

# Barcelona Discrimination Observatory Report 2021



**Report**  
June 2022

Directorate of Citizen's  
Rights; Area for Social  
Rights, Global Justice,  
Feminism and LGBTI



**Ajuntament  
de Barcelona**



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## Title

Barcelona Discrimination  
Observatory Report 2021

## Editorial coordination

Directorate of Citizen's Rights; Area  
for Social Rights, Global Justice,  
Feminism and LGBTI  
Barcelona City Council  
June 2022

## Editors

Human Rights Resources Centre  
Office for Non-Discrimination  
(OND)

## With the data and collabo-

**ration of** the Office for Non-Discrimination (OND) and the Table of Entities serving Victims of Discrimination, consisting of: ACATHI (Catalan Association for Integrating Homosexual, Bisexual and Transsexual Immigrants), the Catalan Association for the Defence of Human Rights (ACDDH), Bayt al-Thaqafa, Cepaim, the Barcelona Youth Council (CJB), Creación Positiva, Dincat, Exil, the ECOM Federation, the Catalan Mental Health Federation (FSMC), the Veus Federation, Fil a l'Agulla, the Secretariado Gitano Foundation (FSG), Gais Positius, Irídia, the Observatory against Homophobia (OCH), the Observatory against Islamophobia in Catalonia (SAFI), the Platform for Language, the Tenants' Union, SOS Racisme Catalunya, the Romani Union and the Homeless People's Assistance Network (XAPSLL).

## We also appreciate the collab-

**oration of** the Advisory Council for the Elderly Barcelona, the Municipal Institute for people with Disabilities (IMPD), the Directorate of Feminism and LGBTI services, the Directorate of Gender Services and Time Policy, the City Council of Barcelona, and the Institute for Regional and Metropolitan Studies of Barcelona (IERMB).



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# Foreword

The fourth edition of the Report from the Discrimination Observatory in Barcelona has been marked by the progressive recovery of social interactions, as a result of the reduction of the restrictions derived from the Covid-19 pandemic. Even so, the structural causes that entail being in a situation of poverty and that were amplified during the pandemic, such as labour instability and the difficulty of access to housing, aggravated situations for people in irregular administrative situations, continue very present.

 Being in a situation of vulnerability or experiencing discrimination in a daily and normalised way are some of the reasons that explain that many situations are not reported. While the hidden figure remains one of the main challenges in articulating a city response to fight against discrimination, hatred and intolerance, 504 **discrimination** situations in Barcelona have been recorded in 2021, 16% more than in 2020. Individuals are the main discriminating agent in the city and that is why actions in the socio-educational field and mediation processes for conflict resolution are being prioritised.

Once again, racism and xenophobia were the main causes of discrimination in Barcelona. From an intersectional perspective, this is the axis of inequality that most intersects with other axes, especially with LGBTI-phobia, Islamophobia and aporophobia. The impact of such discrimination is seen in a particularly sharp way in areas such as access to housing.

In this sense, in 2021 the Barcelona City Council published the latest study on housing racism, which shows that, in the face of an explicit request, 86% of property agents exclude the racialised population as tenants for a property. This activity of analysis, public denouncing and incidence has also been accompanied by a fining activity: the same year the first direct fine for discrimination in access to housing due to a person's origin in the Spanish State was imposed.

Finally, we want to highlight the network work with the 22 city organisations working at the Board of Organisations for the Assistance of Victims of Discrimination (SAVD Board), which has made possible all the work that is collected in this report. The involvement of civil society and the citizenship that integrates it is the best guarantee to continue moving toward a Barcelona that is an open and democratic space where neighbours can live freely, regardless of their origins, preferences and conditions.

**Marc Serra Solé**

Councillor for Citizenship Rights and Participation

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# 1 Introduction

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**The Barcelona Discrimination Observatory presents its fourth annual report, which includes the data, testimony and reflections of municipal services and social entities of the city that work in the field of the fight for equality of treatment and against discrimination.**

Section 2, “**Equality and non-discrimination**”, explains what discrimination is and its direct link with human rights. There is also a review of the main updates to regulations linked to equal treatment and non-discrimination, and the recommendations issued by the mechanisms of protection and guarantee of human rights, at the international and European level are included; the section also includes a specific point on the equal treatment and non-discrimination Act 19/2020, and the innovative approach it incorporates with regard to the role of the victim.

Section 3 reviews **the report methodology** and categories analysed in detail in section 4 of the report, and provides information on the objectives of the Board of Organisations for the Assistance of Victims of Discrimination (SAVD Board), as well as on the entities that make it up, the axes of discrimination they work with, and the type of attention and response offered to people affected by situations of discrimination in the city.

Section 4 collects all the quantitative and qualitative data we have about **discrimination in Barcelona**. The two main sources of information are the data of the discrimination situations registered by the Office for Non-Discrimination (OND) and the SAVD Board during 2021, and also the data extracted from the last survey of neighbourhood relations and coexistence of the Metropolitan Area of Barcelona (ECAMB), carried out in 2020. This section also incorporates the testimony of people affected by discrimination situations, which show real examples of how discrimination is expressed in the city today.

Sections 5 and 6 synthesise **the findings** of the report, as well as **the main actions** that have been carried out throughout the last year in the fight against discrimination, as well as the set of **challenges** that, from the Office for Non-Discrimination and SAVD Board entities, have been identified as more relevant in the near future to combat this issue.



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## 2 Equality and non-discrimination: concepts, guarantee mechanisms and new regulations

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**All human beings are born free and equal in dignity and rights.**

*Article 1 of the Universal Declaration of Human Rights (1948)*

The first article in the Universal Declaration of Human Rights (UDHR) already notes equality as one of the key principles that must mark the rest of the rights listed in this document, ratified by 195 countries around the world. The concept of *equality* is therefore closely linked to the **universality of human rights**, i.e., that everyone has the same rights, simply because they are human beings. Equality must therefore be interpreted as a cross-cutting principle that has to pervade the enjoyment of all human rights, thereby constituting not a right in itself but a behavioural obligation.

**Everyone is entitled to all the rights and freedoms set forth in this Declaration, without distinction of any kind, such as race <sup>1</sup>, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.**

*Article 2 of the Universal Declaration of Human Rights, 1948.*

Directly linked to the principle of equality we find the right to non-discrimination, which appears in article 2 and seeks to protect especially people and groups that have historically been excluded from the protection of their rights and freedoms and that continue to be at present. In this way, lists of categories are established, **consisting of personal characteristics or situations, which must be especially protected**, which are already listed in the UDHR and subsequently mentioned in international conventions, pacts, constitutions, and laws around the world (see a more detailed relationship in Annex 1). Below is a graphic that explains what discrimination is, for what reasons, what types there are and some examples that we can find today in the city (see graphic 1).

<sup>1</sup> In the UDHR and in treaties, pacts, conventions and later laws, the word 'race' is used; from the Barcelona Discrimination Observatory, we consider that it is a word that requires critical use, and that is why we choose the word "racialisation" (see the definition in the Glossary).

### Discriminating is...

Treating some people or groups differently, worse, depending on their personal characteristics or situations, and preventing them, actively or passively, from fully enjoying their rights.

### Grounds of discrimination...



skin colour, ethnic /  
national origin



gender



religious  
beliefs



sexual orientation,  
gender identity  
and expression



ideology



language



abilities



socio-economic  
status



health

0-99

age

### What types of discrimination are there?

Discrimination can occur in any area of our life: at home, at school, at work, when we use public transport or on the street, when we shop in a store, when we go out or when we go to public administrations, for example.



## These discriminations can be:

### Direct

when someone is treated differently to people in similar situations.

### Indirect

when people that have different characteristics or situations are treated the same, so that a disproportionately negative effect on a collective is caused.

### Restriction

### Indirect

0-99

### Indirect

### Distinction

### Exclusion

### Preference

### Intersectional

Most people are crossed by various axes of inequality that affect us more or less depending on the social context in which we are found and, therefore, we can be discriminated against for more than one reason. Often, the sum of these discrimination produces a specific or intersectional inequality.

### Affirmative action

Affirmative actions, on the other hand, are differences in treatment aimed at achieving equality by preventing or eliminating the discrimination suffered by a group of people in a given area.

## Protection of equality and non-discrimination

The principle of equality and the right to non-discrimination are included in several legal instruments for the prevention of violations and for the safeguarding of human rights at various levels. **On an international scale, there are over 20 United Nations (UN) instruments that deal with the problem of discrimination**, through conventions, declarations, general comments, action plans and work groups. In this sense, the two **international pacts** that dive deeper into human, civil and political rights, on the one hand, and economic, social and cultural rights on the other, are especially relevant, as well as **conventions** that emphasise the protection of historically discriminated people and groups, among which the following stand out:

- 1965** International Convention on the Elimination of All Forms of Racial Discrimination
- 1966** International Covenant on Civil and Political Rights
- 1966** International Covenant on Economic, Social and Cultural Rights
- 1979** Convention on the Elimination of all forms of Discrimination against Women
- 1989** Convention on the Rights of the Child
- 1990** International Convention on the Protection of the Rights of all Migrant Workers and their relatives <sup>2</sup>
- 2006** International Convention on the Rights of Persons with Disabilities

**On the EU front**, Article 9 of the **European Union Treaty** is particularly of note, which mentions the principle of the equality of all European citizens, “who shall receive equal attention from its institutions, bodies, offices and services”, and Articles 20 and 21 of the Charter of Fundamental Rights of the European Union declare equality before the law and prohibit “Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation”, following the same line as the UDHR.

The **Spanish State’s Constitution** contemplates it as one of the highest values of its legal system: a principle that has to be borne in mind when passing and implementing legislation (Article 1.1); as a formal principle giving rise to the prohibition against discrimination in the enjoyment of all the other fundamental rights that the Constitution grants citizens (Article 14); and as an order for political powers to ensure that equality is not just a formal declaration recognised on paper, but a reality for Spanish citizens in the sense of material equality (Article 9.2).

<sup>2</sup> Spain has not signed this Convention.

Likewise, there are a number of **Catalan and municipal laws** that regulate, recognise and deploy specific aspects of equality and the prohibition of discrimination, such as the **Statute of Autonomy of Catalonia**, whose preamble proclaims “liberty, justice and equality as higher values of its collective life”. In Barcelona there are several municipal norms in this field, such as Law 22/1998, of **the Municipal Charter of Barcelona**, in which the following is proclaimed:

**The City Council of Barcelona must ensure that there are no discriminatory negative behaviours due to race, religion, colour, ancestry, age, gender, sex, disability or place of birth.**

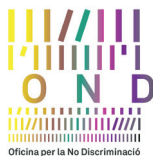
**The city, the citizens of Barcelona, must extend their zeal in the defence and protection of these fundamental rights to all people who are in the city without being residents.**

*Article 38, Municipal Charter of Barcelona*

In Barcelona, the whole set of legal rules that have been mentioned in this section, which you will find detailed in annexes 2 and 3, is applicable. To make them effective, there are a number of **rights guarantee mechanisms** ranging from international to local.



As for mechanisms safeguarding rights at a local level, the **Barcelona Ombudsman** is a single-person entity that complements the Municipal Administration. Its function is to defend the fundamental rights and public freedoms of Barcelona’s residents and of those staying in the city, even if they are not residents. With this purpose in mind, it supervises the conduct of the Municipal Administration and of its dependent public services, especially in terms of the rights and freedoms established in the European Charter for the Safeguarding of Human Rights in the City.



It should be noted, on the other hand, that the **Office for Non-Discrimination (OND)** is a mechanism for guaranteeing human rights at a local level aimed at detecting discrimination-related human rights’ violations.

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## **Legislative developments and international mechanisms for guarantee and protection during 2021**

Below are some of the developments that have taken place during 2021 in the legislative field, as well as the reports and statements issued by international mechanisms of protection and guarantee of human rights that have some impact on the fight against discrimination in Barcelona.

**Equality and non-discrimination**

**Equality in the EU. Twenty years from the start of the implementation of Equality Directives (European fundamental Rights Agency, FRA)<sup>3</sup>**

The report makes an assessment of European reality in light of the twenty-year entry into force of the Equality Guidelines and makes several recommendations, most notably:



- The EU and member states must continue to explore all possible options to unlock negotiations of the Equality of treatment Directive.
- The European legislative body must consider **extending the concept of discrimination to include intersectional discrimination in existing and new legislation.**
- The EU and states must assess in detail the impact of increasing dependence on algorithms and artificial intelligence on automated decisions on equal treatment and non-discrimination and introduce the relevant protection of fundamental rights.
- States must ensure that anti-discrimination legislation and redress mechanisms are known.
- States must ensure systematic, reliable, valid, and comparable collection of equality data disaggregated by sex, race, and ethnic origin, religion or belief, disability, age, and sexual orientation. These data must be collected by self-identification. The organisations of civil society representing the groups should make contributions to the definition and indicators used.

**Restorative justice**

**The Declaration of Venice on the role of restorative justice in criminal matters (Council of Europe)<sup>4</sup>**

The document calls upon member states of the Council of Europe to draw up plans of action, policies or regulations to implement the Recommendation CM/Rec (2018)8, to reflect that **the right to access restorative justice services, with free consent, should be an objective of national authorities.** They also call for restorative justice to be an essential part of the training and skills acquisition of all the professionals involved and also to pay attention to the participation of civil society and local governments. The Council of Europe is called upon to conduct a study of the restorative justice models currently covered by national legislation to facilitate its knowledge and draw up a guide to principles in restorative justice.

<sup>3</sup> [https://fra.europa.eu/sites/default/files/fra\\_uploads/fra-2021-opinion-equality-directives-01-2021\\_en\\_0.pdf](https://fra.europa.eu/sites/default/files/fra_uploads/fra-2021-opinion-equality-directives-01-2021_en_0.pdf)

<sup>4</sup> <https://rm.coe.int/venice-ministerial-declaration-eng-4-12-2021/1680a4df79>



Ageism

**Report of the independent expert person in the enjoyment of all human rights by the elderly (United Nations Human Rights Council)<sup>5</sup>**

The UN presents a report prepared by the independent expert addressing the enjoyment of all human rights by the elderly. **Currently, the international human rights law does not have a clear and complete prohibition of age discrimination; that is why the European Court considers that this discrimination** is included in the category “others.” The report collects the possible causes and manifestations of ageism and age discrimination in realities experienced by older people. There are 7 of these demonstrations: long-term health and care, violence and abuse, employment and retirement, social exclusion, financial services, media and **hate speech**, and emergency contexts. It ends with conclusions and recommendations from the independent expert, whose objective is to help states design and implement frameworks to address and prevent ageism and to ensure the promotion and protection of older people’s rights.



Ageism and aporophobia

**Organic law 8/2021, of integral protection to childhood and adolescence in the face of violence**

This law, which entered into force on 25 June 2021, gives a new wording in Article 22.4 of the criminal code and incorporates, as axes of discrimination, age and aporophobia along with the discrimination axes that were previously already included in this section: “Committing a crime for racist, antisemitic or some other type of discrimination regarding the ideology, religion or beliefs of the victim, ethnicity, race or nation to which they belongs, their sex, **age**, orientation or sexual or gender identity, gender reasons, **aporophobia** or social exclusion, diseases that they suffer or disability, regardless of whether these conditions or circumstances effectively occur in the person on whom the conduct falls”.

It also incorporates these two axes into other criminal code hate crimes: In 314 (labour discrimination), in 511 (right of admission for civil servants), in 512 (right of admission for individuals), and in 515.4 (illicit associations).

Health

**UN human rights experts call on the Council of Europe to stop legislation on coercive mental health measures (United Nations Office of the High Commissioner for Human Rights)<sup>6</sup>**

UN human rights experts call on all state delegations to object to the additional Protocol project to the Oviedo Convention, and urge the Council of Europe **to stop legitimising forced institutionalisation and the use of coercion against people with mental health problems.**

5 <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G21/215/66/PDF/G2121566.pdf?OpenElement>

6 <https://www.ohchr.org/es/2021/05/un-rights-experts-call-council-europe-stop-legislation-coercive-mental-health-measures?LangID=S&NewsID=27126>

**Health and  
ableism**

**Organic law 3/2021, regulating euthanasia**

This law provides for the appropriate measures to provide, to people suffering from **severe and incurable disease** or being in **a situation of chronic and incurable disability**, in both cases **with unbearable suffering**, access to the support they may need in the exercise of the rights they have recognised in the legal system.

**Ableism**

**Law 8/2021, of June 2, by which civil and procedural legislation is reformed for the support of people with disabilities in the exercise of their legal capacity**

In the field of disability, an outstanding fact has been **Law 8/2021**, which represents a change in the current system, where substitution in the decision making that affected people with disabilities predominated, for another based on respect for the will and preferences of the person, which, as a general rule, will be responsible for making their own decisions. The new standard suppresses the protection figures to the existing person so far (guardianship, prodigality, extended prodigy) and replaces them with informal support measures (such as de facto guardianship), voluntary (such as the self-care) or legal (such as tutoring, which can have representative functions in a very exceptional situation).

**LGTBI-phobia**

**Report on the human rights of LGBTI people in Europe: Current threats to equal rights, challenges faced by people who defend them, and the path to follow (Council of Europe)<sup>7</sup>**

A round table was organised by the Council of Europe's Office of the Commissioner for Human Rights with LGBTI human rights defenders, and it was noted that while major advances have been made in recognition of LGBTI rights, in recent years there is a negative decrease in the protection of human rights of LGBTI people in Europe. Some of the main concerns noted in the Round Table are political manipulation of homophobia and transphobia, increased influence of anti-gender groups, or the spread of anti-gender narratives. In addition to meeting the same challenges affecting human rights activists in general, **LGBTI human rights defenders also face specific obstacles: physical attacks, violence, hate speech and online harassment**, stigmatisation, discredit campaigns, police and judicial harassment, or lack of access to policy makers, among others.

<sup>7</sup> <https://rm.coe.int/human-rights-of-lgbti-people-in-europe-current-threats-to-equal-rights/1680a4be0e>



## Draft bill for the real and effective equality of trans people and for the guarantee of the rights of LGBTI people

In June 2021, the Council of Ministers approved the Draft Bill of the right to real and effective equality of trans people and for the guarantee of the rights of LGBTI people, which provides several remarkable new features:

- First, **the trans collective is no longer considered pathological** through gender self-determination, so the diagnosis of the supposed mental disorder called gender *dysphoria* is eliminated.
- Secondly, the subjective scope is expanded and the rectification of registered sex is allowed and also the renaming of persons from 12 years of age. People under the age of 12 could change their name, but not their registered sex.
- Third, a series of measures are incorporated in the form of public policies to achieve **effective equality in various fields, such as education, work, prison centres and sport**. In the field of health, there is also specific health care for trans people in the National Health System, as well as their accompaniment at all times.
- Fourth, so-called *conversion therapies* are prohibited, regardless of the person's consent.

