



SIXTH OPINION ON SPAIN

ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

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SUMMARY

1. Spain continues to be characterised as a diverse and multicultural society, taking significant steps to strengthen its legal framework for equality and inclusion. The adoption of the Comprehensive Law for Equal Treatment and Non-Discrimination in 2022 represents a notable achievement, as it addresses issues such as school segregation, demonstrating the country's commitment to an inclusive approach to diversity management. Moreover, the recognition of antigypsyism as an aggravating circumstance in the Criminal Code in 2022 is an important advancement in combatting discrimination against persons affiliating with the Roma community. However, the adoption of the four-year National Strategy for Equal Treatment and Non-Discrimination, as well as the establishment of the independent authority for equal treatment and non-discrimination, as foreseen by the law, are still pending. Moreover, discrimination cases involving individuals affiliating with the Roma community remain under-reported. The number of complaints remains low compared to the prevalence of discriminatory practices Roma face, especially in the fields of education, employment and housing. There is therefore a need for greater general awareness-raising regarding the 2022 Comprehensive Law for Equal Treatment and Non-Discrimination, as well as the redress mechanisms it provides.

2. While the Framework Convention is officially applied only to Spanish Roma citizens, Spain extends certain provisions to non-citizens affiliating with the Roma community through project-based initiatives, ensuring practical application on an article-by-article basis. Nevertheless, Spain has yet to engage meaningfully with numerically smaller communities and persons affiliating with them, such as Amazigh and Darija speakers, who have expressed a strong interest in benefiting from the rights enshrined in the Framework Convention. Establishing a dialogue with these communities would be a crucial step towards further strengthening Spain's commitment to respecting and promoting its diversity.

Intercultural dialogue, mutual respect and protection from hostility (Article 6)

3. While Spain generally maintains a climate of mutual respect and understanding towards the Roma, a lack of awareness among the majority population about Roma history, culture and traditions continues to hinder inter-ethnic dialogue and the further development of an inclusive society. Raising awareness among the majority population about the Roma community and persons affiliating with it is, therefore, necessary and requires efforts from authorities in the fields of education, culture and media. Although the growing influence of anti-migrant and anti-refugee rhetoric has not significantly impacted respect towards Spanish Roma citizens, a clear distinction persists within society between Spanish and non-Spanish Roma, with the latter facing lower levels of acceptance. The specific needs and challenges faced by non-Spanish Roma, such as language barriers, lack of legal documentation and limited access to social welfare services, are not sufficiently addressed by the authorities.

4. During the sixth monitoring cycle, the considerable number of training sessions organised for the police and the judiciary personnel on human rights, non-discrimination standards and hate crime is commendable and has yielded positive results. However, a more effective institutional approach to detecting and responding to hate crimes and hate speech is still needed. Additionally, concerns have been raised about ethnic profiling during identity checks, particularly affecting non-Spanish Roma.

5. The increasing prevalence of hate speech targeting Spain's other communities and persons affiliating with them, particularly those of Jewish and Muslim faith, is a subject of concern for the Advisory Committee. Consequently, measures, including media initiatives, are needed to combat all forms of intolerance in Spanish society. Representatives of Amazigh- and Darija-speaking communities in Melilla and Ceuta have expressed a desire for greater awareness-raising initiatives about their communities and languages, as well as efforts to preserve and promote their languages as part of Spain's cultural heritage. Additional efforts by the authorities are therefore needed to promote mutual respect, tolerance, intercultural dialogue and understanding, while also fostering greater awareness of cultural and linguistic diversity as an integral part of Spanish society.

Situation of persons affiliating with the Roma community

6. With the adoption of the "National Strategy for Roma Equality, Inclusion and Participation 2021-2030", the authorities demonstrate a strong commitment to combating poverty and improving the living conditions and social inclusion of the Roma. However, ensuring the effective implementation of the Strategy at all levels, particularly in Autonomous Communities, remains essential.

7. The authorities' efforts to allocate increased funding for Roma culture and promote Roma culture and history in school curricula, textbooks and teaching materials are welcome. However, these initiatives need to be implemented across all Autonomous Communities. Additional positive action is required to ensure that Roma culture is fully recognised and valued as an integral part of Spanish society. The perception of Roma culture in mainstream society remains heavily influenced by stereotypes, particularly in social media, that either associate Roma with marginalisation or reduce their cultural

representation to folkloric traditions. Greater efforts are needed to promote a positive image of the Roma community and persons affiliating with it by highlighting role models and increasing visibility through books, documentaries and exhibitions, as well as by recognising their contributions to the Spanish society.

8. Segregation of Roma within the compulsory education system remains a significant issue. It requires targeted action from the authorities through the adoption of robust policies and the allocation of sufficient resources to ensure access to inclusive and quality education for all, including equal educational opportunities for Roma students. Ensuring equal educational opportunities for all Roma students is essential. Urgent and effective measures from the authorities are necessary to address high drop-out rates among Roma children, especially during the transition from primary to secondary education, as well as school absenteeism. Strengthening support systems and interventions is crucial to improving educational outcomes and fostering long-term inclusion.

9. The effective participation of Roma representatives in public affairs is curtailed by the lack of empowerment policies. More efforts are needed from the authorities to improve and promote the representation of Roma, both women and men, in the General State Administration. The socio-economic participation of individuals affiliating with the Roma community in the labour market, building on the experience of the *ACCEDER* and *CALÍ* programmes, is a positive development and requires further support. However, greater efforts are needed to combat the discrimination Roma face when renting or purchasing housing. Despite significant progress in recent years in improving Roma access to decent housing, serious challenges persist, particularly regarding substandard living conditions and the continued existence of slums. The development of comprehensive and sustainable housing programmes, along with appropriate support measures to ensure that persons affiliating with the Roma community have access to affordable, decent and adequate housing, remains essential and requires implementation across all relevant Autonomous Communities and municipalities. Additionally, the relocation plan for *Cañada Real Galiana* needs to be carried out in an inclusive and participatory manner, ensuring that the interests and needs of the Roma are fully considered.

Gender equality and other intersectional aspects of minority protection

10. The “National Strategy for Roma Equality, Inclusion and Participation 2021-2030” emphasises equality between women and men and the fight against gender-based violence. However, greater efforts are required to address gender equality comprehensively, including by tackling intersectional discrimination, early and forced marriages, and the perceived traditional roles of Roma women and girls within families. It is of utmost importance for national administrative and judicial authorities to distance themselves from basing their decisions on stereotypes about Roma. It is also necessary to analyse the impact of policies or programmes, particularly those aimed at securing stable employment for Roma women and men, through a gender equality perspective to ensure equitable opportunities and outcomes.

PRIORITY RECOMMENDATIONS

11. The Advisory Committee proposes that the Committee of Ministers make the following recommendations with respect to the implementation of the Framework Convention by Spain.

12. The authorities should take the following priority measures to improve further the implementation of the Framework Convention, along with the implementation of all recommendations contained in this opinion:

Priority recommendations

- 1) The Advisory Committee urges the authorities to combat segregation of Roma within the compulsory education system, including through the adoption of robust policies and allocation of sufficient resources to promote inclusive and quality education in *de facto* segregated schools (see para. 120, Article 12).
- 2) The Advisory Committee urges the authorities to take measures to effectively reduce early dropouts and school absenteeism among Roma pupils and students and to ensure the continuation of education, especially during the transition from primary to secondary education (see para. 127, Article 12).
- 3) The Advisory Committee reiterates its call on the authorities to raise awareness about the Framework Convention among persons affiliating with any communities that might wish to benefit from access to rights protected under the Framework Convention (see para. 29, Article 3).
- 4) The Advisory Committee calls on the authorities to intensify their efforts to raise general awareness, including among persons affiliating with the Roma community, of the Comprehensive Law for Equal Treatment and Non-Discrimination, and the redress mechanisms it provides (see para. 51, Article 4).
- 5) The Advisory Committee calls on the authorities to ensure the effective implementation of the “National Strategy for Roma Equality, Inclusion and Participation 2021-2030” at all levels, and strengthen Roma-related policies beyond the scope of social welfare assistance by involving other relevant sectors more closely, especially at regional and municipal levels (see para. 60, Article 4).
- 6) The Advisory Committee calls on the authorities to address the perpetuation of stereotyping of communities and persons affiliating with them affected by hate speech on social media, especially the Jewish and Muslim communities, through targeted measures aimed at preventing and combatting hate speech, in close co-operation with internet service providers and the most affected communities (see para. 86, Article 6).
- 7) The Advisory Committee calls on the authorities to elaborate effective mechanisms aimed at combatting early and forced marriages, and to condemn and declare void any judicial justification of violence against girls and women or applying as mitigating circumstances such factors as “cultural context”, arguments that involve ethnicity, “race” or religion, as well as harmful traditions or perceptions (see para. 104, Article 6).
- 8) The Advisory Committee calls on the authorities to foster the inclusion of intercultural education and the teaching of Roma history and culture in school curricula and educational materials in all Autonomous Communities, and to provide teacher training accordingly (see para. 137, Article 12).
- 9) The Advisory Committee calls on the authorities to improve and promote the representation of Roma, both men and women, in the General State Administration through targeted and positive measures in recruitment procedures, in order to promote and value knowledge of minority cultures and identities, by enabling persons affiliating with the Roma community to apply for such positions (see para. 145, Article 15).
- 10) The Advisory Committee reiterates its call to the authorities to address substandard housing in Autonomous Communities and municipalities, by developing and implementing comprehensive and sustainable housing programmes (para. 176, Article 15).

Other recommendations

13. The authorities are invited to take account of the detailed observations and recommendations contained in the present Opinion of the Advisory Committee.

Follow-up to these recommendations

14. The Advisory Committee encourages the authorities to translate and publish the present opinion into the official and minority languages and disseminate its findings and recommendations widely among all stakeholders.

15. Furthermore, the Advisory Committee encourages the authorities to organise a follow-up event after the publication of this sixth-cycle Opinion to discuss and identify ways of implementing the recommendations made in this Opinion.

MONITORING PROCEDURE

Follow-up activities and awareness-raising related to the recommendations of the Fifth Opinion of the Advisory Committee

16. No follow up event on the recommendations of the Fifth Opinion of the Advisory Committee took place. The Fifth Opinion of the Advisory Committee and the Committee of Ministers' Resolution were translated into Spanish and published on the respective government website.¹

Preparation of the state report for the sixth cycle

17. The state report was due on 1 August 2023 and received on 12 January 2024. Representatives of the Roma community were consulted in its preparation.

Country visit and adoption of the Sixth Opinion

18. This sixth-cycle Opinion on the implementation of the Framework Convention by Spain was adopted in accordance with Article 26(1) of the Framework Convention and Rule 25 of Resolution (2019)49 of the Committee of Ministers. The findings are based on information contained in the sixth state report, other written sources, as well as information obtained by the Advisory Committee from governmental and non-governmental sources during its visit to Madrid and Córdoba (Andalusia) from 12 to 15 November 2024. Online meetings were held with interlocutors in Valencia/València (Valencian Community) as a result of the disastrous floods which took the lives of over 200 people. Online meetings were also held with interlocutors from the Basque country, Cadiz and the Autonomous City of Ceuta.

19. The Advisory Committee expresses its gratitude to the authorities for their excellent co-operation before, during and after the visit, and to the other interlocutors it met during the visit for their valuable contributions. The draft opinion, as approved by the Advisory Committee on 27 February 2025, was transmitted to the Spanish authorities on 11 March 2025 for observations, according to Rule 37 of Resolution (2019)49. The Advisory Committee welcomes the observations received from the Spanish authorities on 6 May 2025.

* * *

20. A number of articles of the Framework Convention are not covered in the present opinion. Based on the information currently at its disposal, the Advisory Committee considers that the implementation of these articles does not give rise to any specific observations. This statement is not to be understood as signalling that adequate measures have now been taken and that efforts in this respect may be diminished or even halted. Rather, the Advisory Committee considers that the obligations of the Framework Convention require a sustained effort by the authorities. The Advisory Committee assesses the situation in the light of the circumstances prevailing at the time of monitoring.

¹ See the [website of the Ministry for Social Rights, Consumer Affairs and 2030 Agenda](#) for the dissemination of the Council of Europe's instruments in relation to the Roma community available in English and Spanish.

ARTICLE-BY-ARTICLE FINDINGS

Personal scope of application (Article 3)

21. There is no formal recognition of the notion of ‘national minority’ in the Constitution.² However, Spain continues to apply the provisions of the Framework Convention to Spanish citizens of the Roma community³ (*comunidad gitana*) and no changes occurred in the scope of application of the Framework Convention during the sixth monitoring cycle.

22. Despite the Advisory Committee’s previous recommendations,⁴ the Spanish authorities have not dedicated much effort to promoting and increasing knowledge about the Framework Convention and its objectives amongst communities who could potentially benefit from enjoying minority rights, particularly those residing in the Autonomous Communities and Cities of Spain. Consequently, awareness about the Framework Convention remains low. There has been no dialogue with communities that have previously expressed interest in benefiting from its provisions, such as Oliventine Portuguese speakers.⁵ Similarly, the Amazigh (Berber) population living in the Autonomous City of Melilla has not been made aware of the scope of application of the Framework Convention, despite the cultural significance of the Amazigh language and culture as reflected in names of villages, personal names and customs. Castilian is the only official language recognised by the Statute of Autonomy of the City of Melilla. While the city has a unique regime of local autonomy under the Spanish Constitution, this autonomy does not extend to areas such as language rights, education and the judiciary. Data on the number of Amazigh speakers is lacking, although estimates suggest over 50% of the population living in Melilla speaks the language, according to interlocutors of the Advisory Committee.

23. In the Autonomous City of Ceuta, Darija (Arabic Moroccan) speakers, who comprise 42% of the population according to interlocutors of the Advisory Committee, have similarly not been made aware of the Framework Convention, despite their potential eligibility for access to minority rights on an article-by-article application of the Framework Convention. On 9 January 2025, the Assembly of Ceuta, in response to recommendations made by the Committee of Experts of the European Charter for Regional or Minority Languages in their sixth evaluation report,⁶ approved a proposal requesting the executive authorities of Ceuta to prepare a comprehensive report reflecting the city’s linguistic plurality in which speakers of Darija, but also Hebrew and Hindi, are to be consulted. According to the Assembly of Ceuta, this report should evaluate whether the measures adopted by local institutions and authorities are adequate to preserve and promote cultural diversity and coexistence in the region.

24. For the first time, the deaf community has expressed its interest in having its minority status recognised under the Framework Convention. During the visit, its representatives proposed an article-by-article application of the Framework Convention as deaf communities worldwide are acknowledged as linguistic and cultural minorities,⁷ with a unique identity and socio-cultural features. According to the interlocutors, such recognition would enable the deaf community to represent ‘deaf culture’ both at the supranational level and within the context of specific sign languages.

25. The Advisory Committee reiterates that, on the one hand, states parties have a margin of appreciation as regards the personal scope of application to be given to the Framework Convention in order to take the specific circumstances prevailing in their country into account. The Framework Convention was designed as a living instrument, to be implemented in diverse social, cultural and economic contexts and adjusted to changing situations. In order for it to be applied to a group of persons, they do not necessarily need to be formally recognised as a national minority, the term does not need to be defined, nor should they have a specific legal status. Furthermore, official recognition as

² The Communication contained in a [Note Verbale from the Permanent Representation of Spain to the Council of Europe](#), dated 14 November 2016, states: “[...] Spain reiterates that, in line with its constitutional provisions, it has consistently interpreted the Framework Convention in the sense that no national minority exists in its territory. The Framework Convention applies to the Spanish citizens of the “*comunidad gitana*” (roma, gypsies) although these citizens do not constitute a national minority.”

³ The Spanish terms ‘*gitano(s)/gitana(s)*’ (Gypsy/Gypsies), ‘*la comunidad gitana*’ (the Gypsy community) or ‘*el pueblo gitano*’ (the Gypsy people) are used to designate Spanish Roma in the sixth [state report](#), submitted by Spain on 12 January 2024. These terms are not pejorative in the Spanish context and are employed by both Roma themselves and the authorities. Since, however, the English term ‘Gypsies’ is pejorative in several member states of the Council of Europe, the present Opinion, in line with the Council of Europe glossary on Roma-related terminology, uses the term ‘Roma’ or ‘Roma community’ or ‘Roma people’ to designate Spanish citizens of Roma ethnic affiliation. The term ‘Roma community’ used in singular form shall be taken to be an inclusive term comprising all the various sub-groups making up the Spanish Roma community as an internally diverse community.

⁴ See the [Fifth Opinion of the Advisory Committee on Spain](#), adopted on 27 May 2020, para. 36.

⁵ See the [Fourth Opinion of the Advisory Committee on Spain](#), adopted on 3 December 2014, about persons belonging to Oliventine Portuguese-speakers living close to Portugal, para. 11.

⁶ Committee of Experts of the European Charter for Regional or Minority Languages, [Sixth Evaluation Report on Spain](#), p. 93.

⁷ United Nations Office of the High Commissioner for Human Rights, [International Day of Sign Languages](#), 22 September 2020. On 6 February 2024, cultural expressions related to deaf culture and Spanish sign language were officially declared a Representative Manifestation of Intangible Cultural Heritage (“the Spanish deaf community is recognised as a linguistic and cultural minority, with a specific identity, social and cultural features, and its own language”).

a national minority or the granting of a specific status does not constitute the beginning of the process of minority rights protection, nor is it essential for the application of the Framework Convention and its specific articles. "Recognition as a national minority has a declaratory rather than a constitutive character. Access to minority rights should therefore not depend on formal recognition."⁸ On the other hand, formal recognition must be exercised in accordance with general principles of international law and the fundamental principles set out in Article 3. In particular, the implementation of the Framework Convention should not be "a source of arbitrary or unjustified distinction".⁹ The Advisory Committee has consistently encouraged the authorities to take an open and inclusive stance and use an article-by-article based approach.

