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1999 Country Reports on Human Rights Practices

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SPAIN

Spain is a democracy with a constitutional monarch. The Parliament consists of two chambers, the Congress of Deputies and the Senate. Jose Maria Aznar of the Popular Party (PP) became Prime Minister, with the title President of the Government, when his party won national elections in 1996. New elections are scheduled for March 12, 2000. The Government respects the constitutional provisions for an independent judiciary in practice.

There are three levels of security forces. The National Police are responsible for nationwide investigations, security in urban areas, traffic control, and hostage rescue. The Civil Guard polices rural areas and controls borders and highways. Autonomous police forces have taken over many of the duties of the Civil Guard in Galicia, Catalunya, and the Basque country. The security forces are under the effective control of the Government. The security forces also maintain anticorruption units. Some members of the security forces committed human rights abuses.

The economy is market based, with primary reliance on private enterprise. Although a number of public sector enterprises remain in key areas, the Government's policy has been to privatize as many of them as possible. The economy grew during the third quarter at a 3.7 percent annual rate. Inflation at year's end was 2.9 percent, due primarily to higher energy costs. Unemployment in the third quarter was 15.45 percent, continuing its downward trend.

The Government generally respected the human rights of its citizens; however, there were problems in some areas, including cases of police brutality, lengthy pretrial detention, and delays in trials. The Government investigates allegations of human rights abuses by the security forces and punishes those found guilty of such abuses; however, investigations are often lengthy and punishments light. Violence and discrimination against women were problems. Incidents of racism and rightwing violence against minorities and discrimination against Roma were also problems. There were instances of forced labor

and child labor. Trafficking in women for the purpose of forced prostitution was a problem.

Throughout the year there were ongoing judicial proceedings related to the involvement of former government officials in the Antiterrorist Liberation Groups (government-sponsored death squads known by their acronym, GAL), which killed 27 persons between 1983 and 1987, including 10 persons with no connection to the Basque terrorist group, ETA, the ostensible target of the GAL.

ETA announced in late November that it would end its self-declared 14-month-old cease-fire and warned that armed attacks could resume quickly. Low level street violence, threats, and intimidation continued in the Basque country. No one died during the year as a result of these acts. Ongoing arrests by Spanish and French authorities of ETA terrorists did not precipitate a return to the type of deadly violence and kidnappings characteristic of ETA's actions before the cease-fire.

In June elections, several ETA terrorists were elected to provincial parliaments in the Basque country and the regional parliament in neighboring Navarra, all on the ticket of Euskal Herritarrok (EH), the legal political wing of ETA, also known as Herri Batasuna (HB).

RESPECT FOR HUMAN RIGHTS

Section 1 Respect for the Integrity of the Person, Including Freedom From:

a. Political and Other Extrajudicial Killing

There were no reports of political or other extrajudicial killings.

No developments were reported in the following cases from past years: The March 1997 case of a Moroccan boy who allegedly was shot in the back by a Civil Guard officer; the appeal of police officer Antonio Barrionuevo's conviction in the 1996 killing of Portuguese citizen Manuel Abreu Silva; the deaths of eight prison inmates under suspicious circumstances in 1996-97 (see Section 1.c.); and the mid-1980's cases of alleged killings by security forces of Roman Onaederra, Mikel Zabaltza, Robert Caplanne, and a tramp and two drug addicts

On March 10, Judge Jose Luis Gonzalez Armengol sentenced Jose Luis Morcillo Pinillos to prison for his role in the November 20, 1984, GAL killing of Santiago Brouard, a member of HB. On March 12, three others were ordered jailed for allegedly collaborating in the murder: Julian Sancristobal (former State Security Director), Jose Amedo (former Police Commissioner), and Rafael Masa (former Lieutenant Colonel in the Civil Guard). They were accused of having planned and financed the operation with state funds. Masa had just been allowed to return to the Civil Guard after he had been expelled for 4 years for his role in the Linaza torture case, which was opened in 1981. Sancristobal and Masa were released on July 23 after each posted bond in the amount of \$66,670 (10 million pesetas).

The appeals remain pending of former Interior Minister Jose Barrionuevo and former Secretary of State Security Rafael Vera for their convictions in connection with the

kidnaping of French citizen Segundo Marey in 1983.

Amedo also was set free in July, due to his decision to cooperate with the investigations into the Marey and Brouard GAL cases. In a July confession, Amedo reportedly described a December 1983 meeting at which the decision to kill Brouard was made. The meeting allegedly took place near the site where Marey was being held and was attended by several police and antiterrorism officials, including Sancristobal, Mohand Talbi (a GAL mercenary), Francisco Alvarez (a former commander of an antiterrorist unit), and Miguel Planchuelo (former Chief of Police of Bilbao). Amedo also allegedly said that Sancristobal and Talbi kidnaped Marey. On July 28, Judge Armengol issued a preliminary indictment charging that Sancristobal paid Pinillos \$33,333 (5 million pesetas) from Ministry of Interior funds to carry out Brouard's killing.

On August 2, Judge Baltazar Garzon set September hearing dates for Amedo, Alvarez, and Sancristobal, as well as former Chief of Operations in the CESID (national intelligence agency) Juan Alberto Perote and former policeman Michel Dominguez. They have to enter pleas with regard to the 1985 killings in France of four Basques in the Monbar case. On September 25, 1985, Lucien Mattei and Pierre Frugoli (French mercenaries hired by the GAL), shot and killed Agustin Irazustabarrena, Ignacio Asteasuinzarra, Sabino Etxaide, and Jose Maria Etxaniz in a bar in Bayona, France, which was frequented by Basque nationals. Frugoli and Mattei were convicted and sentenced in France for their participation in the crime.

On March 17, Miguel Brescia Guillen went on trial, accused of driving the truck in the GAL case in which Christian Matxicotte (a French pastor) and Catherine Brion were killed on February 17, 1986, in the southern French town of Bidarraya. The prosecutor is requesting that the National High Court sentence Guillen to 66 years' imprisonment for his role in this crime. On September 13, 1994, Guillen allegedly collected \$200,000 (30 million pesetas)--from whom is not clear--to keep quiet and not implicate others. Witnesses at his trial testified that Guillen spoke of his involvement in this case and one other to them on numerous occasions.

