

Report of the African and Afro-descendant civil society on racism in Spain

Prepared in the year 2016 with the collaboration and data provided by the following entities:

Federación Africana Afrodescendiente Negra Bloque Afro
African Afro-descendant African Federation Afro Block

Asociación Centro Panafricano Kituo Cha Wanafrika
Pan-African Center Association Kituo Cha Wanafrika

Centro de Estudios Panafricanos
Center for Pan-African Studies

Asociación África Activa
Active Africa Association

Centro de Comunicación y Estudios Afrokairós
Communication and Studies Center Afrokairós

Asociación de Pintores y Escultores Latinos
Association of Latin Painters and Sculptors

Organización Panafricana Española para los Derechos Humanos
Pan-African Spanish Organization for Human Rights

Asociación Afro-Bantú de Libre Pensamiento
Afro-Bantu Free Thought Association

Asociación Afrodescendiente Universitaria Kwanzaa
Kwanzaa Universitarian Afro-descendant Association

Federación de Asociaciones Africanas en Canarias (FAAC)
Federation of African Associations in the Canary Islands (FAAC)

Asociación de Inmigrantes senegaleses en España (AISE)
Association of Senegalese Immigrants in Spain (AISE)

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In recent years, International Organizations and independent entities have raised interest over the situation of the African population and black afrodescendants in Spain. However, rarely have been the first-hand testimonies of the victims of racism and xenophobia, and their support entities. Moreover, these testimonies have had a marginal impact in public policies in Spain

We, the entities of the African Community and Black Afro-descendants in Spain mentioned, have prepared this report as a matter of urgency to leave proof of the existence in Spain of racism in insidious and persistent forms, issue that deserves urgent attention and correction measures, with the aim of pointing out the situation of racism in Spain, the errors of the policies implemented so far and the collective proposals for the eradication of racial discrimination in Spain.

Madrid 2016 *

Some Institutions that have received the report to the present:

[United Nations OHCHR | Committee on the Elimination of Racial Discrimination](#)

Congress of Deputies (Spain)

The Assembly of Madrid legislature of the Autonomous Community of Madrid

* Note: some some updates for the year 2017
have been included, highlighted in gray.

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Present situation of racism in Spain

1 Institutional Racism

1.1 Police racism: Identifications by **racial or ethnic profiling**, which have been public practice and notorious by the Spanish police, have continued despite instructions against the current Popular Party government (PP). The police raids defined by ethnic traits commanded by the previous government of the PSOE, although they have diminished with the current government of the PP, they have not stopped, and they continue to take place with total impunity; Even training courses for security agents on interculturality have been reduced, even though they have not completely disappeared. **The insults and racist abuse are frequent by police agents in raids, as well as in police units.** These raids have been denounced by the United Nations Human Rights Commission.

1.2 Foreigners' Internment Centers (CIEs): The Internment Centers for Foreigners have been denounced in numerous instances before various agencies, including the Ombudsman for his constant violation of Human Rights, the existence of deaths due to medical neglect (notably the case of Samba Martine, among others) **ill-treatment, abuses, torture, racist vexations**¹, saturation². Additionally to

¹ Sub-saharians in CIE, Aluche, Karibu report:
http://www.asociacionkaribu.org/doc/Subsaharianos_en_el_CIE_Informe_2013_Karibu.pdf

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their mere existence that make them the instrument of unequal justice³: an ordinary administrative fault for not having documentation in order converts foreigners in people under arrest and it creates less guarantees for foreigners in detention than people who have committed a crime and are placed in a prison in Spain.

1.3 Migratory policies racism: Border policy is extremely aggressive with the people from Africa, much more than with other migrants. There are still dozens of deaths on the borders of Ceuta and Melilla, including the deaths of 15 black African migrants killed on Playa del Tarajal in February 2014. Spanish military polices fired rubber bullets and tear gas on the people who tried to swim to Spain. Despite this, the judge in charge of the case decided to file the case, [the case has been reopened recently by non-African NGO's, but they did not include the racism agravant in the accusation]⁴.

In Spain the conditions to obtain the Spanish nationality are much more favorable for Latin American countries (they can get it in two years) than for African countries (they may get it in ten years).