26. In this light, the Advisory Committee considers it important that persons belonging to communities interested in an article-by-article approach to the application of the Framework Convention, including Amazigh and Darija speakers, have a designated representative both at the General State Administration level and the Autonomous Cities level. Furthermore, it would be important for the authorities to follow an article-by-article based approach for the implementation of the Framework Convention in their legislation, policies and practices towards persons affiliating with these communities, as well as towards those communities seeking access to minority rights protected by the Framework Convention.

27. Furthermore, recalling its previous recommendations,¹⁰ the Advisory Committee reiterates its view that the existing standards in Spain do not, in themselves, render the protection offered by the Framework Convention superfluous for persons with cultures and languages different from those of the majority population. This includes persons living in Autonomous Communities where their language has official and/or protected status under the Spanish Constitution, the statutory laws of the relevant Autonomous Communities and the European Charter for Regional or Minority Languages. This is even more true for persons affiliating with the above-mentioned communities who live outside the areas where their language holds official or protected status since they receive considerably less support for the protection of their respective languages and cultures.¹¹ The Advisory Committee therefore emphasises the importance of ensuring the *de facto* enjoyment of minority rights, regardless of whether persons concerned are officially recognised in the Spanish legal system as constituting minority communities.

28. Regarding the limitation of the scope of application exclusively to citizens of Spain from the Roma community, the Advisory Committee reiterates its general position that the application of the citizenship criterion "may have a restrictive and discriminatory effect" and should therefore be lifted in favour of an inclusive approach that considers whether there is a legitimate ground to differentiate access based on citizenship for each right separately.¹² Citizenship should not be the basis upon which a priori exclusion from enjoyment of minority rights could be justified. The Advisory Committee, however, acknowledges that, in practice, strategies and policies for the Roma may extend to non-citizens of Roma ethnic affiliation. Nevertheless, it considers that the distinction in the scope of application between Spanish citizens of Roma ethnic affiliation and Roma non-citizens¹³ should be reconsidered. This view follows the authorities' longstanding positive practice of not differentiating between Spanish and non-Spanish Roma in the implementation of certain programmes aimed at fostering the full and effective equality of Roma. An inclusive approach and implementation on an article-by-article basis of those elements shared by all Roma would enhance the impact of the Framework Convention. Such an approach would also help to prevent any unjustified and arbitrary distinctions between Roma with Spanish citizenship and citizens from other countries of Roma ethnic affiliation.

Recommendations

29. The Advisory Committee reiterates its call on the authorities to raise awareness about the Framework Convention among persons affiliating with any communities that might wish to benefit from access to rights protected under the Framework Convention.

⁸ ACFC [Thematic Commentary No. 4](#) (2016), The Framework Convention: a key tool to managing diversity through minority rights. The scope of application of the Framework Convention for the Protection of National Minorities, adopted on 27 May 2016, para. 28.

⁹ ACFC [Thematic Commentary No. 4](#) (2016), para. 26.

¹⁰ ACFC [Fifth Opinion on Spain](#), paras. 37 and 39.

¹¹ ACFC [Fourth Opinion on Spain](#), paras. 12-13.

¹² ACFC [Thematic Commentary No. 4](#) (2016), para. 29.

¹³ The term '*romanies*' is used to designate non-citizens of Roma ethnic affiliation living in Spain. It corresponds to the term 'Roma' in its narrow sense used internationally (see [Glossary on Roma-related terminology of the Council of Europe](#)). The present Opinion uses the terms 'non-citizens of Roma ethnic affiliation', 'non-citizens' or 'non-Spanish' to designate this category of the population.

30. The Advisory Committee encourages the authorities to engage in constructive dialogue with those who have previously expressed an interest in benefiting from the provisions of the Framework Convention to determine whether they continue to seek such protection. The authorities should also publish the text of the Framework Convention and opinions of the Advisory Committee on relevant official public websites, both at the state and Autonomous Community levels, in all relevant official languages.

31. The Advisory Committee encourages the authorities to continue the current practice of applying the provisions of the Framework Convention to Spanish citizens from the Roma community. The authorities should also maintain an article-by-article application of the Framework Convention to persons from other countries residing in Spain who self-identify as Roma, particularly in areas where the needs and interests of both communities align, so as to better reflect the practice at policy and programming levels.

Data collection and census (Article 3)

32. In Spain, the absence of data disaggregated according to ethnicity in the population census makes it difficult to estimate the number of Roma, including both Spanish citizens and non-citizens of Roma ethnic affiliation residing in the country. Since official censuses do not collect data on ethnic affiliation and/or include questions on racial or ethnic self-identification, the existing information on the Roma community is primarily obtained through research and sociological studies, conducted across different territorial areas using various methodologies. As indicated by the FOESSA Foundation, “the processes used by social researchers to produce estimates and obtain this primary data are complex and include consultations with organisations working with the Roma community, checking the reliability of the data against other sources, reviewing the data by experts or incorporating corrective factors, such as population growth.”¹⁴

33. Based on these sociological studies, it is estimated that there are approximately 750 000 Spanish Roma citizens (around 1.56% of the total population) living in Spain.¹⁵ The Spanish Roma community is mostly young: it is estimated that around a third is under 16 years old, and 66% is under the age of 30 (compared with only 15.6% and 30% respectively of the general population).¹⁶ For the past 30 years, there has been an overall decline in the size of the Spanish youth population but the youth population is increasingly diverse in terms of encompassing new ethnic and cultural minorities.¹⁷

34. The number of Roma with Romanian or Bulgarian citizenship, who exercise their right to free movement and residence in Spain as the citizens of the European Union, is difficult to quantify. This is because they are included within the broader population of Romanian and Bulgarian citizens residing temporarily or permanently in Spain, and there are no official records documenting the ethnicity of European Union nationals in the country. It is estimated that approximately 50 000 non-citizens of Roma ethnic affiliation currently reside in Spain (90% from Romania, 6% from Bulgaria and the rest from other European countries, including Portugal).¹⁸ This estimate is tentative since the studies in question focus on areas and neighbourhoods where Roma from other European Union countries live in sizeable numbers and separately from those population groups of Roma ethnicity that are pursuing the same lifestyle as the majority part of population.¹⁹

35. The issue of including official statistics disaggregated by ethnic affiliation is, however, currently being discussed as part of the political agenda. Through a joint initiative with the National Institute of Statistics (INE), the European Union Agency for Fundamental Rights (FRA), the Spanish Council for the Elimination of Racial or Ethnic Discrimination, the Spanish Data Protection Agency and the State Council of the Roma People, *Étnico Racial* proposes to incorporate a question on ethnic affiliation in studies, reports and surveys that ensures that the rights to privacy and free self-identification are respected, alongside exploring various ways of implementing this approach. Consideration is being given to include the following question on ethnic self-identification in the Survey of Essential Characteristics of Population and Housing from 2026:²⁰ “According to your family history, ancestry,

¹⁴ FOESSA Foundation, [Report on the Situation of the Roma Population](#), 2019.

¹⁵ See the [website of the Instituto Romanó para Asuntos Sociales y Culturales](#). The largest number of Roma, nearly 300 000, lives in Andalusia, which represents 5% of the total population of that area. After Andalusia, Catalonia, Madrid, Valencia and Extremadura combined are the regions where the largest part of the Roma population is concentrated. The northern regions (Galicia, Basque Country, Asturias) are those with the smallest Roma population.

¹⁶ [La Moncloa. Population of Spain \[Population\]](#), and sixth [state report](#), p. 8.

¹⁷ Youth Institute in Spain, [2024 Spanish Youth Report](#).

¹⁸ Fundación Secretariado Gitano, [Un pueblo sin fronteras - Fundación Secretariado Gitano \(gitanos.org\)](#).

¹⁹ Around 1 197 homes are inhabited by persons affiliating with the Roma community of Portuguese citizenship, i.e. around 5 903 people. Around 2 002 dwellings are inhabited by persons affiliating with the Roma from Eastern Europe, i.e. around 10 160 people (sixth [state report](#), p. 8).

²⁰ Questions on ethnic affiliation are to be included in future national surveys and polls, the number of which should increase in the scope of the [National Strategy for Equality, Inclusion and Participation of the Roma People 2021-2030](#).

sense of belonging and culture, you consider yourself a person (various answers allowed)". This would be followed by a list of 11 options, including "*Gitana/Romani/Roma*".²¹ The Office of the Spanish Ombudsperson mentioned to the Advisory Committee that they would welcome the inclusion of a specific question on ethnic affiliation in the next population census.

36. The Advisory Committee reiterates that, while respecting the right to privacy and self-identification, reliable information and knowledge about the ethnic composition of the population is an essential condition for developing and implementing effective policies and evidence-based measures to protect persons belonging to national minorities and for ensuring to preserve and assert their identity. Therefore, provided that basic safeguards are respected,²² the respective data should be adequately processed, analysed and displayed. Furthermore, minority representatives should be consulted on and included in the organisation and operation of such data collection processes.²³

37. The Advisory Committee notes that there is controversy regarding the most effective and reliable methods for obtaining accurate and up-to-date information on the number of persons affiliating with the Roma community in Spain. It, therefore, considers that introducing open-ended questions on ethnic affiliation, including multiple affiliations, in the Spanish population census would provide more reliable data on the ethnic composition of the population to support the development and monitoring of specific policies. The Advisory Committee, therefore, welcomes the planned inclusion of a question on ethnic self-identification in the 2026 Survey of Essential Characteristics of Population and Housing. In this context, it emphasises that, as recommended by the United Nations Economic Commission for Europe (UNECE), "the method and the wording of the question used to collect ethnic data can influence the choices that respondents make regarding their ethnic identity and current ethnic affiliation. The subjective nature of the topic, coupled with the requirement to allow increasing numbers of persons of mixed ethnicity to identify themselves (and/or their children) as such, requires that information on ethnicity be acquired through self-identification of a respondent, and also that respondents have the option to describe their identity in their own words. Census questions should, therefore, provide, in addition to any pre-coded response options, the option for write-in (open) responses."²⁴

38. Furthermore, the Advisory Committee highlights the importance of utilising reliable additional mechanisms to collect data, including on age and gender. The Advisory Committee also considers that regularly published reports on various issues affecting persons affiliating with the Roma community are necessary in order to have reliable data and assess the situation on a permanent basis and in an informed way. It, therefore, considers that positive measures on the part of the authorities are required to foster the work of the Roma associations in the field of research and documentation of discrimination against persons affiliating with the Roma community. These measures could include providing financial support for research projects, creating capacity-building programmes to strengthen the skills of researchers on Roma-related issues, including researchers of Roma ethnic affiliation, and ensuring access to relevant public data.

Recommendations

39. The Advisory Committee strongly encourages the authorities to engage, in consultation with the Roma community and others, on adding an open-ended question on ethnic affiliation, including multiple affiliations, in the 2026 Survey of Essential Characteristics of Population and Housing.

40. The Advisory Committee encourages the authorities to develop mechanisms to regularly collect reliable information on the number of persons affiliating with the Roma community. This should focus on access to education, housing and social services and be collected in close co-operation with Roma representatives and with full respect for international and European standards on the protection of personal data.

²¹ 1. Black/Afro/Afro-descendant/Afro-Spanish/Black African; 2. Gitana/Romani/Roma; 3. Arab; 4. Amazigh/Non-Arab North African; 5. White Latin American; 6. Native American, Indo-American/Indigenous/Originally from Abya Yala; 7. East or Southeast Asian; 8. South-Central Asian; 9. West Asian/Turkish; 10. White/Mediterranean; 11. Mixed/Mestizo/Various ancestries. Which ones? The question 12 allows respondents to specify any option not previously listed. Questions 13, 14 and 15 include the responses "I do not know", "I prefer not to answer the question" and "I do not understand the question".

²² Principles of confidentiality, voluntary self-identification - as protected in Article 3 of the Framework Convention, and free and informed consent.

²³ ACFC [Thematic Commentary No. 4](#) (2016), paras. 16-17.

²⁴ See [UNECE recommendations](#), in particular p. 149, para. 707 of the Conference of European Statisticians Recommendation for the 2020 Censuses of Population and Housing", United Nations Economic Commission for Europe, New York and Geneva, 2015.

Legal and institutional framework for combating discrimination (Article 4)

41. After a lengthy legislative process, the Comprehensive Law for Equal Treatment and Non-Discrimination was adopted on 12 July 2022.²⁵ It enshrines the right of everyone to equal treatment and non-discrimination "irrespective of their nationality, whether they are minors or adults, or whether or not they hold legal residence".²⁶ The law provides definitions of direct and indirect discrimination, multiple and intersectional discrimination, harassment, orders or instructions to discriminate or commit an intolerant act, discrimination by association, denial of reasonable accommodations, and acts of retaliation. The law also recognises antigypsyism as one of the historical forms of discrimination (Chapter III "Principles, objectives, means and structure"). Consequently, in accordance with a recommendation of the Advisory Committee in its Fifth Opinion,²⁷ Article 22(4) of the Criminal Code has been amended to include antigypsyism as an aggravating factor for hate crimes.

42. The law prohibits discrimination on the grounds of birth, "race" or ethnic origin, sex, religion or belief, age, disability, gender expression, illness and health status, language, socio-economic situation or any other personal or social status or circumstance.²⁸ The scope of protection has been extended to include areas such as school segregation, access to employment, working conditions, including remuneration and dismissal, professional advancement and employment training. Furthermore, the law provides for the introduction of a four-year National Strategy for Equal Treatment and Non-Discrimination. The law requires public authorities to collect and systematise data on equal treatment and non-discrimination to better assess the situation at hand and design effective policies. However, despite two and a half years since the adoption of the law, the strategy has yet to be developed/adopted, with its approval date set for 2025.

43. The Advisory Committee was informed that the Ministry for Equality will begin work on the above-mentioned strategy in 2025. Autonomous Communities that have adopted or are planning to adopt equal treatment and anti-discrimination legislation will be involved in the process.²⁹ Furthermore, an "Institutional Declaration of Recognition and Coexistence with the Roma People and against Antigypsyism" was formally adopted on 16 November 2024 by the Basque Council for the Roma People.³⁰ In 2022, a "Barometer on diversity in the Basque Country about perceptions and attitudes towards the Roma people" was also conducted. The findings revealed that the majority of those living in the Basque Country (68.7%) indicated that they do know (or have as friends) some Roma persons. At the same time, 66.3% of the respondents perceive discrimination against Roma as very or quite widespread in the Basque Country. However, there is strong support for greater inclusion of Roma history and culture in school curricula, with 79.5% of respondents expressing a positive view on this measure, an increase of 4.4% compared to a similar study conducted in 2021³¹ (see Article 12).

44. The 2030 Youth Strategy includes the data, rationale and objectives of the state policy regarding minority youth at risk of discrimination.³² The recommendations of this strategy have been incorporated into a draft law on youth, in which the *Fundación Secretariado Gitano* (FSG) participated in 2024 as part of a consultation process organised by the Institute of Youth and the Ministry of Youth and Children.

45. As regards the institutional framework for combating discrimination, the Ombudsperson (*Defensor del Pueblo*) continues to play an important role in promoting equality and combating racism and intolerance, particularly in cases involving allegations of misconduct by public authorities or civil servants. With the authority to initiate *ex officio* investigations, or in response to complaints, the Ombudsperson can also propose amendments to regulations to the legislature or the executive.³³ During the monitoring cycle, the Ombudsperson addressed a few cases of alleged discrimination against persons affiliating with the Roma community in the fields of education and housing.³⁴ In addition,

²⁵ Comprehensive Law for Equal Treatment and Non-Discrimination, Law 15/2022 adopted on 12 July 2022 available at [Ley 15/2022, de 12 de julio, integral para la igualdad de trato y la no discriminación](#).

²⁶ See Article 3 of the [Comprehensive Law for Equal Treatment and Non-Discrimination](#) (available in Spanish).

²⁷ ACFC [Fifth Opinion on Spain](#), paras. 12 and 140.

²⁸ [Spain: The new comprehensive Law for equal treatment and nondiscrimination also applies to employment | Garrigues](#), 13 July 2022.

²⁹ For example, the Autonomous Community of Catalonia adopted a Law 19/2020 of 30 December 2020 on equal treatment and non-discrimination. The Autonomous Community of the Basque Country is also planning to adopt one, which should impact all communities and aims to include a specific section on antigypsyism. See also the sixth [state report](#), pp. 10-11.

³⁰ Institutional Declaration of Recognition and Coexistence with the Roma People and against Antigypsyism ([Declaración institucional de reconocimiento y convivencia con el pueblo gitano y contra el antigitanismo](#)), 16 November 2024.

³¹ [NEURTU 2022, Barómetro sobre la diversidad en la CAE - Percepciones y actitudes hacia las personas gitanas](#), Bilbao, 2023.

³² See the [2030 Youth Strategy](#), Axis 5: Young people and adolescents at serious risk of social exclusion or subject to double discrimination.

³³ Article 9.1 of the Organic Law 3/1981 under which the Spanish Ombudsperson (*Defensor del Pueblo*) was established.

³⁴ As a result of the *Fundación Secretariado Gitano* report about the educational situation of Roma students in Spain, the Ombudsperson initiated actions with the State Council of the Roma People, requesting information about plans and measures

nine Autonomous Communities have an ombudsperson institution.³⁵ The Comprehensive Law for Equal Treatment and Non-Discrimination also envisages the creation of a new independent authority for equality and non-discrimination responsible for dealing with allegations of discrimination and relevant complaints both in private and public sectors.³⁶

46. Interlocutors of the Advisory Committee appreciated the adoption of the Comprehensive Law for Equal Treatment and Non-Discrimination but stressed the need to raise awareness of its existence and the remedies it provides. This lack of awareness combined with low trust in the institutions dealing with discrimination-related complaints was mentioned to the Advisory Committee by several interlocutors. This is believed to be the main reason for a notable under-reporting of discrimination against the Roma.

