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Plataforma por la Gestión Policial de la Diversidad

Third party intervention in the case of Muhammad v Spain

Standards and best practices to combat ethnic
profiling in policing

*Application no. 34085/17
European Court of Human Rights*

9 April 2018

Application No. 34085/17 – Muhammad v. Spain

Third party intervention of Rights International Spain and the Plataforma por la Gestión Policial de la Diversidad

1. This is a third-party intervention submitted jointly by Rights International Spain and the Plataforma por la Gestión Policial de la Diversidad pursuant to leave of the President of the Court granted on 20 March 2018, acting under Rule 44 § 3 of the Rules of the Court.

2. The interveners believe Mr. Muhammad application is representative of the use by the respondent State's police forces of ethnic profiling while carrying out their law enforcement dutiesⁱ. This case provides an excellent opportunity for the Court to provide clear guidance to the respondent State on how to eliminate this structural problem. In addition, the interveners are of the opinion that fundamental safeguards against ethnic profiling involve an increase of police effectiveness.

3. The present intervention draws upon the standards articulated by international and European human rights bodies to prevent and eradicate ethnic profiling in policing. This submission will therefore address the following standards and best practices: (i) an adequate legal framework against ethnic profiling, including the requirement of reasonable suspicion; (ii) the introduction of stop-forms to document identity checks and gather data; (iii) the establishment of an independent oversight mechanism of police activity; and (iv) the improvement of police-community relations. These measures are crucial in order to comply with the obligation regarding the prohibition of discrimination established in article 1 of Protocol 12 to the European Convention of Human Rights.

I. Adequate legal framework against ethnic profiling

4. One of the key and fundamental measures that states should adopt in order to combat the use of ethnic profiling by police forces is the establishment of an adequate legal framework. This framework should clearly define and prohibit ethnic profiling as a concrete form of discrimination as well as establish the requirement of reasonable suspicion in police stops.

a) *Clear prohibition of ethnic profiling*

5. The UN Special Rapporteur on Racism, in its 2015 thematic report on ethnic and racial profilingⁱⁱ has urged states to adopt “a clear and unequivocal prohibition of the use of racial and ethnic profiling by law enforcement agencies”.ⁱⁱⁱ Such a legal prohibition “would require modifying national legislation to incorporate an express prohibition on the use of such profiling”.^{iv} In turn, the European Parliament recommended in 2009 the European Council to establish “a legal framework [...] providing a clear definition of profiling, whether through the automated mining of computer data or otherwise”.^v Before that, in 2006, the E.U. network of independent experts on fundamental rights established the key elements of a legal framework capable of ensuring an “adequate protection from the risk of ethnic profiling in the field of law enforcement”.^{vi} Such legislation should “clearly prohibit ethnic profiling, to the extent that indicators relating to ‘race’ or ethnicity, religion or national origin, cannot be used as proxies for criminal behaviour, either in general or in the specific context of counter-terrorism strategies”.

6. In Spain, the Law on Public Security (*Ley de protección de la seguridad ciudadana*) approved in 2015,^{vii} which is the law in force governing police stops and searches, introduced a prohibition of discrimination whilst police officers perform these activities. In particular, it establishes that police identity checks must respect the principles of proportionality, equality of treatment and non-discrimination on the grounds of, inter alia, ethnic and racial origin. Nevertheless, this law does not define, nor prohibit, specifically ethnic profiling as a particular form of discrimination in police activity. In fact, this general prohibition in the law has proved to be insufficient and inadequate insofar as different international, European and national institutions have continued to document that ethnic profiling persists despite the new legal guidelines^{viii}.

