htm](http://www.lavozdegalicia.es/noticia/vigo/2017/06/16/juzgado-paraliza-desahucio-familia-tres-ninos/0003_201706201706161497603945879.htm)

**46. National. Media. Direct discrimination.**

This case was included in the previous year's report of cases from 2016, and we cite it again this year because the case continued throughout 2017.

FACTS: The RTVE programme *Teleobjetivo* broadcast a programme called "Neighbours on the brink of war" in November 2016. The programme selected four cases of troubled persons or families whose neighbours had problems with them. Of the four cases, three were Roma ethnicity. The image broadcast by the television channel, which we could see in the programme itself, was an image of those families with conflict, violence and crime as the common thread. However, the other case, which was not of a Roma family, featured a friendly young businessman, and had a happy ending. It was obvious that the choice of stories and the way they were recounted resulted in an egregious and discriminatory comparison. To make things worse, the narrator uttered the phrase, "in the Basque Country Roma clans trigger panic in the neighbourhoods they settle in."

INTERVENTION: A letter of complaint was sent to the editorial team of *Teleobjetivo*. We received no response to it, and called to confirm that the letter had been received. We sent another letter to the programme's editorial team. There was no response.

Some Roma associations in the Basque Country filed a complaint with the Ombudsman. The Assistance and Guidance Service for Victims of Racial or Ethnic Discrimination also intervened, and sent a letter of complaint.





**OUTCOME:** After several months of no response, a letter was sent to the RTVE News Board. The Chairman of the Board was called and asked if they had assessed the complaint. It was confirmed that they had received it and we were assured that they would consider including it in the quarterly reports of RTVE's bad practice. It was not included.

#### 47. Santiago de Compostela. Media. Direct discrimination.

**FACTS:** The newspaper *La Voz de Galicia* published a news article on neighbourhood discord in Ferrol. In spite of the article quoting the chairman of the neighbourhood management body assuring that *"problems of coexistence are not caused solely by Roma ethnicity groups"*, the article's approach advocates rejection and generalises conflicts for the whole community, as can be seen in the comments at the end of the article: *"The local government is looking the other way! If they lived surrounded by gypsies, drugs, etc., they would change their tune!"*.

**INTERVENTION:** A letter was sent to the newspaper explaining that their approach to reporting the events was harmful to the image of the Roma community, and proposed suggested best practice.

**OUTCOME:** There was no response from the publication.

Reference: [http://www.lavozdegalicia.es/noticia/ferrol/ferrol/2017/07/15/alarmas-vuelven-saltar-san-pablo/0003\\_201707F15C3992.htm](http://www.lavozdegalicia.es/noticia/ferrol/ferrol/2017/07/15/alarmas-vuelven-saltar-san-pablo/0003_201707F15C3992.htm)

#### 48. Barcelona. Media. Direct discrimination.

**FACTS:** On 6 July 2017, the newspaper *El Mundo* published an article in its Catalonia section entitled *"Arrested for seriously injuring two local police offices in Gavà with an assault rifle"*.

It reported: *"The authorities stated that the incident was not Jihadi terrorism related, which was an initial hypothesis. Sources close to the investigation connected it with organised crime. They state that it was a lone man of Roma ethnicity who, armed with an assault rifle similar to an AK-47, was looking to settle a score with members of rival clans after a series of recent shootings. The particularly incident was related to the shooting and murder of a Spanish 63-year-old man..."*

The article mentioned the man's Roma ethnicity and related it to organised crime, possession of firearms and murder—none of which were proven. In this case, the mention of ethnicity was completely irrelevant to the article and added to a negative social attitude of the community as a whole. It has an impact on the construction of society's collective consciousness of Roma people.

**INTERVENTION:** The newspaper was asked for a contact where a complaint could be sent. It provided an email, to which we sent a letter of complaint that was never responded to.

**OUTCOME:** Not satisfactory, as there was no response.

Reference: <http://www.elmundo.es/cataluna/2017/07/06/595e44e7ca4741e9268b4686.html>

#### 49. Málaga. Media. Direct discrimination.

**FACTS:** The newspaper *La Opinión de Málaga* published a news article on a dispute between families in a neighbourhood. The article included expressions such as *"confrontations between rival clans"*, *"settlement location of the city's principal clans"*, *"disputes among enemy clans"*, and *"A few days previously, the matriarch of one of the most active clans was arrested"*. These are just a few examples, as the article was saturated with such statements.



**INTERVENTION:** We emailed the editor-in-chief a letter of complaint stating our disagreement with how the information was reported. We asked for the article to be removed from the website and awaited their response.

**OUTCOME:** Not satisfactory, as there was no response.

**Reference:** <http://www.laopiniondemalaga.es/malaga/2017/05/25/investigacion-enfrentamientos-clanes-aca-ba-25/933079.html>

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#### **Lena- Asturias. Media. Direct discrimination.**

**FACTS:** On 2 August, the newspaper *El Comercio* published a news article on a fight, which used terms such as: "gypsy clans or gypsy families, open feud, confrontation between clans, police deployment, banishment, vengeance, gun and shots", and expressions such as: "The Vargas and Ferrerueta families", "moments of high tension", "this kind of conflict", "armed with clubs and batons" or "a bloody birthday". The purpose of this kind of language is to make readers associate the whole Roma community with criminality, violence and insecurity, perpetuating stereotypes about the community.

**INTERVENTION:** A letter of complaint was sent to the newspaper. The person in charge of supervising published content called FSG to discuss the complaint. She apologised but added that she herself had reviewed the article and found the information to be necessary to the understanding of the article, and that the guidelines we have provided on previous occasions are always followed. We remarked that a word such as "clan" can be replaced by "family" or other words that are not derogatory. She repeated her apologies and thank us for our interest.

**OUTCOME:** Positive, because we had a response, an apology and a consideration to take more care in future.

**Reference:** <http://www.elcomercio.es/asturias/cuencas/lena-vigilara-masgain-20170802000710-ntvo.html>

#### **51. Santiago de Compostela. Media. Direct discrimination.**

**FACTS:** In August 2018, *La Voz de Galicia* published two news items: one on a street fight and another on a dispute in a hospital. Both articles indicated the ethnicity of the persons involved, which was not necessary to understand the facts, linking Roma ethnicity and crime, focusing on disputes and using sensationalist and incorrect terms such as "clan" or "brawl".

**INTERVENTION:** A letter was sent to the newspaper referring to the two news articles and the bad practice.

**OUTCOME:** Not satisfactory, as there was no response.

**References:** <https://www.lavozdegalicia.es/noticia/ferrol/ferrol/2017/08/29/persona-resulta-herida-trifulca-multitudinaria-barrio-san-pablo-ferrol/00031504000625797586263.htm>

[https://www.lavozdegalicia.es/noticia/ourense/2017/08/30/goteras-obligan-cambiar-lugar-dos-consultas-nai/0003\\_201708030C2994.htm](https://www.lavozdegalicia.es/noticia/ourense/2017/08/30/goteras-obligan-cambiar-lugar-dos-consultas-nai/0003_201708030C2994.htm)

#### **52. Málaga. Media. Direct discrimination.**

**FACTS:** On 11 August 2017, online newspaper *Intereconomía* published a news item with the following headline: "30 gypsy squatters occupy a house in Fuengirola in front of the owner's eyes". This obviously stipulates the ethnicity of the squatters.

**INTERVENTION:** A letter of complaint was emailed to the newspaper. We stated our discontent with the vocabulary used and the damage it causes to the whole Roma community to explicitly state the ethnicity of the persons involved.



Having received no response to our complaint, we then contacted them using their online contact form. Having received no response to that contact either, we attempted to contact them by telephone to confirm that they had received the letter. Unfortunately, we received no response by phone.

OUTCOME: Not satisfactory, as there was no response.

Reference: <https://intereconomia.com/economia/politica/30-gitanos--okupan-chalet-fuengirola-delante-la-propietaria--20170811-1600/>

### 53. Santiago. Media. Direct discrimination.

FACTS: *La Voz de Galicia* published a news article about an argument among various people in a hospital in Vigo, mentioning that they were of Roma ethnicity.

INTERVENTION: A letter of complaint was sent, but in this case we changed strategy because this particular outlet is a repeat offender. We decided to write directly to the editorial team and ask for a meeting.

OUTCOME: Not satisfactory, as there was no response.

Reference: <https://www.lavozdegalicia.es/noticia/vigo/2017/09/01/tangana-15-personas-hospital-povisa/00031504279866803207908.htm>

### 54. Santiago. Media. Direct discrimination.

FACTS: *El Diario de Ferrol* published a news article about an assault, which mentioned the ethnicity of the attacker, with phrases such as "Roma ethnicity and clearly showing signs of alcohol intoxication", "carrying some kind of patriarchal club", and "this case adds to the two most recent fatal collisions in the Caranza and the attempted robbery and sexual assault last Monday".

Ethnicity was mentioned in the current affairs article even though it offered nothing to help understand the article (and was sensitive information). Sensationalist expressions were used such as "patriarchal club" and other incidents in the neighbourhood were alluded to, even though they are unrelated to the person involved, and tied criminality to Roma ethnicity.

INTERVENTION: A letter of complaint was sent to the newspaper about their bad practice.

OUTCOME: Not satisfactory, as there was no response.

Reference: <http://www.diariodeferrrol.com/articulo/ferrol/detenido-hombre-caranza-agredir-garrote/20170901223048201082.html>

### 55. Santiago. Media. Direct discrimination.

FACTS: *El País* published, in its Galicia section, a news article on an ongoing drug trafficking case being heard before the A Coruña Provincial Court of Appeal. The article alluded to the ethnicity of the persons involved and took a sensationalist tone: "Seven of the women from the family clan were in charge of weighing and selling substances to junkies, which they prepared and wrapped next to an open fire so that they could dispose of the narcotics if the police made an unexpected visit", or "I'm going to kill you and give AIDS to everyone in my prison cell", linking Roma ethnicity and criminality.



INTERVENTION: A letter of complaint was sent to the newspaper, explaining the bad practice shown.

OUTCOME: Not satisfactory, as there was no response.

References: [https://elpais.com/ccaa/2017/09/11/galicia/1505139593\\_912704.html](https://elpais.com/ccaa/2017/09/11/galicia/1505139593_912704.html)

**56. Lugo. Media. Direct discrimination.**

FACTS: *La Voz de Galicia* in its Lugo section, published a news article on the demolition of some homes. The headline included references to ethnicities, classing the homes as "gypsy houses". The greater problem arose in the reader comments; they are anti-Roma and some could be considered as inciting hate.

INTERVENTION: A letter was sent to the newspaper to communicate our discomfort with the article and to inform them that mentioning ethnicity offered nothing to the article, but encouraged discriminatory comments.

OUTCOME: Satisfactory –the comments were removed.

References: [https://www.lavozdeg Galicia.es/noticia/lugo/lugo/2017/09/12/concello-enviara-pala-poblado-car-queixo-derribar-5-casas-gitanas/0003\\_201709L12C3992.htm](https://www.lavozdeg Galicia.es/noticia/lugo/lugo/2017/09/12/concello-enviara-pala-poblado-car-queixo-derribar-5-casas-gitanas/0003_201709L12C3992.htm)

**57. Bilbao. Media. Direct discrimination.**

FACTS: *El Diario Vasco* published a news article referring to an assault, specifying that the attackers were of Roma ethnicity.

INTERVENTION: FSG in Bilbao sent a letter to the newspaper to transmit our unhappiness with their bad practice. The mention of ethnicity in this type of article contributed nothing, but had a negative impact on Roma people.

OUTCOME: Effective. We have seen that future articles that could have mentioned Roma ethnicity have not done so.

Reference: <http://www.diariovasco.com/gipuzkoa/condenados-robar-vecino-20170914000952-ntvo.html>

**58. Madrid. Media. Direct discrimination.**

FACTS: On 5 September 2017, the newspaper *ABC* published an news item on a person hit by a car, where the ethnicity (Roma) of the driver was mentioned.

INTERVENTION: We sent a letter to the editor-in-chief of the newspaper, asking that future news articles avoid mentioning ethnicity, in order not to further encourage stereotypes and prejudices against Roma people.

OUTCOME: Not satisfactory, as there was no response.

Reference: [http://www.abc.es/espana/madrid/abci-atropello-mortal-usera-socorro-hijo-esta-debajo-co-che-201709050120\\_noticia.html](http://www.abc.es/espana/madrid/abci-atropello-mortal-usera-socorro-hijo-esta-debajo-co-che-201709050120_noticia.html)

**59. Santiago de Compostela. Media. Direct discrimination.**

FACTS: The newspaper *La Región* published a news items about an assault, which mentioned the ethnicity of the perpetrators.



*"In court for ambushing daughter's boyfriend in Ourense...Criminal court no. 1 tries three members of a Roma family (the father and two of his sons) for bodily harm."*

**INTERVENTION:** We sent a letter to the editor-in-chief of the newspaper, asking that future news articles avoid mentioning ethnicity, in order not to further encourage stereotypes and prejudices against Roma people.

**OUTCOME:** Not satisfactory, as there was no response.

Reference: <http://www.laregion.es/articulo/ourense/juicio-tender-emboscada-ourense-novio-hija/20170920075159736741.html>



CASE 60

## 60. National. Media. Direct discrimination.

**FACTS:** The satirist magazine *El Jueves* published the joke *"Catalan Government to hire gypsy security firm to guarantee referendum is held"*.

**INTERVENTION:** We tweeted the magazine: *"Hi @eljueves Sorry but we don't find this funny at all"*.

**OUTCOME:** The joke was removed, so the strategy was effective.

61

## National. Internet. Direct discrimination.

**FACTS:** This case comes from a platform created on Facebook. When sharing an article about financial aid for people at risk of exclusion, reference was made to the Roma community as the greatest beneficiaries of these programmes. The comment triggered many discriminatory comments..

The triggering comment on the platform was: *"The local council is always helping out the same ones...you know what I mean."*

**INTERVENTION:** We contacted the platform administrator, who apologised and removed the comments.

**OUTCOME:** Effective. We have learned that the quicker our response, the more positive the outcome, because the flow of racist comments is cut off and other participants in the platform are informed.

## 62. Málaga. Media. Direct discrimination.

**FACTS:** On 18 September, *El Diario Sur* published a news items about a shooting, which referred to the ethnicity of the alleged shooters even though it was irrelevant to the story. It is also responsible for a biased generalisation of the Roma community by associating it to criminality.

In addition, a number of readers added discriminatory, anti-Roma hate comments on the online articles.

**INTERVENTION:** A letter of complaint was emailed to the editor-in-chief. A number of weeks passed with no response, so the newspaper was contacted by telephone to check that the letter had been received correctly.

**OUTCOME:** Satisfactory, since the offensive comments were removed from the website.

Reference: <http://www.diariosur.es/nacional/sucesos/tres-heridos-tiroteo-20170918124553-ntrc.html>



**63. Lugo. Media. Direct discrimination.**

FACTS: The newspaper *La Voz de Galicia* published an article on the marginalisation of residents in the area of O Carqueixo. The article quoted statements from local families on the problems of living there. The newspaper specified that the marginal population belonged to the Roma community, thus relating Roma families with marginalisation.

INTERVENTION: A letter of complaint was emailed to the editor in chief.

OUTCOME: Not satisfactory, as there was no response.

Reference: [https://www.lavozdeg Galicia.es/noticia/lugo/lugo/2017/09/13/cloaca-den-piso-dicen-gitanos-carqueixo/0003\\_201709L13C1995.htm](https://www.lavozdeg Galicia.es/noticia/lugo/lugo/2017/09/13/cloaca-den-piso-dicen-gitanos-carqueixo/0003_201709L13C1995.htm)

**64. Lugo. Media. Direct discrimination.**

FACTS: The newspaper *El Ideal Gallego* published an article on a neighbourhood conflict, which mentioned the ethnicity of some of the persons involved:

*"Principally, the noise: they reported that some Roma families had got together to clap in the church square throughout the night, not giving residents any peace".*

INTERVENTION: A letter was sent to the newspaper explaining the bad practice of mentioning ethnicity.

OUTCOME: Not satisfactory, as there was no response.

Reference: <http://www.elidealgallego.com/articulo/coruna/ayuntamiento-promete-vecinos-sagrada-familia-reforzar-vigilancia/20170929222851351205.html>

**65. National. Media. Direct discrimination.**

FACTS: The TVE-1 news programme of 3 October 2017 included a story on thefts, which, in minute 35:44 included a comment from a member of the Spanish Civil Guard, who stated: *"The groups are, in practically one hundred per cent of cases, Romanian and Roma ethnicity people who move about a lot—they are extremely mobile, they have no fixed address, they are always changing homes and they move across multiple towns and provinces across the country".*

INTERVENTION: A letter of complaint was sent to the RTVE news editor.

OUTCOME: Not satisfactory, as there was no response.

Reference: <http://www.rtve.es/alcanta/videos/telediario/telediario-15-horas-03-10-17/4247181/>

**66. Santiago de Compostela. Media. Direct discrimination.**

FACTS: *La Voz de Galicia* is a newspaper that has been identified for its discriminatory reporting on numerous occasions. In this case, it was an article on impersonating someone in an exam, where the Roma ethnicity of the parties involved was mentioned.

*"Both of Roma ethnicity, they shared similar features and thought that their identity card photos would not give them away. Exam day arrived and they switched identities. The imposter even used a fake signature."*

INTERVENTION: A letter was emailed to the editorial team of *La Voz de Galicia* in A Coruña to inform them of their discriminatory reporting and to request a meeting.



OUTCOME: Positive, as the journalist responded with an apology, thanking us for our suggestions and promising to remove the mention of ethnicity in the article, which now shows on the online version.

The newspaper said the following:

*"Good afternoon, indeed, the fact that they are gypsies is a superfluous inclusion. We will remove it from the website as soon as possible.*

*Thank you for raising it with us and please accept our apology".*

Reference: [https://www.lavozdeg Galicia.es/noticia/coruna/2017/10/06/condenado-prision-suplantar-amigo-examen-conducir/0003\\_201710H6C3992.htm](https://www.lavozdeg Galicia.es/noticia/coruna/2017/10/06/condenado-prision-suplantar-amigo-examen-conducir/0003_201710H6C3992.htm)

### 67. Santiago de Compostela. Media. Direct discrimination.

FACTS: The newspaper *La Opinión A Coruña* published an article on 6 October 2017 about a crime that had been committed. The article mentioned the ethnicity of the perpetrators and the term "clan".

*"The members of the clan, of Roma ethnicity, used their right to refuse to testify, but the victims did not, who told that they were offered jobs with a monthly salary of 600 euros, with meals and accommodation".*

INTERVENTION: A letter of complaint was sent to the newspaper, explaining the bad practice shown with respect to the mention of ethnicity and the use of inappropriate terms such as "clan". They add nothing to the article but help to sustain stereotypes and prejudice towards the Roma community, identifying and relating it to criminality.

OUTCOME: Not satisfactory, as there was no response.

Reference: <http://www.laopinioncoruna.es/sucesos/2017/10/06/trabajadores-lusos-esclavizados-pales-cobran/1223686.html>

### 68. Zaragoza. Social media. Direct discrimination.

FACTS: On 6 October 2017, a comment appeared on the Facebook page of the Zaragoza animal protection centre by someone (who we understand to be a Facebook friend of the centre) about something that happened to them when walking the animals. Apparently, the individual was walking the dogs and some people tried to steal the animals from them

The way they explained what happened was discriminatory, stating: *"Some girls who looked like they were Roma ethnicity came up to me to distract me..."*

The explanation, referring to the stereotypical image of the Roma community, triggered further discriminatory comments such as:

*"There are quite a few Romany gypsies around Zaragoza who go around stealing".*

INTERVENTION: We saw that after the original comment was published on Facebook on 6/10/2017, more discriminatory comments appeared that directly accused the Roma community of stealing.

We reported the discrimination to Facebook. We were informed that the complaint would be passed on to the animal shelter and they would be asked to remove the reference of Roma and stealing. During the course of the morning we received a message from the animal shelter apologising and stating that they would remove the reference to "gypsy" girls.



We checked that they did, and the post is still there but the word "gypsies" has been taken down.

OUTCOME: Positive.

This case shows how frequently we see discriminatory comments on social media, and the ignorance of the damage they can cause. In this instance, by contacting the animal shelter to tell them that the comment was discriminatory, the centre apologised and recognised that they did not know it was so harmful.

#### 69. Cáceres. Media. Direct discrimination.

FACTS: *El Periódico de Extremadura* and the newspaper *HOY* published the same article on a trial for drug trafficking.

*"Money laundering trial begins tomorrow in Cáceres, breaking the Spanish record for the number defendants, at 117".*

*"All the defendants, of Roma ethnicity and members of various family clans, are accused of laundering nearly 13 million euros—proceeds of the sale of drugs."*

The article indicates multiple times that the defendants are of "Roma ethnicity", including in the sub-header, which is one of the most visible places.

INTERVENTION: A letter of complaint was sent to both newspapers, explaining the bad practice shown.

OUTCOME: Not satisfactory, as there was no response.

References: <http://www.hoy.es/caceres/comienza-juicio-acusados-20171013001539-ntvo.html>

[http://www.elperiodicoextremadura.com/noticias/caceres/arranca-manana-caceres-juicio-blanqueo-mas-acusados-espana-117\\_1045795.html](http://www.elperiodicoextremadura.com/noticias/caceres/arranca-manana-caceres-juicio-blanqueo-mas-acusados-espana-117_1045795.html)

#### 70. Málaga. Social media. Direct discrimination and hate speech.

FACTS: There is a Twitter account called "Gitanos de mierda" (fucking gypsies) that tweets anti-Roma hate messages:

*"The biggest scumbags in the world, messing up neighbourhoods and cities, are the gypsies".*

*"People need help but it is all going to the gypsies. I'd stick them all on an island together and have another Hiroshima".*

*"I am so tired and tired of the fucking scumbag gypsies, let's see if they are exterminated or something".*

*"I'd give my life to finish off 10 gypsies slowly and painfully, that's all I ask".*

*"Gypsies make me sick. They need to die or I'll take care of it".*

These tweets are clearly discriminatory, spreading racist comments that incite hate and at times, include threatening messages.

INTERVENTION: We sent a complaint to the Malaga province public prosecutor's office. We were informed that preliminary investigations had been opened and referred to the courts for allocation.

OUTCOME: Positive, since an investigation has been opened.

References: [https://twitter.com/juanka\\_tuhtqt/status/706605342545866752?refsrc=email&s=11](https://twitter.com/juanka_tuhtqt/status/706605342545866752?refsrc=email&s=11)





<https://twitter.com/capturebizarre3/status/791058492610207744?refsrc=email&s=11>

[https://twitter.com/eljodido\\_/status/426053284856864768?refsrc=email&s=11](https://twitter.com/eljodido_/status/426053284856864768?refsrc=email&s=11)

### 71. Málaga. Media. Direct discrimination.

**FACTS:** On 13/10/2017, the online edition of the newspaper *Mediterráneo* published an article with the headline “6 injured in a mass brawl between gypsies and Romanians in Vinaros”. The main body of the article mentions the ethnicity of the accused multiple times, creating a negative attitude towards all Roma people.

**INTERVENTION:** A letter of complaint was emailed to the editor-in-chief of the newspaper, asking for the reference to gypsies to be removed from the online edition.

**OUTCOME:** Not satisfactory, as there was no response.

Reference: [http://www.elperiodicomediterraneo.com/noticias/sucesos/6-heridos-pelea-tumultuaria-gitanos-rumanos-vinaros\\_1099929.html](http://www.elperiodicomediterraneo.com/noticias/sucesos/6-heridos-pelea-tumultuaria-gitanos-rumanos-vinaros_1099929.html)

We have already mentioned that this newspaper is renowned for deliberately publishing false or manipulated articles about the Roma community in order to encourage discrimination.

### 72. National. Social media. Direct discrimination.

**FACTS:** Images from an FSG campaign on education appeared on Twitter, doctored to include anti-Roma phrases. Not only were the phrases grave in nature, but the images were of minors.

**INTERVENTION:** We reported them to Twitter, and shortly after checked that they had been removed.

**OUTCOME:** Effective.

### 73. National. Media. Direct discrimination.

**FACTS:** An interview with an FSG colleague on *Diario.es* provoked numerous anti-Roma and sexist comments against Roma women.

**INTERVENTION:** A complaint was sent by email to the newspaper editorial team asking them to remove the anti-Roma and sexist comments.

**OUTCOME:** Effective. The comments were immediately removed.

*“This message has been removed due to breaching eldiario.es rules”.*

### 74. National. Media. Direct discrimination.

**FACTS:** *La Cadena SER – Cáceres* broadcast a news item about a mass trial for money laundering and criminality. The newsreader mentioned the Roma ethnicity of the defendants.

**INTERVENTION:** A letter was set to Pepa Bueno, the editor and presenter of the *Cadena Ser* programme “Hoy por Hoy”.

**OUTCOME:** Not satisfactory, as there was no response.

75

**Talavera de la Reina. Social media. Direct discrimination.**

**FACTS:** A news item published in *La Voz del Tajo* reported on an incident in a Chinese retailer. The article triggered numerous anti-Roma complaints on social media that directly or indirectly encouraged, incited and fostered hate, hostility, discrimination and violence towards the Roma community.

Some of the comments included:

*"Fucking scumbags is what they are, and now they will exaggerate the damage to them. If I was a doctor I would exterminate them by castrating them as they were born".*

*"Where are the Yakuza when you need them... they're so brave, a Samurai sword to the neck would do them..."*

**INTERVENTION:** We checked the social media posts and comments and saved a hard copy.

We wrote to *La Voz del Tajo* indicating the journalistic bad practice and informing that they were contributing to creating and consolidating stereotypes.

The social media comments were reported to the Toledo public prosecutor as they could constitute a hate crime. On 20/02/2018, the prosecutor's office sent a notice of the opening of investigation proceedings.

An agreement was reached in a meeting with representatives of the Consejo General del Pueblo Gitano and four Roma organisations in Toledo to share the complaint template with the five organisations. The representatives of the various Roma organisations filed their complaints with the public prosecutor's office.

**OUTCOME:** Effective. To date, the Toledo province public prosecutor has opened an investigation for hate crime, which has been forwarded to the presiding court of Talavera de la Reina for allocation. We are awaiting a decision, but the fact that an investigation has been opened is positive.

References: <http://www.lavozdeltajo.com/noticia/28242/actualidad-total/el-consulado-chino-se-interesa-por-el-enfrentamiento-en-un-bazar-de-talavera.html>

[https://www.facebook.com/groups/1492533437630789/?hc\\_ref=ARSPD2s4TakAHwGIYe6JZkpMhGJqxQsZ508r9h6ujs6bjdwX35O2sbEjX8OLcaeyzHY](https://www.facebook.com/groups/1492533437630789/?hc_ref=ARSPD2s4TakAHwGIYe6JZkpMhGJqxQsZ508r9h6ujs6bjdwX35O2sbEjX8OLcaeyzHY)

<http://www.encastillalamancha.es/sucesos/una-pelea-en-talavera-acaba-con-dos-ninas-una-mujer-y-un-hombre-heridos-al-ser-rociados-con-pimienta/>

[https://www.facebook.com/groups/1492533437630789/?hc\\_ref=ARSPD2s4TakAHwGIYe6JZkpMhGJqxQsZ508r9h6ujs6bjdwX35O2sbEjX8OLcaeyzHY](https://www.facebook.com/groups/1492533437630789/?hc_ref=ARSPD2s4TakAHwGIYe6JZkpMhGJqxQsZ508r9h6ujs6bjdwX35O2sbEjX8OLcaeyzHY)

**76. Murcia. Media. Direct discrimination.**

**FACTS:** The newspaper *La Verdad* and the *Europa Press* agency published in their online editions an incident in the neighbourhood of Seiscientas, in the city of Cartagena, mentioning Roma ethnicity and associating it directly to shootings and violence.

*"The National Police force are looking for three members of the 'Los Gasolinas' clan, resident in the Cartagena marginal suburb of Las Seiscientas, who fled after the shooting..."*

That is how *Europa Press* reported the incident on 09/11/2017.

Throughout the main body of the article, the media outlet continually alluded to "Roma ethnicity clans" as the direct protagonists, associating them with the argument and the subsequent shooting and eventual death of some of the persons involved.



"A spat between Roma family ended with two fatal shootings in Las Seiscientas", is how the incident was reported in La Verdad on 09/11/2017. Throughout the article, there were mentions of "Roma families", "gypsy law" and the "Los Gasolina clan" as the direct protagonists of the incident.

INTERVENTION: Letters of complaint were sent to the editorial team at La Verdad and Europa Press.

OUTCOME: We received no response from the two media outlets, so the intervention was not satisfactory.

References: <http://www.laverdad.es/murcia/cartagena/rina-familias-etnia-20171109015025-ntvo.html>

<http://www.europapress.es/murcia/noticia-policia-nacional-busca-tres-miembros-clan-tiro-teo-mortal-cartagena-20171109094911.html>

### 77. Santiago de Compostela. Media. Direct discrimination.

FACTS: *El Correo Gallego* published a news item with the headline: "24.6 years in jail sought for two children of the gypsy king". The main body of the news item continued with more ethnic references: "The prosecutor also asks for 10.6 years in prison for three members of the Los Zamoranos clan for a brawl in the Cangas flea market in 2015". "The Public Prosecutor, who has prosecuted a total of 12 people—five from the Morón clan, including children of the gypsy king and another seven members of the Zamorano clan—seeks a total of 35.4 years in prison for five of them, and compensation of more than 17,000 euros".

This is discriminatory reporting: it uses incorrect or derogatory terms such as "brawl", "clan" or "gypsy king". The tone is sensationalist for a story about a court proceeding. The accompanying image shows people waiting at the entrance to court for police searches.

INTERVENTION: An email was sent to *El Correo Gallego* informing them of the bad practice exercised in this news item.

OUTCOME: There was no response from the publication.

Reference: <http://www.elcorreogallego.es/galicia/ecg/piden-24-6-anos-carcel-dos-hijos-rey-gitanos/idEdicion-2017-11-04/idNoticia-1081890/>

### 78. Santiago de Compostela. Media. Direct discrimination.

FACTS: The newspaper *Faro de Vigo* published an article on a dispute in a market. The news article mentioned the ethnicity of the persons involved several times:

"The leader of the "morones" gypsies, also called the Galicians to differentiate them from their enemies, the Zamorans... stated that the prosecutor recorded that the brawl began when a member of the Zamorans gypsies took up two metres of a market stall pitch that did not correspond to him". "They will withdraw the complaint against the Zamoran gypsies and will refuse to identify their attackers from the market in court. They will also call for "Operación Vida" to end, because the witnesses are Zamorans and their arch enemies with a thirst for vengeance."

INTERVENTION: An email was sent to the writer of the article complaining about the bad practice.

OUTCOME: There was no response from the newspaper, despite sending the email directly to the writer of the article.

Reference: <http://www.farodevigo.es/portada-o-morrazo/2017/11/10/sinai-gimenez-pedira-juez-trabajar/1783329.html>



### 79. National. Media. Direct discrimination.

FACTS: The Telecinco news programme broadcast an item about a fight between families. In the initial news item, the reporter did not mention that the persons involved were of Roma ethnicity, but in minute 15:10 the legend at the bottom of the screen stated, *"Police looking for killers of two people after a spat between gypsy clans"*. Two witnesses were featured, one of whom in minute 15:47 stated: *"It was a squabble between gypsy families"* and another who, in minute 16:20, stated: *"she married into a gypsy clan"*.

INTERVENTION: A letter was sent to the Telecinco news editor.

OUTCOME: There was no response from the publication.

Reference: [http://www.telecinco.es/informativos/informativo\\_15\\_horas/Informativo-Mediodia\\_2\\_2464905115.html](http://www.telecinco.es/informativos/informativo_15_horas/Informativo-Mediodia_2_2464905115.html)

### 80. Lugo. Media. Direct discrimination.

FACTS: The newspaper *El Ideal Gallego* published a news article about a theft with the headline: *"3,000 euros in stolen food intercepted in Os Mallos market"*. The main body of the article mentioned "clan" numerous times—a word associated with the Roma community.

INTERVENTION: A complaint was emailed to *El Ideal Gallego* informing them of the problems in the article, asking them to take into account the considerations we provided.

OUTCOME: There was no response from the publication.

Reference: <http://www.elidealgallego.com/articulo/coruna/intervienen-3000-euros-comida-robada-mercado-mallos/20171026221608354218.html>

### 81. Córdoba. Social media. Direct discrimination.

FACTS: In the Córdoba office, a thread of anti-Roma comments was found on the Forocoches site, such as: *"hopefully they'll all kill each other"*, *"gypsies make me sick"*, etc.

The forum's community rules state that messages with *"xenophobic, racist or defamatory comments"* are not allowed.

INTERVENTION: We emailed Forocoches and asked them to remove or block the thread. In a matter of hours, the moderators removed the thread containing numerous discriminatory comments.

OUTCOME: The intervention was effective.

### 82. Málaga. Media. Direct discrimination.

FACTS: The newspaper *ABC Andalucía* published a news article on an assault. The article mentioned the Roma ethnicity of the perpetrators.

INTERVENTION: A letter of complaint was sent to the editor-in-chief on 30 November 2017, and as of 4 January 2018 we had not received a response.

OUTCOME: Our actions were not effective.

Reference: [http://sevilla.abc.es/andalucia/malaga/sevi-cinco-detenidos-agredir-varios-policias-marbella-feriasan-pedro-201710251227\\_noticia.html](http://sevilla.abc.es/andalucia/malaga/sevi-cinco-detenidos-agredir-varios-policias-marbella-feriasan-pedro-201710251227_noticia.html)



### 83. Santiago de Compostela. Media. Direct discrimination.

FACTS: *El Correo Gallego* and *Galicia Confidencial* published a news article on drug trafficking. The main body of the article mentioned the ethnicity of the persons involved:

*"The six persons accused of drug trafficking are members of a Roma family known as the "Ferrería clan". "The six people accused of drug trafficking, members of a Roma family known as the "Ferrería clan" denied on Tuesday in their trial held in Vigo that they were selling drugs".*

INTERVENTION: Letters were sent to both newspapers with a series of suggestions to report about the Roma community without discriminating.

OUTCOME: There was no response from the publication.

References: <http://www.elcorreogallego.es/galicia/ecg/clan-ferreria-niega-juicio-venta-drogas-cuestiona-validez-pruebas/idEdicion-2017-11-14/idNoticia-1083781/>

<http://www.galiciainconfidencial.com/noticia/66748-clan-ferreria-nega-xuizo-venda-drogas-cuestiona-validez-probas>

### 84. Santiago de Compostela. Media. Direct discrimination.

FACTS: *La Voz de Galicia* published a news article on a fight. The main body of the article mentioned that some of the persons involved were of Roma ethnicity.

*"The National Police force in Viveiro is investigating Monday's events, which took place around 8:30 am, at the entrance of a high school in Viveiro, where an argument began among a group of young people, some of Roma ethnicity, and ended with a minor in hospital with a broken jaw."*

INTERVENTION: A letter of complaint was sent to the newspaper about its bad practice, since the mention of ethnicity added nothing to the article but upheld a negative image of the Roma community, associating it with violence.

OUTCOME: There was no response from the publication.

Reference: [https://www.lavozdeg Galicia.es/noticia/amarina/2017/11/15/disputa-ante-instituto-viveiro-remato-menor-mandibula-rota/0003\\_201711X15C5991.htm](https://www.lavozdeg Galicia.es/noticia/amarina/2017/11/15/disputa-ante-instituto-viveiro-remato-menor-mandibula-rota/0003_201711X15C5991.htm)

### 85. National. Media. Direct discrimination.

FACTS: In the programme, *"Las Mañanas de TVE"*, an item was broadcast on the occupation of a house where a corpse was found. The discussion and the tag line mentioned ethnicity using the words: *"House of mummified corpse occupied. Roma family identified"*. Alluding to ethnicity was unnecessary and irrelevant to the news article, as it is a generalisation that creates a negative image of the Roma community as a whole.

INTERVENTION: A letter of complaint was sent to the programme editor in relation to the broadcasting of the news item (30 November 2017) in *"Las Mañanas de TVE"* programme.

OUTCOME: There was no response from the publication.