47. The Advisory Committee was further informed that persons affiliating with the Roma community continue to experience discrimination in various fields, thus creating obstacles to access to specific rights guaranteed under the Framework Convention. In 2022, 37% of persons affiliating with the Roma community reported experiencing discrimination in the past 12 months – an increase of 2% compared to a 2016 FRA survey.³⁷ By December 2023, 65% of Roma individuals stated that they faced widespread discrimination in Spain due to their ethnicity.³⁸ The FSG also records and addresses cases of discrimination through the Service of Advice and Assistance to Victims of Racial and Ethnic Discrimination and the *Calí* Programme. According to the FSG, 532 cases of discrimination and antigypsyism were documented in 2022, while 384 cases were registered in 2023.³⁹ The reports by the FSG indicate that discrimination and antigypsyism continue to exist in multiple domains, including in the media, with regard to access to goods and services, in education, employment, and healthcare. Discriminatory practices by law enforcement personnel, such as ethnic profiling during police stops and identification, also remain a concern, alongside instances of intersectional discrimination.

48. The Advisory Committee reiterates that “[p]ersons belonging to national minorities must have access to information, where possible in their own language, about their rights, the work of the anti-discrimination institutions and the remedies against any form of discrimination available to them, including indirect forms of discrimination, as well as cases of multiple discrimination”.⁴⁰ The Advisory Committee commends the authorities for their commitment to combat discrimination through the adoption of the Comprehensive Law for Equal Treatment and Non-Discrimination. The Advisory Committee further praises the recognition of antigypsyism as a historical form of discrimination and its inclusion in the Criminal Code as an aggravating factor for hate crimes as a significant step forward. The broad scope of this legislation, including the prohibition of discriminatory practices such as school segregation reflects an inclusive approach. Nevertheless, the Advisory Committee underlines the need for effective implementation of the legislation. This entails raising awareness among persons affiliating with the Roma community about the applicable legislative standards and the available avenues for redress, thereby enhancing access to justice for victims of discrimination.

49. The Advisory Committee welcomes the relatively high awareness about the Ombudsperson as of the redress mechanism within the Roma community, but notes that the number of complaints submitted by Roma remains low compared to actual incidences of discrimination they face. In this context, the Advisory Committee stresses that the low number of complaints related to discrimination does not necessarily reflect the absence of concerns. Rather, it may point to a lack of public awareness about available legal remedies and highlight the need for better training of those responsible for implementing the relevant legislation. The Advisory Committee underlines the particular importance of awareness-raising among the Roma community on existing and available remedies they can apply when facing discrimination, and of ensuring that they are not prevented from accessing justice in such cases due to a lack of awareness and financial constraints. It also considers that the legislative framework for combating discrimination should be supported through awareness-raising campaigns promoting the

taken by the competent administrations. Following the answer received, in January 2025, the Ombudsperson initiated an *ex officio* action with the Ministry for Education, Professional Training and Sport, and with the correspondent education departments of the Government of each Autonomous Community asking information about the actions, in their own area of competence, in order to achieve educational inclusion for Roma children in conditions of equality with the rest of the population. In the field of housing, the Ombudsperson has *ex officio* investigations with the General Secretariat of the Urban Agenda, Housing and Architecture of the Ministry of Transport, Mobility and Urban Agenda, and with the competent and correspondent departments of the Autonomous Communities and Cities. The aim of these investigations is to ascertain the provisions and next steps of the different administrative bodies on the area of rehousing and subsequent eradication of existing settlements in their territories.

³⁵ Andalusia, Aragon, the Basque Country, the Canary Islands, Castile and Leon, Catalonia, Galicia, Navarre and Valencia.

³⁶ In 2022, Law 15/2022 provided for the establishment of an independent authority for equal treatment and non-discrimination under Title III (Articles 40–45). As part of the General State Administration, this independent public entity aims to promote equality and combat discrimination across public and private sectors within areas of state competence. However, the independent authority for equal treatment and non-discrimination had not been formally established by late 2024.

³⁷ European Union Fundamental Rights Agency (FRA), [Roma in 10 European Countries - Main results](#), 2022.

³⁸ European Union, [Special Eurobarometer 535 – Discrimination in the European Union](#), December 2023.

³⁹ *Fundación Secretariado Gitano*, [Discrimination and the Roma Community](#), Annual Report FSG 2023.

⁴⁰ [ACFC Thematic Commentary No. 3](#) (2012), The Language Rights of Persons Belonging to National Minorities under the Framework Convention, adopted on 24 May 2012, para. 28.

Ombudsperson's work aimed at society as a whole and especially at the communities and persons affiliating with them which are most exposed to discrimination. The Advisory Committee expects that the implementation of the Comprehensive Law on Equal Treatment and Non-Discrimination will lead to the collection of more comprehensive data on non-discrimination and equality concerning the Roma.

50. Finally, the Advisory Committee emphasises the urgent need to adopt the National Strategy for Equal Treatment and Non-Discrimination and to establish the independent authority for equal treatment and non-discrimination as envisaged under the Comprehensive Law for Equal Treatment and Non-Discrimination.⁴¹ While noting the crucial importance of setting up of an independent authority for equal treatment and non-discrimination, the Advisory Committee regrets that this has not yet been established, two years after the legislation has passed and outside of the sixth month timeframe stipulated therein.

Recommendation

51. The Advisory Committee calls on the authorities to intensify their efforts to raise general awareness, including among persons affiliating with the Roma community, of the Comprehensive Law for Equal Treatment and Non-Discrimination, and the redress mechanisms it provides. Without further delay, the authorities should develop and adopt the four-year National Strategy for Equal Treatment and Non-Discrimination, as foreseen under the Comprehensive Law for Equal Treatment and Non-Discrimination, as well as establish the independent authority for equal treatment and non-discrimination.

National Strategy for Roma Equality, Inclusion and Participation (Article 4)

52. The final evaluation of the "National Strategy for the Social Inclusion of the Roma Population 2012-2020"⁴² took place in 2021, involving relevant stakeholders.⁴³ Two key studies were conducted within the framework of the evaluation: a Study on the Perception of Discrimination based on Racial or Ethnic Origin by its potential victims in 2020, led by the Council for the Elimination of Racial or Ethnic Discrimination (CEDRE) under the Ministry of Equality, and a comparative study on the situation of the Roma population in Spain in relation to employment and poverty in 2019 conducted by the FSG. The monitoring of national and regional measures highlighted the important role of Roma civil society organisations, which administer projects through grants awarded to organisations working on Roma-related issues, to enable implementation across different levels, including the state, Autonomous Communities and Cities.

53. The "National Strategy for Roma Equality, Inclusion and Participation 2021-2030"⁴⁴ (the 2021-2030 Roma National Strategy) has a broader scope than the previous one and sets out the following priority areas: (i) social inclusion in the areas of education, employment, housing and essential services, healthcare, poverty and social exclusion and the digital divide; (ii) equality, including antigypsyism and non-discrimination, equality between women and men and combatting violence against women and (iii) participation of Roma and the Roma representative entities. One of its objectives is to improve school attendance of Roma children and the living conditions of the Roma community by eradicating slums. This effort relies on consultation and co-operation with stakeholders across municipal, regional and state levels, with the participation of NGOs, the media, academia and representatives of the Roma community. The strategy gives priority to collecting reliable disaggregated data to establish baselines in areas lacking sufficient information.⁴⁵

⁴¹ A case before the Constitutional Court against the approval of the Comprehensive Law for Equal Treatment and Non-Discrimination for considering some of its articles unconstitutional delayed the implementation of the law. In June 2024, the Constitutional Court rejected the appeal and validated the constitutionality of the law. For more information, see [El Tribunal Constitucional respalda la Ley de igualdad de trato y no discriminación](#) (in Spanish), 6 June 2024.

⁴² The [Final Evaluation Report of the National Strategy for the Social Inclusion of the Roma Population 2012-2020](#) was published in 2021 by the Ministry of Social Rights, Consumer Affairs and 2030 Agenda.

⁴³ The management centres of the General State Administration, Autonomous Communities, local entities, the Roma associative movement, other NGOs working with the Roma population and experts from the academic field. Also participating in the final evaluation of the 2012-2020 Strategy Action Plan were the administrative units of the European Social Fund (ESF) and the European Regional Development Fund (ERDF) at the regional level of all the Autonomous Communities and Cities (except Melilla), as well as the local entities that manage the Sustainable & Integrated Urban Development Strategy (EDUSI) through the Network of Urban Initiatives (RIU).

⁴⁴ Ministry of Social Rights, Consumer Affairs and the 2030 Agenda, [National Strategy for Equality, Inclusion and Participation of the Roma People 2021-2030](#).

⁴⁵ To this end, the General State Administration has prepared and/or financed the following studies: the final evaluation report of the National Strategy for the Social Inclusion of the Roma Population 2012-2020, the "Exploratory Pilot Study on School Segregation of Roma students" published by *Fundación Secretariado Gitano* in 2022, the preparation of the "Report for the study of a State Pact against Antigypsyism and the Inclusion of the Roma People" in the Congress of Deputies, and the Third National Roma Health Survey. The "Map on housing and the Roma community in Spain" is also set to be updated (source: sixth [state report](#), p. 9).

54. Between 2021 and 2022, the General State Administration and the Autonomous Communities allocated a total budget of €94.7 million (€42.4 million in 2021 and €52.3 million in 2022) for the implementation of the Roma National strategy. In 2023, ten Autonomous Communities implemented specific Roma inclusion policies,⁴⁶ while two are in the process of developing such policies (Cantabria and the Community of Madrid). Overall, the regional strategies or plans for the inclusion of the Roma community are aligned with the 2021-2030 Roma National Strategy, with 78% of them incorporating all the strategic priorities and objectives outlined at the national level. As for local entities, 17.6% of municipalities and provinces involved in the preparation of the 2021-2022 progress report (13 in total) have strategies or plans for equality, inclusion and participation of the Roma population. Additionally, 39.2% of local authorities report having sectoral strategies or plans that address the needs of the Roma population.⁴⁷

55. Regarding the use of European Union funds for the inclusion of the Roma community, there has been notable progress in programming operations targeting this population at both the General State Administration and Autonomous Community levels. Meetings of the Inter-Fund Committee, established to optimise the investment of European Union funds in the Roma community, have resulted in significant advancements during the current programming period (2021-2027). These include increasingly comprehensive and long-term initiatives covering domains, such as housing plus social support, training and employment programmes.⁴⁸

56. According to the 2022 Civil Society Monitoring Report on the quality of the “National Strategy for the Equality, Inclusion and Participation of Roma (2021-2030)”, one of the notable strengths of the strategy is its introduction of the initiatives to combat antigypsyism as a cross-cutting issue.⁴⁹ The report, however, highlights that Roma participation in the drafting process of the strategy was treated as a procedural formality and cannot be deemed either meaningful or effective. Furthermore, the strategy organises Roma participation primarily through the State Council of the Roma People (CEPG), a consultative body (see Article 15). However, the CEPG has not been allocated sufficient funding to fulfil its functions according to the report, thereby significantly limiting its capacity to conduct audits or make substantive proposals. Additionally, the 20 organisations that constitute the CEPG do not possess the authority to adequately represent civil society organisations. The strategy was also criticised for lacking compliance indicators in areas such as education and employment. The absence of targeted policies addressing education and housing need was further identified as a particular concern. Moreover, the strategy fails to address the situation of the migrant Roma population, a structural and long-standing issue that remains unacknowledged despite its significance.

57. The Advisory Committee acknowledges the strong commitment demonstrated by the authorities to combat poverty and improve the living conditions and social inclusion of the Roma community within the six key action areas outlined in the 2021-2030 Roma National Strategy. It welcomes the focus on Roma women and combatting gender-based violence. However, greater attention is needed to address gender equality, including intersectional discrimination, early and forced marriages, and the perceived traditional roles of Roma women and girls within families. Moreover, the Advisory Committee notes with concern that the core responsibilities of the state, and in the case of Autonomous Communities, shared or devolved responsibilities under the 2021-2030 Roma National Strategy, are frequently outsourced to NGOs within the Roma civil society organisations. While recognising the quality and dedication of these organisations, this outsourcing does not relieve the authorities of their responsibility to ensure that measures are implemented in a sustainable and accountable manner, in line with the Framework Convention.

58. Furthermore, the implementation of the 2021-2030 Roma National Strategy needs to be extended beyond the scope of social welfare assistance, incorporating other relevant services to ensure a comprehensive approach. It also requires a focus on ensuring its effectiveness, sustainability and alignment with the needs and interests of the Roma community during the implementation phase. Collection of reliable and disaggregated data is essential to monitor progress at the national, regional, and municipal levels, particularly in key areas such as combatting antigypsyism and improving access to education, housing, healthcare and employment. Such data would provide the foundation for evidence-based policies that address the challenges faced by the Roma community and persons affiliating with it.

⁴⁶ These are the Autonomous Communities of Andalusia, Aragon, Asturias, Basque Country, Castilla-La Mancha, Castile and León, Catalonia, Galicia, Navarre, and the Valencian Community.

⁴⁷ See the sixth [state report](#), p. 15.

⁴⁸ See Summary of the budget for the period 2021-2027, programmed for measures under specific objective (j) 4.10. “Promoting the socio-economic inclusion of marginalised communities, such as Roma” in the ESF+ Operational Programmes (national and regional) in the sixth [state report](#), pp. 15-16.

⁴⁹ Roma Civil Monitor, [Civil society monitoring report on the quality of the national strategic framework for Roma equality, inclusion, and participation in Spain](#), 2022.

59. The Advisory Committee also highlights the importance of active participation by Roma organisations, including of Roma women and youth, in the monitoring and evaluation of the strategy. It further acknowledges the importance of continued adequate funding for these organisations, to facilitate their meaningful involvement. Furthermore, successful implementation depends on the co-ordinated efforts of national authorities, regional and municipal governments, civil society organisations, and representatives of the Roma community. The production of periodic reports is essential for documenting actions taken at the national, regional and municipal levels and in progress achieved in the implementation of the 2021-2030 Roma National Strategy.

Recommendations

60. **The Advisory Committee calls on the authorities to ensure the effective implementation of the “National Strategy for Roma Equality, Inclusion and Participation 2021-2030” at all levels, and strengthen Roma-related policies beyond the scope of social welfare assistance by involving other relevant sectors more closely, especially at regional and municipal levels.** This process should be carried out in close consultation and co-operation with the diverse representatives of the Roma community to fully integrate their needs and interests. The authorities should also establish a system for collecting and analysing reliable disaggregated data aimed at comprehensive monitoring of the progress of the implementation of the strategy at national, regional and municipal levels.

61. The Advisory Committee strongly encourages the authorities to promote gender equality in the implementation of the “National Strategy for Roma Equality, Inclusion and Participation 2021-2030” and to analyse the impact of policies or programmes from a gender equality perspective.

62. The Advisory Committee invites the authorities to effectively implement their responsibilities, including those shared with or devolved to Autonomous Communities, under the measures outlined in the “National Strategy for Roma Equality, Inclusion and Participation 2021-2030”.

Preservation and promotion of minority cultures, languages and identities (Article 5)

63. The Ministry of Culture provides funding for projects aimed at promoting cultural activities. It has expanded the information about the Roma community on Spain's official website, now including more details on the history of the minority's presence in Spain. Furthermore, the Organic Law 3/2020 on Education of 29 December 2020 includes the recognition of minority cultures and identities. The authorities continue to commemorate several significant historical days.⁵⁰

64. Neither Caló nor Romani have official status in Spain despite the large number of the Roma population. This creates additional barriers and reduces willingness among Roma to use, learn and live in their own language. The Institute of Roma Culture (ICG) collaborates with universities, promotes the learning of Caló and Romani (the ICG has particularly promoted language education through *Sar San*, a publication focused on learning Romani), supports academic research, and develops Roma-focused academic programmes.

65. During the monitoring visit, the ICG expressed concerns about the perception of Roma as a poor and marginalised community, highlighting the lack of Roma representation in roles such as judges and prosecutors. On 19 July 2024, the ICG Director, together with various law professors from different universities, proposed an Organic Law on the Roma Cultural Statute.⁵¹ The proposal highlights that Spain's historical and contemporary identity is profoundly shaped by the Roma community and individuals affiliating with it. However, there remains a notable lack of political recognition for the Roma People and *Romanipen* (principles of Roma identity).⁵² The proposed Organic Law seeks to establish the Roma Cultural Statute, formally recognising the cultural identity of the Spanish Roma community and their distinct rights to political participation and representation. Additionally, it would acknowledge

⁵⁰ These concern Roma Day (8 April), the Roma Genocide Remembrance Day (2 August), and the 1747 Roma raid. The Andalusian Parliament declared 22 November as the “Day of the Andalusian Roma,” marking the Roma's arrival in Jaén in 1462, and advocates for eradicating racism and xenophobia while promoting inclusion.

⁵¹ [Draft Organic Law on the Roma Cultural Statute](#) (in Spanish, *Ley orgánica del Estatuto Cultural Gitano*).