It also emphasises that in December 2021 began the the processing of a trans Catalan law promoted by the Ministry of Equality, in the form of a bill, which would be called the integral *Law on recognition of the right to identity and expression of gender*.

## Racism and xenophobia

## Modification of the regulation of foreigners of the Government of Spain<sup>8</sup>

The Alien Status Act has been amended, thus facilitating the granting of residence and work permits to unaccompanied foreign minors and immigrant persons from 18 years of age that are no longer under state guardianship. The reform of the Alien Status Regulations is intended to suppress obstacles that prevent obtaining documentation for the unaccompanied foreign minor guarded by a public entity, as well as designing a residence regime at the time they become of legal age, different from the non-profit residency regime, in order to lengthen the duration of residence permits and allow **for young people no longer under state guardianship who are now between 18 and 23 years of age and have been led to the overlapping irregularity to access a work authorisation**. This reform has allowed a large number of young people to obtain a work permit that allows them to obtain a job and avoid the loss of their own documentation, as well as to favour inclusion in the territory.

<sup>8</sup> <https://noticias.juridicas.com/actualidad/noticias/16671-real-decreto-903-2021-aprobada-la-reforma-del-reglamento-de-extranjeria-que-favorece-la-integracion-de-menores-y-jovenes-extutelados/> (in Spanish)

### Draft bill against racism in all its forms and expressions

From the Generalitat de Catalunya, the draft bill against racism in all its forms and expressions is being drawn up. It wants **to establish mechanisms for the prevention, elimination and fining of acts and behaviours of racism**, as well as designing and implementing public policies aimed at guaranteeing the right to the political participation of migrant or racialised people. The proposal is in the prior public consultation phase, which will be carried out through participation via the web portal until September 2022, in order to establish a coordination between public administrations and social entities that are representative of migrated or racialised people.

### Anti-gypsyism

### Decree 11/2021, of February 16, regarding the programming of the educational offer and the procedure of admission in the centres of the Education Service of Catalonia

This school decree sets out the fight against educational segregation. These include measures to organize a map of schools and thus prevent segregation for socioeconomic or other reasons. Measures are included to organise a map s school decree the fight against education of schools and **thus prevent segregation for socioeconomic reasons or otherwise**. Among other measures, the decree specifies actions to avoid discrimination within the classroom or discrimination when assigning an educational centre to a family, with the aim of moving away from the stigmatisation of neighbourhoods or schools. In addition, in this decree, the detection of educational needs is highlighted so that families receive the support they need, as well as the detection of situations of socio-economic vulnerability or other types, and provides for the creation of a commission of guarantee.

During this year, there have also been some setbacks in this area; specifically, with regard to discrimination on the basis of language. According to what has been reported by the **Platform for Language** entity, which works specifically in the field of the defence and promotion of the Catalan language, during 2021 the general institutions of the Spanish State and the institutions of the European Union approved **192 discriminatory norms**. In the case of the EU, it should be noted that they are derived from the refusal of the Spanish Parliament to make this language official both internally and in European institutions. In this area, we can also highlight the non-acceptance of the Supreme Court of allegations on the educational linguistic model of Catalonia, which, according to the Platform for Language, means that, by imposing a percentage of the Spanish language in the educational plans of the schools, without taking into account the sociolinguistic situation of the territory, the intensification of the minority of Catalan is favoured.

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## Law 19/2020, Act on Equal Treatment and Non-Discrimination

In 2021, Law 19/2020 on equal treatment and Non-Discrimination took effect. This law is still in the process of implantation and shall become one of the main legal tools in the fight against discrimination in Catalonia.

One of the outstanding developments of Law 19/2020 is the **recognition of rights for people affected by discrimination**. Until now, it was very common for administrations to deny the status of an interested party to people who denounced discrimination, which meant that they did not receive any information about the processing of records or the fines imposed on people responsible for discrimination. With Law 19/2020 this has changed and a series of rights to victims are now enshrined in the fining procedure.

The person affected is recognised the right to receive the communication of the start of the fining procedure, as well as the right to access the entire file and obtain a copy, to formulate allegations, to present evidence and to receive the resolution of the file. Likewise, the person affected is recognised the right to obtain compensation that takes into account moral damage, among other matters, and it is expected that the resolution of the fining file must be resolved, in an express manner, the way the person responsible for discrimination must repair the damage caused to the person or people affected.

Finally, the law makes it possible to adopt the necessary measures for the immediate cessation of discriminatory behaviour, the adoption of precautionary measures, the prevention of imminent or subsequent violations, and the total restoration of the person damaged in the full exercise of their rights.

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# 3 Methodology

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**This report uses different sources of information with the aim of providing a vision that is as complete as possible of the situation of discrimination in the city. The main source is the data and reflections from the Office for Non-Discrimination (OND) and the Board of Organisations for the Assistance of Victims of Discrimination (SAVD Board), which are collected in section 4.2. There is a combination of quantitative data <sup>9</sup>, which reflect the situations of discrimination that they have attended and accompanied during the year 2021, with qualitative data, as a result of the reflections provided by each entity on the main problems linked to discrimination in its field of work, which complement and expand the information that, sometimes, the figures cannot collect. The report also incorporates data from other municipal services and bodies working on specific axes, such as gender, disability, or ageism, as well as direct testimony to real discrimination situations that have occurred throughout the year in Barcelona.**

<sup>9</sup> This year's report contains quantitative data collected by the Office for Non-Discrimination and the following entities: ACATHI (Catalan Association for Integrating Homosexual, Bisexual and Transsexual Immigrants), Bayt al-Thaqafa, Creación Positiva, Exil, the ECOM Federation, the Catalan Mental Health Federation (FSMC), the Veus Federation, the Secretariado Gitano Federation (FSG), Gais Positius, Iridia, the Observatory against Homophobia (OCH), the Observatory against Islamophobia in Catalonia (SAFI), the Platform for Language, SOS Racisme Catalunya and the Homeless People's Assistance Network (XAPSELL).

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It is important to note, however, that **quantitative data collection from the OND and SAVD Board entities are limited**, for two reasons: first, because not all discrimination axes are equally represented in the SAVD Board, nor all entities have the same data collection capacity, and this causes some axes to be quantitatively underrepresented; and, on the other hand, due to **under-reporting**, which causes the data that arrive to us to not represent the complete picture of discrimination in the city.

Since 2020, the report also incorporates data from **from the survey of neighbourhood relations and coexistence of the Barcelona Metropolitan Area, published by the Institute for Regional and Metropolitan Studies of Barcelona (IERMB)**, which in the last edition expanded the collection of data linked to discrimination in the neighbourhoods of the city. Specifically, the report collects the most relevant data from the Report on Discrimination in the neighbourhoods of Barcelona, published in 2021, shown in section 4.1.

Every year the report addresses a relevant topic with more depth and this year deals with **discrimination in housing**, collected in point 4.3, and combines quantitative data with the results of the two **studies commissioned by the City Council of Barcelona** in this matter: “The key can be a name” and “À la carte discrimination”. This section also shows the main conclusions that were collected in a **monographic work session** with representatives of the SAVD Board.

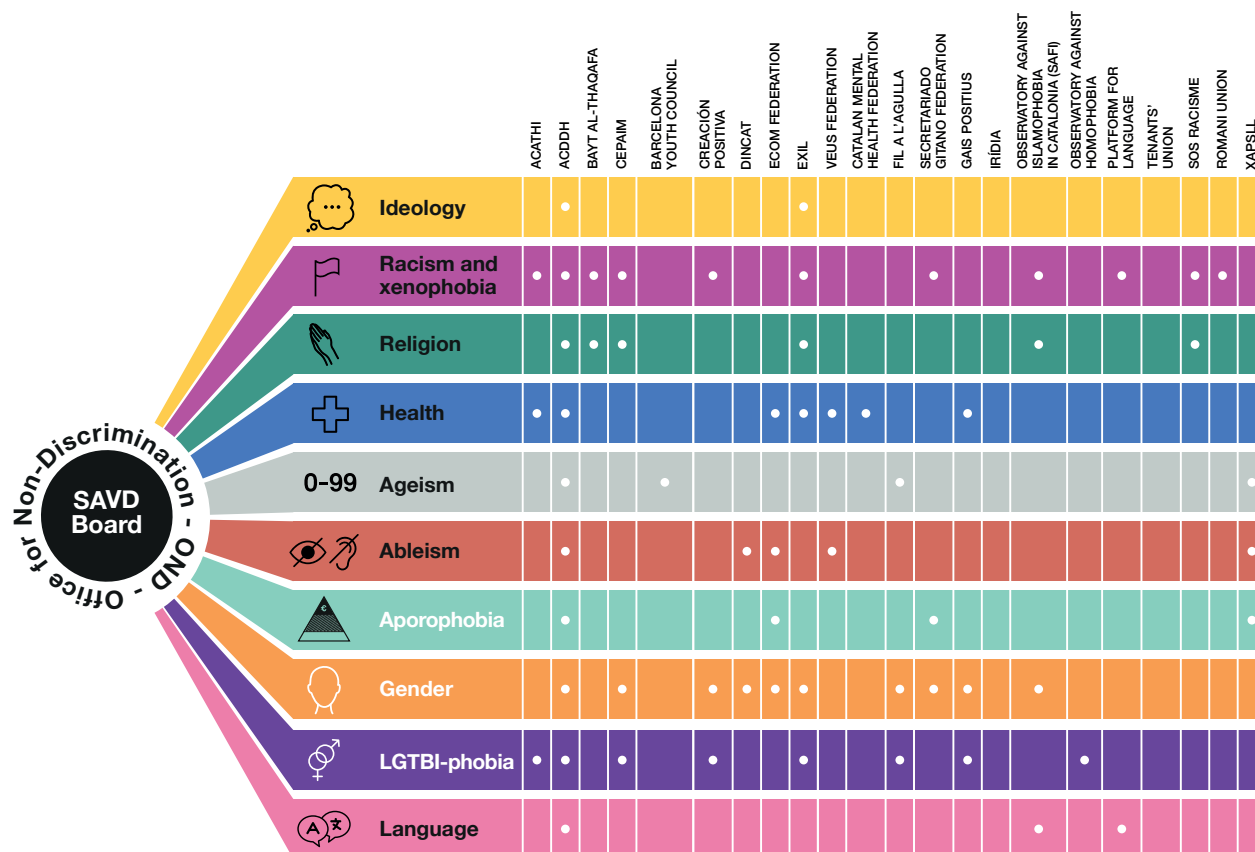
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### 3.1 Board of Organisations for the Assistance Service for Victims of Discrimination

The Board of Organisations for the Assistance of Victims of Discrimination (**SAVD Board**) emerged in October 2017, as a result of the need to provide joint working spaces to defend rights and combat discrimination with participation of Barcelona City Council, through the **OND**, and the city’s social organisations that offer any kind of service for people suffering from discrimination. In the time since, the Board has grown steadily, and is now made up of the OND and 22 social organisations: ACATHI (Catalan Association for Integrating Homosexual, Bisexual and Transsexual Immigrants), the Catalan Association for the Defence of Human Rights (ACDDH), Bayt al-Thaqafa, Cepaim, the Barcelona Youth Council (CJB), Creación Positiva, Dincat, Exil, the ECOM Federation, the Catalan Mental Health Federation (FSMC), the Veus Federation, Fil a l’Agulla, the Secretariado Gitano Federation (FSG), Gais Positius, Irídia, the Observatory against Homophobia (OCH), the Observatory against Islamophobia in Catalonia (SAFI), the Platform for Language, the Tenants’ Union, SOS Racisme Catalunya, the Romani Union and the Homeless People’s Assistance Network (XAPSLL). (See graphic 2).

## Infographic 2. Discrimination axes worked on by the OND and the SAVD Board

Source: own elaboration



\* In the infographic only the main axes of work of the different entities of the Board are shown; the OND has been placed in the middle since they work transversally all the axes of discrimination.

\*\* Some entities of the Board do not work according to axes of discrimination but rather focus on certain areas, as for example **The Tenants' Union**, that specialises in discrimination in the field of housing; or on the agent who exercises discrimination, as would be the case of Iridia, that works in the field of institutional violence.

The **goals of the SAVD Board** are as follows:

- **Sharing information and working methodologies:**
  - Information on services for victims.
  - Referral protocols with a general action framework from an intersectional approach. There are currently two protocols under way, which are the municipal protocol against LGBTI-phobia and the protocol for actions against discrimination by racism.
- Carrying out a joint diagnosis by means of an **annual report** on the city's discrimination situation: this report began in 2018 and this is its fourth edition.
- Covering **organisations' training needs**. From the Human Rights Resources Centre and the OND, there are training programmes on discrimination for technical staff and users of social entities, as well as specialised training in the field of equal treatment and non-discrimination.

### Infographic 3. Assistance and response from the SAVD Board of Organisations in the face of discrimination situations

Source: own elaboration

Organisations	Support and assistance									Complaint	
	Psychological	Psychosocial	Socio-educational	Legal guidance	Public advocacy	Intermediation	Conciliation	Mediation	Referral to a specialized organization	ADMINISTRATIVE	PENAL
OND	●	●	●	●	●	●	●	●	●	●	
ACATHI	●	●	●		●				●		
ACDDH				●	●				●	●	●
BAYT AL-THAQFA	●	●		●	●	●		●	●		
CEPAIM			●	●	●			●	●	●	
BARCELONA YOUTH COUNCIL					●						
CREACIÓN POSITIVA					●						
DINCAT		●	●	●	●						
ECOM FEDERATION		●		●	●	●			●	●	
EXIL	●	●	●						●		
VEUS FEDERATION		●			●						
CATALAN MENTAL HEALTH FEDERATION		●		●	●				●		
FIL A L'AGULLA	●		●		●				●		
SECRETARIADO GITANO FEDERATION		●	●	●	●		●		●		
GAIS POSITIUS	●	●		●					●	●	
IRÍDIA		●		●	●				●		●
OBSERVATORY AGAINST ISLAMOPHOBIA - SAFI			●	●	●				●	●	
OBSERVATORY AGAINST HOMOPHOBIA	●	●		●	●	●			●	●	●
PLATFORM FOR LANGUAGE	●	●		●	●	●		●	●	●	●
TENANTS' UNION		●	●	●	●				●		
SOS RACISME		●		●	●	●				●	●
ROMANI UNION		●		●	●						
XAPSL	●	●	●	●	●			●	●	●	●

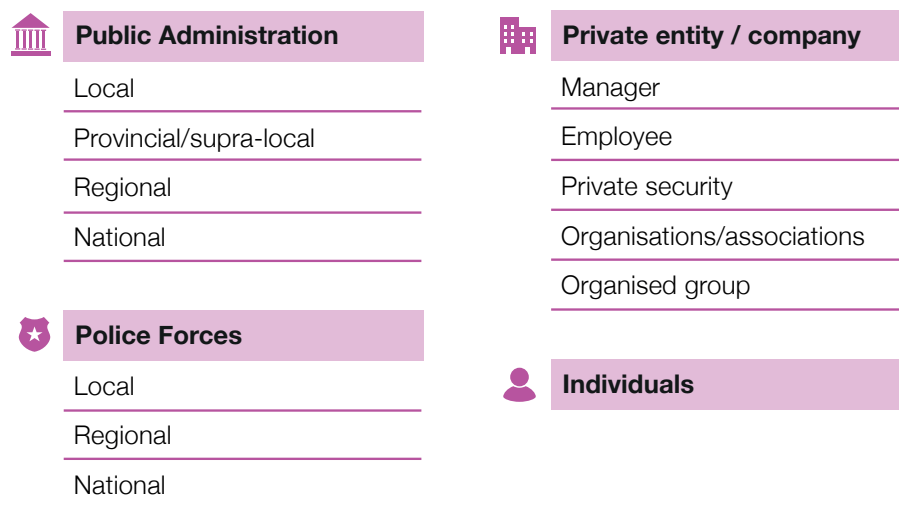
## 3.2 Analysed categories

Data from OND and the SAVD Board and ECAMB aim to answer **seven main questions**:

- Who was discriminated against?** Three basic data are collected: **the gender** (male, female, part of the time in one gender and part of the time in another, and group or collective), **the age** (0-14, 15-24, 25-39, 40-64, +65) and **the administrative situation** of the discriminated person (has a government-issued ID, not regularised, asylum seeker and refugee).
- Who discriminated?** The four main discriminating agents analysed are: **Public administrations, police forces, private entities or companies** and **individuals**. Subcategories have been added to the first three categories, as shown in Figure 1.

**Figure 1.**  
**Discriminating agents**

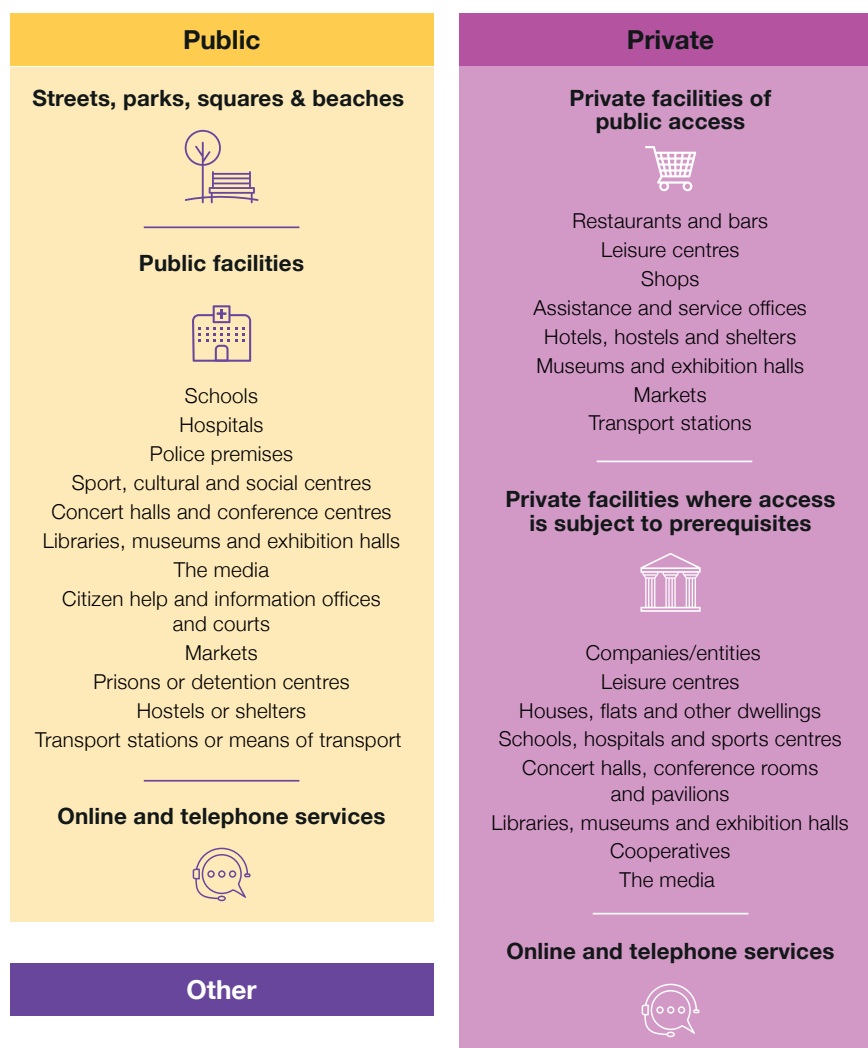
Source: own elaboration



**3 Where did discrimination happen?** This section shows whether the discrimination took place in a **public space** or in a **private space** and several areas have been categorised in each case (Figure 2).