Reference: <http://www.rtve.es/m/alcarta/videos/lamanana/manana-30-11-17/4335240/?media=tve>



**86. Santiago de Compostela. Media. Direct discrimination.**

FACTS: The newspaper *La Vanguardia* published an article in its Galicia edition on a dispute in Redondela market. The article mentions that the person involved is Roma.

*"The perpetrator disregards the alleged threats to "Zamorans" in Redondela as 'gypsy vows'. The leader of the "Morones" gypsies is facing three and a half years in prison for threatening a member of the gypsy gang known as the "Zamorans". The alleged threats have been called "insulting gypsy vows" that, he stated, "maybe unintentionally have been twisted". Despite denying the threats, he admitted that he made insults and gypsy vows."*

INTERVENTION: A complaint was sent to the newspaper explaining the bad practice, since the mention of ethnicity added nothing to the article but upheld a negative image of the Roma community, associating it with violence.

OUTCOME: There was no response from the publication.

Reference: <http://www.lavanguardia.com/local/galicia/20171221/433797404686/sinai-gimenez-reduce-las-supuestas-amenazas-a-zamoranos-en-el-mercado-de-redondela-a-juramentos-gitanos.html>

**87. Córdoba. Media. Direct discrimination.**

FACTS: The *Cuatro* television channel's news website published a news item about sexual abuse. The article alluded to the ethnicity of the defendant:

*"Not aware that the law does not allow sexual relations between minors even when the parties give their consent, such a situation was contextualised in the Romany gypsy tradition in which such things are commonplace."*

INTERVENTION: A letter of complaint was sent to the editor-in-chief to transmit the Department's discontent with the mention of ethnicity, since it added nothing to the article but associated the Roma community with this type of crime.

OUTCOME: There has been no response from the publication.

Reference: [http://www.cuatro.com/noticias/espana/Absuelto-acusado-apreciar-tribunal-invincible\\_0\\_2487450594.html](http://www.cuatro.com/noticias/espana/Absuelto-acusado-apreciar-tribunal-invincible_0_2487450594.html)

**88. Murcia. Media. Direct discrimination.**

FACTS: The newspaper *La Verdad* and the online publication *Caso Aislado* published an article on an incident in the parish of Alcantarilla, in the city of Murcia, which mentioned the Roma ethnicity of those involved, about an assault on a teaching assistant. The headline was: *"Roma family beats teaching assistant"*.

Both news outlets alludes to "Roma ethnicity clans" on repeated occasions as the protagonists and persons responsible for the crime.

INTERVENTION: Letters of complaint were sent to the editorial team at *La Verdad* and *Caso Aislado*.

OUTCOME: We received no response from either news outlet.

References: <http://www.laverdad.es/murcia/solo-quiero-justicia-20171014005453-ntvo.html>

<https://casoaislado.com/una-familia-gitana-apaliza-una-monitora-pensar-rino-hijas/>



### 89. Barcelona. Media. Direct discrimination.

**FACTS:** The online newspaper *El Español* published a news article on 3 October 2017 with the headline: "Gypsy resistance in the capital of Puigdemont: We won't allow independence".

This article associates an isolated event with an alleged Roma organisation, which the article dubs "Vila-Roja gypsy resistance" in an attempt to violently boycott the 1st October referendum. The information in the article has not been verified and is not trustworthy. Moreover, considering the social and political situation in Catalonia at that time, such generalisations can incite hate and prejudice towards a community—in this case the Roma community.

The headline and the content, images and video are sensationalist and salacious, and ignore the media's responsibility to produce trustworthy news content.

According to the code of conduct, journalists must be particularly sensitive to diversity and act with a sense of justice and respect for affected persons and groups.

A local Roma association informed us of the article and that the facts were not quite as they are portrayed in *El Español*, because there is no knowledge of the alleged "gypsy resistance" organised against Catalan independence.

**INTERVENTION:** A letter of complaint was sent to the newspaper stating our discomfort with the way the story was reported.

**OUTCOME:** There was no response from the newspaper.

Reference: [https://www.elespanol.com/reportajes/20171002/251225811\\_0.html](https://www.elespanol.com/reportajes/20171002/251225811_0.html)

### 90. Valladolid. Media. Direct discrimination.

**FACTS:** Various newspapers in Castilla y León reported an incident between a Roma family and various police and security officers in a Valladolid hospital. It appears that the family insisted on seeing a family member who had restricted visitation access, causing a dispute with numerous police officers, causing injuries and damage to property.

**INTERVENTION:** The Equality Department communicated that the incident was regretful, but that we disagreed with how the various media outlets had reported the incident, mostly because they had used inappropriate terms that upheld stereotypes and prejudices towards the Roma community.

The Department reviewed and analysed the comments that had been made about the incident, and the content of news articles in the media. That showed that the mention of the family's Roma ethnicity, and the use of terms such as "brawl" to describe the events or "clan" to refer to the family, violated the rights of privacy and image, as well as the right to equality and non-discrimination enshrined in our Constitution.

For that reason, the Equality Department, in conjunction with FSG in Valladolid, sent four letters of complaint to various media outlets informing them that mentioning ethnicity is bad practice.

**OUTCOME:** We received no response to any of the letters of complaint that we sent to the media outlets. Regionally, meetings have been requested with the senior echelons of those media outlets, in order to discuss removing the mention of ethnicity in news reporting.

References: <http://www.tribunavalladolid.com/noticias/una-agresion-a-vigilantes-de-urgencias-en-el-clinico-de-valladolid-se-salda-con-8-detenidos/1483266981>

europapress / castilla y león

## A disposición judicial 7 detenidos por la reyerta del Clínico de Valladolid



Actualizado 02/01/2017 13:51:42 CET

VALLADOLID, 2 Ene. (EUROPA PRESS) -

Los siete detenidos tras la **reyerta** ocurrida en el **Hospital Clínico Universitario de Valladolid**, que se saldó con ocho **policías heridos**, han pasado a disposición judicial en la mañana de este lunes, han informado a Europa Press fuentes policiales.

CASE 90

<http://www.elnortedecastilla.es/valladolid/201701/01/detenidos-ocho-miembros-misma-20170101112041.html>

<http://www.europapress.es/castilla-y-leon/noticia-reyerta-clinico-valladolid-acaba-detenidos-otros-tantos-policias-heridos-20170101120232.html>

<http://elperiodicodecastillayleon.com/noticia/2017-01-02-pasan-disposicion-judicial-7-detenidos-reyerta-clinico-valladolid-7124>

### 91. Salamanca. Media. Direct discrimination.

**FACTS:** La *Gaceta de Salamanca* published an article mentioning the Roma ethnicity of persons who allegedly started a shoot-out. The publication of this news item also triggered readers to leave racist and discriminatory comments about the Roma community in the area.

**INTERVENTION:** The Equality Department became aware that it was not the first time that the journalist responsible for the article had used inappropriate terms such as "clans" or "brawl" in her articles or had mentioned the Roma ethnicity of the persons allegedly involved. For that reason, in collaboration with FSG Salamanca, we asked for a meeting with the journalist, in order to ask her to change the wording of her articles and not to use terms that could exacerbate stereotypes and prejudices against Roma people.

**OUTCOME:** The journalist agreed to the meeting. We explained to her about our equality work, and she responded that she agreed with us, but that the speed with which articles had to be written and published made it more complicated. However, she said that she would try to change that practice.





## 92. León. Media. Direct discrimination.

FACTS: The *Diario de León* published a news item with the following headline: *"Mother uses her youngest child to distract elderly woman and steal 1,000 euros from till. The suspect, of Roma ethnicity, faces 16 months in prison"*.

INTERVENTION: The Equality Department sent an email to the newspaper, explaining that mentioning the ethnicity of the suspects in this kind of article incited the rejection of the Roma community in León.

OUTCOME: On this occasion, we received no response from the newspaper, but the article was deleted from the online version.

Reference: <http://www.diariodeleon.es/noticias/imprimir.php?id=1127256>

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## Salamanca. Media. Direct discrimination.

FACTS: La *Gaceta de Salamanca* published a news item on an incident where more than 50 Roma people congregated at the doors of a religious building to decide the revenge they would take against the relatives of a woman who allegedly killed another local woman.

The article wrote: *"More than fifty people met on Sunday outside the old church and received patriarchs from Valladolid and Zamora"*.

The article used expressions and terms such as obeying "gypsy law", banishments, disputing families, possible revenge, etc. Those terms exacerbate stereotypes and prejudices towards Roma people, fostering racist and discriminatory comments against them. Readers left comments such as: *"They do whatever they like, no matter the time of day and no one says anything. It's not right; each generation is worse and they are completely out of control, someone has to do something because they don't integrate. (2) All gypsies who have any kind of criminal record, whether minor or serious, should be banished. 1,000 m away, all of them. Rootless and unintegrated gypsies have the fortune of not living in age of Hitler, which is why they take advantage of payos (non-Roma). They do what they like and use our country as they like, until the extreme right wing come back with vengeance..."*

INTERVENTION: FSG Salamanca discovered that the writer of the article was also responsible for other articles published in the same newspaper that we have complained about, concerning the same subject and the same content.

In fact, we asked for a meeting with the journalist, to make them aware of the effect of mentioning ethnicity and other inappropriate discriminatory terms in the article.

OUTCOME: The meeting ended with the journalist suggesting that they would no longer mention ethnicity and other inappropriate terms in news items related to events involving Roma people. The case was closed with a positive outcome.

Reference: <http://www.lagacetadesalamanca.es/sucesos/2017/03/13/reunion-aplicar-destierro-evitar-violencia-pizarrales/199393.html>

## 94. Salamanca. Media. Direct discrimination.

FACTS: In the print edition of the newspaper *El Norte de Castilla*, Salamanca edition, a news article appeared about the murder of a woman in a Salamanca village that had already been published previously.

The article featured various expressions and terms such as "levelling the score", "brawl" and mentioned ethnicity, specifically "Roma race".



**INTERVENTION:** The Equality Department sent a letter of complaint to the newspaper to inform them that the use of such expressions and terms about this kind of incident did not add anything to the article, but helped to uphold stereotypes about the Roma community, associating it with crime, theft and drug trafficking, as described in the article.

**OUTCOME:** There was no response.

Reference: <http://www.elnortedecastilla.es/salamanca/201703/08/matan-cuchilladas-mujer-pizarrales-20170308095103.html>

#### **95. Salamanca. Media. Direct discrimination.**

**FACTS:** The newspaper *La Crónica de Salamanca* published an article reporting on an alleged dispute between various members of a Roma family due to a relationship they disapproved of between a minor and a 25-year-old man.

The article repeatedly mentioned the Roma ethnicity of the persons involved.

**INTERVENTION:** The Equality Department immediately sent an email to the editor of the newspaper, stressing that mentioning ethnicity in this kind of article added nothing to the article, but upheld stereotypes and prejudices towards Roma people, associating them with this type of violent incident.

**OUTCOME:** We waited an appropriate time for a response, but received none.

Reference: <http://www.lacronicadesalamanca.com/175030-la-policia-interviene-en-una-disputa-por-amor-entre-dos-familias-gitanas/>

#### **96. Mérida. Media. Direct discrimination.**

**FACTS:** The newspaper *Hoy* published on its online version a news item specifying that the persons involved in an incident related to street selling were "all of Roma ethnicity".

**INTERVENTION:** The Equality Department immediately sent an email to the editor of the newspaper, stressing that mentioning ethnicity in this kind of article added nothing to the article, but upheld stereotypes and prejudices towards Roma people.

**OUTCOME:** There was no response.

Reference: <http://www.hoy.es/plasencia/201703/02/fiscalia-pide-anos-carcel-20170302230335.html>

#### **97. Madrid. Media. Direct discrimination.**

**FACTS:** The newspaper *ABC* published a news article with the headline:

*"Serbian gypsy mafias buy children to burgle homes; they pay up to 200,000 euros for minors as a "dowry" for their marriage to members of the clan".*

This news article triggered more than 80 racist comments and hate speech, such as:



*I don't know whether to get angry or piss myself laughing. Gypsies coming from all around Europe to rob Spain makes all the sense in the world, knowing that their cousins have been doing it for 500 years and we make sure they live in the lap of luxury, with pensions, rights to everything but giving nothing in return, and letting them get away with breaking the law. If the elections in Spain are won by crooks, of course other crooks will come to join them. They'll say, "Let's head for Spain, it's run by our kind".*

*Will the gypsies ever stop making up their ills?... And then they say they are discriminated against... What percentage of gypsies are criminals known to the police?... People would be shocked to know how many, loads, enough to never trust them.*

INTERVENTION: The Equality Department sent a letter of complaint to the newspaper, which also asked that they remove the discriminatory comments.

OUTCOME: There was no response. On 12 March 2018, we revisited the online article. The comments were still there.

Reference: [http://www.abc.es/espana/madrid/abci-mafias-serbias-gitanas-compran-ninas-para-roben-viviendas-201707302136\\_noticia.html](http://www.abc.es/espana/madrid/abci-mafias-serbias-gitanas-compran-ninas-para-roben-viviendas-201707302136_noticia.html)

## 98. Salamanca. Media. Direct discrimination.

The screenshot shows the ABC Madrid website with the article title "Mafias serbias gitanas compran a niñas para que roben en viviendas". Below the title is a sub-headline: "Llegan a pagar hasta 200.000 euros por menores en concepto de «dotes» para que se casen con miembros del clan". The main image is a cityscape with the text "Las casas, objetivo de las mafias del Este de Europa". A caption below the image reads: "Valentina Radosavljevic (nuera de los líderes del clan), durante un robo - ABC".

CASE 97

FACTS: The online edition of the newspaper *El Norte de Castilla* in Salamanca published an article on a stabbing. The article mentioned Roma ethnicity multiple times: "The injured woman responses to the initials S.S.H., and is 64 years of age and of Roma ethnicity".

INTERVENTION: FSG in Salamanca, in conjunction with the Equality Department, tried to arrange a meeting with one of the writers of the article. After informing them of our complaint, we were told that they would review the article and assured them that it was not the newspaper's normal practice. In the same conversation we discussed the possibility of reporting on Roma culture for the newspaper.



OUTCOME: After speaking with the managing editor, we decided to close the case since we could prove that the mention of ethnicity in the news item was not malicious but bad practice by one of the journalists. Likewise, FSG Salamanca is awaiting future articles from the newspaper, and has offered to right pieces on Roma culture.

Reference: <http://www.elnortedecastilla.es/salamanca/201703/28/asestan-punaladas-mujer-dias-20170328000220.html>

#### 99. Salamanca. Media. Direct discrimination.

FACTS: The newspaper *La Gaceta de Salamanca* published a news item about the fact that around 20 families had occupied a building, the majority of whom were of Roma ethnicity.

INTERVENTION: The Equality Department, in collaboration with FSG Salamanca, sent a complaint through the newspaper's web portal, stating that the mention of Roma ethnicity in this type of incident added nothing to the article but upheld prejudices and stereotypes towards Roma people in general.

OUTCOME: There was no response.

Reference: <http://www.lagacetadesalamanca.es/salamanca/2017/08/13/veintena-familias-okupa-edificio-vacio-barrio-alcaldes/213339.html>

#### 100. Salamanca. Media. Direct discrimination.

FACTS: *La Gaceta de Salamanca* and *La Tribuna de Salamanca* published a news item that made reference to a fight involving a number of people. Both newspapers mentioned ethnicity and the nationality of the persons involved.

INTERVENTION: The Equality Department, in collaboration with FSG Salamanca, sent letters of complaint to both newspapers, stating that the mention of Roma ethnicity in this type of incident added nothing to the article but upheld prejudices and stereotypes about the Roma community, associating it with this type of violent incidents.

The article in question generated more than 15 discriminatory and racist comments about the Roma community in general, such as:

*This is shameful. They enjoy so many privileges. Money and protection they don't need (because they don't want to work). Money for having children (without being married), rent, electricity, food, etc., etc., without doing anything positive. ¿And everyone else? !!We've had enough!!! The "payos". off to work and work. Fucking politicians!*

OUTCOME: On this occasion, the newspapers did not respond.

References: <http://www.lagacetadesalamanca.es/sucesos/2017/10/05/batalla-campal-gitanos-santisima-trinidad/218435.html>

<https://www.tribunasalamanca.com/noticias/un-grave-altercado-entre-dos-familias-a-las-puertas-de-la-santisima-trinidad-acaba-en-comisaria>



### 101. Salamanca. Media. Direct discrimination.

FACTS: The online newspaper *Salamanca 24 horas* published a news item about a subsidy of 54,000 euros that had been created to help to make 340 young Roma people more employable.

INTERVENTION: The Equality Department sent a letter of complaint to the newspaper, asking for all the discriminatory comments made about Roma people to be removed.

OUTCOME: As of 12 March 2018, the comments were still visible on the website. The newspaper did not respond.

Reference: <http://www.salamanca24horas.com/texto-diario/mostrar/956475/subvencion-54000-euros-mejorar-empleabilidad-340-jovenes-colectivo-gitano#>

*But if this trash don't want to work, haven't done anything nor will they, it is wasting public money... shameful, they live off other stuff we all know about... (no censorship).*



## Cases of discrimination in access to goods and services

### 1. Barcelona. Access to goods and services. Direct discrimination.

**FACTS:** A young Romanian Roma girl attended the citizens' affairs office in the Nou Barris district of Barcelona, to file an application for municipal registration at the address of her occupancy. She provided all the necessary documents, but the attendant refused her registration, treated her with disdain and failed to provide clear and comprehensible information about the lack of documents.

**INTERVENTION:** The Officer of the FSG programme in which the young person participated accompanied her to the citizen's affairs office and applied for the registration, providing the same documents as the girl had, and the application was automatically filed.

It was found that the girl had been discriminated against by denying her service on the basis of unnecessary criteria.

The girl decided not to file a complaint with the office, for fear that she would be treated even worse on future visits. FSG suggested paying special attention in future trips to this officer and, if necessary, mediating with the person responsible.

**OUTCOME:** Positive, since we were able to identify the discrimination, but limited because the victim did not want to file a complaint.

### 2. Almería. Access to goods and services. Direct discrimination.

**FACTS:** A young female participant in FSG commented in a visit to the Almería office that she felt discriminated against by the doorman of a nightclub in the centre of Almería, for being denied access to the club for no reason other than being Roma. The girl went to the club with her non-Roma friends. When they approached the entrance to the club, they shouted, "Ay my gitana" and the doorman heard and did not let her enter, but her non-Roma friends were allowed to enter freely. She asked the doorman why she was not allowed in, even showed him her identity document that showed her age, and asked him if she was not let in because she was Roma, but he did not respond.

**INTERVENTION:** The girl informed the Almería Equality Officer of what had happened, who advised her, informed her of her rights, and told her that if something similar happened again, she could request and submit an official complaint form *hoja de reclamaciones*. She was also offered support and accompaniment if she wished to exercise her rights.

**OUTCOME:** On this occasion, the girl did not want to pursue the issue further.

### 3. Albacete. Access to goods and services. Direct discrimination.

**FACTS:** Some young people who were participating in an FSG training course went to a bakery close to the FSG office to buy sandwiches. They were treated rudely by the bakery assistant as soon as they entered. They asked her to open the sandwiches to heat them up, but she responded rudely, "I do it this way", and she demanded they pay for the sandwiches before she would hand them over, despite not demanding that of the rest of her customers, before asking them to leave the bakery as soon as they had bought them.

The next week, the group returned to the bakery to buy sandwiches, despite feeling mistreated there, since it was the closest and cheapest place to go to. Once again, the assistant treated them very rudely, telling them, "I heat up the sandwiches how I want to". They noticed that she treated her other customers much better. The group asked for an official complaint form, stating that they wished to make a complaint, but the assistant responded that she did not have any, and told them to come back later.



**INTERVENTION:** The group return to FSG and told the Equality Officer what had happened. She told them that the assistant was obligated to hand over the complaint form and that she and the FSG trainer would accompany them.

The group of young people return to the bakery with the Equality Officer and asked again for a complaint form. The assistant looked for the form, while telling them, "You have taken against me and me against you, if you don't like how you're treated don't come back here."

When the young people left the bakery, the Equality Officer and the trainer, who had not been identified, stayed behind and overheard a conversation when the telephone rang and the assistant picked up and said:

*"Three gypsy girls have been here and asked for a complaint form, because apparently I offended them".*

*When she hung up, a customer asked the assistant, "those girls that were here? Don't pay any attention, you know what those people are like." The assistant responded, "you don't have to tell me; I've worked here for 12 years and I know where they are from". The customer said, "you shouldn't have given them the complaint form", and the assistant answered, "I had to, it's compulsory, but I didn't sign it, so it's useless to them unless they come back for me to sign it". She then apologised to the officer and the trainer for the delay and served them normally.*

The young people completed the complaint form, with the support of the Equality Officer, and gave a copy to the assistant, who refused to sign it. The Equality Officer asked her why she refused to sign it. The assistant argued that she hadn't treated them unfairly at all, and that her boss would have to complete the corresponding section of the complaint form. The Equality Officer told the assistant that she had witnessed the comments she had made on the phone, and that they were pejorative and discriminatory towards the young Roma people.

She then accompanied the girls to the Consumer Affairs Office to submit the complaint.

**OUTCOME:** Before receiving a response from the Officer of Consumer Affairs, the manager of the bakery contacted FSG to apologise and recognise that she was not aware of the situation. She asked us to pass on her apologies to the girls and even said that she would take action against the employee, who within the same month would be transferred out of the area. She asked if she could do anything else for the girls, and insisted that the situation would never happen again. The victims were satisfied with the bakery manager's response and so informed the Consumer Affairs Office.

#### 4. Almería. Access to goods and services. Direct discrimination.

**FACTS:** The doorman of a nightclub in the centre of Almería denied entry to a Roma boy.

**INTERVENTION:** The boy told the FSG Equality Officer that he met the conditions to be allowed entry, that he was of legal age and met the standards for entry, but the doorman had identified him as Roma due to recognisable ethnic traits, and refused him entry without offering any explanation. The Equality Officer suggested that they both go to the nightclub to test whether the same thing would happen again, and if so, submit an official complaint form.

**OUTCOME:** Before going to the nightclub, the boy called the Officer and told her that he did not want to go through with the plan or submit a complaint because he did not want to cause trouble for himself. The Officer informed him of his rights against this type of public entertainment establishment and that if it happened again, he could exercise them and she could support him.

#### 5. Castellón. Access to goods and services. Direct discrimination.

**FACTS:** In a crematorium in Castellón, while a family was keeping vigil over their deceased family members, at 9.30 pm, workers at the crematorium rudely expelled them, calling them "chusma" (riffraff) and using racist expressions such as "that kind of people cause trouble" or "there's no talking to them, call the police and they will throw them out, you don't need to give explanations". The relatives were unaware that the crematorium was not open at night.



**INTERVENTION:** The relatives contacted the Equality Officer, who interviewed one of the relatives and then contacted the crematorium to ask for an explanation. The crematorium denied that there had been any kind of discriminatory attitude. They sent the times for vigil and they did not include night-time hours, but they refused to acknowledge the racist treatment of the persons there.

**OUTCOME:** The family was advised to submit an official complaint form; unfortunately, it was not effective.

#### **6. Badajoz. Access to goods and services. Direct discrimination.**

**FACTS:** A girl told the FSG Equality Officer that she had contacted the manager of a warehouse unit that belonged to a carnival troupe, which was available to rent for events and celebrations. The manager of the premises, who had a pleasant demeanour throughout, and the girl agreed on the renting of the premises and arranged for the girl to view the premises and sign the contract. She attended, with her relatives, whereupon the manager changed his attitude. On the day of the appointment, some of the members of the troupe were there to meet her, and when she tried to confirm the rental of the premises for her wedding, they came up with multiple excuses to not rent it to her, such as that she needed to personally know a member of the troupe to be able to –something that had never been mentioned on the telephone when they had been very accommodating.

**INTERVENTION:** The girl was convinced that they did not want to rent the premises to a Roma family. The Equality Officer asked for the contact telephone numbers, but when she called them they were incorrect.

**OUTCOME:** The Officer tried to contact the girl again to check the telephone numbers and begin pursuing action, but the girl did not want to.

#### **7. Almería. Access to goods and services. Direct discrimination.**

**FACTS:** A Roma boy went to a nightclub in the centre of Almería, but was refused entry by the doorman for no convincing or reasonable reason. The boy asked the doorman for an official complaint form, but before he could complete it, the doorman took it away from him. The boy then contacted the police and when a patrol car arrived, he told them what had happened. They spoke to the doorman, who said that he had not allowed him in because he was drunk, but following a conversation with the boy, the police could see that he was not. They advised him to file a complaint, or to go to the duty court to file a complaint, but that it would be difficult to prove the discrimination because the doorman never said that he was refused entry because he was Roma.

**INTERVENTION:** The boy contacted the Equality Officer a few days later, to tell her what had happened. The Officer informed him of his rights and advised him of the channels through which he could claim his rights when refused access to public leisure and entertainment facilities. He was also offered support and accompaniment if he wanted to pursue mediation with the nightclub owner.

**OUTCOME:** The boy decided not to pursue further action this time, but said that if it happened again he would.

#### **8. Badajoz. Access to goods and services. Direct discrimination.**

**FACTS:** The father of a minor wanted to hold a birthday party for his son in a space in Badajoz. The father's brother-in-law called to book, which he did normally, and it was confirmed that the space was available for the date he wanted. When the father and his brother-in-law, both of Roma ethnicity, went to the activity centre to confirm the booking, they were told that the date was not available. Two hours later, the child's mother, who does not look Roma, went to the activity centre to ask about availability for the same day, and was told that it was available, so she booked it.





They eventually decided to celebrate the birthday there, although a member of staff at the centre told the father, *“My boss doesn’t want gypsies on the premises”*.

**INTERVENTION:** The child’s father, who is a participant in FSG programmes, told the Equality Officer what had happened. The Officer interviewed the family and some of the guests of the birthday party to verify what had happened. Many of them corroborated the facts, stating that the same thing had happened to them in the same establishment.

**OUTCOME:** The Officer advised the family and gave them some options to pursue, although the family only wanted there to be a record of what had happened and for it to be taken into account in case the same thing happened to another Roma family. On this occasion, they did not want to pursue the issue further.

### **9. Palencia. Access to goods and services. Intersectional discrimination.**

**FACTS:** A Roma woman who was involved in the FSG in Palencia, told us that she had been a victim of harassment and discrimination due to being Roma. The girl told us that it had happened when she went into a store in a shopping centre with some shopping bags. Once she was inside, the shop assistant began to follow her around the shop, and suddenly approached her and told her to leave her shop because she knew she had come in to steal. She told her that “all gypsies were thieves”.

**INTERVENTION:** We heard about the incident some time after it happened. The girl told us that she felt awful and that she left the shop and never went back.

The FSG office in Palencia advised her that when this sort of incident occurs, she must report it and ask the establishment for an official complaint form. The Equality Department also offered her advice and support.

**OUTCOME:** More than three months passed between the incident occurring and FSG Palencia receiving the information. That made it difficult to intervene, so FSG decided not to pursue any further action, although we are attentive to whether any further incidents occur. In the end, the girl felt supported following the discrimination she suffered, and thanked us for informing her of her rights.

### **10. Vitoria. Access to goods and services. Intersectional discrimination.**

**FACTS:** Three Roma girls went to buy cans of hairspray. As soon as they entered the shop, they noticed that the security guards and the shop assistant began to follow them—a total of four members of staff in the supermarket. To make sure that they were being followed, they began to walk around in circles.

Once they were certain that they were being followed, one of them asked a security guard, “Excuse me, are you following us?”, to which he responded that he was, because he did not like the look of them. The girls felt discriminated against and embarrassed, and they left the supermarket.

**INTERVENTION:** FSG in Vitoria contacted the girls to inform them of their rights in situations of harassment and discrimination, and also informed them of the possibility of submitting a complaint to the Consumer Affairs Office, and to the supermarket itself, with an official complaint form. They invited the girls to their offices on a number of occasions, but in the end, the victims decided not to pursue anything further.

**OUTCOME:** The case was closed. The girls did not attend appointments at FSG’s offices to agree a joint strategy.



### 11. A Coruña. Access to goods and services. Intersectional discrimination.

**FACTS:** A Roma mother and daughter entered a perfume shop and found that, immediately, the manager started to follow them.

The mother asked her to explain why and the manager refused, telling them she did not have to give any explanation to gypsies, who “not only come here to steal but to tell me how to treat them”.

Having received that response, and with the father waiting outside, they decided to submit a written complaint to the store. Both the mother and the daughter said they made the complaint because they felt discriminated against for being Roma.

**INTERVENTION:** FSG in A Coruña informed the mother that it was important to forward her complaint to the Consumer Affairs Office, so that they were aware.

**OUTCOME:** We eventually discovered that the official complaint form submitted to the established made no mention that they were Roma and that that was the main reason for the harassment and persecution in the shop. FSG in A Coruña stressed to the family that it was very important to record in any complaint or claim that the situation or treatment was because of being Roma, as otherwise the action will have no repercussions for the establishment.

### 12. Jaén. Access to goods and services. Intersectional discrimination.

**FACTS:** A young participant of the Cali programme for the equality of Roma women explained to the Equality Officer that she went to the supermarket to buy an eyeshadow, and headed to the cosmetics section but could not find it. She asked the shop assistant and when she looked up, the shop assistant was staring at her. The girl asked about the eyeshadow, and the shop assistant gave it to her, but then took it away and put it in a box. The girl saw that she had not put any other customers’ cosmetics in boxes, so she told the shop assistant that she wanted to speak to the manager to ask whether putting the cosmetics in boxes was something they did for everyone, or whether she did it to her because she was Roma.

She spoke to the manager and asked for an official complaint form to complain about the shop assistant. The manager said that the new protocol of putting products in a box had just been implemented; she apologised for the shop assistant, said she was very sorry and assured the girl that she would speak to her.

**INTERVENTION:** A subsequent test was carried out by a non-Roma girl, who went to buy a product from one of these supermarkets. She was not subject to the “protocol” and at no time did she feel watched.

**OUTCOME:** The participant accepted the manager’s apology and did not submit an official complaint form. In this case, the participant’s training to fight discrimination was fundamental for the effective resolution of the case.

### 13. Málaga. Access to goods and services. Direct discrimination.

**FACTS:** A Roma family (three women and two men) went to a shop in the Rincón de la Victoria shopping centre. When they were inside the shop, they noticed that a security guard from the shopping centre had entered the shop and was following the family. One of family members asked the security guards, “Why are you following us like we are about to steal something? We work in the flea market and *payos* (non-Roma) steal there too.” The security guard responded, “Well, the gypsies from the market are the biggest thieves”.

**INTERVENTION:** The family, who participate in FSG, explained what had happened; when verifying the facts, it was discovered that the shop had closed down.



OUTCOME: The family was told that it is important to uncover the prejudicial attitudes and comments made both in public and private. No further action could be taken as the shop had closed down.

#### 14. Santander. Access to goods and services. Intersectional discrimination.

FACTS: A Roma woman who had participated in an FSG information session on rights and anti-discrimination, commented to the Equality Officer that once when she was in a supermarket, she was discriminated against by a supermarket worker. She was sure that it had happened because of her ethnic traits. The woman was in the cosmetics section and was looking at one of the testers, as were other shoppers. The shop assistant ran towards her and said, loudly in front of the other shoppers with contempt, "Don't touch that. If you want to buy something, because everything is small you have to put it in this envelope". She gave her the envelope, but nobody else in the section had been given one.

INTERVENTION: The woman felt angry and embarrassed, so she asked the employee's name and put it on an official complaint form.

OUTCOME: Positive. The woman was satisfied with her own response (to ask for the complaint form and submit it) and told the Equality Officer that that had been possible thanks to the events held by FSG on rights and the fight against discrimination.

Likewise, FSG will continue to monitor the supermarket, as other participants have told us that such discriminatory attitudes towards Roma people are common in that supermarket.

#### 15. Badajoz. Access to goods and services. Intersectional discrimination.

FACTS: A female participant in the Cali programme told the Equality Officer that one day she went into a perfume shop that she regularly frequents with her 7-year-old daughter to buy a gel. The woman felt the constant presence of the security guard behind her and her child, who said, "Mummy look, they are watching us". They were followed for the whole time they were in the shop. The mother turned around and asked if there was a problem, to which the security guard responded there was not, and that they were "about to close, and I was putting back some products".

INTERVENTION: The Equality Officer went to the perfume shop to talk to the security guard but he was not there, so she explained the shop assistant what had happened.

OUTCOME: Positive. The shop assistant told her she was right and that there should be no distinction between customers. She agreed that the behaviour was not right and they would not want such behaviour in the establishment. She also said that the security guard no longer worked there.

#### 16. Valladolid. Access to goods and services. Direct discrimination.

FACTS: A worker from a social organisation went to FSG to speak with the Equality Officer, the mediator and the FSG Coordinator in order to inform them of an incident that took place in the organisation relating to three Roma ethnicity users. The worker said that the three Roma women had stolen from the organisation and that, as a result, *"If it happens again I will not offer any more services and the organisation will not help people of that group"*.

INTERVENTION: The FSG expressed their concern about taking a potential action that would blame all Roma people, which would discriminate against Roma people, and that it was not lawful to deprive a whole community of people of a service. She apologised, stating that it was not her intention, and that she had not expressed herself well.



**OUTCOME:** A few days later, the Equality Officer contacted the social organisation again to see what action had been taken in relation to the incident. The woman responded that the service had been taken away from the women suspect of stealing only, and not the other Roma women who had received the service.

### **17. Jaén. Access to goods and services. Direct discrimination.**

**FACTS:** One of the FSG mediators told the Equality Officer about something that happened to him as he went out to dinner with his family to a tapas bar in Jaén. The family arrived at 11.14 pm and sat down. When the manager arrived, he told them that they do not serve hot or cold food after 11 pm, and the kitchen was closed. He asked them if they wanted a drink and they said no, that they wanted to eat. Before they left, they saw that the kitchen was still open. They went to the bar next door and from there saw that the waiters were still serving all kinds of food to the people who were there and those that arrived after them. The family felt discriminated against because they were a Roma family, but at that moment they did not want to call over the manager.

**INTERVENTION:** The Equality Officer called the bar to check that it was true that they stopped serving food at 11 pm. The person who answered the phone said there would be no problem being served food if they arrived after 11 pm.

The day after the call, the Officer sent an email to the bar explaining what had happened and asking for an official complaint form. The bar did not respond, so the Officer downloaded the online official complaint form and sent it to the bar. The bar did not respond to the complaint either, so a few days later, the form was taken to the Consumer Affairs Office.

The victim received a response from Consumer Affairs acknowledging receipt of the complaint form.

Subsequently, the bar sent a response saying that they did not know that the victim wanted to request an official complaint form. However, the Equality Officer had sent two different emails asking for the complaint form: one explaining what had happened and another warning that the complaint form was going to be completed, to give the bar the opportunity to make its arguments. Neither was responded to. In the response, the bar stated that they had run out of food and were serving only cold food to all customers.

**OUTCOME:** It was decided not to pursue further action, because there was no more evidence to put forward. It was decided to continue to monitor the bar and, if another incident arises, to take the appropriate action.

### **18. Zaragoza. Access to goods and services. Intersectional discrimination.**

**FACTS:** A Roma woman was in a supermarket with her two children, both minors, when the checkout assistant accused a group of Roma women of stealing. The woman who was close to them was also accused of stealing. When the manager arrived, one of the checkout assistants continued to accuse her and say, "I know your type; all gypsies are the same –you take what you want without paying". The woman showed her bag for inspection, and although she showed that she had not taken anything, she received no apology. She felt so offended that she called the local police, who took the details of the checkout assistant and encouraged the woman to pursue further action, telling her that she was within her rights.

**INTERVENTION:** The woman called the FSG office and contacted the Equality Officer, who interviewed her on the same day. The woman gave a detailed account of what had happened, the painful experience she had been through and the impotence she felt by her testimony not being believed and seeing that people still have this kind of prejudice.

**OUTCOME:** The Equality Officer informed and advised her of her rights and the option to file an official complaint form with the Consumer Affairs Office. The woman submitted the official complaint form and felt satisfied with her decision. As yet we have not received any news of a decision.



### 19. Santiago de Compostela. Access to goods and services. Direct discrimination.

**FACTS:** A group of Roma women who were participants in the Cali programme went to a restaurant with their children for dinner. One of them went up to the bar and the owner told her very rudely: *“speak more quietly, this isn't the fair and if you don't like it you can leave”*, adding that he had the right to throw them out if he wanted to. One of the women, who had participated in one of the informative events on rights, told him that that was discrimination, because if they were not Roma he would not threaten to throw them out.