⁵² According to the draft Organic Law on the Roma Cultural Statute, “*Romanipen* is presented as part of Spain's shared heritage, reflecting the Spanish Roma's contribution to a diverse and complementary national identity. Over time, *Romanipen* has evolved as a result of the historical experiences of the Spanish Roma, fostering a strong sense of self-awareness and pride in their dual identity as both Roma and Spanish. This duality has endured despite historical policies aimed at expulsion, confinement, and assimilation, which sought to marginalise Roma identity. Nevertheless, the Roma community has continuously strived to reconcile these two realities.”

the centuries-old contribution of the Roma community to Spain's collective cultural heritage (see Article 15).⁵³

66. The 2021-2030 Roma National Strategy, under the objective "Promotion and Recognition of Roma Culture" within the axis "Equal Opportunities and Non-Discrimination," prioritises raising awareness about Roma history and culture to promote recognition and reconciliation. Initiatives are aimed at raising awareness among the general population of key milestones and issues related to the Roma community. This recognition work spans different administrative levels and includes awareness-raising efforts about the contributions of the Roma community to history, culture and art in various Autonomous Communities and municipalities. Simultaneously, efforts are made to promote the work of Roma professionals in the cultural and artistic fields, ensuring their presence in the national cultural scene and supporting their professional development. Between 2021 and 2022, funding for Roma culture increased from €373 966 to €1.1 million (i.e. a total increase of 201.2% in the budget by the Autonomous Communities and the General State Administration). Initiatives, such as mediation programmes in Cantabria, aim to improve public understanding of Roma culture, particularly within public institutions.⁵⁴

67. Despite progress in recent years, interlocutors of the Advisory Committee stressed that the negative image of the Roma persists in mainstream society. Stereotypes and prejudices remain deeply rooted, hindering the Roma in exercising fully their rights. The media and social networks play a significant role in perpetuating these stereotypes, often associating the term "Roma/Gitano" with either folkloric representations or marginalisation. This misrepresentation reflects the importance of the media's professional responsibility in portraying an accurate and fair image of the Roma community. According to interlocutors, books, documentaries and exhibitions related to the Roma should be further developed as a means to improve the image of the Roma community.

68. The Advisory Committee reiterates that Article 5 of the Framework Convention and the obligation of states parties to promote the conditions for the preservation and development of national minority cultures and identities aims to ensure that persons belonging to national minorities are not assimilated but are enabled to maintain and develop their distinct identities and to actively enjoy minority rights. "This may often require targeted efforts by the authorities to revitalise essential elements of the minority culture, without which the expression of some aspects of that identity may not be possible."⁵⁵ The right to preserve traditions also entails the right to develop a minority culture in line with broader societal evolution, and to form contemporary expressions of minority identity. "Full equality cannot be effectively achieved when diversity as such is perceived negatively or when only certain forms of diversity are accepted and tolerated. [...] In addition, an environment in which diversity is viewed as "alien" or "imported" and rather disconnected from mainstream society does not offer the appropriate conditions for the expression, preservation and development of minority cultures."⁵⁶

69. The Advisory Committee acknowledges the efforts of the authorities in promoting Roma culture, including the allocation of increased funding and the implementation of measures to raise awareness of Roma history and its place within, and contribution to, the history of Spain. However, it considers that additional positive action is required to ensure Roma culture is fully recognised and valued as an integral part of Spanish society. The perception of Roma culture in mainstream society remains heavily influenced by stereotypes and folklore images that either associate the community with marginalisation or limit its cultural representation to folkloric traditions. While celebrating folkloric aspects is important, it does not sufficiently reflect the broader contributions of the Roma community to Spain's history, culture and society. This narrow perception overlooks contemporary cultural expressions and the evolving identity of the Roma. Therefore, increased attention needs to be devoted to contemporary expressions of the Roma culture, which should include perspectives from women and youth in the funded activities.

70. Furthermore, the Advisory Committee considers that enhanced collaboration with media outlets to ensure accurate and balanced representation of Roma culture, highlighting its diversity and richness while avoiding stereotypes, plays a significant role in addressing misconceptions. Social media platforms offer opportunities to promote positive stories and achievements of the Roma, fostering greater visibility and understanding. Community-based initiatives, with active involvement of a diverse range of Roma representatives in designing and implementing cultural programmes, may also contribute to authenticity, inclusivity and empowerment, ensuring meaningful representation and engagement.

⁵³ There is a movement promoted by Roma civil society, especially in Catalonia, called "*Plataforma Rumba Catalana Patrimoni de la Humanidad*". It demands that this genre, which is an essential part of Roma culture, will be recognised as UNESCO World Heritage.

⁵⁴ Funding for mediation actions in Cantabria for 2021 was €60 000 for 800 Roma beneficiaries. In 2022, the budget was €62 000 for 1 200 Roma beneficiaries.

⁵⁵ ACFC [Thematic Commentary No. 4](#) (2016), para. 67.

⁵⁶ ACFC [Thematic Commentary No. 4](#) (2016), para. 43.

71. Finally, some interlocutors of the Advisory Committee noted that certain Roma individuals expressed a desire to learn Romani, their ancestral language, which has been lost due to persecution since the 18th century. This interest arises from a wish to better communicate with Roma outside the Iberian Peninsula who have preserved the use of the Romani language. In this context, the Advisory Committee emphasises that past assimilation policies make the revitalisation and preservation of the Romani language essential. These efforts are necessary for enabling the Roma to safeguard their cultural heritage and foster exchanges with Roma communities across Europe.

Recommendations

72. The Advisory Committee encourages the authorities to continue providing sustainable funding for the promotion of the Roma culture. This funding should support comprehensive initiatives that not only celebrate the heritage of the Roma but also emphasise their broader historical contributions to Spanish society. The authorities should develop and implement educational programmes at all levels that include Roma history, culture and contemporary achievements, fostering a deeper understanding of the Roma community as an integral part of Spain's cultural heritage. Enhanced media collaboration to ensure accurate and balanced representation of Roma culture should also be undertaken, highlighting its diversity and richness while avoiding stereotypes.

73. The Advisory Committee encourages the authorities to ensure, in close co-operation with the Spanish Roma community, that the teaching of the Romani language is provided for those interested, making use of existing Romani teaching materials available in Europe and engaging Romani speakers residing in Spain.

Intercultural dialogue and mutual respect (Article 6)

74. The Study on the Perception of Discrimination Based on Racial or Ethnic Origin by Its Potential Victims in 2020, published by the Council on the Elimination of Racial or Ethnic Discrimination,⁵⁷ reports on perceptions of discrimination in Spanish society among various population groups, including the Roma.⁵⁸ According to the study, the Roma population perceives itself as having the most unfavourable image among the majority population, with 89% associating it with having at least one negative perception of Roma identity. Over half of the Roma respondents reported that discriminatory treatment had increased over the past years. This perception is corroborated by the general opinion of other surveyed groups, who identified the Roma, both from Spain and from other countries, as the group receiving the worst treatment, with 40% and 46% respectively reporting bad or very bad treatment. The annual reports of the Support Service of the Council on the Elimination of Racial or Ethnic Discrimination recorded 1 570 cases of racial or ethnic discrimination in 2022, a significant increase from 860 cases in 2021. This highlights the need to ensure that victims have access to the necessary resources and support services.

75. Since 2020, the Spanish Observatory of Racism and Xenophobia (OBERAXE) has been monitoring hate speech on social media platforms, in line with the Code of Conduct for Countering Illegal Hate Speech on the Internet.⁵⁹ Among the affected groups, the Roma rank seventh out of 14 monitored groups targeted by hate speech. TikTok has the highest proportion of hate speech directed at the Roma, with much of the content aiming to discredit (62.7%) or dehumanise (44.1%) this community. Hate speech is often linked to claims of public insecurity, whether true or false, and typically associates such incidents with the Roma. The *Federación SOS Racismo*, through its annual reports, documents numerous instances of racism across various sectors, particularly targeting migrants and Roma.⁶⁰

76. In 2024, the Ministry of Equality conducted a survey "The impact of racism in Spain. Study on the perception of discrimination due to racial or ethnic origin in Spain, by potential victims"⁶¹ with 2 300 participants. The survey reveals that the perceived degree of racism in Spanish society has remained at the levels of the previous study from 2020⁶² and is most acutely perceived by the Roma. In most cases, the negative image is caused by the misconduct of a "small number of group members" and

⁵⁷ Council on the Elimination of Racial or Ethnic Discrimination, Ministry of Equality, "[Perception of discrimination based on racial or ethnic origin by potential victims in 2020](#)" study, 2020. A total of 1 624 interviews were carried out in all the Autonomous Communities and two Autonomous Cities of Spain.

⁵⁸ Apart from Roma, it also covers Indo-Pakistanis, North Africans, Andeans, people from non-Mediterranean Africa, East Asia, Afro-Caribbean and Afro-Latin people and people from Eastern Europe. The study's main goal is "to gain insight into how potential victims perceive racial or ethnic discrimination and how this has evolved over time in terms of extent and intensity, and to identify the areas, circumstances and specific manifestations of discrimination" (see the sixth [state report](#), p. 5).

⁵⁹ Spanish Observatory of Racism and Xenophobia (OBERAXE), [Annual Report Monitoring Hate Speech on Social Media](#), 2023.

⁶⁰ See the official [webpage](#) of the *Federación SOS Racismo*.

⁶¹ This Survey is anticipated to be published in March 2025 during the Anti-Racism Week.

⁶² Ministry of Equality, Council on the Elimination of Racial or Ethnic Discrimination, [Potential victims' perception of discrimination based on racial or ethnic origin, 2020, Executive Summary](#), December 2020.

disseminated by the media and through certain political discourses.⁶³ Additionally, the ministry launched institutional campaigns focusing on the discrimination faced by other groups and persons affiliating with them. One campaign featured a Roma woman entering a courtroom, with those present surprised to learn she was the judge, not the accused, challenging stereotypes and promoting inclusion. The Delegated Commission for Social Services of the Territorial Social Services Council and the Autonomy and Dependency Care System collaborated on policies aimed at the Roma. This included a technical working group with the Autonomous Communities to develop tripartite participation programmes involving the General State Administration, regional authorities and local entities.⁶⁴ The civil society project “Dialogues for Interculturality”, an initiative of the FSG, the Club of Rome Office in Barcelona and ‘la Caixa’ Foundation, offers a platform for intercultural debate and reflection. Its seventh edition marked 600 years since Roma people’s arrival in the Iberian Peninsula in 1425.⁶⁵

77. The Institute of Youth has promoted a number of projects regarding *inter alia* the Roma community during 2021-2024, such as the ERASMUS+ Youth in Action Programme aimed at youth employability through non-formal education totalling €947 095 and the European Union Solidarity Corps supporting youth solidarity activities with €44 866. Following a positive assessment by the Institute of Youth, the State Secretariat for Youth and Children granted through the subsidies from the Personal Income Tax (IRPF) Programme for young people allocations to the FSG⁶⁶ and financed the programme “HOMO RIDENS = HOMO SAPIENS” which aims to assess the level of racism (experienced) among Spanish adolescents and young people and make recommendations to counter racism.⁶⁷

78. Several interlocutors of the Advisory Committee reported the prevalence of negative stereotypes about the Roma in the media. They further noted that the growing influence of far-right political parties, known for their anti-migrant and anti-refugee rhetoric, has not significantly affected tolerance towards Spanish Roma citizens. However, within the Spanish society, a distinction persists between Spanish and non-Spanish Roma, with the latter facing lower levels of acceptance. Unfortunately, the 2021-2030 Roma National Strategy does not foresee any specific policy measures addressing specific challenges faced by non-Spanish Roma, such as language barriers, lack of legal documentation and limited access to social services, all of which exacerbate social exclusion.

79. Interlocutors of the Advisory Committee from the Amazigh and Darija-speaking communities in Melilla and Ceuta mentioned that they are primarily distinguished by the majority population on the basis of their religious affiliation rather than their linguistic heritage. They therefore claimed that it is necessary for the authorities to promote greater awareness about their communities and implement initiatives aimed at preserving and promoting their languages.

80. The Advisory Committee was informed that religious beliefs and practices are another source of intolerance, often linked to racism and disproportionately affecting non-citizens. According to the Observatory of Religious Pluralism in Spain, foreign-born individuals belonging to a religious community report experiencing discrimination at rates three times higher than for citizens of Spain. The Advisory Committee also notes that online hate speech targeting Spanish Muslims is widespread and often originates from politicians. OBERAXE reported that during January and February 2023 such hate speech accounted for approximately 23% of all online hate speech, a significant rise from 10% in November-December 2022. By March-April 2023, this figure increased further, with anti-Muslim discourse representing 26% of all recorded hate speech cases. This trend is similarly reflected in traditional media.⁶⁸

81. According to information gathered by the Observatory of Antisemitism,⁶⁹ since October 2023, there has been a 500% increase in antisemitic incidents, including attacks on individuals, private property and institutions, calls for boycotts against Jewish and Israeli establishments, graffiti on synagogue walls and in public spaces calling for the killing of Jews and ‘Zionists’, as well as incidents and antisemitic hate speech in all spheres: political, institutional, educational, media, sports, cultural, health, and social networks.

82. The Advisory Committee reiterates that the personal scope of application of Article 6 of the Framework Convention is wide and that it requires states parties to the Framework Convention to

⁶³ Ibid.

⁶⁴ See additional replies submitted by the authorities on 8 January 2025.

⁶⁵ [Historia - Instituto Román para Asuntos Sociales y Culturales](#), *Los gitanos en España*.

⁶⁶ As shared by the authorities, the funds for 2021 were €125 448.28; for 2022 €100 651.26; for 2023 €94 637.20 and for 2024 €106 763.39.

⁶⁷ As shared by the authorities, in 2021, the *Asociación Nacional Presencia Gitana* received €60 000, in 2023 €68 040.79 and in 2024 €77 095.25.

⁶⁸ Spanish Observatory of Racism and Xenophobia (OBERAXE), [Summary Strategic Framework for Citizenship and Inclusion, against Racism and Xenophobia \(2023-2027\)](#).

⁶⁹ The [Observatory of Antisemitism](#) was created in 2009 by the Federation of Jewish Communities of Spain and the Movement Against Intolerance.

promote tolerance, mutual respect and understanding among all persons living in their territory, irrespective of ethnic, cultural, linguistic, or religious identity or nationality. It further stresses that “the promotion of tolerance and openness towards diversity in society is essential not only for the development and implementation of successful integration strategies but is also a central precondition for persons belonging to national minorities to self-identify as such without hesitation and proactively claim the rights contained in the Framework Convention.”⁷⁰ The Advisory Committee further emphasises that Article 6 of the Framework Convention calls for deliberate efforts to foster a climate of mutual respect, understanding and co-operation among all persons in society, where persons belonging to national minorities are recognised as a valued integral part of a diverse society, who effectively enjoy equal access to rights and resources, while being provided with opportunities for social interaction and inclusion across differences.⁷¹

83. While a general climate of openness and mutual respect toward the Roma prevails in Spain, the Advisory Committee notes a lack of awareness among the majority population about Roma history, culture and traditions, which hinders inter-ethnic dialogue and the creation of an inclusive society. Awareness-raising among the majority population about the Roma community and persons affiliating with it is therefore of utmost importance and requires constant efforts in education, culture and the media. The Advisory Committee also regrets the absence of specific policy measures for non-Spanish Roma in the 2021-2030 Roma National Strategy.

84. With regard to the speakers of Amazigh and Darija, the Advisory Committee considers it essential to raise awareness among the general population about the existence and significance of these minority languages.

85. The Advisory Committee is also concerned about the increasing hate speech targeting other communities and persons affiliating with them in Spain, particularly those of the Jewish and Muslim faith. It therefore emphasises the need for targeted and concrete measures, including through the media to combat all forms of racism in Spanish society. These measures are necessary to address not only challenges faced by the Roma but also those affecting other communities present in Spain. The Advisory Committee further reminds the authorities that Article 6(1) of the Framework Convention also underlines the role of the media as a tool for the promotion of intercultural understanding and a sense of solidarity in society. Given the immediate amplification of messages and values, the Advisory Committee has consistently called on states parties to ensure that public broadcasters take their responsibilities seriously and promote respect for diversity and ethical journalism in all their programmes.⁷² Specific awareness-raising campaigns are therefore needed in media, including online, and on social media to promote positive images of persons affiliated with different communities present in Spain.

Recommendations

86. The Advisory Committee calls on the authorities to address the perpetuation of stereotyping of communities and persons affiliating with them affected by hate speech on social media, especially the Jewish and Muslim communities, through targeted measures aimed at preventing and combatting hate speech, in close co-operation with internet service providers and the most affected communities.

87. The Advisory Committee strongly encourages the authorities to increase their efforts to promote mutual respect, tolerance, and intercultural dialogue in society and to enhance knowledge among the majority population on diversity as an integral part of Spanish society, including, for instance, through education.

88. The Advisory Committee strongly encourages the authorities to develop and implement targeted policy measures to address the needs and challenges of non-Spanish Roma residing in Spain.

Protection from hostility (Article 6)

89. According to Article 22(4) of the Criminal Code, committing the offence of racist, antisemitic, anti-Roma or any other kind of discrimination related to the ideology, religion or beliefs of the victim, the ethnic group, “race” or nation to which he/she belongs, his/her sex, age, sexual or gender orientation or identity, reasons of gender, aporophobia or social exclusion, the disease he/she suffers or his/her disability, regardless of whether such conditions or circumstances are actually present in the person on

⁷⁰ ACFC Thematic Commentary No. 4 (2016), para. 53.

⁷¹ ACFC Thematic Commentary No. 4 (2016), para. 43.

