



Country fiche: SPAIN

Position of civil society involved in the Roma Civil Monitor

SUBSTANTIVE POLICY AREAS

STRENGTHS/KEY ELEMENTS OF THE MS APPROACH

WEAKNESSES/GAPS/RECOMMENDATIONS

EDUCATION

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| <ul style="list-style-type: none"> • The NRIS includes the objective, for the time period till 2020, of increasing the proportion of Roma children (aged 0-6 years) who attend pre-school, by awareness raising among Roma parents and by giving priority to families with social exclusion risk. • Measures enhancing Roma students' participation and inclusion in compulsory education is being done gradually but firmly (e.g. in terms of access, academic and social integration, curriculum adjustment etc.). • Emphasis is placed on support of disadvantaged pupils and students, including those coming from socially disadvantaged environment. • Education seems to be in the focus of the NRIS: 61.2% of the NRIS Operational Plan 2014-2016 measures were in the area of education and employment. • Different projects and campaigns have been carried out by the Roma civil society sector to address the school dropouts. | <ul style="list-style-type: none"> • Due to lack of data, the actual achievements of the objectives in education are not known. • Compared to the objectives set in the NRIS, the number of actions that have been carried out in the field of early childhood education is minimal. Roma children's enrolment in pre-school education is still lower compared to the mainstream population. • Dropout rate among young Roma (12-24) remains very high (60-65%); in consequence the education level of Roma is far behind the mainstream population. • School segregation is often associated with residential segregation. The elimination of schools with a high concentration of Roma students has not been done yet. |
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EMPLOYMENT

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| <ul style="list-style-type: none"> • Small-scale Roma-targeted programmes of the regional public employment services are available (including explicit targeting of Roma women). • NGO-initiated <i>Acceder</i> programme offers training and job exchange in most regions populated by Roma. | <ul style="list-style-type: none"> • Many Roma engage in informal and/or low paid employments. • There is a need to monitor regional variation in Roma's access to public employment services. • Governmental programmes should focus on the transition process from education to the labour market. • Youth guarantee should be strengthened to reach out to Roma youth and offer tailored services, especially to support school to work transition. • There is no official monitoring of employment discrimination; there is a need for awareness raising among Roma about protection against discrimination in employment. |
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HEALTHCARE

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| <ul style="list-style-type: none"> • Despite a brief detour explained by austerity needs, healthcare in Spain remains universal and the Roma are covered to the same extent as the majority. • The <i>Equis Sastipen</i> network, created by NGO UNGA in 2010 and co-financed by the government, includes 21 associations and Roma federations from all over Spain with aim to sensitise, train and accompany public administrations and professionals working in the field of health. A manual for the promotion of health in the Roma community was also produced. | <ul style="list-style-type: none"> • Despite improvements, Roma life expectancy is still 15 years less than the average life expectancy of the population. • Women's health issues and low participation in preventive efforts remain areas of concern. • It seems necessary to maintain and expand the health agents' programmes among the Roma community. |
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HOUSING



- Further progress has been made in residential inclusion of Roma – i. e. reduction of shanty towns, desegregation and access to social housing – thanks to initiatives at various governance levels and cooperation with NGOs.
- Besides infrastructure and housing development subsidies, debt management schemes have been launched to prevent evictions.

- There was a detrimental effect of the 2008 crisis on the housing conditions of many Roma and funding of public programmes aimed at their improvement.
- The Roma communities are discriminated in the rental market. In consequence, many Roma continue to live in stigmatised or segregated neighbourhoods.
- A gap between Roma and non-Roma persist in housing quality and access to amenities; an increasing number of Roma households has been disconnected from heating due to problems with payments.
- Segregated Roma neighbourhoods lack public services, such as public transport, health care, secondary education centre, recreation and cultural facilities or social services.

HORIZONTAL MEASURES

STRENGTHS/KEY ELEMENTS OF THE MS APPROACH

WEAKNESSES/GAPS/RECOMMENDATIONS

ANTI-DISCRIMINATION

- Free legal aid services for victims of discrimination and hate crime have been established by bar associations of Madrid, Barcelona, Malaga, Seville and Cordoba.
- 2018-2020 Inclusion Plan draft includes measures to avoid and reduce the concentration of Roma students in some schools.
- ESIF finance actions to raise awareness of equal treatment and the fight against discrimination against the Roma population. There is a special focus on discrimination faced by Roma women.