The Spanish visa policy is highly restrictive with the countries of the so-called "sub-Saharan Africa". The unequal distribution in the granting of nationality and visas is part of a clear strategy of whitening immigration in Spain. In 2014 (last available data), a single country like Russia was granted 13 times more visas than all the countries of (so called) "sub-Saharan Africa":

² A report announces the similarities between the CIE in Aluche with a jail
<http://www.lavanguardia.com/local/madrid/20150629/54432608780/un-informe-denuncia-la- semejanza-a-una-carcel-y-saturacion-del-cie-de-aluche.html>

⁵ More info: <https://ciesno.wordpress.com>

⁴ Judge files the Tarajal case and charges the immigrants with responsibility for their death: http://www.eldiario.es/desalambre/Archivado-muerte-personas-frontera-Ceuta_0_441656238.html

VISAS GRANTED BY SPAIN IN 2014⁵

TOTAL	1,872,259
COUNTRIES OF EUROPE EXCEPT EU	1,007,761
Russia	881,939
Africa	299,541
North Africa	238,047
Rest of Africa	66,173
Central and South America	191,472
Asia	297,893.

It may be recalled that, from the point of view of the socially-based entities in the struggle, every economic migrant is also a refugee. Recognition of refugee status, with the advantages associated with that status, remains extremely difficult in Spain, with a clear radicalization of Asylum policies. On the other hand, after the installation of Asylum offices on the southern border of Spain, Ceuta and Melilla, several NGOs report that Black people cannot approach these offices due to the violence against them by the Moroccan gendarmerie.

1.4 Public health policies racism: The laws of the current government excluding health have sharply penalized the black community. These laws are, respectively: Royal Decree-Law 16/2012 of April 20, urgent measures to ensure the sustainability of the National Health System which has left people without documents of residency in Spain the great majority. And the Organic Law 4/2015 of March 30 Citizen Security with rejection at the border which Citizens have called the Gag Law and hot back by the police of migrants and refugees on the southern border, without a warranty contravening international asylum and immigration laws.

⁵ Statistics National Institute. Consular Office country visas:
<http://www.ine.es/jaxi/Datos.htm?type=pcaxis&path=/t20/p315/l0/&file=ea50001.px>

It also mainly penalizes Africans called "Sub-Saharan".⁶ [The poor preparation of physicians on diseases that are statistically important between the African and African descent community leads to erroneous diagnoses and lack of personalized attention.]

1.5 Lack of representativeness: The political representation of minorities, and particularly of the African and Afro-descendant population, is notorious in Spain being the largest minority ethnic background the country. There is only one black member, Rita Bosaho, of the 616 Deputies and Senators of the Kingdom and she has only been elected in the last elections of December 2015. There is a unique Afro-descendant Council Mayor of a population of 1241 inhabitants (Villamantilla) among the 8166 mayors that exist in the total of the country [Presently another black mayor has been elected in Alaró, Majorca. Three months after his election he found a dead black lamb left in his courtyard⁷]. Considering that around one million of the population the Afro-descendant population has the right to be eligible in Spain, it would correspond to have at least 177 mayors and mayors.

1.6 Institutional policies of exclusion: It is crucial to bear in mind that Spanish organizations created to combat racism (notably the Council for the Promotion of Equality of Treatment and Non-Discrimination of Persons by Racial or Ethnic Origin and the Spanish Observatory of Racism and Xenophobia (OBERAXE) under the General Secretariat of Immigration and Emigration of the Ministry of Employment and Social Security, have not been chosen by the minorities to represent them. They are totally unknown to the Afro-Spanish population and do not include representatives from the African society and Afro-descendant among their

⁶ Racialized migration: <https://saltamos.net/la-migracion-racializada-frontera-sur/>

⁷ Dead lamb left outside Alaró mayor's house
<https://www.euroweeklynews.com/3.0.15/news/on-euro-weekly-news/mallorca/145660-dead-animal-left-at-home-of-mallorca-s-first-black-mayor>

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members. From that point of view, they are not democratic bodies that can fulfill the function of transferring the problems of the African Community and Black Afro-descendant since its main function is to make up the situation of persistent racism and xenophobia in Spain.