⁷² ACFC Thematic Commentary No. 4 (2016), para. 63.

whom the conduct is committed. Moreover, under Article 510 of the Criminal Code, incitement to violence is classified as a hate speech offence.⁷³

90. Since 2019, the Ministry of the Interior has included antigypsyism in its annual reports on hate crimes in Spain. In line with one of the previous recommendations of the Advisory Committee, the Criminal Code was amended to include antigypsyism as a specific ground that can lead to hate crimes. In 2020, 1 401 hate crimes were recorded by the police. In 2021, this figure increased to 1 802 hate crimes. In 2022, 1 869 hate crimes were recorded, and in 2023, the number rose further to 2 262 hate crimes. According to data provided by the Ministry of the Interior, recorded hate crimes targeting specific groups were as follows: antisemitic incidents: three cases in 2020, 11 in 2021, 13 in 2022, and 23 in 2023; antigypsyism: 22 cases in 2020, 18 in 2021, 22 in 2022, and 37 in 2023; racism and xenophobia: 485 cases in 2020, 631 in 2021, 755 in 2022, and 856 in 2023.⁷⁴ On the Ministry of the Interior's website, under the National Office for Combating Hate Crime, there is an interactive map, with references to legal protection and psychosocial support services for hate crime victims across Spain.⁷⁵

91. During the First Action Plan to Combat Hate Crimes (2019-2021)⁷⁶ a survey was conducted, focusing on victims of hate crimes to understand their experiences, perceptions and reporting behaviours. Among 782 participants, 437 were victims in the last five years, revealing that 89.24% did not report the crime; of those who did, most reported to the National Police (55.32%) or Civil Guard (21.28%). This highlights the issue of under-reporting and the need for better data collection, especially on hate crimes against Roma individuals with disabilities. In addition, the Comprehensive Law for Equal Treatment and Non-Discrimination of 2022 provides for mandatory training on the law's provisions for the Public Prosecutor's Office. This legislation also includes specific measures for collecting data related to hate crimes.

92. The Second Action Plan to Combat Hate Crimes (2022-2024)⁷⁷ prioritises assistance and support for victims of hate crimes. Specialised police units have been created to address and investigate these crimes, and in 2022, the Annual Seminar on Hate Crimes trained over 650 officers, including National Police, Civil Guard, police forces of Autonomous Communities, and, for the first time, local police, to strengthen inter-agency co-ordination. Preparations for a State Pact on Antigypsyism and Roma Inclusion have progressed, with the Congress approving a report and establishing a sub-committee to evaluate public policies aimed at combating antigypsyism as a distinct form of racism.⁷⁸

93. The Advisory Committee also takes note of further training activities and projects reported by the authorities, aimed at addressing hate speech, racism and xenophobia, notably the National Institute of Public Administrations (INAP) and the European project AL-RE-CO on "Hate speech, racism and xenophobia: alert and coordinated response mechanisms".⁷⁹ The Ministry of Justice also provides training courses on equality and non-discrimination for its staff and justice professionals. In 2021 and 2022, it trained Crime Victim Assistance Office staff on supporting hate crime victims.⁸⁰ The Centre for Legal Studies (CEJ)⁸¹ conducts annual training for prosecutors and legal professionals aiming to raise awareness, build victim confidence, and improve hate crime investigations. In 2023, it launched its first "Programme for Equality, Inclusion, and the Fight Against Gender Violence", encompassing training on gender violence, hate crimes and anti-discrimination.⁸² Furthermore, the 2030 Youth Strategy provides for a civic education programme aimed *inter alia* at preventing violence, harassment and hate crimes.

⁷³ OSCE ODIHR [Hate Crime Reporting on Spain](#).

⁷⁴ See more data on reported crimes in the sixth [state report](#), pp. 19-20. See also OSCE ODIHR [Hate Crime Reporting on Spain](#).

⁷⁵ The resource map described can be accessed through the following [web page](#).

⁷⁶ [First Action Plan to Combat Hate Crimes \(2019-2021\)](#). It encompassed training of the Spanish Security Forces, prevention, assistance to victims and response to this type of crimes. Moreover, specific procedures and digital tools were developed to counter these crimes and hate speech, also in social media.

⁷⁷ [Second Action Plan to Combat Hate Crimes \(2022-2024\)](#).

⁷⁸ Antigypsyism was discussed at the Spanish Parliament during the XIV Legislature by creating a [sub-commission](#) for the study of a State Agreement against Antigypsyism and the Inclusion of the Roma People. As a result of this sub-commission, the Spanish Parliament approved the Report from the Sub-committee for a State Agreement against Antigypsyism and the Inclusion of the Roma people. Recently, at the Catalan Parliament, an initiative was presented to create a [Catalan Agreement against antigypsyism](#).

⁷⁹ The National Institute of Public Administrations (INAP) offers extensive training programmes that include modules on equal treatment and non-discrimination. These programmes are part of INAP's broader Learning Strategy, which aims to continually improve the skills and competencies of public employees on racial and ethnic discrimination. A key component of this strategy is the II Equality and Non-Discrimination Training Plan (2023-2024) which promotes equal opportunities and prevents discrimination within the public administration. The European project AL-RE-CO on "Hate speech, racism and xenophobia: alert and coordinated response mechanisms" aims to improve the authorities' ability to identify, analyse, monitor and evaluate online hate speech, as well as to draw up shared strategies to combat speech based on racism, xenophobia, Islamophobia, antisemitism and anti-Romani sentiment.

⁸⁰ It was approved in the Plenary of the Advisory Council for Victim Assistance, a consultative body attached to the Directorate-General for the Public Service of Justice.

⁸¹ The Centre for Legal Studies is an autonomous body attached to the Ministry of Justice.

⁸² Equality, inclusion and fight against gender violence programme for the year 2022-2023 ([Programa de igualdad, inclusión y lucha contra la violencia de género año 2022-2023](#)).

94. Furthermore, the Ministry of Equality provides training for civil servants to promote equal opportunities, including addressing discrimination based on racial or ethnic origin, alongside annual awareness-raising activities. Under the Council for the Elimination of Racial or Ethnic Discrimination (CEDRE),⁸³ additional measures have been introduced to combat discrimination, including the Support Service for Victims of Racial or Ethnic Discrimination with a free hotline number (021) for reporting racism, particularly affecting the Roma. Efforts also include expanding face-to-face service offices, extending assistance service hours, and increasing budgets to effectively address racial discrimination, xenophobia and intolerance, aligning with the Advisory Committee's previous recommendation to this effect.⁸⁴ The Advisory Committee also appreciates the inclusion of a glossary of definitions of the Strategic Framework for Citizenship and Integration against Racism and Xenophobia (2023-2027) by the Ministry of Inclusion, Social Security, and Migrations. In some cases, multiple definitions are provided to better clarify key terms.⁸⁵

95. On 21 March 2023, a number of Spanish NGOs signed the Social Pact against Hate Speech, aiming to reinforce institutional efforts to combat hate speech and promote social cohesion.⁸⁶ During the visit, representatives of the Roma community highlighted incidents in 2022, such as the forced expulsions of Roma families from Peal de Becerro (Jaén) and Íllora (Granada).⁸⁷ Further concerns were raised about ethnic and racial profiling during police stops and proceedings against undocumented non-Spanish parents of Spanish minors, which disproportionately affect marginalised communities. Interlocutors from the Roma community also observed significant under-reporting of hate speech and hate crimes targeting Roma individuals, which they attributed to a lack of trust in law enforcement, as well as fear of victimisation.

96. Interlocutors of the Advisory Committee also expressed grave concerns regarding instances of gender-based violence and early and forced marriages within very marginalised sections of the Roma community. Cases of early and forced marriages remain significantly under-reported hindering effective interventions and underscoring the need for accessible reporting mechanisms and awareness raising campaigns to address and prevent such practices.

97. Additionally, the Advisory Committee was approached by the representatives of the Jehovah's Witnesses in Spain, who reported a significant rise in acts of vandalism, hate speech and hostile behaviour targeting their community. Despite what these interlocutors referred to as "the notorious roots" this community has in Spain, they have legally recognised status as a religious denomination. These incidents raised serious concerns among members, highlighting the need for stronger measures on behalf of the authorities to ensure their protection.⁸⁸

98. The Advisory Committee emphasises that it is an obligation of states parties to implement appropriate measures to protect persons who may be subject to threats or acts of hostility or violence as a result of their ethnic, cultural, linguistic or religious identity. States have an obligation to take all necessary preventive measures as well as to ensure that cases of alleged hate crime and criminal hate speech are effectively investigated. Furthermore, law enforcement and criminal justice authorities need to collect disaggregated data on such cases and make these publicly available.⁸⁹

99. The Advisory Committee welcomes the inclusion of antigypsyism in police data collection, enabling more effective institutional detection and response to hate crimes. These efforts are now being consolidated and implemented across the country. The Advisory Committee also commends the authorities for the considerable number of training sessions organised for law enforcement and the judiciary on non-discrimination standards and hate crime. The existing human rights and non-discrimination training for police officers, with a particular focus on the Spanish Roma community, has yielded positive results. Interactions between the police and Roma individuals are generally viewed favourably by many interlocutors, although some concerns remain about ethnic profiling during identity checks, particularly within migrant communities. The Advisory Committee recalls the standards established by the European Court of Human Rights in the recent cases of *Wa Baile v. Switzerland* and *Basu v. Germany* and refers that states should effectively investigate allegations of racial or ethnic

⁸³ CEDRE is a collegiate body attached to the Ministry of Equality, which is not part of its hierarchical structure.

⁸⁴ ACFC [Fifth Opinion on Spain](#), para. 141.

⁸⁵ See the sixth [state report](#), p. 6.

⁸⁶ See the sixth [state report](#), p. 18.

⁸⁷ *Fundación Secretariado Gitano*, Anti-Roma collective harassment: recommendations for a correct institutional and social response based on the cases of Peal de Becerro and Íllora in 2022 ([Hostigamiento colectivo antigitano: recomendaciones para una correcta respuesta institucional y social partiendo de los casos de Peal de Becerro e Íllora en 2022](#)).

⁸⁸ This information was received via an email on 7 May 2024.

⁸⁹ See [Recommendation CM/Rec\(2022\)16 of the Committee of Ministers to member States on combating hate speech](#), adopted on 20 May 2022, paras. 12 and 58. See also European Court of Human Rights, *Karaahmed v. Bulgaria*, no. 30587/13, 24 February 2015, and *Begheluri v. Georgia*, no. 28490/02, § 100, 7 October 2014.

profiling during identity checks or any other action implemented routinely by law enforcement representatives.⁹⁰

100. While the authorities have introduced measures to empower potential victims of crime to defend their rights, the Advisory Committee remains concerned about the growing number of discriminatory and racist attacks in recent years. It also notes that underreporting of hate crimes continues to be a significant issue. Further awareness-raising measures are required to ensure victims are informed about existing legislative solutions and mechanisms for redress, to enhance trust in the system and encourage reporting of such crimes.

101. Lawyers seeking justice for Roma women, such as the Federation of Roma Women Associations (FAKALI) and the National Federation of Roma Women's Associations (KAMIRA), are actively involved in prevention efforts, providing assistance and promoting awareness raising. A specific case of grave concern that they have highlighted was a judgment handed down in May 2023, involving a Roma girl who was co-habiting before the age of 13 with a man 11 years older than her. He repeatedly exerted physical violence against her and made her pregnant three times. She gave birth at the age of 12, 13 and 15. The offender was sentenced, however, with mitigating circumstances allowed on the basis that such practices are common and accepted within the Roma community. KAMIRA strongly condemned this case for its application of mitigating circumstances based on stereotyping the Roma community and argued that such outdated traditions are not common practice within the Roma community though they do unfortunately exist in certain very marginalised sections of the community.

102. The Advisory Committee stresses that early and forced marriages are harmful practices that violate, abuse or impair human rights, including minority rights and particularly minority rights of girls and women, and are linked to and perpetuate other harmful practices and human rights violations. Importantly, and in line with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (the Istanbul Convention), forced marriage should be criminalised and appropriately prosecuted.⁹¹ Such harmful practices have a disproportionately negative impact on girls belonging to the Roma community, whilst under-aged Roma boys may also be impacted by early and forced marriages. They constitute a serious threat to multiple aspects of their physical and psychological health and hinder the right to quality education to which every child is entitled.⁹² In this context, any prevalence of early and forced marriages will require that the authorities understand the historical and societal context for such harmful practices, in order to properly acknowledge the underlying social and economic drivers of the issues and address them by means of an evidence-based approach and with the effective participation of persons affiliating with national minorities.⁹³ Any legal justification or application of mitigating circumstances based on outdated and harmful traditions of the above practices should be prohibited.

103. The Advisory Committee further highlights the findings of the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) in its baseline evaluation report on Spain, noting the absence of data on forced marriages. Recognised as an offence under the Organic Law 10/2022 on Sexual Freedom, this issue requires comprehensive data collection.⁹⁴ The Advisory Committee is also of the view that awareness-raising activities are essential to addressing the issue of early and forced marriages across minority communities and the majority population. These activities, which can be undertaken through education and outreach programmes, need to foster understanding about the legal, social and personal implications of early and forced marriages, and must promote gender equality, as well as the protection of children's rights. A specific effort should be made to ensure that a "cultural defence", in the meaning of applying and approving a destructive "cultural context" in judicial hearings, is not accepted as a mitigating circumstance thus exempting perpetrators from otherwise established judiciary practice in such cases. Training of judges and judiciary staff is therefore of the utmost importance.

⁹⁰ European Court of Human Rights, *Wa Baile v. Switzerland*, nos. 43868/18 et 25883/21, 20 February 2024, and *Basu v. Germany*, no. 215/19, 18 October 2022.

⁹¹ [Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence \(Istanbul Convention\)](#), ETS. No. 210, Article 37. Spain signed the Istanbul Convention on 11 May 2011 and ratified it on 10 April 2014.

⁹² See United Nations Human Rights, Office of the High Commissioner, [Child and forced marriage, including in humanitarian settings, OHCHR and women's human rights and gender equality](#), and Ad Hoc Committee of Experts on Roma Issues, [Thematic Report by the experts of the CAHROM thematic group on child/early and forced marriages within Roma communities in the context of the promotion of gender equality](#).

⁹³ See [ACFC Thematic Commentary No. 1](#) (2024) on Education under the Framework Convention for the Protection of National Minorities, adopted on 31 May 2024, revising and replacing Thematic Commentary No. 1 on Education (2006), para. 69.

⁹⁴ Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO), [Building trust by delivering support, protection and justice, Spain - First thematic evaluation report](#), published on 21 November 2024, para. 41.

Recommendations

104. The Advisory Committee calls on the authorities to elaborate effective mechanisms aimed at combatting early and forced marriages, and to condemn and declare void any judicial justification of violence against girls and women or applying as mitigating circumstances such factors as “cultural context”, arguments that involve ethnicity, “race” or religion, as well as harmful traditions or perceptions.

105. The Advisory Committee encourages the authorities, in co-operation with representatives of the Roma community, in particular Roma girls and women, to conduct awareness-raising initiatives to encourage dialogue within Spanish society about the challenges posed by early and forced marriages.

106. The Advisory Committee encourages the authorities to take further measures to address the issue of under-reporting of hate crimes. This should include awareness-raising efforts to inform victims of their rights and available legal remedies, and efforts to foster trust in law-enforcement and judiciary.

Minority media and broadcasting (Article 9)

107. Weekly radio programmes on Roma themes, such as “*Gitanos*” on the Spanish national radio (RNE) and “*Ververipen: Diversidad gitana*” on M21 Radio (the municipal radio of Madrid City Council), are broadcast.⁹⁵ *Nevipen Romani* newspaper, printed by *Instituto Romanò de Servicios Sociales*, is the only newspaper at national level.⁹⁶ State support for cultural and educational communication initiatives specifically for the Roma community remains limited. While some local projects receive grants, such as *Nevipen Romani* newspaper, there are no large-scale nationally supported media initiatives for, by and about persons affiliating with the Roma community on television or in newspapers.

108. Interlocutors consider that ethnic diversity, particularly regarding the Roma community, is neglected in Spanish media. Its portrayal is often biased, with a tendency to associate it with negative situations or social problems, perpetuating stereotypes and prejudices. The Spanish Observatory of Racism and Xenophobia (OBERAXE) monitors such stereotypes on social media. Organisations, like the FSG have worked to promote a more balanced representation through journalist training and media guidelines. However, challenges remain, and discriminatory treatment in the media still occurs, with unnecessary references to ethnicity in news stories that reinforce negative perceptions.

109. The Advisory Committee reiterates that, “[i]n order for public service broadcasting to reflect the cultural and linguistic diversity existing within society, it must guarantee an adequate presence of persons belonging to minorities and their languages. This entails granting support to the media and programmes for, by, and about national minorities in minority and majority languages, as well as in bi- or multilingual formats. Minority interests and concerns should also be mainstreamed into regular broadcasts rather than singled out in occasional programmes and mainstream media should engage in broader political discourse of interest to persons belonging to minorities.”⁹⁷ The abundance of information and media available in today’s digital media environment does not lessen the existing state obligations to facilitate the production and dissemination of content by and for national minorities.⁹⁸

110. The Advisory Committee acknowledges the existing provision of radio programmes about and for Roma but considers these efforts to be insufficient. It also believes that additional measures need to be taken to promote diversity in society and secure better access for Roma to media outlets. The Advisory Committee specifically considers that issues pertaining to the Roma community need to be sufficiently included in the mainstream media. It reminds the authorities that “it is important for the formation of an open and pluralist media environment that issues of concern to minority communities generally are given weight in the broader public media debate and that persons belonging to such minorities are portrayed as integral members of society”.⁹⁹ In this context, the Advisory Committee considers it vital that media professionals and journalists receive adequate training to improve their awareness of and sensitivity towards the specific and contemporary needs and concerns of diverse communities, including by actively involving persons affiliating with the Roma community in the preparation and presentation of both mainstream programmes and programmes about and for Roma.

⁹⁵ See the [website of the Instituto de Cultura Gitana](#).

⁹⁶ More information about *Nevipen Romani* newspaper.

⁹⁷ ACFC [Thematic Commentary No. 3](#) (2012), para. 41.

⁹⁸ OSCE High Commissioner on National Minorities, [Tallinn Guidelines on National Minorities and the Media in the Digital Age](#), February 2019, para. 7.

⁹⁹ ACFC [Thematic Commentary No. 4](#) (2016), para. 63.