- The protection against discrimination is not regulated by a single law and does not cover all fields and grounds; the government has failed to prepare a single comprehensive instrument on equal treatment.
- The national equality body (Council of Equality and Non-Discrimination – CERED) is not independent and its role has been reduced to victim support service.
- Victims of discrimination should have access to free legal services country-wide.
- Segregation of Roma in education should be extensively researched to determine the real scale of the problem.

FIGHTING ANTIGYPSYISM

- A declaration made by the Catalan Parliament recognised the persecution and genocide of the Roma.
- The state financially supports many initiatives to fight antigypsyism. For example: Barcelona Office for Non-Discrimination organised workshops to tackle antigypsyism and on activism in secondary education.
- The Autonomous Community of Catalonia has a 'Bureau for Diversity in the Audio-visual sector' that has a Roma member and cooperates with Roma organisations.
- All Spanish Autonomous Regions now have a prosecutor specialised in hate crimes and discrimination.
- In 2015, Ministry of the Interior published a protocol to address hate crime and discrimination for National Police and the Civil Guard, which includes a definition of antigypsyism and contact points for citizens in each province.
- Police forces in Madrid and Catalonia provide training on antigypsyism, intercultural policing, prevention of ethnic profiling.

- NRIS has neither indicators on antigypsyism, nor a specific budget to fight against it.
- The Victim Assistance Service cannot litigate; it can only be dedicated to mediation and extrajudicial resolutions that limits the capacity of management and defence of the victims.
- Public institutions should carry out campaigns aimed at raising awareness of antigypsyism.

ADDRESSING SPECIFIC NEEDS OF MOST VULNERABLE GROUPS AMONG ROMA

- The National Council for the Participation of Women and Spanish Youth Council includes Roma organisations.

- It would be necessary to establish a plan, aimed at promoting the labour market situation of Roma youth



- The NRIS provides for measures to support young people’s access to rental housing and protected social housing, particularly those with family obligations, as well as Roma people living sub-standard housing and slums.
- The Employment Council of Andalusia in cooperation with a Roma women’s NGO implemented a promising programme aimed at creating internship places and labour market opportunities for Roma women.

- (aged 16-25 years) within the framework of the Youth Guarantee Programme.
- Special support programmes should be provided for young Roma women, aimed at promoting their autonomy and self-esteem.
- No measures have been adopted to address (explicitly) Roma LGBT+ issues.

STRUCTURAL MEASURES

STRENGTHS/KEY ELEMENTS OF THE MS APPROACH

WEAKNESSES/GAPS/RECOMMENDATIONS

STAKEHOLDER INVOLVEMENT AT THE CENTRAL LEVEL

- Ministry of Health, Social Services and Equality was designated as NRCP and in cooperation with civil society and regions developed the National Strategy for Roma Inclusion 2012-2020. The NRIS integrated all specific programmes targeting Roma.
- NRCP established working groups with key ministries to coordinate Roma inclusion policies in housing, education and culture. The approach takes a horizontal rather than hierarchical perspective.
- The actual Roma inclusion policies are however largely designed and implemented by autonomous regions.
- State Council for the Roma Community (CEPG) is an inter-ministerial consultative and advisory body to promote equal opportunities and treatment for the Roma population with central authorities.

- There is no national specialised body with a mandate to promote specific policies for the Roma community.
- Due to a high level of decentralisation, the national government, that is responsible for the NRIS, can establish only a minimal framework for action in areas such as housing or education.
- Spanish National Parliament has no committee or other structure with an exclusive mandate to deal with issues affecting the Roma community.
- Accountability in Roma inclusion policies should be increased by strengthening the mandate and dedicated budgets of the CEPG and NRCP.
- It is necessary to strengthen coordination among public administration from different levels (national, regional, local), in cooperation with the CEPG to deal with Roma policies and programmes.