The woman also decided to file an official complaint form and asked the owner to give her one, at which point he changed attitude and apologised. Even so, she decided to submit the complaint since she considered his treatment of her to be unfair and discriminatory.

**INTERVENTION:** The Equality Officer accompanied the women to the Consumer Affairs Office to submit the official complaint form. The person who received the complaint was surprised at what had happened and how they were treated, just for being Roma, and admitted that it was the first time that such a claim had been filed there.

**OUTCOME:** The Equality Officer tried to track the progress of the claim, and called the regional Government to request information, but at that point there had been no case file number assigned and no response.

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### Valladolid. Access to goods and services. Instructions to discriminate.

**FACTS:** A Roma association in Valladolid passed on a complaint to FSG about an instance of discrimination in a bar where similar events had happened on other occasions, but were never reported. When a boy went to a bar in the centre of Valladolid with three other minors, all of Roma ethnicity, the waitress approached them and said: *“children are not allowed in the bar and my boss does not allow gypsies to come in because he is worried he will lose customers”*. Inside, one of the boy's friends was already seated, who was also of Roma ethnicity. When the friend saw what was happening he approached them and asked what was going on, at which point the waitress told him that he also had to leave. The boys immediately called the police and when they arrived, the waitress and the boys separately told them their sides of the story. When they were leaving, *one of the police officers asked the boys why they did not go to another bar*, to which one of them responded that they should not have to leave this one, and that their money was worth the same as any other person.

**INTERVENTION:** The boys went to FSG and told the Equality Officer what had happened. They decided to go and speak to the manager of the bar. When they arrived, the waitress served them. The Officer asked for her manager and asked for an official complaint form to file a complaint about what had happened. The bar manager later called the Officer, but said many contradictory things.

The complaint was filed with the Consumer Affairs Office for the violation of the right to admission for reasons of ethnicity. The Civil Protection Agency asked the owner of the bar to explain what had happened and to give specific reasons why entry was refused.

Moreover, as the previous year another similar case had been reported in the same bar but had been shelved, this case was reported to the Provincial Public Prosecutor for hate crimes and discrimination, for denial of access to goods and services in the private sphere.

**OUTCOME:** Currently, the consumer affairs complaint has been paused pending conclusion of the matter in criminal channels. In addition, notice was received of a court order for the provisional dismissal of the case. FSG filed an appeal against the court order, considering that the case should be investigated. The appeal has been partially upheld and we are awaiting a ruling.

### 21. Almería. Access to goods and services. Instructions to discriminate.

**FACTS:** A Roma boy went to a nightclub in Almería city centre, but the doorman refused him entry. The boy asked the doorman why he was not allowed in, and initially he gave no response, but the boy insisted and even-



tually the doorman responded: *"the owners of this establishment do not want to let in people of Roma ethnicity."* The boy asked why not and the doorman responded that *"a few days ago some gypsies got into a fight and now we don't want gypsies in here"*.

Since the boy was being denied entry to the nightclub due to his ethnicity, we asked for an official complaint form, but the doorman said he could not give him one because his superiors were not present. Since he was being refused an official complaint form, the boy went to the local police station to file a complaint, where he was told he would have to file one at the courthouse.

**INTERVENTION:** A few days later, the boy contacted the Equality Officer and told them what had happened. Given the accuracy of the events and the doorman's refusal to provide an official complaint form, the boy was accompanied to file a complaint before the duty court. A statement was also sent to the public prosecutor's office to inform them of the events and ask for the appropriate action to be taken.

**OUTCOME:** The court ordered for the case to be provisionally shelved, and the public prosecutor appealed that before the Almería Provincial Court of Appeal. Unfortunately, the appeal was not successful and the case was definitely shelved by the Provincial Court of Appeal.

## **22. Cáceres. Access to goods and services. Instructions to discriminate.**

**FACTS:** The Equality Officer noticed two news items in which two associations from the Aldea Moret neighbourhood had called out a pizzeria for discrimination due to refusing to deliver food to homes on streets located in that neighbourhood, which is a segregated neighbourhood with a large population of Roma and immigrants, with the excuse that there had been altercations between the delivery drivers and residents in the area. The articles can be found at the following links:

<http://www.hoy.es/caceres/denuncian-pizza-movil-20170618004713-ntvo.html>

<http://www.hoy.es/caceres/barrio-calles-marcadas-20170620003318-ntvo.html>

The pizzeria had a list of streets that they do not deliver to. The affected people who live in that neighbourhood and order pizza delivery are of various nationalities and ethnicity, but are fundamentally Roma.

**INTERVENTION:** The Officer placed a telephone order with the pizzeria and had no problems until she gave the address for delivery, which was in the Aldea Moret neighbourhood. The person on the other end of the phone said that they could not deliver to that street, and when the Officer asked why, he responded that they had had problems in that area and did not deliver there.

The Equality Officer contacted the managers of the pizzeria, who told her that in spite of the unsafe nature of driving around certain areas of that neighbourhood, they tried to provide the delivery service, although that meant delivering the order to the edges of the neighbourhood and customers going to pick them up.

**OUTCOME:** Negative. The Officer informed the pizzeria managers that such a decision could create inequalities in the access to goods and services in a given neighbourhood. Nonetheless, the business decided not to change its approach.

## **23. Cuenca. Access to goods and services. Direct discrimination.**

**FACTS:** There is a newsstand near a church that many Roma people attend. One of the people who frequents the newsstand commented to the Equality Officer that the attendant made comments such as "I'm fed up with gypsies, all they do is demand things" and added "you're all the same".

**INTERVENTION:** The Officer contacted some of the people who regularly used the newsstand and some said that they had not experienced uncomfortable situations when they had gone there, but that the attendant was unpleasant; they thought it might be her nature and that she treats everyone like that.



OUTCOME: It was decided to monitor whether such comments that showed certain prejudice towards Roma people were made again.

#### 24. Gijón. Access to goods and services. Instructions to discriminate.

FACTS: A Roma man approached the FSG office in Gijón to report a case of discrimination in a restaurant. The incident occurred in a restaurant near the man's home. The restaurant owner knew him, but at that time he was not there. The waiter told him, *"I can't serve you because my boss told me not to serve gypsies"*. The man saw his friend, the owner, the next day at a party and asked him if it was true that he had given instructions not to serve Roma people. The owner said it was, because many years ago in neighbouring places Roma people used to steal. The man said that he would take action and file a complaint, and the owner told him to go ahead.

INTERVENTION: On this occasion, the man did not want to pursue any action because he knew the owner of the premises. The Officer informed him of his rights and the steps to take if he was ever refused service again.

OUTCOME: A few days later, the Officer called the man to find out if he had returned to the bar, but the man did not answer.

#### 25. El Prat de Llobregat. Access to goods and services. Direct discrimination.

FACTS: FSG in Barcelona requested a coach service to transfer participants in the Sant Cosme neighbourhood of El Prat de Llobregat to las Bassas de Sant Oleguer in Sabadell. A coach company was asked to provide a quote for four coaches each with 60 spaces. The quote was sent to the FSG members of staff and both parties confirmed the service. Subsequently, the coach company was asked for an invoice and payment method to pay in advance for the service, as agreed. The company then imposed a new requirement that had not been mentioned at all in the quote or in the confirmation, for the payment of 600 euros as a deposit, which would be returned a week after the job was finished, provided there was no damage to the vehicles. Given the new requirement, the member of staff at FSG called the coach company and asked why the new requirement had been imposed. She was told that the deposit had been sought because they had seen the word "Roma" and *"because it is them, the company decided to impose a deposit to make sure that any damage to the coaches is covered"*. The member of staff told the person at the coach company that she disagreed with the inequality and discrimination towards the Roma community, and stated that she would no longer go ahead with the coach hire, to which the coach company employee responded: *"I thought you wouldn't be able to pay the deposit."* However, the coach company employee said that she disagreed with the instructions she had been given by her managers, and promised to speak to them and get back to FSG to further clarify the issue.

The next day, the coach company employee phoned FSG and told us that *"the company management has decided to cancel the booking, due to company policy and not anything to do with you, because it is in Sant Cosme."*

INTERVENTION: FSG sent a letter to the company management setting out what had happened and objecting to how we had been treated. We asked for a justification for asking for a deposit in certain instances, which was a requirement only for some customers, and also an explanation for refusing to provide its services. The company manager phoned FSG and justified the deposit requirement on the basis that on certain occasions their coaches had been damaged in that neighbourhood. In relation to the employee's comment about Roma people, he denied that such instructions or comments had been made. FSG informed him of the consequences of cancelling the service with little notice to find another one, but the manager was not attentive to our complaints. The company made no acknowledgment and assumed no responsibility for its discrimination towards that neighbourhood and towards Roma people in general.



In view of that denial, FSG filed a complaint with the Catalonia Consumer Affairs Authority, informing of the grounds for the complaint: imposing a deposit as a non-objective requirement and refusing access to services on discriminatory grounds. The complaint asked for an investigation and for the appropriate action to be taken.

**OUTCOME:** The Catalonia Consumer Affairs Authority notified FSG that the complaint had been received and initial investigations had begun. A few days later, it informed that the case had been shelved, after two inspections of the company had been carried out and it had been proven that it was compliant with consumer protection rules and consumer relations requirements. The notice indicated that there were no reasonable indications of an administrative infringement. In spite of the diligence and speed of the proceeding, no infringement could be found due to lack of evidence.

## **26. Madrid. Access to goods and services. Direct discrimination.**

**FACTS:** A Roma woman who was a participant in the Cali programme contacted the Equality Officer to tell her that in the parish where she often asked for money for books, she was served by a female volunteer of a charity who asked her, "Are you a gypsy?", to which she answered that she was, and asked why she had asked. The volunteer answered, *"because gypsies are all slackers; you just want handouts"*, and added, *"you have children to get the REMI [insertion minimum income], so buy your books with that, because it's a lot of money, without earning it. And if you don't have any money, why do you have children?"* Finally, she said that there would not be any grants until September and if she bought books at school she would have to ask for a receipt. The woman told the Officer that it was not the first time she had been treated that way by this particular woman.

**INTERVENTION:** The Officer informed the participant of her options. The participant did not want to file any kind of complaint for fear of losing the financial help from the parish.

The Officer contacted the manager of the charity to inform her of the comments made by a volunteer of the charity. The manager told the FSG Officer that the frontline people are volunteers of the parish, not the charity, but considering the seriousness of the events, she would call a meeting in the parish to discuss the issue, and would inform her of the outcome.

**OUTCOME:** A few days later, the Officer contacted the manager again, who told her that there had been a meeting with the parish volunteer where the complaint had been passed on. The manager of the charity asked the Officer to let her know if the incident repeated itself, as well as the parish priest.

The participant was satisfied with the outcome and, to date, has not experienced any further incidents in the parish.

## **27. Santiago de Compostela. Access to goods and services. Intersectional discrimination.**

**FACTS:** In a children's activity area inside a shopping centre, various Roma children were playing, when the instructor took a toy away from the youngest child and removed him from the area without informing his mother. The mother and grandmother asked what had happened, and the instructor answered that the child was misbehaving and was not allowed to play anymore. The mother asked why he could not be given a second chance, and said that such a small child could not be removed without telling their mother. The grandmother, who had participated in events to inform about rights as part of the Cali programme, asked for an official complaint form. At that point, the instructor left and the manager arrived. Without asking what had happened, he confronted the women and removed all the Roma children from the play area. The grandmother once again asked for an official complaint form and the manager threatened them, saying *"I'm in charge and you and your children can't come in here. What's wrong? You don't know how to behave if your minister isn't around?"*. Lastly, the manager said that they did not have an activity pass, but only one of the children did not have one. They said that they wanted to complete one at the beginning of the afternoon, but there were no forms so they could not, but that it would not be a problem to do one. The manager said that he did not have an official complaint form, so the women asked him to stamp the sheet of paper on which they were writing down what was happening.





**INTERVENTION:** The grandmother told the Equality Officer what had happened, who informed her of the possibility of filing a complaint with the Consumer Affairs Office. The grandmother's daughter decided to do so, and the Officer accompanied her to the Galicia Institute of Consumer Affairs, in which the claim was made and the general manager was asked to apologise and assure that they would not be treated with such an attitude in future.

**OUTCOME:** Consumer Affairs called the general manager to hear their side of the story. The centre have a completely different version, in which the manager did not acknowledge what had happened and did not apologise. No further action was taken because the family left Santiago.

## **28. Palma de Mallorca. Access to goods and services. Direct discrimination.**

**FACTS:** A local police officer contacted the Equality Department to make them aware of a case of discrimination that took place when a man was denied entry to a swimming pool in a Mallorcan town because he was Roma. The police officer sought advice from the Department, telling them what had happened, expressing her concern and providing the contact details of the Roma man who had been subject to the discrimination.

**INTERVENTION:** The Department contacted the man, who is the President of a Mallorcan Roma association. He told us what had happened, and he had a recording of the conversation between the doorman, the Civil Guard officer, a local police officer and him. The story also appeared in numerous news outlets.

The man submitted a complaint to the police about what had happened. The Department verified the facts with all the evidence (articles in the media, the recording, the complaint and the interview with the alleged victim) and a statement was submitted to the Mallorca provincial public prosecutor for hate crime for refusal to allow access to goods and services in the private sphere due to ethnic discrimination.

The local council was asked for information about the licence that the swimming pool held and the right to admission. The council responded that the licence they have on file is a works permit from 1977 and an authorisation from the Balearic Islands Government to open a restaurant in 1977. There is no further information.

**OUTCOME:** The Mallorca public prosecutor opened preliminary pre-trial proceedings and referred the case to Palma Examining Court no. 3.

We are currently awaiting a ruling.

## **29. Granada. Access to goods and services. Direct discrimination.**

**FACTS:** A young male participant in the Acceder employment programme went to a nightclub in Granada with two friends, all of Roma ethnicity, although the boy warned his friends that this club never let him in because he was Roma, except for once when he was there to play guitar. When they arrived at the door of the club, the doormen asked all three for their identity cards, then told them they were not allowed in, because they had the right to refuse admission, and rudely told them to go away. The three boys felt humiliated and "in shock and unable to react". Although the boy had previously suffered discrimination, it was the first time his friends had not been allowed to enter a leisure establishment. The boys felt awful.

**INTERVENTION:** The boy told the Equality Officer what had happened, and she informed him of his rights and advised him of the options available to him. The boy told the Officer that he would go back to the nightclub soon and if he was not allowed in, he would file a complaint. The Officer interviewed the two friends, who went with the boy to witness what happened.

The Officer also accompanied the boy and his friends to the nightclub, to test whether it was not allowing Roma ethnicity persons to enter. She saw that the doormen did not allow the boys to enter and refused to disclose the admission criteria, rudely and while using threats. The Officer asked for an official complaint form and they became aggressive.

The Officer and the boys submitted the official complaint form to the company for refusal of access to the nightclub. More than a week later, no response had been received from the company, so the complaint form was also sent to Consumer Affairs.

OUTCOME: A month later, it responded that the company was compliant with rules on refusing access and that they had made those conditions visible to the public. After performing the appropriate checks, it did not acknowledge the grounds for the claim, and added that it may have boiled down to a misunderstanding.

Subsequently, we received notice from the Consumer Affairs Service that the complaint was being shelved.

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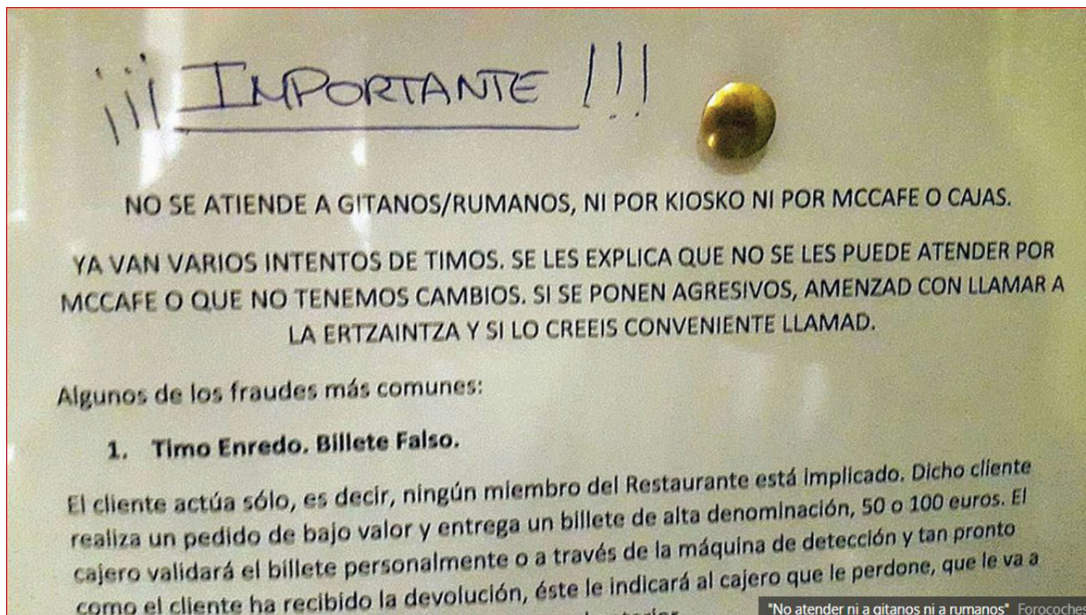
**Vitoria. Access to goods and services. Direct discrimination.**

FACTS: An employee of a hamburger chain published a photo of an internal memo on the company noticeboard stating, "PROHIBITED TO SERVE GYPSIES/ROMANIANS AT THE KIOSK, MCCAFFEE OR COUNTER". The memo went viral on social media

INTERVENTION: FSG tried to ascertain where precisely in the Basque Country this took place. The Equality Department and the FSG Vitoria office, in conjunction with other organisations, sent a letter to the company headquarters asking for an investigation into the discriminatory instruction and for the appropriate action to be taken.

A political party also submitted a question to the Basque Parliament asking for an investigation into the alleged discrimination in the restaurant.

OUTCOME: Positive. The restaurant chain issued a public statement apologising for the internal memo that had appeared in one of its establishments in the Basque Country. It stated that the employee responsible for the memo had been dismissed.



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### 31. Jerez de la Frontera. Access to goods and services. Direct discrimination.

**FACTS:** Four Roma girls went to a nightclub in Jerez de la Frontera. When they approached to enter, the doorman asked them if they had an invitation, and said that they could not come in without one. One of the girls, who had gone to the nightclub on other occasions with people who were not of Roma ethnicity, told the doorman that she had never before been asked for an invitation. The doorman said that he was sorry and asked them to leave the queue. The girls waited for a friend, who was not Roma, who was inside the nightclub already as she had a VIP card. While they waited, the girls saw that the doorman was not asking for any kind of invitation from people entering the club. One of them approached the doorman and asked whether he was also asking them for an invitation. The doorman answered, very rudely, *“we can fit 1,600 people in here and there’s space for 400 left. I decide who does and doesn’t come in”*, and added that he did not let them in because he did not feel like it.

**INTERVENTION:** The girl asked for an official complaint form. The other doorman gave her the official complaint form; as she was completing it, the girls asked them to write the company’s name and VAT number on it and the doorman refused to, saying that the stamp on it was sufficient. One of the girls approached a nearby officer of the National Police and told him what had happened. The police officer approached the nightclub, called the manager and completed the missing information. The complaint form was submitted to the Consumer Affairs Office.

**OUTCOME:** So far, there has been no response.

### 32. Córdoba. Access to goods and services. Direct discrimination.

**FACTS:** A Roma couple went to a local nightclub and were denied entry by the security guard. The couple asked why they were not allowed in, to which the guard answered because he did not want to let them in.

The girl, who at the time was doing an internship at FSG’s Córdoba office, told the Equality Officer what had happened. According to the girl, it was not the first time that the place had not allowed Roma people to enter.

Although the girl knew her rights and knew that she could ask for an official complaint form or speak to the manager, she did not because they were with some friends and did not want to “ruin the night”, and she was embarrassed.

**INTERVENTION:** The Officer spoke to employees from the same chain of premises, although from different establishments, and they said they were unaware of anyone being refused entry to their premises. The Officer offered to pursue further action for the girl, but she declined.

**OUTCOME:** The girl did not want to pursue further action for fear of retaliation by the company. FSG will continue to monitor the business.

### 33. Ciudad Real. Access to goods and services. Intersectional discrimination.

**FACTS:** A charity that was giving out food vouchers in exchange for attendance at talks told Roma recipients that they had to go to a certain supermarket, but they had to go on their own and without children because there had been thefts in that supermarket. The Roma woman who received the discriminatory instruction spoke with the senior people in the charity, who told her that if she wanted the vouchers, she had to accept those conditions.

**INTERVENTION:** The Equality Officer informed her of the actions available to her.

**OUTCOME:** The woman did not want to pursue further action for fear of losing the vouchers.



**34. Almería. Access to goods and services. Direct discrimination.**

FACTS: A Roma girl working for a company that collaborated with FSG was looking for a space to rent to hold a training session. She contacted the owner of a former training academy to rent a space, and the owner asked who the training was intended for. The girl responded that the training was for Roma people, and the owner responded that she did not rent to *"those people because they cause problems"*.

INTERVENTION: The girl told the FSG employment officer what had happened, who made the Equality Officer aware. She contacted the girl and informed her of her rights and possible options.

OUTCOME: The girl did not want to pursue the issue further.

**35. Teruel. Access to goods and services. Instructions to discriminate.**

FACTS: FSG contacted the manager of a property agent in Teruel about the possibility of renting premises to open an FSG office. They agreed to rent a particular premises, but the contract was not completed by the agreed date. FSG called the agent, but there was no response. Colleagues discovered that the premises had been leased to someone else. Since we had no response from the property agent, two FSG employees went to the agent's offices, where the manager explained to them, "the husband and the father of the owner do not want to lease the premises because they do not want gypsies in their building, because they might make some of the neighbours feel unsafe".

INTERVENTION: Due to this being the decision of a private individual, it was decided not to pursue any action.

**36. Puertollano. Access to goods and services. Direct discrimination.**

FACTS: A Roma man purchased a second hand car from a dealership, paid for it and completed all the necessary paperwork. When he went to take the car away, the dealership's salesperson told him that he could not do so until the change of ownership paperwork had returned. A few days later, the papers arrived and the man went to the dealership to collect the car. One of the employees told him that his boss had told him not to hand over the car until he had insurance. The man responded that the insurance was not his concern and that it was being processed, to which the employee responded: *"you gypsies all drive without insurance and I'm fed up with it. You're not taking the car until you've got insurance"*. The man asked to speak to his manager, and when he arrived, he was told very rudely that he was not allowed to take the car and that the conversation was over.

INTERVENTION: The man left and told the Equality Officer what had happened. She informed him of his rights and the options available to him.

OUTCOME: The man did not want to pursue any further action.

**37. Murcia. Access to goods and services. Intersectional discrimination.**

FACTS: A young male worker from the FSG employment programme "Currélatelo" went to a supermarket with his friend and the friend's baby, who was sleeping in a pram. When they arrived at the supermarket, his friend mentioned that she had to leave the pram outside, because Roma women were not allowed in with them. The boy was stunned, and asked a supermarket assistant if they could enter with the pram. He was told: *"Roma ethnicity people are not allowed in the supermarket with prams, because there have been a number of thefts by Roma people"*. At that precise moment, in the queue to pay there were two women, not of Roma ethnicity, who both had prams. The boy asked the assistant why those two women, who were not Roma, could enter the supermarket with the prams but they could no. The assistant replied that they had suffered a number of thefts by Roma people in the area, to which the man responded: *"What does that have to do with it?"* He added, *"It is quite right that if someone steals something, they are reported and not allowed into the establishment, but we haven't done anything and we just want to do our shopping"*. The boy added that what they were doing was



discrimination and violated their dignity, by not allowing them to enter with a pram because they were Roma. The assistant said that he was sorry but in that store they steal and that was their policy.

**INTERVENTION:** The young people left the supermarket and told the Equality Officer at the office what had happened. Eventually, they decided on an awareness strategy by seeking employment in the supermarket, presenting the FSG's programmes, the activities we carry out and the areas in which we act, and explaining our work to defend the rights of Roma people in situations of discrimination. The company reacted very well to our proposals.

**OUTCOME:** Positive. People applied for jobs in the supermarket and we managed to make it a collaborator: they hired a female pupil for occupational training as a supermarket assistant. The pupil performed a work placement in the supermarket and was considered to have performed very well. The company considered the pupil's CV for possible vacancies. The anti-discrimination awareness was also effective.

### 38. Murcia. Access to goods and services. Instructions to discriminate.

**FACTS:** Two Roma boys who had participated in the Acceder employment programme were in a well-known nightclub in the city centre, and went to the bar to order drinks. As they did, the doorman, who had allowed them to enter, asked them to go out to the entrance. They went with the doorman to the entrance, and once they were outside, they asked the doorman why they had been removed. He responded: *'I'm sorry guys, but my boss has told me I can't let you in'*. The boys were appalled and said that they didn't understand; they had not caused any trouble or done anything inappropriate, and they were of legal age. They asked why they could not go in, and the doorman answered, *'I know you haven't caused any fights or anything like that, but my boss doesn't want gypsies inside, because you normally all get together and form a group inside, and he has seen you on the cameras and my instructions are not to let you inside. I'm sorry; it's nothing personal. I'm just following my boss's orders.'*

The boys felt humiliated and embarrassed in front of the other customers of the nightclub, and decided to leave and go somewhere else that would let them in.

**INTERVENTION:** A few days later, they contacted the Equality Officer and told them what had happened. She interviewed them and informed them of their rights and how to exercise them. They eventually decided to test out the same club to see if they would be refused entry. When they approached the entrance of the club, the doorman refused to let them in and they asked for an official complaint form. Initially, that was refused and the boys warned the doormen that they had the right to a complaint form and if they were not given one, they would phone the police. The doormen then gave them a complaint form and the boys told them that they were being refused entry merely because they were Roma.

**OUTCOME:** The Equality Officer sent the complaint form online to Murcia City Council. To date, no response has been received.

### 39. Cáceres. Access to goods and services. Direct discrimination.

**FACTS:** FSG organised a youth event in Cáceres. The Equality Officer contacted the restaurant opposite the event location to organise catering. The restaurant owner showed his disposition and asked for more information to agree the service, by email. The Officer sent the detailed information requested from the FSG corporate email account. Hours later, the restaurant owner contradicted the earlier conversation to say that, *'for personal reasons I cannot provide the requested service. I thank you for seeking our custom. But I have an event that day that I cannot miss. Many thanks'*.

**INTERVENTION:** FSG decided to test whether the restaurant owner did have a commitment and was not able to cater to them. The restaurant was called to enquire about a booking for a birthday celebration, for approximately 40 people on the same day and at the same time that we requested the catering for our event. The owner responded that that would not be a problem, that the restaurant was available and that he would send photos of the menu to choose our meals.



The Equality Officer approached the restaurant to ask for an explanation. When the Officer explained to the owner that she wanted to speak to him because a few weeks earlier, they had tried to arrange catering but were not able to, the owner apologised repeatedly but failed to give any convincing explanation or the personal reason why he cancelled the catering booking. The Officer mentioned the subsequent booking on the same day and at the same time, but the owner said that was a service on the premises and not a catering service. The owner apologised and offered his services for future events.

**OUTCOME:** No further action was pursued due to lack of evidence, but the restaurant will be monitored for any other sign of discrimination.

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**Torrelavega. Access to goods and services. Direct discrimination.**

**FACTS:** A Roma boy reported on social media that he had gone to a bar in Torrelavega and asked the waiter for a soft drink. The waiter returned after a few moments and told him that he was sorry, but he would not serve him because they did not serve Roma people. The boy, accompanied by his cousins, responded that that was discrimination, and there was no reason not to serve them. The waiter repeated, "in this bar we do not serve Roma people". The boy left with his cousins and decided to record a video telling the story of what had happened, and shared it on social media.

**INTERVENTION:** The Torrelavega Association, which the boy contacted and which has taken up the case, contacted the Equality Officer to ask some questions. The boy decided to file a complaint with Consumer Affairs and also a police complaint about the bar for refusal to allow access to goods and services on anti-Roma grounds.

**OUTCOME:** Positive. A court hearing was held, during which the bar owner apologised and was very remorseful. He acknowledged that he had behaved badly by generalising, because he was afraid of a specific group of young criminals. The victim asked that this kind of discriminatory actions not be repeated with any other Roma person, and the owner promised that he would not again refuse access to Roma people. The prosecution was not pursued as the parties reached an agreement and left satisfied. Currently, many Roma people go to the bar and are treated very well.

**41. Granada. Access to goods and services. Direct discrimination.**

**FACTS:** A Roma girl who was a participant in the Cali programme saw an offer for gel nails for 15 euros in *Mil anuncios* classified advertisements. The advert gave a telephone number to contact via WhatsApp. The girl asked for an appointment and travelled 12 kilometres to attend the appointment, but when she arrived, the nail technician refused to attend her, stating that she was with another customer. When the girl asked why she could not have the nails when she had booked an appointment, she was told "because you can't". The girl insisted on an explanation and asked if it was because she was Roma. The nail technician told her to stop harassing her and the girl left very upset, feeling inferior and powerless. She called the Equality Officer and told her what had happened and how upset she was about it.

**INTERVENTION:** The Equality Officer contacted the nail technician and asked for a nail appointment, with the intention of having a conversation with her and asking her to explain why she treated the girl as she did and why she refused to apply her nails.

The Equality Officer attended the appointment with the girl. When the nail technician saw them, she was surprised to see the girl. The girl asked why her appointment was cancelled and she was refused service, and asked for an official complaint form. The nail technician said that she was a private individual and did not have any kind of operating licence. The Equality Officer told her that she could not wait for people to arrive before cancelling appointments and that she could not do so based on what people look like or their ethnicity, since that would be refusing goods and services for discriminatory reasons. The nail technician acknowledged that she had not done the girl's nails and that she had been hasty. She apologised and said that the girl's ethnic features had scared her. The Equality Officer stressed that she must not judge people because of prejudice and that the girl was very upset by her discriminatory treatment.



**OUTCOME:** The nail technician apologised, admitted her mistake and even offered to the girl's nails free of charge.

The girl was satisfied with the apology. She also sent a letter to *Mil anuncios* asking them to remove the advertisement because it violated the ethics policies that all media outlets and classified sites must adhere to, not to allow adverts from individuals or companies that discriminate against certain people or collectives. A copy of that letter was sent to the nail technician to make her aware of the request. *Mil anuncios* removed the advert.

#### **42. Santander. Access to goods and services. Instructions to discriminate.**

**FACTS:** A Roma man told the Equality Officer that he was doing the shopping in a supermarket and noticed that he was being looked at by certain checkout assistants. The man thought it may have been because he was Roma, because he has ethnic traits that may be associated with Roma people. When he had finished shopping, he went to the checkout to pay and realised that they were doing something strange with the bags and his shopping. He paid for his shopping and picked up the bags to leave. He headed to the exit, but as he left, the security alarm began to sound. Two checkout assistants approached him and insisted that he remove his jacket and show them what he had in his bags. The man did so, explaining that he had paid for his shopping. One of the assistants responded that they were only doing their job. Then, the man realised that a lose alarm had been placed in one of the bags, to go off when he passed through the exit. The assistant picked it up and kept it, in front of the victim. He told the checkout assistants: *'Don't you think I know what you did? You saw that I'm Roma and assumed that I was going to steal something...'*. The assistants responded rudely that they were just following instructions.

**INTERVENTION:** The Equality Officer informed the man of the options available to him, ranging from speaking to the supermarket manager to filing a complaint with Consumer Affairs. The man decided to speak to the checkout assistants and told them that if something like that ever happened again, he would file a complaint.

**OUTCOME:** He did not want to pursue any other channels unless it happened again. He has returned to the supermarket on a number of occasions and the situation has not been repeated. He says that he is now treated correctly.

#### **43. Talavera de la Reina. Access to goods and services. Intersectional discrimination.**

**FACTS:** A girl of Roma ethnicity went with her aunt to the opening of a cosmetics establishment in a shopping centre. The child was searched in front of other customers, and accused of having taken a lipstick. The child's family were not called at any point and their consent was not sought to search her. When the parents found out what had happened, they went to the shop and asked for an explanation for why their child had been searched, and not anyone else. The duty manager apologised, as did the general manager, but both had an arrogant and defiant attitude towards the child's family.

**INTERVENTION:** The Equality Officer informed the mother of the possibility of sending a letter to the shop's manager.

**OUTCOME:** The mother did not want to pursue any further action, as she said that they returned to the shop and were treated well.



#### 44. Gijón. Access to goods and services. Instructions to discriminate.

**FACTS:** After having dinner one evening, a group of couples went to a bar in Gijón, but the doorman would not allow the Roma people to enter, although everyone who was not Roma was allowed in. Surprised at the behaviour, they asked for an explanation and the doorman said, *"The boss doesn't want gypsies in because there have been some problems with stolen bags"*.

One of the girls, who could not believe what was happening, asked for an official complaint form and the doorman refused to give her one. The girl kept calm and called the local police, who arrived and took statements, and informed the girl that she could file a complaint with the national police head office. Once they clarified their position with the local police, they left the premises. The next day, the girl went to the offices of the national police force to file the complaint. She was asked why she wanted to make the complaint, and replied that it was for refusal of entry to the premises. The police officer told her that the complaint had to be made to the local consumer affairs department. The girl explained that this was a complaint on the basis of discrimination and that the local police had recommended that she attend the national police station. Even so, the police officer insisted that she could not make a complaint there. The girl left without filing a complaint, even though she was unhappy about it. She went to the local police station and told them what had happened. Eventually, she decided to hire a lawyer and to file a complaint before the Gijón duty court.

**INTERVENTION:** The girl and her partner attended the FSG office in Gijón and told them what had happened. The FSG Equality Department advised them about their court proceeding. The couple wanted FSG to pick up the case as a discrimination case.

**OUTCOME:** The case is ongoing and awaiting a decision.

#### 45. Puertollano. Access to goods and services. Direct discrimination.

**FACTS:** Two Roma boys went to a bar and were refused entry by the doorman. They asked why they could not enter and were told by the doorman that a private event was being hosted. Just then, an acquaintance was leaving and the boys asked if there was a private event. She responded that there was not. The boys insisted that the doorman give the real reason they were not allowed to enter. He responded, "The owner says no today." One of the boys warned the doorman that he would come back next week and if they were not allowed to enter, he would report him. The doorman responded: "quite right—those are your rights, you can do what you want." One of the boys said that he did not understand, because on other occasions he was allowed to go in. The doorman responded, "OK, but the other one can't because he called the police". The doorman recognised one of the boys who had reported another nightclub for refusing entry on ethnic grounds.

They asked for an official complaint form and the doorman refused to give them one. Just then, a local police car was passing. The boys called them over and told the police officers that the doorman was not letting them in, stating that there was a private event. They boys argued that was just an excuse and that, in fact, they were not allowed in because they were Roma, and they had been refused an official complaint form. The police officer responded that that was their version of events, but it was more likely to be that "they had caused trouble and got into fights". The boys said that they had not done anything, and they were sure they were not being allowed in because they were Roma, as had happened in other nightclubs. The police officer parked his car and got out to talk to the doorman and the owner of the nightclub, and then to the boys, and said to them: "Look, you're not users of the premises, you're not customers and you haven't gone in. That's why they won't give you a complaint form and I am not going to waste time on you". The other police officer said that if they thought their rights had been violated, they should file a report at the police station. The boys told the police that they were entitled to a complaint form, but then left.

**INTERVENTION:** Days later, the young people returned to the pub and once again were told they were not allowed to enter "because they called the police". The young people then sought out the FSG Equality officer and told her what had happened. They considered various strategies and, eventually, as all they wanted was to be able to go into the bar, they decided to send a letter of complaint to the nightclub owner. The Equality Department sent a letter explaining what had happened and asking that they be allowed to enter the bar like any





other citizen, without discrimination either due to ethnicity or in response to have reporting other premises for refusing access to goods and services due to discrimination.

The Equality Officer also contacted the local police inspector to inform them of what had happened, how the police officers had acted and to tell them that a letter of complaint had been sent to the nightclub owner. The inspector promised to investigate who was on patrol that night, to verify that the officer had acted as reported, and also promised to talk to the owner and to inform FSG of what happened.

