



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



ACFC/SR/VI(2024)002

## **Sixth Report submitted by Spain**

**Pursuant to Article 25, paragraph 2 of the Framework  
Convention for the Protection of National Minorities –  
received on 12 January 2024**



# 6<sup>th</sup> PERIODICAL REPORT ON THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES: SPAIN (2019-2023)

[ December 2023 ]

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## 1. Measures taken to raise awareness of the results of the fifth monitoring cycle and of the Framework Convention

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On which website(s) have the fifth cycle opinion and the related Committee of Ministers Resolution been published and in which language(s), including minority languages? Please provide relevant links?

The website of the , a specific website has been set up [for the dissemination of the Council of Europe's instruments in relation to the Roma population](#). This page shares information (in English and Spanish) about the **Framework Convention for the Protection of National Minorities**. Specifically, the following information can be found on this website:

- **Spain's Report on the Fifth Monitoring Cycle of the Framework Convention for the Protection of National Minorities (2014-2018).**
- The **Fifth Opinion on Spain**, adopted on May 27<sup>th</sup>, 2020 (Summary and main recommendations).
- **Comments of the Government of Spain to the Fifth Opinion.**
- **Other relevant reports for the Roma population:**
  - Thematic report on how to encourage governments to employ Roma and Travellers in government institutions and public administration."
  - Report "Anti-Gypsyism: Causes, Prevalence, Consequences and Possible Responses"
  - Report "ADI-ROM Thematic Visit to Bosnia and Herzegovina on Legislation and Policies Related to Begging, with Special Attention to Children".

In addition, information on other relevant instruments is disseminated on this page:

- Roma and the Council of Europe.
- Recommendation [CM/Rec\(2020\)2](#) of the Committee of Ministers to Member States on the inclusion of the history of Roma and/or Travelers populations in curricula and teaching materials.
- Committee of Experts on Anti-Discrimination, Diversity and Inclusion.
- Strategic Framework for Roma Inclusion 2020-2025.

On [the website of the Ministry of Foreign Affairs, European Union and Cooperation](#), there is a website that provides the link to the Spanish version of the website of the Council of Europe, which is financed this Ministry of Foreign Affairs through voluntary contributions. There is access to the Reports of Spain from all previous cycles of the Framework Convention for the Protection of National Minorities.

**Which domestic follow-up activities were organized, including activities organized jointly with the Council of Europe, and what were their outcomes?**

The Ministry of Social Rights, Consumer Affairs and the 2030 Agenda, through the Directorate-General for Family Diversity and Social Services and the Sub-Directorate-General for Social Programmes, is responsible for promoting public policies for the promotion and improvement of the living conditions of the Spanish Roma population, as well as relations with the European Union and foreign and international organisations and technical collaboration in cooperation programmes relating, among others, to the Roma population and the Third Sector of Social Action.

For the development of this international work, representatives of the **Sub-Directorate General for Social Programmes participate in the Committee of Experts on Roma and Transient Affairs (ADI-ROM)** and involve the State Council of the Roma People in its permanent and plenary committee meetings and through its working group on social action and European agenda. It also involves the State Council of the Roma People in the process of monitoring the Convention on Minorities.

On the other hand, the Ministry of Equality participates in the **Committee on Anti-Discrimination, Diversity and Inclusion (CDADI)**.

Spain, as a member of the European Union, and like the rest of the member states, must follow the guidelines of the current European Framework of National Strategies. In this regard, the Government of Spain has carried out an **annual monitoring exercise aimed at measuring the progress of the National Strategy for the Inclusion of the Roma Population 2012-2020 and the current Strategy for the Inclusion, Equality and Participation of the Roma People 2021-2030**.

This monitoring has been carried out with the participation of all key actors (Ministries, Autonomous Communities, local entities and the Roma associative movement). Specifically, stakeholders are consulted on the evolution of the implementation of the programmed actions in the key areas (education, employment, health, housing, poverty and exclusion, equality between men and women, anti-Gypsyism and non-discrimination, promotion and recognition of Roma culture and participation).

### Considerations on the monitoring exercise

As a starting point, it is reminded that in Spain, only the Roma People are considered subjects of this Framework Agreement.

The monitoring system of the National Strategies aimed at the Roma population (2012-2020 and 2021-2030), is based on an annual exercise, progressively improved, so that the Ministries, the Autonomous Communities and local entities are involved in the monitoring, collaborating and reporting annually information on the specific and social inclusion measures from which the Roma population benefits in their territories, with which the Progress Reports are developed from 2014 to date. In this way, Spain currently has longitudinal information on inclusion policies aimed at this population, as well as the population that benefits from them.

In the current Strategy (2021-2030), improvements have been made to the monitoring system. An interactive dashboard has been designed to facilitate transparency and monitoring on aspects such as: measures carried out, scope, impact, financial investment, etc. and to what extent the development of actions by the actors, both at the state and regional level. The table will be updated annually during the monitoring period.

The reports in question are as follows:

- [Progress Report 2019 \(National Strategy for the Social Inclusion of Roma 2012-2020\)](#).
- [Progress Report 2018-2020 \(National Strategy for the Social Inclusion of Roma 2012-2020\)](#).
- **Biennial Progress Report 2021-2022** on the progress of the National Strategy for Roma Equality, Inclusion and Participation 2021-2030, sent to the European Commission.

- **Preparation of the first Progress Report 2021-2022** of the National Strategy for Equality, Inclusion and Participation of Roma People 2021-2030, *pending publication*. On the basis of this report, a **scorecard** with indicators of progress was developed, which will systematically monitor the Strategy until 2030 (see [here](#)).

On the other hand, in 2020, the [Final Evaluation Report of the National Strategy 2012-2020](#) was carried out, aimed at measuring the results and potential impact of the 2012-2020 Strategy on the Roma population, based on a set of evaluation criteria.

Finally, it is also worth mentioning [the 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 attached to the Ministry of Equality. This is a longitudinal study that reports on the perception of discrimination in Spanish society by various population groups such as Roma, Indo-Pakistanis, North Africans, Andeans, people from non-Mediterranean Africa, East Asia, Afro-Caribbean and Afro-Latin people and people from Eastern Europe.

### **Participation in follow-up activities.**

The Government of Spain has continuously collaborated in the follow-up activities programmed by different EU bodies and agencies, in the European Strategic Framework for the equality, inclusion and participation of the Roma population. This exercise is based on the information collected in the annual monitoring exercise, as well as on consultations with other Ministries and Autonomous Communities.

Specifically, during 2019-2023 Spain has participated in the following activities:

- Participation in the meetings of the Committee of Experts on Roma and Traveller Issues of the Council of Europe (ADI-ROM).
- Participation in the questionnaire launched by the Secretariat of the Steering Committee against Discrimination, Diversity and Inclusion (CDADI) of the Council of Europe on the COVID-19 pandemic from the point of view of the fight against discrimination, diversity and inclusion.
- Biennial reports to the European Commission, in relation to the Progress of National Strategies (2020 and 2023).
- Participation in the [European Agency for Fundamental Rights \(FRA\) Roma Survey](#) in 10 European countries (2020).
- Participation in the Questionnaire sent by the European Commission to the National Contact Points, on the [situation of the Roma population in the context of COVID-19](#) (2020).

### **How were minority organisations and other non-governmental organisations involved in the preparation of the sixth state report?**

The organisations of the Roma Associative Movement participate through a formal consultation, launched by the through the State Council of the Roma People (CEPG). Before the Report is submitted to the Council of Europe's, a consultation phase is carried out with the entities of CEPG, in which the draft of the Report, carried out by the Ministry of Social Rights, Consumption and Agenda 2030 in collaboration with other Ministries. All

contributions are collected, both those of the social entities and those of the Ministries involved, and once the report is consolidated, a final version is made.

**Which other measures were taken to promote awareness of the Framework Convention among persons belonging to national minorities, public officials, local and regional authorities, and the general public?**

The Fifth Report and Opinion on Spain, with its recommendations, was presented at a meeting of the Standing Committee of the State Council of the Roma People, in which the Ministries that have members of the Council participate.

On the other hand, the Ministry of Inclusion, Social Security, and Migrations will include in Annex 5 of the Strategic Framework for Citizenship and Integration against Racism and Xenophobia (national and international regulations) a glossary of terms, some of which correspond to definitions from the Council of Europe's.

## 2. Measures taken to improve the implementation of the Framework Convention and implement fifth cycle recommendations

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In this report, we report the relevant information for the Roma population in Spain. As in previous reports, **we do not include comments on Articles 7, 8, 11, 13, and 16 because they are not relevant to this population group.**

### 2.1. Article 3: Scope



#### Regarding the scope of application (recommendations 39-41, Fifth Opinion on Spain)

The following legal, policy and practical measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- The Spanish Constitution not recognize the existence of national minorities, Spain ratified the Framework Convention for the Protection of National Minorities to strengthen the protection of the rights and equality of the Roma population.
- Although national minorities are not formally recognised in the **Spanish Constitution (EC)** or the legal system, it is important to remember that ethnic minorities such as the Roma population do have political and social recognition. In this sense, Spain has adopted specific measures in favor of the Roma people since the 1980s. In 1989, the Roma Development Plan was created to provide funding from the General State Administration to the Autonomous Communities, which are required to commit to funding for the development of comprehensive plans for the Roma population. In 2005, the creation of a State Council of the Roma People was regulated to advise the government on relevant issues for this population, and it continues to function to this day. The Action Plan for the Development of the Roma Population 2010-2012 was published, and in 2012, the first National Strategy was developed. The National Strategy for the Social Inclusion of the Roma Population in Spain 2012-2020, approved on March 2, 2012, by Council of Ministers Agreement, derives from the Communication of the Commission of April 5 to the European Parliament, the Council, the Economic and Social Committee, and the Committee of the Regions. A European framework for national Roma inclusion strategies until 2020 (COM(2011) 173 final).