7. An example of good practice, meeting all the above-mentioned (parr. 5) human rights standards, is the Administrative Code of the City of New York. This Law establishes that “[e]very member of the police department or other law enforcement officer shall be prohibited from engaging in bias-based profiling”^{ix}. It further clarifies that “bias-based profiling” means “an act of a member of the force of the police department or other law enforcement officer that relies on actual or perceived race, national origin, color, creed, age, alienage or citizenship status, gender, sexual orientation, disability, or housing status as the determinative factor in initiating law enforcement action against an individual, rather than an individual's behavior or other information or circumstances that links a person or persons to suspected unlawful activity”.^x We invite the Court to underscore the use of clear definitions and prohibitions of ethnic profiling in the law as an effective and fundamental safeguard under Protocol 12 against ethnic profiling.

b) Requirement of grounds for reasonable suspicion

8. In addition to the requirement of a clear definition and prohibition of ethnic profiling, the law should, as stated by the EU Network of Experts on Human Rights, “define with the greatest clarity possible the conditions under which law enforcement authorities may exercise their powers in areas such as identity checks or stop-and-search procedures”^{xi}. A law providing broad and unlimited stop powers is directly linked with arbitrariness and bias in policing. In words of the UN Special Rapporteur on Racism, “[r]equiring that law enforcement officers have objective grounds for reasonable suspicion on the basis of a person’s behaviour rather than on the basis of their appearance is a fundamental safeguard against ethnic profiling and should be clearly established as a prerequisite before any police or immigration stop”^{xii}. With regards to the reasonable suspicion standard, the Special Rapporteur has further determined that “a limitation of the discretionary powers of law enforcement agents to reduce the risks of racial and ethnic profiling”^{xiii}.

9. For this reason, human rights standards require reasonable suspicion in policing. The European Code of Ethics establishes that “police investigation shall, as a minimum, be based upon reasonable suspicion of an actual or possible offence or crime”^{xiv}. The Council of Europe European Commission against Racism and Intolerance (ECRI) has urged states to “introduce a reasonable suspicion standard, whereby powers relating to control, surveillance or investigation activities can only be exercised on the basis of a suspicion that is founded on objective criteria”^{xv}. The expression “reasonable suspicion” was defined by the Court in the *Gusinski v. Russia* case, declaring that “suspicion must be based on reasonable grounds that form an essential part of the safeguard against arbitrary arrest and detention. The fact that a suspicion is held in good faith is insufficient. The words ‘reasonable suspicion’ imply the ‘existence of facts or information which would satisfy an objective observer that the person concerned may have committed the offense.’”^{xvi}

10. The Law currently in force governing police stops in Spain establishes the circumstances in which an identity check can be performed. In particular, it establishes that police officers can as a person to produce their identity documents when “there is an indication that they might have participated in the commission of an [criminal or administrative] offence” or when “in light of the circumstances involved, it is considered reasonably necessary that they give proof of their identity in order to prevent the commission of a crime”^{xvii}. This wording is excessively broad and vague. It therefore does not satisfy the requirements set forth by the Court of precision, clarity and concreteness. Moreover, it does not involve the “existence of facts or information which would satisfy an objective observer that the person concerned may have committed the offense”.

11. We invite the Court to establish that the requirement of reasonable suspicion in order to conduct a stop is an essential safeguard, under Protocol 12, against racial profiling.

II. Introduction of stop-forms

12. Different international and European human rights bodies have established that stop-forms are an effective tool to combat ethnic profiling. This tool allows, as the UN Special Rapporteur on Racism has established, “to gather law enforcement data, including statistics disaggregated by ethnicity and race, which are essential in order to prove the existence and the extent of racial and ethnic profiling” and to identify “law enforcement practices that focus disproportionate and unwarranted attention on racial and ethnic minorities based on stereotypes about ethnicity and crime”.^{xviii} In addition, “[t]hese statistics can be useful for the development of new policies and practices, particularly where census data are not available or appear to be inaccurate, or where there are no available law enforcement data and there are concerns about racial profiling”.^{xix} The European Union Agency for Fundamental Rights (FRA) included as well, among the concrete measures that must be adopted to prevent ethnic profiling, the “stop and search forms”.^{xx} According to the FRA, “[s]everal benefits flow from recording the use of stop and search powers”: (i) “[i]nternal monitoring and detection of disproportionate targeting of minorities can lead to corrective action”, and (ii) “[a]vailability of statistics and data for the public can support complaints of discrimination”.^{xxi}

13. In fact, different human rights institutions have expressly recommended the Spanish National Police to implement stop-forms as an effective measure to put an end to profiling police practices. The UN Special Rapporteur on Racism called upon Spain to gather “[e]thnically disaggregated data on the use of stops and identity checks by law enforcement agents” through “the introduction and implementation of good practices, such as the use of registration forms by the police to record all identity checks. Such forms could provide the victims of ethnic profiling with a record of their encounter with the police that could be used as evidence when seeking remedies”.^{xxii} Due to numerous complaints filed by victims and witnesses of discriminatory identity checks performed by officers of the National Police^{xxiii}, the Spanish Ombudsperson opened an investigation in 2010 and issued a recommendation to the Police General Directorate in 2014. This crucial recommendation set a number of measures that should be adopted by the National Police in order to address ethnic profiling, including the introduction of stop forms and the gathering of disaggregated data on ID checks^{xxiv}.