A few days later, the inspector contacted the Equality Officer and told her than he had spoken to the nightclub owner, who said he had not received the letter, in spite of our having received the notice of delivery by the post office. The inspector also said that the owner was very angry for the police having said anything to him at all. The inspector said that he could not behave how he was behaving. The bar owner was very annoyed.

**OUTCOME:** A few days later, one of the boys went to the bar to see if he could go in, and he did with no problems. Since then, the boys go to the bar and are very happy with the outcome.



## Cases of discrimination in education

### 1. Ciudad Real. Education. Direct discrimination.

**FACTS:** Two pupils in upper infant education informed the Ciudad Real FSG headquarters that a teacher of expression and communication said in one of her classes that she has a "class of gypsies", because they did not learn or let their classmates learn, and that she had tried to do something about it but they were impossible to teach and she was giving them exercises to make them better behaved.

**INTERVENTION:** FSG spoke to the school's management, guidance and head of studies to offer our service, introduce the Calí programme and encourage them to discover Roma community history and culture in their classrooms. We offered to give students and teachers awareness talks.

**OUTCOME:** We gave a training session to upper grade teachers, which was very well received.

### 2. Jerez de la Frontera. Education. Direct discrimination.

**FACTS:** A Roma woman called the Jerez Equality Officer to tell her that at her child's school library, the children's book "Los Lagartijos" by Alejandra Vallejo-Nájera, published by Editorial Alfaguara, included the following comments: "He's a dodgy one! Dodgier than the dirt on a gypsy."

The woman was offended and uncomfortable because all the pupils had access to that book, and it projected a negative image of Roma people.

**INTERVENTION:** FSG confirmed that the book had the comments as stated by the woman, and sent two letters of complaint –one to the library asking for the book to be withdrawn and another to the publisher, asking to forward the complaint to the author.

**OUTCOME:** To date, no response has been received by the publisher or the school.

### 3. Huelva. Education. Direct discrimination.

**FACTS:** A Roma student contacted the Huelva Equality Officer and explained that one of her online exams at the Iberoamerican University Foundation in Barcelona, she found a negative text about the Roma community. The text was:

*"As you known, Besty, my interest in gypsies has grown so much that I wouldn't be surprised if I turned out to be a specialist like Borrow –talent and bibles apart. I'm not a professional writer and obviously do not pretend to be.*

*Naturally, these "calé" people (with dark skin) are fascinating. They would be even more if they ever washed, but they have declared war on water. At birth, many were washed with wine, so an old lady used to say. With wine and not with water. They called wine "the grace of God", "the blood of Christ", "the Virgin Mary's milk" and much more. But these people are difficult to understand. Not only when they use their own idioms, but when they speak real Spanish. For example, for weeks I have been trying to find the meaning of the word "paripé". From Saint Isidore's Etymologiae to the Dictionary of Authorities and the Royal Academy, it doesn't appear. (La tesis de Nancy, Ramón J. Sender)."*

**INTERVENTION:** The FSG Equality Department sent a letter of complaint to the management of FUNIBER for including a negative and insulting text about the Roma community in a university exam.



OUTCOME: Positive. The coordinator of the master's programme answered our letter and recognised that in terms of perpetuating stereotypes, the choice of text was unfortunate and given the wide range of texts available, it would be preferable to choose another. She asked us to take into account the context of the novel, set in Spain in the mid-20th century, and that the comments came from a character in the novel. Likewise, she told us that its review and replacement had begun, and apologised for unintended discomfort it may have caused.

#### 4. Huelva. Education. Direct discrimination.

FACTS: During a break between classes in a high school, an argument occurred between two female pupils, one of Roma ethnicity and the other not. When the teacher arrived, the Roma pupil was in her seat, shouting, and the other pupil was standing, very aggravated and also shouting. The teacher told the latter to leave the classroom to calm down, but she said that she did not want to leave. The teacher told her, "Don't pay attention, you know what they are like", referring to the Roma pupil.

INTERVENTION: The Roma pupil went to FSG with her mother and told us about the teacher's comments. We asked for a meeting with the director of studies, the family, the teacher and FSG officers.

OUTCOME: Positive. At the meeting, the teacher said that she had not made the comment consciously and apologised both to the child and to the family. The child promised to work on autonomy and conflict resolution.

The FSG officers also offered to give an awareness workshop.

#### 5. Murcia. Education. Direct discrimination.

FACTS: At a meeting between the FSG Promociona education programme coach with the tutor of a Roma pupil at a state primary school, the coach said that the pupil's academic performance had suffered greatly, he had developed poor behaviour and a bad attitude and was fighting with classmates and throwing insults. The FSG coach explained that he was going through a difficult family time, and that might be behind his behaviour. The teacher responded that many pupils have difficult home lives and do not misbehave. She insisted on the boy's poor behaviour and aggressiveness and emphasised that *"the apple didn't fall far from the gypsy tree" and that an acquaintance who was a street cleaner said that "Roma people throw their rubbish on the street"*.

INTERVENTION: FSG proposed raising greater awareness with the tutor in each meeting and her participation in school activities to offer information about Roma culture and history.

OUTCOME: Positive –the school is implementing this awareness strategy.

#### 6. Cuenca. Education. Direct discrimination.

FACTS: The mother of a Roma pupil approached the supervisor of the school to tell her that another pupil had called her son *"bloody gypsy"* and that she was not prepared to tolerate such comments. The supervisor and the mother spoke to the girl who had made the insults, and although initially she did not admit it, eventually she accepted that she had and apologised. The supervisor assured the mother that the girl would not make such comments again and that she shouldn't dwell on it since *"you Roma women are very..."* making exaggerated gestures with her arms. The mother asked what she meant by that comment, to which the supervisor responded that she did not mean to say anything bad, but she wanted to avoid an argument.

INTERVENTION: The FSG Promociona education programme coach was informed of the case, and they interviewed the school counsellor, who assured that such comments are rare in the school, but nevertheless they would pay attention.



Moreover, a Roma ethnicity teacher from the school also said that the comments were unusual, and that the school treated all pupils equally.

**OUTCOME:** Positive. The Promociona education programme was implemented in the school and they are working on these issues with pupils.

### **7. Málaga. Education. Direct discrimination.**

**FACTS:** The FSG employment officer attended classes in a language school. In the class, each person was asked where they worked and the employment officer explained that she worked at FSG. Some of the people in the class were surprised and made certain comments about the Roma community, full of prejudice and negative stereotypes, such as: *"Roma children are truant"*, *"most Roma sell drugs"* and *"they don't integrate into society"*. The FSG officer noticed that the majority of people making these comments were highly educated with university degrees.

**INTERVENTION:** The employment officer felt uncomfortable and explained the programmes that the organisation offers, and offered to provide training on Roma culture and equal treatment of this group, but they would not take it up.

**OUTCOME:** Negative, since they were not interested in the training or awareness raising.

### **8. Zamora. Education. Direct discrimination.**

**FACTS:** At a Zamora school, a secondary teacher approached a Roma pupil and began to make discriminatory and racist comments about Roma people. The comments were: *"Gypsies are only good for collecting pay-outs. Gypsies all carry knives. When have you ever seen a gypsy doctor or lawyer..."*

The pupil felt discriminated against and did not know how to respond. At the end of the day, she told her parents, who went immediately to the school to ask for an explanation and tell them that that was not the kind of school they wanted their child to go to.

**INTERVENTION:** FSG Zamora informed us that the girl's parents spoke with staff from the province's Education Directorate. A meeting with the school faculty was requested, in which we were told that the teacher had already sent a written apology and that case was being monitored, with a view to potential legal action.

**OUTCOME:** The staff at the school supported the family, apologised and said that they hoped it would not happen again. The teacher also apologised.

### **9. Don Benito. Education. Direct discrimination.**

**FACTS:** The father of a pupil at a school informed FSG in Don Benito that for a considerable amount of time, during break time Roma pupils were not included in playground games. Some pupils said that the Roma children had "gypsy virus and bacteria" and used that as an excuse not to touch them.

**INTERVENTION:** FSG in Don Benito asked for a meeting with the Director of Studies, who told us that she would tell all the teaching staff to be attentive to behaviour during break time. The Director of Studies instructed the teachers to communicate in each classroom that this kind of occurrence was not acceptable, and was discriminatory and affected other pupils.

**OUTCOME:** Since doing so, the behaviour has not been repeated on the playground, which means that the intervention had a positive effect.



## 10. Madrid. Education. Direct discrimination.

**FACTS:** A member of staff at FSG told the Equality Officer about what had happened in French class to a child who was a pupil in the FSG Promociona education programme. The teacher asked a Roma boy and girl in class why they had their jackets on. They answered that they were cold, to which the teacher said in front of the rest of the class: "cold is what my niece is, in a school with no heating. You have heating here, which is paid for by me". She went on to say: "They take thousands of euros off me every year for people in need, like you, to pay for the heating and your desk and chair.... *you have a desk and a chair and you don't make the most of it. You leave at 16 because your mothers get money... you are needy and you live off the state, you're parasites of society.*" According to the pupils, they repeated the word parasite two or three times. The teacher continued to scold the children, asking them: *"Have you got your place for next year? I am the head of this school and I won't let you in. Bring your parents in, I'll put them straight..."*

The girl said that they did not respond to the teacher at any point, but told their tutor, who told them they could report what had happened.

The girl's mother told the Promociona coach what had happened, and the coach met with the school Principal to ask about the incident, but the Principal said she was unaware of any incident having occurred, but promised to gather more information.

**INTERVENTION:** The education coach and the Equality Officer met with the pupil, who confirmed the incident as told by her mother, and that various non-Roma classmates had mocked her following the comments and being called "parasites". She also told them that the family of the other pupil had gone to the school with the same complaint, but the school had failed to respond.

The pupil's family wanted them to recognise what had happened and asked for an apology for the teacher's comments and behaviour.

FSG verified that the pupil's version of events matched that of the mother and that the school had not provided any explanation to the families, in spite of the other pupil's family having sought one.

FSG asked for a meeting with the teacher and the principal of the school. The meeting was attended by the Promociona Officer and the Equality Officer, as well as the teacher and the principal of the school. The teacher seemed very anxious throughout, continually repeating: *"Our school, of which I am the Chairperson, is a model of integration, where we do not discriminate against any race"* and adding, *"I had black people and homosexuals in my house when nobody wanted them."* To show that she did not discriminate against Roma people, she said, *"I used to go flamenco dancing with my dad in the Sacromonte caves."* Then, the teacher got up and left to find two pupils, both Roma, and asked them in an intimidating manner if they had ever felt discriminated against and if she had ever treated anyone differently because of their "race". The pupils, who do not belong to the same class as the two who received the discriminatory comments, said no. Then, she called over the Roma pupils who had been subject to the comments, and started to ask them questions in the same intimidating manner: *"At what point have I discriminated against you? Have you seen the trouble you have caused?"* She continued, *"I called you parasites, but I was referring to all the pupils who don't work, like I said that I pay for the heating, the desks and the chairs, not just yours but everyone who doesn't work"*. The principal nodded and supported the teacher throughout, who was also the chairperson of the cooperative.

The teacher acknowledged that she had been very hard on them, and her version of the story matched that of the victims. FSG considered it to be a case of discrimination, with stereotyped comments and lots of prejudice, as well as authoritarian and intimidatory treatment towards the pupils. We had a conversation with the mother, who was very concerned and looking for support and advice. She was informed of the meeting and the potential action she could pursue, with the support of FSG. The mother was concerned about the potential retaliation that the teacher could take against her child if she reported it, and she does not want to change schools because the school in question is near her house and her daughter has made friends there.



In the months that followed, FSG followed up with the pupil's mother to find out what was happening and whether she wanted to pursue any action.

**OUTCOME:** The mother said that the teacher's relationship with Roma pupils was good and had improved, and that there had not been any other incidents.

The mother was very grateful for FSG's liaison with the school, because since then the teacher has behaved very well around her daughter and the other Roma pupil. As such, she did not want to pursue any other action.

### 11. Córdoba. Education. Direct discrimination.

**FACTS:** A Roma woman contacted the Equality Officer and told her that her daughter, who was a minor, had suffered harassment and assault from other pupils in the school. The parents were convinced that she was being harassed because of her Roma ethnicity. The mother discovered that other children had hit her daughter, so she spoke to the mothers of the children involved and they assured that it would not happen again and asked for a meeting with the tutor to talk about the issue. The tutor said that she did not have time to accommodate the meeting. The woman then sought a meeting with the principal on multiple occasions. The principal refused to meet the mother and, in an argument, threatened to call Social Services to have her children taken away from her.

**INTERVENTION:** The FSG Officer and Education coach held a meeting with the mother, who told them that the principal was very rude to her and refused to meet her; she thought that it was because they were a Roma family. In addition, the mother stated that her son is at the same school and is frequently punished and disciplined.

FSG offered the mother various options, such as going to the school and mediating between her and the principal, to propose an awareness session in the school.

**OUTCOME:** Neither the mother nor the father wanted to pursue mediation and preferred to change schools. FSG followed up on the matter from an education perspective, as well as in terms of the children's treatment in the new school. The mother said that her son moved up to high school and that her daughter was better and had shown interest in the Promociona education programme.

### 12. Santander. Education. Direct discrimination.

**FACTS:** A Roma woman told the Equality Officer that the way her son had been treated by his school principal and one of the secretaries she considered to be unfair and discriminatory. One day, the secretary called him on the way out from class and told him, *"you're all the same"* for arriving five minutes late, and added *"I'm going to report you to social services to have custody taken away"*, and went on to say, *"Next time you arrive late I'll take you to the Civil Guard"*. When the woman arrived at the school, the secretary shouted to her and repeated some of the same comments in front of the other mothers who were there. She asked to speak to the principal, and the secretary refused, saying that he did not get involved in those sorts of things.

The mother also told the Equality Officer that the principal had told her son, *"Next year you won't have school meals paid for and you won't be able to eat at school"*.

**INTERVENTION:** FSG sent an email to the school principal to ask for a meeting and to be able to mediate. The principal immediately responded that the child was perfectly integrated and there was no need for a meeting about it. The next day, the Equality Officer sent another email and insisted on the importance of having a meeting. There was no response.

FSG contacted the absenteeism coordinator of the Cantabria Education Department and asked about the child. The coordinator provided information about the child and told us that the boy has a very low absence rate of 9%, which is not recognised as absenteeism because it has to be much higher, and in recent months he had not missed any school at all.



Having not received a response from the principal, the Equality Department sent a letter setting out our concern about what the mother had told us about her son. A few days later, the principal responded to the letter, denying that the comments were made and alluding to other family situations such as the child's absenteeism, but offered us the possibility of holding a meeting after the summer. We monitored the child's situation and the mother told us that the situation had improved.

**OUTCOME:** At the end of the summer, we sent an email to the principal to remind him of the meeting. When we received no response, the Officer called the school and spoke to the principal, who said that the amount of emails and letters he had received for such a minor incident was excessive. He told us that he was very busy due to problems with the Education Department, but that he would agree to a meeting. Finally, the mother told us that she had met with the principal and that the situation had improved. The mother was very satisfied with the outcome.

### 13. Cuenca. Education. Direct discrimination.

**FACTS:** After a meeting with the principal of a secondary school to present the programme, the Promociona education coach asked the Equality Officer about the possibility of holding awareness sessions with principals and teaching staff. She asked for the sessions due to a series of comments that the school principal made about the Roma community, such as, *'Maybe the fact that Roma kids don't study or leave secondary school early is something genetic.'*

**INTERVENTION:** The possibility of awareness sessions in the school was considered in conjunction with the Promociona team. It was proposed to include the sessions in the next school year.

**OUTCOME:** The response was positive, as the school agreed to hold the sessions and scheduled the dates.

### 14. Cuenca. Education. Direct discrimination.

**FACTS:** The Promociona programme coach told the Equality Officer that in a meeting with a school counsellor to present the programme, the counsellor made comments such as "enrolling a Roma girl in the school is an excuse so that the girl lives in Cuenca, but most Roma people just want to get married, because that's what they do."

**INTERVENTION:** The FSG coach answered that that was a stereotype and a generalisation of the Roma population, and that it was not right to say something that was not true. The counsellor said that she thought that way because of her own personal experience.

**OUTCOME:** Follow-up meetings were held with the counsellor, and she did not make such comments again; her language has changed and she is more positive, and does not make generalisations about all Roma girls.

### 15. Córdoba. Education. Direct discrimination.

**FACTS:** Fernando (not real name), a Roma boy who has a brother participating in the Acceder programme, was in geography class. The class was becoming rowdy, so the teacher told them, *'If you don't work hard you will end up like Fernando's parents, who are street sellers'*. The child, who suffers from heart problems, felt very upset about what the teacher had said in front of the whole class, and arrived home crying, had a panic attack and said that he did not want to go back to school because he would be laughed at.

The boy's sister contacted FSG and the Equality Officer called his mother to find out what had happened. The mother was very upset about what had happened; the boy had gone to the doctor because of the anxiety he was experiencing following it. The mother said that all she wanted was for her son to feel better, and that would be possible with an apology and a promise that it would not happen again.



**INTERVENTION:** FSG told the Director of Studies what had happened, and she called the teacher, the family and the Equality Officer into a meeting to discuss the incident and a solution. The teacher was responsive and admitted to being unaware of the damage that had been caused. She said that it was not her intention to offend the child, and that all she wanted to do was make the class aware of the importance of studying.

**OUTCOME:** The teacher repeatedly apologised to the mother and the child, and promised to take better care with the messages and language used with pupils. She even asked if FSG could hold some kind of awareness session with the class. Both the family and the teacher showed their satisfaction with the outcome of the meeting.

#### **16. Cuenca. Education. Direct discrimination.**

**FACTS:** A pupil from a social integration class said in a conversation with a Roma pupil: *"The Roma population never makes any advances; all Roma men are chauvinists who beat their wives and are racist to any other ethnicity."* The FSG Equality Officer heard the comments. The pupil said that his house was in the neighbourhood with the largest Roma population in Cuenca, and that *"Roma people don't know how to live harmoniously and reject everyone who isn't Roma"*.

**INTERVENTION:** The Equality Officer asked him not to make those kinds of stereotyped, prejudicial comments, which portrayed all Roma people negatively. She explained the diverse nature of the Roma population, in the same way as the non-Roma population, and that chauvinism is structural in society as a whole, including Roma and non-Roma.

**OUTCOME:** At the end of the conversation, he said that it was not his intention to generalise. The Officer also passed on the comments to teachers at the school and recommended some awareness sessions on equal treatment and anti-discrimination. The teachers thought this was a good proposal and agreed to find some dates in the next term for the various classrooms.

#### **17. Linares. Education. Direct discrimination.**

**FACTS:** The mother of a Roma child attended an appointment with her child's tutor to discuss behavioural problems. The appointment lasted a number of hours and was attended by teachers, the principal and a police officer, who made various racist comments about the Roma population. The woman was very concerned about how the meeting went, and told the Equality Officer what had happened.

**INTERVENTION:** A number of options were considered and it was decided that FSG would call the school. The Officer called the school and contacted the tutor, who apologised and explained that the police officer present at the meeting was the principal's husband.

**OUTCOME:** The woman accepted the school's apology and was satisfied.





## Cases of discrimination in employment

### 1. Jerez de la Frontera. Employment. Direct discrimination.

**FACTS:** In one of the FSG training sessions, a Roma woman told a story of some anti-Roma comments that her work colleagues made about Roma customers. Although the comments were not directed towards her, she felt discriminated against, and her colleagues knew she was Roma. She repeatedly politely asked for the comments to stop.

**INTERVENTION:** The Equality Officer supported and advised the victim, and advised her to share with her colleagues the service that FSG provided to assist victims of discrimination and actions pursued to combat discriminatory comments and attitudes.

**OUTCOME:** Positive. The woman was called to follow up and she informed that the comments had stopped.

### 2. Lorca. Employment. Direct discrimination.

**FACTS:** An acquaintance of a Roma boy asked if he was interested in working to pick lettuces, and told him how much he would be paid. The boy accepted. The acquaintance called the manager and the manager asked if he was Roma, to which he responded that he was. The manager said that a number of Roma people were working in the business and that he had had a fight with one who had picked a poor quality lettuce, so the business owner asked him if he was blind. The situation got physical, so the boss fired all the Roma people working there at the time. The boy asked if everyone was going to be punished for the actions of one person, and the boss responded, "Even though not all Roma are the same, I don't want gypsies in my business." The boy asked to do a two-day trial, but the boss said no.

**INTERVENTION:** FSG advised him and informed him of his rights, but the boy did not have any information on the company and could not pursue any action.

**OUTCOME:** Negative.

### 3. Linares. Employment. Direct discrimination.

**FACTS:** A Roma girl was working in a supermarket for a trial period. One of the supermarket managers regularly made racist comments to her. Her workmates started to ask her if she was Roma, to which she answered that she was, and days later the supervisor called her to her office to tell her that she had not passed the trial period, even though the trial period had not yet been completed.

**INTERVENTION:** The girl contacted the Equality Officer and told her what had happened. The Officer asked her for certain documentation to see what options were available, taking into account the supermarket currently has two court proceedings ongoing for unfair dismissal.

**OUTCOME:** The girl was convinced that she was fired for being Roma, and the Officer informed her and advised her of the options she could pursue, but she preferred not to pursue any.

### 4. Pamplona. Employment. Direct discrimination.

**FACTS:** A group of 16 FSG participants were carrying out a work placement in a company, as part of a long-term training plan.

The Management Board of the store sent an email to inform the person responsible for the work placements programme at FSG that the placement for the 16 people had ended, because some thefts had been reported on the premises and they had automatically been attributed to the Roma people on placement.



The message that the company sent to FSG was: "A have discovered that a 40-inch TV has been stolen, and we must add that goods were found in the cardboard crates to be collected when they are taken to the rubbish container (sets of sheets, home accessories, etc.). As I said to you earlier, last Wednesday a mobile charger was taken from me while I was in a meeting room. These events are sufficiently serious to make the following decision. The Pamplona store Management Team, led by me, has decided to terminate the work placement of the students of the Aprender Trabajando programme in our company. This decision is unfortunate but we cannot have this kind of people in our organisation, because doing so would be to accept such conduct, and due to its possible spread to our staff. Regards."

**INTERVENTION:** FSG Pamplona held an urgent meeting with participants of the programme, and passed on to them the content of the message and the accusations. The participants firmly denied that they had anything to do with the accusations.

The store manager was contacted and a meeting was arranged with the store manager, the FSG regional director and the FSG employment officer. At the meeting, the store manager admitted he had no proof, but was positive that his employees had not committed the theft and that it was better to "cut off the problem at the root".

The FSG Employment Department called the company's national HR Director, who was aware of the facts and considered them to be of little significance.

FSG informed him of the seriousness of the event, since there was no record of previous similar incidents and there was no proof that the thefts had been carried out by the students on placement. The HR Director was also informed of the repercussions and impact of this on the participants of such an important process in their training, as well as the social impact of being accused of theft in such a small city. The positive view of the company in other locations was highlighted, and that we consider this to be an isolated incident. He seemed understanding, and understood that the incident had not been well handled and proposed a meeting with the technical team in Pamplona.

**OUTCOME:** FSG decided not to pursue further action, given the positive reaction of the company.

## **5. Santiago de Compostela. Employment. Direct discrimination.**

**FACTS:** One of the participants in an awareness session as part of the Cali programme told the Equality Officer that in an interview at a placement agency of the public employment service, the job coach told her: "I don't know why you're in a gypsy programme. It's a pity that you're wasting your time there, because now it's too late for you to sign up to a bakery course that starts next week." The girl felt very demotivated and discouraged from her intention to study.

**INTERVENTION:** The girl was interviewed, and she said that she felt discriminated against. She looked up information about the job counsellor, who has a relationship with the FSG Acceder team, and it seems that she has extensive experience of working with Roma people and immigrants.

The girl was informed of the possibility to file a complaint with the public employment service on potentially discriminatory guidance. A complaint form was requested from the public employment service, which was completed and returned, and the girl asked to be referred to another job coach.

**OUTCOME:** The change of job counsellor was granted, and the girl was very satisfied with the response.



## 6. Málaga. Employment. Direct discrimination.

**FACTS:** A boy who participated in the FSG Acceder employment programme was working in a café. Some of his workmates were mocking the way that Roma people speak. The duty manager made generalised comments that negatively stereotypes the Roma community, such as "gypsies steal" or "gypsies are useless". The boy felt very uncomfortable and hurt to hear the comments.

**INTERVENTION:** He tried numerous times to contact one of the managers of the café chain with whom he had a very good relationship, who, according to the boy, knew what had happened, but it was impossible to find her, either because she was on holiday or because she was not available.

**OUTCOME:** In the end, we informed the boy of basic discrimination concepts and advice on how to exercise his rights.

## 7. Almería. Employment. Direct discrimination.

**FACTS:** A girl told the Equality Officer that she and a friend, both of Roma ethnicity, went to give their CVs to a well-known bar in Almería city. One of the bartenders who was taking the CVs told them that he was "not going to consider them". Meanwhile, another two people, who were not Roma, arrived and handed in their CVs, which the bartender took swiftly and without objection.

**INTERVENTION:** The girl was very hurt by what had happened. Given what had happened, the Equality Officer gave a session to the girl and her group of friends, informing them of their rights and how they could exercise them, through specific action.

**OUTCOME:** The girl and her friends promised that if something similar happened in future, they would exercise their rights.

## 8. Cáceres. Employment. Direct discrimination.

**FACTS:** Two Roma boys were on a work placement in a hotel, when the kitchen staff accused them of stealing 20 euros. The kitchen staff spread their accusation to the rest of the hotel staff and the management. Their accusations could not be proven, but it caused people to speak poorly of both them and other young Roma people who had been there previously.

**INTERVENTION:** Two days after the incident, the Equality Officer asked the two boys to come to an interview. One of the boys was a minor and attended with his parents. The boys' side of the story differed from that of the kitchen staff. As such, FSG contacted the hotel manager and arranged a meeting to hear his version. The manager told the Equality Officer and the FSG job placement officer that this was not an isolated incident but had occurred on previous occasions, so it would not be a factor in future hiring decisions. The manager had no certainty about who had stolen the money, and thought that the kitchen staff had made an accusation with no grounds or evidence.

The Equality Officer advised the boys of their rights when discriminatory incidents happen. One of the boys went to the hotel to speak to the manager and the conversation was satisfactory; he was polite and respectful and he decided not to accuse anyone due to lack of evidence. He has maintained the option of future hirings.

**OUTCOME:** The liaison with the business was positive only in part, because although the manager was understanding, they will no longer accept people for work placements. Although there was no evidence that the boys committed the theft, it was shown that certain hotel staff members did not trust them.



It was eventually decided not to pursue any action against the business. The situation will be monitored, and FSG will try to establish a commitment with the hotel, as the manager indicated.

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**Murcia. Employment. Direct discrimination.**

**FACTS:** The FSG education coach offered the owner of a pharmacy the possibility of a pupil from the Promociona education programme doing some mentoring with her. The pharmacy owner told the coach that she had been subject to thefts from Roma people in her pharmacy and even in her home, and had had a bad experience with a Roma girl. She added that she would be afraid that the girl would rob her, because "gypsies get messed up with drugs." She recognised, "If she wasn't a gypsy, I wouldn't mind doing something like that in the pharmacy."

**INTERVENTION:** After a lengthy discussion, the pharmacy owner acknowledged that she had a poor image of the Roma community, which could be discriminatory. The coach suggested that she speak with the Equality Officer, which both she and her daughter agreed to.

A few days later, the Equality Officer and the education coach met them and talked to them about Roma history and culture. They gave them a copy of the book, *"50 estudiantes gitanas y gitanos en la sociedad española"*.

**OUTCOME:** The pharmacy owner and her daughter eventually agreed to mentor a Roma girl in the pharmacy.

**10. Santander. Employment. Direct discrimination.**

**FACTS:** A woman contacted the FSG Equality Officer and told her that she had been put on sick leave from her company. When she came back to work, for personal reasons she decided to leave her job, and told her manager of her decision. At the time, the manager said nothing. However, a few days later, via WhatsApp, the manager sent the woman numerous voice notes and messages, telling her, "Who do you think you are leaving this job, that says a lot about your kind. Don't go thinking this is some sort of street market –this is a workplace and you should be thankful; you gypsies are all the same". The woman saved all the message and voice notes.

**INTERVENTION:** The woman attended her appointment with the Equality officer, where they listened to and read the messages. They found that she did not have conclusive evidence, although it could be said that the manager had made negative comments towards the employee. When considering the options available, the woman told the Equality Officer that she knew someone who worked for the government and that she could tell them what had happened.

**OUTCOME:** They contacted the person and told them what happened; he promised to look into the company to see if there had been any other similar cases, and to make sure that this never happened again.

**11. Valladolid. Employment. Direct discrimination.**

**FACTS:** A Roma girl who had participated in FSG saw on Facebook a comment left about the company she worked for, which said: "The service this company provides is dreadful; they have no hygiene and the manager is a gypsy."

The woman told the FSG job placement officer, who asked if she would like FSG to speak to her boss. However, the girl decided she wanted to do so herself. The woman talked to her boss, who told her not to worry about the comment, and that it was worse to pay attention to it, so she should leave it alone in the same way they had done on other occasions when someone had made discriminatory comments about someone's disability or gender. They were not going to do anything about it now.



**INTERVENTION:** FSG suggested offering the company advice and information on how to react to discrimination, but they refused.

**OUTCOME:** The woman did not want to pursue the issue further. Fortunately, the comments were removed from social media.

## 12. Jerez de la Frontera. **Employment. Direct discrimination.**

**FACTS:** An FSG participant contacted the Equality Officer and explained that she had experienced discrimination. The woman said that a fellow participant in an employment programme had openly made racist insults about the Roma community. Another participant in the Youth Employment programme asked her if she was Roma, asking, "So, are you a gypsy?" A damned gypsy? Fucking gypsy", adding, "Gypsies are all layabouts selling drugs, and being a gypsy today is retarded, they just want their meal tickets and when they can't be bothered anymore, they just give up." In spite of feeling very anxious, the woman tried to contradict his prejudice, saying, "I am Roma, as are all my family. There are good and bad Roma people, like there are everywhere, including *payos*." Nonetheless, the man continued to make racist insults, while the woman repeated that he was being disrespectful and offensive, yet his response was that he was only giving his opinion.

The woman felt very tense and unable to carry on working, and left in tears and very upset. At that point, the head of the centre asked her what was wrong, so the woman told her and asked that she be allowed to go home early. The woman left feeling extremely anxious.

**INTERVENTION:** The woman told the Equality Officer that she had never experienced anything like that in her life, that she felt awful about it and could not continue to work with such discriminatory people. She asked the Equality Officer to ask for a change of workmate on her behalf, but not to mention her directly, for fear of any retaliation.

The Equality Officer contacted the centre and spoke to the director, with the excuse of asking for an update on a user. The director confirmed what the woman had said, and explained that after the call she received from FSG, she contacted the tutor/trainer and told him what had happened. The tutor recommended speaking to both parties and for the man to recognise what he had done wrong and apologise to the victim, thus correcting his behaviour, so long as the woman accepted his apology. The director followed the tutor's advice and held a meeting with the woman and the man. The man said that he did not have bad intent but had had negative experiences with the Roma community. However, he apologised and said that he was sorry that his opinions had offended her. The victim accepted his apology.

**OUTCOME:** FSG called the woman a few days later to ask if the situation had been repeated, and she answered that it had not. The Director also confirmed that it had not been repeated.

## 13. Málaga. **Employment. Direct discrimination.**

**FACTS:** A member of staff at a hotel contacted the FSG Acceder programme officer, as he had done previously, in order to take on programme participants. Previously, this individual had been in charge of hiring, but that function was now being performed by a temporary placement agency.

The Acceder programme officer sent a participant that was a good fit for the position, and who had already worked in that role. However, the candidate was not selected, and the member of staff at the hotel, who was surprised because the candidate worked with the supervisor and the supervisor knew that she was a good fit for the role, contacted the HR company's supervisor, who responded, "I don't want gypsies here." He added, "That organisation only sends gypsies."

**INTERVENTION:** The Acceder Officer asked if it was possible to arrange a meeting with the Head of Housekeeping of the hotel, who is the person who had asked for people to staff the hotel, and the FSG Equality Officer, to try to find out how the agency had performed the selection process and to corroborate if there had been a discriminatory incident in the selection process.



**OUTCOME:** The hotel's Head of Housekeeping spoke to the agency, and eventually they sent Roma ethnicity candidates.

FSG decided not to pursue any further action, as the conversation with the Head of Housekeeping had a positive outcome, and Roma people had begun to be hired.

#### **14. Cáceres. Employment. Direct discrimination.**

**FACTS:** A Roma woman saw an offer for an at-home help role and contacted the temporary job agency that was advertising the role. After passing the selection process, they told her the address to go to for her work. When she arrived at the home, the owner of the House told her that her daughter would care for her father, not her.

The woman is certain that the owner's decision was because she is Roma, because during the telephone interview she did not disclose it but as soon as she saw her, the hiring person her changed her attitude entirely and decided not to hire her.

**INTERVENTION:** FSG informed the woman of her rights and the actions she should pursue to defend her rights.

**OUTCOME:** In this instance, the woman did not want to pursue any action, but she has found work as a maid, and in the hotel where she now works she told them from the outset that she was Roma, and is now perfectly aware of her rights.

#### **15. Jerez de la Frontera. Employment. Direct discrimination.**

**FACTS:** A film producer published in the media and online an advertisement for specific profiles for a film that would be shot in San Fernando over the summer. Various people of varying profiles were called to the casting call. The advertisement's content was as follows:

"Seeking men and women aged between 18 and 60. Amateur or undiscovered actors and everyday people. Profiles: Roma woman aged 60/70. Roma woman aged 40/55. Roma girls aged 20, attractive and sassy. Woman aged 45 of average appearance. Roma or Arab male..."

**INTERVENTION:** FSG thought the manner and content of the advertisement and the call for certain profiles used sexist and discriminatory language, with a stereotyped advert that is prejudicial to the image of Roma woman and forms a division between Roma women and women of "average appearance".

The Equality Officer contacted a company to consult on the contents of the advert and they told them that they should not be any reference to ethnicity, and that a different filter could be used. Certain women's associations and political parties pressured the Cádiz city council to revoke the premises they had been given for the casting call, which was successful. The casting took place on the street.

A letter of complaint was sent to the production company, to state our objection to the wording of the casting call, with our advice in similar calls to remove any content with negative or stereotyped connotations to Roma women that may damage the social image of the Roma community, specifically the Roma woman.

**OUTCOME:** There was no response from the production company.

The Communications team sent out an ironic tweet about the supposed "average" appearance they asked for in the casting call:

[https://twitter.com/gitanos\\_org/status/874310736402690050](https://twitter.com/gitanos_org/status/874310736402690050)



### 16. Santiago de Compostela. Employment. Direct discrimination.

**FACTS:** A Roma woman who was working as an office cleaner told the Equality Officer that for some while she had been noticing a change in her working conditions, the office becoming dirtier and negative reports through WhatsApp to her boss to complain about her. She is convinced that it all began because, after having worked there for a long time, they identified her as Roma. Before, she had never had any problems.

To check that her working conditions had really changed because of her ethnicity, she asked the owner of a bar that was opposite the office to ask the employees who were patrons there. The owner asked how it was going with the cleaner, and one person said, "Well, she's a gypsy."

Some of her workmates also believe, as she does, that some people have been deliberately making a mess since they discovered that the cleaner was a Roma woman.

**INTERVENTION:** The Equality Officer asked for a copy of her employment contract, and informed and advised her of her rights.

**OUTCOME:** The woman decided to file a complaint in defence of her employment rights, but not on the grounds of discrimination.

### 17. Cuenca. Employment. Direct discrimination.

**FACTS:** A participant in the Acceder programme told the Equality Officer that a charity acting as an intermediary selected her for a domestic worker role. However, when they went to process the documentation at FSG, when signing the contract, the employer refused to go ahead after seeing one of her surnames, which is heavily associated with the Roma community in Cuenca. The manager said that they would not sign the contract because they did not want to hire a Roma woman.

**INTERVENTION:** The Equality Officer interviewed the intermediary charity, with the idea of holding an awareness session and coordinating with organisations to act as one. Both actions were successful.

