

**AMNESTY
INTERNATIONAL**



European Institutions Office

Jacek Cichocki
Minister of Interior
Polish Presidency of the Council of the European Union

Wladyslaw Kosiniak-Kamysz
Minister of Labour & Social Policy
Polish Presidency of the Council of the European Union

Brussels, 13 December 2011
Our Ref: B1123

Dear Ministers,

Amnesty International report: *Stop racism, not people: racial profiling and immigration control in Spain*

Tomorrow, Amnesty International publishes a report on police discrimination in an EU country. The report exposes the discriminatory and unlawful practice of racial profiling to identify irregular migrants. It also reveals that the Spanish authorities are failing to acknowledge the issue and have taken no measures to stop the practice.

We look to the EU institutions to confront this reality in Spain and other EU countries, to ensure migration policy goals comply with the EU *acquis* on the right to non-discrimination.

Our research reveals that racial profiling by Spanish law enforcement officials is widespread. Some Madrid police stations have quotas for the number of irregular migrants they must detain. This encourages police officers to abuse their powers and use ethnic profiling at the expense of the rights of migrants and minorities to equality and protection from discrimination.

While Spanish law allows the police to check people's identity in public places when there are security concerns, our report shows that people who do not "look Spanish" may be stopped as often as four times a day, merely to verify their identity and regular presence in Spain. By singling out ethnic minority members for identity checks, police risks aggravating discrimination and xenophobia by suggesting a link between migrants and crime.

Racial profiling is also an obstacle to integration. Most migrants we interviewed felt their freedom to use public spaces was restricted because of their appearance and the need regularly to justify their presence made them feel unwelcome in Spain however long they had lived there.

We ask the Council to confront discrimination in the context of migration policy, building on the EU's competence in both areas. The EU has a solid legal framework to combat ethnic discrimination. It is high time it extended its action against racism and discrimination to the EU area of justice freedom and security, including asylum and migration policies. One tangible measure would be to acknowledge the issue of unlawful racial profiling as a human rights concern to be jointly addressed by EPSCO and JHA ministers. Spain's example highlighted in our report, and numerous studies on racial profiling and abuse of migrants' rights from other NGOs and the EU Fundamental Rights Agency, should provide a sound basis for an EU-level discussion.

Yours sincerely,

Dr. Nicolas J. Beger
Director

Draginja Nadazdin
Director

rue de Trèves 35, B-1040 Brussels, Belgium Tel. +32-2-502.14.99 - Fax +32-2-502.56.86

E-mail : AmnestyIntl@amnesty.eu - Web site : www.amnesty.eu

Amnesty International European Institutions Office

Amnesty International Poland