14. In fact, some Spanish local police forces have implemented stop-forms as a tool to prevent ethnic profiling practices while enhancing effectiveness of police stops. In 2007-2008, the European STEPSS (Strategies for Effective Police Stops and Search) project^{xxv} was implemented in three police forces in Spain: the local police of Fuenlabrada, the local police of Gerona and the Mossos d’Esquadra (Catalan, regional police force) department in Gerona. They developed tools to monitor the use of identity checks and stop and search powers (mainly, through the use of stop-forms) and determine whether they disproportionately affected minority communities and assessed their effectiveness in detecting and investigating crime or other administrative offences.

15. In Fuenlabrada, in particular, the project has produced very positive results. Over the six months of data gathering, the police reduced the disproportionality in the rate at which they were stopping all persons of immigrant origin. The rate at which officers conducted stops overall fell by well over half, while the percentage of their stops that produced positive outcomes increased by nearly three times. Police managers and supervisors in Fuenlabrada also used the stop data to supervise individual officers more closely, and to examine the impact of specific operations and personnel deployments. The data enabled them to factor disproportionate ethnic impacts into their strategic decision-making and reduce unfair policing while enhancing efficiency. The project has proved that unlawful discrimination can be reduced, and police efficiency improved with the necessary commitment from police managers and supervisors. After the six months pilot project, police managers in Fuenlabrada decided to keep using the stop forms. In fact, the UN Special Rapporteur on Racism has referred specifically to the experience in Fuenlabrada as an example of good practices in different occasions.^{xxvi}

16. The Plataforma por la Gestión Policial de la Diversidad (PGPD) has implemented two editions of the Programa para la Identificación Policial Eficaz (Program for the Effectiveness of the Police Stops, PIPE), which essentially replicates the STEPSS project described above. In the first edition, it was implemented in the local polices of Castellón and Pedrezuela (in 2013 and 2014).^{xxvii} In the second edition, it was implemented in the local polices of A Coruña^{xxviii} and Puertollano. The third edition will be soon implemented in the local police forces of Albacete and Móstoles. Last year the Madrid City Council (*Ayuntamiento de Madrid*) committed to implement stop-forms within the local police as well.

17. It should be noted that the National Police committed before the Ombudsperson to implement stop-forms within this police department as recommended by the latter (see parr. 13 above). In fact, in June 2016, the General Directorate of the Police stated that they would implement this reform, pledging to start in the second semester of 2017 with the development of the computer software that would allow the introduction of the data gathered in the stop-forms^{xxix}. However, such a reform has not yet taken place, and the General Directorate argues that this is due to a lack of financial resources^{xxx}. The Ombudsperson has declared in its 2017 annual report that it will monitor the fulfillment of this commitment, as the institution continues to receive numerous complaints against these discriminatory practices^{xxxi}. The implementation of stop-forms by the National Police would represent an important step to addressing ethnic profiling practices as well as provide potential victims of arbitrary police practices with a complaint mechanism.

III. Establishment of an independent oversight mechanism of police activity

18. An independent oversight mechanism is fundamental in order to (i) monitor, prevent, detect and, if relevant, propose the initiation of a sanction procedure in cases of potential biased actions; (ii) receive complaints from individuals, thus

providing an accessible remedy to victims of ethnic profiling and other expressions of police misbehavior; and (iii) issue general recommendations for police reform. The ECRI has called upon states to “provide for a body, independent of the police and prosecution authorities, entrusted with the investigation of alleged cases of racial discrimination and racially-motivated misconduct by the police”.^{xxxii} As stated by the EU Fundamental Rights Agency, “[c]omplaints mechanisms are an extremely important means of deterring abuse of police powers, but also for restoring and securing public trust in the system of law enforcement by ensuring accountability”.^{xxxiii} The UN Special Rapporteur on Racism has called upon states to institute “investigative oversight bodies to monitor the conduct and practices of law enforcement agencies and to investigate individual complaints. Oversight bodies should have the authority to address allegations of racial and ethnic profiling and should inform practical recommendations for policy changes in order to eliminate the use of racial and ethnic profiling”.^{xxxiv}