The current political framework for the inclusion, equality, and participation of the Roma People is reflected in the current National Strategy for Equality, Inclusion, and Participation of the Roma People 2021-2030. This institutional recognition is also reflected in the [Equal Treatment and Non-Discrimination Act](#).

- Furthermore, the government has officially designated April 8th as the International Day of the Roma People. The observance of the April 8th event, along with the commemoration of the Roma Holocaust on the night of August 2nd, has been



institutionalized. This commemorative event, organized at the end of July, is overseen by the Ministry of Social Rights, Consumer Affairs, and Agenda 2030. It serves to commemorate the widespread imprisonment of the Roma population by the order of Marqués de la Ensenada in the year 1749.

#### Regarding data collection (recommendation 49)

- In Spain there are no official data on the number of Roma immigrants residing there, nor on their origin. This is mainly due to the fact that in Spain there are no official statistics disaggregated by ethnic origin, although this issue is being positioned on the political agenda, as will be seen later.
- The [Study-Map on Housing and the Roma Population, 2015](#) has served to make a **state-level estimate of the number of foreign Roma people in Spain:**
  - The analysis of the weight of the population according to its origin suggests that **the Roma population in Spain is mostly Spanish** (close to 91% of the total number of neighborhoods), as was already the case in 2007. This population amounts to approximately 516,862 Roma. This estimate is indicative, given that the study in question focuses on areas and neighborhoods with a high concentration of Roma people, leaving aside population groups of Roma origin that may be more integrated into the general population.
  - **Around 2002 dwellings are inhabited by Roma from Eastern Europe, representing an estimated 10,160 Roma from Eastern Europe.**
  - Around 1197 homes are inhabited by Roma people of Portuguese origin, i.e. around 5,903 people.
  - The study has found that substandard housing is much more frequent – more than in 2007 – among Roma communities of Portuguese origin (42.04%) or Eastern European (21.43%) – less than in 2007 – than among those of Spanish origin.
- For its part, a study carried out by the Fundación Secretariado Gitano, 'Comparative study on the situation of the Roma population in Spain in relation to employment and poverty 2018' highlights that the Roma population in Spain is younger than the national average. 66% of the Roma population is under the age of 30, while only 30% of the general population is in this age range.

In order to improve the collection and quality of Roma data, during 2019-2023 the following legal, policy and practical measures have been taken to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

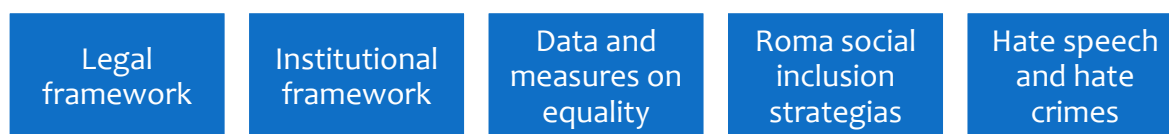
- Since official censuses do not collect data on ethnic origin and **do not include any questions on the racial or ethnic self-identification** of the population, the existing information on the Roma population is obtained mainly through research and sociological studies, carried out in different territorial areas and through various methodologies. "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 population, checking the reliability of the data against other

- sources, reviewing the data by experts or incorporating corrective factors, such as population growth" ([FOESSA Report on the Situation of the Roma Population, 2019](#)).
- **Étnico Racial is promoting a consensus initiative with the National Institute of Statistics (INE), the FRA, the Spanish Council for the Elimination of Racial or Ethnic Discrimination (CEDRE), the Spanish Data Protection Agency (AEPD) and the State Council of the Roma People (CEPG) on the incorporation of a question by ethnic origin in studies, reports and surveys, in which the principles of voluntariness, privacy and self-identification are respected, as well as the different possibilities for doing so.**<sup>1</sup> Consideration is currently being given to including a question on ethnicity in the Survey of Essential Characteristics of Population and Housing from 2026 and other future national surveys.
  - Within the framework of the National Strategy for the Social Inclusion of the Roma Population (2012-2020), the following studies were carried out:
    - [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, attached to the Ministry of Equality.
    - [Comparative study on the situation of the Roma population in Spain in relation to employment and poverty \(2019\)](#).
  - The [National Strategy for the Equality, Inclusion and Participation of Roma People 2021-2030](#) is planned to develop specific studies to acquire reliable data to establish baselines in those areas of social inclusion **of the Roma population** in which sufficient information is not available due to the difficulty of disaggregating data by ethnic origin. To this end, the General State Administration has prepared and/or financed the following studies:
    - [Final evaluation report of the National Strategy for the Social Inclusion of the Roma Population 2012-2020](#), published in 2021 (Ministry of Social Rights and Agenda 2030).
    - [Exploratory pilot study on school segregation of Roma students](#), published in 2022 (Ministry of Education and Vocational Training, in collaboration with the Fundación Secretariado Gitano).
    - Start of work for the preparation of [the Report for the study of a State Pact against Anti-Gypsyism and the Inclusion of the Roma People](#) in the Congress of Deputies (2023).
    - [National Roma Health Survey](#), which is expected to be published in 2024 (Ministry of Health).
    - It is also planned to update the "Map on housing and the Roma community in Spain".

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<sup>1</sup> For more information on the debate, please refer to the Minutes of the Plenary, which also includes the concept of the FRA: [https://www.mdsocialesa2030.gob.es/derechos-sociales/poblacion-gitana/docs/actas\\_aprobadas\\_2022\\_2026/Acta\\_Pleno\\_21-09-22.pdf](https://www.mdsocialesa2030.gob.es/derechos-sociales/poblacion-gitana/docs/actas_aprobadas_2022_2026/Acta_Pleno_21-09-22.pdf)

## 2.2. Articles 4 & 6: Equality, Non-Discrimination, Tolerance and Diversity and Protection from Hate Crimes



### Regarding the legal framework (recommendations 10 and 56)

The following measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- The [Comprehensive Law for Equal Treatment and Non-Discrimination \(12 July 2022\)](#) marks a breakthrough for all national minorities. The right of everyone to equal treatment and non-discrimination is recognized "irrespective of their nationality, whether they are minors or adults, or whether or not they enjoy legal residence" (art. 3). In its articles, anti-Gypsyism is recognized as one of the historical forms of discrimination and the education authorities are obliged to give special attention to the right to equal treatment and non-discrimination, promoting inclusion in the curricula, teaching on equal treatment and non-discrimination, deepening knowledge and respect for other groups and collectives, in particular that of the Roma people, contributing to the recognition and dissemination of the history and culture of ethnic minorities (Art. 13).
- **Organic Law 6/2022, of July 12, 2022, supplementary to Law 15/2022, of July 12, 2022, comprehensive for equal treatment and non-discrimination**, amending Organic Law 10/1995, of November 23, 1995, of the Penal Code, **modified the wording of article 22.4a and points 1 and 2 of article 510 of the Penal Code** to expressly mention antigypsyism as a cause of discrimination.
- A draft **Organic Law against Racism, Racial Discrimination and Related Intolerance was being prepared**, which included anti-Gypsyism as one of the topics it wanted to address. The Project has gone through [public consultations in 2022](#).

Other relevant developments in domestic legislation, policies and jurisprudence and measures taken to implement this article since the adoption of the Views of the fifth report include:

- A **4-year State Strategy for Equal Treatment and Non-Discrimination (introduced by the Comprehensive Law for Equal Treatment and Non-Discrimination Law 15/2022, Art 34)** is in the design phase. The Ministry of Equality will be responsible for preparing an evaluation report on the degree of compliance, impact and effectiveness of the Strategy. It will establish the duty of the public authorities to collect and systematize data on equal treatment and non-discrimination with a view to diagnosing the reality and designing policies.
- The Autonomous Communities are also making progress on this issue. For example, the Autonomous Community of the Basque Country has **a new draft law on equal**

**treatment and non-discrimination**, which affects all minorities and seeks to include a specific title on antigypsyism. They are also negotiating the bases for a **Social Pact against Anti-Gypsyism in the Basque Country** and in 2022 they carried out a [study on discrimination against Roma people in Basque society](#).

Data, statistics, or any other relevant information that measure the impact of these measures:

- With the approval of Law 15/2022, on equal treatment and non-discrimination, it is expected that in the future there will be more data on non-discrimination and equality of national minorities, including on the multiple discrimination of people with disabilities of Roma ethnicity.
- In the FRA [Roma Survey \(FRA, 2021\)](#), 37% of Roma surveyed had recently experienced discrimination, two points more than in the 2016 FRA survey.
- According to the study [Perception of discrimination based on racial or ethnic origin by potential victims in 2020](#) (Council on the Elimination of Racial or Ethnic Discrimination, 2020):
  - The groups that most perceive themselves to have an unfavourable image among the majority population are the Roma population group (89% mention at least one negative adjective), the Maghreb population group (64%), the Afro-Caribbean (Afro-descendant) population (58%) and the group originating from Eastern Europe (54%).
  - The degree of perceived racism increases among the population groups most discriminated against; Specifically, the Roma population averages the highest degree of racism among all groups (5.71).
  - More than half of the population of the Roma or Maghreb population group say that discriminatory treatment is much or somewhat higher than a year or two ago.
  - The general opinion of all the population groups surveyed coincides with the self-perception of the Roma population, indicating that the group that receives the worst treatment from the majority population is the Roma population of Spanish origin and of other origin, with 40% and 46% of responses indicating bad or very bad treatment respectively.