1.7 Racism and political parties In Spain: The political parties of the xenophobic and racist courts continue to play their part: Plataforma per Catalunya PxC, Partido por la Libertad (PxL) and Spain 2000 and others, may be considered among those. Although this is a problem less than that of other European countries since they do not have massive support. It is also true that Organic Law 6/2002, of 27 June on Political Parties is not being complied with. Which expressly states that the Law has as its objectives: "... to guarantee the functioning of the democratic system and the essential freedoms of citizens, preventing a political party from repeatedly and seriously attacking this democratic system of Liberties, justify racism and xenophobia or politically support the violence and activities of terrorist gangs"⁸. So far there has not been a single sentence of outlawing a political party for racism or xenophobia even though several of them are racist and xenophobic including among its members people from Neo Nazis groups.

1.8 Judicial Racism: Spain has been condemned by the United Nations for the Rosalind Williams Lecraft case where the Spanish Supreme Court ruled that it was legal to identify black people more than white people. However, Spain has not yet compensated the victim⁹. On the other hand, there have been judgments regarding the excess of zeal in the removal of minors from the custody African mothers over

⁸ Organic Law 6/2002, of June 27, on Political Parties:
<http://www.boe.es/boe/dias/2002/06/28/pdfs/A23600-23607.pdf>

⁹ Open Society Foundations Williams v. Spain:
<https://www.opensocietyfoundations.org/litigation/williams-v-spain>

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the total population.¹⁰ Testimonies report disproportion in the judicial sentencing of black people on the white ones by equal crimes. Likewise, in divorce judgments there is a disparity in the granting of parental rights to black African mothers when married to white Spanish husbands.

¹⁰ They condemn to Spain to take the daughter to an Afro-Spanish woman who went to look for work: <http://www.wanafrika.org/2013/06/condenan-espana-por-quitarle-la-hija.html>

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3 Racism at the level of education

In Spanish education there is a total absence of specific programs to attack racial discrimination. Policies aimed at combating bullying or bullying do not consider that racist harassment is the most prominent of current¹¹ school harassment. The university educational institutions have not fulfilled absolutely any of the instructions and recommendations of Durban 2001 nor have they planned any activity related to the Decade of Afrodescendants except for the Fromadrid Conference in collaboration of the Complutense University of Madrid. **In Spain, the number of teachers of multicultural origin is much lower than in other neighboring countries.** Both are numerically and proportionately to the number of African-origin education professionals since there are no specific inclusion and affirmative action policies in place.

The educational contents of the entire educational system in Spain from kindergarden to university suffer a total absence of content on Africa and on the black presence in Spanish history¹². The contents are not significant for minorities much less for the Afro-Spanish population which generates a perpetual perception of foreigners. Colonialism and slavery when they are studied is not done in relation to Spain but to other colonial powers. In the words of Dr. Ana Cebrián Martínez: *"The African and Afro-descendant population in Spain suffers an enormous comparative grievance in relation to other citizens, in the educational as well as the social, economic and political"..."This lack of recognition results in the denial of spaces and proposals of their own and in the lack of real integrative policies that*

¹¹ Consternation over the death of a young woman who suffered from 'bullying': <http://www.elmundo.es/baleares/2014/03/12/5320286a268e3ed03a8b456d.html>

¹² *"African peoples have an ancient presence in the Iberian Peninsula. In fact, Spanish identity especially has been forged on the frontlines of African and European interaction..."* Antumi-Toasijé: "The Africinity of Spain: Identity and Problematization", Journal of Black Studies 200

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*foster attention to ethnic communities in school and other educational contexts, leading to situations of social exclusion, lack of opportunities and uprooting”*¹³

This is a breach of the human rights commitments and compromises of Spain in the Declaration on the Rights of Persons Belonging to National or Ethnic, Religious and Linguistic Minorities adopted by the General Assembly in its resolution 47/135 of 18 December 1992 which states in Article 1: "*States shall protect the existence and national or ethnic, cultural, religious and linguistic identity of minorities within their respective territories and shall foster conditions for the promotion of that identity.*"

¹³ Ana Cebrián Martínez. Ethnoeducation and Artivism: applications of non-formal contemporary artistic education in the Afro-Spanish collective. Doctoral Thesis, Complutense University of Madrid 2015.

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4 Racism in the media and in Cultural Production

Although there has been progress in recent years it is still common in Spain to find news that makes unnecessary reference to the color of people's skin, religion or origin. There are still television series such as "Aida" that during prime time and mock black people and migrants of Latin American origin. Sensationalism in information also contributes to creating an image of the African migrant as a threat by offering a disproportionate picture of the actual volume of sub-Saharan Africa's immigration. Generally, when a black person performs in the media it is only so that he speaks of immigration although it has no relation with it.