Several organizations are dedicated to the needs and concerns of victims of terrorism, among them the Association of Terrorism Victims (AVT). This organization was founded in 1981 and currently serves 1,300 families by providing legal and psychological counseling, publishing a monthly magazine, and carrying out various other activities. Government funding consists of \$40,000 (6 million pesetas), provided annually by the Ministry of Defense. A bill to compensate ETA victims and their families was passed into law on September 16. Entitled "Law of Solidarity with the Victims of Terrorism," the law recognizes the suffering and sacrifice of ETA's victims as well as of those of the GAL. The total amount of compensation is expected to be approximately \$333 million (50 billion pesetas), to be paid by the State. The amount of compensation is to be determined by the gravity of the injury suffered. Relatives of a deceased victim are to receive around \$153,333 (23 million pesetas). Victims who became invalids are to receive \$433,333 (65 million pesetas).

The Spanish extradition request for former Chilean dictator Augusto Pinochet remained under judicial review in the United Kingdom. Judge Baltazar Garzon sought to try Pinochet for his involvement in the disappearance of 600 Spaniards under Chilean and Argentinian dictatorships in the 1970's and 1980's. In November Garzon issued an

international arrest warrant for former Argentine junta Generals Leopoldo Galtieri and Jorge Videla, Admiral Emilio Massera, and 95 lower ranking military officers. The indictments are in connection with human rights abuses that took place during Argentina's 1976-83 "dirty war," when over 15,000 persons were killed or disappeared.

On December 2, indigenous Guatemalan leader Rigoberta Menchu filed a criminal suit in a Spanish court against eight former military and civilian leaders for human rights abuses committed during the internal conflict. The suit alleges that the defendants, including retired General Efraim Rios Montt, former President and retired General Fernando Lucas Garcia, former de facto President Oscar Humberto Mejia Victores, and others were responsible for "crimes against humanity," including genocide, torture, and terrorism. The suit cites three cases: The 1980 assault on the Spanish Embassy in which over 30 persons died, the killing of Menchu's mother and her two siblings, and the killing of 4 Spanish priests over the course of the conflict. On December 18, Spanish Judge Guillermo Ruiz Polanco accepted Menchu's suit. Attorneys for Mejia Victores later filed criminal charges in Guatemala against Menchu, accusing her of treason, violating the Constitution, and failing to report a crime (for filing charges in Spanish court.)

b. Disappearance

There were no reports of politically motivated disappearances.

On March 11, a local policeman in Olot (Catalunya) was arrested after confessing to the November 1992 kidnaping of pharmacist Maria Angels Feliu. Feliu was held for ransom for 492 days. Civil Guard investigators believe that corrupt police, one of whom died in 1997, may have been involved. The Civil Guard cited its investigation as proof that the police were not above the law. A total of three persons have been jailed in connection with the case, and the Civil Guard believes that as many as nine persons may have been involved.

c. Torture and Other Cruel, Inhuman, or Degrading Treatment or Punishment

The law prohibits such acts; however, suspects charged with terrorism routinely assert that they have been abused during detention, and other detainees sometimes make similar charges. The Government investigates allegations of torture and also permits outside parties to investigate them. In April Amnesty International wrote to the Minister of the Interior to reiterate its concerns about allegations of torture and mistreatment during incommunicado detention.

On March 4, the newspaper El Pais reported that a prosecutor in Barcelona had asked for a year in prison and 21/2 years' suspension for two policemen after they undressed a suspect in the police station and submitted him to humiliating treatment on April 29, 1998. The police claimed that it was a legitimate body cavity search. No developments were reported in the November 1998 case of two policemen in Melilla who were charged with raping a Moroccan girl.

No progress was apparent in the complaint filed against the police in the beating of Ivan Gonzalez in September 1997. The National Court of Vizcaya found the three policemen charged with raping Brazilian tourist Rita Margarete in August 1995 not guilty, and this decision was confirmed on appeal by the Supreme Court. On June 22, Interior Minister

Jaime Mayor Oreja assured the Congress of Deputies that the police were investigating all possibilities. He admitted that there was a possibility that the police were covering up facts in the case.

No developments were reported in the trial that began in November 1998 of six members of the Civil Guard who were accused of torturing three suspected ETA members in 1992.

There were several developments in the case of Kepa Urrea, a member of ETA who accused three members of the Civil Guard of torture in 1992. The three were convicted by the National High Court of Vizcaya in November 1997. On appeal to the Supreme Court, their prison sentences were reduced from 4 years to 1 year. However, the Court did not alter the 6-year suspension from the Civil Guard to which the lower court also had sentenced them. A suspension of this length usually means automatic expulsion from the Civil Guard. One of the convicted Civil Guard members, Manuel Sanchez Corbi, meanwhile was selected for promotion, despite the fact that one of the conditions for promotion is that a candidate not have a conviction for a deliberate criminal act. On July 23, the Council of Ministers partially pardoned all three Civil Guard members. Corbi, Jose Maria de las Cuevas, and Antonio Lozano Garcia are to be allowed to continue working for the Civil Guard. The Council reduced their suspensions from 6 years to 1 month and a day. On August 3, the pardon was published in the State's Official Bulletin, and the Ministry of the Interior confirmed that once Corbi's suspension expires, he is to be promoted to the rank of captain.

On February 20, seven police officers in Madrid were found guilty of illegally detaining, humiliating, and torturing a family in 1990. The two principal offenders were sentenced to 6 months in jail and were suspended from the police force for 7 years. The other officers were given lesser jail sentences, but all were suspended for 6 to 7 years, including the officer who ordered the family released in an attempt to cover up the crimes. The officers were also ordered to pay the victims thousands of dollars in compensation.

In one of the most notorious GAL cases, on July 29 the national High Court denied the appeals of Enrique Dorado and Felipe Bayo, who were accused of torturing and kidnaping Jose Antonio Lasa and Jose Ignacio Zabala. Both remain in custody, pending their appeal to the Supreme Court.

The Basque terrorist group ETA announced on November 28 that its self-imposed cease-fire, declared in September 1998, effectively would be ended as of December 3. At least two subsequent attempts by ETA to carry out attacks were frustrated. The first occurred shortly before Christmas when the authorities discovered two vans, each containing approximately 2,200 pounds of explosives, with timers attached. The intended target or targets of the van bombs was unknown. The police and the press continued to report ETA youth criminal activity during the year, including the use of Molotov cocktails to set fire to homes, businesses, cars, and political party offices in a continuing campaign of intimidation in the Basque country. Between ETA's September, 1998, cease-fire declaration and the end of July, 220 violent actions were undertaken by organizations believed to be associated with ETA in the Basque and Navarra regions. Official records also indicate that during the same timeframe, 119 threats were made against public officials, judges, policemen, prosecutors, and businessmen. No deaths were reported from these actions or threats. In March the widow of a PP councilman previously killed by ETA received a package bomb in the mail. She thought that the package was suspicious

and therefore sought help from the authorities, who disarmed the device.