### **Regarding the institutional framework for combating discrimination (Recommendations 16 and 72)**

The following legal, policy and practical measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- [Organic Law 6/2022](#) provides **for the creation of an Independent Authority for Equal Treatment and Non-Discrimination**, responsible for protecting and promoting equal treatment and non-discrimination and ensuring compliance with the regulations on equal treatment and non-discrimination, as well as formulating proposals for their amendment. Its powers, among others, will be to assist victims,

investigate, mediate, take legal action or issue opinions urging the competent administrations to impose sanctions.

- [The Attorney General's Office](#) has created a Prosecutor's Office against hate crimes and discrimination.

#### Regarding equality data and measures to promote full and effective equality (recommendation 80):

The following legal, policy and practical measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- As previously indicated, one of the main challenges to gaining an in-depth understanding of the situation of the Roma population is the scarcity of data disaggregated by ethnic origin. However, this challenge has been addressed by promoting and funding the development of *ad hoc* studies and thematic research on the Roma population. These studies, as well as the application of some qualitative and quantitative techniques to extract primary information, have been the basis for the preparation of the situation diagnosis of the current National Strategy for the Equality, Inclusion and Participation of the Roma Population. On the basis of these sources of information, which are generally also disaggregated by sex and age, the main objectives and targets to be pursued in the Strategy have been identified.

Regarding training actions in the field of non-discrimination, the following actions implemented by the General State Administration stand out:

- The Ministry of Equality offers training activities aimed at civil servants to promote the application of the principle of equal opportunities, including content on discrimination based on racial or ethnic origin. It also carries out awareness-raising activities, led by the CEDRE Assistance Service for Victims of Racial or Ethnic Discrimination (subscribed to the Ministry in question).
- The Ministry of Inclusion, Social Security and Migration, through the Spanish Observatory on Racism and Xenophobia (OBERAXE), monitors hate speech online, publishes research and develops information and awareness-raising actions for civil servants.
- The Ministry of Justice also provides training courses on equality and non-discrimination for staff in the service of the Ministry of Justice and the Administration of Justice. It also generates materials and guides for Victim Assistance Offices in the field of care for victims of hate crimes.
- The Ministry of Education, Vocational Training and Sports, through the National Institute of Educational Technologies and Teacher Training, offers online training to teachers on school coexistence and specifically on educational care for Roma students with specific content on the prevention of antigypsyism.
- The Ministry of Inclusion, Social Security, and Migrations has incorporated a glossary of definitions of terms used in the Strategic Framework for Citizenship and Integration against Racism and Xenophobia. These definitions are provided for the purposes of the aforementioned framework and have all been proposed by

European, international, or national entities. In certain instances, multiple definitions are presented to better illustrate the respective term.

### **In relation to Roma inclusion strategies (recommendations 91-94)**

The following measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- The [final evaluation of the National Strategy for the Social Inclusion of the Roma Population 2021-2020](#) involved 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. Questions were asked about the design of strategies or action plans with reference to the Roma population, the assessment of progress towards the objectives of the Strategy, the type of actions implemented, the coordination mechanisms between actors, the involvement of the Roma associative movement and the implementation of the Strategy, the assessment of the available sources of funding, monitoring and evaluation processes and the strengths and weaknesses of the Strategy.
- Also participating in the final evaluation of the **2021-2020 National Strategy were the administrative units of ESF and ERDF funds at the regional level of all the autonomous communities and cities (except Melilla), as well as the local entities that manage EDUSI through the RIU (Network of Urban Initiatives)**, in a brief questionnaire aimed at identifying the extent to which specific actions have been programmed for the Roma population under the ESF or ERDF funds.
- Furthermore, within this framework, the monitoring of measures at both the national and regional levels underscore the crucial role of the Romani associative movement as key players engaged in initiatives with the Romani population and vulnerable communities. In fact, the majority of the reported measures are administered through grants awarded to organizations within the Romani associative movement, which then implement them across various territories.
- The new [National Strategy for Roma Equality, Inclusion and Participation 2021-2030](#) **is articulated on the basis of the concept of multilevel governance**. This governance system involves the coordination and participation of the various actors who, in one way or another, play a role in the design, implementation, evaluation and monitoring of policies aimed at the inclusion of the Roma population, each within the framework of its responsibilities and competencies. Through the National Strategy, the aim is to actively involve the different departments of competence at the local, regional and state levels, enabling and strengthening spaces for horizontal (interdepartmental) and vertical coordination (local-autonomous, autonomous-state and local-state) to work together. In this regard, there is a clear commitment in the Strategy to:
  - **1) Promote the periodic meetings of the Technical Cooperation Group**, so that issues related to the implementation of the strategy and policies aimed at the Roma population are addressed and also delved into, through a programmed agenda, relevant issues of impact for the Roma population and



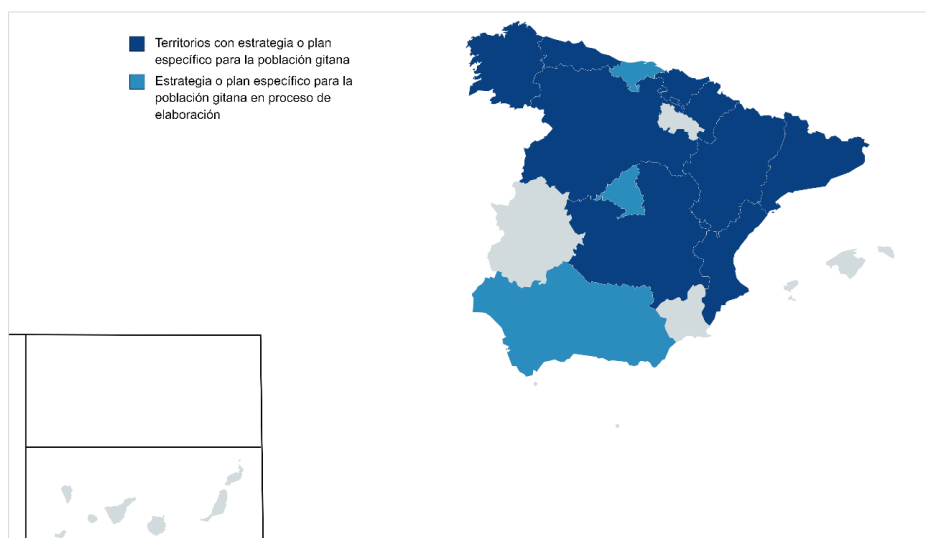
the management of policies. Through this Group, the activities of monitoring, coordination, exchange of experiences and good practices, data collection system, etc., will be strengthened.

- **2) Strengthen the meetings of the Inter-Fund Committee in line with the Strategy, in order** to give a boost to the financing and use of funds to support Roma policies.
- **3) Strengthen the thematic groups of the State Council of the Roma People and increase their number** in accordance with the lines of action contemplated in this strategy. Currently, the number has been increased to 7, with the formation of subgroups within some of them.
- **4) Encourage the creation of sectoral working groups** for collaboration between the Ministries responsible for the areas included in the Strategy and the territorial administrations.
- The new [National Strategy for the Equality, Inclusion and Participation of Roma People 2021-2030](#) has a **broader scope than the previous one to address as a priority the fight against discrimination on ethnic grounds and to contribute to the effective participation** of the Roma population and entities, recognising that both areas are required for Roma people to be able to develop their lives in equal conditions and opportunities in the political, economic, social and cultural spheres.
- **Gender equality and violence against women are a fundamental policy line in the new National Strategy for the Equality, Inclusion and Participation of Roma People 2021-2030.** On the understanding that it is not sufficient to be considered across the different strategic lines, specific objectives have been defined aimed at: improving the situation and conditions of Roma women, reducing the violence suffered by them and developing specific actions that contribute to reducing the existing gaps with Roma men and women belonging to the general population in access to and enjoyment of public services and policies. In operational terms and in line with the orientation of the Strategy, which combines a mainstream and target action approach, this axis of Equality is characterised by including more specific actions. In turn, the other axes incorporate gender-sensitive objectives and indicators (e.g. disaggregated by sex) with their corresponding targets to the extent that the availability of information allows it.

Some relevant data on the evolution of inclusion policies aimed at Roma people are the following:

- Between 2021 and 2022, the General State Administration and the autonomous communities have allocated a total budget of 94.7 million euros (**42.4 million in 2021 and 52.3 million in 2022**), of which the **General State Administration has invested 41.5 million and the autonomous communities 53.2 million** (all measurements). At the state level, funding increased by 6.81% in 2022 and at the regional level it increased by 38.7% (investment in all measures). For its part, the budget invested in specific measures increased by 38.2% in 2022, from €33.3 million in 2021 to €46.0 million in 2022.
- In 2022, **9 autonomous communities have specific Roma inclusion policies, 3 are developing such policies and 7 do not have specific strategies.** In general terms, it is

observed that the regional strategies or plans for the inclusion of the Roma population are aligned with the new National Strategy (2021-2030), with 78% incorporating all the strategic lines and objectives pursued at the national level.