Recommendation

111. The Advisory Committee encourages the authorities to increase the support for the production of media programmes, including online and print media, focusing on the Roma, in close consultation and co-operation with representatives of the Roma community, especially women and youth. Roma-related issues should be included into public and private mainstream media to promote inclusivity and representation. Ongoing training should be provided to journalists, including those affiliating with the Roma community, to ensure the production of such media content.

Effective access to quality education - combating school segregation (Article 12)

112. According to the authorities, progress has been made under the 2012-2020 Roma National Strategy, with increased participation in early education, improved school enrolment in primary and secondary education, and a 27% drop in Roma youth who are not in education or work. Age-appropriate attendance and secondary education enrolment of Roma girls has also improved, though challenges remain.¹⁰⁰

113. Despite this progress, significant educational gaps remain between the Roma and the general population. Among adult Roma, 13.8% of women and 5.6% of men are illiterate, while 41.2% of women and 31.4% of men received no formal education. Only 14.6% of persons affiliating with the Roma community have only completed primary education, and 17.4% have completed secondary or tertiary education, with the majority of these achieving secondary-level qualifications.¹⁰¹ The Covid-19 pandemic¹⁰² also hindered progress in educational inclusion.¹⁰³ Limited access to digital devices and stable internet connections has exacerbated inequalities, making it difficult for Roma pupils and students to access online education on equal terms. Furthermore, a 2020 study by the Spanish Council for the Elimination of Racial or Ethnic Discrimination (CEDRE) found that 26% of the Roma population feels discriminated against in education, while 20% of Roma pupils/students face teasing, insults, and harassment from peers.¹⁰⁴

114. School segregation remains a sensitive issue and a key priority for Roma civil society organisations within the CEPG. Acknowledging the complexities of unequal student distribution, FSG developed a detailed categorisation system to address and better understand the issue of segregation: low concentration (1%-15%, one to three Roma students per class), high concentration (16%-30%, four to six students), segregation (31%-40%, seven to eight students), severe segregation (41%-60%, nine to 12 students) and extreme segregation (over 61%, 13-20 students).¹⁰⁵ Most studies in Spain link school segregation to the proximity of the local population living near educational institutions. However, the Advisory Committee was informed by its interlocutors that segregation is also influenced by socio-economic factors, educational policies, lack of access to schools, family preferences and societal rejection of certain groups. For Roma students, reasons for segregation often extend beyond economic factors. This is evident in some segregated schools, where the majority of students are Roma, even in areas that are not economically segregated.

115. The 2020 amendment to the Organic Law 3/2020 on Education¹⁰⁶ addresses educational segregation based on socio-economic, racial, ethnic or other grounds. It introduces measures to prevent segregation in public and subsidised private schools and emphasises the need for a balanced distribution of students with special educational needs. From 2018 to 2022, funding for specific measures to support Roma education increased by 154%, from €4.4 million to €11.2 million. Despite progress, debates continue on balancing parental school choice with equity in education, and no decree has been issued on this matter. The PROA+ Territorial Co-operation Programme promotes awareness of good practices and non-segregation criteria to combat educational segregation. The 2021-2030 Roma National Strategy aims to reduce school segregation by identifying segregated schools and eliminating factors that contribute to segregation.¹⁰⁷ At the regional level, 34.98% of the 2021-2022 budget allocated to Roma was allocated to education.¹⁰⁸

¹⁰⁰ See the sixth [state report](#), p. 26.

¹⁰¹ [National Strategy for Equality, Inclusion and Participation of the Roma People 2021-2030](#), p. 18.

¹⁰² According to Arza, J, et al., [Survey on the impact of COVID-19 on the Roma population](#), 2020, 26% of Roma households do not have computer equipment and 23% face difficulties in accessing information.

¹⁰³ The shift from distance learning has disproportionately affected younger children, those with special needs and those living in poverty or in marginalised communities. Source: [National Strategy for Equality, Inclusion and Participation of the Roma People 2021-2030](#), p. 19.

¹⁰⁴ See the sixth [state report](#), p. 22.

¹⁰⁵ [Fundación Secretariado Gitano, Exploratory pilot study on school segregation of Roma students](#), Madrid, 2022, p. 7.

¹⁰⁶ [Organic Law 3/2020 on Education of 29 December 2020](#), amending Organic Law 2/2006 of 3 May 2006 on Education.

¹⁰⁷ See the sixth [state report](#), p. 23.

¹⁰⁸ See the sixth [state report](#), p. 25.

116. The FSG, in partnership with the Spanish Ministry of Education, Vocational Training and Sports (MEFPD), conducted an “Exploratory Pilot Study on School Segregation of Roma Students,”¹⁰⁹ providing a qualitative analysis of segregation and proposing tailored measures to address it. The study defines segregation as the “unequal distribution of students in schools based on their social or personal characteristics.”¹¹⁰ In 2023, 51.5% of Roma students attended segregated schools, with 40% in severely or extremely segregated centres.

117. Roma representatives expressed significant concerns about school segregation and the closure of schools attended predominantly by Roma children or mixed Roma and immigrant children, emphasising the urgent need for corrective mechanisms to reverse and prevent segregation. During a visit to *Colegio Público ALBOLAFIA*, interlocutors of the Advisory Committee reiterated these concerns, explaining that segregation largely stems from the high concentration of Roma residents in the area surrounding the school. They also acknowledged the positive measures taken by authorities to address the issue but stressed that further efforts are needed to combat school segregation, which not only affects the quality of education but also contributes to early school dropouts.

118. The Advisory Committee reiterates that “segregation in education adversely impacts the integration of society as a whole by maintaining divisions between individuals and communities.”¹¹¹ “Segregation in education is a form of discrimination that prevents equal access to education, and in particular to quality education for all. Segregated educational institutions tend to provide low quality education and to have higher drop-out rates and worse academic outcomes. This has knock-on effects concerning access to employment, healthcare, housing and participation in the social, cultural and public life of a country. In the Advisory Committee’s view, segregation affecting Roma and other communities in a socio-economically disadvantaged situation can have a particularly stigmatising effect. Reinforcing cycles of exclusion and marginalisation in society and further contributing to antigypsyism and other forms of racism, segregation both results from and perpetuates the social exclusion of those affected by it and must be comprehensively tackled – even in situations where, for various reasons, it has been chosen by persons belonging to these minorities.”¹¹² “Segregation is understood not only as a deliberate policy, but also as a consequence of housing or spatial segregation.”¹¹³

119. The Advisory Committee considers that the authorities need to increase their efforts to address the practice of segregated schools, including co-operation between all relevant agencies dealing with enrolment in schools. It also highlights several key areas requiring attention from the authorities. These encompass the full inclusion of Roma children in early childhood education that is deemed essential to addressing inequality from its roots, reducing illiteracy and the proportion of the uneducated population, improving academic success rates in secondary education, increasing access to tertiary education for Roma students, and fostering digital inclusion through better access to technology and digital education.

Recommendation

120. The Advisory Committee urges the authorities to combat segregation of Roma within the compulsory education system, including through the adoption of robust policies and allocation of sufficient resources to promote inclusive and quality education in *de facto* segregated schools.

Effective access to quality education: reducing school dropouts (Article 12)

121. Combating school dropouts among Roma children remains a priority, with early school dropout rates at 69% for girls and 72% for boys, and only 15.5% of girls and 19.4% of boys completing post-compulsory education. Higher education attainment is critically low at 4.6% for men and 2.8% for women.¹¹⁴ The 2023 FSG Study “The Educational Situation of Roma Students in Spain”¹¹⁵ highlights progress, such as increased early childhood enrolment and improved secondary education completion rates, but challenges persist. Over 62% of Roma students drop out before completing secondary education, and more than 59% of youth aged 16-24 neither study nor work. Structural inequalities,

¹⁰⁹ Fundación Secretariado Gitano, [Exploratory pilot study on school segregation of Roma students](#), Madrid, 2022.

¹¹⁰ Fundación Secretariado Gitano, [Exploratory pilot study on school segregation of Roma students](#), Madrid, 2022, p. 5.

¹¹¹ ACFC Thematic Commentary No. 1 (2024), para. 20.

¹¹² ACFC Thematic Commentary No. 1 (2024), para. 59.

¹¹³ ACFC Thematic Commentary No. 1 (2024), para. 10.

¹¹⁴ See additional replies submitted by the Spanish authorities on 8 January 2025.

¹¹⁵ Fundación Secretariado Gitano, Study on the situation of Roma students in Spain ([La situación educativa del alumnado gitano en España](#)), Madrid, 2023. For the development of this study, two surveys were conducted: one for households (1 734 households with at least one member of Roma ethnicity who is a Spanish national, aged 24 or younger), and another for educational centres (a total of 166 educational centres at the preschool, primary, and/or secondary levels). The results obtained were compared with statistical sources of information on the educational situation of the Spanish population, as well as with prior data on the Roma community’s situation.

course repetition, and poverty (87.4% overall, 86.4% for Roma children) exacerbate these issues, while Roma families generally value education as a path to better opportunities.¹¹⁶ While there are increasingly visible results of educational and professional success among the Roma community, the study shows the continued existence of a significant educational gap between Roma students and the rest of the student body, especially in terms of repetition, dropout and graduation rates.

122. The 2021-2030 Roma National Strategy prioritises reducing illiteracy, increasing enrolment in early childhood education (below six years), improving secondary and tertiary education rates, training of teachers in school care facilities and teachers of Roma ethnic affiliation, promoting adult education among Roma and addressing discrimination. The measures are implemented with a gender perspective, acknowledging that Roma girls and women face structural challenges that exacerbate educational inequalities. Furthermore, the MEDFP Territorial Co-operation Programme for Educational Guidance, Progress and Enrichment (PROA+) focuses on educational guidance, progress, and management to reduce early drop-out rates in schools with high Roma student populations.¹¹⁷

123. Programmes like *Promociona*, *Promociona Digital*, the social intervention programme for Roma children and young people in Extremadura¹¹⁸ and the *Kumpania* Programme in the Valencian Community¹¹⁹ address issues of early dropouts, digital inclusion and access to post-compulsory education.¹²⁰ Additionally, KAMIRA's mentoring projects and activities promote academic success and family involvement, emphasising the importance of supporting Roma students and replicating successful practices.¹²¹

124. Interlocutors from the Roma community stressed the importance of Roma role models, with increasing numbers of Roma youth achieving success in professions like law, teaching, and medicine. These individuals inspire future generations, demonstrating that they too can achieve their aspirations. In 2024, KAMIRA published a book "*Gitanas - Talento, creatividad y diversidad romaní en España*" which highlights and makes visible the contributions of today's Roma women to Spanish society.¹²² This book illustrates a number of Roma women who were successful in their education and professional career and could therefore become role models for the younger generation.

125. Despite the abovementioned programmes, the Advisory Committee stresses the need for sustained and intensified efforts to reduce school dropout rates among Roma pupils and students. It emphasises that, while progress has been made, the scale of the issue requires a more comprehensive approach, addressing structural barriers such as poverty, discrimination and educational inequalities. The Advisory Committee also highlights the importance of long-term commitments to ensure Roma children have equal opportunities to succeed in education. In this context, the Advisory Committee emphasises that according to Article 12(3) of the Framework Convention, "ensuring access of all persons belonging to national minorities to quality education means that states need to act resolutely to ensure that all children are duly enrolled in schools and to monitor school attainments, including absenteeism and drop-out rates, literacy, completion of studies, grades, gender disparities, access to higher educational levels and subsequently access to employment. Furthermore, the Advisory Committee highlights that for the right to equal opportunities for access to education to be effectively implemented in practice, legislation and policies need to be complemented by effective enforcement

¹¹⁶ The proportion of Roma women with no education is 41.2% compared to 31.4% of men. Consequently, there is a lower percentage of Roma women with primary education and secondary or higher education (sixth [state report](#), p. 26).

¹¹⁷ This programme, which has a global and transformative character, incorporates the perspective of fighting antigypsyism and promoting Roma identity. The different lines of action include changes to the curriculum, adapting the teaching and learning process to the post-COVID reality, and supporting students with specific educational needs to reduce the educational gap.

¹¹⁸ See information about *Promociona*, *Promociona Digital* and the programme in Extremadura in the sixth [state report](#), p. 25.

¹¹⁹ *Kumpania* is a socio-educational service specialising in Roma children, adolescents and young people and their family environment which contributes to increase enrolment in Primary Education and Secondary Education; graduate from secondary education and encourage the continuation of post-compulsory studies and improve access to post-compulsory studies. In 2021, a new social agreement for the *Kumpania* Service 2021-2025 was resolved, expanding the service from 12 to 28 programmes, three sub-programmes (*Impulsa*, *Kumpania* and *Kumpania+*).

¹²⁰ The University Access Group (GAU) is a group of Roma people over 25 years of age who have jointly prepared for the university entrance exam. The objective, in addition to promoting access to university, is to promote a network of Roma university students in Catalonia and contribute to increasing expectations of success among Roma youth and children by identifying new positive role models. See the [University Access Group](#) (in Spanish).

¹²¹ For the fourth consecutive year, KAMIRA held the Promotion Event for Roma Students in Córdoba to celebrate students' academic achievements across all education levels, including university in 2023-2024. The event, which is part of the "Fulfilling Roma Dreams" programme funded by Andalusia's Ministry of Social Inclusion, aims to combat early school leaving in vulnerable areas. Parents shared their experiences, emphasising the importance of family support in students' academic success. KAMIRA operates in all eight Andalusian provinces and has launched initiatives under Next Generation funds, including employing psychologists to address disruptive behaviour in classrooms, as well as a mentoring project to support successful students. These efforts promote motivation, progress, and equal opportunities for Roma students.

¹²² See [RTVE news about the book](#) "*Gitanas - Talento, creatividad y diversidad romaní en España*", 22 June 2024.

mechanisms. This includes access to legal remedies, which requires that the right to education be justiciable, therefore holding states accountable for their actions or lack thereof.”¹²³

126. The Advisory Committee also considers data collection essential to designing and implementing effective measures to reduce school dropout rates. The collection of such data should cover all parts of the educational system from preschool to university, adult and vocational training and allow monitoring of dropout rates (persistent non-attendance), attendance rates, educational outcomes and educational or professional directions (such as higher education, apprenticeships or employment), and exclusion or expulsion rates. Data should also be collected to assess the relative proportion of minority children enrolled in preschool education and in school compared to the overall proportion of persons belonging to national minorities in the population at large.¹²⁴ While the relevant legal framework mandates school attendance between the ages of six and 16 and permits fines for non-compliance, the Advisory Committee observes that such measures are rarely enforced, thus limiting their impact.

Recommendations

127. The Advisory Committee urges the authorities to take measures to effectively reduce early dropouts and school absenteeism among Roma pupils and students and to ensure the continuation of education, especially during the transition from primary to secondary education. The relevant authorities at all levels should assess and address the root causes of school dropouts in consultation with persons affiliating with the Roma community, notably Roma families, including women and youth.

128. The Advisory Committee encourages the authorities to provide guidance to Roma students as they pursue higher education, including in marginalised neighbourhoods. The authorities should also promote Roma who have successfully completed their education, especially Roma youth, as role models to inspire and empower the community.

Educational materials, teacher training, and intercultural education (Article 12)

129. In Spain, intercultural education is promoted to foster respect for cultural diversity, with efforts to include Roma history and culture in subjects like the Social Sciences and Literature. Some schools have integrated Roma history and culture into their curricula, supported by educational resources and teacher training. NGOs, such as the FSG, co-operate with the government to develop teaching materials and promote the revitalisation of the Caló language. Some universities and research centres also conduct studies to preserve Caló and Romani.¹²⁵

130. The Organic Law 3/2020 on Education reinforces the inclusion of Roma history and culture in school curricula, especially in primary and secondary education. It emphasises key competences for lifelong learning¹²⁶ and the appreciation of cultural diversity. The history and culture of the Roma community is included in the curricula in two subjects: Knowledge of the Natural, Social and Cultural Environment is taught at the primary education level and Geography and History at the secondary educational level. The Ministry of Education, in 2024, published the guide “History and Culture of the Roma People in the Classroom: A Brief Guide to Inclusion in the LOMLOE Curricular Framework”, which aligns with the new curricula, emphasising education against antigypsyism and the promotion of Roma contributions to Spanish culture.¹²⁷

131. Teaching materials have also been developed, such as the “2020 Teaching Materials on the Roma People for Primary Education” and the “2021 Materials on the History and Culture of the Roma People for Secondary Education – Educating against antigypsyism”.¹²⁸ Teaching resources, such as arts and culture, have been developed to address the Roma history. Additionally, the FSG *La No Vuelta Al Cole* campaign¹²⁹ raises awareness of the high dropout rates among Roma children, emphasising that it may limit their future opportunities and exacerbate social exclusion.

¹²³ See [ACFC Thematic Commentary No. 1](#) (2024), para. 50.

¹²⁴ See [ACFC Thematic Commentary No. 1](#) (2024), para. 52.

¹²⁵ The Institute of Roma Culture (ICG) had passed an agreement with the Autonomous University of Madrid to hold Short-term Continuing Education Course: Past, Present, and Future of Roma Culture (*Romanipén*): A People from the East in the West. It also concluded an agreement with the Ministry of Education, Culture, Celebrations, and Equality of the Autonomous City of Melilla.

¹²⁶ It takes as a framework the European Union [Council Recommendation of 22 May 2018 on key competences for lifelong learning](#).

¹²⁷ See additional replies submitted by the Spanish authorities on 8 January 2025.

¹²⁸ This second publication consists of three books: “The history of the Roma people of Spain. Between extermination and social exclusion”, “Contributions of the Roma people to culture and the arts” and “Educating against antigypsyism. An urgent contribution to justice and comprehensive training”. See additional replies submitted by the Spanish authorities on 8 January 2025.