In April a bomb damaged the basilica in the Valley of the Fallen tomb where General Francisco Franco is buried. The police said that a small Marxist group called October First Anti-Fascist Resistance Group claimed responsibility for the blast.

Prison conditions generally meet minimum international standards. In March 1998 the General Council of Judicial Power announced the opening of an investigation into 31 cases of alleged abuse and negligence by prison officials in 1996 and 1997. The investigating committee promised to scrutinize in particular eight inmate deaths ostensibly caused by mismanagement and negligence, including the failure by prison officials to give prompt medical attention to a prisoner who suffered from chronic heart problems and the suicide of an inmate whose treatment for drug addiction was interrupted by his transfer to a prison lacking drug counseling facilities. Another death under investigation is that of a San Sebastian inmate whose official cause of death is listed as a barbiturate overdose despite the presence of lesions on the back, neck, and thighs of his body and the refusal of the doctors who conducted the autopsy to certify a drug overdose as the cause of death.

Basque activists continued to demand that all imprisoned ETA terrorists be moved to prisons in the Basque region or the adjacent autonomous region, Navarra. This demand was supported by two nonbinding resolutions in the Parliament, one in late 1998 and the other early in the year. On September 7, the Government announced that, despite ETA's indefinite cancellation of its talks with the Government, the Government would move 105 ETA prisoners to prisons in or nearer the Basque country. Since the announcement by ETA of its unilateral truce on September 16, 1998, 180 Basque prisoners, including ETA terrorists and members of HB, ETA's political party, were released from jails. Another 135 have been moved to prisons nearer to their homes. A total of 85 ETA prisoners currently are held in prisons in the Basque country. The total number of ETA prisoners has declined from 535 to 405, although 50 new prisoners were added since the cease-fire.

The Government permits prison visits by human rights monitors, including the Council of Europe's Committee for the Prevention of Torture.

d. Arbitrary Arrest, Detention, or Exile

The Constitution prohibits arbitrary arrest and detention, and the authorities respect these provisions in practice.

A suspect may not be held for more than 72 hours without a hearing except in cases involving terrorism, in which case the Penal Code permits holding a suspect an additional 2 days without a hearing and the possibility of incommunicado detention, provided that a judge authorizes such action. Some powerful voices are calling for these provisions of the Penal Code to be modified. The press reported in July that in a speech Judge Baltazar Garzon, best known for his involvement in the case of General Pinochet, called for the reform of detention procedures, especially with regard to suspected terrorists. Garzon believes that the provisions of the code allowing suspected terrorists to be detained for 72 hours incommunicado and an additional 48 hours prior to appearing before a judge are too harsh.

At times pretrial detention can be lengthy. By law suspects may not be confined for more

than 2 years before being brought to trial, unless a further delay is authorized by a judge, who may extend pretrial custody to 4 years. In practice pretrial custody is usually less than 1 year. However, criticism is heard in legal circles that some judges use "preventive custody" as a form of anticipatory sentencing.

The law on aliens permits detention of a person for up to 40 days prior to deportation but specifies that it must not take place in a prison-like setting.

The Constitution prohibits exile, and the Government respects this provision in practice.

e. Denial of Fair Public Trial

The Constitution provides for an independent judiciary, and the judiciary is independent in practice.

The judicial structure consists of local, provincial, regional, and national courts with the Supreme Court at its apex. The Constitutional Court has the authority to return a case to the court in which it was adjudicated if it can be determined that constitutional rights were violated during the course of the proceedings. The National High Court handles crimes such as terrorism and drug trafficking. The European Court of Human Rights is the final arbiter in cases concerning human rights.

The Constitution provides for the right to a fair public trial, and the authorities respect this right in practice. There is a nine-person jury system.

Defendants have the right to be represented by an attorney (at state expense for the indigent). They are released on bail unless the court believes that they may flee or be a threat to public safety. Following conviction, defendants may appeal to the next highest court.

The law calls for an expeditious judicial hearing following arrest. However, the AVT and others have criticized delays in the judicial process, which can result at times in lengthy pretrial detention (see Section 1.d.), and delays in trials. In cases of petty crime, suspects released on bail sometimes wait up to 5 years for trial.

Human rights groups such as the Association Against Torture and members of the press complain that many persons convicted of offenses constituting violations of human rights avoided sentencing by prolonging the appeals process and that sentences for persons convicted of such offenses are unduly light. According to Amnesty International, custodial sentences of less than 1 year and a day customarily are not served in such cases.

There were no reports of political prisoners.

f. Arbitrary Interference with Privacy, Family, Home, or Correspondence

The Constitution provides for the privacy of the home and correspondence. Under the Criminal Code, government authorities must obtain court approval before searching private property, wiretapping, or interfering with private correspondence. The antiterrorist law gives discretionary authority to the Minister of the Interior to act prior to obtaining court approval in "cases of emergency."

In 1998 national intelligence agency (CESID) wiretaps were discovered at the Vitoria headquarters of the pro-ETA political party HB. The scandal forced the provincial CESID directors in Vizcaya, Alava, and Pamplona to resign and compelled the Minister of Defense to develop a plan to establish greater judicial oversight of CESID operations.

On March 9, seven members of CESID were put on trial for illegally tapping mobile phones of public officials and private citizens between 1984 and 1990. The two principal defendants were former Director of CESID, Emilio Alonso Manglano, and former Chief of Operations Colonel Juan Alberto Perote. Four of the five other defendants are employed still by CESID. Government ministers, congressmen, businessmen, journalists, and the King were among the victims of these wiretaps. Perote blamed Jose Manuel Navarro Benavente, former Chief of the electronic surveillance section of CESID, who died in a traffic accident 2 months before the trial. The trial ended in May with the conviction of both Manglano and Perote. Both were sentenced to 6 months in prison for their role in the wiretapping scandal, but neither is expected to actually serve time. Both are appealing their convictions to the Supreme Court.

Section 2 Respect for Civil Liberties, Including:

a. Freedom of Speech and Press

The Constitution provides for freedom of speech and of the press, and the Government respects these provisions in practice. Opposition viewpoints, both from political parties and nonpartisan organizations, are aired freely and widely reflected in the media.

The regional government of Catalunya did not renew the broadcasting licenses of three Catholic radio stations, claiming that their renewal applications did not take seriously the Catalan language element. The stations had never in the past had problems with their license renewals. The Church announced in May that it would take the regional government to court over the issue.