Source: Authors' own elaboration based on information reported by the autonomous communities (2022).

- As for local entities, 17.6% of municipalities and provinces that participated in the preparation of the 2021-2022 progress report (13 in total), have a strategy or plan for equality, inclusion and participation of the Roma population; 39.2% of local authorities say they have sectoral strategies or plans that refer to the Roma population. The remaining percentage does not report having specific plans or sectoral initiatives that mention the Roma population.
- Regarding **the use of European Funds for the inclusion of the Roma people**, there has been relative progress in the programming of operations aimed at this population, both at the level of the General State Administration and at the level of the Autonomous Communities. In the meetings of the Inter-Fund Committee, created to improve the investment of European Funds in the Roma population, it is highlighted that operations have progressed in the current programming period (2021-2027), with increasingly comprehensive and long-term actions (for example, housing plus social support; or training and employment actions, among others). The schedule is summarized below:

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+ (AGE and Autonomous Communities)

Territory	Program	Scheduled Budget
National-level	Operational Programme for Social Inclusion, Child Guarantee and the Fight Against Poverty 2021-2027	€61,192,654
Andalucía	ESF+ Regional Programme period 2021-2027 (Andalusia)	8.500.000 €
Cantabria	ESF+ Regional Programme for the period 2021-2027 (Cantabria)	648.000 €



Territory	Program	Scheduled Budget
Castilla-La Mancha	ESF+ Regional Programme 2021-2027 (C-LM)	€1,719,814
Galicia	ESF+ Regional Programme period 2021-2027 (Galicia)	€3,494,000
Region of Murcia	ESF+ Regional Programme period 2021-2027 (R. de Murcia)	€2,370,000
<b>Total</b>		<b>€77,924,468</b>

Source: ESF+ Operational Programmes for the period 2021-2027 (national and regional).<sup>2</sup>

### In relation to hate speech and hate crimes (recommendations 12 and 140 and 141):

The following legal, policy and practical measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- In line with the vision of the Council of Europe, the **Spanish Penal Code was updated by [Organic Law 6/2022](#) and incorporated antigypsyism** as one of the specific grounds that can give rise to a hate crime.

Other relevant developments in domestic legislation, policies and jurisprudence and measures taken to implement this article since the adoption of the Views of the fifth report include:

- In 2022, the Ministry of Justice launched the campaign **"Against crime, the Ministry of Justice is by your side. Go to your Victims' Office" #AbiertosParaAyudar**<sup>3</sup> aimed at the general public. The campaign featured various materials such as a spot, as well as other creatives aimed at dissemination through digital media. In them, different profiles of victims of crime are shown, **including victims of hate crimes due to discrimination related to ethnicity, race, sexual or gender orientation or identity** in order to make them aware of this free public service where they have legal attention and psychological support at their disposal.
- Within the framework of care for victims of hate crimes, the Plenary of the Advisory Council for Victim Assistance, a consultative body attached to the Directorate-General for the Public Service of Justice, approved on July 22, 2022 the **"[Guide of recommendations for Victim Assistance Offices in the field of care for victims of hate crimes](#)"**, which establishes a series of guidelines for the staff of the Crime Victim Assistance Offices so that victims of this type of crime receive comprehensive and specialized assistance when making use of this service.
- In 2021 and 2022, the Ministry of Justice has carried out **training in the field of care for victims of hate crimes, aimed at professionals** (managers and psychology professionals) working **in the Crime Victim Assistance Offices**.

<sup>2</sup> Programs available in: <https://www.mites.gob.es/uafse/es/programas21-27/index.htm>

<sup>3</sup> [Campaign: Confronting Crime, Open to Help](#)

- In 2023, the Centre for Legal Studies, an autonomous body attached to the Ministry of Justice responsible for the training of the Public Prosecutor's Career, the Corps of Lawyers of the Administration of Justice, the Corps of Forensic Doctors and Physicians of the National Institute of Toxicology and Forensic Sciences, the general and special bodies at the service of the Administration of Justice and the Corps of State Lawyers, as well as for specialized training in the function of Judicial Police of the State Security Forces and Corps, approved its first '[Program for Equality, Inclusion and the fight against Gender Violence](#)' which includes all the **activities and training** aimed at these professionals related not only to gender violence but also to **equality, inclusion, hate crimes and anti-discrimination**.
- With regard to recommendation 141, within the framework **of the Council for the Elimination of Racial or Ethnic Discrimination**, a collegiate body attached to the Ministry of Equality, which is not part of its hierarchical structure, **additional measures and resources have been strengthened to address and guarantee non-discrimination in all its forms against population and ethnic groups** who suffer more frequently from racial discrimination. Some of the new features include:
  - the implementation of a **new 021 number to facilitate calls and reporting** of cases of racism, the expansion of the number of face-to-face service offices, as well as the telephone service hours of the victim assistance service.
  - Budgetary resources devoted to combating racial discrimination, xenophobia and other forms of intolerance **have also been increased** in order to ensure the correct, effective and independent fulfilment of its mandate.
- On the other hand, in **the annual reports of the Assistance Service of the Council on the Elimination of Racial or Ethnic Discrimination**, the number of known cases of racial or ethnic discrimination is collected, being a total of 1570 in 2022, a significant increase, compared to the 860 cases in 2021, which demonstrates the need to continue making available to victims the necessary resources and means for their assistance.
- **Likewise, for the first time in Spain, a social awareness campaign against racism and racial discrimination has been carried out on television (prime time)**. It has also been broadcast on radio, outdoor, print media, digital media and social networks. The campaign has given visibility to situations that victims easily recognize, and feel reflected
- The [First Action Plan to Combat Hate Crimes \(2019-2021\)](#) was approved and implemented and now the II Action Plan to Combat Hate Crimes (2022-2024) is being implemented, [whose main axis is "assistance and support to victims of hate crimes"](#) and the aim was to give continuity to the important work that has been carried out by the Security Forces and Corps together with other institutions third sector organisations and associations, as well as the **National Office for the Fight against Hate Crimes (ONDOD)**.
- Within the framework of the First Action Plan to Combat Hate Crimes (2019-2021), ONDOD:
  - A survey has been **implemented** from December 18, 2020 to March 31, 2021, on the website of the Ministry of the Interior, which has been open for victims of this type of crime to prepare. The main objective was to understand the

feelings of the victims regarding this social problem, but also: the social perception of risk; the main grounds of discrimination; the percentage of under-reporting; the police treatment of the victim; or the remedies they had after filing a complaint with the police station.

- An interactive map of victim assistance resources **has been implemented** on the website of the Ministry of the Interior, specifically in the ONDOD space, which includes information on certain legal advice, victim protection or psychosocial support services. This map tries to cover the entire Spanish geography at the provincial level and has included all the Offices for Attention to Victims of Crime, as well as the services of different organizations and associations of the third sector, which have stated that they have resources to be able to support victims. The map is constantly updated and aims to be a place of consultation for anyone who may have been a victim of a hate crime and for the Security Forces and Corps themselves, so that they can inform victims of the existing resources in that province. The resource map described can be accessed through the following web page:  
<https://encuestadelitosdeodio.ses.mir.es/publico/encuestas/mapaRecursos.html>
- Within the framework of the **II Action Plan to Combat Hate Crimes (2022-2024)**, the ONDOD:
  - The **IV Annual Seminar on Hate Crimes was organized in 2022**, with the title "Comprehensive and transversal attention to victims of hate speech and crimes", given by the ONDOD and aimed at police units involved, both the National Police and the Civil Guard, in addition to the different Autonomous Police. As a novelty, the participation of local police officers was introduced, as a good practice that alludes to coordination between different administrations. These days trained more than 650 agents.
  - Specific police units **were set up** to deal with and investigate hate crimes.
- Since 2019, the Ministry of the Interior **has included antigypsyism in its annual reports on the evolution of hate crimes in Spain**.
- Preparatory steps have been taken for a **future State Pact on Anti-Gypsyism and for the Inclusion of Roma People**. The [report on the future pact](#) has now been approved by Congress. Next, a **subcommittee, within the Congressional Commission on Social Rights and Comprehensive Disability Policies, will analyse the capacity of relevant public policies**, from a multi-level approach, to address the different dimensions of antigypsyism as a specific form of racism, in coherence with the latest recommendations to Spain from both the Council of Europe and the European Parliament.
- **Social Pact against Hate Speech**: On 21 March 2023, the most relevant Spanish NGOs signed the pact to promote a more determined commitment of institutions against hate speech.