**Figure 2.**  
**Areas where discrimination is taking place**

Source: own elaboration

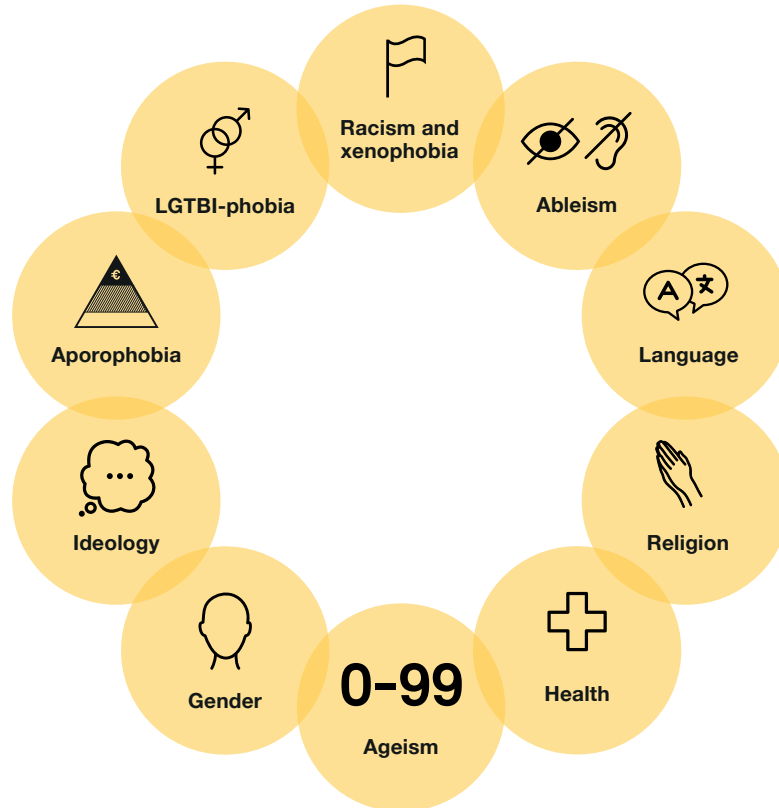




- 4 **On what grounds?** This section features and analyses the axes of discrimination, which reflect the above-mentioned characteristics protected against discrimination in various international, EU, national, and local instruments for protecting human rights (See Figure 3 and Appendix 1). For this report, the most relevant categories have been chosen taking into account the context of Barcelona, and some have further subcategories, agreed by the SAVD Board as a whole, with the intention of being able to identify more accurately what are the reasons that lead to discriminatory attitudes and what are the groups most affected by this problem (Figure 3).

**Figure 3. Axes of discrimination**

Source: own elaboration



These **ten axes of discrimination** are based on the indicators listed in infographic 1 and show the phenomena that drive and motivate the discriminations of each axis. In many cases, the motivations behind discrimination can be multiple; it is for this reason that the report incorporates **an intersectional look** at discrimination. This look analyses inequalities from the perspective that all people are crossed by various axes of inequality and we place ourselves in privileged positions on some axes and in situations of oppression in others, in a scenario that can change over time and according to the context we are in. When we talk about intersectional discrimination, we do not refer to a simple sum of privileges and oppressions, but **often that oppressions in two or more axes can cause specific discrimination**.

5 **How was the discrimination expressed?** This section analyses cases of **direct and indirect discrimination**, on the one hand, and introduces a series of indicators, on the other hand, to highlight more specifically how the **direct discrimination** was expressed.

Figure 4.  
Types of direct discrimination

Source: own elaboration

Differential treatment	Verbal assaults	Physical assaults	Vandalism	Hate speech
Unfair and discriminatory treatment on the ground of the protected characteristics, within a wide range of settings.	Verbal and non-verbal abuse, including comments or gestures aimed at an individual or group, as well as direct and indirect threats of physical violence or of consequences of any type for the person.	A physical attack ranging from touching, spitting or throwing objects to a violent attack against an individual or group.	Damage to or desecration of property, which includes graffiti, among other actions.	Oral or written communication delivered to an audience with the purpose of stirring up hatred and collective rejection of a group of people.

6 **What rights have been violated?** In other words, whether the discrimination undermined one or more human rights. Hence the initial identification of several rights, based on the experience of the organisations making up the SAVD Board, which are shown in Figure 5.

Figure 5. Some of the violated human rights

Source: own elaboration



- 7 **What response has been given to victims and with what outcome?** This section shows the assistance that the victim was given by the organisations and/or the OND and whether the victim received any **support or accompaniment** and, if so, of what kind; it also specifies whether the discrimination was **reported**, through either **administrative** or **legal channels** (see Figure 6). The results obtained from these responses and actions are also analysed.

**Figure 6. Types of response to discrimination**

Source: own elaboration



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# 4 Discrimination in Barcelona

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The purpose of this section is to show an X-ray of discrimination in the city and, to do so, we use two main sources of information: In section 4.1 the main data is extracted from the last survey of neighbourhood relations and co-existence by the Barcelona Metropolitan Area (ECAMB), which in the 2020 edition collected much more detailed data than in previous editions about the perception and experiences of discrimination in the neighbourhoods of the city; and section 4.2 includes, as every year, the data of the discrimination situations attended to by the Office for Non-Discrimination, the Barcelona City Council, and the SAVD Board organisations (you can consult the Board organisations in section 3.1).

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**Therefore, the data provided to us by the survey done randomly to people living in the city, with the specific data of the situations of discrimination that have come to us, are combined.** In this sense, it is relevant to emphasise the contrast between the information that comes from the different sources: while ECAMB points out that 16% of the Barcelona population would have been subject to some form of discrimination during 2020, OND and SAVD Board organisations only reached 436 cases in 2020 and 504 cases during 2021.

**According to ECAMB, only 33.7% of people affected by a discriminatory action chose to explain it**

In this line, the ECAMB points out that only 33.7% of people affected by a discriminatory action chose to speak up about it. And, of the people who did, most (58.7%) explained it to a person of trust (family, friendship, etc.) and only 4.8% of victims of discrimination say they have informed a social entity (1.4%), a public administration service (1.6%), or police or courts (2.7%). In spite of the difficulty of comparing the two sources of information, this allows us to confirm that **one of the main challenges facing the Barcelona Discrimination Observatory is precisely a lack of reporting.**

Point 4.3, **discrimination in housing**, makes a collection of the main problems linked to discrimination in this area, which, due to its nature, have a marked cross-cutting nature and that we analyse holistically; it also explains the most outstanding actions that have been carried out from the City Council and the social entities of the city to face it.

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## 4.1 Perception and experience of discrimination in neighbourhoods (ECAMB)

**The report on discrimination in the neighbourhoods of Barcelona,**<sup>10</sup> prepared by the IERMB based on the data of the survey of neighbourhood relations and coexistence of the Barcelona Metropolitan Area, which was conducted at the end of 2020 with 5,437 people — 4,043 of whom in Barcelona — analyses in depth all data collected in the survey linked to discrimination in the neighbourhoods.

**16% of the population of Barcelona has been subject to some form of discrimination**

According to the results of the ECAMB, 16% of the Barcelona population was subject to some form of discrimination during the year 2020. Practically one in six adults living in Barcelona.

<sup>10</sup> This paragraph is drawn from the report on discrimination in the neighbourhoods of Barcelona; you can consult the full text on the following link: <https://ajuntament.barcelona.cat/dretsdiversitat/sites/default/files/Informe%20sobre%20la%20discriminaci%C3%B3%20als%20barris%20de%20Barcelona%202020.pdf> (in Catalan)

## Why were they discriminated against?

- 👁 The **global discrimination index** points to **gender** as the main reason for discrimination in the neighbourhoods, since **7.7%** of Barcelona residents claim that they have experienced some form of discrimination in their neighbourhood of residence **due to being women**. Secondly, 6.9% of all interviewed people say they have been discriminated against on the occasion of their political ideology and 6.1%, for the language they use.

**Table 1. Index of discrimination in the neighbourhoods according to the reason**

Source: ECAMB 2020, prepared by the IERMB.

*The percentage is calculated over the total number of women residing in Barcelona over 16 years old of age.*

Grounds	Index (%)
Being a woman*	7.7%
Political ideas	6.9%
Language spoken	6.1%
Skin colour or ethnic or national origin	3.4%
Socio-economic status	2%
Religious beliefs	1.6%
State of health	0.9%
Sexual orientation or identity	0.9%
Having a disability	0.5%
Other reasons for discrimination	1.3%

If we look at the rates of discrimination by reason and age, the importance of discrimination on the basis of gender and sexual orientation among the younger population segments stands out. Thus, 26.8% of female Barcelona residents between the ages of 16 and 29 explain that they have experienced some form of discrimination in their neighbourhood due to being women. This is three times higher than the female population aged 30 to 44 (7.4%). Along the same lines, discrimination due to sexual orientation or identity has affected 2.5% of the youngest Barcelona population, two times higher than the following age group (0.9%).

**26.8% of female Barcelona residents between the ages of 16 and 29 explain that they have experienced some form of discrimination in their neighbourhood due to being women**

Although in Table 1 skin colour and ethnic origin are placed as the fourth reason for discrimination according to the survey, if we look at how these axes of discrimination affect based on the place of birth, we note that **discrimination motivated by racism and xenophobia rises to 9.3% among the population born outside of Spain**.

**Table 2. Index of discrimination in the neighbourhoods according to reason and place of birth**

Source: ECAMB 2020, prepared by the IERMB.

*The percentage is calculated over the total number of women residing in Barcelona over 16 years of age.*

Grounds	Spain	Outside Spain	Total
Skin colour or ethnic or national origin	1.1%	9.3%	3.4%
Sexual orientation or identity	0.8%	1.2%	0.9%
Being a woman*	7.8%	7.4%	7.7%
Political ideas	7.4%	5.7%	6.9%
Religious beliefs	0.9%	3.4%	1.6%
Having a disability	0.6%	0.3%	0.5%
State of health	0.9%	0.9%	0.9%
Language spoken	5.6%	7.2%	6.1%
Socio-economic status	1.1%	4.2%	2%

**Discrimination motivated by racialisation and ethnic or national origin of people rises to 9.3% among the population born outside of Spain**

Table 3 shows that the most cited discrimination grounds in men have had to do with the use of language and political ideas (6.8% and 6.3%, respectively). By contrast, in women the reason for discrimination mentioned the most is sexism (7.7% of people identifying as women); more situations of discrimination for political ideas (7.5%) have also been reported than for the use of language (5.5%). It is also worth noting the greater weight of discrimination for racist and xenophobic reasons in men than in women, although the tests done do not confirm that these differences are statistically significant (3.9% and 3.0% with regard to skin colour, **ethnicity** or birthplace, and 1.7% and 1.4% for religious beliefs).



**Table 3. Index of discrimination in the neighbourhoods according to reason and gender**

Source: ECAMB 2020, prepared by the IERMB.

*The percentage is calculated over the total number of women residing in Barcelona over 16 years of age*

Grounds	Men	Women	Total
Due to their skin colour, ethnic origin or place of birth	3.9%	3%	3.4%
Sexual orientation or identity	1.1%	0.7%	0.9%
Being a woman*	-	7.7%	7.7%
Political ideas	6.3%	7.5%	6.9%
Religious beliefs	1.7%	1.4%	1.6%
Having a disability	0.4%	0.6%	0.5%
State of health	0.6%	1.1%	0.9%
Language spoken	6.8%	5.5%	6.1%
Socio-economic status	1.8%	2.2%	2%

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## An intersectional look

If we look at how many reasons of discrimination people surveyed have identified, we find that only 55.1% of the discriminated population in Barcelona has been for just one reason. One in four people (26.9%) have been subjected to discrimination for two different reasons, one in ten (11.5%) for three reasons, and 6.5% people claim to have been discriminated against for four or more different reasons.

- 👁 According to the data collected, a relationship is observed between **multiple discrimination** and **skin colour, ethnic origin, and the birthplace** of people, religious beliefs, and the language spoken. In any case, from the perspective of **intersectionality**, what is undoubtedly more interesting is to note that all these demographic reasons and attributes are also correlated with discrimination **on a socio-economic basis**. Thus, while belonging to a group with low economic resources is not a necessary condition for experiencing racist and xenophobic discrimination, the results indicate that a very specific form of social and economic exclusion occurs, which would very particularly affect a part of the adult Barcelona population born abroad.

**There is a very specific form of social and economic exclusion that would particularly affect a part of the foreign-born adult Barcelona population**

It has also been seen that **the use of the language has been cited as a reason for discrimination among the foreign-born Barcelona population**. However, these same results also show an even higher correlation between this reason for discrimination and political ideology, which can be considered a reflection of the importance that the processes of defining identity and national belonging are taking on in terms of coexistence in the neighbourhoods of Barcelona. In addition, according to the data obtained, it can be appreciated that these processes interpellated especially the younger population segments.

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## Discriminating agents

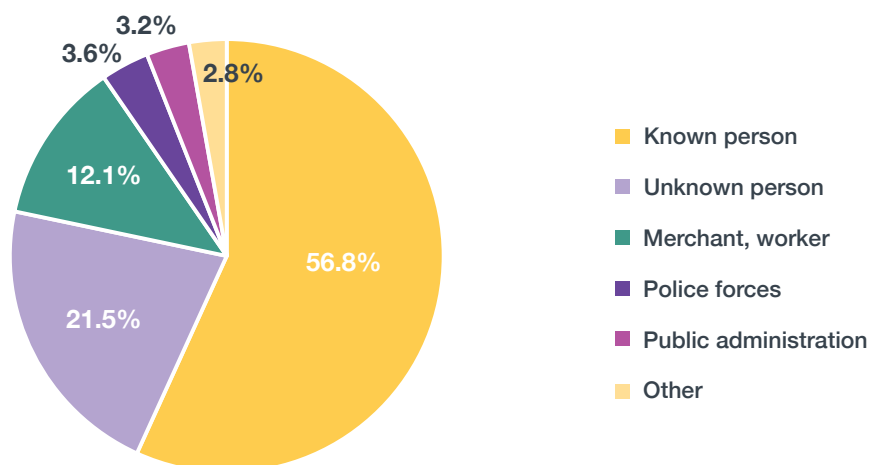
According to the results, **90.7% of cases of discrimination in neighbourhoods occurred due to the action of an individual**. The amount of people that explain that the discriminating agent was a neighbour from their neighbourhood (44.7%) or their building (10.4%) stands out very especially. In 12.1% of cases, the discriminating agent was a merchant or worker from the neighbourhood. People who have been subject to discrimination exercised by an individual who does not conform to any of the above categories adds up to 17.8%, and 3.7% know that it was an individual, but not who it was.

**3.6% of the occasions where a discriminatory action is explained, it was incurred by members of the security services/police**. There are 20 people who explain that they have been discriminated against in some way by a Public Administration (3.1%).



**Chart 1.  
Discriminators**

Source: ECAMB  
2020, prepared by  
the IERMB.



**Table 4.  
Discriminating  
agents**

Source: ECAMB  
2020, prepared by  
the IERMB.

	N	%
<b>An individual</b>	<b>585</b>	<b>90.7%</b>
Member of the same family	12	1.8%
Neighbour from the same staircase or building	67	10.4%
Resident of the neighbourhood	288	44.7%
Retailer, worker in the neighbourhood	78	12.1%
None of the above	115	17.8%
Don't know	24	3.7%
Doesn't want to say	1	0.1%
<b>Security forces/police</b>	<b>23</b>	<b>3.6%</b>
Local police, Guàrdia Urbana [Barcelona city police]	5	0.8%
Mossos d'Esquadra [Catalan regional police]	10	1.6%
Spain's National Police, Guardia Civil	5	0.8%
Private security worker	1	0.1%
None of the above	1	0.1%
Don't know	1	0.1%
<b>Public Administration</b>	<b>20</b>	<b>3.1%</b>
Local authority, district	9	1.4%
Provincial Deputation of Barcelona, AMB, the Regional Council, etc.	1	0.2%
Catalan government	3	0.5%
Spanish State	5	0.8%
None of the above	2	0.3%
Don't know	5	0.8%
Doesn't mean it	3	0.4%
Other	9	1.5%
<b>Total</b>	<b>645</b>	<b>100%</b>

If we cross the data of who discriminates and for what reason, it is observed that political ideology and language have been the reasons for discrimination most commonly referred to, whether the discriminating agent has been an individual (26.7% and 20.1%, respectively), a Public Administration (17.5% and 14.7%, respectively), or police force and security services (19.7% and 28.5%).

**Table 5.  
Distribution of  
the reasons for  
discrimination  
according to  
discriminating  
agents**

Source: ECAMB  
2020, prepared by  
the IERMB.

Reasons	Individual	Security forces/ police*	Public administration*
Political ideas	26.7%	19.7%	17.5%
Language spoken	20.1%	28.5%	14.7%
Being a woman	20.8%	3%	12.9%
Due to their skin colour, ethnic origin or place of birth	12.9%	25%	--
Religious beliefs	3.1%	--	8.6%
Socio-economic status	3.3%	3.1%	13.8%
Sexual orientation or identity	3.3%	--	--
Having a disability	2.1%	4.2%	--
State of health	2.1%	6.4%	17%
Other	5.6%	10.1%	15.5%
<b>Total</b>	<b>100%</b>	<b>100%</b>	<b>100%</b>
N	(581)	(26)	(24)

*The number of  
cases is less than  
30. Results should  
be considered  
with prudence.*

It is also relevant that **skin colour, ethnic origin and place of birth have been the reason for 12.9% of the discriminatory actions carried out by individuals** and one in four discriminatory actions attributed to police bodies and private security services.