**OUTCOME:** The victim did not want to pursue any further action.

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### Madrid. Employment. Direct discrimination.

**FACTS:** A girl contacted FSG in Madrid and told them that she was going through a hiring process for a health-care assistant role in a hospital, covering a one-month fixed term. She told us that she had had the interview and they said that they would take her on, after two days of practical training. On her first day at the hospital, the coordinator asked her, "Where are you from? Are you sure you are from Seville? Born in Seville?" Eventually, he asked, "Are you Roma?" The girl, surprised by the question, answered that she was.

After that, the coordinator's attitude changed completely; he began to ask her for documents that had not previously been required, such as a criminal records certificate. She asked a colleague in the same role if they had been asked for one, and they answered that they had not.

**INTERVENTION:** The girl, who was not hired in the end, contacted FSG to explain what had happened and to say that she was discouraged and sad because admitting that she was Roma led to her not being hired, which had had an effect on her career.

FSG believes that the girl's story constitutes a case of discrimination in access to employment, on anti-Roma grounds, which must be sanctioned by law for its serious violation of fundamental rights such as equality, anti-discrimination and the respect for the dignity of all.



FSG asked the girl to produce all relevant documents, and decided to pursue litigation, filing a complaint before the social court with the support of a specialist lawyer in labour discrimination matters.

**OUTCOME:** Positive. The complaint was filed and court-led conciliation was held, in which a good agreement was reached and where it was acknowledged that employment had been refused on discriminatory grounds. The discriminating member of staff was fired, and the girl was given the opportunity to work in the hospital.

Currently, the girl is working in the hospital and is pleased with the outcome and FSG's support.

### **19. Cáceres. Employment. Direct discrimination.**

**FACTS:** A Roma girl who was doing an internship in a company felt mistreated when one of her colleagues, aware that she was Roma, made racist comments about Roma people in general. One time that the girl was in the store room with another employee, the employee told her, "Be patient because you will come across all kinds of customers, and each one will ask you for something different." The other person doing the internship cut in, and said in a mocking tone, trying to imitate the "gypsy accent", that it has been impossible to live in the Las Minas neighbourhood since lots of Roma people from all over began to arrive. He even went on to give some of their names, and added cases of thefts and other incidents, to infer that they were all committed by Roma people. He made other comments such as, "It's impossible to live alongside gypsies—all the ones I have known have all been the same", "Gypsies are shameless. If I have to work with one I will, but outside of work I don't have anything to do with them", and "Gypsy girls are used to a miserable life and being abused by their husbands". The girl was upset and responded that he was wrong and should not generalise, because there are all kinds of Roma people just like all kinds of people in society. After that, she felt uncomfortable at work and tried to avoid her colleague

**INTERVENTION:** With the girl's approval, the employment officer and the Equality Officer asked for a meeting with the store manager, to inform him of the anti-Roma comments and try to compare information and take the necessary action.

As a result of that meeting, we verified that the comments were true and discovered that it was not the first time that the employee had had problems with other employers. The store manager assured us that he would take the necessary action, but that the girl should have reported it straight away, not at the end of her internship. We asked for the employee to apologise to the victim, but the manager did not agree, because he insisted that that would have been the right thing to do as soon as the incident had taken place.

**OUTCOME:** The girl was afraid to report what had happened during her internship. She decided not to pursue any further action because she thought it would not go anywhere. It was decided to offer information sessions on rights and discrimination for participants of internship programmes.

### **20. Granada. Employment. Direct discrimination.**

**FACTS:** An officer in FSG Granada contacted a company that had signed up to the Incorpora programme to arrange a work placement for a pupil of a bar and restaurant waiting staff course. The owner of the establishment was very interested and open to collaborating with the programme and FSG. One of the participants of the FSG Incorpora programme attended the work placement at the café in Granada, but when the owner saw her, he said the training was no longer possible and gave no further explanation. The girl has physical traits highly identifiable with Roma people.

The owner contacted the FSG officer again, to say that the girl could not do the work placement in the café. They arranged a meeting, in which the owner told the work placement officer that his wife had told him that it was not a good idea to have gypsies in the café, even though they have nothing against them, because the customers might not like it and they were afraid of the negative effect on the business.





**INTERVENTION:** It was decided to no longer work with that business, which we told the owner at the meeting. The business was removed from the Incorpora programme as a registered FSG collaborator.

**OUTCOME:** The intervention with the business owner was not effective, as he has not changed his position.

### **21. Zaragoza. Employment. Direct discrimination.**

**FACTS:** A colleague from FSG headquarters made a list of cleaning companies to examine the prospects of finding jobs for programme participants. She called each company and asked them for contact information (telephone number, address, email) and whether they needed cleaning staff for potential labour insertion.

On one of the calls, a member of a company said that they work with other reinsertion foundations, in properties, apartment blocks, offices, etc. The conversation went normally until the person asked, "What foundation are you calling from?" She answered, "From Fundación Secretariado Gitano". The person on the line then said, "Look, some clients have many prejudices; we have already had that sort of problem. Once we sent a "moor" to an apartment building and we had to fire her because the residents did not want foreigners cleaning their building." He added, "They have the same prejudices about gypsies and we don't want trouble." The FSG officer insisted that there was nothing to worry about—they would send people sufficiently trained and ready for the role. But the company responded, "Yeah, I know you guys are there to defend gypsies", but said that, nonetheless, they could send over the CVs of their participants.

**INTERVENTION:** The FSG officer contacted the Equality Officer and explained what had happened. She sent an email to the company asking for a meeting with its senior managers.

**OUTCOME:** The company responded the same day, saying, "Thank you for your interest, but we have been working with two foundations for years, and we are not able to take on any more." It was decided not to pursue any further action.

### **22. Granada. Employment. Direct discrimination.**

**FACTS:** An FSG participant went to an estate agent for a job interview, because a friend of his worked in the same agency and had said that they were looking for a salesperson. During the interview, the interviewer alluded various times to her surname, "Heredia... umm". He was not hired, and his friend subsequently told him that it was because he was Roma.

**INTERVENTION:** The boy told the Equality Officer, who advised and informed him of his rights.

**OUTCOME:** Unfortunately, the boy did not want to pursue any action because he did not want to jeopardise his friend, who still works at the agency.

### **23. Torremolinos. Employment. Direct discrimination.**

**FACTS:** A Roma boy who was participating in the FSG Acceder programme travelled from Malaga to Torremolinos for a job interview for a waiter position in a restaurant. The boy arrived on time, but one of the waiters told him that the person doing the interviews had had an accident and was late. The boy waited in a park for two hours and returned to the restaurant, but he was told that the manager was not there, and that he should come back in an hour. When he returned, the waiter told him that the manager was now there, but that he had to wait outside. He waited for 15 minutes, until the manager approached him and told him, "I don't need anyone anymore, I've got a guy from Alhaurín, and besides, I don't want gypsies in my restaurant."

**INTERVENTION:** The boy told FSG what had happened and the Equality Officer called the restaurant to speak to the manager and confirm what the boy had said. A man answered who said he was the manager, and had been for two weeks. He was somewhat ambiguous and inconsistent, but he did not acknowledge that he acted in a discriminatory way.



The officer contacted the boy again and told him that he could file a complaint with the Malaga Labour Inspectorate. The boy agreed. The complaint was filed, as the Labour Inspectorate performed the appropriate investigation. A few months later, the Equality Officer contacted the Inspectorate to find out the status of the process and was told that it was ongoing, an inspector had been appointed and that the boy would receive a letter at his home address.

A few months later, the boy received a notice from the Labour Inspectorate notifying that the employer had been required to make a statement, and the boy was likewise asked to make a statement and identify the person who had been disrespectful, unfair and discriminatory according to the complaint.

**OUTCOME:** Regrettably, the boy did not pick up the request in time and missed his chance to identify the employer and make his statement. The subsequent notice from the Labour Inspectorate gave no further information on the bar's compliance status.

#### **24. Badajoz. Employment. Direct discrimination.**

**FACTS:** A Roma girl responded to a job advert for a construction, facilities and maintenance company. She received a phone call from a company manager, in which she was asked a series of questions. The girl answered all the questions; the manager asked her if she had experience and the girl answered that she did not, and also did not have a driving licence. In spite of that, the manager showed interest in the girl, due to her attitude and disposition, and arranged an interview in a busy square in Badajoz. The girl arrived at the interview 10 minutes early and sat on a bench in the square as agreed. She saw a woman approach and stare at her with a certain disdain, according to the girl. Effectively, as she suspected the woman was the manager, but she did not come over. The girl got up and approached her, asked her name, and they had a conversation at some distance. The woman then objected to her lack of experience and driving licence, saying that both were now necessary.

**INTERVENTION:** FSG contacted the manager that went to interview the girl. The company said that there was no-one working there with that description. They could not pursue any kind of investigation or action, because they were unable to identify the person who had committed the discrimination.

**OUTCOME:** The girl was informed and advised of ways in which she could respond in future situations where she detected discriminatory acts, comments or attitudes.

#### **25. Barcelona. Employment. Direct discrimination.**

**FACTS:** A Roma woman who was participating in the FSG Acceder employment programme told the FSG officer providing her with support that in her cleaning job, in which she had been providing temporary cover in various schools for more than a year, she had been allocated to provide cleaning services in a private school. She had never had an incident in the course of her work. However, when she finished her works contract with this particular school, her manager told her that she had not been renewed. She asked why, and the company gave no clear reason, other than to say, "A word to the wise is enough." The woman did not understand. She went to FSG, where she was advised to ask for an explanation of the reasons why she was not renewed. The woman went back and spoke to one of the company managers, and asked for a more detailed explanation. The manager told her in confidence that the school had asked for a change of cleaner because she was Roma. She was asked not to retaliate against the school, and that the company would place her in another school that was closer to her home.

**INTERVENTION:** The woman told FSG the explanation she was given, and they checked the kind of contract that the woman had signed, which established that her workplace could change. However, the school had discriminated against her and the company had been complicit.



**OUTCOME:** The woman was advised and informed of her rights, but as she was without a contract at that moment and needed a job, she did not want to do anything to jeopardise her future contracting in another school. The woman also did not want FSG to speak to the company. As such, FSG will monitor the company, and has warned other organisations, without naming the company, who handle their job adverts. There are future plans to try to offer an awareness session with these kinds of companies to work on discrimination towards the Roma community.

#### **26. Linares. Employment. Direct discrimination.**

**FACTS:** During an internship for the FSG Acceder employment programme, the female supervisors of the maids made comments such as, "The gypsies are here again for internships. I'm fed up with it always being here that the gypsies do their internships". Some of the Roma people there heard the supervisor and told the employment officer, who passed it on to the FSG Equality Officer.

**INTERVENTION:** FSG contacted the manager to verify the events; he said that he understood the situation and apologised.

**OUTCOME:** The manager passed on the complaint to the maids supervisor who had made the comments, and she apologised.

#### **27. Granada. Employment. Direct discrimination.**

**FACTS:** Six young Roma people who were taking part in the Acceder employment programme were doing an internship as assistants in a shop in Granada. During the internships, they heard numerous times how employees in the shop talked about them, using racist expressions, calling them "Polish" in a pejorative fashion, such as, "How are you getting on with those Polish ones?", adding, "who never leave the store room". Although they did not understand the word "Polish" to be an insult, they decided that it must have been said as one, since none of them was Polish.

**INTERVENTION:** FSG interviewed the girls who were subject to the comments, who told of their upset and frustration due to not being able to do anything.

Furthermore, FSG contacted the shop manager in order to verify that the comments had been made. The manager tried to excuse her employees, saying the previously some Polish girls had been doing an internship and that they thought that the girls currently doing the internship were as well.

**OUTCOME:** She assured us that she would speak to the staff to make sure that the attitudes did not get repeated, and asked us to pass on apologies to the girls affected.

#### **28. Granada. Employment. Direct discrimination.**

**FACTS:** The FSG employment programme office had a meeting with a perfume company in Granada to provide information on the programme and to seek a collaboration in practical training. The company's representative showed interest in taking part in the training and hiring of staff, and asked to be sent CVs of persons involved in the Incorpora programme.

The officer sent an email to the company with the CVs of the persons with the appropriate profile to the position offered by the company, and the proposed training agreed with the company. As soon as the company received the email from the FSG's institutional account, they called to tell the placement officer that they did not want to take part. The sudden change of heart took place once they had identified the foundation as an organisation that works with Roma people.



**INTERVENTION:** The Equality Officer went to the company to present the programmes and to raise awareness about the Roma community and equal opportunities in employment and elsewhere.

**OUTCOME:** The company said that there had been a misunderstanding, and that they were interested in taking part and being a collaborating organisation.

### **29. Valladolid. Employment. Direct discrimination.**

**FACTS:** The FSG employment officer in Valladolid contacted a logistics company to offer the possibility of signing an agreement for internships to take place in their facilities.

The company's human resources manager indicated to the FSG officer that she was interested in signing a collaboration agreement and taking on some pupils for internships. She asked to be informed of the next steps. FSG in Valladolid sent all the required documents to execute the agreement.

A few days after all the documents had been sent, with no response from the company, FSG wrote an email to the HR manager asking if everything was okay. The same day, the HR manager answered that in the end, they were not going to take on any interns, but offered no further explanations.

Given the lack of arguments or reasons for the sudden change of heart following our identification as a foundation for the promotion and rights of the Roma community, the Equality Department was informed, which sent a letter.

The HR manager immediately contacted FSG Valladolid to offer the possibility of internships in the company.

**INTERVENTION:** The Equality Department wrote a letter stating its concern for the change of opinion with no objective reason, and declining to take on interns.

The Department also contacted the company's HR director, who acknowledged that there had been a series of misunderstandings, that there were Roma people working in the company, and that they would like to receive documents about FSG's work with a view to setting up collaboration.

**OUTCOME:** The Department insisted on the importance of getting familiarised with our work, and invited them to attend an awareness session. It also offered a reminder that discrimination in access to employment can create serious inequalities that violate the right to equality.

## Cases of discrimination in healthcare

### 1. Salamanca. Health Services. Direct discrimination.

**FACTS:** A Roma man went to hospital complaining of stomach pains. The diagnosis was that he needed a scan, which is why he had to go to hospital.

Once he was admitted, he explained that two nurses entered his room rudely. At that moment, his wife and a relative were in the room with him, as they had come with him.

One of the nurses swiftly told them that they had to leave, because a new patient was arriving in a wheelchair, accompanied by a woman (both very elderly). The woman said that she could not get past with the wheelchair (referring to the room and the corridor being very narrow). The nurse began to behave with contempt, making the following comments: "Oh, come on get out! You're all the same!" The patient told her that her wife was not a dog to be treated like that, and that the nurse should have better manners. The nurse responded, "You are always the same", to which he asked, "Who? Gypsies?" She said, "Yes."

After that exchange, the patient went to look for the ward manager to talk about what had happened. When the ward manager arrived, the man told the nurse to repeat what she had said. The nurse answered, "If I could I'd throw you out." The ward manager tried to keep the peace and took the patient by the arm. As they were leaving, the nurse shouted at them again that she had got what she wanted, and he was leaving.

The patient felt so pressured, insulted and upset that he discharged himself. The next day, he submitted a complaint to the hospital and to the duty court.

**INTERVENTION:** FSG Salamanca went to the hospital to verify the story that they had been told. They spoke to someone on the ward where the incident occurred, and were told that the "family behaved like any other family".

Likewise, they asked for the supervisor who witnessed the incident, and she explained that the perhaps in the height of the moment, the nurse said the wrong word, but that she knew the nurse, she was experienced and that attitude was not normal for her. FSG Salamanca made it clear that what concerned them was the racist attitude towards Roma people, and how the hospital and the nursing staff managed these incidents so they would not happen again. They also passed on that the incident was in the hands of a lawyer that the patient had hired due to feeling discriminated against by the nurse, and because of the general response by the hospital.

We held a meeting with Nursing Management and the ICU Supervisor. We proposed the meeting to try to prevent intercultural conflict. We spoke about communication or social skills that medical staff should have. It was agreed that when someone arrives without a social security card, they will be referred to us the next day to regularise their situation. We proposed two-way training where they can come to the office and FSG can go to the hospital to give training in Roma culture.

**OUTCOME:** We are awaiting a response about when we can implement these actions.

### 2. Burgos. Health Services. Direct discrimination.

**FACTS:** A Roma girl attended her family doctor because she was feeling unwell. After her examination, the doctor said that he recommended referring her to a specialist. When she left the consultation, she looked at the document to see where she had to get the next appointment, and realised that the paper signed by the doctor said, "Roma ethnicity patient".



**INTERVENTION:** The girl said that she felt outraged and, as well as ripping up the piece of paper, she went back into the consultation room and asked the doctor for an explanation, asking if he would not have felt offended if a piece of paper about him said "payo patient".

**OUTCOME:** The doctor acknowledged his mistake and apologised to the girl.

### **3. Salamanca. Health Services. Direct discrimination.**

**FACTS:** A Roma girl was looking for a care home for her mother, who was suffering from symptoms of Alzheimer's disease. Having ruled out various care homes for being too expensive, she contacted a care home that suited them but which said that it was full, and that she would have to wait for a vacancy. If she was still interested, they could phone her to keep her updated.

Shortly after, the girl received a call to tell her that a vacancy had come up, and that they were at the top of the list. After that, the girl received another call where she was asked numerous questions about her mother, one of which was whether they were Roma, and the girl said that yes, they were. The manager then changed attitude and said that there was no space, she was sorry, but they preferred people with a different profile.

Given the sharp change of attitude, the girl felt that they were being discriminated against for being Roma, and planned to report them and refer the case to a lawyer.

**INTERVENTION:** The Equality Department and FSG in Salamanca asked the girl for more information and all the application documents, including the details of the lawyer that she said she had reported the case to.

**OUTCOME:** A few days later, the girl told us that she had eventually decided to withdraw the complaint, and preferred to ask around other care homes.

### **4. Jerez de la Frontera. Health Services. Direct discrimination.**

**FACTS:** A Roma ethnicity family (father, mother and daughter) went to Jerez hospital accident and emergency department for the 15 year-old daughter's acute stomach pains, having previously gone to A&E a number of times with no diagnosis having been made. They saw a consultant, and as they were leaving, the father told the mother that he did not like what the doctor had said, who insisted that there was nothing seriously wrong with the girl and they should not worry about her health, but "perhaps the problem is environmental". The father did not understand what the doctor meant by that.

The father answered that the child was fine –school was fine, she went out with her friends, ate well and he did not know what the doctor was getting at. The doctor openly admitted, "Since you are Roma perhaps the girl had problems at home." The father answered, no, that caused no problems for the girl. The doctor then brushed them off, and when the father asked for some tests to be run on his daughter, the doctor responded rudely that he was the doctor, unless the man happened to have done any studying.

**INTERVENTION:** In the waiting room, an FSG member of staff respectfully approached the family and asked what was going on. The father explained the doctor's comment about "environment". As he was explaining what had happened, he realised that they had been discriminated against for being Roma. The FSG member of staff told him where she worked and to contact her if he needed anything. The FSG member of staff then shared what had happened, and we discussed proposing a session with healthcare staff at Jerez hospital on equal treatment and non-discrimination.

**OUTCOME:** The family preferred not to take any further action.



### 5. Málaga. Health Services. Direct discrimination.

**FACTS:** A member of staff from the FSG's Caixa Proinfancia education programme went to her family doctor and asked for a note for absence from work. The doctor asked where she worked, and she replied that she worked at FSG. The doctor asked with an astonished tone: "What? With gypsies?" The woman answered yes; that she worked to promote and defend Roma people. The doctor made a gesture of dismay and said, "Uff, well then I won't say anything."

**INTERVENTION:** The member of staff felt intimidated but did not say anything because the nurse was there. She tried to change doctor and make a complaint, but was not able to because they were at capacity.

**OUTCOME:** She did not want to pursue any further action because she continues to have appointments with that doctor.

### 6. Santiago de Compostela. Health Services. Direct discrimination.

**FACTS:** A young female employee of FSG went to her family doctor. When the doctor asked where she worked, she said at FSG and the doctor began to make racist comments such as: "I know what that lot are like. They don't wash, they coerce the doctors so we treat them first. In India they exterminated them..."

**INTERVENTION:** The girl told the Equality Officer what had happened, and she told her to file a complaint with the Galician health authority SERGAS, including the racist comments, and to ask to change doctor. But the girl remarked that she lives in a very small town where everybody knows one another.

**OUTCOME:** She did not want to file the complaint, but decided to change doctor and wanted the case to be recognised as discrimination.

### 7. Zaragoza. Health Services. Direct discrimination.

**FACTS:** A Roma boy went to the hospital to be examined after a traffic accident. The doctor asked him for his surnames and said multiple times: "What you people need to do is work more –you just want to live off hand-outs."

**INTERVENTION:** After hearing the prejudiced comments, the boy was concerned about his medical examination and contacted the FSG Equality Department to tell them what had happened. The Social Security Institute considered him to be fit for work.

The boy explained what had happened, and also gave the Department his lawyer's contact details. The Department contacted the lawyer, who explained that he was going to file a claim with the Social Court for medical leave, but would not mention discrimination.

**OUTCOME:** FSG Zaragoza monitored the situation and his consultations with the doctor who made the comments. The doctor is no longer at the hospital, because she was temporary, and the boy's current doctor has a very good relationship with him.

### 8. Barcelona. Health Services. Direct discrimination.

**FACTS:** The discharge report of a woman who had just given birth in a public hospital appeared on social media. The report specified the Roma ethnicity of the woman, together with her personal data.

**INTERVENTION:** FSG asked another Roma woman who went to the same hospital and was treated by the same neonatal department whether her report had mentioned her Roma ethnicity; in her case, there was no mention of ethnicity.



In any event, it was decided to send a letter to the hospital to see whether the report that was being shared on social media was from that hospital, explaining that ethnicity is specially protected data and can be mentioned only in very special cases, under the Spanish Data Protection Act.

The hospital's head of public services called the FSG and expressed her concern but said that she could not confirm that the report on social media was real, since that was the responsibility of the paediatrics and neonatal unit, which had not yet responded. Moreover, she shared some of the concerns and, referring to Roma people, talked about some of the problems of incivility that had occurred, adding, "we have lots of problems with those people". FSG mentioned the importance of raising awareness and knowledge of the Roma community and training professionals, in order to break stigma and prejudice.

**OUTCOME:** The hospital looked favourably on the proposal and mentioned the importance of spreading the training to other hospitals.

Days later, a letter was received from that hospital that stated that on the date on which the report was issued, the mother's Roma ethnicity had not been included on any of the neonatal service's discharge forms.

It was confirmed that, for 2018 they would finalise the awareness and training sessions that FSG would offer to professionals at the hospital.

## **9. Badajoz. Health Services. Direct discrimination.**

**FACTS:** A participant in the Aprender Trabajando programme run by FSG in Badajoz presented a medical report from her father to justify her absence. The medical report, which was from a hospital in Portugal, mentioned Roma ethnicity.

**INTERVENTION:** The Equality Officer sent an email to the hospital asking for the address of the hospital's director, to send a letter of concern about the mention of a patient's ethnicity.

The hospital sent back the email addresses of the hospital managers, and the letters of concern were sent. Having not received a response, the Officer sent them again.

After again not receiving a response, the Officer decided to call the hospital to confirm that they had been received. The response was that they knew nothing about it, and they were told to send them again. Days later, they called the hospital again, but there was still no response.

**OUTCOME:** In spite of calling and sending the letters twice, there was no response.





## Cases of discrimination in policing

### 1. Sabadell. Police services. Direct discrimination.

**FACTS:** A Roma woman who was participating in FSG's Acceder programme in Sabadell was driving in her car when a Municipal Police officer instructed her to pull over, and approached her to tell her about an alleged infringement. When the police officer approached her, he said, "You must be a gypsy", and added, "This car must be stolen, let's see if your social worker can get you out of the fine I'm about to give you." The woman answered the police officer's racist insults, saying that he was being disrespectful by referring to her ethnicity like that.

**INTERVENTION:** The woman was interviewed, to inform her of the Service for the Assistance and Guidance of Victims of Racial or Ethnic Discrimination, to inform her of her rights and to jointly decide on a way forward. The woman wanted to appeal the fine and file a complaint against the discriminatory treatment she had been subject to as a woman and a Roma ethnicity person.

FSG asked for a meeting with the superintendent of the Municipal Police. The meeting took place with the superintendent, the woman, the FSG coordinator and a representative from the Sabadell Roma association. FSG presented the facts as told by the woman and expressed our concern.

The superintendent did not recognise the facts as told by the woman, but his tone was conciliatory, listening to the woman and acknowledging her ill feeling.

**OUTCOME:** After the meeting, we asked the woman if she wanted to pursue any further action, but the woman decided not to file a complaint with the police, although she felt frustrated and a sense of impunity. The woman was grateful for the information, advice and accompaniment provided by FSG.

FSG held a meeting with the Sabadell local police to explore joint collaboration options, possible awareness sessions with the police and more direct communication in future. The response from the police was positive.

### 2. Pamplona. Police services. Direct discrimination.

**FACTS:** A Roma young man who was participating in FSG's programmes commented to the Pamplona Equality Officer that the police often stopped him numerous times a day to ask for his documents and to search him, near his home and around the neighbourhood. He did not know the police force they belonged to, because they were plain clothed. He mentioned that he had been stopped as much as four times in the same day and that they tended to be the same police officers. One of the police officers even told him while he was searching him: "I won't give up until I catch you."

On 10 May, they stopped him twice on the same day; in the morning, they stopped him as he was walking down the street with his wife. They asked him for his documents and what their relationship was. At midday of the same day, they stopped him and searched him at the gates of his son's school, in front of his youngest son and other children and families at the school, in spite of his asking the police officers to do so in their van and not to search him in front of his children and other children. They paid no attention.

**INTERVENTION:** The Equality Officer interviewed the man and his partner, who told her that they felt the police were harassing them. The man added that on multiple occasions he felt discriminated against for being Roma. His testimony pointed towards this being ethnic profiling.

**OUTCOME:** Due to being a case of ethnic profiling, the man was informed and advised about identity checks, and what his rights were and how to exercise them. We asked that, next time he was asked to produce his identity documents, he ask at least which police force the officers belonged to, in order to establish an intervention.



### 3. Madrid. Police services. Direct discrimination.

**FACTS:** On 13 May 2017, a fire broke out in La Cañada Real, next to the A3 highway in sector 5. The affected families, of Roma ethnicity, called 112 for help. Firefighters arrived an hour and a half later. The police arrived even later; without asking how the fire had started, a police officer made racist comments, accusing the families of having started the fire, with comments such as: "Let's see what the gypsies have done this time", and "doesn't matter if the shacks burn down –they're made of wood."

**INTERVENTION:** The FSG Officer who works with families in Cañada met them and verified what had happened. The families submitted their complaints to the City Council, setting out what had happened, the firefighters' delay in arriving and the discriminatory attitude, and the racist comments made to the Roma families by the police.

FSG proposed giving a workshop to inform the families of their rights and to present to them the Assistance and Guidance Service for Victims of Discrimination.

**OUTCOME:** A letter was received from the Directorate for Emergencies and Civic Protection, apologising for the trouble caused to the families. They passed on the response by the firefighters, who acknowledged there were difficulties in getting there, first because the directions they were given were wrong and secondly because it was difficult to access the area, which caused a longer delay than anticipated. In the response they made no reference to the police's discriminatory attitude to the Roma families affected by the fire.

Both the response to the claims and the workshop were welcomed by the families.



## Cases of discrimination in housing

### 1. Almería. Housing. Direct discrimination.

**FACTS:** A young Roma woman told us that she phoned an estate agent and told the lady who answered the phone that she was interested in renting a property. The agent asked her if she had a regular salary and how much it was. Over the phone, there seemed to be no problem. Since the property in question was occupied at that point, the estate agent told her that when it became vacant, she would call straight away to arrange a viewing. The problem arose when the girl communicated with the agent over WhatsApp. Two days later, the girl called her, but she did not pick up. The girl, who was surprised at the situation, asked a friend to call the estate agent; she did and got through. The friend asked about the flat; the agent said that it had just become vacant and she could see it whenever she liked.

**INTERVENTION:** The girl told the Equality Officer what had happened and said she was convinced that when the agent saw her WhatsApp photo and full name, she realised that she was Roma and did not want to rent the property to her. The Officer told her of her rights and the actions available to her.

**OUTCOME:** The girl preferred to speak directly to the agent, in order to make her aware that she had been hurt by the denial of housing just for being Roma. She did not pursue any further action.

### 2. Huelva. Housing. Direct discrimination.

**FACTS:** A Roma woman went to an estate agent to look for a flat to rent, was served by one of the agents and confirmed the rental of a flat. The agent assured the woman that she would get the keys to the flat in approximately two days, and the woman paid the deposit and was given the necessary documents. Two days later, the woman returned to the estate agent for the keys, but was told that the flat had already been rented and that there had been a mistake. The agent seemed quite flustered, as if the decision had not been his. The woman, with two young children, was in a difficult situation because she had left her previous home once the new flat had been confirmed. She carried on looking in other estate agents and found a flat online that interested her and, according to the advert, was available. When she arrived at the estate agent, she was told that the flat was available but she could not view it at that precise time. She handed over a deposit, and when she returned to the estate agent, the agent made a series of comments that she thought were inappropriate, such as about cleaning the house, disturbing the neighbours, and treating her as if she were not trustworthy. At the end of the conversation, the agent said they would go and view the property, but in actual fact took her to another property, assuring that it was better, when actually it was in a poorer state. The woman felt overwhelmed and decided to settle with the second flat, but after just a few days problems began to arise because of the poor state of the flat.

Finally, she decided to go back to the first estate agent, since one of her relatives knew a member of staff there. She went there with her relative, and the agent acknowledged that if she had not been with an acquaintance, she would not have served her, since normally they did not rent to Roma people, because some people do not want to live next door to them. The woman felt offended and upset, and left the estate agent.

**INTERVENTION:** The woman told the Equality Officer how difficult she was finding it to rent a home for her and her children. The Officer contacted the estate agent and asked the agent what the requirements were to rent a home. The Officer also verified the difficulties that the woman had encountered in renting dignified housing and the obstacles she had encountered.

The Officer told the woman that she could file a complaint with the Consumer Affairs Office and the woman agreed. The Officer accompanied her to the Consumer Affairs Office, but they discouraged her from making the complaint because too much time had passed.

**OUTCOME:** Negative, due to the woman's difficulty in finding appropriate housing for her and her two children, and due to the difficulty of changing the prejudice held by certain estate agents and landlords towards Roma people.

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### Santander. **Housing.** Direct discrimination.

**FACTS:** A young Roma woman contacted an estate agent to rent a home. She was informed of the rental requirements, and was treated politely. However, when she arrived at the estate agent's office to sign the contract with her mother, the agent and the landlord's attitude changed, became distant and was no longer cordial. The agent then told them to wait in the office, as they had to talk to the landlords, and went outside for 50 minutes. When they returned, the woman asked what was going on, and the landlord answered, *"I've looked into it and I've realised you are of Roma ethnicity and it gave me a fright, because gypsies pack 30 people into their homes, play loud music and don't clean up after themselves, which can cause problems with the neighbours."*

**INTERVENTION:** The young woman told the Equality Officer about what had happened. She called the estate agent in order to inform them about the diverse and heterogeneous nature of the Roma community, and that those comments were part of a stereotyped, prejudicial view of Roma people.

She spoke to the landlord, who said that he was not so bothered, but that the secretary of the estate agent had advised him not to rent to Roma people. In the end, the landlord acknowledged his prejudice and apologised for his comments and attitude, and agreed to sign the contract, enabling all the arrangements to be made so the young woman could rent the flat.

In addition, the landlords decided to submit an official complaint form against the estate agent for the comments and advice they gave, and the whole incident.

**OUTCOME:** Positive. The woman eventually had access to the home and the prejudiced attitude was changed.

### 4. Santiago de Compostela. **Housing.** Direct discrimination.

**FACTS:** A Roma woman told the FSG office in Santiago that she, her son and her daughter-in-law saw a flat for rent and agreed the price with the person renting it. When the contract was being executed, she presented her identity document. The next day, the owner of the flat called her and told her that it was no longer for rent, firstly because of economic reasons, but when the woman agreed to a more expensive rent, the owner admitted that her husband did not want to rent the flat to Roma people.

**INTERVENTION:** FSG checked that the "For rent" sign had been taken down.

**OUTCOME:** Negative. The woman had no evidence or messages to prove that she had been refused the rental because she was Roma. In addition, the rental was being arranged privately, which made it difficult to pursue further action.

### 5. Santander. **Housing.** Direct discrimination.

**FACTS:** A young Roma couple were looking to rent a home and found one that interested them. They called the owner, who was friendly and told them the requirements for the rental; he asked about salary, contract type, etc. They gave him the details necessary and it seemed the landlord was happy, so they arranged an appointment to see the property. On the day of the appointment, the couple met the landlord and his friendly attitude had disappeared; he acted distant as he showed them the property. As they were leaving, the landlord told them, *"I can't rent the flat to you because I am looking to a different kind of person"*, preferring people with a permanent work contract. The man of the couple said that during the phone call he had no problem with the contract. He knew that the landlord's attitude changed after he identified them as Roma, and was looking for any excuse not to rent the house to them.

**INTERVENTION:** The young man, who is the son of a participant in an FSG programme, told the Equality Officer what had happened, encouraged by his mother. FSG unsuccessfully tried to contact the owner a number of times.



**OUTCOME:** Negative. We could not pursue any further action because the rental was with a private individual and we were unable to locate him.

## 6. Langreo. Housing. Direct discrimination.

**FACTS:** FSG Oviedo referred a case to the Avilés Equality Officer of a woman who said that she owned a property that she had rented to a Roma family and she was convinced that the family was being harassed by three neighbours, on racist grounds. The owner asked for help and provided the contact number of the potential victims.

**INTERVENTION:** The Equality Officer called the owner of the flat, who told her that she was very happy with the Roma family who had rented the flat, and did not want them to leave, but that three neighbours had been complaining about music and dancing at 6 pm. On occasion, one of the three neighbours woke up the tenant at 5 am just to disturb her. The neighbours who were harassing the Roma family had made comments to the landlady such as “those people will end up causing you problems” or “I don’t mind you renting the flat, but to normal people. We are going to get them out of here as soon as we can.” The landlady had the messages stored on her phone. The three neighbours had agreed to call the police on the tenant’s birthday party, and three police cars arrived at the tenant’s house. They also broke into the tenant’s post box, read her mail and had her personal information, and threatened her over the telephone.

The landlady told the Equality Officer how concerned she was by what was happening, and said that the neighbours were racists and in cahoots to make the lives of the tenant and her family impossible. She asked the Equality Officer to intervene in the situation, and gave the tenant’s details.

They considered bringing up the issue in the residents’ association, but the owner refused, and in the most recent meeting the Roma family were not allowed to attend to defend themselves.

The Officer contacted the tenant and asked her about the situation. The tenant said that there is a neighbour who is irritated by everything she does, but that she has no problems with any of the other neighbours. The tenant stressed that she complied with all residency rules and that her post box had been broken into and her personal mail stolen, as the landlady had said. The Officer asked her if the neighbour had made any racist comments to her, and the woman admitted that on occasions he had said to her remarks such as, *“Fucking gypsy, get out of this flat and go away.”* The Equality Officer informed her of her rights, and told her that she could receive legal aid to report the post box incident, the mail and the racist insults. Likewise, the Officer asked her if she thought it would help for FSG to contact the neighbour. The tenant said that would be impossible because all he did was shout and yell insults, and she did not think that would be a solution or anything that would benefit her.

**OUTCOME:** The woman did not want to pursue any action, but she did want her case to be recorded in FSG. The Equality Officer advised her of the option of reporting the incidents if she continued to be harassed, and agreed with the woman to regularly monitor the situation.

## 7. Badajoz. Housing. Direct discrimination.

**FACTS:** An anonymous person called the FSG office and warned that neighbours in the Badajoz neighbourhood of Cerro Gordo had got together on social media platforms such as WhatsApp and Facebook to get rid of a family who were illegally occupying a home, because they were Roma, with the tagline *“We don’t want gypsies in Cerro Gordo”*.

**INTERVENTION:** FSG tried to look at the Facebook page to see whether the comments existed, but neither the comments nor the group could be found. They also tried to contact the family, but they had left the neighbourhood and their whereabouts were unknown.