**Data, statistics or any other relevant information that allows the impact of these measures to be assessed:**

- Within the framework of the questionnaire for victims of the First Action Plan to Combat Hate Crimes (2019-2021), the following can be highlighted:
  - 782 people participated, of whom 437 were victims of hate crimes in the last five years. Therefore, although the participation has not been massive in statistical terms, taking into account that it was aimed at the entire Spanish population that has been or has felt itself to be a victim of a hate crime in the last five years, the sample could serve to represent the real situation, drawing some conclusions of great interest such as the one referring to "underreporting".
  - One of the most relevant results of the survey is that, despite having been victims of a hate crime, 89.24% of those surveyed did not report the criminal acts. Of the participants who did report (n=47), 55.32% reported it to the National Police and 21.28% to the Civil Guard, with the percentages of complaints filed (6.38% to the Local or Municipal Police, 4.26% Mossos d'Esquadra and 2.13% Ertzaintza).
  - Data on hate crimes against persons with disabilities have been included in the reports. However, it would be important in the future to collect data on persons with disabilities within the Roma People because of the double discrimination that this could mean in this population group.
- Data on known recorded events of hate crimes (source and more information: [Report on the evolution of hate crimes in Spain 2021](#)):

HECHOS CONOCIDOS	2019	2020	2021	Variación 2020/2021
ANTISEMITISMO	5	3	11	266,67%
APOROFOBIA	12	10	10	0,00%
CREENCIAS O PRÁCTICAS RELIGIOSAS	66	45	63	40,00%
DELITOS DE ODIOS CONTRA PERSONAS CON DISCAPACIDAD	26	44	28	-36,36%
ORIENTACIÓN SEXUAL E IDENTIDAD DE GÉNERO	278	277	466	68,23%
RACISMO/XENOFOBIA	515	485	639	31,75%
IDEOLOGÍA	596	326	326	0,00%
DISCRIMINACIÓN POR RAZÓN DE SEXO/GÉNERO	69	99	107	8,08%
DISCRIMINACIÓN GENERACIONAL	9	10	35	250,00%
DISCRIMINACIÓN POR RAZÓN DE ENFERMEDAD	8	13	21	61,54%
ANTIGITANISMO	14	22	18	-18,18%
<b>TOTAL DELITOS</b>	<b>1598</b>	<b>1334</b>	<b>1724</b>	<b>29,24%</b>
<b>INFRAC. ADM. Y RESTO INCIDENTES</b>	<b>108</b>	<b>67</b>	<b>78</b>	<b>16,42%</b>
<b>TOTAL DELITOS E INCIDENTES DE ODIOS</b>	<b>1706</b>	<b>1401</b>	<b>1802</b>	<b>28,62%</b>

- Data on known recorded events of hate crimes (source and more information: [Report on the evolution of hate crimes in Spain 2022](#)):

HECHOS CONOCIDOS	2020	2021	2022	Variación 2021/2022
ANTIGITANISMO	22	18	22	22,22%
ANTISEMITISMO	3	11	13	18,18%
APOROFOBIA	10	10	17	70,00%
CREENCIAS O PRÁCTICAS RELIGIOSAS	45	63	47	-25,40%
DELITOS DE ODIO CONTRA PERSONAS CON DISCAPACIDAD	44	28	23	-17,86%
DISCRIMINACIÓN GENERACIONAL	10	35	15	-57,14%
DISCRIMINACIÓN POR RAZÓN DE ENFERMEDAD	13	21	11	-47,62%
DISCRIMINACIÓN POR RAZÓN DE SEXO/GÉNERO	99	107	189	76,64%
IDEOLOGÍA	326	326	245	-24,85%
ORIENTACIÓN SEXUAL E IDENTIDAD DE GÉNERO	277	466	459	-1,50%
RACISMO/XENOFOBIA	485	639	755	18,15%
<b>TOTAL DELITOS</b>	<b>1334</b>	<b>1724</b>	<b>1796</b>	<b>4,18%</b>
INFRAC. ADM. Y RESTO INCIDENTES	67	78	73	-6,41%
<b>TOTAL DELITOS E INCIDENTES DE ODIO</b>	<b>1401</b>	<b>1802</b>	<b>1869</b>	<b>3,72%</b>

### 2.3. Article 5: Preservation and promotion of culture and identity

#### Regarding the preservation and development of minority cultures, identities and minority identities (recommendation 101)

The following legal, policy and practical measures have been taken to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- The **National Strategy for the Equality, Inclusion and Participation of the Roma People 2021-2030** has as one of the specific objectives the "**Promotion and recognition of Roma culture**" within the axis "Equal opportunities and non-discrimination". To this end, the aim is to promote knowledge and dissemination of Roma history and culture in order to promote recognition and reconciliation. As part of this objective, actions aimed at the general population will be promoted to find out to what extent some milestones or key issues about the Roma population are known. This work of recognition and visibility is important to do at the different administrative levels, accompanied by actions to raise awareness of the contributions of the Roma population to history, culture and art in the different autonomous communities and in the localities within them. At the same time, the work carried out by Roma professionals in the field of culture and the arts should be promoted in order to ensure the presence of their work in the national cultural and artistic scene and to support their professional development.
- **Education Law**, Organic Law 3/2020, of 29 December, amending Organic Law 2/2006, of 3 May (LOMLOE) and **curricular development decrees include the recognition of minority cultures and identities**. Non-discrimination on the basis of any condition, including racial or ethnic origin, appears in a large part of the articles and is one of the fundamental principles of the education system. The Law adjusts to new social circumstances and updates the international frameworks on which it is based, such as the 2030 Agenda and the importance of global citizenship education and **intercultural education in multicultural and changing environments**.

Furthermore, the forty-first additional provision, referring to the "Values underpinning democracy and human rights and the prevention and peaceful resolution of conflicts" mentions that **consideration will be given to the study of**

**and respect for other cultures, particularly that of the Roma people and that of other groups and collectives, contributing to the appreciation of cultural differences. as well as the recognition and dissemination of the history and culture of the ethnic minorities present in our country, to promote their knowledge and reduce stereotypes.**

As for the new curriculum, it adopts a competence-based nature, in line with the Council Recommendation of 22 May 2018 on key competences for lifelong learning, including personal, social and learning-to-learn competence, citizenship competence and competence in cultural awareness and expression.

- **Between 2021 and 2022, the total budget dedicated by the autonomous communities and the General State Administration to measures to promote and recognise Roma culture increased by 194,144%, from €373,966 in 2021 to €1.1 million in 2022 (compared to €21,168.00 in 2018).** The largest investment in specific measures comes from the autonomous communities, representing 98.91% of the total budget invested in the promotion and recognition of Roma culture in 2022, while the remaining 1.09% is assumed by the AGE.
- In recent years, progress has been made progressively in the recognition of the Roma population within Spain through normative or symbolic actions promoted by the different administrative levels. The latter has resulted in the celebration or commemoration of different historical milestones, such as the International Day of the Roma People Holocaust.
- **Mediation actions between people from the Roma community and the Administration (Cantabria). Actions to improve the knowledge of Roma culture among the rest of the population and specifically by public bodies.** Funding 2021: €600 thousand. Funding 2022: €62 thousand. 2021 beneficiaries: 800 Roma. Beneficiaries 2022: 1200 Roma

**Data, statistics or any other relevant information that allows the impact of these measures to be assessed:**

- Increase of 201.2% in the total budget by the autonomous communities and the General State Administration in measures to promote and recognize Roma culture, going from €373,966 in 2021 to €1.1 million in 2022.
- Percentage of references to Roma in Primary Education: 60% (CNIE, 2017)
- Percentage of references to Roma in Compulsory Secondary Education: 52% (CNIE, 2017)

## **2.4. Article 9: Freedom of Expression and the Media**

### **In relation to minority print media and broadcasting (recommendation 152)**

The following legal, policy and practical measures have been taken to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:



- Broadcasting of weekly radio programmes on Roma themes on **RNE ("Gypsies" programme)** and **M21 Radio ("Ververipen: Roma diversity" programme)** <https://institutoculturagitana.es/radio/>

## 2.5. Articles 10 and 14: Minority language

### Regarding the use of minority and official languages (recommendations 159 and 160)

The following legal, policy and practical measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- Languages of Roma origin are part of the identity and culture of this population. In this sense, some public administrations are implementing specific actions aimed at learning and maintaining Roma, Calò, among others:
  - Between 2019-2020, the Department of Labour, Social Affairs and Families of Catalonia has developed training actions in Roma, in which a historical approach to the Roma People is made from a linguistic perspective.
  - The Institute of Romani Culture has promoted language education through Sar San, a publication focused on learning Romani

Other relevant developments in domestic legislation, policies and jurisprudence and measures taken to implement this article since the adoption of the Fifth Report Opinion include:

- On its website, the Fundación Secretariado Gitano offers publications in Caló and Roma, which include teaching materials, literature and audio files.

## 2.6. Article 12: Access to education and knowledge of culture and history

Roma culture  
in education  
system

Access to  
education

### Regarding textbooks and teaching materials, training and intercultural education (recommendations 13 and 170)

The following legal, policy and practical measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- According [to the 2020 law amending the Education Law \(3/2020, amending Organic Law 2/2006 on Education\) - LOMLOE -](#) **the school curriculum will consider the study and respect for other cultures, particularly that of the Roma people and** that of other groups and collectives, contributing to the appreciation of cultural differences, as well as the recognition and dissemination of the history and culture

of the ethnic minorities present in the country. Spain, in order to promote their knowledge and reduce stereotypes (para. 94). From the development of this Law, it is expected that the teaching of Roma history and culture in the Spanish Education System will be further promoted.