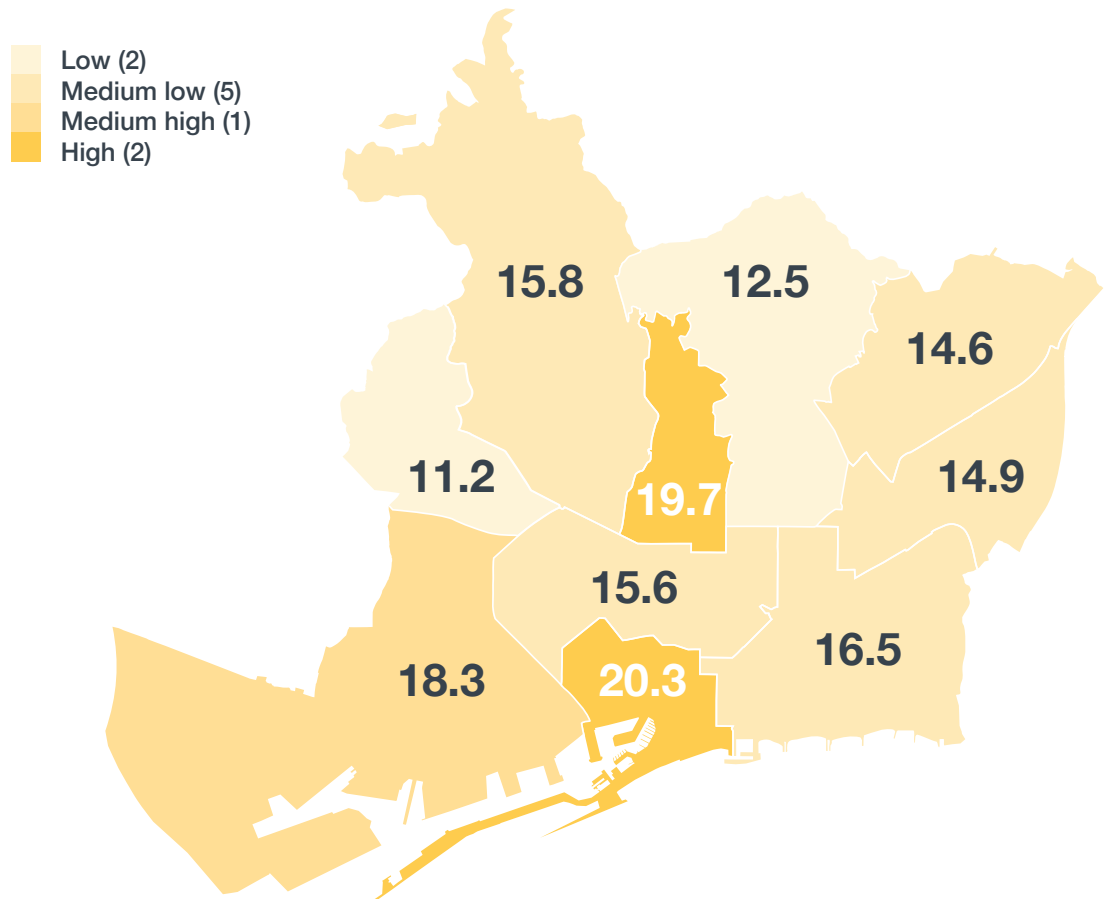
**One in four discriminatory actions committed by security services and police has been motivated by racism and xenophobia**

## Areas of discrimination

As seen on map 1, discriminatory actions are present throughout the city. Even so, the analysis according to the residence district of the population allows to verify that **the proportion of people who have experienced some discriminatory action has been higher in Ciutat Vella (20.3%), Gràcia (19.7%) and Sants-Montjuïc (18.3%)**. On the other hand, these same proportions have been below the Barcelona average in the districts of Sant Andreu (14.9%) and Nou Barris (14.6%), and it is in the neighbourhoods of Horta-Guinardó (12.5%) and Les Corts (11.2%) where fewer residents have experienced discriminatory action.

**Map 1. Index of discrimination in the neighbourhoods according to the residence district**

Source: ECAMB 2020, prepared by the IERMB.



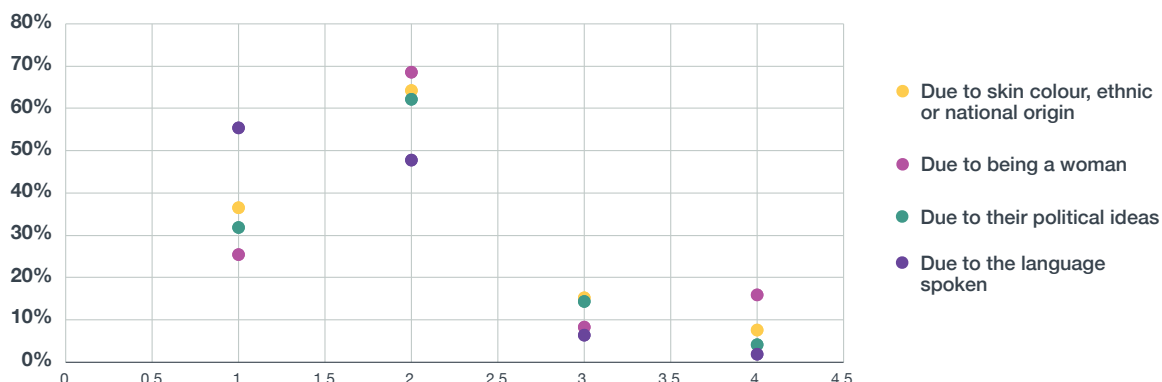
## Type of discrimination

Most people who were discriminated against received **insults or comments of contempt (57.9%)**. 39.5% experienced some form of differential treatment. 11.4% of the discriminated population were verbally threatened, and as many as 6.9% of these people became victims of physical aggression.

The situation is very different in the case of sexist discrimination. With a comparatively low proportion of discrimination due to differential treatment (25%), in contrast, discrimination in the form of insults or comment of contempt has been much more common among women (69%). Sexist discrimination also agglutinates a higher proportion of victims of physical assaults (16%), followed by victims of racist and xenophobic discrimination (8%).

**Chart 2. Types of discriminatory action by reason (most common)**

Source: ECAMB 2020, prepared by the IERMB.



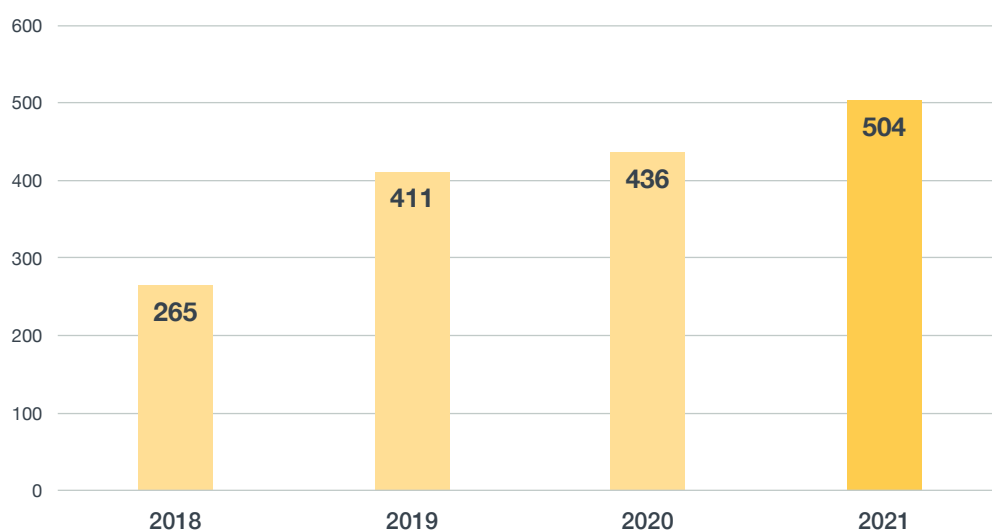
## 4.2 Discrimination reported in Barcelona during 2021 (OND and Table of Entities serving Victims of Discrimination)

In this section, we will analyse the data of the discrimination situations that have reached the OND of the Barcelona City Council in 2021 or one of the 22 social organisations that are part of the SAVD Board.

Since the creation of the Barcelona Discrimination Observatory and the publication of its first report, **it has gone from 265 cases in 2018 to 504 in 2021**. This increase in the discrimination situations collected is closely linked to the improvement, year after year, of the collection of data by the Observatory, and also to an increase in the number of entities that are part of the table, which went from the initial 13 to the current 22. In spite of everything, **it is clear that the under-reporting of discrimination in the city is a transversal problem** that affects all the axes of inequality in which the Observatory works, and that remains one of the main challenges in the fight against discrimination in Barcelona.

**Chart 3. Evolution of the collection of discrimination situations by the OND and the SAVD Board**

Source: OND and SAVD Board, 2021



The following pages will attempt to answer seven questions linked to the discrimination reported during 2021 at the Observatory:

- 1 Who was discriminated against?
- 2 Who did it?
- 3 Where did the discrimination take place?
- 4 On what grounds?
- 5 How was the discrimination expressed?
- 6 What rights have been violated?
- 7 What response has been given to victims and with what outcome?

#### 4.2.1

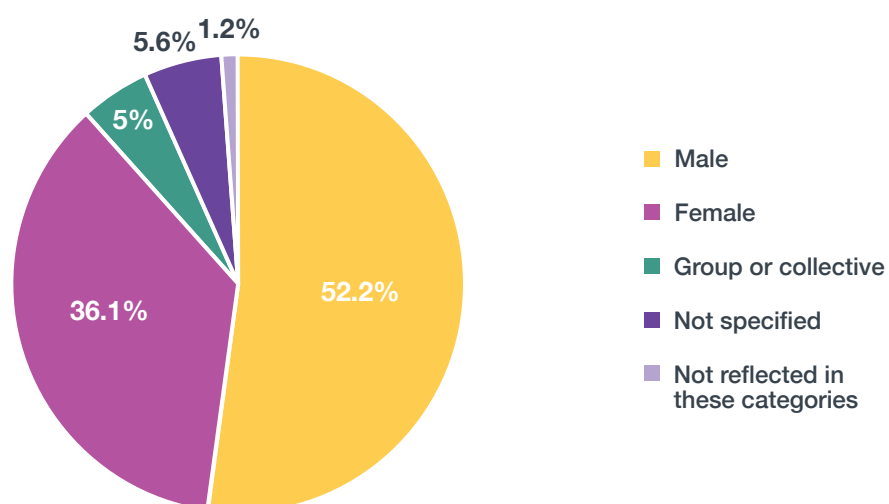
### Who was discriminated against?

First of all, we will look at the profile of people who have reported discrimination situations to OND or the SAVD Board. Again, this year, we observe that **people identifying with the male gender have reported more discrimination**, 52% of cases, compared to 36% of situations in which people identifying as female gender; 5% of discrimination situations have affected groups or collectives.

Regarding the age of persons discriminated against, **the 25-39 and 40-64 ranges continue to be the ones that most report situations of discrimination they have faced**: they make up 80% of cases. The age range where more under-reporting is perceived is, once again, in people over 65 years old, which includes only 38% of the cases reported during 2021, followed by the 15-24 segment, which this year represents 11%.

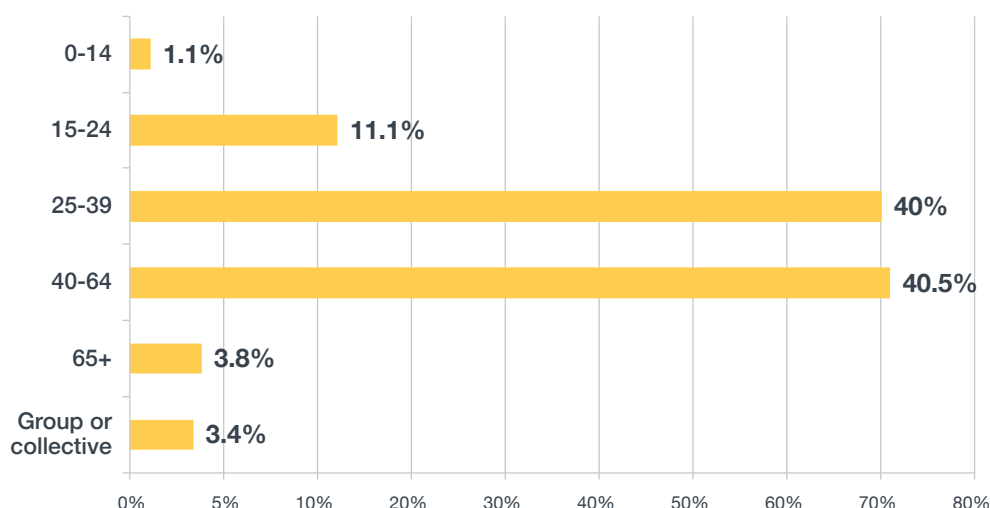
**Chart 4.  
Discrimination  
and gender**

Source: OND and  
SAVD Board, 2021



**Chart 5.**  
**Discrimination**  
**and age**

Source: OND and  
SAVD Board, 2021



Finally, along with gender and age, we also look at **the administrative situation** of the persons reporting the discriminatory facts, since we consider that it is a relevant data that has an impact on the decision of the person when it comes to explaining a situation of lived discrimination. In this sense, the figures show that the vast majority of people who reported situations of discrimination to the OND or the SAVD Board during 2021 were in a regularised administrative situation (75%), compared to 12.7% that were in an unregulated administrative situation (8.5%) or were asylum seekers (3.8%) or refugees (0.4%). **The Care Service for Immigrants, Emigrants and Refugees (SAIER)**, of the Barcelona City Council, attended 19,000 people in 2019, of which 41% were in an irregular administrative situation, 7,790 in total. <sup>11</sup>

**Table 6.**  
**Discrimination**  
**and administra-**  
**tive situation**

Source: OND and  
SAVD Board, 2021

	N	%
DNI/NIE identity number	380	75,4
Unregulated administrative situation	43	8,5
Asylum	19	3,8
Refuge	2	0,4
Not specified	60	11,9
<b>Total</b>	<b>504</b>	<b>100</b>

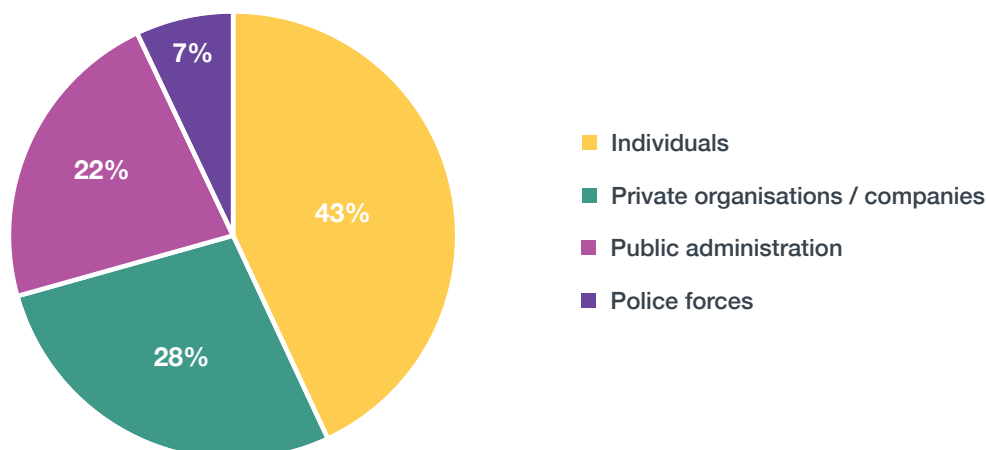
<sup>11</sup> <https://ajuntament.barcelona.cat/novaciudadania/sites/default/files/memoria-saier-2020.pdf> (in Catalan)

## Who?

At this point we look at what discriminatory agents are exerted in the reported situations (taking into account that in some cases there may be more than one agent). The results show that **individuals are the ones that have exercised most discriminations** out of the cases collected in 2021, with 43%, followed by private entities or companies, which have been involved in 28% of cases. Public administrations have been discriminating agents in 22% of cases, and police forces, 7%; therefore, if we add these two categories, we find that **29% of discrimination has been exercised, directly or indirectly, by a public actor.**

**Chart 6.**  
**Discriminating agents**

Source: OND and SAVD Board, 2021



If we look at the evolution of recent years, there is a slight upward trend in discrimination committed by individuals, of almost 6% in three years, inversely proportional to the downward trend of the discrimination committed by companies or entities of the private sector, which since 2019 has dropped by 8%. With regard to the public sector, a rise in discrimination committed by public administrations has been recorded during 2021, which has gone from 77 to 114 cases and, on the other hand, there is a drop of 51 to 36 cases in situations where police forces have exercised discrimination.

**Chart 7.**  
**Discriminating agents, 2019-2021**

Source: OND and SAVD Board, 2021

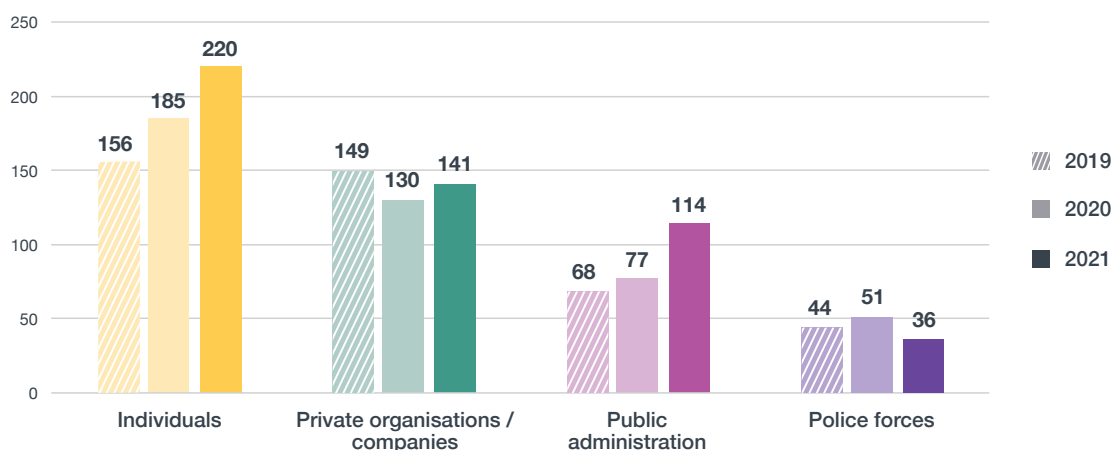


Table 7 shows in more detail who discriminating agents are within each category. The 56 cases where discrimination has been committed by a person working in a business or trade stand out, and the 30 cases where discrimination has been exercised by the company's own management is also noteworthy. If we observe the data regarding the public administrations, the ones with the greatest impact on discrimination on the Barcelona scale are the Generalitat de Catalunya and the City Council, with 52 and 46 cases, respectively. Regarding the security forces, **if we add up the public agents and private security agents**, who are registered in the category of private entities and companies, we note that there are 51 cases, which represent **10% of the total**.