**OUTCOME:** FSG made a proposal to the city council to provide an awareness session in the neighbourhood to combat the rejection of the Roma community and to make the population aware of cultural diversity and non-discrimination.



### 8. Algeciras. **Housing.** Direct discrimination.

**FACTS:** A Roma married couple wanted to rent a holiday home on the Algeciras coast. The couple called the person renting the home and they reached an agreement for the rental. On the day that they had arranged to hand over the deposit and sign the contract, the person renting the home asked for their identity documents and saw their surnames. He said that he had to go and print out the contract, and when he returned, he said there had been a mistake and the house was already rented, and could no longer be rented. The couple said that it was when the person saw their surnames that he made an odd face, and they realised that they would not be allowed to rent the house because they were Roma.

**INTERVENTION:** The couple were informed of their rights and potential action to pursue.

**OUTCOME:** The couple did not want to pursue the issue further.

### 9. Zaragoza. **Housing.** Direct discrimination.

**FACTS:** A woman called an estate agent to ask for information about a flat and arranged a viewing, on behalf of a Roma friend. The estate agent told her which documents would need to be provided. The friend sent the man's documentation and identity document. The estate agent identified the man's surname "Clavería" as a Roma surname, and told the woman that they could not rent the flat to him because the landlord had said that he did not want to rent to gypsies. The man called the estate agent and said that he was hurt not to have the chance to see the flat, to which the estate agent said that they "*could not rent flats to gypsies.*" The man asked to be given that information in writing, but the estate agent refused.

**INTERVENTION:** The man contacted the FSG Equality officer and told her what had happened. The Officer tried to locate the advert online, but it had been removed. She tried to find the specific reference of the flat, but was not able to.

Likewise, the Officer performed a test on the estate agent, and although initially they said they did not have any flats, once she insisted they showed her two available properties.

**OUTCOME:** Negative. In the end, they could not pursue any actions due to lack of evidence of discrimination.

### 10. Santander. **Housing.** Instructions to discriminate.

**FACTS:** A Roma woman went to FSG and told them that she was looking for a home to rent, and found one and called the estate agent to find out more. The agent was friendly over the phone and provided all the necessary information. They scheduled an appointment that week to visit the flat and further discuss the requirements. On the day of the appointment, the agent met the woman, looked at her and said, *"I'm so sorry, but I can't help you because the owner will not rent to Roma people."* The woman left and told FSG what had happened.

**INTERVENTION:** The woman told the Equality Officer that she felt very hurt. The Officer contacted the agent who dealt with the woman, and told him about the service for victims of discrimination and the work that FSG was doing. The agent assured her that the estate agent was not discriminating, but the landlady who did not want Roma people.

**OUTCOME:** The agent apologised on behalf of the company and assured that, in future, he would speak to the owners and would try to raise their awareness before such a circumstance arose again.



### 11. Linares. **Housing. Direct discrimination.**

**FACTS:** A Roma married couple with a young child, and expecting another, were occupying a home owned by a bank after they became unable to pay rent because of their precarious economic situation. The president of the residents' association began to throw racist comments at them and harass them, shutting down the lift and the intercom, to get them to leave.

**INTERVENTION:** The family contacted FSG and told the Equality Officer about the harassment they were experiencing from the president of the residents' association, who was a municipal police officer and who had even spoken to the bank to have them evicted from the property.

The Officer told them it was important to collect proof or a witness of the harassment, and of their rights not to be subject to any discriminatory harassment.

**OUTCOME:** The family did not pursue any action because they received an eviction notice and were afraid of retaliation in the eviction process.

### 12. Segovia. **Housing. Instructions to discriminate.**

**FACTS:** A young Roma woman went to an estate agent, accompanied by a friend who was also Roma, to enquire about a property. When the agent saw them, he quickly told them that he could not give them information about the property because the landlord had said he did not want to rent to gypsies, because they did not pay their rent and might destroy his house.

**INTERVENTION:** FSG Segovia accompanied the victim to other estate agents and the Equality Department advised the woman how to report such situations. They also directly intervened by asking certain estate agents, who also said that the majority of private owners had said that they did not want to rent to Roma people or immigrants.

**OUTCOME:** Eventually, the woman stopped looking for a home. She explained that she felt discriminated against for being Roma.

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### A Coruña. **Housing. Direct discrimination.**

**FACTS:** Through a municipal programme to eradicate shanty settlements, the organisation in charge of managing and providing homes arranged the rental of a home to a Portuguese Roma family. The contract was signed by the organisation that managed the programme with the owners, who agreed with its terms and were fully aware of the circumstances in which they were renting out the home.

When the family were moving in, a neighbour from another property alerted the Civil Guard about a van that was parked in the neighbourhood, which he said was suspicious. When it was ascertained that it was owned by the Roma family moving into the property, the neighbours began to object to the family settling in their neighbourhood. In fact, as a result, the owners grew worried and decided to rescind the contract with the management company and, by extension, the family.

**INTERVENTION:** The FSG A Coruña team and the municipal team working to eradicate shanty settlements decided to increase their awareness work, not just with property owners but with neighbours. An informative session was arranged about the general situation of the family and of the municipal programme.

**OUTCOME:** In the end, the owners and the neighbours accepted the family, and they actually continue to rent the home.



#### **14. León. Housing. Direct discrimination.**

**FACTS:** FSG León organised a training session with Roma participants from the city. After commenting on discriminatory situations in various environments, the participants flagged situations relating to accessing rental homes in their city. In the session, we heard testimonies that the majority had had difficulties in renting a home in León for the mere fact of being Roma.

We were told that in the majority of cases, the rejection methods were varied: denial that the home was for rent, the imposition of salary and guarantee conditions that were too high so that the person would not be able to rent the home, changes in rental price, etc., and they were subject to direct disdain about Roma people.

**INTERVENTION:** FSG in León informed them that they may have been victims of discrimination and that, in any event, they must report this kind of situations to authorities or persons responsible.

**OUTCOME:** Due to the amount of time that had passed between the discriminatory incidents and their being passed on to the FSG team in León, it was not possible to develop strategies to deal with such discriminatory situations. The group was informed and made aware that, in such situations, it is imperative to report them straight away in order to handle the situation in conjunction with the Equality Department.

#### **15. Burgos. Housing. Instructions to discriminate.**

**FACTS:** A Roma woman was looking for a home to rent through an estate agent. She found one that suited her and called the agent to find out more. The agent told her to come by for more information about the property.

When the woman arrived, a friendly guy served her, and when she had been there for a while, he looked at her and asked if she was Roma. She answered that she was, and he said that he was sorry but the boss did not want to rent flats to gypsies or Romanians. She asked how they could do that. The guy said that he was sorry but his boss had made the rule.

The woman left the office furious. She explained that she felt discriminated against for being Roma.

**INTERVENTION:** FSG in Burgos interviewed the victim by telephone and the estate agent. The latter repeated that he was not responsible, but was just following his boss's instructions.

**OUTCOME:** The woman did not want to pursue any further action. In fact, she told us that she would go to other estate agents.

#### **16. Huesca. Housing. Direct discrimination.**

**FACTS:** A young Roma man told us that he had contacted a private individual to rent a home. He spoke to the owner on the phone and, initially, it went well. He arranged with one of the owners to see the flat. When they met at the flat, the owner asked him about his financial income. The man explained that he was unemployed but that his wife was disabled and received monthly benefits of 800 euros. The owner said that, in that case, he may also need a bank guarantee and proof of income.

The next day, the man called the owners to hand over the documents, but the owner said that the property had now been rented.

The man told us that he was sure that he was told that because he identified them as Roma.





**INTERVENTION:** FSG in Huesca approached the owner of the flat to try to mediate.

**OUTCOME:** The owner refused a meeting.

### **17. Zaragoza. Housing. Direct discrimination.**

**FACTS:** A Roma woman told the Equality Officer over the phone about a situation of discrimination that she was experiencing, together with her two daughters, at the hands of one of her neighbours. The neighbour insulted them and directed racist attitudes and comments to them such as, "Hey, fucking gypsy, what makes you think you can open the window?" The woman had reported the racist insults to the police.

Her daughters went to FSG's office and told the Equality Officer how they felt following the discrimination. The neighbour had even banned the daughters from visiting her mother at her home.

**INTERVENTION:** They gave the Equality Officer a copy of the police report, and after studying it, she informed the daughters about the judicial process.

**OUTCOME:** The proceeding is currently ongoing, awaiting a court ruling.



## Cases of discrimination in other areas

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### National. Others. Direct discrimination.

FACTS: An anonymous person sent racist comments by email to FSG on 22 December and 24 December. The email read as follows:

Name: Luis Make murder legal.

Email: hijosdeputa@xxxxx

"We are on calle xxx in Guadalajara, like every year, at 10.20 pm, being forced to put up with those bastards, we all know who they are, throwing fireworks, we're screwed and putting up with the shitty politics of this shit town. That's all. Viva España and bring back Hitler".

Another anonymous sender, mailto:hartosdegentuza@xxxxxx, wrote:

"I know there's no point but I'll carry on telling people what we have to put up with on calle xxxx in Guadalajara because of that gypsy garbage. We not only live in a dump of a neighbourhood because of that trash but every Christmas we have to suffer the torture of ten hours a day of listening to explosions of the likes you would hear in a quarry, from the fucking fireworks they are setting off. That gives us an idea of the respect that garbage have, who we kill ourselves working so they have everything they want (they are even paid so their kids go to school. That's how things go in this bloody country). All that and how they thank you is to tell you to get stuffed and not give you a bit of peace in your own home. Then they are surprised that we are racist towards them. What do you expect –for us to thank them for making us live in a dump and torturing us every year at Christmas.

I'm sure you get no complaints because in the state that Guadalajara is in, the people could not be any more wimpish and conformist, but I can assure you we are sick to death. Don't even both to call the police because at midnight when they are still setting off fireworks, the police don't even both to swing by and take them away from them.

The only solution is robust action, because the only thing these people know is how to do whatever they fancy. But since there is no political will and you don't care in the slightest how screwed we are, we will just have to put up with it, paying your salaries, since the gypsies won't do that. But you know that some people have all the rights in the world and others only have obligations.

What a great country!"

INTERVENTION: The Equality Department sent an email back to the sender, asking them not to send such messages to FSG again, since they were insulting and hateful about the Roma community, and could be a discrimination and hate crime against the Roma population.

Likewise, we warned the sender that if they wrote to FSG again in such terms, we would take the appropriate legal action, since discrimination and hate cannot be left unpunished.

### 2. National. Others. Direct discrimination.

FACTS: The FSG email account received an email with anti-Roma messages such as "I'm sure you want us to respect that human garbage", "when will they make murder legal, because between gypsies, politicians and other ilk in this bloody awful country there are far too many sons of bitches."

"Here in Guadalajara in Antonio Buero Vallejo, like every year at 10.20 pm, being forced to put up with those bastards, we all know who they are, throwing fireworks, we're screwed and putting up with the shitty politics of this shit town. That's all. Viva España and bring back Hitler".



**INTERVENTION:** The Equality Department analysed the messages and we realised that the sender was the same as a few months ago, who had sent us a series of messages to the FSG's email account, such as: 'I know there's no point, but I will keep on telling you what we are putting up with on calle Antonio Buero Vallejo in Guadalajara because of that gypsy trash', and 'the only solution is robust action, because the only thing these people know is how to do whatever they fancy.'

The Equality Department decided to file a complaint with the provincial public prosecutor for hate crime and discrimination, due to the serious nature of the comments and their repeat nature.

**OUTCOME:** To date, we have received no news from the prosecutor.

### 3. Zaragoza. Others. Direct discrimination.

**FACTS:** A female Roma FSG employee who is a registered duty public lawyer, received various joking messages about Roma people, such as: *'If it weren't for that hahaha work of ours there would never be a gypsy king, so as not to offend an ethnic minority'*, *'Whaaaat, actually after an oral hearing I explained to a gypsy what they pay us in the duty court and he asked me why I was still a lawyer, what a prick that gypsy was, hahaha a philosopher he got me thinking'*, and *'even the gypsies are clear that no fucking way (with due respect) would they do it, hahaha'*.

**INTERVENTION:** We held a meeting with the Vice President of the Zaragoza Bar Association to introduce the organisation and the programmes we develop.

In the meeting, we asked for a collaboration to potentially provide training for lawyers and to work on awareness and the Roma community. The Vice President accepted our proposal.

**OUTCOME:** In the meeting, we asked for a collaboration to potentially provide training for lawyers and to work on awareness and the Roma community. The Vice President accepted our proposal.

### 4. Ciudad Real. Others. Direct discrimination.

**FACTS:** Following an intervention by the FSG coordinator on a local radio station in Ciudad Real, a phone call was made to the FSG office. The woman who called criticised the radio intervention for 'making them martyrs.' The Equality Officer who answered the call asked how she could help, and the woman remarked that she thought it was outrageous to talk about Roma people like that, that we said nonsense and that what we needed to do was better educate our children. The woman continued that some Roma children had thrown stones at her and her husband, and that they had called the police but when the police arrived, they had run off. The Equality Officer said that she was right to phone the police, but the woman insisted that what we had to do was 'tell all the gypsies not to throw stones at people.'

**INTERVENTION:** The Equality Officer explained to the woman that there may be good and bad Roma people, and that she could not judge the whole Roma community based on the behaviour of three children. She told the woman about the Foundation's work through its various programmes and stressed the importance of fighting for equal treatment, and that what the Foundation tries to do with these programmes is to include the Roma community as citizens with fully fledged rights. She invited the woman to visit the FSG offices to find out more about her work.

**OUTCOME:** Negative. The woman continued to generalise, insisting on sending a letter to all Roma people, and ended the conversation without changing her words and her negative stereotypes and prejudices about Roma people.

### 5. Ciudad Real. Others. Direct discrimination.

**FACTS:** A volunteer from a charity was giving a workshop, when a young Roma participant said that it was a shame what a state the neighbourhood of San Martín de Porres was in, and that they should help people to find



homes. The volunteer asked her why they would do that, because "the people from that neighbourhood don't deserve houses. Once I went to police search where they only had a court order to enter the house, and they were passing drugs from one house to the next. When they went in the house and opened the doors, rats came running out the cupboards, the mattresses were dirty and the children were wandering around in filth." She asked why they would give houses to "those people who sell drugs", saying, "you gypsies are backwards; what you need to do is earn a living and your home, like the singers Lolita and Rosario Flores, who have worked for it."

**INTERVENTION:** The girl told the Equality Officer what had happened, and she contacted the people in charge of courses from that charity. A few days later, they held a meeting, along with another manager from the charity.

Both managers were shocked by the comments and said that they would speak to the volunteer and the girls, to see what could be done. They agreed to get back to the Equality Officer with the outcome.

**OUTCOME:** Positive. A few days later, the Equality Officer called the charity and the head of the courses said that she had spoken to the volunteer, who had apologised, acknowledged her mistake and promised it would never happen again.

## 6. Cuenca. Others. Direct discrimination.

**FACTS:** The receptionist of the Cuenca Youth Centre publicly accused four Roma girls who were doing a course of having stolen her mobile phone, despite having no proof. One of the girls accused even offered to show her bag to prove that the receptionist was mistaken, and although she did not look in it, she looked in one of the other girl's bags without her consent.

Eventually it was cleared up, because one of her colleagues had taken it to keep it safe.

**INTERVENTION:** The girls were outraged and upset, and told the Equality Officer, who called the centre and asked to speak to the director.

The Equality Officer met the Director and explained what had happened. The Director responded that he had already been told about what had happened, and that he had spoken to the receptionist who made the accusation despite having no proof. The Director said it was an isolated incident and would not happen again.

**OUTCOME:** The receptionist apologised to the girls, under duress by the Director, but showed no signs of being sorry, and the girls were not satisfied by her apology.

FSG sent a letter to the City Council's Social Services Councillor to report what had happened and to ask that the appropriate action be taken, and for a public apology to be made with the same impact as the accusation, and for awareness sessions for staff of the City Council. The Councillor supported the FSG's demands.

## Jaén. Others. Direct discrimination.

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**FACTS:** A Roma man called the FSG office and asked for the Equality Officer's help because in the town where he lives with his family, they are constantly being discriminated against. Certain neighbours had thrown the Roma people out of the park and made comments such as "Lousy gypsies getting their meals from Caritas", or goading a dog against them by saying, "Go eat that lousy gypsy". On an occasion, the dog even bit him. On other occasions, when the bread van parked outside their house, the neighbours asked, "Why do you stop outside a gypsy's house?" In fact, the town's mayor had said that he cannot give work to Roma people because the people of the town would get rid of him. He added that the neighbours were collecting signatures to get them out of the town, he understood from hearing a conversation among the neighbours outside his house. He remembered that in 1999, the neighbours also collected signatures to stop them being given state welfare housing. They are the only Roma family in the neighbourhood, but not the town.

**INTERVENTION:** The Equality Officer went to the town and interviewed the family, and then the social worker and the City Council Social Services Councillor. The social worker said that she did not understand why this



was happening, "since the Roma families only go to the town hall and collect pay-outs." During the meeting, unacceptable comments were made about the Roma community, such as: "This man has a house and his son has another one next door. We can't give housing to his whole family, because they don't stop reproducing." They said they had no idea about what was happening and admitted that in 1999, neighbours had complained that they did not want to live next door to gypsies.

Subsequently, the mayor contacted the Equality Officer to tell her that the housing and employment requirements were not set locally, but by the Andalusia Government.

Eventually, the Equality Officer tried to get suggestions from the Roma family and the neighbours to improve harmony and mediate, and sent suggestions to the mayor, who committed to try to find a solution.

**OUTCOME:** Positive. A few days later, the Equality Officer asked the Roma family how they were, and they said that since FSG had intervened, the City Council has been more receptive.

The Council also mediated between neighbours and the family, with a positive outcome.

### 8. Valladolid. Others. Direct discrimination.

**FACTS:** A Roma woman who was a user of FSG told the Equality Officer that a member of an association for equality and tolerance made racist comments about the Roma community. The comments included, "The ones who should be given independence are the gypsies and not the Catalans, because they are woman beaters and thieves who don't pay their social security."

The Roma woman who was there at the time realised that the comments were being made about her, and told her that she was making an unfair generalisation full of stereotypes and prejudices.

**INTERVENTION:** The FSG Equality Department sent a letter of concern to the association to which the woman belongs, condemning the comments and the woman's attitude, which only add to stereotypes and discriminatory practices towards the Roma community, explaining that was intolerable for a person belonging to a public interest association with the aim of educating and raising awareness of equality and tolerance among society.

The association opened an investigation and held a meeting. Although the woman denied that she had made the comments and said there had been a misinterpretation, the association knew it was true since it was not the first time that this woman had made anti-Roma or racist comments.

**OUTCOME:** The association sent a letter of the department stating that it firmly opposes all declarations of hate or those that contradict the interests of people in relation to the right to equality.

They stated their solidarity with and support for the victim and her family. They also took appropriate disciplinary measures.

### 9. Valencia. Others. Direct discrimination.

**FACTS:** A young Romanian Roma man was stopped by the local police as he was riding through the city on his bike, carrying a box of clothes that he had found in a bin. The police stopped him and asked him where he had got the clothes, to which the boy answered that he had found them in a bin and told them which one, so they could check because there were more boxes still there. The police did not check, and did not listen to him, as they took him to the police station and accused him of misappropriation.

The Court convicted him without evidence, based on assumptions such as that the box of clothes would have been owned by someone, and that the defendant had acquired them unlawfully.



**INTERVENTION:** The FSG Equality Officer recommended appealing the judgment, but the boy did not want to.

**OUTCOME:** Decision of the victim. Unfortunately, the complicated personal circumstances of many Roma people mean that they tend to shy away from pursuing the action to which they are entitled.

#### **10. Zaragoza. Others. Direct discrimination.**

**FACTS:** A news item was published on Facebook about Roma people, and attracted various discriminatory comments, such as: "The majority don't want progress, they prefer to live by their wits and be a parasite on society, and they are proud of that." "If there is prejudice it is them towards us, they will never integrate and they don't care because that way they do what they want". "In fact, Mr Jiménez don't talk about racism because they are the leaders in that, and the wheeler dealers are the minority...basically...no comments", "Have you asked why that discrimination is happening and who is discriminating against who?", etc.

**INTERVENTION:** Since the Equality Officer knew the author of the article that had triggered the comments, she contacted him and asked him if he was aware of the comments. He responded that he was aware of that kind of comments at the bottom of his article, but he did not want to change or remove them.

**OUTCOME:** The racist comments about the Roma community were reported to Facebook, but they were not taken down.



## 2. Cases of anti-Gypsyism in Europe

### 1. SERBIA. Judgment on a case of police violence against a Roma man.

The European Court of Human Rights ruled against a Roma man who was a victim of police brutality in Hungary in 2010. The ERRC intervened in the case filed by the Hungarian Civil Liberties Union (HCLU) before the International Court for infringements relating to abuse, discrimination and failure to investigate the racist motivations in their investigation into the incident.

The man was arrested on suspicion of handling stolen goods as he drove his car, and was taken to a local police station for questioning. According to his testimony, in the course of the next four hours, six police officers and two security guards tried to force him to confess by striking the soles of his feet with a narrow piece of wood. One of the police officers told the man that he did not care if he died because that would be "one less gypsy".

He was forced to sign a document stating that he had been questioned for 40 minutes and that he admitted to three counts of robbery before being released. That night, he was treated at two hospitals, which issued reports detailing his numerous injuries, including bruising, abrasions, contusions and swollen hands, legs and feet.

After his criminal complaint was thrown out by the authorities and his legal case in the national courts was shelved, the HCLU took his case to the European Court of Human Rights.

The European Court agreed that the victim's human rights were violated by the abuse and discriminatory practice of the authorities of not considering racist motivation in the investigation. The victim received 10,000 euros in damages and 4,724 euros in costs and expenses.

More information is available at:

*Type://www.errc.org/press-releases/roma-tortured-by-police-in-belgrade-after-reporting-stolen-car*

### 2. Europe. Anti-Roma hate speech. Various European Parliaments.

In July 2017, Fundación Secretariado Gitano notified the President of the European Parliament, Antonio Tajani, of their deep concern about the lack of public response to growing hate speech by Members of the European Parliament against Roma people.

*The first serious case occurred on 8 April, International Roma Day, when Italian MEP from the Lega Nord Mara Bizzotto justified the need for an "international day to commemorate the Italian and European citizens, whose are victims of the problems caused by the gypsies". FSG wrote to the European Parliament to condemn the comments.*

*<https://www.gitanos.org/actualidad/archivo/119539.html>*

In June, Bulgarian MEP Angel Dzhambazki, of the Conservatives and Reformists Group, made attacks on the Roma community and other minorities on social media and in certain public spaces. Some of the declarations he has made on social media profiles include: *"The Gypsies are free to kill Bulgarians in domestic disputes. This is part of their lifestyle. That excuses them. This is part of their gypsy uniqueness."* He said that society has *"conveniently taught them not to work and leaves them unpunished for paedophilia, prostitution, drugs and whatever other evil doings you can imagine."*

Spreading anti-Gypsyism and hate speech on social media and in public appearances is wholly unacceptable, especially when coming from a person who represents European citizens and one of its institutions. This type of



declarations violates the European legislative framework on equality and non-discrimination, recognised in article 2 of the Lisbon Treaty of 13 December 2007, articles 1 and 21 of the European Charter of Fundamental Rights and Directive 2000/43/EC on the application of the principle of equal treatment of persons irrespective of their racial origin or ethnicity, as well as in various European Parliament resolutions.

This discriminatory discourse only helps to perpetuate a stereotyped and negative image of the Roma community, promoting rejection, social exclusion and hate by mainstream society. His message is a direct attack on social cohesion and only widens the division of a society in which it seems Roma people are not treated as human beings.

FSG believes that freedom of expression is a fundamental value of a democratic society, which should be conserved. However, the right to freedom of expression is not an absolute right and cannot prevail when it violates other fundamental rights that are protected by our constitutions, such as the right to equality, human dignity and the right to honour.

The right to freedom of expression must not legitimise discourse and declarations based on harmful and discriminatory stereotypes for the Roma community. That is why we believe that our institutions must use all mechanisms available to prevent this kind of racist discourse that promotes ethnic discrimination.

We are hugely concerned that these comments, coming from a representative of a European institution, are not an isolated event and that the lack of immediate and robust public reaction will encourage hate speech against the Roma community inside and outside institutions.

<https://www.gitanos.org/actualidad/archivo/120437.html>

<https://www.gitanos.org/actualidad/archivo/119539.html>

### **3. ITALY. Forced evictions of Roma families in Naples.**

In July 2017, 150 Roma adults and children were subject to forced eviction in Naples. This was the second time these families had been forcibly evicted in a three-month period, and they were utterly destitute.

After a number of weeks of living on the street, in parks and cars, or looking for temporary accommodation with friends and relatives, the families moved into an old tobacco factory not far from the previous informal settlement of Gianturco. The factory had been abandoned for years and offered only basic shelter to the families, who built huts inside the factory rooms. There were no installations such as water, sewerage and electricity, and the families were forced to collect water from a public foundation or buy it for cooking, washing and other needs.

According to the families' testimonies, the police had repeatedly asked them to leave the abandoned factory. During the visit in July, the police presented them with a document and told them that it was an eviction order. When activists and residents went to the police station and asked for a copy of the order, it turned out to be fake. On 11 July, police representatives returned to the factory and presented to the families another document stating that the private owner of the abandoned factory was going to secure the area and renovate the factory. At the same time, the document said that the public authorities must evict the people living in the factory due to unsafe conditions.

According to a complaint by Amnesty International, the eviction was illegal, because it did not comply with international human rights rules on forced evictions.





#### 4. BULGARIA. Discriminatory discourse. Bulgarian Deputy Prime Minister Valeri Simeonov, found guilty of discrimination for his comments about Roma people.

In October 2017, a Bulgarian court found the country's deputy prime minister and joint leader of the nationalist coalition United Patriots, Valeri Simeonov, guilty of violating anti-discrimination legislation with comments that he made in Parliament in 2014 about Roma people. At the time, Simeonov was the head of the United Patriots parliamentary group and was not in Government. He described Roma people as "arrogant, presumptuous and ferocious", saying, *"They are savage creatures, ferocious apes demanding a right to salary without labour, sickness benefits without being sick, child benefits for children playing with pigs in the streets, and maternal benefits for women with the instincts of street bitches."*

#### 5. CZECH REPUBLIC. Class suit against the mass institutionalisation of Roma children.

In July 2017, the Mental Disability Advocacy Centre, the European Roma Rights Centre and the Human Rights Forum filed a class suit with the European Committee of Social Rights, to close residential institutions for children under three years of age.

Institutionalisation has negative long-term repercussions for children's physical and emotional development. However, the Czech Republic remains one of the only European countries to allow very young children to be placed long-term in state institutions.

Roma and disabled children are significantly over-represented. Professionals, activists and non-governmental organisations have been pressuring the authorities for years to abolish institutions for children under three years of age. This new complaint, made under article 17 of the European Social Charter (ensuring the right of mothers and children to social and economic protection and appropriate support services), asked for the European Committee to intervene and to pressure the Czech Republic to definitively close these places.

"Children who live in institutions have to deal with severe social isolation, reduced environmental stimulation and loss of control over all aspects of their daily life, not to mention the well-documented forms of abuse and neglect. These can have seriously detrimental effects for the rest of their lives, particularly when children are placed in institutions at such a young age. The situation in the Czech Republic can hardly be considered as appropriate within the meaning of Article 17 of the Charter," said Steven Allen, interim executive director of the Mental Disability Advocacy Centre.

"All young children are vulnerable to harm caused by institutionalisation, but once again it is Romani children in the Czech Republic who are disproportionately affected," said ERRC President **Đorđe Jovanović**. "Segregation starts early for Roma here – official data clearly shows that Roma are significantly overrepresented, alongside children with disabilities, in state care institutions."

"We are hoping that after years of discussions at the governmental level, with the help of this collective complaint, the Czech Republic will finally realize that ending institutional care for young children must become a political priority," emphasised Tereza Bártová, a lawyer of Forum for Human Rights.

#### 6. SLOVAKIA. Interior Minister reported for anti-Roma police actions.

In December 2017, the European Roma Rights Centre (ERRC) took the Slovak Interior Minister to court for discriminatory police actions towards Roma people. The ERRC has been compiling evidence of discriminatory practices against Roma people in recent years by the police, including ethnic profiling and police raids on Roma people, to build a legal case against the Ministry.

The Interior Minister, Robert Kalinák, also recently announced a new law to compile statistics on *"Roma criminality"* and to increase police powers. This is an example of institutional racism by the Interior Ministry that has been



condemned. The recently announced legislation could easily be used to persecute already marginalised communities, and is based on racist stereotypes and inaccurate conclusions drawn from data collected by the Ministry.

The case is based on evidence that the police approached Roma communities under a so-called "Code-Action 100 intervention", as well as recent plans to bump up police units in areas identified as having large Roma populations.

"The statistics are necessary", said Kalinák, "and we agree, but the figures used by the Interior Ministry simply do not add up." Last year, the ERRC analysed the list of towns where the Minister proposed an increase in police units. The majority of the areas indicated for increased police activity were those with a high number of Roma residents. However, according to the Government's own data, there is no strong correlation between a high percentage of Roma people in the town and an increase in crime.

The ERRC also denounced police interventions of used in the searches dubbed Code-Action 100, which overwhelmingly took place in areas with a high percentage of socially excluded Roma people. They often entail the police entering the homes of Roma families and using excessive force against them, alleging that they were looking for people or goods.

"There is a definite prejudice existing in elements of the Slovak police force against Roma people. Connecting crime with someone's ethnicity is absurd," ERRC President **Đorđe Jovanović** said. "There is also strong evidence for institutional racism in the Interior Ministry. They are specifically targeting Roma areas, first with discriminatory policing, then disproportionate increases in police numbers, and now with this new anti-Roma law. Legal action is the only way to show these people that the targeting of Roma communities is illegal."

In 2017, the UN Committee on the Elimination of Racial Discrimination tasked Slovakia with taking effective measures to cease biased policing, based on reports of excessive force and violence inflicted on Roma citizens by law enforcement.

These are just some examples of the many incidents that occurred 2017 against Roma families and people in Europe.

We want to highlight two important features of these cases: the anti-Roma hate and racist component of them all, and the lack of an appropriate police response.

We consider these to be very serious cases of anti-Gypsyism, showing that Roma people continued to be victims of collective expressions of hate and discrimination in many countries.

We task European and national authorities and institutions to take these cases seriously, to investigate the perpetrators and to take action to prevent new cases of anti-Gypsyism in Europe.

# 3. Presentation of disaggregated data

In this section we will present disaggregated data for the 232 cases collected by FSG during 2017.

## Categorisation of cases:

- 1) **Individual Cases:** When the discrimination or hate crime is exercised on a specific, identified person.
- 2) **Group Cases,** three sub-categories:
  - **General group cases:** Cases affecting the image of the whole Roma community, or that encourage hate towards the Roma community (e.g. poor journalistic practice where ethnicity is cited in a news article, or anti-Roma hate phrases posted on social media: "All gypsies are...").
  - **Indeterminate group cases:** Cases that affect a specific number of Roma people, but where the exact number is unknown (e.g. a group of young people are refused entry to a nightclub due to their Roma ethnicity, but we do not know who they are or how many they are).
  - **Determined group cases:** Case where a group of Roma people are discriminated against, and we know how many and who they are (e.g. five Roma boys are refused entry to a nightclub).



## ANALYSIS OF CASES

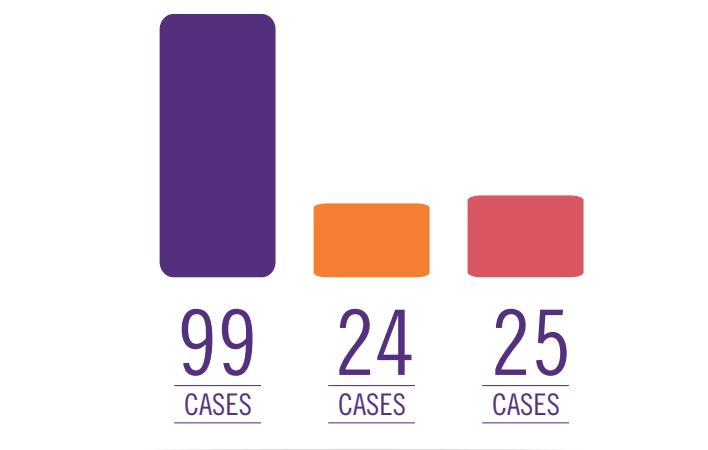


# ANALYSIS OF CASES

## INDIVIDUAL AND GROUP FIGURES



## 148 GROUP CASES



● Roma Community in general

● Groups with defined victims

● Groups with indeterminate victims

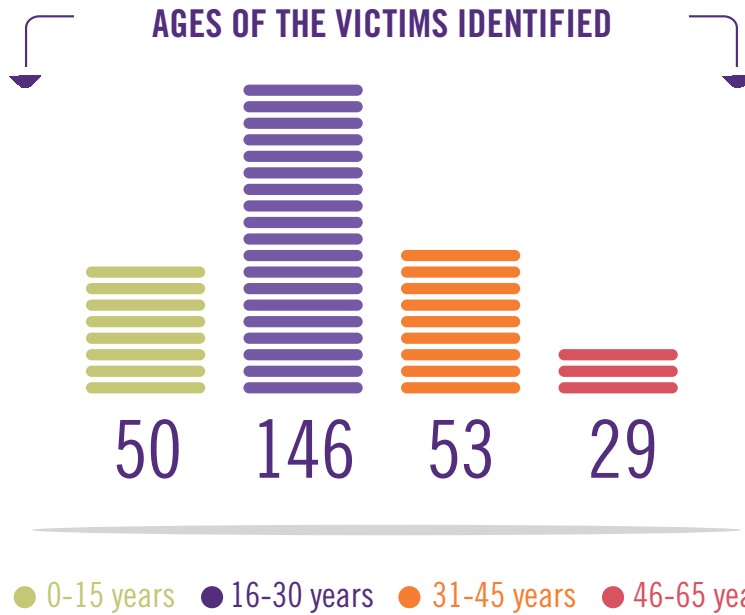


## ANALYSIS OF CASES

### FIGURES BY GENDER 278 PEOPLE IDENTIFIED



### AGES OF THE VICTIMS IDENTIFIED



● 0-15 years ● 16-30 years ● 31-45 years ● 46-65 years

TOTAL VICTIMS: 228

ALL AGES: 124 (INDETERMINATE)



**In depth: Analysis  
of intersectional  
discrimination**







# 1. Intersectional discrimination. The situation of Roma women

*Sara Giménez Giménez.*

*Lawyer. Director of Equality and Fight against Discrimination, Fundación Secretariado Gitano.*

When talking about intersectional discrimination and the Roma woman, we must bear in mind two key concepts: the legal framework at play is the defence of the fundamental right to equality, and there is an intersection of situations or conditions that, regrettably, make Roma women particularly vulnerable when we want to exercise effectively our right to equality.

We are born with the double condition of woman and Roma—clearly, that is our baseline. Society ring-fences us as a homogenous group with a prescribed number of ethnic prejudices and stereotypes, which mostly are the product of ignorance of the actual heterogeneous nature of Roma people and, more recently, the what that certain television programmes treat this particular minority. On top of that, we experience gender inequality the same as any other woman, and have to overcome gender roles that obstruct the part to equality of men and women.

That is why adopting an anti-racist and feminist angle is fundamental. At time, it seems to me that the two angles have been separate, but it is essential that they be integrated, as shown in the “Non-discrimination and equal opportunities for all – A framework strategy” published on 1 June 2005, whose introduction alludes to the fact that “In some areas, it may be appropriate to consider the development of an integrated approach to the promotion of non-discrimination and gender equality. This integrated approach should take into account the fact that some people may experience multiple discrimination on several grounds.”

Those two traits that I mentioned before mean that, occasionally, Roma woman face a specific rejection that neither Roma men nor non-Roma women experience. We will see an example in due course. There are other features that, likewise, we could analyse, such as sexual orientation or identity, disability, etc., but I will focus on one that particularly concerns me: poverty. Roma women in poverty (more than 70% of the Roma community lives in a situation of social exclusion, according

to the VII Foessa Report<sup>1</sup>) are in a much more glaring position of vulnerability. They have reduced education and employment opportunities, poorer health and living conditions, are more rejected, and have fewer chances to make their own decision and be autonomous, which are key tools in fighting inequality. As such, I see it as essential not to forget the current context, to establish and propose active options for the women in the worst situations. Poverty was taken into consideration, along with other factors, in the Judgment of the Inter-American Court of Human Rights in the case of Gonzales Lluay and family vs. Ecuador in 2015, one of the first judgments to incorporate an intersectional approach.