CIVIL PARTICIPATION AND EMPOWERMENT

- The CEPG has a parity participation of representatives of public authorities and civil society.
- In the last 30 years there have been different “Roma councils” at different levels to promote cooperation between the Roma and the public administration.
- At the local, regional and state level, various empowerment initiatives have been launched and managed by the Roma community and their NGOs.
- Local, regional and national governments support Roma participation in three main ways: financially, by participation in advisory bodies and through campaigns to promote Roma visibility and symbolical recognition.
- In recent years, several initiatives have been launched with the aim of encouraging Roma men and women to take part in the electoral process. Also, pressure has been placed on political parties to include more members of the Roma candidates on their electoral lists.

- The Spanish Constitution makes it impossible to introduce an affirmative action to increase Roma participation in the public administration.
- Further empowerment and participation of Roma youth and women in civil society should be supported.

MAINSTREAMING OF ROMA INCLUSION AT THE LOCAL LEVEL

- Municipalities have full mandate to design and implement policies in fields crucial for Roma inclusion: housing, education, non-discrimination, participation and social assistance to persons in (at risk of) social exclusion.

- In Spanish context public administration decentralisation and competences, the only tool to guarantee that local authorities comply with their obligations in Roma inclusion are political debates or strategic litigation.



- Some local governments have created posts of ‘ombudsman’ whose role is to defend fundamental rights; in Barcelona an Office for Non-Discrimination (OND) was created. These structures often deal with Roma’s issues.
- At the local level, advisory bodies working with Roma communities start to appear as a consultative body that acts as a stable platform for discussion and debate on questions referring to improving the well-being and quality of life of Roma in the city.

- Regional and local administrations should develop specific plans for Roma inclusion with clear budget allocations and indicators to measure the progress.
- Advancing the promotion of inclusion policies depends mainly on political will, personal commitment and the priorities of the municipalities.

DATA COLLECTION

- In Spain the collection of ethnically disaggregated data is not allowed.
- Different entities use data obtained from participants or beneficiaries of their programmes based on self-identification as belonging to the Roma minority.

- There is no comprehensive approach to collecting statistical or other quantitative data on measuring the potential impact of the NRIS and the corresponding measures.
- There is a lack of data on the impact of mainstream policies on Roma.

FUNDING FOR CIVIL SOCIETY

- Project-based funding is available to some civil society organisations implementing some measures in fields of employment, education, health, housing, gender equality, fight against social exclusion and others.
- The Roma Development Programme (since 1989) is still in force today and is managed by the national government in collaboration with the various autonomous communities which commit to co-financing the activities that will be implemented in their regions.
- The most important mechanism for funding Roma initiatives is through grants for implementing activities of general interest charged to the tax assignment of personal income tax.

- An European audit found that some regions (e.g. Andalusia) had not adhered to the 2014-2020 investments priority “socio-economic integration of marginalised communities such as the Roma” despite having significant marginalised Roma population that would have benefited from such targeting.
- Distribution of public funds among organizations that work with the Roma population has been criticised by a part of the civil society, that considers it preferential to large charities and disadvantaging smaller grassroots.

EXAMPLE OF PROMISING PRACTICE

One of the keys to combating hate crimes and antigypsyism has been the creation of a special prosecutor for dealing with hate crimes and discrimination. After a ‘pilot phase’ that lasted several years, the service was rolled out in 2013. All Spanish provinces now have a prosecutor specialised in hate crimes and discrimination.

MOST IMPORTANT PRIORITIES TO BE ADDRESSED

- To strengthen the position of the CEPG that will increase accountability of the activities aimed at Roma inclusion.
- To adopt a comprehensive anti-discrimination law that will clearly prohibit discrimination in all fields and based on all grounds provide defined by the EU law, and provide effective instruments for protection for victims of discrimination.
- To include the issue of antigypsyism in the NRIS, including indicators to track the progress and necessary budgetary allocations for activities.
- To systematically coordinate and scale up on the national level the existing efforts to fight against residential segregation; this should include a dedicated plan with specific measures and necessary budgetary allocations.
- To promote an action plan within the youth employment strategy and Youth Guarantee programme that will specifically address young Roma.