**Table 7.  
Discriminating  
agents**

Source: OND and  
SAVD Board, 2021

	N	%
<b>Individuals</b>	<b>220</b>	<b>43.1</b>
<b>Private organisations/companies</b>	<b>141</b>	<b>27.6</b>
Employee	56	39.7
Management staff	30	21.3
Organisations/associations	25	17.7
Private security	15	10.6
Organised group	4	2.8
Not specified	11	7.8
<b>Public administration</b>	<b>114</b>	<b>22.3</b>
Local	46	40.4
Provincial	2	1.8
Regional	52	45.6
National	13	11.4
Not specified	1	0.9
<b>Police forces</b>	<b>36</b>	<b>7</b>
Local	21	58.3
Regional	12	33.3
National	3	8.3
<b>Total</b>	<b>511*</b>	<b>100</b>

*\* The total of discriminating agents is higher than the total discrimination situations (504), because in some cases more than one discriminating agent has been identified.*



Finally, we are interested in crossing the data of who discriminates and for what reason, to be able to analyse which actors have more impact on what axes of discrimination. Table 8 shows **that most cases of LGTBI-phobia are committed by individuals** (125), who are also the main discriminating agent in situations of racism and xenophobia (74), aporophobia (31), and gender (11).

Regarding the discrimination committed by private entities and companies, we see that the reason why they have discriminated most is racism and xenophobia (62) and that they have also been the main discriminating agents in cases of discrimination on the basis of language (39) and health (18).

If we specifically look at **the discrimination committed by the police forces, we observe that the main reason for discrimination is racism and xenophobia** (25), followed by situations motivated by LGTBI-phobia (10).

**Public administrations, on the other hand, are the main discriminating agent in cases of ableism** (40), closely linked to indirect discrimination on the grounds of lack of accessibility. The second reason is racism and xenophobia (38) and, thirdly, we find discrimination linked to aporophobia (20).

**Table 8. Agents and reasons for discrimination\***

Source: OND and SAVD Board, 2021

*The 504 discrimination situations collected during 2021 may have several grounds of discrimination assigned and also more than one discriminating agent; for this reason, the sum of the columns of discriminating agents in this table does not coincide with the totals in table 7.*

Reasons for discrimination	Public administration	Police forces	Private organisations/ companies	Individuals
Racism and xenophobia	38	25	62	74
LGBTI-phobia	8	10	17	125
Ableism	40	0	11	6
Language	19	1	39	0
Health	12	0	18	7
Religion	9	2	8	8
Gender	3	0	7	11
Ideology	3	1	3	2
Ageism	2	0	2	2
Aporophobia	20	4	12	31

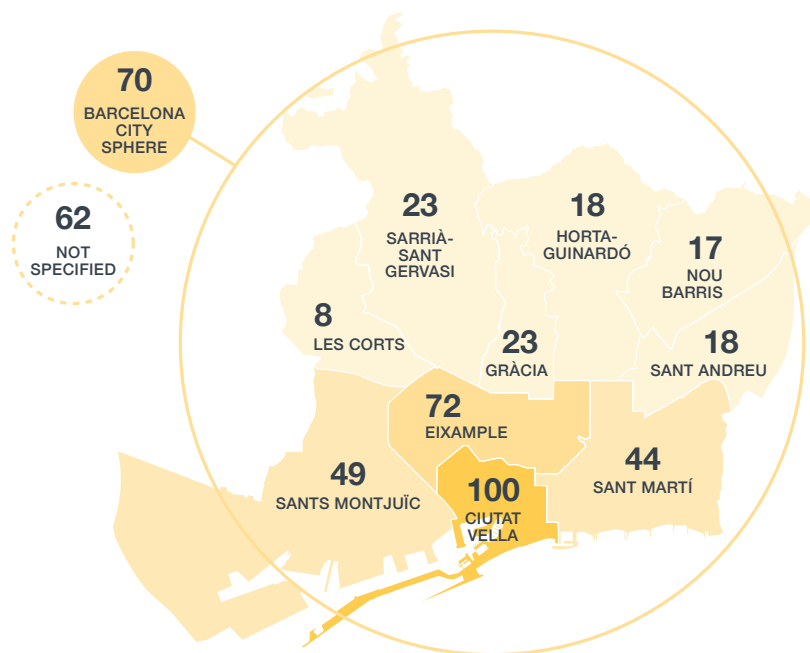
## Where?

Another important fact when analysing the information of the discrimination situations reported during 2021 is where they take place, both in terms of the city districts in which they occur (or, rather, from which neighbourhoods we get more information) as well as in what areas within the city, that is, in public or private spaces, which allows us to identify which spaces are most problematic from the point of view of discrimination in Barcelona.

Maps 2 and 3 show the distribution of cases received by districts during 2021, both in absolute numbers and depending on the population of each area. In both maps **Ciutat Vella** heads the number of situations reported and located, with 91 cases per 100,000 inhabitants, well above the Eixample and Sants-Montjuïc, which have 27 and 26, respectively.

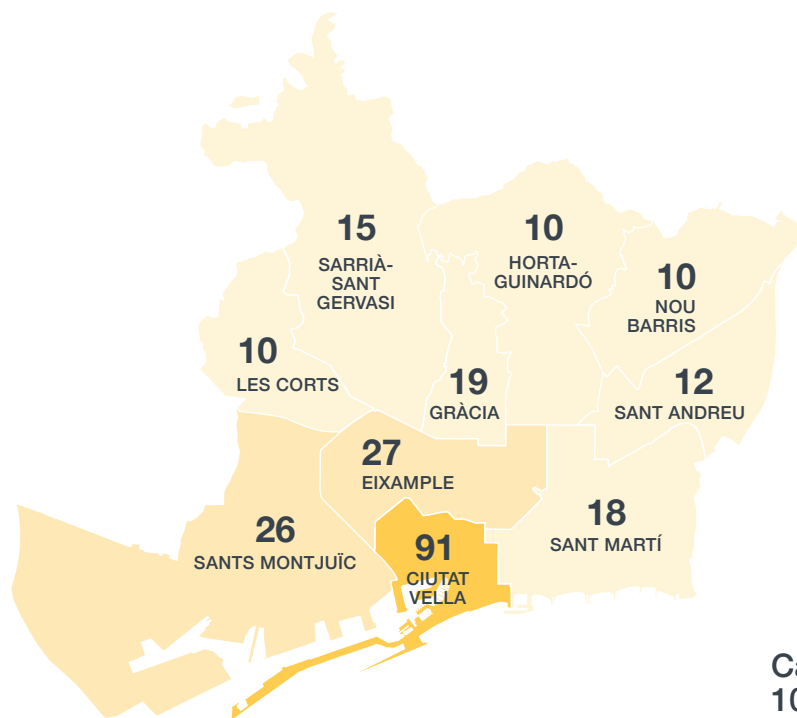
**Map 2.**  
Discrimination  
by districts  
(absolute values)

Source: OND and  
SAVD Board, 2021



**Map 3.**  
Discrimination  
by districts  
(ratio)

Source: OND and  
SAVD Board, 2021



\* Calculated taking into account the 2021 census of each district.

Cases per  
100,000 inhabitants\*

Regarding the locations of discrimination, we note that during 2021 more discrimination was reported in public spaces (268) than private (231). Regarding public spaces, there is discrimination in **streets, parks, beaches and squares**, with 141 cases, as well as cases reported in stations or **transportation** (37), which, as identified in previous reports, are especially conflictive spaces.

## LGTBI-phobia prevention, detection and intervention protocol on TMB transport networks

One of the public spaces where, year after year, discrimination situations are registered, especially in the field of LGBTI-phobia, with 14 this year, is the public transport network of the city. Faced with this problem, the **OCH** has pushed for the development of **the LGBTI-phobia Prevention, Detection and intervention Protocol on TMB transport networks**<sup>12</sup>, in which it has worked in conjunction with the **TMB Social Responsibility, Women and Diversity Area** technical team. The document pursues four basic objectives:

- 1 Prevent LGBTI-phobia in public transport.
- 2 Defining LGBTI-phobic violence in public transport.
- 3 Building a network among competent agents to promote public transport as a friendly space.
- 4 Apply actions and measures to combat LGBTI-phobia in public transport.

The protocol lays down the steps to coordinate assistance, support, analysis and advice regarding situations of (LGBTI-phobic) discrimination on the grounds of sexual orientation, gender identity and/or expression, so that those who suffer or may suffer such discrimination can overcome situations of abuse or violence and receive redress for the harm and personal, employment, family and social consequences they have experienced.

Within private spaces, discriminatory situations in **houses, flats and homes** (67) are especially relevant, as already reported in 2020, with a lot of links to the pandemic context and the associated mobility restrictions, although during 2021 discriminations that have taken place inside **companies and entities** (59) have increased.

<sup>12</sup> [https://pro.static.gentmb.tmb.cat/s3fs-public/fitxers/1637917091/protocol\\_lgtbi-fobia\\_transport\\_public\\_v3-plantilla\\_corporativa.pdf](https://pro.static.gentmb.tmb.cat/s3fs-public/fitxers/1637917091/protocol_lgtbi-fobia_transport_public_v3-plantilla_corporativa.pdf) (in Catalan)

**Table 9. Areas of discrimination, 2019-2021**

Source: OND and SAVD Board, 2021

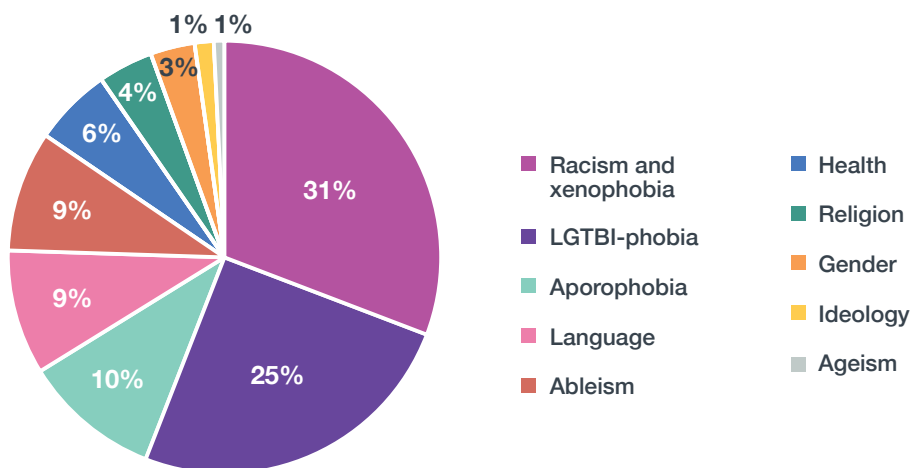
		2021		2020		2019	
		N	%	N	%	N	%
<b>Public</b>		<b>268</b>	<b>53.2%</b>	<b>197</b>	<b>45.2%</b>	<b>196</b>	<b>46.7%</b>
	<b>Streets, parks, beaches, squares</b>	<b>141</b>	<b>28%</b>	<b>109</b>	<b>25%</b>	<b>97</b>	<b>23.1%</b>
	<b>Public facilities</b>	<b>124</b>	<b>24.6%</b>	<b>84</b>	<b>19.3%</b>	<b>98</b>	<b>23.3%</b>
	Stations or means of transport	37		31		41	
	Hospitals	23		13		18	
	Citizens help and information offices and courts	20		12		9	
	Schools	16		9		7	
	Sports, cultural and social centres	10		1		3	
	Hostels or shelters	5		3		2	
	Police premises	4		4		5	
	Markets	2		0		0	
	Libraries, museums and exhibition halls	2		1		2	
	Other	5		10		11	
	<b>Online and telephone services</b>	<b>2</b>	<b>0.4%</b>	<b>3</b>	<b>0.7%</b>	<b>1</b>	<b>0.2%</b>
	<b>Not specified</b>	<b>1</b>	<b>0.2%</b>	<b>1</b>	<b>0.2%</b>	<b>0</b>	<b>0%</b>
<b>Private</b>		<b>231</b>	<b>45.8%</b>	<b>211</b>	<b>48.4%</b>	<b>206</b>	<b>49%</b>
	<b>Private facilities with public access</b>	<b>50</b>	<b>9.9%</b>	<b>65</b>	<b>14.9%</b>	<b>91</b>	<b>21.7%</b>
	Shops	20		28		12	
	Restaurants and bars	15		13		34	
	Assistance and service offices	7		6		9	
	Leisure centres	2		0		14	
	Hotels, hostels and shelters	2		2		8	
	Museums and exhibition halls	1		0		1	
	Stations or means of transport	0		2		3	
	Other	3		14		10	
	<b>Private facilities where access is subject to prerequisites</b>	<b>167</b>	<b>33.1%</b>	<b>129</b>	<b>29.6%</b>	<b>99</b>	<b>23.6%</b>
	Houses, flats and other dwellings	67		70		42	
	Companies and organisations	59		29		23	
	Schools, hospitals and sports centres	24		12		11	
	Leisure centres	6		0		5	
	Media	1		5		6	
	Concert halls, conference rooms and pavilions	1		0		2	
	Other	2		3		10	
	Not specified	7		10		0	
	<b>Online and telephone services</b>	<b>14</b>	<b>2.8%</b>	<b>14</b>	<b>3.2%</b>	<b>16</b>	<b>3.8%</b>
	<b>Not specified</b>	<b>0</b>	<b>0%</b>	<b>3</b>	<b>0.7%</b>	<b>0</b>	<b>0%</b>
<b>Other</b>		<b>5</b>	<b>1%</b>	<b>28</b>	<b>6.4%</b>	<b>18</b>	<b>4.3%</b>
<b>TOTAL</b>		<b>504</b>	<b>100%</b>	<b>436</b>	<b>100%</b>	<b>420</b>	<b>100%</b>

## On what grounds?

In this section, we look at what the reasons are behind the discrimination reported to the OND and the SAVD Board during 2021. As shown in graph 8, **31% of registered discrimination has been motivated by racism and xenophobia**, which is once again the axis that most situations are collected, followed by discrimination in the field of LGTBI-phobia, which this year represents 25%.

**Graph 8.**  
**Grounds of discrimination**

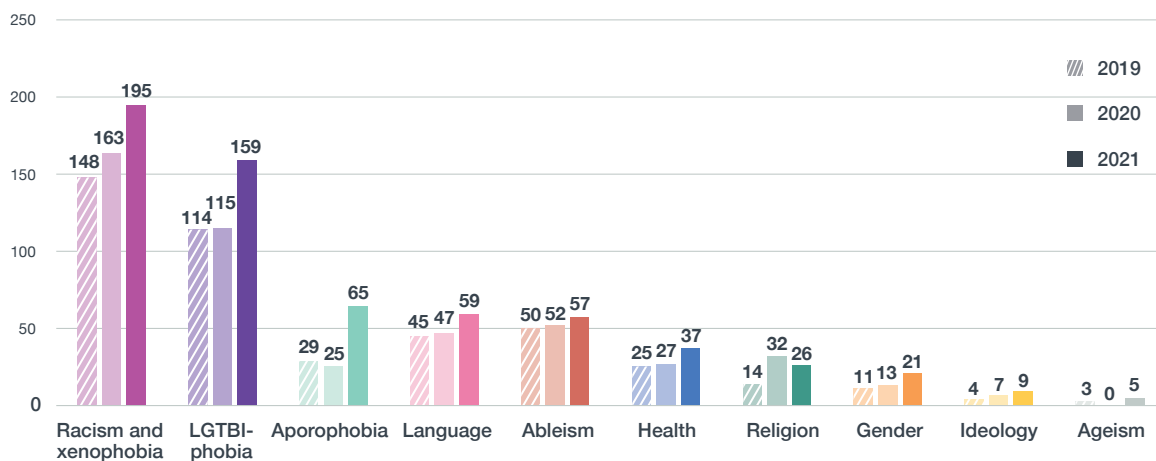
Source: OND and SAVD Board, 2021



As shown in Graph 9, during this year **there has been a significant increase in the LGBTI-phobic discrimination record**, which has increased from 115 in 2020 to 159 in 2021; we also observe an important increase in the discrimination records **motivated by aporophobia**, which in 2021 adds 65 cases in the city of Barcelona.

**Graph 9.**  
**Grounds of discrimination, 2019-2021**

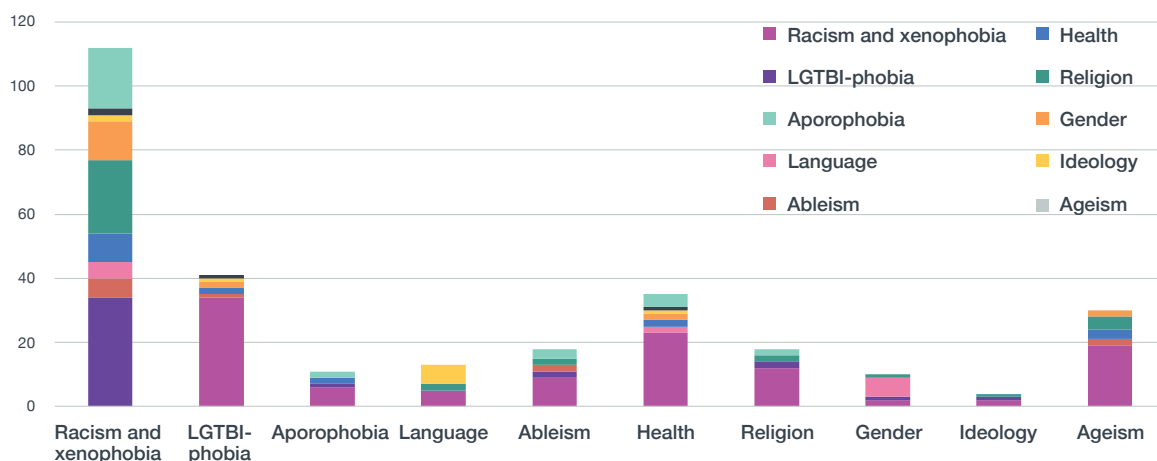
Source: OND and SAVD Board, 2021



21.8% of the 504 discrimination situations recorded during 2021 are assigned more than one reason for discrimination. Graph 10 shows which axes coincide and in what volume, a data that gives us an intersectional look at the discrimination registered in Barcelona this year. We note **that racism and xenophobia is the axis that most intersects with other axes, especially with LGBTI-phobia, religion (in this case, with Islamophobia) and aporophobia** and, to a lesser degree, with gender and health. Another data that stands out from the graph is the link between the axes of language and ideology.

**Graph 10.**  
**Intersectionality**  
**of discrimination**

Source: OND and  
SAVD Board, 2021



It is important to insist that these data show the discrimination that has reached the OND and the SAVD Board organisations during 2021 and that, despite the improvement of the data collection year after year, it does not collect the full picture of discrimination in the city, due to under-reporting.

**In spite of the improvement of the data collection, the figures that are shown in this section do not collect the complete picture of discrimination in the city, due to the under-reporting**

Below we will analyse in more detail each of the reasons for discrimination with which the Barcelona Discrimination Observatory works, and we will cross, in each case, **whom is discriminated against, who perpetrates it and where the discrimination of each axis takes place**. This section also includes **the reflections, problems and good practices indicated by the SAVD Board organisations and the OND**, which complement and enrich the information provided by quantitative data and show the daily work of fight against discrimination in the city.