The pro-ETA political party Herri Batasuna continued to criticize the 1997 conviction of 23 members of its National Committee for collaboration with an armed band as a violation of its members' freedom of speech. Each of the convicted HB officials was sentenced to 7 years' imprisonment and a \$3,733 (560,000 pesetas) fine in connection with their decision to distribute a videotape made by ETA during HB's 1996 election campaign. One of the prisoners, Jon Cruz Idigoras, was freed in May due to poor health, and in July, three others had their penal grade reduced. On July 20, the Constitutional Court ruled in favor of HB/EH's motion to free the rest of the former HB National Committee members. In its ruling, the Court argued that the punishment specified in the Penal Code for collaboration with an armed band is disproportionately harsh relative to the crime and is therefore unconstitutional. Within hours of the Court's decision, the remaining HB National Committee members were freed.

The pro-ETA newspaper Egin and its affiliated radio station (Egin Irratia) have been closed since July 1998. Gara--another pro-ETA newspaper--has since emerged. The investigation into Egin's alleged subordination of its editorial line and hiring practices to ETA's command and the use of coded classified ads to coordinate ETA strategy is still ongoing. In a preliminary ruling issued on July 27, the National High Court ruled that Egin and its affiliated radio station could remain closed only until September 1. The Court

argued that present circumstances did not dictate the continued closure of Egin. On August 6, Judge Baltazar Garzon decided to allow Egin and its affiliated radio station to reopen as of October but maintained judicial control over the various financial enterprises from which Egin gets its funding.

Academic freedom is respected.

b. Freedom of Peaceful Assembly and Association

The Constitution provides for these rights, and the Government respects them in practice.

c. Freedom of Religion

The Constitution provides for freedom of religion, and the Government respects this right in practice. There is no state religion, although Catholicism is the predominant religion and receives some government funding. Jews, Muslims, and Protestants have official status, and receive some support from the Government. Other recognized religions, such as Jehovah's Witnesses and Mormons, are covered by constitutional protections but receive no assistance. Religions not officially recognized as such are treated as cultural associations. Religious courses are offered in public schools but are not mandatory.

There are some allegations that the Government discriminates against non-Catholic religions, principally by not providing all privileges accorded to the Catholic Church to other churches.

In May Parliament approved a nonbinding resolution calling on the Government to reinforce measures against the activity of destructive "sects." A 1989 law on sects already had authorized the police to investigate their activities, and a special unit was created for that purpose. The resolution was preceded by press accounts of a death under unusual circumstances of a member of Jehovah's Witnesses and the arrest of the leader of a group called The Orientation in April.

Also in April, a Helsinki Human Rights Federation report criticized the Government for discrimination against "new religions."

The regional government of Catalunya refused to renew three local radio broadcasting licenses of the Catholic Church (see Section 2.a.).

d. Freedom of Movement Within the Country, Foreign Travel, Emigration, and Repatriation

Citizens are free to travel within and outside the country, to emigrate, and to repatriate, and the Government respects these rights in practice.

The Government cooperates with the U.N. High Commissioner for Refugees (UNHCR) and other humanitarian organizations, including the Spanish Committee for Assistance to Refugees (CEAR), in assisting refugees and asylum seekers. Under a 1994 law, asylum requests are adjudicated in a two-stage process with the Office of Asylum and Refugees (OAR) making an initial decision on the admissibility of the application for processing. An interagency committee called the Interministerial Committee for Asylum and Refuge

(CIAR) examines the applications admitted for processing. The CIAR includes representatives from the Ministries of Interior, Justice, Labor, Foreign Affairs, and a nonvoting member of the UNHCR. The decision of the CIAR in each case must be approved by the Minister of the Interior.

The 1994 law eliminated the distinction between asylum status and refugee status. This distinction was eliminated to prevent applicants from drawing out judicial proceedings by applying first for refugee status and then for asylum, if the former was denied.

The UNHCR advises the authorities throughout the process. Applicants for asylum have the right to have their applications sent immediately to the local office of the UNHCR. The authorities are not bound by the judgment of the UNHCR in individual cases, but they often reevaluate decisions with which the UNHCR does not agree. Appeals of rejection at either stage may be made to the National High Court, and appeals of the National High Court's decisions may be made to the Supreme Court.

Asylum requests may be made from outside as well as within the country. From outside anyone can request asylum from a Spanish diplomatic or consular representative. Illegal immigrants are permitted to apply for asylum. Those who lack visas or permission to enter may apply at the border or port of entry. The applicant in such cases may be detained until a decision is made regarding the admissibility for processing of the application. In cases of persons who apply inside the country, this decision must be reached within 2 months, but in cases of persons who apply at a port of entry this period is reduced to 72 hours. The period for filing an appeal in such cases is 24 hours. The Ombudsman (see Section 4) has challenged the legality of this form of detention before the Constitutional Court, and a final decision is pending. The Court has issued a preliminary decision in which it ruled that this form of detention does not deprive the detainee of his liberty. This provisional decision allowed the Government to continue to detain applicants without modifications to its detention procedures.

Applicants have the right under law to free legal assistance regardless of where they are when they apply for asylum. This assistance is available from the first step in the process through any appeals of unfavorable decisions. The applicant also has the right to the assistance of translators and interpreters, and the OAR admits documents in any language without requiring an official translation.

A total of 6,764 persons requested asylum in 1998 (latest figures available), a 36 percent increase over the number who requested asylum in 1997. Of the total number of applicants, 2,794 were admitted for first screening, and 3,780 were denied further proceedings as a result of the first review of their application. Only 206 persons were accorded permanent refugee status, and 491 were admitted for humanitarian reasons. The CIAR proposed that 236 persons be accorded permanent refugee status and 758 be allowed to stay for humanitarian reasons. There has been a steady drop in the number of those granted asylum in the past 5 years, since 1,287 applicants were granted asylum in 1993.

The Ombudsman expressed his concern over the high percentage of applications not admitted for processing (68.5 percent in 1997 and 56.6 percent in 1998). However, many persons apply with falsified documents and are rejected early in the process. Many such applicants come from politically stable but economically impoverished countries.

The Government's practice of substituting temporary admittance for humanitarian reasons for granting asylum also has been criticized. The former status includes some restrictions on access to the labor market and welfare payments, although it does grant the applicant residency and work permits. Another concern is that in some cases individuals whose asylum requests were turned down may have been expelled while their appeals were still in progress, although no statistics are available. The law allows the applicant a 15 day grace period in which to leave the country if refugee status is denied. Within that time frame, the applicant may appeal the decision, and the court of appeal has the authority to prevent the initiation of expulsion procedures, which normally begin after the 15th day.

There were no reports of the forced return of persons to a country where they feared persecution.