- This vision is also contemplated in the **mentioned Law on Equal Treatment and Non-Discrimination**, which in Article 13.6, on the right to equal treatment and non-discrimination in education, which establishes the following:

*"The education authorities shall pay special attention to the right to equal treatment and non-discrimination in the curriculum at all stages of education. Likewise, the inclusion of education in the areas of equal treatment and non-discrimination, tolerance and human rights will be promoted in the curricula where appropriate, **deepening knowledge of and respect for other cultures, particularly that of the Roma people and that of other groups and collectives, contributing to the appreciation of cultural differences. as well as the recognition and dissemination of the history and culture of the ethnic minorities present in our country, to promote their knowledge and reduce stereotypes**".*

- **There are several initiatives at national and regional level** to include Roma history and culture in school curricula, textbooks and teaching materials. For example:
  - The Ministry of Education and Vocational Training, in collaboration with the entities of the State Council for the Roma People, has led the following initiatives:
    - A request has been made to amend Royal Decree 126/2014, of February 28, 2014, which establishes the basic curriculum for Primary Education. During 2021, the Ministry drafted the curricular decrees for minimum education. In 2022, Royal Decree 157/2022, of [March 1, 2022, was published, establishing the organization and minimum teachings of Primary Education](#), which includes within the basic knowledge the "history and culture of the ethnic minorities present in our country, particularly those of the Roma people. Recognition of Spain's cultural and linguistic diversity".
    - Offer of **permanent teacher training courses** aimed at working on interculturality, diversity and inclusion in the educational field, **which incorporate content related to Roma culture**. In 2021, two editions of the course "[educational attention to the Roma school population](#)" were held, from the online training offer of the National Institute of Educational Technologies and Teacher Training (INTEF).
    - Preparation of [teaching materials on the Roma people for Primary and Secondary Education. Educating Against Anti-Gypsyism](#), published in 2021.
    - In 2021, [the Guiding Protocol for the inclusion of Roma history and culture in the school curriculum and teaching practice was published](#), which aims to raise awareness and guide both education administrations and teachers and publishers on how to include and address Roma history and culture in the curriculum.
  - In 2022, the Basque Country promoted the inclusion of the history and culture of the Roma people within the compulsory curriculum, in accordance



with the provisions of the aforementioned LOMLOE. To this end, it has begun the process by sending a request to the Department of Education.

Data, statistics or any other relevant information that allows the impact of these measures to be assessed:

- Percentage of references to Roma in Primary Education: 60% (CNIE, 2017)
- Percentage of references to Roma in Compulsory Secondary Education: 52% (CNIE, 2017)

### **In relation to effective access to education (recommendation 179)**

The following legal, policy and practical measures have been put in place to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- The [2020 law amending the Education Act \(3/2020, amending Organic Law 2/2006 on Education\)](#) refers to the challenges of educational segregation of students on socio-economic grounds or racial or ethnic origin or for any other cause of vulnerability. For example, it establishes that the regulation of the admission of students to public and private schools subsidized by the education authorities will provide for the necessary measures to avoid the segregation of students for socioeconomic or other reasons and that an adequate and balanced distribution among the schools of students with specific educational support needs will be taken into account. Currently, being a complex issue, there is still debate on how to address school segregation in practical terms, with the need to balance the right to free choice of parents and the rights to equity and equality in education. The development of the law in the form of a Decree, which could address this issue, is still pending.
- To make progress on the main education indicators, such as the fight against early school leaving, the promotion of schooling in educational stages, among others, the **National Strategy for the Equality, Inclusion and Participation of Roma People 2021-2030** has set a set of objectives in the field of education. Specifically, it is proposed:
  1. Increase the **schooling and participation of the Roma population throughout Early Childhood Education (<6 years)**, especially in the first cycle of 0 to 3 years;
  2. **Reduce school segregation** at different stages of education and in any form;
  3. **Eradicate illiteracy and increase the training and education** of adult Roma;
  4. **Reduce discrimination at different stages of education** and in all its forms; and
  5. **To increase the academic success of Roma students of both sexes in the different compulsory stages.**
- Between 2018 and 2022, the **total budget of the autonomous communities and the General State Administration for specific education measures for the Roma population increased by 154%**, from €4.4 million in 2018 to €11.2 million in 2022.
  - 2022: €11.2 million

- 2021: €5 million
  - 2020: €8.3 million
  - 2019: €5.9 million
  - 2018: €4.4 million
- At the regional level, **the strategic line with the greatest budgetary weight, among the measures specifically aimed at the Roma population in the 2021-2022 period, was access to education**, accounting for 34.98% of the budget of the autonomous communities.
  - Within this framework, some initiatives promoted by the Autonomous Communities stand out, whose objective is to improve access to education, prevent early school leaving and promote access to post-compulsory studies. In this sense, we highlight:
    - **Kumpania Programme (Valencian Community):** A socio-educational service specialising in Roma children, adolescents and young people and their family environment has been set up to intervene in structural, conjunctural and cultural factors that may affect them. The initiative contributes to (1) increasing enrolment in Primary Education and Secondary Education; (2) graduate from secondary education and encourage the continuation of post-compulsory studies and (3) 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 programs, three subprograms (Impulsa, Kumpania and Kumpania+).
    - **Social intervention programme for Roma children and young people (Extremadura):** socio-educational care resource aimed at Roma children and young people, aged between 0 and 16 years, with socio-educational needs related to early schooling, absenteeism, failure and school dropout. It is, in short, a resource for the prevention and fight against school failure and dropout among Roma children and young people, working specifically with them, as well as with their families and the education system. In 2021 and 2022, the measure has benefited 1,110 Roma people
    - **Continuity of the Promociona Programme**, implemented by the Fundación Secretariado Gitano and co-financed by the General State Administration, the ESF and its own resources, a programme whose objective is to ensure that young Roma men and women complete compulsory studies and continue studying. In 2022, more than 3,513 Roma students benefited from this initiative.
    - **Promociona Digital:** Innovation programme with the aim of promoting educational support for Roma students in vulnerable situations, through the design and development of innovative methods aimed at digital transformation, to reduce the digital divide, achieve school success and improve their future labour insertion. It is a pilot proposal to test in 7 cities the digitalisation process of the ESF's Operation Promote POISES and its participants, which also incorporates work with families. Implemented by the Fundación Secretariado Gitano.
  - The **Ministry of Education and Vocational Training's Territorial Cooperation Programme for Educational Guidance, Progress and Enrichment (PROA+)** aims to **reduce early school leaving rates**. To achieve this, it is divided into different lines of

action. These 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. The Programme maintains the criterion of internal non-segregation for access to the PROA+ Territorial Cooperation Programmes, raising awareness to combat educational segregation, as well as disseminating good practices on successful experiences in reducing educational segregation to promote an inclusive and non-segregating school.

Data, statistics or any other relevant information that allows the impact of these measures to be assessed:

- During the last Strategy, the targets set in relation to Roma children's access to Early Childhood Education (95%) were achieved (Fundamental Rights Report, [European Union Agency for Fundamental Rights, 2017](#)) and the increase in enrolment in Primary and Secondary Education, as well as a reduction in the rates of young Roma not studying or working by more than 27 percentage points compared to the beginning of the decade (63%), according to the Comparative [Study on the Situation of the Roma Population in Spain in Relation to Employment and Poverty 2018](#) by Fundación Secretariado Gitano, 2019.
- However, there are still significant challenges to be addressed in order to ensure equal access to and enjoyment of education by the Roma population. According to the Comparative Study [on the Situation of the Roma Population in Spain in Relation to Employment and Poverty 2018 \(Fundación Secretariado Gitano, 2019\)](#), there are still significant educational gaps between the Roma population and the general population that need to be closed:
  - 13.8 per cent of Roma women and 5.6 per cent of adult Roma men are illiterate.
  - 41.2% of Roma women and 31.4% of Roma men have no education.
  - Some 14.6% of the Roma population has completed primary education.
  - The Roma population with completed secondary or tertiary education is 17.4%, but there has been an increase in those with secondary education (Compulsory Secondary Education, Baccalaureate or an intermediate level).
  - In terms of the evolution of educational attainment, there is still a clear gender gap: the proportion of Roma women without education is 10 percentage points higher than that of men (41.2% of Roma women compared to 31.4% of men). As a result, there is a lower percentage of Roma women with primary, secondary or higher education.
- Although no actual number of Roma pupils attending segregated schools is available, the FRA's 2021 Roma Population Survey estimates that the number of Roma pupils aged between 6 and 15 in Spain studying in schools where all or most pupils are Roma was 45% (having increased from 31% in the 2016 FRA survey).
- According to the report [Perception of discrimination based on racial or ethnic origin by potential victims in 2020](#) (Council on the Elimination of Racial or Ethnic Discrimination, 2020), 26% of Roma have felt discriminated against in education.