**Intersectional discrimination proposes a working model with an integrated focus that looks at other motives alongside gender equality. It means consideration of the reality of women who are not in the mainstream and who experience a specific set of barriers that are not easily overcome.**

In the course of our work at Fundación Secretariado Gitano, we begin with the Roma woman, who we advise and accompany, with the aim of enabling her to have access, with equal opportunities and free of discrimination, education, jobs, healthcare and housing—all entirely necessary elements to live a dignified life. In our work in fighting discrimination experienced by Roma people, we are diving deep and analysing this kind of discrimination with the organisation’s group of Roma women and the equality officers, preparing specific materials such as the “Guidance on Intersectional Discrimination. The case of Roma women”.<sup>2</sup> We believe that professionalism is vital when addressing this kind of discrimination, it thoroughly identify cases, collect data on how intersectional discrimination affects Roma women, to advise, them, accompany them in the process of defending their rights and to make proposals so that

<sup>1</sup> [http://www.foessa2014.es/informe/uploaded/descargas/VII\\_INFORME.pdf](http://www.foessa2014.es/informe/uploaded/descargas/VII_INFORME.pdf)

<sup>2</sup> [https://www.gitanos.org/upload/53/27/GUIA\\_DISCRIMINACION\\_INTERSECCIONAL\\_VERSION\\_FINAL.pdf](https://www.gitanos.org/upload/53/27/GUIA_DISCRIMINACION_INTERSECCIONAL_VERSION_FINAL.pdf)



equality policies take Roma women specifically into consideration.

In the cases of discrimination that we record and assist in each year in Spain, we have seen that Roma women in our country suffer intersectional discrimination primarily in access to goods and services, specifically supermarkets and shopping centres. They are followed by security guards as they shop, because of their prejudicial presumption that “Roma women steal”. Social gender roles tend to mean that Roma women are left to do the shopping. The cases we receive paint a picture that they are treated differently from both mainstream women and Roma men. To identify this kind of discrimination, we ask two basic questions: Would a woman in mainstream society be treated in the same way? Would a Roma man?

**This is a reality that we need to pull apart, record and work on specifically, to think about the specific circumstances of victims and to adopt a comprehensive standpoint. That will allow us to act when women from minority groups suffer discrimination, and that will require specific measures to be laid out in gender equality and anti-discrimination policies.** There is also sparse case law in this area; from the European Court of Human Rights (ECHR) the most seminal ruling to be found on intersectionality comes from *B.S. vs. Spain* in 2012, and the ruling of *Carvalho Pinto de Sousa Morais vs. Portugal* in 2017. In Spain we have yet to see court rulings on intersectional discrimination.

Cases of notes would include that of María Luisa Muñoz, which Fundación Secretariado Gitano defended all the way to the ECHR, eventually gaining a ruling in our favour.<sup>3</sup> A case worth analysing is Judgment 69/2007 of the Spanish Constitutional Court, which denied a Roma woman the right to a survivor’s pension, having married according to Roma rites and customs in 1971, and whose marriage had demonstrable legal standing. The case was eventually settled by the ECHR in Mrs Muñoz’s favour, but not from the point of view of intersectional discrimination. However, we believe that it meets all criteria to have been, since Mrs Muñoz was treated worse

because she was a woman and Roma. Firstly, we must remember that according to the division of labour in our society (even more so when Ms Muñoz got married), women more often taken care of the non-remunerated household labour, and as such, survivor’s pensions are more often applied for by women. Secondly, Mrs Muñoz was prevented from pursuing her socio-labour development outside the home, was married according to her customs and fulfilled the traditional role at that time of a Roma woman, dedicating her life to looking after their home, raising their children and looking after her husband until his death. Yet, after her husband’s death, she was denied the right to a survivor’s pension. The Spanish Constitutional Court could have considered the specific reality of a Roma woman married according to her customs, in a marriage that had demonstrable legal standing (they had a state family record, state recognition as a large family, etc), but she was denied constitutional protection. In fact, she suffered an injustice and very specific unfair treatment, particularly considering her life experience. Fortunately, her case was settled by the European Court of Human Rights, which recognised the survivor’s pension with retrospective effects as of the death of her husband.

That ruling is precisely why the legal sector must move forward to respond to the social reality. Intersectional discrimination is a line of defence that we must contemplate in all cases that feature these factors, because it makes victims even more vulnerable, if possible. We could even consider whether this kind of discrimination deserve a specific sanction or penalty because of its specific nature, since currently Spanish legislation allows only one discriminatory motive to be cited –gender of ethnicity– but not a combination of the two, as in the case we have recorded. We hope that anomaly will have a response in the context of the future Comprehensive Equality and Anti-Discrimination Act, which is currently going through legislative scrutiny in the Spanish Parliament. It must encompass all social realities, to guarantee the effective protection of victims, particularly the most vulnerable, who are precisely those who fall victim to numerous discriminatory practices.

<sup>3</sup> Tribunal Europeo de Derechos Humanos. 2009. Asunto Muñoz Díaz vs. España. Demanda No. 49151/07, 8 de diciembre de 2009.



## 2. The intersectional approach and discrimination of the Roma community

*Soraya Post.*  
Eurodiputada.

I have been a human rights activist all my life. In 2014, I became the first member of the European Parliament from an ideologically anti-racist and feminist party – The Feminist Initiative from Sweden. Before I became a MEP, I founded several NGOs, working at national level as an advisor to government bodies in Sweden, and on European level as advisor to the Council of Europe and the European Commission regarding Roma issues. I have devoted my life to working with issues regarding human rights by focusing on the empowerment of Roma women and the self-determination of the Roma society.

During these years, I have faced many different challenges (which I think everyone who works with human rights issues does). The notion of human rights often used within the political arena, does not necessarily include everybody. This is evident as people, throughout our societies, are having their fundamental human rights denied on a daily basis. People are excluded from education, health care, housing and the labour market, solely based on their identities and abilities.

Human rights should apply to all people, regardless of their identities and opportunities offered to them. However, people are systematically excluded, because those who hold the privileges and power in our societies have their status preserved by the system. In this process, the privileged group ignores their own group's specificity, which generates a blindness to disadvantages. This is not all, though.

Anti-Gypsyism –the form of racism directed against Roma– is not a new phenomenon. It has existed in Europe for centuries. Roma people have been neglected, discriminated against, stigmatised, excluded and dehumanised for 800 years. We are now slowly starting to improve the human rights situation of Roma people in Europe but we have a long way to go.

Anti-Gypsyism thrives in all walks of life –from education to employment, from access to information to access to justice, from our cradles to our graves, in the denial of our history and the deprivation of our future. It is not about poverty, it is about the denial of our human

rights. Roma citizens in many parts of Europe live under a form of apartheid, especially Roma women, Roma with disabilities, LGBTIQ Roma, and those who are part of any kind of minority within a minority.

My political party, The Feminist Initiative in Sweden is based on intersectional and antiracist feminism. Intersectional feminism is the understanding of how women's overlapping identities –including but not limited to race, class, ethnicity, religion and sexual orientation– impact the way they experience oppression and discrimination. We understand and build policies based on the fact that discrimination is multifaceted. For example, Roma women face multiple levels of discrimination because they are women and because they are Roma.

The forms that this intersectional discrimination takes can be varied. Roma women have for decades been subjected to forced sterilisation in the Czech Republic, Finland, Germany, Hungary, Slovakia and Sweden. Several governments have yet to establish a compensation mechanism and acknowledge that sterilisation of Roma women without their informed consent has been systemic and state-supported prior to 1990, and that it persisted into the 21st century.

Roma women still do not have equal access to high-quality healthcare services, including sexual and reproductive healthcare services, and information. I am alarmed by the severe lack of health insurance cards and Roma women being abused by medical staff. In addition, several hospitals in Hungary, Romania and Bulgaria contain segregated and substandard maternity wards, and Roma women patients are subject to racial and physical abuse when giving birth. This is unacceptable!

And of course in those countries where Roma children's educational segregation is an everyday and widespread practise, Roma girls have much worse life prospects.

Roma women are often victims of multiple and intersectional discrimination and find themselves in a disadvantaged position when it comes to participating in society at all levels and to accessing basic services and



resources; therefore, their active involvement in public and political life is key.

To solve these issues, we are applying an intersectional view and create intersectional policies. We understand and build policies based on the fact that discrimination is multifaceted. For example, being a poor Roma woman with two children and a chronic back pain gives a completely different life circumstance than if you are a poor white single mother. However, it is not the feminist movement that must be *inclusive*, the concept to include means that there is someone that is supposed to be invited.

From a human rights based perspective, we are all born equal. Hence, the feminist movement, when not fighting for women of colour or Roma women, are not complete. It is only half, and to be a whole we need to really look at ourselves and ask how we can "do" equality. As American poet and intersectional feminist, Audre Lorde said: "I am not free while any woman is unfree, even when her shackles are very different from my own".

**I know that it is possible to create that kind of society; but in order to do so, we cannot let the politics of hatred rule the mainstream. Despite the fact that we be-**

**long to different minority groups, we are all in the same situation. Our common ground for exclusion is white, abelist, heteronormative, patriarchal structures.** The sense of insecurity that some people may experience is one of the reasons for supporting politics of hatred. In my political work, I take my point of departure from an intersectional approach in order to make sure that the European political agenda ensures that all people, regardless of their identities and prerequisites, get their human rights recognised.

It is not a coincidence that populism and extremism increase when there is economic regression and social change. As a result, people tend to become more insecure and then they support politicians that seem to favour them by discriminating others. With a political intersectionality, we are able to hold those with responsibility accountable when they violate the human rights of one group in the name of another.

I would also like to thank the Fundación Secretariado Gitano (FSG) for the great work they are doing on fighting Anti-Gypsyism from an intersectional point of view. They have been working tirelessly in Spain for 35 years to achieve social justice for all. They are an important voice fighting for a more equal, diverse and open Spain.



### 3. The intersectional shift required to fight for equality and non-discrimination

*Tania Sordo Ruz*

*Doctor of Interdisciplinary Gender Studies,  
jurist and researcher into human rights, feminism and intersectionality.*

Before its introduction in social sciences, we can trace the idea of intersectionality back to the grievances of women not belonging to dominant or privileged groups, because there has always been resistance in spite of official discourse and hegemonic knowledge. Many women have complained of being depicted as “other”, subordinates, not appropriable and have been subject to multiple or simultaneous oppressions. They have questioned the inconsistency of a hegemonic feminist movement that (re)produces racism and classism, and of social movements that (re)produce gender-motivated violence and discrimination against women. Non-hegemonic feminists have resisted oppression, fought for equality for all, paved the way and generated knowledge to contribute to an intersectional shift in the social sciences.

It was the work of Kimberlé Williams Crenshaw, who from her legal and black feminism studies, introduced the concept of intersectionality in social sciences in her 1989 article “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory, and Antiracist Politics”.<sup>11</sup> Crenshaw’s work focuses on the trend in anti-discrimination doctrine, reflected in feminist theory and anti-racist policies, of having a single framework that has prioritised the experience of Afro-American men and women identified as white over that of Afro-American women, who have been left marginalised.

**Her work shows how the single framework means that when we talk about women, we are referring only to women identified as white, and that when talking about people not belonging to dominant or privileged groups, we mean men only. That has a ripple effect through the lives, experiences and rights of those marginalised women.**

It also means that the specific discrimination they experience is not adequately identified, nor are the repercus-

sions and the use of certain stereotypes that often are based on that same discrimination, since gender discrimination and racial or ethnic discrimination tend to be seen only in isolation. The single framework ignores women not belonging to privileged groups who are facing a consistent kind of specific discrimination, such as in the intersection and interaction of gender with ethnicity in societies where domination and oppression intersect, interact and feed off each other. As Patricia Hill Collins reminds us, oppressions work together in producing injustices.

For Crenshaw, the experience of intersectionality is more than the sum of sexism and racism, and the problem of exclusion requires the whole framework to be re-thought; the discourse on discrimination needs to focus on intersection. In her subsequent work, Crenshaw indicated that intersectionality not just can but must extend to include other issues than just gender and race.

Since its introduction, this concept has had a great impact on various disciplines and in the fight to respect and guarantee human rights. Intersectionality goes hand in hand with the right to equality and non-discrimination and the single framework is increasingly being reconsidered. This can be seen in certain domestic legislation, case law, international human rights law, regional human rights protection systems and the European Union.

On occasions, we will find the idea of intersectionality labelled as multiple, combined, double or triple discrimination. For example, the Beijing Declaration and Platform for Action 1995 was the first document to recognise the multiplicity of factors that can cause discrimination against women, and the 2001 Durban Conference mentions multiple discrimination numerous times—Crenshaw was involved in the preparation of that conference. In addition, the General Recommendations of the Committee on the Elimination of Racial Discrimination and the most recent Committee on the Elimination of Discrimination against Women (CEDAW), which has worked on intersectionality in a significant number of cases,

<sup>11</sup> Kimberlé Crenshaw. 1989. “Demarginalizing the Intersection of Race and Sex: A Black Feminist Critique of Antidiscrimination Doctrine, Feminist Theory and Antiracist Politics”. University of Chicago Legal Forum, p. 139-168.



have identified the obstacles faced by women not belonging to privileged or dominant groups in accessing justice, and how intersectional discrimination against them raises their risk of experiencing gender violence, which is a violation of their human rights and a form of discrimination.

Paradigmatic cases of intersectional discrimination include the forced sterilisation of Roma women, on which the CEDAW has issued statements and the European Court of Human Rights (ECHR) has handed down rulings. Reports by the Inter-American Commission on Human Rights and the CEDAW acknowledge the violations of the human rights of indigenous women and children in Canada who have been victims of sexually motivated murder and disappearances, let down by a system that has not effectively responded to their cases, using intersectional stereotypes of indigenous women, blaming them and leaving the crimes unpunished<sup>2</sup>.

There is also the ruling of the ECHR in the case of B.S. vs. Spain in 2012, where the Court found that decisions taken by the Spanish court did not take into consideration the inherent vulnerability of the woman as an African woman in prostitution. In the ruling of Carvalho Pinto de Sousa Morais vs. Portugal in 2017, the ECHR indicated that the age and gender of the woman seemed to have been de-

terminating factors in the final ruling in Portugal, and found that the women, whose compensation amount was reduced on the basis that "for 50-year-old women, sexuality is not important, and she probably only needed to take care of her husband" had been a victim of discrimination<sup>3</sup>.

Likewise, in 2015 the Inter-American Court of Human Rights issued a ruling considered to be the first in the inter-American system to perform an intersectional analysis of discrimination, which is considered to be the most comprehensive one thus far performed on an international level—the case of Gonzales Lluy and others vs. Ecuador. In its ruling, the Court found that the discrimination suffered by the victim "was caused not only by numerous factors, but also arose from a specific form of discrimination that resulted from the intersection of those factors; in other words, if one of those factors had not existed, the discrimination would have been different"<sup>4</sup>.

Considering all the above, we continue to make progress in the intersectional analysis of discrimination necessary to fight for equality and non-discrimination. Such an intersection analysis is wholly relevant to guarantee and protect human rights, but it is also fundamental that we include it in our renewed outlook, so that we can reach true equality, for the benefit of all.

2 See ECHR: V.C. vs. Slovakia 2011; N.B. vs. Slovakia 2012; I.G., M.K. and R.H. vs. Slovakia 2012; R.K. vs. Czech Republic 2012 and G.H. vs. Hungary 2015 and the CEDAW: A.S. vs. Hungary 2006. On Canada: Inter-American Commission on Human Rights. 2014. Missing and Murdered Indigenous Women in British Columbia, Canada. OEA/Ser.L/V/II, DOC. 30/14 and CEDAW. 2015. Report of the inquiry concerning Canada of the Committee on the Elimination of Discrimination against Women under article 8 of the Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women CEDAW/C/OP.8/CAN/1, 30 March 2015.

3 See: ECHR Case of B.S. vs. Spain. Application no. 47159/08, 24 July 2012, and ECHR Carvalho Pinto de Sousa Morais v. Portugal. Application no. 17484/15, 25 July 2017.

4 Inter-American Court of Human Rights, 2015. Case of Gonzales Lluy and others vs. Ecuador, Preliminary objections, merits, reparations and costs, 1 September 2015, Series C No. 298, paragraph 290.

The image features two stylized human figures, one orange and one grey, positioned side-by-side. The text is overlaid on the orange figure. The text is in a bold, orange, sans-serif font and reads: "Good practice, progress achieved and case law".

**Good practice,  
progress achieved  
and case law**







# 1. Progress made and best practice

## Appointment of Sara Giménez as Spain's representative in the ECRI

The Council of Europe's Committee of Ministers, at the proposal of the Spanish Ministry of Health, Social Services and Equality, has appointed Roma lawyer Sara Giménez as Spain's new representative in the ECRI (European Commission against Racism and Intolerance), who is due to take her post from January 2018. Ms Giménez is currently the Director of the Department of Equality and Fight Against Discrimination at Fundación Secretariado Gitano.

The European Commission against Racism and Intolerance is a monitoring group attached to the Council of Europe tasked with fighting racism, xenophobia, anti-Semitism and intolerance across Europe, to protect human rights. The Council of Europe was founded in 1949 by 10 European countries. It currently has 47 member states, of which Spain has been one since 1977.

The members of the ECRI, who are appointed by each Council of Europe member state for a five-year mandate are, according to its statute, persons of high moral authority and recognised expertise, serving in their individual capacity and independent.

The ECRI, one of the international organisations that has repeatedly shone a light on the discrimination su-



ffered by the Roma population and the need for greater attention by the authorities, now has a Roma person representing Spain.

As a member of the ECRI, Sara Giménez will participate in reviewing legislation, policy and measures of member states to combat racial discrimination, xenophobia, anti-Semitism and other forms of intolerance, preparing country reports and preparing actions and political recommendations for member states in this area.

[https://www.coe.int/t7dghl/monitoring/ecri/about/Members/GIMENEZGIMENEZ\\_CV.asp#TopOfPage](https://www.coe.int/t7dghl/monitoring/ecri/about/Members/GIMENEZGIMENEZ_CV.asp#TopOfPage)



## Creation of the National Office to Combat Hate Crime

In 2017, the Office of the Prime Minister created the national office to combat hate crime (Royal Decree 770/2017 and OG 2285 of 12/02/18). The office is attached to the Coordination and Studies Cabinet and was established **to coordinate and monitor issues, and to act as a point of contact with national and international authorities.**

The Office will advise the Secretary of State for Security in relation to hate crime and will be responsible for coordination between the Prime Minister's Office and its dependent organisations, particularly in relation to:

- Information exchange and circulation.
- Joint training with national security forces.
- Assisting victims.

The duties of the Office are:

- To act as an observatory **of the phenomenon.**
- To encourage investigation and application of the protocol.
- To compile and collate relevant data collected by the security forces.

- To foster procedures, protocols and legislative reform.
- To prepare studies and identify trends and patterns.
- To monitor the most important crimes.
- To give operational, strategic, training or coordination instructions that may be of use to national security forces.
- To collate, analyse and disclose statistical data nationally.
- To encourage coordination with the security forces and other institutions.
- To establish the national point of contact with other specialist international bodies.
- To coordinate training of members of the security forces.
- To participate in various forums in combatting those crimes.

We consider the creation of this Office to be greatly beneficial as a valuable resource to combat hate crime. That is why we embarked on a collaboration with the office, to keep an open channel of communication and coordination, as an organisation that also deals with cases of discrimination.





## Renewal of the Assistance and Guidance Service for Victims of Racial or Ethnic Discrimination. Results from 2013 to 2017

The Assistance and Guidance Service for Victims of Racial or Ethnic Discrimination (the Service) is a free-of-charge state service to assist potential victims of racial or ethnic discrimination, provided by the Council for the Eradication of Racial or Ethnic Discrimination,<sup>1</sup> a collegiate body attached to the Institute for Women and Equality, Sub-Directorate General for Equality and Non-Discrimination, which reports to the Ministry for Health, Social Services and Equality (now the Ministry of the Presidency, Court Relations and Equality).

The Council acts to apply article 13 of Council Directive 2000/43/EC, of 29 June 2000, which states that "Member States shall designate a body or bodies for the promotion of equal treatment of all persons without discrimination on the grounds of racial or ethnic origin." It gives those bodies powers to independently assist victims of discrimination and to publish independent reports and make recommendations.

To implement the first of those undertakings –to assist victims of racial or ethnic discrimination– the Service has two objectives:

1. *To provide the necessary technical assistance for the full provision of an assistance and guidance service for victims of racial or ethnic discrimination, in order to promote equal treatment and eradicate racial or ethnic discrimination, including direct assistance for people who have suffered or witnessed discrimination due to racial origin or ethnicity, or digital help through the on-line portal or the helpline for victims of discrimination. That assistance may be directly to the potential person or group suffering discrimination and their relatives.*
2. *To pursue information and awareness activities for professionals and potential victims of racial or ethnic discrimination, including the pursuit of information, awareness and impact activities of the Service, through collaboration with public and private agents in each region.*

At the end of 2017, specifically from 13 October 2017, a new service period (or renewal) began, which will continue until 12 October 2018, formed by the same specialist social organisations working to fight discrimination as in the previous period (15 March 2013 to 2 October 2017):

- *Accem*
- *Cruz Roja Española (CRE)*
- *Comisión de Ayuda al Refugiado en España (CEAR)*
- *Fundación CEPAIM*
- *Fundación Secretariado Gitano*
- *Movimiento contra la Intolerancia (MCI)*
- *Movimiento por la Paz (MPDL)*
- *Red Acoge (RA)*

Fundación Secretariado Gitano coordinated the Service from 2013 to 2017, together with the seven organisations, through a network of 87 offices (in all autonomous regions and the autonomous city of Melilla). The presence of the Service in the various autonomous regions has enabled victims of racial or ethnic discrimination to receive assistance nationally, totalling 2,257 cases of racial or ethnic discrimination, of which 1,304 were individual cases and 953 group cases.

Of the figures cited, we have been able to accurately identify 1,279 people in individual cases and 1,596 people in group cases. Of the group cases, it is important to consider that the Service records discriminatory incidents that affect a whole population group, making it more difficult to specify the number of people affected, such as in cases of discriminatory incidents in the media and online.

In spite of the data on identified victims, the Service continues to work on and perfect our tools and protocols in order to better identify victims of discrimination, which is so important for the Service even though it is a difficult task to undertake (since there is still serious underreporting, internalising and ignorance of rights to protect against discrimination in all the areas where we have recorded discriminatory incidents). These are major problems that no doubt we will continue to analyse in the forthcoming period (13 October 2018 to 12 October 2019) to find a solution.

During the period of 15 March 2013 to 12 October 2017, the Service carried out a total of 916 information, awareness and training activities, 279 of which were intended for professional key agents, of which there are a total of 2,605. In addition, 637 information sessions were given to potential victims of racial or ethnic discrimination and to other beneficiaries of programmes offered by each of the social organisations that form part of the Service. In total, 17,979 potential victims and/or beneficiaries have participated in our sessions.

<sup>1</sup> Royal Decree 1262/2007, of 21 September.

<sup>2</sup> Council Directive 2000/43/EC, of 29 June 2000, implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.



During the period we also prepared materials such as the 22 roll ups of the Assistance and Guidance Service, and 36,950 informative leaflets about the Service and leaflets for potential victims of discrimination were circulated.

We believe that it is vital that the service consolidate throughout 2018-19 and that it continues to develop a robust defence of the right to equal treatment and non-discrimination.

[www.asistenciavictimasdiscriminacion.org](http://www.asistenciavictimasdiscriminacion.org)

<http://www.igualdadynodiscriminacion.msssi.es/re-dOficinas/portada/home.htm>



### Assistance and Guidance Service for Victims of Racial or Ethnic Discrimination. Results 2013-2017.

Total no. of actions 916	Total no. of recorded cases 2,257	Gender of victims
<ul style="list-style-type: none"> <li>• 279 actions targeted at professional key agents</li> <li>• 637 actions targeted at potential victims of discrimination</li> <li>• Total no. of beneficiaries 20,584 people</li> </ul>	<ul style="list-style-type: none"> <li>• 1,304 individual cases in which we have been able to identify 1,279 people</li> <li>• 953 group cases in which we have been able to identify 1,596 people</li> <li>• Total no. of people identified 2,875</li> </ul>	<ul style="list-style-type: none"> <li>• 745 women</li> <li>• 695 men</li> <li>• 817 both genders</li> </ul>



## Third evaluation of the code of conduct for internet companies on countering illegal online hate speech on social media

On 19 January 2018, the European Commissioner for Justice, Vera Jourová, announced the results of the third evaluation (2017) of the Code of Conduct on countering illegal online hate speech that was signed by the large internet corporations Facebook, Twitter and Google in 2016, to analyse the removal of illegal hate speech on social media. FSG has participated in the monitoring process since the beginning of 2017, within the European Commission (DG Justice) High Level Group on Combating Racism.

On average, these internet companies removed 70% of reported illegal hate speech. Compared with the 59% rate of removal in the second evaluation (May 2017) and 28% in the first evaluation (2016), rates of removal of hate speech have clearly and steadily improved. In general, tech companies removed 70% of reported content, while 30% remained online.

Specifically, Facebook removed 79.8% of content, YouTube 75% and Twitter 45.7%. There was substantial progress made by the three companies compared with the results from May 2017 and December 2016. Ethnic origin (17.1%), anti-Muslim hate (16.4%) and xenophobia (16%) were the most common areas of hate speech. It is important to stress that cases of ethnic origin are mostly **cases of anti-Roma hate speech, which**

**indicates that the Roma community is still one of the main targets of hate speech.**

Of the 2,982 cases reported by 35 social organisations across the EU, 507 were cases of hate speech based on ethnic origin—the vast majority anti-Roma. NGOs from Italy, Slovakia, the Czech Republic, Romania, Bulgaria, Hungary and Spain reported numerous cases of this type, where death threats were made against Roma people, inciting their extermination, or they were dehumanised by comparing them with animals. All these cases are an attack on the dignity of people due to their ethnicity, and indicate precisely the limit of freedom of expression, as indicated in various rulings of the European Court of Human Rights.

In the case of Spain, three organisations are involved: Fundación Secretariado Gitano, which reported 116 cases (one of the highest rates of reporting of the 35 organisations across Europe), the Federación Estatal de Lesbianas, Gais, Transexuales y Bisexuales (FELGTB) (35 cases) and the Observatorio Español del Racismo y la Xenofobia (OBERAXE) (86 cases). FSG achieved a 90% rate of removal of reported cases (100 pieces of anti-Roma hate content on social media removed, of 116 reported) —one of the highest success rates of the whole process.



## Non-binding resolution passed in Parliament to recognise Roma people

On 9 March 2017, the Health and Social Services Committee of the Spanish Lower Chamber unanimously passed a non-binding resolution (*Proposición no de Ley*) tabled by the Socialist Parliamentary Group, for the "Chamber to urge the Government to declare 8 April International Roma Day, recognising the green and blue flag with the red 16-spoke wheel, and Gelem as the hymn of the Roma people". This decision will allow such symbols to be used officially in institutional commemorations, acts and events relating to Roma people.

At Fundación Secretariado Gitano we are delighted with this initiative, which, in spite of having taken some time to happen, is an institutional recognition of the symbols and identity of a community with its own history and culture, which has been settled in Spain for more than five centuries and which has survived a series of persecutions and robust rejection and discrimination, which continues to this day. In her explanatory statement, parliamentarian Miriam Alconchel (Socialist Group), looked back at some of the hardest moments in the history of the Roma people, and remarked that it was "a great day in the fight against racism".

FSG is confident that this recognition will help to spread understanding in society of the symbols that identify Roma people, and will allow hitherto unknown history and culture to reach mainstream society. We share the idea of certain parliamentary groups (Ciudadanos, Unidos Podemos) that, in spite of clearly supporting the resolution, it "falls short". **The inequality and discrimination suffered by the Roma community will not be solved by a mere institutional recognition, which is a symbolic gesture that can help to launch a message that the Roma community belongs to the rest of Spanish society at large.**

In conjunction with this institutional recognition, we believe that specific measures must be implemented to help to bridge the enormous inequality gap to which



Roma people are subject, especially in education, guaranteeing that Roma pupils finish mandatory secondary education, promoting their access to the labour market as fully fledged employees, eradicating slum living and reducing substandard housing, and addressing the serious problem of anti-Gypsyism in our society, while promoting equality and combating discrimination.

During the debate and tabling of amendments, the Roma parliamentarian Silvia Heredia (Grupo Popular) spoke of the progress made in inclusion of the Roma population in Spain, and compared it with other European countries, but also acknowledged that there were still many challenges to overcome to reach the ultimate goal of equality.

In fact, in view of the main challenges outstanding, the GPS has tabled another non-binding resolution on "measures to support the Roma community", in an attempt to address social inclusion issues. We are confident that it will bring measures to respond to the inequality to which the Roma community is subject, and that it will garner the unanimous support of parliamentary groups.

Until then, FSG welcomes this initiative that, in the words of the representative of the Esquerra Republicana parliamentary group in the Committee, "settles an outstanding debt that Spain has with Roma people".



## European Parliament resolution to fight anti-Gypsyism

The Roma population in Europe currently sits at between 10 million and 12 million, and approximately 6 million are EU citizens. In spite of representing the largest minority in EU territory, their fundamental rights are violated every day. Anti-Gypsyism is a form of racism whereby Roma people are victims of discrimination, violence and hate speech.

In spite of progress made in legislation, member states rarely fulfil their responsibility to guarantee effective compliance with fundamental rights in member states. In such a dereliction of duties, minorities are the most vulnerable groups. As such, the Roma community face the most difficulties in accessing public services. Occasionally, they are victims of segregation policy, above all in education and housing.

To address this situation, on 25 October 2017 the Swedish Roma MEP, Soraya Post, presented a motion for the European Parliament to pass a resolution proposing measures to guarantee the fundamental rights of the Roma community. FSG made contributions and proposals to prepare the motion. The document, which thoroughly covers the current situation of Roma people in Europe and the current state of anti-Gypsyism, urges European authorities and member states to take specific measures in six areas:

- To end stereotypes: it is important to work in all facets of life to eliminate stereotypes, including in education, the media, art or literature. The report proposes long-term awareness campaigns and promoting consultation with NGOs and representatives of the Roma community.
- Reconciliation and remembrance: the document urges European authorities to commemorate Roma Holocaust Memorial Day on 2 August each year. It also asks the European Commission to create a Europe-wide truth and reconciliation commission. It urges member states to create similar organisations in their respective countries.
- To assess the application of policies on the Roma population: the report urges European authorities and member states to guarantee that the policies that could have an impact on the Roma population fight against discrimination, segregation and anti-Gypsyism. It must be ensured that European programmes are implemented following the non-discrimination

principle. The document considers it essential to improve funding and to guarantee the effective development of European programmes that work to improve living conditions for the Roma population.

- To combat anti-Gypsyism: the social integration of the Roma community must be built on the rejection of segregation policies, above all in education and housing. Employment and professional training policies that have a positive impact on the Roma population must be boosted. In essence, it tries to achieve integration on the possibility of effectively accessing and exercising economic and social rights. The document considers equal access to justice for Roma people to be fundamental, as well as an end to the overcriminalisation of this group.
- To appraise national integration strategies for Roma people: the document lays out concern for the ineffectives of the National Roma Strategies to improve the living conditions of the Roma community. Accordingly, it urges European institutions and national authorities to work on including new forms of evaluating public policies. Moreover, it asks member states to work more efficiently to make progress in fighting anti-Gypsyism, discrimination and marginalisation, as well as to work to integrate the Roma population and guarantee their rights.
- To put the fight against anti-Gypsyism in the post-2020 agenda: collaboration between public authorities, NGOs and European institutions is fundamental to put the Roma issue on the European agenda, and to keep it there beyond the conclusion of the Europe 2020 Strategy.

The Resolution was passed on 25 October 2017 by 470 votes in favour, 48 against and 103 abstentions, and can be viewed in English at:

<http://www.europarl.europa.eu/sides/getDoc.do?pubRef=-//EP//TEXT+TA+P8-TA-2017-0413+0+DOC+XML+V0//EN>





## Parliament approves the drafting of the LGBT Equality Act

In September 2017, the first LGBTI Equality Act was debated in the Spanish Lower Chamber. The draft text, which had been lobbied for by the Federación Estatal de Lesbianas, Gais, Transexuales y Bisexuales (FELGTB) and first came about in 2015, was brought forward in the Lower Chamber in 2017 by the confederal group Unidos Podemos, and received support from the vast majority of the parliamentary spectrum. This law is a global pioneer, which, in the words of the LGBTI collective, is “more than necessary” to produce true equality of all Spaniards, pursuant to article 14 of the Constitution.

The key points of the Bill, which is now facing parliamentary scrutiny and amendments before its definitive approval, focus on intervention in various areas of society, and are an attempt to put an end to the current-day inequalities. Discriminatory attacks are the main target, particularly taking into account the most recent reports of the Interior Ministry on hate crime, which show a worrying reality: their incidence has dropped in



all groups apart of LGBT. The legislation intends to implement measures to protect victims. But that is not all: above all, it aims to trigger a cultural change in society, with specific measures in education, healthcare, administrative sanctions, measures against discriminatory incidents, training for police, non-pathologising treatment for transgender people and legal improvements to correct ways in which heterosexual and homosexual couples are treated unequally (assisted reproduction, registering a birth with two mothers, etc.).

The draft Bill can be downloaded here:

[http://www.congreso.es/public\\_oficiales/L12/CONG/BOCG/B/BOCG-12-B-122-1.PDF](http://www.congreso.es/public_oficiales/L12/CONG/BOCG/B/BOCG-12-B-122-1.PDF)





## Second European Union Minorities and Discrimination Survey (EU-MIDIS II)

On 6 December 2017, the European Union Agency for Fundamental Rights presented in Brussels the "Second European Union Minorities and Discrimination Survey (EU-MIDIS II): Main Results".

This is the second survey on minorities and immigrants that the FRA has carried out. The survey asked about experiences of discrimination and harassment, cases of police checks due to ethnic profiling and knowledge of rights, as well as integration indicators, the feeling of belonging and trust in public institutions, and receptiveness towards other groups.

The main conclusions include:

- 38% of respondents had experienced discrimination in the last five years, with the most affected being North Africans (45%), Roma (41%) and Sub-Saharan Africans (39%). Discrimination arose most frequently when job seeking (29%).
- 31% of second generation immigrants surveyed had experienced harassment caused by hate in the past year. 50% of those second generation victims suffered harassment at least six times in that year.

A lower number of members of minorities (61%) completed at least higher secondary education, compared with the general population (74%). This reduces their chances of finding employment.

In terms of discrimination experienced by the Roma population, the following results were published:

There has been little progress compared with eight years previously when the first wave of the survey took place: the proportions of those suffering discrimination, as well as physical violence and bullying motivated by hate, and of those who are not aware of pertinent legislation and the possibility for redress, remain at very concerning levels. In general, Roma respondents and respondents with Sub-Saharan or North American backgrounds, particularly second generation, suffered higher rates of discrimination, harassment and violence motivated by hate.

### Discrimination

The prevalence of discrimination in the five years prior to the survey in four areas of life (finding work, work, housing, in contact with school authorities as father, mother or tutor):

Average 28 Member States Midis II: 25%

Average for the Roma population: 27%

For Roma respondents in respondent countries, the highest discrimination rates are in Portugal (61%), Greece (44%) and Croatia (42%), and lowest in Bulgaria (19%). Spain is above average for anti-Roma discrimination, at 35% (EU average is 27%). Roma respondents felt discriminated against due to the colour of their skin. For example, in the Czech Republic and Slovakia, it is the most cited cause of discrimination in the five years before the survey (39% each). In Croatia, 23% of Roma respondents felt discriminated against due to the colour of their skin during that period.