¹²⁹ *Fundación Secretariado Gitano*, [La No Vuelta Al Cole](#) campaign.

132. The Conference for “teachers with Roma pupils” organised by the Platform of Non-governmental Organisations for Social Action took place in Valencia in 2022, in Cantabria in 2023 and in Seville in 2024.¹³⁰ It provides *inter alia* training on the educational, social and cultural aspects of the Roma community. The conferences are recognised by the National Institute of Educational Technologies and Teacher Training (INTEF) as a permanent training for teachers. The INTEF also offers online training to teachers on intercultural education and educational care for Roma students, including specific content on the prevention of antigypsyism.

133. All these efforts are more than needed as the 2021 study on the “Roma Population in the Spanish Education System: Identifying Explanatory Frameworks and Research Gaps”¹³¹ underlines the persistent educational gap between Roma and non-Roma students and identifies research gaps, including the lack of longitudinal studies and data on Roma students in post-compulsory education, particularly at the university level.

134. The Advisory Committee emphasises that Article 12(1) of the Framework Convention “seeks to promote knowledge of the culture, history, language and religion of both national minorities and the majority population in an intercultural perspective.”¹³² It reiterates that states parties are expected to review the curricula and textbooks in subjects such as history, religion and literature regularly so as to ensure that the diversity of cultures and identities is reflected, and that tolerance and intercultural communication are promoted. “For education to produce optimal outcomes, curricula, together with educational materials and continuous teacher training, should promote minority rights as an integral part of international human rights and respect for diversity as core values.”¹³³

135. The Advisory Committee welcomes the measures taken to develop teaching materials on Roma for primary and secondary education. It also highlights that including the teaching of Roma history in school curricula and teaching materials contributes to the Council of Europe recommendation CM/Rec(2020)2.¹³⁴ Given that the textbooks and curricula of various Autonomous Communities tackle the topic of diversity and multiculturalism, the Advisory Committee considers that knowledge about Roma culture and history should be systematically introduced in all curricula, and for all students. The Advisory Committee welcomes that Spain is a founding member of the Council of Europe Observatory on History Teaching in Europe,¹³⁵ and actively contributes to its work.

136. The Advisory Committee takes note that a number of Spanish Roma citizens speak one of the three varieties of Caló - Castilian Caló, Catalan Caló and Basque Caló – which should rather be classified as varieties of Castilian, Catalan and Basque respectively with lexical elements from Romani.¹³⁶ However, a number of Roma representatives indicated that they might be interested in also learning Romani. In this regard, the Advisory Committee welcomes the efforts of the Institute of Roma Culture to promote the learning of Romani through the publication of *Sar San* (see Article 5).

Recommendation

137. The Advisory Committee calls on the authorities to foster the inclusion of intercultural education and the teaching of Roma history and culture in school curricula and educational materials in all Autonomous Communities, and to provide teacher training accordingly.

Effective participation in public affairs and decision-making processes (Article 15)

138. The participation of individuals from the Roma community in public affairs is curtailed by a lack of empowerment policies. In the 2023 general elections, no Roma representatives were elected to national parliament, marking a regression from the 2019 elections, when three Roma candidates from the general lists of different political parties were elected.¹³⁷ According to Roma civil society organisations, a Roma woman was elected in 2024 as a member of the Catalan Parliament. At the government level, one Roma individual serves as the General Director for Equal Treatment and Non-Discrimination at the Ministry of Equality, and ethnic diversity at this level remains limited to specific cases. At the regional

¹³⁰ [42 Jornadas de Enseñantes con Gitanos - Plataforma de ONG de Acción Social](#), 2024.

¹³¹ Francisco Javier Ullán de la Rosa and Hugo García Andreu, [Roma Population in the Spanish Education System: Identifying Explanatory Frameworks and Research Gaps](#), February 2021.

¹³² [Explanatory Report to the Framework Convention for the Protection of National Minorities](#), para. 71.

¹³³ See [ACFC Thematic Commentary No. 1](#) (2024), Executive Summary.

¹³⁴ [Recommendation CM/Rec\(2020\)2 of the Committee of Ministers to member States on the inclusion of the history of Roma and/or Travellers in school curricula and teaching materials](#), adopted by the Committee of Ministers on 1 July 2020.

¹³⁵ See Spain-dedicated page of the [Observatory on History Teaching in Europe](#).

¹³⁶ See the [Sixth Evaluation Report of the Committee of Experts of the European Charter for Regional or Minority Languages \(COMEX\) in respect of Spain](#), adopted on 18 June 2024, para. 11.

¹³⁷ Before the elections on 23 July 2023, there were three Roma members of parliament: two women, one for *Ciudadanos* in Madrid; and one for the Spanish Socialist Workers' Party (PSOE) in Seville; and a man for *En Comú Podem* in Tarragona.

and local level, a few Roma representatives hold official positions such as city mayors, directors, deputies or commissioners.¹³⁸

139. The State Council of the Roma People (CEPG)¹³⁹ is an inter-ministerial advisory body under the Ministry of Social Rights, comprising 20 representatives from state authorities and 20 from Roma civil society organisations. Reserved positions exist for entities focusing on Roma women and youth and the Vice President of the CEPG is the president of *Federación Nacional de Asociaciones de Mujeres Gitanas* (KAMIRA), one of the associations representing Roma women. The CEPG promotes Roma participation in social welfare policies and oversees the implementation of the 2021-2030 Roma National Strategy through eight thematic working groups.¹⁴⁰ Furthermore, the Inter-Fund Committee was created in 2023 for promoting and monitoring the use of European Union funds.¹⁴¹ A Technical Co-operation Group with the Spanish Autonomous Communities on the Roma population was established as a co-operation body to share, evaluate and analyse the initiatives developed in the field of Roma issues at the regional and local level. Councils established at the regional and local level are present in the Monitoring Committees of the Operational Programmes.¹⁴² In 2024, European Commission funding enabled the hiring of two Roma individuals for the CEPG's secretariat. However, a number of interlocutors criticised the CEPG's composition, including the participation of non-Roma entities, as well as disapproval over the functioning of the CEPG, exemplified by the withdrawal of FSG in July 2024. Concerns also arose about the lack of representation from Autonomous Communities, despite their key role in implementing the 2021-2030 Roma National Strategy.

140. In some regions, like Valencia, divisions among Roma organisations and their perceived alignment with traditional or right-wing approaches have created challenges. Groups like *Ververipen – Roma Diversity* criticise a lack of focus on diversity, gender equality and equal marriage rights. Moreover, the allocation and impact of European Union funding for Roma initiatives have been questioned. Overall, the absence of consistent Roma representation at both the national and regional levels hampers the effective implementation of strategies promoting equality and participation, including calls for greater inclusion and co-ordination across all governance levels.

141. On 19 July 2024, the Institute of Roma Culture (ICG) proposed an Organic Law on the Roma Cultural Statute to parliament (see also Article 5). The draft law seeks to formally recognise the cultural identity of the Spanish Roma community and their rights to political participation and representation. It aims to address the political invisibility of Roma people since the 1978 Constitution, after which their parliamentary representation has been minimal. To change this, the draft law proposes measures such as electoral quotas, inspired by the successful gender equality quotas established under Organic Law 3/2007 of 22 March 2007 for the effective equality of women and men.¹⁴³ These measures are intended to bridge the gap in political representation, combat historical discrimination, and enable Roma communities to advocate for their rights within Spain's political system. At the time this Opinion was drafted, the parliament was yet to discuss this draft law.

142. The Advisory Committee regrets that, since the 2023 general elections, persons affiliating with the Roma community are no longer represented in the national parliament. It considers that “political parties, both mainstream and those formed by persons belonging to national minorities, can play an important role in facilitating participation of persons belonging to national minorities in public affairs. Internal democratic processes of selection of their candidates by mainstream parties are crucial in ensuring participation of persons belonging to national minorities. Inclusion of minority representatives in mainstream political parties does, however, not necessarily mean the effective representation of the

¹³⁸ Based on additional replies submitted by the Spanish authorities on 8 January 2025, in the Autonomous Community of Catalonia, a Roma man was appointed as General Director for Equal Treatment and Non-Discrimination at the Department for Equality and Feminism. The Barcelona City Council has also appointed a Roma as a Citizen Participation Commissioner. He becomes the first Roma of being part of the local government (see more information in [Spanish](#)).

¹³⁹ It was established by Royal Decree 891/2005 on 22 July 2005, it meets at least twice a year in plenary and includes a Standing Committee, which acts as the executive body of the CEPG, holding at least two regular meetings a year. The CEPG also organises meetings of the different thematic working groups. See details about these meetings in the [state report](#), pp. 28-29.

¹⁴⁰ Social Action and European Agenda; Education; Employment; Equal Treatment, Non-discrimination and Gender Equality; Health; Housing; and Culture.

¹⁴¹ The Administrative Units of the ESF, ERDF, and the Second Vice-President of the CEPG, representing Roma civil society, participate in the Committee.

¹⁴² There are at least eight regional Roma councils: the Council for the Integral Promotion and Social Participation of the Roma People in the Basque Country (since 2003), the *Consell Assessor del Poble Gitano* in Catalonia (since 2005), the Regional Council of the Roma People of Extremadura (since 2016), the Roundtable for the Dialogue of the Roma Population of the Community of Madrid and the Council for the Integral Promotion and Social Participation of the Roma People in Cantabria (since 2017), the Regional Council of the Roma People of Castilla-La Mancha and the Valencian Council of the Roma People (since 2019), and the Andalusian Council of the Roma People (since 2021).

¹⁴³ It has been endorsed by the Constitutional Court through judgment 12/08 of January 29, declaring that the aforementioned law makes an adequate interpretation of articles 14 and 9.2 of the Constitution, as well as of repeated judgments of the Court.

interests of minorities".¹⁴⁴ Overall, the situation does not reflect a degree of democratic awareness on the part of the mainstream political parties and of the voters and therefore does not contribute to the empowerment of the Roma community or to the integration of society. Without a political voice in parliament, it is difficult for the Roma community to contribute to the unity of the nation. Furthermore, in addition to their legislative work, Roma deputies can contribute to changing the perception of the Roma community as being poor and marginalised.

143. The Advisory Committee welcomes the appointment of a Roma representative as General Director for Equal Treatment and Non-Discrimination and Against Racism at the Ministry of Equality. However, this remains insufficient in terms of addressing the overall low level of Roma participation in public affairs. The inclusion of two Roma individuals to work in the CEPG's secretariat and in ministry offices is positive but they are only available as a result of a grant from the European Commission. The state also needs to take the responsibility to increase the participation of Roma in public administration through decisive, targeted and positive measures, such as promoting and valuing knowledge of minority cultures and identities. Beyond the role of the CEPG as a consultative body for implementing the 2021-2030 Roma National Strategy, mechanisms enhancing Roma participation at the administrative level are limited and should be addressed through positive action.

144. The Advisory Committee emphasises the importance of improving the functioning of the State Council for the Roma People, particularly its collaboration with the Autonomous Communities, and additionally, to promote, in collaboration with the Councils for Roma People at both regional and local levels, Roma participation as a key objective outlined in the 2021-2030 Roma National Strategy. This includes involving Roma representatives in the Technical Group with the Autonomous Communities (CCAA) and the representative of local authorities (FEPM) which is tasked with promoting collaboration in the implementation of the objectives of the 2021-2030 Roma National Strategy at the territorial level of the Autonomous Community and fostering collaboration with an increasing number of local entities. Additionally, there is a necessity to include the Roma civil society organisations who participate in the CEPG in the early stages of policy making and planning, as well as secured participation in decision-making on the issues affecting them directly.

Recommendations

145. The Advisory Committee calls on the authorities to improve and promote the representation of Roma, both men and women, in the General State Administration through targeted and positive measures in recruitment procedures, in order to promote and value knowledge of minority cultures and identities, by enabling persons affiliating with the Roma community to apply for such positions.

146. The Advisory Committee strongly encourages the authorities to improve the functioning of the State Council of the Roma People ensuring their effective participation in decision-making.

147. The Advisory Committee encourages the authorities to enter into dialogue with relevant interlocutors regarding the Organic Law on the Roma Cultural Statute, as proposed by the Institute of Roma Culture.

Effective participation in socio-economic life – access of Roma to employment (Article 15)

148. The latest "Comparative study on the situation of the Roma population in Spain in relation to employment and poverty" dates back to 2019.¹⁴⁵ In this study, the FSG indicated that the unemployment rate of persons belonging to the Roma community was 52%, more than three times the rate found in the general population (14.5%). Among the Roma community, only 53% of those in work were workers in paid employment (compared with more than 80% of the general population), while self-employed people represented 47% (compared with less than 20% of the general population). 63% of young Roma (16-29 years old) were not in employment, education or training compared to 15% of the general population. There is also a notable gender gap, with a higher unemployment rate among Roma women. Roma women suffer a clear disadvantage in all areas due to their double status as women and Roma, with an employment rate that only reaches 16%. Detailed figures from the Autonomous Community may not be available in all surveys, as data is often collected at the national or regional level without specific disaggregation. The lack of disaggregated data in general employment and social situation

¹⁴⁴ [ACFC Thematic Commentary No. 2](#) (2008), The effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, adopted on 27 February 2008, para. 78.

¹⁴⁵ [Fundación Secretariado Gitano, Comparative study on the situation of the Roma population in Spain in terms of employment and poverty 2018](#), September 2019.

indicators renders the Roma community invisible and this means that in many cases there is no adequate response from public authorities.

149. In November 2024, the European Roma Grassroot Organisations (ERGO) published a report “Roma Access to Decent and Sustainable Employment” in six countries, including Spain.¹⁴⁶ The Roma community in Spain faces severe inequality and limited access to economic and social rights, with over 80% living in poverty and exclusion, significantly affecting minors. Roma women face deeper inequality than both Roma men and non-Roma women, impacting on areas such as employment, education, family responsibilities and opportunities for advancement. Labour market integration is hindered by social, demographic and cultural factors, as well as discrimination. Migrant Roma in Spain, especially those from Eastern Europe, face even greater challenges, including language barriers, legal issues with residency and marginalisation. These obstacles limit access to healthcare, housing and employment, reinforcing cycles of poverty and exclusion for both migrant and Spanish-born Roma populations.

150. In the study of the Council on the Elimination of Racial or Ethnic Discrimination “Perception of discrimination based on racial or ethnic origin by potential victims in 2020”,¹⁴⁷ special attention was given to employment and training. The report revealed that 30.1% of Roma experienced discrimination in the field of employment in 2019. Employment and training stand out as areas with consistently high levels of reported discrimination. Many Roma registered at job centres reported experiencing discrimination during job interviews.

151. Despite progress under the 2012-2020 Roma National Strategy in increasing the number of Roma in paid employment, significant challenges remain in securing stable employment for Roma women and men. While Roma individuals can be found across all professions, including highly qualified roles, unemployment rates among the Roma community remain disproportionately high compared to the general population. Many are relegated to underemployment, informal economic activities or prolonged unemployment. The Covid-19 pandemic exposed a digital divide in the Roma community and disrupted the important income source of street trading, thus emphasising the need to regulate and value this sector while improving qualifications and public perception.¹⁴⁸

152. To address these challenges, the 2021-2030 Roma National Strategy sets key objectives: increasing the Roma employment rate, reducing job insecurity and discrimination, lowering the percentage of young Roma (aged 16-30) who are neither studying, working, nor in training, empowering and encouraging Roma women’s participation in the labour market, and improving the status and qualifications of Roma involved in street trading. The development of training initiatives to enhance the qualifications of Roma itinerant trade professionals, as well as secure the inclusion of this profession in the framework of the Catalogue of Training Specialities to recognise their experience is also planned.

153. Between 2018 and 2022, the total budget for specific employment measures for the Roma community increased by 55%, from €7 million in 2018 to €10.9 million in 2022.¹⁴⁹ In 2021 and 2022, the General State Administration represented the largest share of investment, contributing 70.7% of the total employment budget in 2022. The remaining 29.3% was allocated to 19 regional initiatives.

154. Some national initiatives aim to improve Roma access to employment. The ACCEDER programme,¹⁵⁰ implemented by the FSG, facilitates Roma integration into the workforce through “Personalised Labour Insertion Itineraries.”¹⁵¹ It operates in 14 regions with 63 local employment teams specialising in labour counselling, job placement, and intercultural mediation. In 2022, it was allocated €5.8 million (€4 million from European Union funds), benefitting 6 524 Roma individuals. Similarly, the CALÍ programme, funded by the European Commission’s Social Fund and executed by the FSG,¹⁵² promotes social and labour inclusion for Roma women, addressing multiple discrimination. In 2022, it received €922 400 (€654 900 from European Union funds), supporting 1 582 Roma women.¹⁵³

155. In 2023, a study carried out by the ISEAK Foundation and the FSG and funded by the Ministry of Social Rights examined the “Impact of the Minimum Living Income (MLI) on the poverty situation of the Roma population in Spain”, focusing on poverty alleviation and social inclusion.¹⁵⁴ It found that 84% of

¹⁴⁶ European Roma Grassroot Organisations (ERGO), Roma Access to Decent Sustainable Employment in Bulgaria, Czech Republic, Hungary, Romania, Slovakia and Spain, November 2024. Read the national case study: [Spain](#).

¹⁴⁷ Ministry of Equality, Council on the Elimination of Racial or Ethnic Discrimination, [Potential victims’ perception of discrimination based on racial or ethnic origin, 2020, Executive Summary](#), December 2020, including p. 34

¹⁴⁸ [National Strategy for Equality, Inclusion and Participation of the Roma People 2021-2030](#), p. 26.

¹⁴⁹ See details per year in the sixth [state report](#), p. 29.

¹⁵⁰ For more information, see the [ACCEDER programme](#) webpage.