## Racism and xenophobia

**Racist discrimination** is based on the belief and attitude of considering the natural superiority of white people over non-white or racialised people, both in the individual aspect and structural level; in this case, the group is identified by skin colour or by fictitious attribution to an alleged race.

- 👁️ **Xenophobic discrimination** is characterised by irrational fear or rejection of people from other countries or ethnicities. **Racism** and **xenophobia** are usually closely connected to socio-economic factors, as those who are rejected are usually people with a low level of financial resources. The indicators used in this report to analyse racist and xenophobic discrimination are the **racialisation** and the **ethnic/national origin** of the person.

The axis of racism and xenophobia is, once again, the one that has registered most cases (195). Table 10 shows in more detail the subcategories of people who have been discriminated against for this reason during 2021: we note that 86 cases have been identified in the category of migrant people, which includes all situations in which discrimination has been motivated by the migrant origin of the person, although without specifying the specific origin. The rest of the subcategories try to collect, in cases where possible, the specific na-

tional or ethnic origin, or the racialisation of the person, with the aim of visibility of the specific conditions and the impacts that discrimination has on people and groups determined.


**Table 10. Who was discriminated against on the grounds of racism and xenophobia, 2019-2021**

Source: OND and SAVD Board, 2021

	2021	2020	2019
<b>Racism and xenophobia</b>	<b>195</b>	<b>163</b>	<b>148</b>
Migrants	86*		
People of Maghreb or Arab origin	33	46	43
Black people	22	29	26
Roma people	21	15	10
People of Latin American origin	20	32	20
People of Asian origin	5	12	3
Other	3	4	4
Not specified	5	25	42

\* The category of migrants has been included in this year's report.

## Equality data collection

 The concept of **Equality data** refers to all types of disaggregated data used to assess the comparative situation of a specific discriminated group or group at risk of discrimination, to design public policies that may contribute to promoting equality, and to evaluate their application. Equality data are powerful tools against discrimination and exclusion, but general statistics or surveys do not usually collect specific data from discriminated groups, due to the misuse that has been historically made of it. The lack of disaggregated data causes the invisibility of the problems, the rights violations and the discrimination that some people and groups specifically suffer. For this reason, **there are more and more voices that defend the importance of collecting reliable and comparable data on equality** in order to design effective laws and policies, such as laws against discrimination, mechanisms for supervising their effectiveness or specific solutions.

In Barcelona, entities such as **Irdia** opt for **the reform of Article 9 of Organic Law 3/2018**, of 5 December, for the protection of personal data to harmonise it with Regulation 2016/679, of 27 April 2016, of the Parliament and the European Council, **in order to collect data that reflect the reality of the existing diversity in our society**. Without this visibility, combatting racism and other forms of discrimination becomes impossible; work must be done in this regard, in line with proposals made by the High-level Group on Non-Discrimination of the European Union, with the participation of people and collectives providing information in order to **ensure that data is collected according to human rights principles and processed and used only for the benefit of the groups described and to make the reflection of diversity effective**.

**Chart 11. Who discriminated on the grounds of racism and xenophobia, 2019-2021**

Source: OND and SAVD Board, 2021



Graph 11 shows the comparison of discriminating agents in cases of racism and xenophobia, **which once again continue to be led by individuals** (37%), although this year they are practically at the same level as private entities or companies (31%). From **SOS Racisme Catalunya**, there is concern about the consolidation of discrimination between individuals; these are situations that occur in people's day to day, in intimate spaces, such as the home, and relationships and encounters, and that, therefore, **show an important deterioration in coexistence, in which unfortunately racism feeds and is fed by other tensions** that must be identified and in which it is necessary to work to avoid more serious conflicts. It is also important to refer to the social and political context in which, for more than a decade in many European countries and more recently in Spain, **the legitimisation of discriminatory, racist, sexist political discourse** etc. is increasingly producing tension and encouraging hate speech and also aggression with this motivation.

With regard to public agents, the administrations rise slightly from 2020 and go from 28 to 38 cases, while **the discrimination committed by the police forces are ranked fourth, with 25 cases during 2021**. These data contrast, however, with the results of the report **"InVisible. The state of racism in Catalonia"**<sup>13</sup> published by SOS Racisme, which points out that among the cases that the entity collected during 2021 in Barcelona, the first typology in number of new cases assumed is precisely what corresponds to discrimination by **public security forces**, with a percentage of 33% compared to the total number of new cases, a total of 15, **eight of which were racial profile identification situations**. According to SOS Racisme, an important part of the identified situations were not finally denounced, a decision that is often motivated by **fear and distrust of the Justice Administration**. The entity notes the importance of the fact that in these cases the violation of the right is executed by the system itself: whether it is the specific action of the police or omission by the corresponding security force or the competent administration when it does not recognise the violation or when it does not deploy all the control mechanisms of the policing task.

If we look at where discrimination took place, we observe that **the streets, parks, squares and beaches (43)** and the stations or means of transport (16) in the public domain, and houses, flats and houses (25) and entities and companies (28) in the private sphere, continue to be particularly conflicting spaces. This year **the increase in cases collected in public offices and courts** stands out, going from 3 in 2020 to 15 in 2021.

<sup>13</sup> <https://sosracisme.org/wp-content/uploads/2022/03/Articulos365def-1.pdf> (in Catalan)



**Table 11. Where was there discrimination on the grounds of racism and xenophobia, 2019-2021**

Source: OND and SAVD Board, 2021

		2021		2020		2019	
		N	%	N	%	N	%
<b>Public</b>		<b>106</b>	<b>53.3%</b>	<b>75</b>	<b>46%</b>	<b>74</b>	<b>48.1%</b>
	<b>Streets, parks, beaches, squares</b>	<b>43</b>	<b>21.6%</b>	<b>32</b>	<b>19.6%</b>	<b>40</b>	<b>26%</b>
	<b>Public facilities</b>	<b>62</b>	<b>31.2%</b>	<b>41</b>	<b>25.2%</b>	<b>33</b>	<b>21.4%</b>
	Stations or means of transport	16		18		17	
	Hospitals	9		6		2	
	Citizens help and information offices and courts	15		3		4	
	Schools	8		3		2	
	Sports, cultural and social centres	5		1		0	
	Hostels or shelters	3		3		1	
	Police premises	0		4		2	
	CIE (alien internment centres)	0		0		2	
	Media	0		0		1	
	Libraries, museums and exhibition halls	2		0		2	
	Other	4		3		0	
	<b>Online and telephone services</b>	<b>1</b>	<b>0.5%</b>	<b>1</b>	<b>0.6%</b>	<b>1</b>	<b>0.6%</b>
	<b>Not specified</b>	<b>0</b>	<b>0%</b>	<b>1</b>	<b>0.6%</b>	<b>0</b>	<b>0%</b>
<b>Private</b>		<b>88</b>	<b>44.2%</b>	<b>83</b>	<b>50.9%</b>	<b>75</b>	<b>48.7%</b>
	<b>Private facilities with public access</b>	<b>22</b>	<b>11.1%</b>	<b>25</b>	<b>15.3%</b>	<b>31</b>	<b>20.1%</b>
	Shops	9		8		6	
	Restaurants and bars	2		1		15	
	Assistance and service offices	5		3		1	
	Leisure centres	2		0		3	
	Hotels, hostels and shelters	0		1		2	
	Museums and exhibition halls	1		0		0	
	Markets	0		2		1	
	Transport stations	0		1		0	
	Other	3		9		3	
	<b>Private facilities where access is subject to prerequisites</b>	<b>61</b>	<b>30.7%</b>	<b>53</b>	<b>32.5%</b>	<b>40</b>	<b>26%</b>
	Houses, flats and other dwellings	25		27		20	
	Companies and organisations	28		15		11	
	Schools, hospitals and sports centres	7		1		0	
	Leisure centres	0		0		2	
	Media	1		5		4	
	Concert halls, conference rooms and pavilions	0		0		1	
	Assembly	0		0		1	
	Other	0		1		1	
	Not specified	0		4		0	
	<b>Online and telephone services</b>	<b>5</b>	<b>2.5%</b>	<b>3</b>	<b>1.8%</b>	<b>2</b>	<b>1.3%</b>
	<b>Not specified</b>	<b>0</b>	<b>0%</b>	<b>2</b>	<b>1.2%</b>	<b>2</b>	<b>1.3%</b>
<b>Other</b>		<b>5</b>	<b>2.5%</b>	<b>5</b>	<b>3.1%</b>	<b>5</b>	<b>3.2%</b>
<b>TOTAL</b>		<b>199</b>		<b>163</b>		<b>154</b>	

Regarding the typology of the discrimination that occurs motivated by racism and xenophobia, it is important to emphasise the level of violence with which they are expressed: of the 195 cases recorded during 2021, **37 were expressed through verbal violence and 22 led to physical aggression** (see section 4.2.5, “types of discrimination”).

**Cepaim** and **EXIL** point out that one of the problems they have identified is **the differentiated treatment toward migrated people in access to public services**, especially toward people who are in **an irregular administrative situation**, in procedures such as access to the register, access to the health card or access to a bank account. The entities denounce the treatment received by users of their entities, which has even meant the impossibility of doing the relevant procedures until they have been accompanied by “local” people. Another problem that the entities that work in the defence of the rights of migrant people have highlighted is **the blockade in the procedures of foreigners**, which has been aggravated by the COVID pandemic.



DISCRIMINATION SITUATION:

### **Racism and xenophobia**

The **Cepaim** Humanitarian Care Program serves migrated people and, among other services, helps them take the first steps in the host society, such as registration at the register, getting a health card or enrolling on language courses. In this case, a group of young people was derived, with all the documentation prepared, to go to the register at its Office of Citizenship

Care (OAC). When the group of young men arrived at the office they asked, in another language, to be able to register, but they were not attended and told they could leave. They subsequently returned to the same office accompanied by a technician from the entity, of native origin, and they carried out the proceedings without any problem.

Within the field of racism and xenophobia, we also find **discrimination toward Roma people**, represented in the SAVD Board by the organisations **Secretariado Gitano Foundation (FSG)** and **Romani Union**. During 2021, 21 cases have been registered in the city of Barcelona, data that shows **the high level of under-reporting of anti-gypsy discrimination** in the city. From the FSG they also denounce **the highly stigmatised and stereotypical representation that is still made in the media**, both private and public, and the exclusion and precariousness suffered by Roma people in the field of housing (see section 4.3, “Discrimination in Housing”).



DISCRIMINATION SITUATION:

## Anti-gypsyism

A Roma family with three minors is relocated in a hostel, after an eviction. Within the hostel there are situations of extreme severity that mainly affect minor people: precarious hygiene conditions, hours of rest not suitable for children, coexistence with other resident people who are consumers of mild drugs and alcohol, and so on. The mother highlights the situation and concern to the host, who returns a very hostile response and does not take action on the mother's requests. The other families living in the hostel comment that the rejection attitude is

only toward this woman and her family, who is referred to as "the gypsy" or "the gypsy family", since the person in charge behaves respectfully with the other people. **FSG** launched several actions to improve the situation of the minors. After a meeting with Social Service referents, they commit to valuing the situation and making a report that reflects all vulnerability situations. The common goal is to achieve a space where the family can live alone and the minors have all the right conditions for their emotional and socio-educational development.

## Action protocol for situations of discrimination caused by racism

The **Protocol for actions against situations of discrimination for racism**<sup>14</sup>, is based on the need to coordinate the actors and circuits, both public and private, that the city of Barcelona has at its disposal to face discrimination situations due to racism. The object of this document is to detail the circuit of communication, coordination and collaboration work that must be followed in addressing the detected situations of discrimination or violation of rights for racism, in their different specificities: racialisation, ethnic origin, xenophobia, anti-gypsyism,

👁 Islamophobia, **anti-Muslimism racism**, antisemitic racism, and so on.

Among the main agents involved are the OND of the Barcelona City Council and the entities that are active in the detection, attention and accompaniment of these rights violations, such as **Bayt al-Thaqafa**, **the Federation of Gypsy Associations of Catalonia (FAGIC)**, **the Secretariado Gitano Foundation**, **Stop Islamophobic Phenomena in Catalonia (SAFI)** and **SOS Racisme**. For this reason, periodic meetings of the monitoring committee of this protocol are held to review the detected situations and monitor the development of this circuit.

<sup>14</sup> <https://ajuntament.barcelona.cat/oficina-no-discriminacio/sites/default/files/PROTOCOL%20racisme%20BCN-DEFINITIU.pdf> (in Catalan)

## LGTBI-phobia

- 👁️ **LGTBI-phobia** is the rejection, hatred or aversion to lesbian, gay, transsexual, intersexual, bisexual, and people with gender expressions that do not fit the prevailing social categories. Attacks on sexual diversity and **CIS heteronormativity** (considering that what is normative is being heterosexual and identifying with the gender and identity that is socially associated with birth sex) cause discrimination and rights violations. Most discrimination suffered by people in the **LGBTI** collective is because of their **sexual orientation** or **gender identity and expression**, which are the indicators we use to analyse LGBTI-phobia:
  - **Sexual orientation** speaks about who we feel sexual, erotic, emotional or loving attraction towards.
  - **Gender identity** refers to the feeling of belonging to a particular gender.
  - **Gender expression** is the way of expressing oneself, the tastes and behaviour that is expected of a certain gender (male / female), which is imposed.

During 2021, 159 discrimination situations linked to LGBTI-phobia have been recorded, 108 of which have been motivated by the person's sexual orientation (99 per homophobia and 9 per lesbophobia); **highlights also include discrimination towards transsexual persons reported, which went from 14 in 2020 to 41 in 2021.**

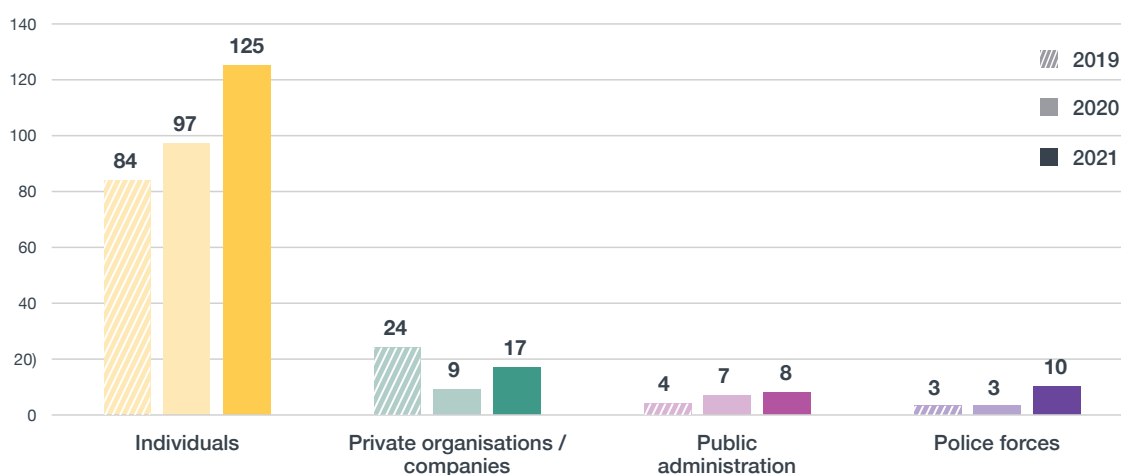
**Table 12. Who was discriminated against on the grounds of LGBTI-phobia, 2019-2021**

	2021	2020	2019
<b>LGTBI-phobia</b>	<b>159</b>	<b>115</b>	<b>114</b>
Homophobia	99	74	60
Transphobia	41	18	23
LGBTI-phobia	10	14	14
Lesbophobia	9	7	15
Other	0	2	0
Not specified	0	0	1

With regard to discriminating agents, this year the trend evidenced in previous reports remains, showing **that most LGBTI-phobic discrimination is perpetrated by individuals** (78% of cases received in 2021, 125 in total).

**Chart 12. Who discriminated on the grounds of LGBTI-phobia, 2019-2021**

Source: OND and SAVD Board, 2021



If we look at the areas where LGBTI-phobic discrimination takes place, we observe that a good part is still produced in public spaces, **in streets, parks, squares and beaches** of the city, and that in 2021 they represent 38% of the cases registered. Another key factor that is notable in the typology of the discrimination that occurs in LGBTI-phobia is the level of violence with which they are expressed: of the 159 cases recorded during 2021, **68 involved some sort of verbal aggression and 37 were expressed through physical aggression** (see section 4.2.5, “Types of discrimination”).



DISCRIMINATION SITUATION:

### **LGTBI-phobia**

One night, on the beach of Somorrostro, two homosexual couples are approached by a group of five men calling them homophobic insults, threatening them and spitting at them. The situation is aggravated to the point where the group of men physically assault both couples, punching them repeatedly. One of those affected was rendered unconscious and had to undergo urgent surgery. At the time of the incident, they called the Guardia Urbana

and subsequently filed a police report. Within a few months, three of the alleged perpetrators of the aggression were arrested. From the **Observatory against Homophobia (OCH)** and **OND** legal attention was provided to the victims as to what was the best itinerary they could follow. They were also given a psychosocial accompaniment process. At the time of closing this report, the resolution of the trial is still pending.

In the private sphere, this year the upward trend started in 2020, in the context of a pandemic, in which there was an increase in the discrimination that occurred in **houses, flats and housing**, which this year recorded 31 cases (19.5% of the total). In this sense, from **ACATHI** they underline **the specific problems with which transsexual people find themselves in accessing a home**: the users who go to the entity, that works with migrant LGBTI people, often cannot access a whole house and must rent rooms in shared flats, where they are usually in situations of rejection caused by prejudices and the stigma that there is toward transsexual people. From the **Observatory against Homophobia (OCH)**, they point to the great difficulty with which they are faced when it comes to proving the discrimination that occurs in private spaces, which makes this problem difficult and even more invisible (see section 4.3, “Discrimination in Housing”).

The pandemic situation experienced in the last two years has aggravated feelings of fear, instability, distress, and widespread emotional fatigue, and has influenced LGBTI-phobic experiences and led **to some rights and discrimination violations being expressed with higher levels of tension and violence**. Among the cases accompanied by the OCH, there is a decrease in incidents on the Internet and social networks, and a rise of cases in the work area and nightlife, closely linked to the partial opening of the restrictions during parts of the year 2021, in which face-to-face activities have begun to return.