19. The respondent state lacks such an independent oversight mechanism. The UN Special Rapporteur on Racism, after visiting Spain, concluded that “[t]he oversight over police misconduct, particularly with regard to racial discrimination and ethnic profiling, through internal disciplinary procedures should be complemented by an independent civilian mechanism”.^{xxxv} Similarly, the Ombudsperson urged the General Directorate of the Police to “establish a complaints mechanism in charge of receiving individual claims on potential discriminatory behavior by police officers”.^{xxxvi} Recently, the UN Working Group of Experts on People of African Descent recommended, “[o]n the subject of ethnic profiling [...] to put in place a specific and independent complaint mechanism to address this issue”.^{xxxvii}

20. It should be noted as well that such a measure has also been recommended by European and international human rights bodies as a mean to prevent and address other forms of police misbehavior, such as torture and ill-treatment. The European Committee for the Prevention of Torture of the Council of Europe has encouraged “the creation of a fully-fledged independent investigation body. Such a body should have the power to direct that disciplinary proceedings be instigated”.^{xxxviii} In particular, the UN Committee against Torture has urged Spain to “combat impunity by having an independent mechanism carry out prompt, impartial and thorough investigations into all allegations of torture and ill treatment by law enforcement officials”.^{xxxix} In similar terms, the UN Human Rights Committee called upon the respondent state to “[e]stablish independent complaint bodies to address claims of ill-treatment by the police”.^{xl}

IV. Improvement of police-community relations

21. The establishment of mechanisms to improve police-community relations has a positive impact in terms of both police effectiveness and fairness. Research shows that the positive interactions between the police and communities have a direct positive impact in the levels of public satisfaction and trust with the police.^{xli} As recognized by the ECRI, a key measure to improve the relations with the

communities is to “establish frameworks for dialogue and co-operation between the police and members of minority groups”.^{xlii} The UN Special Rapporteur on Racism, has affirmed that “law enforcement agencies should welcome and support voluntary contacts and interaction with civilians, which demonstrate commitment to transparency and community oversight. In this regard, the Special Rapporteur encourages outreach to minority communities and recommends better collaboration between law enforcement agencies and minority communities”.^{xliii}

22. Spanish National Police has not established any mechanism to promote a direct dialogue between the communities and the police institution. However, there are a few examples of good practices at the local level (in local police forces, such as Fuenlabrada, Castellón, Madrid, Palma de Mallorca and A Coruña)^{xliv} that could be replicated or used as source of inspiration when designing and implementing such a mechanism at the national level. It should be noted that the Special Rapporteur on Racism called upon the Spanish authorities to implement “More measures to improve police/community relations, build trust and carry out community policing initiatives”.^{xlv}

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Notes and references

ⁱ For information on the use of ethnic profiling in Spain, see Rights International Spain, Ethnic profiling in Spain: a generalized and unresolved police practice -Submission for the Fifth Report on Spain by the European Commission against Racism and Intolerance (ECRI), May 2017. The report is available at: <http://www.rightsinternationalspain.org/uploads/publicacion/479c7a7fb990916d8b94b2b7dc8559fbaefc9991.pdf> ECRI's last report on Spain includes a reference on the persistence of ethnic profiling practices (see ECRI, Fifth report on Spain, para. 81 available at: <http://hudoc.ecri.coe.int/eng?i=ESP-CbC-V-2018-002-ENG>). The UN Working Group of Experts on People of African Descent referred to the problem of racial profiling after visiting Spain in February 2018 (see Statement to the media by the United Nations Working Group of Experts on People of African Descent, on the conclusion of its official visit to Spain 19-26 February 2018, para. 12, available at: <http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22705&LangID=E>)

ⁱⁱ Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere, "Racial and ethnic profiling in law enforcement agencies", 20 April 2015 [UN doc. A/HRC/29/46].