¹⁵¹ It is financed partially by the ESF+ (and co-financed by the Ministry of Social Rights, Consumer Affairs and 2030 Agenda through 0.7% of the state personal income tax) and implemented by the *Fundación Secretariado Gitano*.

¹⁵² For more information, see the [CALÍ programme](#) webpage.

¹⁵³ See more details per year in the [state report](#), p. 30.

¹⁵⁴ *Fundación Secretariado Gitano / Fundación ISEAK, Estudio sobre el impacto del Ingreso Mínimo Vital en la situación de pobreza de la población gitana en España - Research portal - Fundación Secretariado Gitano*, Executive Summary, 2023.

Roma households were aware of the MLI, 60% were eligible, but only 29% were in receipt of it, compared to 35% of the general population in social exclusion.¹⁵⁵ Barriers to receiving support included low self-perception of eligibility (36%), lack of knowledge on application procedures (16%), and administrative difficulties (15%). The study also reported low participation in employment training and job guidance programmes and found that 41% of respondents were unaware of the complementarity between MLI and employment opportunities. Roma participating in FSG programmes were better informed: 96% were aware of the MLI, 71% knew of its complementarity with employment opportunities, and 26% obtained jobs. The findings emphasise the need to address barriers to access, enhance outreach, and better promote employment incentives within the MLI framework to improve Roma labour market integration.

156. The Advisory Committee reiterates that “State Parties should [...] take effective measures to remove any undue restrictions in the access to the labour market, which particularly affect persons belonging to certain national minorities.”¹⁵⁶ It also reiterates that “in order to promote effective integration of persons belonging to disadvantaged minority groups in socio-economic life, comprehensive and long-term strategies should be designed and implemented. [...] Adequate resources need to be provided in a timely manner at all levels of operation, especially locally. Furthermore, the implementation of such policies should be carefully monitored, and their impact evaluated, in close co-operation with representatives of the minorities concerned, with a view to adapting and strengthening them over time”.¹⁵⁷

157. The Advisory Committee highlights that secure, well-paying jobs provide Roma families with financial stability, reduce poverty and promote economic inclusion. Sustainable employment improves living standards, supports skill development and enhances career prospects. The Advisory Committee emphasises that access to decent jobs fosters social inclusion, facilitates societal integration, and helps combat stereotypes and discrimination by showcasing Roma individuals in diverse roles. Furthermore, it notes that employment provides access to social benefits such as healthcare and pensions, which are essential for the well-being of Roma families. Employment also drives economic development in Roma communities by enabling investment in local businesses and services.

158. The Advisory Committee welcomes the financial support to Roma beneficiaries of the ACCEDER and CALÍ programmes. However, it stresses that state authorities hold primary responsibility for addressing these issues. The Advisory Committee cautions that heavy reliance on external funding risks undermining state ownership, effectiveness, sustainability and the long-term impact of these programmes.

159. The Advisory Committee is of the view that MLI coverage remains insufficient to adequately address the needs of the Roma community, particularly among larger households, for older individuals and those facing significant administrative barriers. It observes that gaps in communication, institutional co-ordination and proactive outreach contribute to this limited coverage, preventing many eligible families from accessing this benefit. There is overall a weak impact of MLI on Roma poverty reduction. MLI does not reduce the incidence of poverty, but it does reduce its intensity.¹⁵⁸ Although its positive impact on reducing the intensity of poverty should not be underestimated, especially in single-parent or small households, its capacity to lift its recipients out of poverty is inadequate.¹⁵⁹ The Advisory Committee considers that employment incentives under the MLI framework need to be much more effectively publicised and integrated into a broader strategy to secure labour market participation. It further considers that public employment offices must be modernised to deliver tailored labour activation services, scale up pilot projects, and ensure continuity in supporting recipients as they transition into stable employment. Addressing these gaps is essential to increasing the MLI's effectiveness in alleviating poverty and promoting social and economic inclusion of the Roma community.

Recommendations

160. The Advisory Committee strongly encourages the authorities to continue prioritising the socio-economic participation of Roma in the labour market by building on the experience of the ACCEDER and CALÍ programmes. Special attention should be given to address socio-economic disadvantages and discrimination faced by Roma women. These initiatives should rely on state funding rather than external sources to ensure their sustainability and long-term impact.

¹⁵⁵ Second report of the Independent Authority for Spanish Fiscal Responsibility (*Autoridad Independiente de Responsabilidad Fiscal española*, AIReF). The AIReF is an independent agency for fiscal control in Spain.

¹⁵⁶ [ACFC Thematic Commentary No. 2](#) (2008), para. 55.

¹⁵⁷ [ACFC Thematic Commentary No. 2](#) (2008), para. 49.

¹⁵⁸ MLI only addresses extreme poverty, severe poverty barely improves and MLI does not remove the risk of poverty.

¹⁵⁹ Extreme poverty: 72.4% without MLI and 58% with MLI; severe poverty: 81.7% without MLI and 77.4% with MLI; risk of poverty: 92.4% without MLI and 91.4% with MLI.

161. The Advisory Committee strongly encourages the authorities to enhance the coverage rate of the Minimum Living Income for persons belonging to the Roma community, by adopting a more proactive approach, ensuring effective communication with applicants and improving co-ordination between all relevant administrative bodies.

Effective participation in socio-economic life – access of Roma to health care (Article 15)

162. Despite the implementation of the 2012-2020 Roma National Strategy, significant health inequalities persist among the Roma population. While some progress has been made, such as improvement in smoking reduction and access to oral health care for children, as well as an 8.9% increase in Roma women's access to gynaecological consultations - key challenges remain. Childhood obesity among Roma children is rising, and life expectancy for Roma men (55.3 years) and women (59.5 years) remains far below the average population (66.8 and 73.9 years, respectively). Furthermore, 16% of Roma individuals reported discrimination while receiving healthcare in 2020.¹⁶⁰

163. The 2021-2030 Roma National Strategy focuses on improving health outcomes and reducing health inequities, especially for Roma children and the elderly, while addressing healthcare discrimination. Between 2018 and 2022, budgets for Roma-specific health initiatives increased by 32%, reaching nearly €985 000.¹⁶¹ The Ministry of Health has conducted the Third National Roma Health Survey in 2023¹⁶² and strengthened co-ordination mechanisms, such as the Working Group of Autonomous Communities on Equity in Health and the Roma Population, to support co-operation with local governments and Roma organisations. Specifically, it supports the Equi-Sastipén-Roma Network to strengthen the participation of Roma entities and networking.

164. Health promotion campaigns, such as *"I Get Vaccinated. I'll Tell You Why,"* as well as guides on "Community Action for Health"¹⁶³ and "Didactic Guidelines for Community Action"¹⁶⁴, by an online course¹⁶⁵ focusing on achieving equity in healthcare have been introduced. Programmes such as the Intercultural Mediation Programme in Cantabria and the Roma Community Health Programme in Navarre aim to empower Roma communities and promote equity in healthcare. Many community-led initiatives also address health promotion and addiction prevention.

165. The Advisory Committee acknowledges the positive developments in the healthcare sector, including the preparation of the Third National Roma Health Survey, which is an important step towards understanding the healthcare needs and challenges faced by persons affiliating with the Roma community. This initiative has the potential of providing data for designing more effective and targeted policies. However, the Advisory Committee notes the need to thoroughly review and evaluate existing health measures, with the participation of Roma, as current efforts have not sufficiently addressed persistent health inequalities. It stresses the importance of implementing new or enhanced policies that are more intensive, effective, and equitable. These measures need to be developed within an inter-sectoral framework, recognising the impact of social determinants, such as housing, education, employment and discrimination on health outcomes.

166. Efforts at improving access to healthcare for the Roma community need be co-ordinated across all levels of governance, that is local, regional and national, to ensure a comprehensive and consistent approach. Local authorities are best placed to address the specific needs of the Roma community and persons affiliating with it, while regional and national authorities are required to provide the resources and frameworks to support these efforts. More importantly, such policies must prioritise equity, ensuring that interventions are accessible and responsive to the diverse circumstances of the Roma community.

Recommendation

167. The Advisory Committee encourages the authorities to address specific health challenges among the Roma community through training of health professionals, as well as to implement targeted research, in close co-operation with Roma civil society organisations.

¹⁶⁰ Ministry of Equality, Council on the Elimination of Racial or Ethnic Discrimination, [Potential victims' perception of discrimination based on racial or ethnic origin, 2020](#), December 2020.

¹⁶¹ See details about annual budgetary allocation in the [state report](#), p. 32.

¹⁶² The results are still under review and have not been published yet. See [results](#) from [previous surveys](#).

¹⁶³ Ministry of Health, [Community Action for Health](#).

¹⁶⁴ Ministry of Health, Didactic Guidelines for Community Action (*Orientaciones didácticas para la acción comunitaria*), 2023.

¹⁶⁵ Ministry of Health, [Online course on Community Action for Health](#). This course is aimed primarily at health and social care professionals in Primary Care. The Ministry of Health has also developed the online course "Equity in health. Learning with the Roma people" ([Equity in health. Learning with the Roma people](#)) with the collaboration of the CEPG Health Group and the Equi-Sastipén-Roma Network.

Effective participation in socio-economic life – access of Roma to housing (Article 15)

168. Despite some progress made by the authorities in recent years in improving the access of Roma to decent housing, adequate housing remains a persistent challenge for the Roma community in Spain. The government prioritises equal access to adequate housing and non-segregation, with moderate progress made under the 2012-2020 Roma National Strategy. There has been a moderate decrease in slums and substandard housing, although these forms of inadequate accommodation still persist, without eradicating these two forms of inadequate housing among Roma households. Additionally, issues such as dampness in homes (16%) and overcrowding (8.9%) remain significant concerns.¹⁶⁶ Substandard housing is more prevalent among Roma communities of Portuguese citizenship (42.04%) or Eastern European (21.43%) than among those of Spanish citizenship. Residential segregation affects 2.78% of the Roma population (2 924 households), and 77% of those living in settlements (half of them children) and 71% of individuals living in slums are Roma. The incidence of poverty is even higher for Roma living in these settlements, with 97% living at risk of poverty, 87.1% in severe poverty and 66.8% in extreme poverty. These percentages contrast with the percentage of people generally at risk of poverty in Spain, which is 21.6%, with 10.1% in severe poverty and 6.1% in extreme poverty.¹⁶⁷

169. The 2023 Right to Housing Law¹⁶⁸ promotes social housing, limits the rises in rental prices, and includes desegregation measures. The 2021-2030 Roma National Strategy and the State Housing Plan (2022-2025) aim to eradicate slums, reduce segregation and improve housing quality, as well as access. At the regional level, two plans in the ERDF Operational Plans address spatial segregation with vulnerable groups, including Roma (Andalusia and Catalonia) and one on rehousing and reintegration of socially excluded groups, including Roma (Murcia).¹⁶⁹ Additionally, the Ministry of Equality has carried out a qualitative study on racial discrimination in housing and settlements in March 2022,¹⁷⁰ and the Council on the Elimination of Racial Discrimination published in October 2022 a set of recommendations to prevent anti-Roma practices that encourage harassment and expulsion from the localities where the Roma community resides.¹⁷¹ According to the report “Perception of discrimination based on racial or ethnic origin by potential victims in 2020”, 30.88% of the Roma community experienced bias when renting or buying housing.¹⁷² According to interlocutors, relocation programmes have successfully improved housing for persons affiliating with the Roma community, integrating them into mixed working-class neighbourhoods. However, issues such as evictions and increasing substandard housing persist, as economic crises disproportionately affect communities in vulnerable situations, including Roma.

170. The *Cañada Real Galiana*, a linear settlement housing of great cultural diversity, extending over 14,4 km that passes through four municipalities of the Community of Madrid (Coslada, Rivas Vaciamadrid, Madrid and Getafe) with 7 283 inhabitants (including 2 548 children), exemplifies ongoing challenges. Divided into six sectors, and surrounded by motorways, it lacks basic infrastructure (water and electricity), public services, and utilities, significant residential (with constructions using a variety of building materials) and socio-economic heterogeneity.¹⁷³

171. The Law 2/2011 of 15 March 2011 established a legal framework for the *Cañada Real Galiana* and collected census data from residents, while the 2014 Social Framework Agreement¹⁷⁴ sets out a joint action plan for social, legal, urban planning, housing and security improvements. The 2017 Regional Pact of the Community of Madrid¹⁷⁵ has a relocation agreement. The Regional Pact for *Cañada Real Galiana*¹⁷⁶ includes, among its measures, to improve the living conditions of the inhabitants and the adaptation of the roads. It will also enable the provision of various services, such as school routes, health and emergency services, or the postal service, currently interrupted at various points due to the poor condition of the road surface. An extraordinary relocation plan involving the Government Delegation, the Madrid Community, the Madrid City Council and the Rivas Vaciamadrid

¹⁶⁶ [National Strategy for Equality, Inclusion and Participation of the Roma People 2021-2030](#), p. 33.

¹⁶⁷ [Fundación Secretariado Gitano/ Fundación ISEAK, Study of the characteristics and circumstances of people living in slum and substandard housing settlements in Spain](#), 2023, p. 37.

¹⁶⁸ [Organic Law 12/2023 on the right to housing](#), of 24 May 2023.

¹⁶⁹ See the sixth [state report](#), p. 34.

¹⁷⁰ Ministry of Equality, Sub-Directorate General for Institutional and International Relations and Publications, Publications Centre, [Study on racial discrimination in housing and informal settlements](#), March 2022.

¹⁷¹ [Recommendation of the Council for the Elimination of Racial or Ethnic Discrimination \(CEDRE\) to prevent anti-Roma practices that encourage harassment and expulsion from the places where they reside](#), 28 October 2022.

¹⁷² Ministry of Equality, Council on the Elimination of Racial or Ethnic Discrimination, [Potential victims' perception of discrimination based on racial or ethnic origin, 2020](#), December 2020.

¹⁷³ Since October 2020, the lack of electricity violates the right to adequate housing of 1 800 minors and has a crucial impact on their rights to health, food, water, sanitation and education.

¹⁷⁴ The Agreement was signed on 30 April 2014 by the Community of Madrid, the City Council of Madrid and the City Council of Coslada.

¹⁷⁵ [Pacto Regional por la Cañada Real Galiana](#) (in Spanish). The Regional Pact for *Cañada Real Galiana* was signed on 17 May 2017. It marks a historic moment of unanimity of all political representatives in the search for solutions for *Cañada Real*.

¹⁷⁶ *Comunidad Madrid, Pacto Regional por la Cañada Real Galiana*.

City Council was signed in April 2024, thus initiating the necessary actions so that more than 1 600 vulnerable families in this settlement can access a home, integrate into society and begin a new life project.¹⁷⁷

172. The Advisory Committee reiterates that “substandard housing conditions, often coupled with the physical/spatial separation of persons belonging to certain national minorities, in particular Roma and Travellers, considerably affect their ability to participate in socio-economic life and can result in their increasing levels of poverty, marginalisation and social exclusion. This is frequently made more acute by the lack of legal provisions securing their residency rights and by their vulnerability to forced evictions.”¹⁷⁸

173. The Advisory Committee is concerned that comprehensive and sustainable housing programmes are still lacking, which sometimes result in educational segregation (see Article 12). While the authorities have undertaken commendable efforts, including developments in certain areas, significant challenges persist. It is therefore necessary to assess and address these challenges through long-term strategies that provide adequate housing solutions, especially for families with small children, improve infrastructure and prevent the deepening of socio-economic disparities.

174. For the Advisory Committee, one of the most pressing concerns is the situation of the *Cañada Real Galiana*, where many residents continue to live without access to basic infrastructure, including water, electricity and essential public utilities.¹⁷⁹ The lack of proper housing conditions in this area not only undermines the dignity of its residents, but also contributes to social exclusion and educational inequalities. The relocation plan, currently in progress and involving the authorities of the city of Madrid represents an important step in addressing these issues. However, its effective and timely implementation remains essential to ensuring that affected residents are provided with adequate housing, facilitating social inclusion and equal opportunities. In particular, the beneficiaries of the relocation plan in *Cañada Real Galiana* should not be limited to those who answered the 2011 population census but should also include extended families that have been living there/moved in since then.

175. Finally, the Advisory Committee considers that access to adequate housing is intrinsically linked to employment opportunities, particularly for Roma individuals living in precarious conditions. Therefore, housing policies must be integrated with targeted employment initiatives, ensuring that relocation efforts not only provide stable housing but also promote economic inclusion and empower persons affiliating with the Roma community to participate effectively in society.

Recommendations

176. **The Advisory Committee reiterates its call to the authorities to address substandard housing in Autonomous Communities and municipalities, by developing and implementing comprehensive and sustainable housing programmes.** These programmes should be designed to improve infrastructure and ensure access to essential services. The authorities should also ensure that housing policies are integrated with targeted employment initiatives, facilitating the social inclusion of the Roma community and persons affiliating with it.

177. The Advisory Committee invites the authorities to fully and effectively implement the relocation plan for *Cañada Real Galiana*, in close co-operation with representatives of the Roma community. This process should be carried out in an inclusive and participatory manner, taking into account the interests and specific needs of all families living in the settlement.

¹⁷⁷ Comunidad Madrid, [La Comunidad de Madrid inicia el realojo de más de 1.600 familias de la Cañada Real con una inversión de 110 millones](#), 15 April 2024.

¹⁷⁸ ACFC Thematic Commentary No. 2 (2008), para. 57.

¹⁷⁹ In 2022, the Ombudsperson made recommendations to the administrative competent organisms in relation with the situation of the residents of the settlement of *Cañada Real Galiana* due to their specific needs of vulnerable groups, as Roma population, foreigners, elderly, etc. Specifically, the institution recommended the adoption of measures to ensure the supply of electricity of this population.

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This opinion contains the evaluation of the Advisory Committee following its 6th country visit to Spain.

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