**Table 13. Where was there discrimination on the grounds of LGBTI-phobia, 2019-2021**

Source: OND and SAVD Board, 2021

		2021		2020		2019	
		N	%	N	%	N	%
<b>Public</b>		<b>97</b>	<b>61%</b>	<b>61</b>	<b>55%</b>	<b>62</b>	<b>53.4%</b>
	<b>Streets, parks, beaches, squares</b>	<b>61</b>	<b>38.4%</b>	<b>41</b>	<b>36.9%</b>	<b>40</b>	<b>34.5%</b>
	<b>Public facilities</b>	<b>36</b>	<b>22.6%</b>	<b>20</b>	<b>18%</b>	<b>22</b>	<b>19%</b>
	Stations or means of transport	14		10		14	
	Hospitals	6		1		2	
	Citizens help and information offices and courts	4		3		1	
	Schools	2		3		1	
	Sports, cultural and social centres	3		0		1	
	Hostels or shelters	2		0		0	
	Police premises	2		1		2	
	Libraries, museums and exhibition halls	1		0		0	
	Markets	2		0		0	
	Other	0		2		1	
<b>Private</b>		<b>62</b>	<b>39%</b>	<b>47</b>	<b>42.3%</b>	<b>53</b>	<b>45.7%</b>
	<b>Private facilities with public access</b>	<b>11</b>	<b>6.9%</b>	<b>13</b>	<b>11.7%</b>	<b>27</b>	<b>23.3%</b>
	Shops	4		3		2	
	Restaurants and bars	6		5		9	
	Assistance and service offices	1		1		1	
	Leisure centres	0		0		8	
	Hotels, hostels and shelters	0		0		3	
	Markets	0		2		0	
	Other	0		2		4	
	<b>Private facilities where access is subject to prerequisites</b>	<b>49</b>	<b>30.8%</b>	<b>30</b>	<b>27%</b>	<b>25</b>	<b>21.6%</b>
	Houses, flats and other dwellings	31		23		9	
	Companies and organisations	7		1		6	
	Schools, hospitals and sports centres	5		4		6	
	Leisure centres	6		0		1	
	Media	0		0		2	
	Other	0		1		1	
	Not specified	0		1		0	
	<b>Online and telephone services</b>	<b>2</b>	<b>1.3%</b>	<b>4</b>	<b>3.6%</b>	<b>1</b>	<b>0.9%</b>
<b>Others</b>		<b>0</b>	<b>0%</b>	<b>3</b>	<b>2.7%</b>	<b>1</b>	<b>0.9%</b>
<b>TOTAL</b>		<b>159</b>		<b>111</b>		<b>116</b>	

At the OCH, they also perceive ambivalence in the attention received from public administrations and the bodies and security forces, which is sometimes appropriate and in other cases deficient. In particular, they emphasise the cases of affected people that explain their dissatisfaction with the attention received from the police forces, since they tend to **undermine the transcendence of LGBTBI-phobic incidents and to discourage the exercise of the legitimate rights of denouncing people**, since they consider that they are matters with little chance of prospering.

It should be noted that there is already a **specialised Service of the Mossos d'Esquadra [Catalan regional police] to serve people who have suffered issues compatible with hate and discrimination crimes**, including those of an LGBTI-phobic nature; in this sense, OCH wants all discrimination situations received by the Mossos d'Esquadra to be channelled through this service, to ensure proper care for victims. This ambivalence in dealing with people affected by discrimination situations indicates, according to the entity, that **the services and protocols applied have margin for improvement** to be more pragmatic and respond to the needs and demands of all the people affected.

## Aporophobia

- 👁️ **Aporophobia** is a phenomenon expressed through contempt, phobia, aversion, rejection or hatred towards poor people. The indicator we use to analyse aporophobia is the socio-economic position of the person; the group that suffers most from this discrimination is that of people in a situation of **homelessness**. According to the latest count of **the Homeless People's Assistance Network (XAPSLL)** and the Barcelona City Council, in April 2021 there were 895 people sleeping on the street and 3.046 in facilities; At the time of the publication of the present report, the latest data provided by XAPSLL put the figure at least at **4,043** people in a situation of homelessness in the city of Barcelona.

In 2021, **there were 65 discriminatory situations in the field of aporophobia, more than twice than in 2020, when 25 were reported**. This increase is closely linked to the improvement of the identification and collection of cases by the entities that are part of the XAPSLL, member of the SAVD Board.

Chart13 shows the comparison of discriminating agents in the last three years; we observe the rise that occurred in the discrimination carried out by **police forces** in the city during the year 2020, in the context of a pandemic, which reached 18 cases and that in 2021 dropped to four, and now **individuals (31) and the public administrations (20)** are the main discriminating agents in the field of aporophobia.

**Chart 13. Who discriminated on the grounds of aporophobia, 2019-2021**

Source: OND and SAVD Board, 2021



Regarding the spaces where the discrimination motivated by aporophobia took place, we observe **that more than half, 58.5%, have taken place in public spaces in the city**, in the streets, parks and squares; in private spaces, there are five cases in houses and four in entities and companies. Another key factor that is worth mentioning in the typology of discriminations that occur due to aporophobia is the level of violence with which they are expressed: of the 65 cases registered during 2021, **25 were expressed through violence, verbal (6) and physical (19)** (see section 4.2.5, “Types of discrimination”).



DISCRIMINATION SITUATION:

### Aporophobia

A boy who sleeps on the street, in the Sagrada Família neighbourhood, is attacked during the night by a group of far-right youngsters; they initially begin with verbal aggression and threats, with comments such as “all the poor should be exterminated,” and tell him that he must leave the neighbourhood. The boy ends up standing up to them and the group of young people physically attack

him. As a result of the aggressions, the young man ends up with bruises all over his body and several stitches on an eyebrow. **XAPSLL** accompanies the young man, who has not returned to sleep in that area in the face of the fear of being attacked again. A complaint was lodged and at the time of closing this report, it continues to be pending resolution.

One of the main problems that XAPSLL identifies in the fight against aporophobia in the city, coupled with the under-reporting that affects all axes, is **the widespread normalisation of discrimination against homeless people**, who can even feel guilty about being in the situation in which they find themselves and assume, as normal, the discriminatory treatment that they can receive from citizens, shops, the administrations and the police.



**Table 14. Where was there discrimination on the grounds of aporophobia, 2019-2021**

Source: OND and SAVD Board, 2021

		2021		2020		2019	
		N	%	N	%	N	%
<b>Public</b>		<b>49</b>	<b>75.4%</b>	<b>20</b>	<b>80%</b>	<b>15</b>	<b>50%</b>
	<b>Streets, parks, beaches, squares</b>	<b>38</b>	<b>58.5%</b>	<b>18</b>	<b>72%</b>	<b>11</b>	<b>36.7%</b>
	<b>Public facilities</b>	<b>10</b>	<b>15.4%</b>	<b>2</b>	<b>8%</b>	<b>4</b>	<b>13.3%</b>
	Stations or means of transport	4		0		0	
	Hospitals	1		0		1	
	Citizens help and information offices and courts	4		1		1	
	Schools	0		1		0	
	Sports, cultural and social centres	0		0		1	
	Hostels or shelters	1		0		0	
	Police premises	0		0		1	
	<b>Not specified</b>	<b>1</b>	<b>1.5%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
<b>Private</b>		<b>15</b>	<b>23.1%</b>	<b>5</b>	<b>20%</b>	<b>12</b>	<b>40%</b>
	<b>Private facilities with public access</b>	<b>3</b>	<b>4.6%</b>	<b>0</b>	<b>0%</b>	<b>10</b>	<b>33.3%</b>
	Shops	0		0		1	
	Assistance and service offices	3		0		4	
	Hotels, hostels and shelters	0		0		3	
	Transport stations	0		0		1	
	Other	0		0		1	
	<b>Private facilities where access is subject to prerequisites</b>	<b>11</b>	<b>16.9%</b>	<b>4</b>	<b>16%</b>	<b>1</b>	<b>3.3%</b>
	Houses, flats and other dwellings	5		4		0	
	Companies and organisations	4		0		0	
	Schools, hospitals and sports centres	1		0		0	
	Other	1		0		1	
	<b>Online and telephone services</b>	<b>1</b>	<b>1.5%</b>	<b>1</b>	<b>4%</b>	<b>1</b>	<b>3.3 %</b>
<b>Other</b>		<b>1</b>	<b>1.5%</b>	<b>0</b>	<b>0 %</b>	<b>3</b>	<b>10%</b>
<b>TOTAL</b>		<b>65</b>		<b>25</b>		<b>30</b>	

## Homeless women

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According to the last report of the City Council on Homelessness in Barcelona, in 2018 there were **329 women in a situation of homelessness**, representing 13% of the total number of homeless people <sup>15</sup>. From the entity **ASSÍS Shelter Centre**, member of the XAPSLL, they point out that European indicators warn of **a growth in the number of women suffering from residential exclusion**; in Barcelona, this tendency is also observed, since in absolute terms an increase of 60% in ten years is appraised.

If living on the street poses a real threat to the lives of homeless people, in the case of women this threat is even greater. According to the profile survey carried out among women attended by ASSIS during 2020 <sup>16</sup>, **64% of women surveyed reported having suffered street violence and aporophobia crimes** compared to 52% in the case of men. Women in a situation of residential exclusion have generally suffered a series of life-long circumstances that have strongly conditioned their history: 82% of women surveyed have suffered from different forms of violence (psychological, physical, or sexual) throughout their lives, **64% have suffered gender violence** and **32% have suffered sexual violence** in adulthood. These results point to **a higher degree of vulnerability not only in previous trajectories but once these women are on the street**.

According to the data collected by ASSIS, with regard to income and employment status, **57% are seeking employment, and 11% have part-time employment**. **60%** of women who are actively looking for work or who work at this time exercised **their latest job in the care sector**. Likewise, homeless women have an income of 250 euros on average, **22% less than men**. Women of Spanish origin (50%, 7% more than in 2019), who generally have a wider social protection network, tend to present profiles in more chronic situations, while most women with less degraded trajectories in relation to the residential situation tend to be migrated women with administrative difficulties, among others. **35% have vocational training or university studies, and of these, 89% are female migrants**.

15 [https://ajuntament.barcelona.cat/benestaranimal/ca/noticia/mes-recursos-per-abordar-el-sensellarisme-femeni\\_904144](https://ajuntament.barcelona.cat/benestaranimal/ca/noticia/mes-recursos-per-abordar-el-sensellarisme-femeni_904144) (in Catalan)

16 <https://www.donessensellar.org/volconeixermes>

## Language

In Barcelona, more than three hundred languages are currently spoken. Discrimination on the grounds of language often leads to degrading treatment in the form of verbal violence, as well as differential treatment in the provision of services or access to information. Of the 59 situations of discrimination registered by the OND and the SAVD Board during 2021, **55 are cases where people were expressing themselves in Catalan, and four due to using languages other than Catalan and Spanish.**

**Chart 14. Who discriminates on the grounds of language, 2019-2021**

Source: OND and SAVD Board, 2021



With regard to the discriminating agent, in language cases there is a clear predominance of **private entities or companies (39 cases)** and **public administrations (19 cases)**. In this line, if we look at the areas where linguistic discrimination takes place, we observe that two thirds are produced in the private sphere, such as shops (7), bars and restaurants (7), and **a third are produced in public facilities**, such as public hospital centres (6) or transportation stations (5).



DISCRIMINATION SITUATION:

### Language

A person goes to a health centre ER in Barcelona due to a serious respiratory infection that causes them to be very short of breath and to be very ill, to the point that they have difficulty speaking. Upon entering the consultation room, a person from the medical staff asks how they feel. When beginning to explain themselves, in Catalan, the person from the medical team cuts them off and tells them that

they must be speak Spanish. At this time of anguish, the user can only manage to express themselves in Catalan, their mother tongue. As they later denounced to the **Platform for Language**, the medical staff decided to remove them from the consultation room rudely and they had to wait for more than an hour until another person took care of them.

**Table 15. Where was there discrimination on the grounds of language, 2019-2021**

Source: OND and SAVD Board, 2021

		2021		2020		2019	
		N	%	N	%	N	%
<b>Public</b>		<b>23</b>	<b>39%</b>	<b>14</b>	<b>29.8%</b>	<b>15</b>	<b>33.3%</b>
	<b>Streets, parks, beaches, squares</b>	<b>2</b>	<b>3.4%</b>	<b>4</b>	<b>8.5%</b>	<b>4</b>	<b>8.9%</b>
	<b>Public facilities</b>	<b>20</b>	<b>33.9%</b>	<b>8</b>	<b>17%</b>	<b>11</b>	<b>24.4%</b>
	Stations or means of transport	5		1		1	
	Hospitals	6		1		1	
	Citizens help and information offices and courts	3		3		4	
	Schools	2		1		1	
	Sports, cultural and social centres	1		0		0	
	Hostels or shelters	0		0		0	
	Police premises	2		1		0	
	CIE (alien internment centres)	0		0		0	
	Other	1		1		4	
	<b>Online and telephone services</b>	<b>1</b>	<b>1.7%</b>	<b>2</b>	<b>4.3%</b>	<b>1</b>	<b>2.2%</b>
<b>Private</b>		<b>36</b>	<b>61%</b>	<b>33</b>	<b>70.2%</b>	<b>27</b>	<b>60%</b>
	<b>Private facilities with public access</b>	<b>15</b>	<b>25.4%</b>	<b>18</b>	<b>38.3%</b>	<b>13</b>	<b>28.9%</b>
	Shops	7		7		0	
	Restaurants and bars	7		4		10	
	Assistance and service offices	0		1		0	
	Leisure centres	0		0		2	
	Hotels, hostels and shelters	1		0		1	
	Markets	0		5		0	
	Transport stations	0		1		0	
	<b>Private facilities where access is subject to prerequisites</b>	<b>16</b>	<b>27.1%</b>	<b>7</b>	<b>14.9%</b>	<b>4</b>	<b>8.9%</b>
	Houses, flats and other dwellings	0		2		0	
	Companies and organisations	6		1		1	
	Schools, hospitals and sports centres	9		3		2	
	Concert halls, conference rooms and pavilions	0		0		1	
	Other	1		0		0	
	Not specified	0		1		0	
	<b>Online and telephone services</b>	<b>5</b>	<b>8.5%</b>	<b>7</b>	<b>14.9%</b>	<b>10</b>	<b>22.2%</b>
<b>Other</b>		<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>	<b>3</b>	<b>6.7%</b>
<b>TOTAL</b>		<b>59</b>		<b>47</b>		<b>45</b>	

From the **Platform for Language** entity they observe an upward trend, in recent years, of **linguistic discrimination in the field of work**, in situations where, due to the use of the Catalan language, there is a limitation of the work functions carried out, the non-recruitment of the person in question or, even, explicit disciplinary fines due to speaking Catalan with their clients. On the other hand, from the entity they show concern about the lack of explicit official recognition of this type of discrimination by some administrations, who accept or normalise discrimination on the basis of language and consider it less serious than other discrimination, a fact that complicates most processes of intermediation and administrative reporting.

## Ableism

- 👁️ **Disability** is a situation resulting from the interaction between people with foreseeably permanent impairments and any type of barriers that limit or prevent their full and effective participation in society, on equal terms with all others.<sup>17</sup> According to the latest available data, there were 155,517 individuals with some recognised degree of disability living in Barcelona in 2021. Discrimination on the grounds of disability is also recognised by the term **ableism**.

In 2021, OND and the entities that work for the defence of the rights of people with disabilities, represented in the table through **ECOM, Dincat** and the **Veus Federation**, have registered 57 discrimination situations linked to ableism, **mostly toward people with some degree of physical or organic disability**; five cases have been discriminations toward people with intellectual disability, a group where high levels of under-reporting are registered again.

**Table 16. Who is discriminated against on the grounds of ableism, 2019-2021**

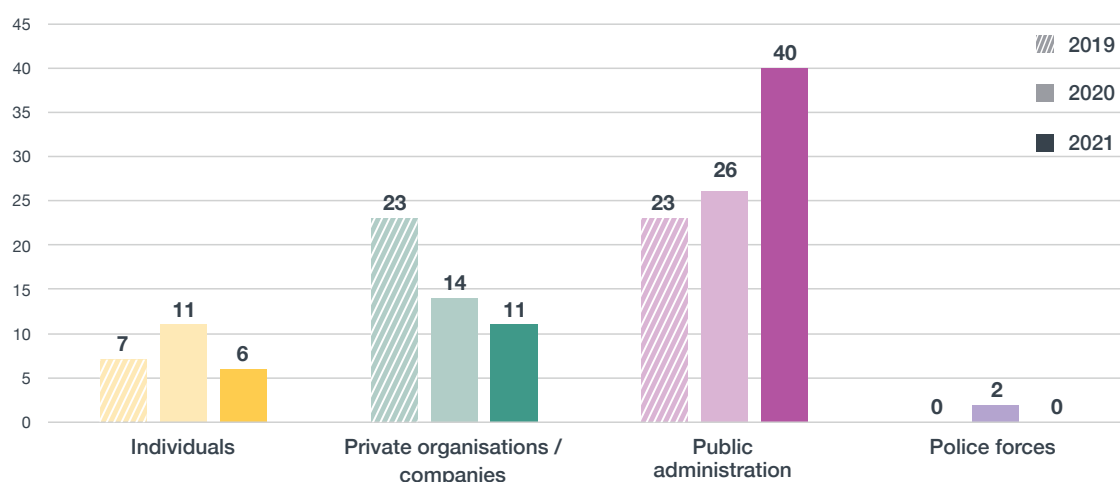
Source: OND and SAVD Board, 2021

	2021	2020	2019
Disability	57	52	50
Physical/organic	44	44	45
Auditory	5	0	0
Intellectual	5	1	3
Multiple disabilities	3	3	0
Visual	0	1	1
Not specified	0	3	1

During 2021, the trend in recent years has been accentuated **with regard to discriminating agents, which in 70% of cases are public administrations**; they go up from 26 to 40 cases with respect to the data collected the previous year.

**Chart 15. Who discriminated on the grounds of ableism, 2019-2021**

Source: OND and SAVD Board, 2021



<sup>17</sup> Definition of disability, which appears in the Royal Legislative Decree 1/2013, of 29 November, which approves the recast text of the General Law on the Rights of Persons with Disabilities and its social inclusion.

Regarding the areas where discrimination related to ableism takes place, we observe that one third have taken place in public spaces and two thirds in private spaces, where those that have taken place in entities and companies stand out, with 12 cases in 2021, and those that occur in houses, apartments and housing, which add up to 19. ECOM, an entity that works for the defence of people with physical and organic disabilities, point out that they have observed **an increase in cases of risk of residential exclusion among their users**; this resulted in an increase in attention by the entity to people who were at risk of eviction or who had long been waiting for an accessible official protection floor (see section 4.3, “Discrimination in Housing”).



DISCRIMINATION SITUATION:

## **Ableism**

A person with a disability who uses a stamp due to a physical impossibility to sign documents, upon wanting to do proceedings with the Public Administration, is told that a legal guardian must sign for them. This person does not want another person to sign for them and claims that this stamp is accepted as valid. **ECOM** and **OND** set to work so that there is internal regulations that accept this system as valid and that, therefore, the decision of the stamp is not subject to the pro-

fessional person attending at that time. Likewise, the situation is also denounced to the **Ombudsman's Office**. Finally, a few months later, the affected person is informed that they accept the form with their stamp, although at the time of closing this report, the Administration has not yet confirmed whether this is a one-off decision or whether the modification of internal protocols has been made effective.