The country continues to face a wave of illegal immigrants, mostly coming from North Africa. Illegal immigrants generally seek entrance through Spain's two enclaves on the north African coast, Ceuta and Melilla, as well as through attempted crossings by boat from the African continent to either peninsular Spain proper or the Canary Islands. Authorities say that under "normal" circumstances, they intercept no more than 30 percent of those who enter coming across the Straits of Gibraltar. In response the Government is resorting to a mix of tighter border controls, liberalized treatment for those who already have established themselves in society, and increased international coordination.

Section 3 Respect for Political Rights: The Right of Citizens to Change Their Government

Spain is a multiparty democracy with open elections in which all citizens 18 years of age and over have the right to vote by secret ballot. At all levels of government, elections are held at least every 4 years. In the 1996 national elections, the Popular Party ended 13 years of Socialist (PSOE) rule, and Jose Maria Aznar became Prime Minister. National elections are due to be held again on March 12, 2000.

Governmental power is shared between the central government and 17 regional "autonomous communities." Local nationalist parties give political expression to regional linguistic and cultural identities.

Women are underrepresented in government and politics, although they are increasing their participation in the political process. Four female cabinet ministers were in the current Government, but two of them left during the year when they were promoted to higher profile positions in the European Union and the Senate. They were replaced by men, leaving only two female ministers in the 19-member Cabinet.

The number of female candidates for the national Parliament increased in the 1996 national elections. Although the President of the 256-member Senate is a woman, only slightly over 10 percent of the Senate's current members are women. The 350-member Congress of Deputies has 72 female representatives (22 percent of the total). In the 1999 European Parliament elections, both the PP and PSOE placed women at the top of their lists. On the PSOE list, 50 percent of the candidates were women.

Section 4 Governmental Attitude Regarding International and Nongovernmental Investigation of Alleged Violations of Human Rights

A number of nongovernmental human rights groups, including the Human Rights Association of Spain in Madrid and the Human Rights Institute of Catalunya in Barcelona, operate freely without government interference. The Government cooperates readily with international organizations, international nongovernmental human rights groups, and independent national groups investigating allegations of human rights abuses.

The Constitution provides for an Ombudsman, called the "People's Defender," who as part of his duties actively investigates complaints of human rights abuses by the authorities. The Ombudsman operates independently from any party or government ministry, must be elected every 5 years by a three-fifths majority of the Congress of Deputies, and is immune from prosecution. He has complete access to government institutions and to all documents other than those classified for national security reasons.

Section 5 Discrimination Based on Race, Sex, Religion, Disability, Language, or Social Status

The Constitution provides for equal rights for all citizens. In 1995 the Parliament modified the Penal Code to make it a crime to "incite, publicize, or otherwise promote abuse or discrimination of people or groups" because of race, ethnicity, nationality, ideology, or religious beliefs. The Ombudsman received approximately 24,000 complaints in 1998, an increase of 6,000 compared with 1997. The majority of the complaints pertained to education and social services, although some pertained to discrimination, domestic violence, and mistreatment by law enforcement agencies.

Women

Sexual abuse, violence, and harassment of women in the workplace continued to be problems. During the first 8 months of the year, 27 women died at the hands of their husbands or former husbands, according to the Government. Most of these deaths occurred during legal separation proceedings. During the same period, 15,495 women filed complaints against their husbands or partners. However, experts believe that only 10 percent of violent acts against women are reported to the authorities. Abused women filed 19,621 complaints in 1998, 3,000 more than in 1997. The Women's Institute, which is part of the Ministry of Labor and Social Affairs, consulted with 104,856 women concerning domestic violence and legal aid in 1998 compared with 86,893 in 1997. Some nongovernmental organizations (NGO's) estimate that from 600,000 to 800,000 cases of domestic abuse occur each year.

In 1998 the Government unveiled a 3-year, \$60 million (9 billion pesetas) "Plan Against Domestic Violence." The plan criminalizes the violation of restraining orders and the infliction of psychological violence and calls for a quadrupling of the number of offices that assist victims and an expansion of medical and legal services. Other provisions of the plan include: The development of public awareness campaigns in the media and in the schools; the establishment of a domestic abuse database to streamline judicial investigations; increased access of victims to public housing; and greater linkage between medical, police, legal, and counseling services in order to promote an integrated approach to treating victims. Women's rights' advocates, while acknowledging that the plan incorporated many of their demands, expressed disappointment with several of its omissions. The Federation of Separated and Divorced Women criticized the plan as lacking in specifics, particularly its public sensitization campaigns. According to the

Federation, the plan's key shortcoming is that it fails to make the issuance of a restraining order automatic upon filing a complaint. Currently, a restraining order is issued only after a guilty verdict. To date, the Government has invested over \$15.2 million (2.288 billion pesetas) in the plan. Since the plan was approved, 9 special services units and 54 Civil Guard units staffed by 110 women have been created to assist battered women. There are special sections in the police department to deal with violence against women, which are staffed by trained female officers, and there are approximately 25 shelters for battered women. There are 54 official centers in all for mistreated women. A toll-free hot line advises women where to go for government shelter or other aid if mistreated. Also under the plan, during the year, 9,500 state security officers, judges, social workers, and educators attended 300 courses offered by the Government on human rights with a particular focus on battered women.

In November 1998, Amalia Gomez (General Secretary for Social Affairs, in the Ministry of Labor and Social Affairs) and Concepcion Dancausa (Director of the Women's Institute, also in the Ministry of Labor and Social Affairs) launched a campaign to sensitize the general public to the problem of domestic violence. The Women's Institute financed the campaign with \$146,666 (22 million pesetas). The NGO Confederation of Neighborhood Associations (CAVE) is spearheading the campaign. This organization is composed of over 3,000 various neighborhood associations that aim to make women aware of how to combat domestic violence. In addition the Civil Guard, National Police, and CAVE signed an agreement to hire 10,000 women to staff centers where battered women can seek advice.

On February 23, the Parliament approved the text of a law that would allow for an "immediate" divorce upon conviction of a husband for domestic violence. The socially conservative political parties (PP and nationalist parties) tended to favor this bill. Womens' groups and the more left-of-center political parties (PSOE and NI) opposed the bill, due to concern that a woman's right to divorce her abusive husband would be dependent on an inefficient legal system that often takes years to complete a single criminal proceeding.

Trafficking in women for the purpose of prostitution, primarily from Latin America and Eastern Europe, appears to be growing (see Section 6.f.).