Thus, existing an obvious problematization and reification. In addition, these medias mean a support to carry xenophobic and stereotyped messages exaggerating situations such as the arrival of migrants to Spain by sea. The same declaration that we mentioned in section 4 in Article 2 says: "*Persons belonging to minorities shall have the right to enjoy their own culture" and to "participate effectively in cultural, religious, social, economic and public life."* But in general, in cultural productions and in the media (especially in television which is the one that constructs the dominant discourse in the social imaginary) there is a constant situation of invisibilization, use of stereotypes, exotization and joking exceptionality of what should be normalization, prominence of the origin of certain offenders, publicity exclusive (or directly racist) and ridiculous dubbing.

Moreover, in the world of football, the greatest mass spectacle, there are often manifestations of racial hatred in the stadiums with absolute impunity, in the face of the indolence of the authorities and the clubs.

The lack of representation in the cultural public sphere can have a profound effect on the self-esteem of Afro-descendant children and young people who, from an early age, do not see any person who resembles them or who appears stereotyped, conditioning their development, self-concept and self-esteem.

5 Racist assaults

In recent years there has been a surge in racist attacks. It compared with the fall experienced at the beginning of the twenty-first century. **There has been an average of 4000 racist assaults of all types recorded every year.** Since the 1990s there have been at least 88 deaths with racial motive¹⁴. Also, harassment and racist menaces over African and Afrodescendants in Social Networks are constantly growing in the Internet. Despite the police and judicial persecution of the extreme right and neo-Nazi groups in Spain much remains to be done to dismantle these organizations.

6 Persistent Negationism in Spanish Society

Racism remains a taboo topic in all official and unofficial instances. There is a total ignorance of the implications of the term "racism" and **an absolute public and educational erasure of the enslaving and colonialist Spanish past,** generally even denying the existence in Spain of a black population before the 1980s. All this contributes to create an image of estrangement with respect to the black people that hinders the full citizenship since it establishes a constant synonymy between the terms black person and irregular migrant.

7 Labor Racism

The working conditions of black migrant workers and the Afro-Spanish population are lower than those of the national average. There are **unjustified and constant violent police harassment of African street vendors** rather than pursuing strategies

¹⁴ Hate figures: 4,000 attacks every year in Spain, 88 deaths since 1990
<http://www.elmundo.es/sociedad/2015/12/01/565dbd87e2704e0b1c8b45f4.html>

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to legalize their activity this harassment that has already resulted in fatalities.¹⁵

There are no specific reports on this but reports of racist labor abuses continue to appear in the press particularly in the agricultural and construction sectors. These abuses also manifest themselves in the greatest difficulties and worse wages specially for black women specially in the work of the domestic service where extreme conditions of exploitation still exist.

9 Noncompliance with commitments

Since 2010 three legislative initiatives have been generated and translated in Non-Bindign Proposals which have not been raised until now to the rank of Law, those recommendations have not been fulfilled regarding the “Non-binding law resolutions” of the Spanish Parliament¹⁶ on Memory of slavery recognition and support to the black African and Afro-descendant community in Spain.¹⁷ Time after time there have been breaches in:

11.1 "Recognizing the Black Community given its notorious rootedness in Spain": Although there have been two governments of the two Parliamentary Groups that presented this Proposition No of Law: Popular Party (PP) and Party Socialist Spanish Worker (PSOE).

¹⁵ The blanket is my bread:

<http://www.elmundo.es/madrid/2015/08/18/55d3923f268e3e8b278b4589.htm>

¹⁶ Non Binding Proposal are proposals proclaimed in the General Courts whose purpose is the approval by the Spanish Parliament of texts or resolutions that although they do not have character of law, constitute recommendations directed to governmental instances and sometimes they become the anteroom of a Bill.

¹⁷ The memory and recognition of the African community and black African descendants in Spain, the role of the Pan-Africanist vanguard:

<http://pendientedemigracion.ucm.es/info/nomadas/28/antumitoasije.pdf>

11.2 "Include in the work of the Council for the Promotion of Equality of Treatment and Non-Discrimination of Persons by Racial or Ethnic Origin as well as within the framework of the National and Integral Strategy to combat Racism and Xenophobia measures to promote respect, knowledge and exchange between the African and Afro-descendant groups of the Diaspora of our country promoting the integration and associative fabric of those groups that share a culture and are united by an awareness of identity, in the corresponding awareness activities And citizen participation ... ": There is no African or Afro-descendant organization neither in the National Council nor in the Observatory against Racism and Discrimination. Other Spanish organizations serve as spokesmen for the Black Community in Spain thus usurping the voice of black people in Spain denying them identity and legitimacy.