## 2.7. Article 15: Participation in cultural, social and economic life

Political participation

Access to employment

Access to health services

Access to housing

### In relation to effective participation in public affairs and decision-making processes (recommendations 189 and 190)

The following legal, policy and practical measures have been taken to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- The participation of Roma entities in the actions carried out by different administrations is established through a combination of formal and informal channels, ranging from tables and working groups to consultative bodies, such as the State Council of the Roma People, as well as those councils established at the regional level, and their presence in Monitoring Committees of the Operational Programmes. In the new [National Strategy for the Equality, Inclusion and Participation of the Roma People 2021-2030](#), the participation of the Roma population and Roma entities in the public life of Spanish society is configured as a new strategic line that must also be promoted as a priority by the different administrations.
- There is also an **Inter-Fund Committee**, created with the aim of monitoring and promoting the use of European Funds for operations aimed at the Roma population. The Administrative Units of the ESF, ERDF, the and the Second Vice-Presidency of the State Council of the Roma People, representing Roma civil society, participate in the Committee.
- It also has a **Technical Cooperation Group with the Spanish Autonomous Communities** on the Roma population, which has established itself as a cooperation body to share, evaluate and analyse the initiatives developed in the field of Roma at regional and local level.
- At the state level, the Roma population channels its participation through the **State Council of the Roma People**. Through this Council, they are consulted on the various policies designed and implemented by the various ministries. The Council has a number of working groups composed of its members and ministries in which national policies are discussed and debated. There are **8 thematic working groups**: Social Action and European Agenda; Education; Employment; Equal Treatment, Non-Discrimination and Gender Equality; Health; Housing; and Culture.
- There are **at least 8 regional Roma councils**:

Advice	Year of incorporation
<a href="#">Andalusian Council of the Roma People</a>	2021
Council for the Integral Promotion and Social Participation of the Roma People in Cantabria	2017
<a href="#">Regional Council of the Roma People of Castilla-La Mancha</a>	2019
<a href="#">Consell Assessor del Poble Gitano</a> (Catalonia)	2005

Advice	Year of incorporation
<a href="#">Valencian Council of the Roma People</a>	2019
<a href="#">Roundtable for the Dialogue of the Roma Population of the Community of Madrid</a>	2017
<a href="#">Regional Council of the Roma People of Extremadura</a>	2016
<a href="#">Council for the Integral Promotion and Participation of the Roma People in the Basque Country</a>	2003

- In the [Final Evaluation of the National Strategy for the Social Inclusion of the Roma Population 2021-2020](#), in addition to the participation of management centres of the General State Administration, autonomous communities, local entities, **the Roma associative movement and other NGOs working with the Roma** population also participated. In relation to the evaluation, a phase of consultation was carried out with Roma civil society on the design of strategies or action plans with reference to the Roma population, the assessment of progress towards the objectives of the Strategy, the type of actions implemented, the coordination mechanisms between actors, the involvement of the Roma associative movement and the implementation of the Strategy, the assessment of available funding sources, monitoring and evaluation processes, and the strengths and weaknesses of the Strategy.
- **The Ministry of Social Rights, Consumer Affairs, and Agenda 2030 has financed programs through the state section of the Personal Income Tax (IRPF)**, aimed at researching and promoting volunteer activities as a form of social participation and promotion of citizenship rights, aligned with the priorities and objectives of the National Strategy of the Operational Plan for Participation. €363,695 in 2021 (2 civil society organisations) €242,239 in 2022 (2 Roma civil society organisations) and different projects were implemented to promote the participation of the Roma population, especially young Roma.

**Data, statistics or any other relevant information that allows the impact of these measures to be assessed:**

- Until the last elections on 23 July 2023, there were 3 Roma MPs: Sara Giménez, for Ciudadanos in Madrid; Beatriz Carrillo, for PSOE in Seville; Ismael Cortés, for En Comú Podem in Tarragona; Currently, there are no Roma MPs.
- A significant number of regional and local elections were held in 2023, resulting in the formation of new governments at different levels. As the process of government formation is currently ongoing, it is important to note that specific and up-to-date information on the composition of these governments, including the representation of Roma people, may not be readily available. More comprehensive data on Roma representation in regional and local governments is expected by early 2024, as governments settle in and establish their structures.
- The State Council of Roma People is made up of 20 Roma civil society organisations.

Type of Meetings	Number of meetings per year					TOTAL
	2018	2019	2020	2021	2022	
<b>Full</b>	2	0	2	3	4	<b>11</b>
<b>Standing committee</b>	1	2	1	4	2	<b>10</b>

<b>WG Social Action</b>	1	1	1	1	1	<b>5</b>
<b>WG Culture</b>	1	1	0	0	0	<b>2</b>
<b>WG Education</b>	2	2	2	1	4	<b>11</b>
<b>WG Employment</b>	1	0	0	1	1	<b>3</b>
<b>WG Health</b>	3	1	3	3	2	<b>12</b>
<b>GT Housing</b>	1	0	0	2	1	<b>4</b>
<b>WG European Funds</b>	0	0	1	2	-	<b>3</b>
<b>TOTAL</b>	<b>12</b>	<b>7</b>	<b>10</b>	<b>17</b>	<b>15</b>	<b>61</b>

### In relation to effective participation in socio-economic life: access to employment for Roma (recommendation 199)

The following legal, policy and practical measures have been put in place to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- To make progress on the main employment indicators, the **National Strategy for Roma Equality, Inclusion and Participation 2021-2030** has set a set of targets in this area. Specifically, it is proposed:
  1. **Increase the employment rate of the Roma population;**
  2. **Reducing job insecurity and discrimination against Roma**
  3. **Reduce the rate of young Roma who are neither studying, working nor training (16-30 years old);**
  4. **Increase the empowerment, participation and activation of Roma women in the labour market;**
  5. **To revalue and qualify the Roma population engaged in street trading.**
- **Between 2018 and 2022, the total budget by the autonomous communities and the General State Administration for specific employment measures for the Roma population increased by 55%, from €7 million in 2018 to €10.9 million in 2022.**
  - 2022: €10.9 million
  - 2021: €9.5 million
  - 2020: €9.8 million
  - 2019: €8.4 million
  - 2018: €7 million
- In 2021 and 2022, the largest investment in specific measures was by the AGE, representing (70.70%) of the total budget invested in employment in 2022. The remaining 29.30% refers to the 19 initiatives carried out at the regional level.
- Within this framework, some initiatives promoted at the national level, whose objective is to improve access to employment, stand out:
  1. **ACCESS Programme:** This programme is financed in a high percentage by the ESF+ (and co-financed by the Ministry of Social Rights and Agenda 2030 through 0.7% of the state personal income tax), and implemented by the Fundación Secretariado Gitano. It is a labour intermediation initiative with the aim of achieving the effective incorporation of the Roma population into employment through "Personalised Labour Insertion Itineraries".

- Financing:
    - 2022: €5.8 million of which €4 million comes from European funds
    - 2021: €4.2 million of which €3 million comes from European funds
    - 2020: €4.8 million
    - 2019: €5.8 million
    - 2018: €5 million
  - Beneficiaries (Roma):
    - 2022: 6,524
    - 2021: 6,148
    - 2020: 9,446
    - 2019: 6,040
    - 2018: 5,389
- 2. **CALÍ Programme:** This programme, implemented by the Fundación Secretariado Gitano and financed by the European Social Fund, aims to promote equal opportunities and social and labour inclusion for Roma women and attention to multiple discrimination.
  - Financing:
    - 2022: €922,400.00 thousand of which €654.9 thousand come from European funds
    - 2021: €1.2 million of which €871.1 thousand comes from European funds
    - 2020: €539,000
    - 2019: €721,327.00
    - 2018: €591,563.00
  - Beneficiaries (Roma):
    - 2022: 1,582
    - 2021: 141
    - 2020: 889
    - 2019: 1,048
    - 2018: 885

Data, statistics or any other relevant information that allows the impact of these measures to be assessed:

- According [to the Comparative Study on the Situation of the Roma Population in Spain in Relation to Employment and Poverty 2018](#) (Fundación Secretariado Gitano, 2019):
  - The goal of the last National Strategy to increase the salaried Roma population in relation to the total employed Roma population has been achieved, representing 53% of the employed Roma. However, there have been declines in both the employment rate and the unemployment rate, which stands at 52.0%



- The gaps between Roma and the general population in employment are worrying and are directly related to the problems of poverty and social exclusion, which the most vulnerable Roma people face:
  - Only 27.2% of Roma are employed compared to 50.14% of the general population.
  - The unemployment rate for Roma is 52.0% compared to 14.4% for the general population.
  - 63% of young Roma between the ages of 16 and 30 do not study or work and it is estimated that 58% are women and 42% men.
- In addition, all employment indicators reveal serious gaps in the case of Roma women with respect to data for non-Roma women.
- In addition to these disadvantages, the situation caused by COVID-19 has shifted a significant part of the world of work to the digital sphere, a difficult situation for groups in situations of greater vulnerability (including the Roma population), among whom there is a digital divide in terms of access, use and digital skills.
- On the other hand, the health crisis has had a serious impact on the activities traditionally carried out by the Roma population, such as street trading. Measures to prevent the spread of COVID-19 have affected the ability to develop street trading under normal conditions. The pandemic has highlighted the need to value and regulate street trading as an economic and social sector carried out by people from vulnerable groups, in addition to providing street trade professionals with the necessary qualifications to improve their working conditions and improve the image of this type of occupation in the eyes of the general population.
- According [to the report Perception of discrimination based on racial or ethnic origin by potential victims in 2020 \(Council on the Elimination of Racial or Ethnic Discrimination, 2020\)](#), 30.1% of Roma have felt discriminated against in the field of employment in the last year. 48% according [to the Comparative Study on the Situation of the Roma Population in Spain in Relation to Employment and Poverty 2018](#) (Fundación Secretariado Gitano, 2019).

### **In relation to effective participation in socio-economic life: access to health care for Roma (recommendation 208)**

The following legal, policy and practical measures have been implemented to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- To make progress on key health indicators, the **National Strategy for Roma Equality, Inclusion and Participation 2021-2030** has set a set of targets in this area. Specifically, it is proposed:
  1. **Improve the health status and reduce social inequalities in health** in the Roma population, throughout the life cycle, with special emphasis on the Roma child population and the elderly Roma population;
  2. **Reduce discrimination in the field** of health in the Roma population.
- Progress has been made at the national and regional levels in the monitoring of health inequalities, coordination between levels of administration and with the



associative movement, awareness-raising and training of professionals and the population, and integration into general strategies.

