



ROUNDTABLE: "ANTIGYPSYIST HATE SPEECH IN ONLINE MEDIA"

REPORT

The Spanish roundtable on antigypsyist hate speech in online media was held on November 30, 2020 and it was organised by FAGiC – Federation of Roma Associations in Spain in an online format through the Zoom platform.

It participated 12 panellist experts on different fields related to the antigypsyist hate speech, 15 attendees and 2 moderators.

The roundtable was divided into two parts, the first one was focused on the current Spanish context and the second one was focused on future challenges. Each participant was expert in a concrete field and they answered the questions from the point of view of their field of work.

The roundtable began with a question to the representatives of the legal field who were Susana Gisbert (hate crime public prosecutor in Valencia) and Carmen Santiago (Roma woman and lawyer). The question was about the current tools to fight against this kind of hate speech, to know if they were enough or not and also about the weakness of these tools.

According to the hate crime public prosecutor, the tool she has to work in the law. She thinks that the law is reasonably good, but it would be much better if the judges had an "inclusive interpretation". For her, the main problems is to have material means and know how to interpret it with an inclusive view. She also is aware the Roma are the most discriminated group, but they do not denounce or report the cases. So it will be also important to work on it.

Carmen, who is Roma and also a lawyer, uses different tools because she is aware that the legal way is not working much because of the limitations of the law. She says that when someone sees an antigypsyist hate speech online, people should address the media (newspaper, magazine, social network, etc...) and ask to remove the content. If this does not work, then the second step is the law, but the law has its limitations and it is under the interpretation of the judges that is why many times it does not go further. This is why Carmen thinks that it is needed a Law on Equal Treatment and Non Discrimination which specifies all types of antigypsyism and to add the means and resources for this law to be implemented.

So, once the Spanish legal context was discussed, the next round was for the representatives of the public administrations which were represented at local, regional and national level. The question was what public administrations do regarding antigypsyist hate speech in online media.

Aida Guillen, representative of the Barcelona Municipal Council, told that Barcelona city has two strategies: the first one was a legal strategy by letting know to the Barcelona hate crime public prosecutor this kind of crimes; and the second one is by doing projects with the organisations focused on this topic. She said that unfortunately, the Barcelona Municipal Council has not competences on the online sphere, so they are facing also limitations. But as they really want to work on it, they have created the Barcelona Anti rumours network made of all kind of NGOs and also an initiative called Barcelona versus Hate in which real people who faced discrimination speaks about it.



Regarding the public administration at regional level, this was represented by Fernando Macias a Roma person who works at the Comprehensive Plan of the Roma people in Catalonia of the Government of Catalonia. Fernando explained that they also as a public administration faced many barriers, because the law may be good, but it is not working at all. This is why from his department, they are working to create the first law in Catalonia against antigypsyism which will specify all crimes and hate speech against Roma. Apart from it, the only thing they can do as a public administration is to work to change the narrative against Roma and to visibilise the Roma culture.

Then it was the turn of Nicolas Marugán, deputy director of the General Department on Equal Treatment and No Discrimination of the Government of Spain. According to him, there are already tools to deal with hate crimes and hate speech, but it is true that the online sphere is not reflected on these tools. He is aware that this is a priority, because online hate speech has increased significantly during the last year. But he still is focused that victims can use the current tools, but the problem is that people has no knowledge about these services and all of us we should work together to make sure that victims get to know the tools.

As the topic is about antigypsyist hate speech in online media, it was important to have the voice of the journalists. Miquel Ramos was the representative of the media in this roundtable. The question to him was: which is the role of the journalist in this kind of hate speech and if media contributes to incite antiypsyst hate speech in online media? According to Ramos, media can be an ally or an enemy, but he thinks that journalists must have responsibilities. What is the problem? That journalists are human beings and as such they have also stereotypes in their mind and ideological thoughts, so the words they used could be full of all this kind of things. For Ramos what is important is the education and all of the organisations, administrations, experts, etc... who are really willing to fight against it must work and cooperate together, if not it will be impossible to beat the beast. He also mentioned that there are many online media which are linked to political parties and through this channel the message of the political party is spread.

As a Roma organisation, it was very important for FAGiC to give the voice to Roma activists, so the other experts could heard how Roma feels around the topic and which their frustrations are. The Roma activism was represented by Iñaki Vázquez and Celia Montoya. For Celia what is important is that antigypsyism cannot be fought without Roma people, meaning that if politicians or public administrations are willing to work on it, they must do it with Roma people. She also mentioned that people is not only receiver of information, but also issuer and disseminator of information and as persons we should be responsible of our messages. It is also important to take into consideration the “humour”, because it is a validated tool to spread any comment against Roma and the impact on the Roma community is outrageous.

For Iñaki, as a Roma activist, what it works is the “contra narrative”, but it not always works. Iñaki thinks that without allies and the unity of the Roma people, to have a common message, it will be very difficult to fight against antigypsyis hate speech in online media.