Therefore, the participation of our group in these areas is not effective. The administrations continue to use them in an instrumental and demagogic way without there being any real will for their recognition and their contribution to Spanish society.

1.3 "To support work for the ethnic and gender equity of African and Afro-descendant women strengthening the development of public policies services and proposals for action in this area as well as the integration policies of their children". No policy has been implemented in this regard by any of the two governments we have had at that time. For the Afromadrid Conference held in June 2015 the current government was asked to include in the educational system, textbooks and school materials, significant references for African and Afro-descendant children for meaningful historical justice learning, etc. None of that has been done.

11.4 "Continue to promote Spanish development cooperation with Africa especially in relation to the MDGs, the fight against poverty, the effects of the food crisis or climate change, with a focus on human rights and gender equality, also promoting co-development and the empowerment of diasporas ... ": Funding for development cooperation has declined by more than 70 % since 2010, returning to 1989 levels. The African countries of the 2013-2016 Master Plan were also reduced by

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investments to shield the borders of the arrival of immigrants from "sub-Saharan Africa", through hot returns, ignominious agreements with Morocco and other African countries to expel African people fleeing war, climate change, trafficking women and poverty or the food crisis.

11.5 "Support the integration of issues related to Afro-descendant populations in the international agendas in which Spain actively participates ": Spain did not support the organizations that participated in the First World Summit of Afro-descendants in La Ceiba, Honduras; Nor has the Spanish Government supported the AFROMADRID Conference in June 2015. No act has been supported or organized by the Government of Spain since the approval of the UN General Assembly of the African Decade. No pronouncement from Spain on the matter. No support for African or Afro-descendant organizations on the part of the Spanish Administrations.

11.6 "To erect in Spain a monument to the memory of the victims of slavery": Nothing has been done about it. The Spanish Courts approved another NLP in 2015; it is reflected in the report that the association African Hispanic has sent to this Committee on the Elimination of Racial Discrimination (CERD) so we will not insist on it.

Proposals

Based on all the above the African and Afro-Descendant Communities of Spain continue to demand a series of corrective measures to achieve the full inclusion and eradication of racism in Spain among which are:

- 1) The closure and abolition of the Internment Centers for Foreigners for violating the principle of equality before the Law by becoming prisons without a sentence. Where human rights abuses of all kinds are found and whose mere existence becomes a barrier to the inclusion.
- 2) The equalization of the conditions of nationalization between foreigners of Latin America (2 years of roots) and Africa (10 years of roots).
- 3) A public act of recognition and apology by the Spanish government and specifically the monarchy for the crimes of abduction of people in Africa for enslavement in Africa and Colonialism in America, Africa (Equatorial Guinea, Sahara and Morocco) And Asia (the Philippines and Guam). The renowned streets of known slaveowners and the erection of statues to the fighters and the fighters against slavery, colonialism, neocolonialism and racism.
- 4) Inclusion in all cycles of content education and specific topics on African, Afro-Spanish and world communities as well as the role of Spain in the crimes of colonialism and slavery and the role of African and Afro-descendants in the construction of Spanish society in all times. The introduction in university teaching of complete cycles of African Studies and of compulsory subjects of African History, Literature, Politics, and Art, as they already exist of other geographic groups like America.

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- 5) An integral law against racism that introduces specific measures against anti-black racism (blackphobia) and equates the victims of racism with victims of sexist violence or victims of terrorism.
- 6) The realization of a real monitoring through censuses and other statistical tools, of the objective situation of social exclusion of the African and Afro-descendant population, for the adoption of specific corrective measures.
- 7) The democratization of bodies such as the Council for the Elimination of Racial or Ethnic Discrimination and the Spanish Observatory of Racism and Xenophobia in which there must be a prominent African and African descendant.
- 8) The implementation of actions by the Spanish Administration within the framework of the Decade Afrodescendant 2015 - 2014. And support to the initiatives of African and Afro-descendant organizations in this regard.
- 9) The conversion of the Organic Law to the three Proposals Not of Law approved by the Spanish Courts since 2010.

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