A 1989 law prohibits sexual harassment in the workplace, but very few cases have been brought to trial under this law. Meanwhile the number of women in the labor market is increasing steadily. The Government recognizes the difficulties faced by women in the work place. According to a decree approved by the Government in October 1998, employers no longer have to pay social security benefits to someone filling in for a worker on leave either for maternity, adopting children, or in other similar circumstances. Previously, companies hired substitutes for only 10 percent of workers on maternity leave. The Government hopes to raise this figure to 25 percent. A ministerial order to increase women's presence in sectors in which they currently are underrepresented provides a 2 year reprieve from paying social security taxes to employers who hire women in these sectors. The 1999 National Employment Action Plan gives priority to battered women who search for employment.

The Minister of Social Affairs reports that women constitute 43 percent of the work force. However, according to the Taxation Agency (Agencia Tributaria) and its 1997 report

"Employment, Salaries and Pensions" completed by the Institution of Fiscal Studies, women hold only 18 percent of better paying positions. The female unemployment rate, at about 30 percent, is roughly double the male unemployment rate. Women outnumber men in the legal, journalistic, and health care professions but still play minor roles in many other fields.

Discrimination in the workplace and in hiring practices persists. A 1998 study of 100 labor union contracts revealed that 38 contracts failed to use gender-neutral language, 22 employed gender-specific job titles resulting in the imposition of discriminatory wage differentials (i.e., the salary of a male secretary, "secretario," is 13 percent higher than that of a "secretaria" in one food processing industry contract), and only 17 addressed the problem of sexual harassment. While the law mandates equal pay for equal work, a 1997 report by the Economic and Social Affairs Council shows that women's salaries still remain 27 percent lower than those of their male counterparts. The Council states that women are more apt to have temporary contracts and part-time employment than men. The National Association of Rural Women and Families (ANFAR) reported in 1995 that 80 percent of rural women are not employed formally but instead aid their husbands in farming or fishing. ANFAR reported that these women lack titles to family enterprises and do not receive the same social security benefits as the male head of household. Official unemployment statistics show that the rate for men was 16 percent and for women was 28 percent in 1997.

In 1998 the Parliament unanimously approved a nonbinding resolution urging the Government to calculate the value of nonremunerated work performed each year and include this value in an adjunct Gross Domestic Product account. This would include domestic and volunteer work as well as unpaid work in family businesses and farming operations, the majority of it done by women.

Children

The Government demonstrates its commitment to children's welfare through well-funded and easily accessed programs of education and health care. Education is compulsory until age 16 and free until age 18. The Constitution obligates both the State and parents to protect children, whether or not born in wedlock. The Ministries of Health and Social Affairs are responsible for the welfare of children and have created numerous programs to aid needy children. Numerous NGO's exist to further children's rights. For example the school help program for the protection of children has a team of experts who work with educators to help identify abused or abandoned children in the classroom.

The 1995 Law of the Child gives legal rights of testimony to minors in child abuse cases; it also obliges all citizens to act on cases of suspected child abuse and, for the first time, sets out rules regarding foreign adoptions. Under the Penal Code, children under the age of 18 are not considered responsible for their actions and cannot be sent to prison.

A new law extended parental leave for fathers from 4 to 10 weeks.

A 1996 penitentiary law lowered the maximum age that a child can remain with an incarcerated mother from 6 to 3 years. When the children reach their third birthday, they are sent to live with relatives or are placed in an institution. Some prisons have special units for mothers with children under age 3. They usually include a kindergarten,

psychological support, and ways for children to get out of prison regularly. Family groups with children under the age of 3 can now stay together in cases where both parents are convicts.

People With Disabilities

The Constitution calls for the State to provide for the adequate treatment and care of the disabled, ensuring that they are not deprived of the basic rights that apply to all citizens. The law aims to ensure fair access to public employment, prevent disability, and facilitate access to public facilities and transportation. The national law serves as a guide for regional laws; however, levels of assistance and accessibility differ from region to region and have not improved in many areas.

The 1996 Penal Code continues to allow parents or legal representatives of a mentally disabled person to petition a judge to obtain permission for the sterilization of that person. In 1994 the Constitutional Court held that sterilization of the mentally infirm does not constitute a violation of the Constitution. In practice many courts have authorized such surgery. Religious groups continue to protest this ruling.

The labor market reform laws of 1997 and 1998 worked out between the Government, labor, and management provided for incentives to hire individuals from groups underrepresented in the work force, such as the disabled. In the 1998 agreement, the Government agreed to partially subsidize the costs of hiring the disabled for part-time work.

National/Racial/Ethnic Minorities

Public opinion surveys indicate the continued presence of racism and xenophobia, which result in discrimination against minorities. In a survey of 13- to 19-year-old Madrid students conducted in 1998 by the University Complutense in Madrid, 48 percent admitted to having anti-immigrant feelings, 51 percent blamed immigrants for increased drug use and crime, and 52 percent thought that immigrants took jobs away from Spaniards. According to the survey, 14 percent would favor expelling immigrants, and 11 percent would vote for an ultranationalist political leader similar to Jean-Marie Le Pen in France. However, another study claims that 65 percent of citizens do not believe that immigrants cause unemployment among Spaniards to be higher than it would be were the immigrants not present. The same number opposes discrimination and xenophobia and favors the integration of immigrants into society.

On January 25, the Council of Europe cited a resurgence in nationalism, sometimes violent, which manifested itself in intolerance towards Roma, Africans, and Arabs. The Council recommended that the Government modify the Constitution to better provide for the equality of minority groups.

Roma continue to suffer discrimination in jobs, schools, and housing. The Ombudsman's Office issued a manifesto in March that called for the end of prejudice and discrimination against Roma. According to a report issued by the NGO Gypsy Presence, the largest Roma-rights NGO, as many as 1 million Roma may live in the country. The organization estimates that half of this population is under 16 years of age and two-thirds are under the age of 25. The report states that one-third of Roma families are not economically self-

sufficient. Romani activists attribute the high incidence of Romani informal sector employment in agriculture and peddling (an estimated 75 to 80 percent) to discrimination and historical marginalization. Although the Madrid High Court of Justice struck down a city ordinance prohibiting peddling, Gypsy Presence reports that local authorities continue to find ways to enforce the ban. According to the organization, several other municipalities have enacted similar statutes, and this has been detrimental to the economic welfare of many Roma. Romani women suffer even more acute difficulties when seeking employment, since employers are reluctant to hire women from ethnic groups with high birth rates.