As law is the basis to fight against the topic discussed in the roundtable and this is responsibility of the politicians, FAGiC also invited four politicians at different levels to explain us what they are doing and what are their limitations or barriers.



Politics at local level was represented by José Castellón, a Roma man and councillor of the Municipal Council of Figueres. José mentioned that unfortunately he has limitations as a local politician to fight against antigypsyist hate speech in online media as the Municipal Council has not competence on the media sphere. He argued that as people can write what they wish in social networks, you don't know where the person is from and also that the online territory is outside their territory. So, he asked to politicians at the regional and state level to deal with this issue, if not it will be very hard to work at the local level. The next person to speak was Dimas Gragera, member of the Catalanian Parliament and coordinator of the Roma intergroup inside the Parliament. According to Dimas, the members of the Parliaments are "tools" in order to propose new strategies and laws, so it is important to work with the citizens in order to establish a legal framework. According to him, it is also important to promote other laws of inclusion in other areas in order to fight against antigypsyism, because a law to regulate the online hate speech won't be enough. Issues such as the inclusion of Roma history into the school curricula, inclusion of clauses into Housing law targeting Roma are also important in order to fight against antigypsyism in general.

Then it was the turn of Sara Giménez, member of the Spanish Parliament and Roma woman. Sara explained what she has done as a member of the Spanish Parliament and it was a Proposal Not of Law to be included into the Spanish framework all the recommendations by ECRI on fighting against discrimination. She believes that a Law in Equal Treatment and No Discrimination is needed, but also an official body to deal with these issues. According to Sara, she is working hard to include antigypsyism in the Spanish legal framework, because this is the main reason why she wanted to become a member of the Spanish Parliament.

For Ismael Cortés, also member of the Spanish Parliament and Roma man, there are two main issues: the first one, it is continuing working on his proposal to the Spanish Parliament about the hate speech in online media. He is aware that in the years coming, the European Commission will create a Directive about the topic, but it will be great that Spain can work previously in this issue, because the impact and dissemination of online hate speech is much higher than others. The second issue is to modify the article 510 of the Spanish Penal Code. This article should include the online sphere and a specific protocol to remove the content. Ismael also believes that this article 510 should include antigypsyism as a specific issue and to be equal to antisemitism. He also mentions that now is the opportunity to work all together for the new Law of Equal Treatment and Non Discrimination, if not it will be a losing battle.

After the interventions of all the panellist, it began the discussion part. Panellist had the opportunity to reply to other colleagues and also to answer the questions to the attendees. As the discussion was very useful and productive, FAGiC with the agreement of all participants decided to include in the discussion the second part of the roundtable, future challenges.

The main points from the discussions were:

- All agree that antigypsyism be treated as a specific issue. It should be a specific law or it should be included in the new Law of Equal Treatment and Non Discrimination, but it must be tackle as a specific issue. Important to include all fields and attitudes, practices, etc... of antigypsyism and of course the online sphere must be taken into consideration.



- All agree that the law or laws must consider penalties and fines. It was a big discussion about if the penalties should be under the Penal code or not and make sure and very clear which ones should go under the Penal code and which ones not.
- All agree that a public body and resources are needed to implement the laws, it is not only about the approval, but also it is about its implementation.
- Public administrations need tools, especially Municipal Councils which are closer to the people. It is important to collaborate at all levels, if Catalonia is working in a law, Catalanian parliament should speak with the Spanish parliaments, because if then the Spanish parliament approves a different law, the mess is done. So all agree, that political collaboration among all levels are needed and it is important to provide tools to the Municipal Councils.
- All agree that networking among Roma organisations and experts is needed, so the idea of creating a kind of “table” against antigypsyism is important. The creation of an informal space to share and discuss all together.

After the roundtable discussion, FAGiC has more clearly its advocacy plan. Thanks to the roundtable, FAGiC was aware that the Catalanian Parliament had the intention to pass the Catalanian Law on Equal Treatment and Non Discrimination (it was finally approved on December 30, 2020) and it will follow its implementation. FAGiC worked hard previously with all political parties to add antigypsyism in the new law (and it is included), but now it will work hard to be part of the mechanism of protection and that the law is implemented.

FAGiC will also follow the new Law of Equal Treatment and Non Discrimination at the national level and to be sure also that antigypsyism is included and follow its implementation.

FAGiC will also advocate for the Proposal Not of Law presented by Ismael Cortés to the Spanish Parliament on the regulation of online hate speech. FAGiC will work to make sure that antigypsyist hate speech in online media is taking into consideration and it is regulated under a legal framework.

FAGiC is also considering to create an informal space to discuss about the topic and invite Roma and non Roma organisations, experts, journalists, public prosecutors and politicians to participate in the discussion in order to work all together for a common goal.

FAGiC will continue collaborating with the public administrations in order to have best results and also with Roma people which are victims to provide the right information about the current mechanisms and tools.

It is an important moment in the Spanish and Catalanian context with the approval of the Law of Equal Treatment and Non Discrimination and both levels and FAGiC will be there to advocate for its implementation.



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