- **Between 2018 and 2022, the total budget by the autonomous communities and the General State Administration for specific health measures for the Roma population increased by 32%, from €743,211.00 in 2018 to €984,692.00 in 2022.**
  - 2022: €984,692.00
  - 2021: €519,514.00
  - 2020: €632,995.44
  - 2019: €731,782.00
  - 2018: €743,211.00
- **Measure of the Ministry of Health to improve knowledge about the health situation** of the Roma population: The objective of this measure is to deepen the knowledge of the state of health, lifestyles and access and use of health services by the Roma population in Spain. To this end, the 3rd National Roma Health Survey has been developed in 2023, which will be published in 2024. This initiative is linked to the 2023-2026 Operational Plan of the National Strategy for Roma Equality, Inclusion and Participation 2021-2030. Funding 2022: €171,106.98.
- The Ministry of Health has also made progress in the **continuity and strengthening of the structures and mechanisms for coordination between the different agents, such as the Working Group of Autonomous Communities on Equity in Health and the Roma Population and coordination with the local environment through joint work with the Spanish Federation of Municipalities and Provinces.** in order to design and deploy joint actions with a high impact on the Roma population. Within this framework, it collaborates with and supports **the Equi-Sastipen-Roma Network to strengthen the participation of Roma entities and networking.** An example of this is the development of the campaign "I get vaccinated. I'll tell you why," to promote vaccination against COVID-2019.
- The Ministry of Health has also generated materials to strengthen **community action in health to respond to the health needs of the Roma population.** Specifically, a guide on "Community [Action for Health](#)", the Guide "[Didactic Guidelines for Community Action](#)" and an [online course](#) have been developed.
- In relation to the improvement of training and tools in interculturality and diversity management, the Ministry of Health has developed the online course "[Equity in health. Learning with the Roma people](#)", with the collaboration of the CEPG Health Group and the Equistipen Network. There have already been two editions, with very good ratings.
- **Health promotion programmes for the Roma population** implemented at national and regional level. In **Cantabria**, since 2017 the Intercultural Mediation Programme has been implemented, through a Service Contract with the Marqués de Valdecilla Foundation, whose aim is to promote equal rights and the empowerment of Roma people from an intercultural and health perspective. In **Navarre**, the Roma Community Health Programme is being implemented, with the support of community health agents, and social entities are also financed mainly by Roma for health promotion and addiction prevention programmes at the community level.

**Data, statistics or any other relevant information that allows the impact of these measures to be assessed:**

- There are no new data on health or access to health care for the Roma population since the Second National Roma Health Survey (2014) and its comparison with data from the Spanish population as a whole and with data from the previous 2006 National Roma Health Survey, which found that for most health indicators the Roma population presented worse results than the Roma population. of the population of Spain as a whole.
- Among the advances identified in the survey, access to oral care in children stands out (improvement of 10 percentage points) and in the case of Roma women, access to gynaecological consultations (increase of 8.9 percentage points). On the other hand, there is a worrying decline in childhood obesity, specifically in the case of Roma children.
- According to the report [Perception of discrimination based on racial or ethnic origin by potential victims in 2020](#) (Council on the Elimination of Racial or Ethnic Discrimination, 2020), the perception of discrimination in the health field is higher in the Roma population group, with 16% of people having felt discriminated against when being treated in a medical centre in the last year.

### **In relation to effective participation in socio-economic life: access to housing for the Roma population (recommendation 213)**

The following legal, policy and practical measures have been put in place to implement the recommendations of the Committee of Ministers and the Advisory Committee related to this Article:

- The [Right to Housing Act \(12/2023\)](#) was passed by the Senate on May 17, 2023. It is one of the reforms included in the Recovery, Transformation and Resilience Plan and will promote social housing, limit rental prices and protect against evictions and include desegregation measures.
- The [State Housing Plan 2022-2025](#) includes a **programme to support the eradication of degraded areas, shanty towns, shanty towns and substandard housing**, with specific mention of the **Roma population**.
- To make progress on the main employment indicators, the **National Strategy for Roma Equality, Inclusion and Participation 2021-2030** has set a set of targets in this area. Specifically, it is proposed:
  1. **Eradication of slums and substandard housing**
  2. **Reducing segregation and residential concentration** of the Roma population
  3. **Guarantee access to essential services** for the Roma population and improve basic equipment and quality of housing
  4. **Reduce discrimination in access to housing.**
- Equal access to adequate housing and non-segregation of the Roma population is one of the priorities of the **Spanish Presidency of the Council of the European Union and the European Commission**. In this context, on 30 November 2023, the 16th session of the European Platform for Roma Inclusion was held in Madrid, focused on this topic.
- Measures **to combat housing segregation are included in the [State Action Plan for the Implementation of the European Child Guarantee \(2022-2030\)](#)**, which mentions "the eradication of segregated settlements" as a key challenge in terms of adequate

housing and sets target 2.12 to "substantially reduce substandard housing. No child or adolescent, including Roma children and adolescents, lives in substandard housing in informal settlements."

- The Spanish Council for the Elimination of Racial or Ethnic Discrimination (CEDRE) published in 2022 a set of **recommendations to prevent anti-Roma practices that encourage harassment and expulsion from the localities where they reside** [https://igualdadynodiscriminacion.igualdad.gob.es/novedades/novedades/2022/pdf/Recomendacion\\_CEDRE\\_prevenir\\_practicas\\_antigitanas.pdf](https://igualdadynodiscriminacion.igualdad.gob.es/novedades/novedades/2022/pdf/Recomendacion_CEDRE_prevenir_practicas_antigitanas.pdf)
- The Ministry of Equality has carried out a [study on racial discrimination in housing and informal settlements](#). A qualitative study aimed at understanding the situations, degrees of intensity, circumstances, manifestations and consequences of racial discrimination in housing and informal settlements for certain population and/or ethnic groups that suffer most frequently from racism, including the Roma population.
- For the period 2021-2027, Spain's National Operational Plan **"ESF+ Social Inclusion, Child Guarantee and the Fight against Poverty"** includes Action Line 2 "Awareness-raising actions aimed at equal opportunities and non-discrimination", which proposes a set of interventions aimed at increasing and improving the levels of social integration of the Roma population. Within this line, there is **Measure 2.J.03. "Comprehensive actions for the eradication of slums and other areas of substandard housing"**, which makes specific reference to the spatial concentration of the Roma population and aims to act on the factors that give rise to it and, therefore, to guide it, information and support measures are envisaged in relation to social housing (in coordination and synergy with other financial resources for investment in housing) that include mediation services, information and legal advice services for the rental of housing, accommodation and relocation for people in situations of social exclusion, as well as an emancipation housing service for young people in a situation of or at risk of social exclusion. **At regional level, in the ERDF Operational Plans, 2 have specific objectives on spatial segregation with vulnerable groups, including Roma**, as target groups (Andalusia and Catalonia) and 1 on rehousing and reintegration of socially excluded groups, including Roma (Murcia).
- **Programme of action and accompaniment to the relocation of families in a situation of chronic social and residential exclusion in the Region of Murcia:** ERDF and ESF multi-fund strategy, framed in the Regional Operational Programme 2014-2020, and which develops two actions:
  - **Purchase and rehabilitation of 50 homes** (25 each year) in the municipalities of Murcia, Alcantarilla, Mazarrón, Lorca, Puerto Lumbreras and Fuente Álamo to rehouse the Roma population. 2021 funding: €2.6 million, of which €2.1 million comes from European Funds (ERDF). 2022 funding: €3 million, of which €2.4 million comes from European Funds (ERDF). Beneficiaries 2021: 100 people (25 families). Beneficiaries 2022: 100 people (25 families).
  - **Programme to support the relocation of families in a situation of chronic social and residential exclusion (PARES)**. This program is implemented by a social entity through the granting of a subsidy on a competitive basis. Funding 2021: €187,200, of which €149.8 thousand comes from European

Funds (ESF). 2022 funding: €200,000, of which €160,000 comes from European Funds (ESF). Beneficiaries 2021: 166. Beneficiaries 2022: 265

**Data, statistics or any other relevant information that allows the impact of these measures to be assessed:**

- The housing situation appears to have improved relative to the data prior to the previous Strategy. Progress has been made, albeit moderately, in reducing slums and substandard housing, without eradicating these two forms of inadequate housing among Roma households.
- Of particular note is the reduction in the number of Roma households with damp problems (which have fallen to 16%) and which are overcrowded or overcrowded in relation to the number of people living in them (8.9% of the total). ([European Union Agency for Fundamental Rights, 2017](#)).
- According to [the Study-Map on Housing and the Roma Population](#) (Ministry of Social Rights and Agenda 2030 with the Fundación Secretariado Gitano y Daleph, 2016), the most recent data showed:
  - a residential segregation rate of 2.78 per cent of the Roma population, affecting 2,924 households
- According to the report [Perception of discrimination based on racial or ethnic origin by potential victims in 2020](#) (Council on the Elimination of Racial or Ethnic Discrimination, 2020), 30.88% of Roma people have felt discriminated against in the processes of renting and/or buying housing in the last year.

## **2.8. Articles 17 and 18: Cross-border and multilateral cooperation**

At the moment, there is no convention or agreement on bilateral and multilateral cooperation with other States in the field of the implementation of Roma policy, in which members of the Spanish Roma community will participate.