A 1998 study found that only 35 percent of Romani children are fully integrated into the educational system. Approximately 60 percent of Romani children do not complete primary school, and only very few progress to middle school and beyond. According to a Gypsy Presence report, one-fifth of teachers describe themselves as anti-Roma, and one-fourth of students say that they would like to see Roma expelled from school. Truancy and dropout rates among Roma are very high, and Romani parents, over 80 percent of whom are functionally illiterate, often do not see the value of an education or are unaware of the educational opportunities for their children.

An unofficial government tendency to prioritize non-Romani squatter resettlement over Romani resettlement has led to an increasing proportion of Roma in shantytowns; Roma went from constituting 55 percent of the shantytown population in 1975 to constituting 95 percent of the squatter population in 1990.

In Madrid various encampments of recently arrived Roma occupy abandoned industrial areas. Some of these tent communities house up to 200 families. On February 17, the U.N. Children's Fund (UNICEF) criticized the lack of schooling for 200 children living in a camp in Malmea in the Fuencarral district of Madrid, which housed 350 Romanian immigrants. In March the municipal government responded to UNICEF's criticisms by providing shower facilities, vaccinations, and a plan to educate the children of the camp. However, on July 8, local authorities bulldozed the camp and relocated the inhabitants temporarily to a camp in Camino de San Roque, near a national highway. The authorities decided to resettle these immigrants in four camps. Critics charge that the camps are not suitable, since one is located in an abandoned railyard, two are near an incinerator, and the other is near a toxic waste processing plant. However, two of the camps already constructed had shower facilities, electricity, lavatories, and kitchen facilities. The authorities decided that the camps would be gated, and all residents would have to carry identity cards to enter. These steps were taken to ensure that no immigrants join the original group resettled from Malmea. After 3 months in the new camps, local social services personnel planned to assess how well the Roma had integrated themselves into society. Those who succeeded sufficiently at integrating would be resettled into apartment blocks; the rest would be sent back to Romania. The political party Izquierda Unida (IU), NGO's, and the European Parliamentarian Rosa Diez of the PSOE criticized the camps. Diaz asked the European Union's Council of Ministers to look into the matter. In August 200 of the 350 recently arrived Roma left the San Roque camp and relocated to Valencia, Alicante, and Barcelona, thereby losing their right to be resettled.

A shooting incident in the village of Albaladejo in early May illustrated the problems that even economically successful Roma can face. According to an NGO, the victim in the case was Juan Jose Garcia Garcia, who at one time was accused of drug dealing and

assaulting Civil Guards but was acquitted of both charges. However, Civil Guards continued to harass him, often stopping him for identity checks or not wearing a seatbelt. In 1996 the mayor of Albaladejo, Juan Angel Rodado Rubio, tried to close down Garcia's horse stable, claiming that it did not comply with sanitary standards. A subsequent veterinary inspection showed that the stable was operating in accordance with the law. According to Gypsy Presence, after being refused service at a bar, Garcia arranged to meet an employee of the bar, who later appeared at the appointed place with another man, shot Garcia, and left him for dead. Garcia was able to contact his wife by cellular phone, and help arrived in time to save him. He has not yet recovered fully from his wounds. After the two assailants were apprehended, the residents of Albaladejo turned out in force to protest their incarceration and petition for their release. The mayor often led the demonstrations. In late June, the Provincial Court of Villanueva de los Infantes, which is responsible for the case, freed the two accused after they posted bond in the amount of \$3,333 and \$2,666 (500,000 and 400,000 pesetas respectively). Garcia and his family left Albaladejo.

Quasi-organized rightwing youth groups (called "skinheads" by the press) continued to commit violent acts throughout the year, terrorizing minorities. According to a report by the NGO Movement Against Intolerance, which the Ministry of Labor and Social Affairs helped prepare, the number of persons involved in ultrarightist groups has more than quintupled since 1995: at least 10,400 citizens are known to be involved in such groups, and the actual number could be as high as 20,800.

An NGO urged the Government to halt neo-Nazi activities in the formerly deserted village of Los Pedriches in the southeast. Foreign neo-Nazis were said to be organizing camps in the village. The authorities were monitoring the situation closely.

In July there were antiimmigrant demonstrations in Ca n'Anglada, a predominantly immigrant neighborhood in Terrasa, a suburb of Barcelona. Maghrebi immigrants were attacked by skinheads, themselves the descendants of immigrants from the less developed south of Spain in the 1950's and 1960's. These earlier migrants successfully integrated themselves into Catalan society, something they claim that the Maghrebis have failed to do. The inhabitants of Terrasa complain that the Maghrebi immigrants sexually harass their daughters and women. However, officials of the Catalan regional government stated that no complaints of sexual harassment or rape have been filed against members of the Moroccan community. In the worst of the incidents, a Moroccan youth was stabbed on July 14. He was taken to the hospital and listed in critical condition upon arrival. During a television interview, one skinhead called for Maghrebi immigrants to be killed and openly displayed a knife. The police detained 11 skinheads. In a July 20 statement, national government spokesperson Josep Pique characterized the occurrences in Terrasa as extremely worrying and called for tolerance.

In two other high profile cases, a mosque was set on fire in Gerona, as was a building in Banolas that housed approximately 20 immigrants from Senegal and The Gambia. Both incidents took place on July 19. The fire in Banolas was the third such suspicious incident in that month. A local store and another apartment block previously were set on fire. In a separate incident, three immigrants were hurt when a fire was set at their house in Gerona. To date the police have not detained any suspects in these cases.

A language or dialect other than Castillian Spanish is used in 6 of the 17 autonomous

communities. The Constitution stipulates that citizens have "the duty to know" Castilian, which is the "official language of the state," but it adds that other languages also can be official under regional statutes and that the "different language variations of Spain are a cultural heritage which shall...be protected."

The Law of the Catalan Language, approved by the Catalan regional legislature (Generalitat) in 1998, stipulates the use of Catalan as the official language in local government and administrative offices, regional courts, publicly owned corporations, and private companies subsidized by the Catalan regional government. Spanish-speaking citizens are provided with the right to be dealt with by public officials in Spanish. The legislation also establishes minimum quotas for Catalan-language radio and television programming. Many activists in Catalunya's Spanish-speaking community criticized the law for discriminating against Spanish-speaking citizens and imposing "linguistic hegemony" on a diverse population. Lawsuits regarding specific applications of this law are pending in various courts. Both Galicia and Valencia have laws stating the duty of the Government to "promote" their regional languages in schools and at official functions.

The debate continued over the extent to which the Basque language (Euskera) should be promoted. The Union of Basque-Speaking Lawyers, affiliated with the pro-ETA HB political party, intensified its campaign against the use of translation services in trials of Basque-speaking citizens.

Section 6 Worker Rights

a. The Right of Association

All workers, except those in the military services, judges, magistrates, and prosecutors, are entitled to form or join unions of their own choosing.

