



Australian Government
Refugee Review Tribunal

Country Advice

Romania

Romania – ROU36062 – Spain –
Romanians – Nationality
27 January 2010

1 To what extent do Romanians suffer discrimination or mistreatment in Spain for reason of their nationality?

A news article dated 4 May 2009 cites the Spanish labour minister Celestino Corbacho, who identifies “718,000 Romanians registered in Spain legally – the largest ethnic community in the country”.¹

News reports from 11 December 2009 identify Romanian immigrants in Spain and Italy as among those “facing the most discrimination in the European Union”, according to “the EU Minorities and Discrimination Survey issued by the EU Agency for Fundamental Rights”. The survey concluded that seven per cent of Romanians living in Spain “said they had been the victims of racially-motivated crime in the past 12 months”; however, that “[n]inety-five per cent of the Romanians in Spain...have not reported discriminatory treatment to local authorities”.² The study also revealed that “[a]t least 56% of the Romanians living in Spanish cities...were targets of discrimination acts”. However, “[c]ompared to the European average rate of discrimination, Romanians fall below the rate: 18% of Romanians in Spain...complained they have been seriously discriminated against in the last year. However, the percent is lower than the 34% of Romanian gypsies who declared they were harassed”.³

An article from the *Romanian Times* dated 17 September 2009 describes the murder of a Romanian citizen in Spain allegedly due to his Romanian origins. The five Spanish youths involved in the crime attempted to set the victim on fire, however instead beat and kicked him, resulting in his death.⁴ A news article from October 2009 also outlines the same case, claiming that even though “the incident has been widely condemned...this is a worrying signal of further ethnic tension, especially due to the increase in Spanish unemployment”. The article further explains that while some of the one million Romanians working either legally or illegally in Spain have lost their jobs recently, they have little incentive to return to Romania, where the social security system is much less generous.⁵

The US Department of State human rights report for Spain released in 2009 cites one case of police mistreatment of a Romanian citizen which occurred in July 2006, and for which a

¹ ‘New deal to help Romanians in Spain’ 2009, *Romanian Times*, 4 May

http://www.romaniatimes.at/news/General_News/2009-05-04/480/New_deal_to_help_Romanians_in_Spain – Accessed 25 January 2010 – Attachment 1

² ‘Romanians in Italy and Spain suffer from discrimination’ 2009, *Romanian Times*, 11 December

http://www.romaniatimes.at/news/General_News/2009-12-11/4973/Romanians_in_Italy_and_Spain_suffer_from_discrimination – Accessed 6 January 2010 – Attachment 2

³ ‘What the newspapers say: December 11, 2009’, 2009, *HotNews.ro*, 11 December

http://english.hotnews.ro/stiri-press_review-6711235-what-the-newspapers-say-december-11-2009.htm - Accessed 11 January 2010 – Attachment 3

⁴ ‘Romanian brutally murdered in Spain’ 2009, *Romanian Times*, 17 September

http://www.romaniatimes.at/news/General_News/2009-09-17/2927/Romanian_brutally_murdered_in_Spain – Accessed 25 January 2010 – Attachment 4

⁵ ‘All eyes on EU funds imperative’ 2009, *The Diplomat Bucharest*, October

<http://www.thediplomat.ro/articol.php?id=206> – Accessed 8 January 2010 – Attachment 5

Barcelona judge initiated a trial against six police officers in December 2007.⁶ Amnesty International's 2009 annual report on Spain highlights the occurrence of racist attacks by individuals and "ill-treatment with a racist component committed by law enforcement officials", however does not specifically refer to Romanian immigrants as the victims of such incidents.⁷ In addition, although not solely related to Romanians, a 2009 journal article in *Social Science & Medicine* on discrimination against immigrant populations in Spain generally; including Romanians, Moroccans, Ecuadorians, Colombians and Sub-Saharan Africans; indicates that they are subject to "racism, mistreatment and precarious working conditions in comparison to the Spanish-born population", experience limitations in terms of accessible occupations, and are subject to "political and legal structural barriers related with social institutions".⁸