ⁱⁱⁱ *Ídem*, para. 66.

^{iv} *Ídem*.

^v European Parliament recommendation to the Council of 24 April 2009 on the problem of profiling, notably on the basis of ethnicity and race, in counter-terrorism, law enforcement, immigration, customs and border control (2008/2020(INI)) (2010/C 184 E/25), Parr. 1. B).

^{vi} E.U. Network of independent experts on fundamental rights (CFR-CDF), "Ethnic Profiling", December 2006, [EU ref CFR-CDF. Opinion4.2006], p. 6.

^{vii} Ley Orgánica 4/2015, de 30 de marzo, de Protección de la Seguridad Ciudadana, Article 16. It should be noted that this law (and therefore, the prohibition of discrimination in stops) was not in force at the time when the discriminatory stop suffered by the applicant Zeshan Muhammad took place.

^{viii} See, *inter alia*:

- UN Committee for the Elimination of Racial Discrimination, Concluding Observations on Spain, [CERD/C/ESP/CO/21-23], 13 May 2016, para. 27. Available at: http://tbinternet.ohchr.org/_layouts/treatybodyexternal/Download.aspx?symbolno=INT%2fCERD%2fCOC%2fESP%2f23910&Lang=en
- ECRI, Fifth report on Spain, *op. cit.*, para. 81
- Statement to the media by the United Nations Working Group of Experts on People of African Descent, *op. cit.*, para. 12.
- Defensor del Pueblo, Annual Report 2017, p. 344, available at: <https://www.defensordelpueblo.es/wp-content/uploads/2018/03/Informe-anual-2017-vol.I.1-Gestion.pdf>

^{ix} The Administrative Code of the City of New York, Bias-Based Profiling (§ 14-151), b.1

x *Ídem*, a. 1.

xii E.U. Network of independent experts on fundamental rights (CFR-CDF), *op. cit.*

xiii Human Rights Council, *op. cit.*, para. 72.

xiiii *Ídem*, parr. 73.

xv Council of Europe, Code of Police Ethics, adopted by the Council of Ministers on 19 September 2001, available at <http://cm.coe.int/ta/rec/2001/2001r10.htm>, Article 47.

xvi ECRI General Policy Recommendation N°11: Combating racism and racial discrimination in policing, adopted by ECRI on 29 June 2007.

xvii *Gusinski v. Russia*, App. No. 70276/01, European Court of Human Rights, Judgment of May 29, 2004, para. 53. It should be noted that random controls in certain areas based on information and facts related to the commission of crimes in those areas would respect the reasonable suspicion standard.

xviii Ley Orgánica 4/2015, de 30 de marzo, de Protección de la Seguridad Ciudadana, Article 16: “*En el cumplimiento de sus funciones de indagación y prevención delictiva, así como para la sanción de infracciones penales y administrativas, los agentes de las Fuerzas y Cuerpos de Seguridad podrán requerir la identificación de las personas en los siguientes supuestos: a) Cuando existan indicios de que han podido participar en la comisión de una infracción. b) Cuando, en atención a las circunstancias concurrentes, se considere razonablemente necesario que acrediten su identidad para prevenir la comisión de un delito*”.

xix Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, *op. cit.* parr. 68.

xx *Ídem*, parr. 69.

xxi European Union Agency for Fundamental Rights, Towards More Effective Policing Understanding and Preventing Discriminatory Ethnic Profiling: A Guide (2010), p. 53.

xxii *Ídem*, p. 54.

xxiii UN Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Mutuma Ruteere – Addendum: Visit to Spain, [A/HRC/23/56/Add.2], 6 June 2013, para. 51. Available at: http://www.ohchr.org/Documents/HRBodies/HRCouncil/RegularSession/Session23/A-HRC-23-56-Add-2_en.pdf, para. 85

xxiv Defensora del Pueblo, Annual Report 2013, Volume I, p. 225-226. Available at: https://www.defensordelpueblo.es/wpcontent/uploads/2015/05/2013_Informe_Anual_Vol_I_Informe_2013.pdf

xxv Defensora del Pueblo, Recommendation 45/2013, 17 April 2013, Annex E.1, p. 154-156. Available at: https://www.defensordelpueblo.es/wpcontent/uploads/2015/05/2013_Anexo_E_1_Recomendaciones_2013.pdf