### Harassment motivated by hate and violence:

In the 12 months prior to the survey:

Average EU 28 Midis II: 24%

Roma population: 30%

In the 5 years prior to the survey:

Average EU 28 Midis II: 31

Roma population: 36

Awareness of a family member or friend who has been insulted due to their ethnic origin or immigrant status in the 12 months prior to the survey

Average EU 28 Midis II: 25%

Roma population: 29%

### Reporting harassment:

Of the groups surveyed in EU-MIDIS II, only 10% of victims of harassment said that they reported the most



recent incident, either to the police or another organisation or service. The results suggest that rates of reporting incidents of harassment to the police have not risen since the first EU-MIDIS survey carried out in 2008.

Satisfaction with the way the police handled the most recent incident of harassment due to ethnic origin or immigrant status after reporting an incident to the police:

#### Very unsatisfied or somewhat unsatisfied:

Average EU 28 Midis II: 63%

Roma population: 51%

#### Violence based on ethnic origin in the 12 years prior to the survey:

Average EU 28 Midis II: 3%

Roma population: 4%

Four years before the survey:

Average EU 28 Midis II: 4%

Roma population: 6%

Of Roma victims of violence motivated by hate who reported the most recent incident in the five years prior to the survey, 27% reported it to the police or another organisation or service (Average EU 28 Midis II: 28%).

#### Police and ethnic profiling

19% of Roma respondents reported they had been subject to police stops in the five years prior to the survey (average EU 28 Midis II: 26%). On average, 8% of all Roma respondents thought they were stopped because of their Roma ethnicity (average EU 28 Midis II: 8%), but in Spain that figure rises to 21%. Roma respondents from Portugal, Greece, the Czech Republic and Romania reported particularly high rates of perception of ethnic profiling in relation to the most recent police stop.

#### Recent stops by the police perceived as ethnic profiling:

Average EU 28 Midis II: 33%

Roma population: 42%

These figures show that the Roma community continues to suffer the most situations of discrimination and harassment in Europe. The FRA has called out to member states and equality organisations to make more effort to tackle these cases and to support discriminated communities, with particular stress on the need to more effectively combat anti-Gypsyism.

The full report can be downloaded here: [http://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2017-eu-midis-ii-main-results\\_en.pdf](http://fra.europa.eu/sites/default/files/fra_uploads/fra-2017-eu-midis-ii-main-results_en.pdf)



## New publications from Oberaxe in 2017

### Prosecuting Hate Crimes: A Practical Guide. OSCE-ODHIR

The Office for Democratic Institutions and Human Rights (ODIHR) of the Organization for Security and Co-operation in Europe (OSCE) and the International Association of Prosecutors (IAP) published this document in English in 2014. The Spanish translation is the result of collaboration between the Spanish Ministry of Foreign Affairs and Cooperation, the General State Prosecutor and the Secretary General for Immigration and Emigration of the Ministry of Employment and Social Security, via the Spanish Observatory of Racism and Xenophobia.

This is a tool designed to help legal operators and other interested parties in the prosecution of hate crimes. It has been prepared by experts from various OSCE countries and is valid for different legal systems and legislative frameworks, and contains numerous case studies.

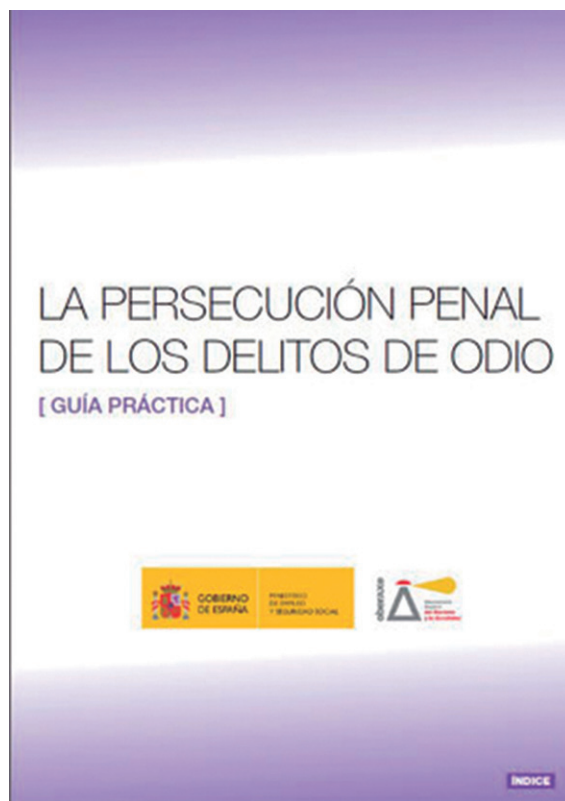
The guidance includes a conceptual development of terms; the legal nature of hate crime; tools to prosecute hate crime, and four appendices of information of interest, such as: ODIHR programmes and resources to combat hate crime; decisions of the Ministerial Council of the OSCE on hate crime; catalogue of fundamental international instruments and international case law; and finally, commitments from the International Association of Prosecutors.

The Guidance can be downloaded here:

[http://www.empleo.gob.es/oberaxe/es/publicaciones/documentos/documento\\_0077.htm](http://www.empleo.gob.es/oberaxe/es/publicaciones/documentos/documento_0077.htm)

### Development of racism, xenophobia and other related forms of intolerance in Spain. (Survey and Report, 2015)

This report, which was published in 2017, is based on the results of the 2015 survey entitled "Attitudes to Immigration" carried out by the Centro de Investigaciones Sociológicas (CIS). Knowledge of the perception that Spanish citizens have of immigration is essential to im-



plement public policies and prevention strategies, and to combat racism, xenophobia and other related forms of intolerance.

The report recognises the following factors underlying rejection/tolerance of immigration: competition for scarce resources; unremitting contact with immigrants; the degree of empathy with disadvantaged groups; views on integration and the manifestation of racist or xenophobic attitudes. Of the surveyed group, three profiles were identified based on their socio-demographic features and factors that indicate a higher or lower level of tolerance.

A new feature of this report is an executive summary offering a more accessible sample of results.

[http://www.empleo.gob.es/oberaxe/es/publicaciones/documentos/documento\\_0089.htm](http://www.empleo.gob.es/oberaxe/es/publicaciones/documentos/documento_0089.htm)



## FSG publishes a Guide to combat hate speech and a Guide on Intersectional discrimination

### Guide to combat hate speech

Language has the power to communicate, but also to harm. Hate of minorities and discrimination can be exercised through expressions, declarations, messages on social media, texts and videos, which may be insulting and disparaging to a person or a group of people due to their ethnicity, due to being of a minority sexual orientation, due to being from another country, due to age, religion, living on the street or other circumstances.

In the case of the Roma community, there is a long tradition of anti-Roma discourse and expression that attacks the dignity of Roma people, and that ultimately incites discrimination and hate. In addition, in recent years social media has become an ideal platform to spread hate speech. Hiding behind anonymity, many users broadcast messages that can reach very large audiences. Anti-Roma, anti-Semitic, homophobic, xenophobic, Islamophobic speech, etc. are prolific on those platforms, setting the tone for exclusion and discrimination, and seriously undermining human dignity.

For all these reasons, FSG believes it is necessary to fight hate speech as effectively as we can, to ensure a society where the rights of all are respected, and where acts of discrimination and hate are not left unpunished.

In order to offer guidance to citizens and social organisations engaged in fighting discrimination, FSG has published a Guide to combat hate speech. We provide a definition of what it is, when it is punishable by law, the position of social media companies on this issue, how and where to report cases of illegal hate speech, legal references and best practice.

The Guide has been funded by a subsidy from the Foreign Affairs Ministry's Human Rights Office, and was prepared in collaboration with various social organisations, public authorities and internet companies.

[https://www.gitanos.org/upload/54/29/GUIA\\_COMBATIR\\_DISCURSO\\_ODIO\\_final.pdf](https://www.gitanos.org/upload/54/29/GUIA_COMBATIR_DISCURSO_ODIO_final.pdf)





## Guide on intersectional discrimination

Ever since the Afro-American feminist jurist Kimberlé Crenshaw coined the concept of intersectionality at the end of the 1980s, the concept has gained importance in the fight against discrimination, particularly in the context of ethnic and sexual minorities. Various human rights organisations (CEDAW, the Council of Europe, the European Commission and EQUINET) have been using the concept for some time to better address the issue of discrimination.

Of the discrimination situations that Roma women commonly encounter, many cases have in common a particular situation that differs from Roma men and non-Roma women, and which places them in a particularly vulnerable position. This type of discrimination is what is known as 'intersectional discrimination'. Intersectional discrimination is a specific type of discrimination that is a convergence of different types of discrimination (the intersection of gender and ethnicity, for example); it is not a case of "adding up" the discrimination, but of understanding how the intersection of that discrimination is something specific that needs a particular approach that recognises those different factors.

In order to best understand this approach, and to know how to detect and combat cases of intersectional discrimination, FSG has prepared 'Guide on intersectional discrimination', with the help of the FSG Roma Women's Group and coordinated by the Department of Equality and Fight against Discrimination.

The Guide explains the historical origin of the term and its application to human rights policy, to then focus on what the experience is of this kind of discrimination by Roma women. It provides tools to analyse and detect this kind of cases, and case law (from the case of the La Nena survivor's pension, to the sterilisation of Roma



women in Europe and the excessive surveillance of Roma women in supermarkets and shops).

The Guide also provides an extensive bibliography of texts on intersectional discrimination, including contributions from Roma authors.

The Guide was financed by a subsidy from the Human Rights Office of the Ministry of Foreign Affairs and Cooperation.

[https://www.gitanos.org/upload/53/27/GUIA\\_DISCRIMINACION\\_INTERSECCIONAL\\_VERSION\\_FINAL.pdf](https://www.gitanos.org/upload/53/27/GUIA_DISCRIMINACION_INTERSECCIONAL_VERSION_FINAL.pdf)



## Procedural guide for the local police force when attending persons with learning disabilities

The organisations Plena Inclusión and Unijepol, in conjunction with the platform for police management of diversity, published in 2017 a *procedural guide for the local police forces when attending persons with learning disabilities*.

According to data provided by Plena Inclusión, people with learning disabilities represent nearly 1% of the Spanish population. That equates to a social group of some considerable size. People with learning disabilities form part of the most vulnerable group of local communities; because of the limitations they encounter in their day-to-day lives, learning social and intellectual skills to cope in different situations is harder for them. That is why, to guarantee their equal rights as users of public local security services (as those wanting safety and harmonious living, as well as those who break the law), local police forces must substantially improve their training and adopt procedures to guarantee quality professional services for people dealing with these sorts of disabilities.

With that in mind, the Guide has a two-fold objective: on the one hand, to establish a guide to help the local police act effectively and respectfully towards people with learning disabilities; on the other, to provide a training tool for local security professionals. Pursuant to the Charter of Fundamental Rights, the Spanish Constitution and the basic statutory principles for the security forces, there is an impetus for local police services to adapt to the realities of a diverse society; in this case, a major part of a diverse society are people with learning disabilities. In other words, they are taking measures to become "the local police force for all".

The procedural guide that has been put together by Plena Inclusión and the National Union of Local Police Chiefs (Unijepol) offers towns and autonomous communities an opportunity to implement change in the exercise of their constitution duties to coordinate and train local police forces.

<http://www.plenainclusion.org/sites/default/files/manual-policia-local-15-06-17.pdf>





## Aporophobia enters the RAE dictionary

In 2017, the Spanish Royal Academy included the word "aporophobia" in its dictionary. The word was coined by the philosopher Adela Cortina and means the rejection, aversion, fear and disdain of poor people and poverty. Aporophobia helps to explain, for example, why refugees are rejected but not rich migrants or investors, or why Arabs who arrive on our coasts in yachts are welcome, but not those who arrive in makeshift boats.

In those cases, we can see that what bothers people is the poor element, rather than their racial or ethnic origin. Xenophobia and racism are a growing disgrace in Europe, but if we look at these phenomena carefully we will see that the rejection is not only caused by their identity but by their economic circumstances.

According to data from the Observatorio Hatento, 47% of homeless people have been victims of hate crime



due to aporophobia. Giving a name to aporophobia is necessary to turn around this everyday reality that violates human rights in our cities.

The word aporophobia is needed to shine a light on the discrimination and hate crime suffered by poor people, especially the homeless as an expression of the most absolute poverty.



## Fundación Secretariado Gitano launches the “Start from scratch” awareness campaign

“Start from scratch” (“Partir de cero”) is the most recent awareness campaign launched by Fundación Secretariado Gitano in December 2017, which was disseminated around the country during the beginning of 2018. It aims to raise awareness of the effects of discrimination in Roma people’s lives, and to lay bare that inequality and discrimination have extremely negative repercussions on the day to day lives of many Roma people.

The campaign’s creative idea was based the premise that inequality and discrimination put the victim at a disadvantage. Many Roma people “do not start from scratch, but far below, because of the many barriers that they have to overcome. Samara, the protagonist of the campaign’s video short, has just had her 18th birthday and is beginning a trip. Her destination: Scratch City, the city of equality and equal opportunities. On her journey, she will have to overcome many obstacles: the Forest of Prejudice; the City of the Closing Doors or the Cave of Negative Stares...

The short animated clip, narrated by the actor Antonio Resines, was first screened on 15 December 2017 at the Academy of Cinematographic Arts and Sciences in Madrid. On the same day, it was launched on the website [www.partirdecero.org](http://www.partirdecero.org) as the first video with a negative number of

views. The counter was set at -750,000 views, referring to the approximate number of Roma people living in Spain.

The campaign garnered support from public figures, and then thousands of people on Facebook, Twitter or Instagram shared the story of Samara. Journalists, artists, actors, politicians and writers all joined the campaign. The hashtag #PartirDeCero was a Twitter trending topic in Spain for more than nine hours. During the first few days, it garnered 15 million shares and more than 26 million reactions. The media picked up Samara’s journey, to add an audience of 7.2 million in the press, and on the radio and television.

The campaign has also raised visibility of Roma young people who, like Samara, have to overcome discrimination to reach Scratch City. During the presentation of the campaign and on the project’s website, a group of young people gave their testimonies of rejection and discrimination.

The campaign was also designed to create an equality movement, through the campaign website [www.partirdecero.org](http://www.partirdecero.org) and the Ten Commandments of Scratch City, in which institutions, citizens, businesses and schools and join the campaign. Numerous regional and local businesses, institutions and foundations have already done so.

In addition to the film, the campaign launched various advertising pieces, a logo, 5,000 flyers, 2,500 billboards, a press shoot, various graphics for social media sharing, mailshots, etc.

The campaign was financed by the programme “Solidary. Other social interest purposes” of the Ministry of Health, Social Services and Equality, and by the European Social Fund.







## 2. Case law

### Rulings of the European Court of Human Rights (2017)

The European Court of Human Rights (ECHR) is the most senior judicial authority in guaranteeing human rights and fundamental freedoms throughout Europe. Its rulings, which are made based on the Convention for the Protection of Human Rights and Fundamental Freedoms, also known as the European Convention on Human Rights, are for the purpose of protecting the human rights and fundamental freedoms of people subject to the jurisdiction of member states.

Any citizen who believes they have been the victim of a violation of the Convention or any of its Protocols, and who has exhausted all judicial channels in their member state, may file a complaint against that State before the ECHR.

As such, FSG has collated the European cases of discrimination and hate against Roma people that were heard in 2017.

#### 1. ŠKORJANEC v. CROATIA

(28 March 2017)

In June 2013, Maja Škorjanec was walking through a market in Zagreb with her partner, when **two men began to throw racist insults at him due to his Roma ethnicity**. He was then assaulted, and when Maja went to help him, she was also assaulted.

The two attackers were prosecuted for the offence of making serious threats associated with hate crime against Maja's friend. But they were not charged with the crime of racial motivation against Ms Škorjanec, since the prosecutor decided that there was no indication of the attack being for discriminatory reasons, since she was not of Roma ethnicity.

**Outcome:** the court ruled that the national authorities did not fulfil their obligations under the Convention, due to dismissing the criminal complaint without carrying out further investigation. It upheld that **article 3** (pro-

hibition of inhuman or degrading treatment), in relation to **article 14** (protection from discrimination) had been violated.

It determined that a person can be a victim of a violent hate crime not only when they have a specific trait but when they are attacked due to their association with another person with that trait. Therefore, states are obliged to investigate both types of crime.

Croatia was ordered to pay the applicant 12,500 euros, plus costs.

Reference: <http://hudoc.echr.coe.int/eng-press?i=003-5668750-7185456>

#### 2. BARNEA AND CALDARARU v. ITALY

(22 June 2017)

This is a case that begins when a 28-month-old was separated from his biological family. The biological family, of Roma origin, arrived in Italy in 2007, and set themselves up in a Roma camp for seven years.

In December 2010, a court ordered that one of the children be placed in a foster home, with plans to be adopted (as the family had asked for social benefits). However, in 2012, the Appeal Court found that there was a strong bond between the child and his parents and that it would be in the child's interests to return to his biological family. However, social services did not follow the court's instructions.

The public prosecutor applied to the Children's Court not to enforce the appeal decision, and in 2014, it was decided that the parents were living in a vulnerable situation and that, as such, the child should remain in the foster family. Eventually, in 2015, the Appeal Court decided that, six years after having left his family, the child had settled well into the foster family and that contact should be limited.



In August 2016, the Children's Court ordered for the child to be returned to his biological family, because the foster family was only a provisional arrangement. Even so, it was not a satisfactory ending for the family, because they had lost years with their child.

**Outcome:** the Court upheld that the Italian authorities had not made sufficient efforts between 2009 and 2016 to guarantee the applicants' right to live with their child.

The Court found that article 8 of the Convention had been violated (**right to respect for private and family life**), firstly, it found that there was no such exceptional reason to justify breaking the family ties; secondly, the 2012 Appeal Court ruling had been incorrectly enforced.

Reference: <http://hudoc.echr.coe.int/eng-press?i=003-5758252-7319783>

### 3. KIRÁLY AND DÖMÖTÖR v. HUNGARY

(17 January 2017)

This case concerns an anti-Roma demonstration in a city. The applicants alleged that the police had failed to protect them from racist abuse during the demonstration and to properly investigate the incident.

The demonstration was held in the town of Devecser in August 2012. It was attended by 500 people, including members of political parties. **Speeches delivered during the demonstration made racist threats and called for the death penalty to be reintroduced, and there were various violent actions (destruction of property and assaults).**

The two applicants, both of Roma ethnicity, alleged that the police failed to take action, made no attempt to identify the demonstrators and did not perform a diligent investigation. Their complaint was dismissed, so eventually they made an application to the ECHR.

**Outcome:** the Court held that the authorities performed only a limited investigation of the incidents. They had failed to establish the true, complex nature of the events, and the accumulation of those shortcomings had led to an openly racist demonstration with sporadic acts of violence.

The Court was particularly concerned that it could be perceived by the public as state tolerance of that behaviour.

The Court held that there has been a violation of **article 8** (right to respect for private and family life) of the Convention.

Reference: <http://hudoc.echr.coe.int/eng-press?i=003-5599395-7074074>

### 4. MEMET AND OTHERS v. ROMANIA

(8 March 2017)

The applicants were 37 Romanian nationals of Roma origin, in a case concerning eviction proceedings against the families, as in 2013, **the mayor of Efoire ordered the demolition of the applicants' homes, thus leaving them homeless.** They were offered shelter in an abandoned school.

In an interview given immediately after the demolition, the mayor of Efoire referred to the applicants' homes as an "infection" and compared the applicants' behaviour to that of dogs.

All the applicants pursued administrative court proceedings against the Efoire mayor's office, for the annulment of the mayor's decision and pecuniary and non-pecuniary damages. The court dismissed their claims.

In 2014, they were evicted from the school they had been placed in, and moved them to eight modular containers. They signed six-month lease contracts, agreeing to pay a monthly rent. They were renewed until October 2015.

However, in August 2015, numerous applicants were informed that they had accrued debts for non-payment of rent, electricity and water changers. The applicants said that they had no awareness of the amounts owed and that they could not make the payments. They were threatened with eviction from the containers, since the applicants had not asked for a renewal of the lease contracts.

**Outcome:** eventually, the case reached the European Court of Human Rights, which notified the Romanian Government of the application and asked the parties questions under **article 3** (inhuman or degrading treatment or punishment), **8** (private and family life, his home and his correspondence), **13** (right to an effective remedy), **14** (prohibition of discrimination) and **35** (admissibility criteria) of the Convention.

Reference: <http://hudoc.echr.coe.int/eng?i=001-172631>



## 5. CALDARAR AND OTHERS v. POLAND

(8 September 2017)

The applicants were Romanian nationals of Roma origin, specifically, five families comprising nine adults and seven children. In 2009, the families started living on land where no construction was permitted, in the city of Wrocław.

However, between 2013 and 2014, the applicants built, without planning permission, five structures of wood and various recycled materials. Four of the structures served as houses, and the fifth was used for storing power generators and fuel.

In 2015, the local construction inspector issued three administrative decisions ordering their demolition on the grounds that they were not sturdy structures and were unsafe.

However, none of the residents was present when the inspection took place, and they did not own the land in question, so the notice could not have been sent to them.

The demolition took place in July that year. The applicants said they were unaware of the demolition plans, and that they had not been at the site when the demolition took place. Their belongings had been destroyed or taken to a nearby dump, and they have been able to retrieve hardly anything.

**Outcome:** the Court notified the Polish Government of the application, and asked the parties questions under article 3 (inhuman or degrading treatment or punishment), 8 (private and family life), 13 (right to an effective remedy), 14 (prohibition of discrimination) and 35 (admissibility criteria) of the Convention and article 1 (protection of property) of Protocol no. 1 of the Convention.

Reference: <http://hudoc.echr.coe.int/eng?i=001-177322>

## 6. LE PEN v. FRANCE

(28 February 2017)

The applicant, Jean Marie Le Pen, is a French national and politician.

The case regards a speech made by Le Pen in 2012, on behalf of the National Front, which he represents. During the speech, he said: *'Fewer than 30,000 official evictions take place every year, and 10,000 who come back are helped, principally Eastern European Roma people who never wanted to integrate into European society. Some of them have been together for the past five centuries, and say 'we're birds, we fly naturally.'*

A number of organisations, including the Asociación Movimiento contra el Racismo y por la Amistad entre los Pueblos (MRAP), argued that the French word to fly, "voler" also meant to steal, and was intended to conflate Roma people with theft, and that the applicant had publicly insulted a group of people due to their Roma ethnicity.

In 2013, the Paris Criminal Court found him guilty and fined him 5,000 euros, plus costs occasioned by the associations. The court found that it was an offensive expression that violated the honour and reputation of the intended recipients. The ruling was upheld by the Court of Appeal in 2014, and when Le Pen appealed the ruling and lost, the case was brought before the ECHR.

Le Pen argued that his right to a fair trial and presumption of innocence had been violated (under article 6 of the Convention).

**Outcome:** the European Court of Human Rights deemed the application of this Convention to this case inadmissible, due to lack of grounds. **In particular, it found that the ruling by the French courts against Le Pen for publicly insulting Roma people was supported by sufficient and relevant grounds.**

Reference: <http://hudoc.echr.coe.int/eng?i=001-172508>



## 7. RANDELOVIC AND OTHERS v.

### MONTENEGRO

(19 September 2017)

The complaint in this case arose following an incident that occurred in 1999, when a boat left the coast of Montenegro with the intention of reaching Italy, but never arrived. The victims were a group of 70 Roma people.

According to the application, the Montenegro authorities failed to conduct a prompt and effective investigation into the deaths or disappearances, since after performing autopsies on 35 people who were found, their cause of death was not accurately determined.

The criminal proceeding lasted more than 10 years and 7 months, after a new indictment was issued in 2006. Such a protracted timeframe meant that the amount and quality of evidence available deteriorated, and also prolonged the suffering of the relatives of the victims.

The applicant Ms Gaši's brother and sister-in-law were victims of the accident. She stated that the Montenegro authorities had failed to act promptly and with due diligence.

**Outcome:** the European Court of Human rights considered that the authorities' delays could not be compatible with the state's obligation under article 2 of the Convention to defend the right to life. It ruled that Montenegro must pay Ms Gaši 12,000 euros, plus costs.

Reference: <http://hudoc.echr.coe.int/eng?i=001-177076>

## 8. M.F. v. HUNGARY

(31 October 2017)

On 12 August 2010, M.F. was arrested together with accomplices while driving a vehicle containing apparently stolen goods. After his arrest, he alleges that he was ill-treated and repeatedly hit by police officers (six officers and two security guards), to make him confess to other crimes.

His injuries included being struck in the face, kicked repeatedly, having a paper bag placed over his head, and being struck on the soles of the feet with a piece of wood. He was also subject to insults about his Roma ethnicity.

The same date, M.F. went to hospital, where he was issued a report certifying the injuries he had received. In September, he lodged a criminal complaint for police brutality.

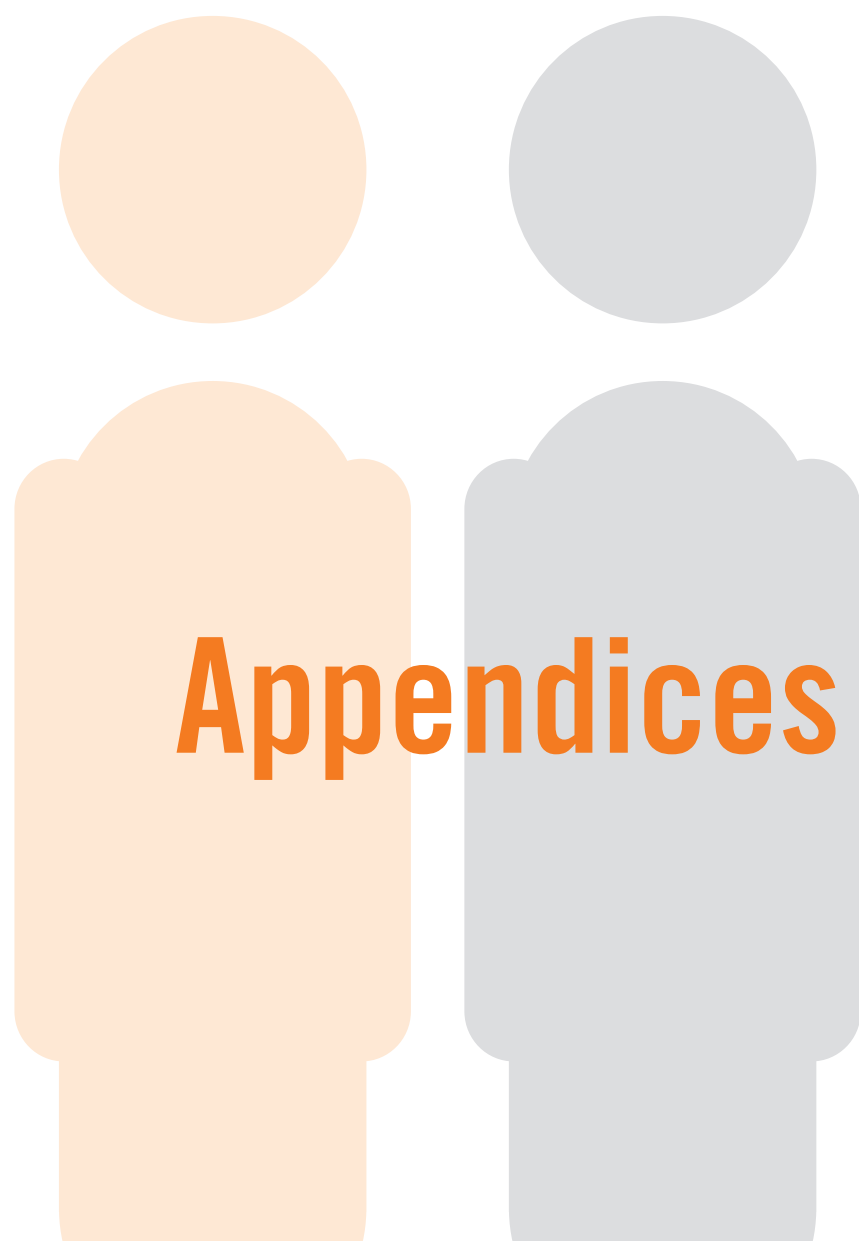
It was determined that the exact time that the injuries were inflicted could not be determined according to the medical report. M.F. also found it difficult to identify the attackers. Therefore, the investigation was concluded at the end of December, and it was decided that the complainant's version of events was not plausible. The complainant lodged a series of unsuccessful appeals before giving up.

Eventually, his complaint reach the ECHR.

**Outcome:** the ECHR admitted the application. Firstly, it found that article 3 of the Convention had been violated (prohibiting torture), by the police's treatment and the failure by the authorities to conduct an effective investigation. Article 14, which prohibits discrimination, had also been violated, as it was found that the police's actions were racially motivated, yet the authorities failed to investigate any potential racist motive.

The State was ordered to pay the applicant damages and costs.

Reference: <http://hudoc.echr.coe.int/eng?i=001-178178>



# Appendices



# Appendix I:

## Current legislation

### Domestic

- [The Spanish Constitution](#). Article 14.
- [Act 4/2015](#), of 27 April, on the Statute for victims of crime.
- [Basic Act 1/2015](#), of 30 December, amending Basic Act 10/1995, of 23 November, on the Criminal Code.
- [Act 19/2007](#), of 11 July, against violence, xenophobia, racism and intolerance in sport.
- [Basic Act 3/2007](#), of 22 March, on effective gender equality.
- [Act 62/2003](#), of December 30, on tax, administrative and social order measures. (Chapter III. "Measures to apply the principle of equality").
- [Royal Legislative Decree 5/2000](#), of 4 August, approving the consolidated Act on Social Infractions and Sanctions.
- [Basic Act 4/2000](#), of 11 January, on the rights and freedoms of foreign nationals in Spain and their social integration.
- [Practical protocol for Security Forces when dealing with Hate Crime and Conduct that Violates Statutory Discrimination Rules](#). Official Bulletin of the Civil Guard, no. 1, section 1, page 51-108, 7 January 2015.

### European Union

- [Treaty on European Union](#). Article 2.
- [Council Framework Decision 2008/913/JHA](#), of 28 November 2008 on combating certain forms and expressions of racism and xenophobia by means of criminal law.
- [Directive 2006/54/EC of the European Parliament and of the Council](#), of 5 July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).
- [Council Directive 2004/113/EC](#), of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services.
- [Council Directive 2000/78/EC](#), of 27 November 2000 establishing a general framework for equal treatment in employment and occupation.
- [Council Directive 2000/43/EC](#), of 29 June 2000 implementing the principle of equal treatment between persons irrespective of racial or ethnic origin.
- [European Union Charter of Fundamental Rights](#). OJEC, C 364/1, 18 December 2000.
- [Directive 2012/29/EE of the European Parliament and of the Council](#), of 25 October 2012, establishing minimum standards on the rights, support and protection of victims of crime, and replacing Council Framework Decision 2001/220/JHA.
- [European Parliament resolution of 25 October 2017](#) on fundamental rights aspects in Roma integration in the EU: fighting anti-Gypsyism (2017/2038(INI)).



## International

- **Instrument of Ratification of the Convention on the Rights of Persons with Disabilities**, made in New York on 13 December 2006, ratified by Spain on 23 November 2007. (Official State Gazette no. 96, of 21 April 2008).
- **Instrument of Ratification of the Framework Convention for the Protection of National Minorities** (number 157 of the Council of Europe) made in Strasbourg on 1 February 1995. (Official State Gazette no. 20, of 23 January 1998).
- **Convention for the protection of human rights and fundamental freedoms**, Official State Gazette A-1999-10148 (Council of Europe).
- **Universal Declaration of Human Rights**, adopted by the General Assembly in resolution 217 A (III) on 10 December 1948.
- **International Covenant on Economic, Social and Cultural Rights**, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966.
- **International Covenant on Civil and Political Rights**, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966.
- **Optional Protocol to the International Covenant on Civil and Political Rights**, adopted and opened for signature, ratification and accession by General Assembly resolution 2200A (XXI) of 16 December 1966.
- **Second Optional Protocol to the International Covenant on Civil and Political Rights**, aiming at the abolition of the death penalty, adopted and proclaimed by General Assembly resolution 44/128 of 15 December 1989.
- **International Convention on the Elimination of All Forms of Racial Discrimination**, adopted and opened for signature and ratification by General Assembly resolution 2106 (XX) of 21 December 1965.
- **Convention on the Elimination of All Forms of Discrimination against Women**, adopted and opened for signature, ratification and accession by General Assembly resolution 34/180 of 18 December 1979 (CEDAW).
- **International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families**, adopted by General Assembly resolution 45/158 of 18 December 1990.
- **Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities**, adopted by General Assembly resolution 47/135 of 18 December 1992.
- **Equal Remuneration Convention**, adopted on 29 June 1951 by the General Conference of the International Labour Organisation at its thirty-fourth session.
- **Convention concerning Discrimination in Respect of Employment and Occupation**, adopted on 25 June 1958 by the General Conference of the International Labour Organisation in its forty-second session.
- **Declaration on Race and Racial Prejudice**, approved by the General Conference of the United Nations Educational, Scientific and Cultural Organisation on 28 November 1978.
- **Convention against Discrimination in Education**, adopted on 14 December 1960 by the General Conference of the United Nations Educational, Scientific and Cultural Organisation.
- **World Conference against Racism**, 2001 (Declaration and Programme of Action).
- **Declaration on the human rights of individuals who are not nationals of the country in which they live**, adopted by General Assembly resolution 40/144 of 13 December 1985.
- **General Policy Recommendation No 13 of the European Commission against Racism and Intolerance (ECRI) on combating anti-Gypsyism and discrimination against Roma**, Council of Europe, 24 June 2011.
- **General Recommendation XXVII on Discrimination Against Roma**, adopted at the fifty-seventh session of the Committee on the Elimination of Racial Discrimination, UN Doc. HRI/GEN/1/Rev.7 at 252 (2000).  
<http://hrlibrary.umn.edu/gencomm/Sgencom27.html>



## Appendix II.

# European bodies and organisations that work in the field of equality, non-discrimination and the Roma community

- Amnesty International  
<http://www.amnesty.org/en/roma>
- Council of Europe  
<http://hub.coe.int/web/coe-portal/roma>
- Dostal Campaign  
<http://dosta.org/en>
- CAHROM  
<http://hub.coe.int/cahrom1>
- Decade of Roma Inclusion  
<http://www.romadecade.org/>
- Equinet  
<http://www.equineteurope.org/>
- ENAR  
<http://www.enar-eu.org/>
- ECRI  
[http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation\\_N13/default\\_en.asp](http://www.coe.int/t/dghl/monitoring/ecri/activities/GPR/EN/Recommendation_N13/default_en.asp)
- ERIO  
<http://www.erionet.eu/>
- EUROMA  
<http://www.euromanet.eu/>
- EU DG Justice  
[http://ec.europa.eu/justice/discrimination/roma/index\\_en.htm](http://ec.europa.eu/justice/discrimination/roma/index_en.htm)
- European Roma and Travellers Forum  
<http://www.ertf.org/>
- European Roma Policy Coalition  
<http://romapolicy.eu/>



- European Roma Rights Centre  
<http://www.errc.org/>
- FERYP  
<http://www.feryp.org/>
- Fundamental Rights Agency FRA  
<http://fra.europa.eu/en/theme/roma>
- International Roma Women Network  
<http://www.advocacynet.org/page/irwn>
- Open Society Foundations  
<http://www.opensocietyfoundations.org/explainers/roma-and-open-society>
- Osce–Odhir Roma and Sinti  
<http://www.osce.org/what/roma>
- Policy Center  
<http://www.policycenter.eu/>
- Roma Education Fund  
<http://www.romaeducationfund.hu/>
- Roma Virtual Network  
<http://www.valery-novoselsky.org/romavirtualnetwork.html>
- Roma Youth Action Plan  
[http://www.coe.int/t/dg4/youth/Training/Roma/2013\\_FEB\\_Roma\\_Youth\\_and\\_Council\\_of\\_Europe\\_en.asp](http://www.coe.int/t/dg4/youth/Training/Roma/2013_FEB_Roma_Youth_and_Council_of_Europe_en.asp)
- Roma woman  
<http://romawoman.org/?page=news>
- Romed  
<http://coe-romed.org/>
- Romea news  
<http://www.romea.cz/en/>
- Romani language  
<http://romani.humanities.manchester.ac.uk/>
- European Court of Human Rights  
[http://www.echr.coe.int/Documents/FS\\_Roma\\_ENG.pdf](http://www.echr.coe.int/Documents/FS_Roma_ENG.pdf)