Under the Constitution, trade unions are free to choose their representatives, determine their policies, represent their members' interests, and strike. They are not restricted or harassed by the Government and are independent of political parties. A strike in nonessential services is legal if its sponsors give 5 days' notice. Any striking union must respect minimum service requirements negotiated with the respective employer. The right to strike was interpreted by the Constitutional Court to include general strikes called to protest government policy. There were 632 strikes in 1998, a decrease of 53 from 1997. The number of striking workers in 1998 was 680,500, an increase of 29,900 on the previous year. The number of workdays lost to strikes in 1998 was 1,280,900, a decrease of 555,900 on the previous year.

Unions are free to form or join federations and affiliate with international bodies and do so without hindrance.

b. The Right to Organize and Bargain Collectively

A 1980 statute provides for the right to organize and bargain collectively. Trade union and collective bargaining rights were extended in 1986 to all workers in the public sector except military personnel. Public sector collective bargaining in 1990 was broadened to include salaries and employment levels, but the Government retained the right to set these if negotiations failed. Collective bargaining agreements are widespread in both the public

and private sectors; in the latter they cover 60 percent of workers, notwithstanding that only about 15 percent of workers are actually union members.

The law prohibits discrimination by employers against trade union members and organizers. Discrimination cases have priority in the labor courts. The law gives unions a role in controlling temporary work contracts to prevent the abuse of such contracts and of termination actions. Unions nonetheless contend that employers discriminate in many cases by refusing to renew the temporary contracts of workers engaging in union organizing. More than one-third of all employees are under temporary contracts.

Labor regulations and practices in free trade zones and export processing zones are the same as in the rest of the country. Union membership in these zones is reportedly higher than the average throughout the country.

c. Prohibition of Forced or Compulsory Labor

Forced or compulsory labor, including that performed by children, is prohibited, and the law is enforced effectively; however, there were instances of trafficking in women who were forced into prostitution (see Section 6.f.). In July the Madrid police detained three Chinese restaurant owners for employing eight undocumented workers and forcing them to work in slave-like conditions. Press reports on July 25 referred to undocumented workers in shoe factories in Valverde. According to the reports, just under 10 percent of the workers in some of Valverde's 50 shoe factories are hired in accordance with the law. The reports added that some workers earn as little as 67 cents (100 pesetas) per hour. Pedro Lazo, one of the factory owners, admitted that between 10 and 20 percent of the firms in Valverde use illegal hiring practices.

d. Status of Child Labor Practices and Minimum Age for Employment of Children

The statutory minimum age for the employment of children is 16 years. The Ministry of Labor and Social Affairs is primarily responsible for enforcement. The minimum age is enforced effectively in major industries and in the service sector. It is more difficult to enforce on small farms and in family-owned businesses, where some child labor persists. Legislation prohibiting child labor is enforced effectively in the special economic zones. The law also prohibits the employment of persons under the age of 18 at night, for overtime work, or in sectors considered hazardous. The law prohibits forced or compulsory labor by children, and it is enforced effectively (see Section 6.c.).

In August 1998 the U.N. Children's Fund called for an investigation into child labor on tomato farms in Badajoz. According to Red Cross personnel providing assistance to migrant farm workers there, over 200 children under the age of 16, the majority Portuguese citizens, worked 10-hour days and earned less than \$14 (2,000 pesetas) per day. Many of the children were less than 10 years old.

e. Acceptable Conditions of Work

The minimum wage was set in December 1999 for 2000 and is \$14.16 (2,356 pesetas) per day or \$424.80 (70,680 pesetas) per month. This represents a 2 percent increase compared with 1999. The legal minimum wage for workers over 18 years of age is considered sufficient to provide a decent standard of living for a worker and family. The rate is

revised every year in line with the consumer price index and is enforced effectively by the Ministry of Labor and Social Affairs.

The law sets a 40-hour workweek with an unbroken rest period of 36 hours after each 40 hours worked. Workers enjoy 12 paid holidays a year and a month's paid vacation.

Government mechanisms exist for enforcing working conditions and occupational health and safety rules, but bureaucratic procedures are cumbersome and inefficient. Safety and health legislation is being revised to conform to European Union (EU) directives. The Law to Prevent Labor Risks was passed in 1995 as the foundation for the completion of the rest of the EU directives. The National Institute of Safety and Health in the Ministry of Labor and Social Security has technical responsibility for developing labor standards, but the Inspectorate of Labor has responsibility for enforcing the legislation through judicial action when infractions are found. Workers have firm legal protection for filing complaints about hazardous conditions, but easily replaced temporary workers may be reluctant to use this protection due to fear of losing their jobs.

f. Trafficking in Persons

The law provides for sentences of up to 3 years' imprisonment and a fine for trafficking in persons.

Trafficking in women for the purpose of forced prostitution, primarily from Latin America and Eastern Europe, appears to be growing. At least three such rings were broken up during the year. One ring was run by Russians and Azerbaijanis and involved trafficking women from Eastern Europe. Another, which police in Castilla-La Mancha broke up in mid-July, brought women to the country from Africa, Europe, and South America. In August police in Andalucia detained 51 persons and broke up a ring that trafficked women from Brazil, Colombia, and Ecuador. In all these cases, women were promised jobs and given the necessary documents to enter the country. Upon arrival their documents were seized, and they were taken to alternative clubs and forced to have up to 10 sexual encounters per day.

Most women apprehended in raids are Latin Americans who entered the country legally as tourists (most from countries whose citizens do not require visas), but who began working as prostitutes instead. Profits in the sex industry are 10 times higher than those in other occupations commonly filled by migrants (waitresses, maids, etc.). Nonetheless, officials concede that significant numbers of women are trafficked to Spain by eastern European Mafia groups that ruthlessly exploit their victims. A Chinese gang, which forced migrants to submit to abortions, was apprehended. Media attention to the issue of international trafficking in women has encouraged NGO's and others to demand protection for victims. A draft law, which would provide permanent residency and social benefits for victims of trafficking and other undocumented migrants who provide testimony against their oppressors, has sparked controversy. Press accounts state that authorities detained 163 pimps and freed 865 foreigners from abusive situations in the first half of the year. The half-year figures surpass the totals for all of 1998. However, they fall far short of reaching the estimated 20,000 foreign women whom authorities suspect are involved in the sex industry.

The region around Barcelona is one of the prime destinations for trafficked women. Most

of them work in truck stops or private clubs. A total of 1,387 such places are registered by Catalan authorities, and at least an equal number operate without formal permits.

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