^{xxv} See Open Society Justice Initiative, Addressing Ethnic Profiling by Police. A Report on the Strategies for Effective Police Stop and Search Project, 2009, available at: https://www.opensocietyfoundations.org/sites/default/files/profiling_20090511.pdf and Schmitt, M. y Pernas, B., Pasos hacia la igualdad. El Proyecto STEPSS (Strategies for Effective Police Stop and Search) en España, 2008, available at: http://www.gea21.com/media/publicaciones/el_proyecto_stepss.pdf

^{xxvi} Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, *op. cit.* para. 62 and Addendum – Visit to Spain, *op. cit.*, parr. 53.

^{xxvii} Open Society Justice Initiative and Plataforma por la Gestión Policial de la Diversidad, Fair and Effective Police Stops. Lessons in Reform from Five Spanish Police Agencies, 2016. Available at: <https://www.opensocietyfoundations.org/sites/default/files/fair-effective-police-stops-20160208.pdf>

^{xxviii} See manual of Procedures of PIPE program of A Coruña, available at: https://drive.google.com/file/d/1HIlddLtuDtqQVQe6KpL_krupni1tPCwh/view?usp=sharing. The rest of the pilot projects mentioned have adopted similar Manuals.

^{xxix} See the letter addressed by the Ombudsperson informing a complainant of this commitment of the National Police Directorate, in the Annex to the report submitted by Rights International Spain to the European Commission Against Racism and Intolerance (ECRI), *op. cit.*, available here: <http://www.rightsinternationalspain.org/uploads/publicacion/479c7a7fb990916d8b94b2b7dc8559fbaefc9991.pdf>

^{xxx} Defensor del Pueblo, Annual Report 2017, *op. cit.*, p. 344.

^{xxxi} *Ídem.*

^{xxxii} ECRI General Policy Recommendation N°11, *op. cit.*, para. 10.

^{xxxiii} European Union Agency for Fundamental Rights, *op. cit.*, p. 58.

^{xxxiv} Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, *op. cit.* para. 70.

^{xxxv} Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Addendum – Visit to Spain, *op. cit.*, para. 85

^{xxxvi} Letter addressed by the Ombudsperson, *op. cit.*

^{xxxvii} Statement to the media by the United Nations Working Group of Experts on People of African Descent, *op. cit.*, para. 85

^{xxxviii} European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) CPT/Inf(2004)28-part Combating impunity Extract from the 14th General Report of the CPT, published in 2004, para. 38.

^{xxxix} Committee against Torture Concluding observations on the sixth periodic report of Spain [UN doc. CAT/C/ESP/CO/6] (2015), para. 19.

^{xl} Human Rights Committee, Concluding observations on the sixth periodic report of Spain [CCPR/C/ESP/CO/6] (2015), para. 14.

^{xli} See, *inter alia*, Bradford, B., Jackson, J. y Hough, M. (2014): Police futures and legitimacy: redefining good policing, at Brown, Jennifer M., (ed.) *The Future of Policing*. Routledge, Abingdon, Reino Unido, Chapter 6; and Mazerolle, L., Bennett, S., Davis, J., Sargeant, E., Manning, M. (2013): *Legitimacy in policing: A systematic review*, Campbell Systematic Reviews.

^{xlii} ECRI General Policy Recommendation N°11, *op. cit.*, para. 18.

^{xliii} Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, *op. cit.* para. 74.

^{xliv} Madrid, Castellón and Fuenlabrada local police departments have specific units of management of diversity in charge of, amongst other issues, establishing a direct contact with the different ethnic and religious communities in order to improve the response of police actions to the concrete needs of these communities. The Palma de Mallorca local police participate regularly in a “coexistence bureau” with different communities (*Mesa de la Convivencia*). In A Coruña, a Commission was created to promote the dialogue between the police and diverse communities.

^{xlv} Human Rights Council, Report of the Special Rapporteur on contemporary forms of racism, racial discrimination, xenophobia and related intolerance, Addendum – Visit to Spain, *op. cit.*, para. 84.