The International Helsinki Federation Annual Report on Human Rights Violations for 2006 indicates that racism and xenophobia in Spain continued to pose a problem throughout 2005, citing a Center for Sociological Investigations survey which found that "31.3% of the Spaniards would prefer to "live in a place where almost no one were of a different race or ethnic group than that to which the majority of Spaniards belong"". The survey also found that "60% of the respondents considered that there were already "enough" or "too many" immigrants in Spain". Such intolerance is partly attributed to "a certain type of public discourse, which makes use of xenophobic arguments and thus creates a negative climate in the context of immigration and immigrants".⁹

The International Helsinki Federation Annual Report on Human Rights Violations for 2003 similarly found a negative perception of immigrants among the Spanish population. One opinion poll carried out in 2002 indicated that "60% of the interviewees considered immigration to be a source of insecurity". The report also attributes such negative perceptions to speeches by the government which "repeatedly linked immigration – and in particular illegal immigration – to increasing criminality". Studies also revealed that the Spanish authorities were manipulating data in order to prove "a direct link between the presence of foreigners and the criminality." In addition, the report claims that "[o]ne out of five immigrants entering Spain were reportedly exploited in agriculture, textile industry, domestic services or prostitution and sometimes lived in conditions equivalent to slavery. Romani migrants from central and eastern Europe were particularly exposed to living in shanty towns, areas unfit for human living".¹⁰

⁶ US Department of State 2009, *Country Reports on Human Rights Practices for 2008 – Spain*, 25 February, Section 1c – Attachment 6

⁷ Amnesty International 2009, 'Amnesty International Report 2009 – Spain', 28 May – Attachment 7

⁸ Agudelo-Suarez, A., Gil-Gonzalez, D., Ronda-Perez, E., Porthe, V., Paramio-Perez, G., Garcia, A. M. and Gari, A. 2009, 'Discrimination, work and health in immigrant populations in Spain', *Social Science & Medicine*, Vol. 68, No. 10, May, p. 1866

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⁹ International Helsinki Federation Annual Report on Human Rights Violations 2006, 'International Helsinki Federation Annual Report on Human Rights Violations (2006): Spain', UNHCR Refworld website, 8 June

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=4693929b26&skip=0&query=spain%20discrimination> – Accessed 25 January 2010 – Attachment 9

¹⁰ International Helsinki Federation Annual Report on Human Rights Violations 2003, 'International Helsinki Federation Annual Report on Human Rights Violations (2003): Spain', UNHCR Refworld website, 24 June

<http://www.unhcr.org/cgi-bin/texis/vtx/refworld/rwmain?page=search&docid=469243ced&skip=0&query=spain%20discrimination> – Accessed 25 January 2010 – Attachment 10

List of Sources Consulted

Internet Sources:

Government Information & Reports

US Department of State <http://www.state.gov/>

Non-Government Organisations

Human Rights Watch <http://www.hrw.org/>

Amnesty International <http://www.amnesty.org/>

Freedom House <http://www.freedomhouse.org/>

United Nations

UNHCR Refworld <http://www.refworld.org/>

International News & Politics

The Guardian <http://www.guardian.co.uk/>

Reuters <http://www.reuters.com/>

Region Specific Links

Romanian Times <http://www.romaniantimes.at/>

HotNews.ro <http://english.hotnews.ro/>

The Diplomat Bucharest <http://www.thediplomat.ro/>

European Country of Origin Information Network <http://www.ecoi.net/>

Search Engines

Google <http://www.google.com.au/>

Databases:

FACTIVA (news database)

BACIS (DIAC Country Information database)

REFINFO (IRBDC (Canada) Country Information database)

ISYS (RRT Research & Information database, including Amnesty International, Human Rights Watch, US Department of State Reports)

MRT-RRT Library Catalogue

List of Attachments

1. 'New deal to help Romanians in Spain' 2009, *Romanian Times*, 4 May http://www.romaniantimes.at/news/General_News/2009-05-04/480/New_deal_to_help_Romanians_in_Spain – Accessed 25 January 2010.
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