**Table 17. Where was there discrimination on the grounds of ableism 2019-2021**

Source: OND and SAVD Board, 2021

		2021		2020		2019	
		N	%	N	%	N	%
<b>Public</b>		<b>17</b>	<b>29.8%</b>	<b>20</b>	<b>39.2%</b>	<b>19</b>	<b>36.5%</b>
	<b>Streets, parks, beaches, squares</b>	<b>4</b>	<b>7%</b>	<b>11</b>	<b>21.6%</b>	<b>1</b>	<b>1.9%</b>
	<b>Public facilities</b>	<b>13</b>	<b>22.8%</b>	<b>9</b>	<b>17.6%</b>	<b>18</b>	<b>34.6%</b>
	Stations or means of transport	1		1		10	
	Hospitals	1		1		2	
	Citizens help and information offices and courts	3		4		0	
	Schools	5		0		3	
	Concert halls and conference centres	0		0		1	
	Sports, cultural and social centres	2		0		0	
	Hostels or shelters	0		0		1	
	<b>Other</b>	<b>1</b>		<b>3</b>		<b>1</b>	
<b>Private</b>		<b>38</b>	<b>66.7%</b>	<b>26</b>	<b>51%</b>	<b>32</b>	<b>61.5%</b>
	<b>Private facilities with public access</b>	<b>2</b>	<b>3.5%</b>	<b>9</b>	<b>17.6%</b>	<b>12</b>	<b>23.1%</b>
	Shops	1		3		0	
	Restaurants and bars	1		2		1	
	Assistance and service offices	0		1		3	
	Leisure centres	0		0		1	
	Hotels, hostels and shelters	0		1		2	
	Museums and exhibition halls	0		0		1	
	Transport stations	0		0		2	
	Other	0		2		2	
	<b>Private facilities where access is subject to prerequisites</b>	<b>35</b>	<b>61.4%</b>	<b>17</b>	<b>33.3%</b>	<b>20</b>	<b>38.5%</b>
	Houses, flats and other dwellings	19		13		12	
	Companies and organisations	12		1		1	
	Schools, hospitals and sports centres	4		2		3	
	Other	0		0		4	
	Not specified	0		1		0	
<b>Other</b>		<b>2</b>	<b>3.5%</b>	<b>5</b>	<b>9.8%</b>	<b>1</b>	<b>1.9%</b>
<b>TOTAL</b>		<b>57</b>		<b>51</b>		<b>52</b>	

## Health

- According to the WHO, “Health is a state of complete physical, mental and social well-being and not merely the absence of disease or infirmity”. In 2021, OND and the SAVD Board recorded **37 discrimination situations directly linked to the health of the person**. Among these, 20 cases were motivated by **serophobia**, that is, discrimination toward HIV-positive people, who live with HIV-AIDS; in 10 situations the motivation that has led to discrimination has been **the mental health** of the affected person, and six cases were linked to the general state of health associated with any type. Finally, a discrimination situation linked to COVID 19 has been recorded.

**Table 18. Who was discriminated against on the grounds of health, 2019-2021**

Source: OND and SAVD Board, 2021

	2021	2020	2019
Health	37	25	27
Serophobia	20	8	5
Mental	10	14	17
General status	6	0	0
COVID-19	1	0	0
Other	0	5	2
Not specified	0	0	1

With regard to discriminating agents, in the field of health almost half of the cases have been attributed to private entities or companies (49%), very significantly in cases of **serophobia**, in which, as reported by the entity **Gais Positiu**, there have been continuing situations in which people have not been able to access, in equal conditions, services such as **life insurance** because they are HIV-positive.

**Creación Positiva** emphasises the importance of analysing discrimination in the field of serophobia in an intersectional way, crossing it with other axes, such as gender. In this sense, the entity denounces **the absence of specific studies on the impact of HIV on women**, which, in practice, causes the same treatments to be administered without taking into account the differentiated side effects; they also demonstrate **gender bias in detection**, which entails a delay in diagnoses and, therefore, an aggravation of the disease and a more deteriorated state of health when diagnosed.





#### DISCRIMINATION SITUATION:

### Serophobia

A person asks for health insurance information for their partner. When private insurers learn that he is a person living with HIV, they all deny him service. Given the volume of cases they receive, year after year, with this problem, **Gais Positius** has established a protocol of action to respond to this discrimination: the entity informs the affected person about the

legislative developments that occurred in 2018 and specifies the elimination of clauses and contracting conditions that discriminate people living with HIV, AIDS or other health conditions. After offering this information, an accompaniment is made to the user; in this particular case, an insurer is recommended that does comply with the law.

**Chart 16. Who discriminated on the grounds of health, 2019-2021**

Source: OND and SAVD Board, 2021



With regard to discriminating agents in the field of health, most cases fall into private entities and companies (18) and public administrations (12), in this case linked to discrimination on the grounds of **mental health**, that in 2021 have been registered mainly in the public health field (7 cases).

The **Mental Health Federation of Catalunya (FSMC)** denounce the practice of **involuntary internments in which the protocol is not properly followed**, the affected person is not informed of the reason for the internment, nor are they given information about how the process will be or what their rights are; nor is the right to a free attorney and solicitor offered or it is offered in conditions where the person cannot understand what is being offered to them, either because they have been receiving electroconvulsive therapy or receiving strong pharmacological treatment. On the other hand, in these same processes **mechanical containment** is still practiced. All of these practices conflict with the International Convention on the Rights of persons with Disabilities.

**Table 19. Where was there discrimination on the grounds of health, 2019-2021**

Source: OND and SAVD Board, 2021

		2021		2020		2019	
		N	%	N	%	N	%
<b>Public</b>		<b>14</b>	<b>37.8%</b>	<b>9</b>	<b>33.3%</b>	<b>13</b>	<b>50%</b>
	<b>Streets, parks, beaches, squares</b>	<b>2</b>	<b>5.4%</b>	<b>1</b>	<b>3.7%</b>	<b>2</b>	<b>7.7%</b>
	<b>Public facilities</b>	<b>12</b>	<b>32.4%</b>	<b>8</b>	<b>29.6%</b>	<b>11</b>	<b>42.3%</b>
	Stations or means of transport	2		0		0	
	Hospitals	7		5		10	
	Citizens help and information offices and courts	1		0		0	
	Schools	1		0		0	
	Hostels or shelters	0		1		0	
	Media	0		0		1	
	Libraries, museums and exhibition halls	0		1		0	
	Other	1		1		0	
<b>Private</b>		<b>22</b>	<b>59.5%</b>	<b>13</b>	<b>48.1%</b>	<b>9</b>	<b>34.6%</b>
	<b>Private facilities with public access</b>	<b>1</b>	<b>2.7%</b>	<b>4</b>	<b>14.8%</b>	<b>1</b>	<b>3.8%</b>
	Shops	0		1		0	
	Assistance and service offices	1		1		0	
	Leisure centres	0		0		1	
	Other	0		2		0	
	<b>Private facilities where access is subject to prerequisites</b>	<b>20</b>	<b>54.1%</b>	<b>9</b>	<b>33.3%</b>	<b>5</b>	<b>19.2%</b>
	Houses, flats and other dwellings	4		2		3	
	Companies and organisations	16		5		2	
	Schools, hospitals and sports centres	0		1		0	
	Other	0		1		0	
	<b>Online and telephone services</b>	<b>1</b>	<b>2.7%</b>	<b>0</b>	<b>0%</b>	<b>0</b>	<b>0%</b>
<b>Other</b>		<b>1</b>	<b>2.7%</b>	<b>5</b>	<b>18.5%</b>	<b>4</b>	<b>15.4%</b>
<b>TOTAL</b>		<b>37</b>		<b>27</b>		<b>26</b>	

\* It should be taken into account that the percentages on this graph are based on a very small number of cases.



#### DISCRIMINATION SITUATION:

### Mental Health

**Irídia**, a specialised entity in the defence of civil and political rights linked to institutional violence, has registered, during 2021, three cases linked to discrimination toward people with mental health problems in which discriminating agents were police bodies. In all cases, the people affected communicated to the agents their mental diagnosis and expressed the

possibility of providing probatory documents. Although this circumstance was expressed, it was not only not taken into account and, therefore, the specific protocol was not applied in order to minimise the damages produced, but on two of the occasions, in addition, it involved vexing and humiliating comments from agents.

## Religion



In the city of Barcelona there are 27 confessions and we have almost five hundred places of worship. During the year 2021 there were 26 situations of religious discrimination, all in the field of **Islamophobia**. Although it is analysed as an axis with its own dynamics and complexities, discrimination on the basis of religion, and also Islamophobia, are closely linked to other axes. In this sense, **of the 26 cases collected during this year in Barcelona, 23 have also been linked to racism and xenophobia, that is, 88% of the total.**

**Table 20. Who was discriminated against on the grounds of religion**

Source: OND and SAVD Board, 2021

	2021	2020
Religion	26	32
Islamophobia	26	28
Antisemitism	0	2
Christian phobia	0	1
Other	0	1

This year, discriminating agents in the field of Islamophobia are much more distributed than in the records of 2020, in which more than half of the discrimination was caused by individuals; data from 2021 shows how cases from individuals fall from 18 to 8, at the same level as private entities or businesses, while **police forces rise from last year and go from 2 to 9 from the discriminatory situations reported.**

**Chart 17. Who discriminated on the grounds of religion, 2019-2021**

Source: OND and SAVD Board, 2021



Data on spaces where discrimination has arisen **for reasons of religion show a predominance of public areas (61.5%)** compared to private ones (38.5%). Public areas include discrimination in stations and means of transport (3), hospital centres (3), and public offices and courts (3); and among private, the four cases registered in entities and companies.

**Table 21. Where was there discrimination on the grounds of religion, 2020-2021\***

Source: OND and SAVD Board, 2021

		2021		2020	
		N	%	N	%
<b>Public</b>		<b>16</b>	<b>61.5%</b>	<b>12</b>	<b>37.5%</b>
	<b>Streets, parks, beaches, squares</b>	<b>5</b>	<b>19.2%</b>	<b>7</b>	<b>21.9%</b>
	<b>Public facilities</b>	<b>11</b>	<b>42.3%</b>	<b>5</b>	<b>15.6%</b>
	Stations or means of transport	3		1	
	Hospitals	3		1	
	Citizens help and information offices and courts	3		0	
	Schools	1		0	
	Sports, cultural and social centres	1		0	
	Hostels or shelters	0		2	
	Police premises	0		1	
<b>Private</b>		<b>10</b>	<b>38.5%</b>	<b>15</b>	<b>46.9%</b>
	<b>Private facilities with public access</b>	<b>3</b>	<b>11.5%</b>	<b>5</b>	<b>15.6%</b>
	Shops	0		3	
	Assistance and service offices	0		1	
	Transport stations	0		1	
	Other	3		0	
	<b>Private facilities where access is subject to prerequisites</b>	<b>6</b>	<b>23.1%</b>	<b>10</b>	<b>31.3%</b>
	Houses, flats and other dwellings	1		7	
	Companies and organisations	4		2	
	Schools, hospitals and sports centres	1		1	
	<b>Online and telephone services</b>	<b>1</b>	<b>3.8%</b>	<b>0</b>	<b>0%</b>
<b>Other</b>		<b>0</b>	<b>0%</b>	<b>5</b>	<b>15.6%</b>
<b>TOTAL</b>		<b>26</b>		<b>32</b>	

\* It should be taken into account that the percentages on this graph are based on a very small number of cases.

**SAFI - Stop to Islamophobic phenomena in Catalonia**, an entity that manages the **Islamophobia Observatory in Catalonia (ODIC)**, points out that one of the main problems they encounter when fighting islamophobia is the little information about this phenomenon and the mechanisms to deal with it; closely linked to this point, they also underline the high levels of under-reporting that exist, as a result of **the normalisation of certain Islamophobic attitudes and situations**. An example that the entity underscores is the lack of reactions that they observed before a video released by VOX during the campaign of the Catalan elections of 2021 in which, according to them, the Muslim population was linked to terrorism. SAFI and the ODIC denounce the lack of positions and convictions by other political parties, administrations or the Ombudsman's Office.

In this sense, **Bayt al-Thaqafa** expresses that despite the pandemic, Islamophobic discrimination has continued to occur and even **found new ways to express** itself in this context. For example, a type of ethnic profiling is stopping people with the pretext of ensuring they are wearing their facemasks correctly. On the other hand, the entity also emphasises the discrimination of low intensity, but on a daily basis, such as the derogatory treatment toward women who wear a hijab, in public spaces.



#### DISCRIMINATION SITUATION:

### Islamophobia

A 13-year-old girl suffers a verbal aggression in a subway train because she is wearing a hijab; the aggression was caused by another passenger, telling her to remove the Islamic veil and to leave Spain, among other Islamophobic and racist comments. The verbal aggressions did not stop until the girl got off the subway. Several people protected her and also received insults from the aggressor. The girl was greatly affected and expressed fear of using public transport. **SAFI / ODIC** and **OND** coordinated action and the victim was

offered accompaniment, a socio-educational action and a psychosocial attention; she was also provided legal advice and attention in order to be able to process a criminal complaint before the police, who were able to identify the aggressor and his companion. The case was also coordinated with **the Prosecutor's Office of hate crimes**; the crime was finally filed but the complaint continued through the administrative route, although the girl's family decided not to continue with the process.

## Gender

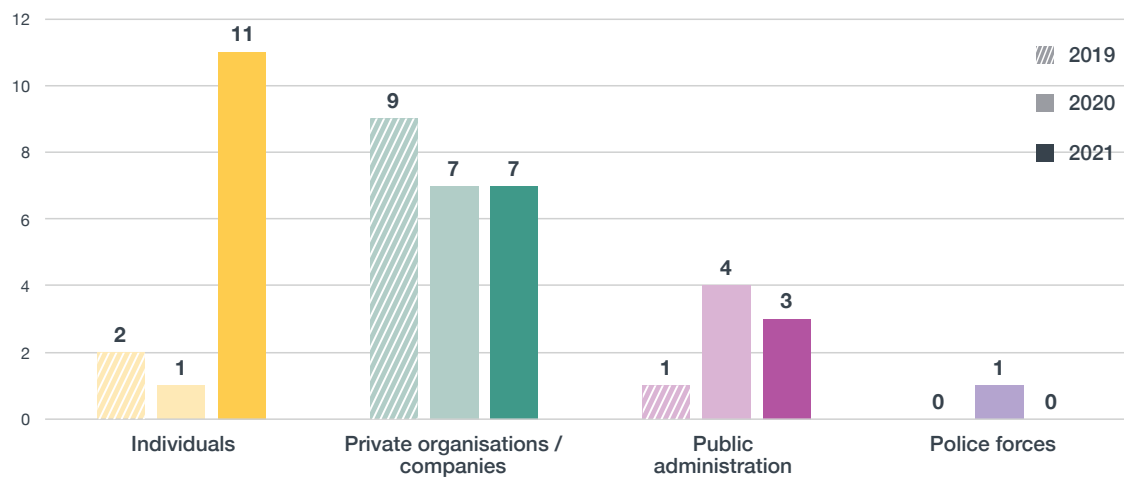
- 👁️ We call **gender discrimination** the unfavourable treatment of a person because of their gender or gender identity. This is due to sexism, **androcentrism** and the set of gender roles and stereotypes that are still very present in our society and that continue to generate and feed structural inequalities toward women. From Barcelona's Discrimination Observatory we understand gender violence as an extreme form of discrimination on the basis of gender and, for this reason, in this section we include the data on **sexist violence** in the city.
- 👁️

A large part of the gender data recorded in Barcelona are not collected in OND and SAVD Board data, since, as mentioned at the beginning of the report, this type of discrimination is addressed in women-specific resources, such as **PIAD** (Women's support and information point) in each district or also other more specialised services such as the **Care, Recovery and reception Service (SARA)**, the **Unit Against the Traffic of Humans (UTEH)**, the **Men's Attention Service (SAH)** and the **Sociosanitary Care Service (SAS)**. For this reason, in this section the data collected by the OND and the entities of the Board are combined with the data of the rest of the services of the Barcelona City Council.

In 2021, OND and the SAVD Board organisations registered **21 situations of gender discrimination**. Half of the discrimination was committed by individuals; one third, by private entities or companies, and 14%, by public administrations. With regard to the spaces where they have occurred, there is a balance between the discrimination that has taken place in the public and private sphere. Of the 21 cases collected, two were expressed through verbal assaults and four through physical aggression (see section 4.2.5, "Types of discrimination").

**Chart 18. Who discriminated on the grounds of gender, 2019-2021**

Source: OND and SAVD Board, 2021



**Table 22. Where was there discrimination on the grounds of gender, 2020-2021\***

Source: OND and SAVD Board, 2021

		2021		2020	
		N	%	N	%
<b>Public</b>		<b>10</b>	<b>47.6%</b>	<b>7</b>	<b>50%</b>
	<b>Streets, parks, beaches, squares</b>	<b>4</b>	<b>19%</b>	<b>1</b>	<b>7.1%</b>
	<b>Public facilities</b>	<b>6</b>	<b>28.6%</b>	<b>5</b>	<b>35.7%</b>
	Stations or means of transport	1		2	
	Hospitals	1		0	
	Citizens help and information offices and courts	2		0	
	Schools	0		1	
	Sports, cultural and social centres	1		0	
	Hostels or shelters	1		0	
	Police premises	0		1	
	Other	0		1	
<b>Private</b>		<b>11</b>	<b>52.4%</b>	<b>6</b>	<b>42.9%</b>
	<b>Private facilities with public access</b>	<b>3</b>	<b>14.3%</b>	<b>0</b>	<b>0%</b>
	Shops	1		0	
	Leisure centres	1		0	
	Hotels, hostels and shelters	1		0	
	<b>Private facilities where access is subject to prerequisites</b>	<b>8</b>	<b>38.1%</b>	<b>5</b>	<b>35.7%</b>
	Houses, flats and other dwellings	2		1	
	Companies and organisations	3		3	
	Schools, hospitals and sports centres	1		0	
	Leisure centres	1		0	
	Concert halls, conference rooms and pavilions	1		0	
	Not specified	0		1	
<b>Other</b>		<b>0</b>	<b>0%</b>	<b>1</b>	<b>7.1%</b>
<b>TOTAL</b>		<b>21</b>		<b>14</b>	

\* It should be taken into account that the percentages on this graph are based on a very small number of cases.

Below are some external reports in which gender has been addressed as a study unit, as well as some relevant data from 2021 coming from some of Barcelona's municipal services that address gender discrimination situations.

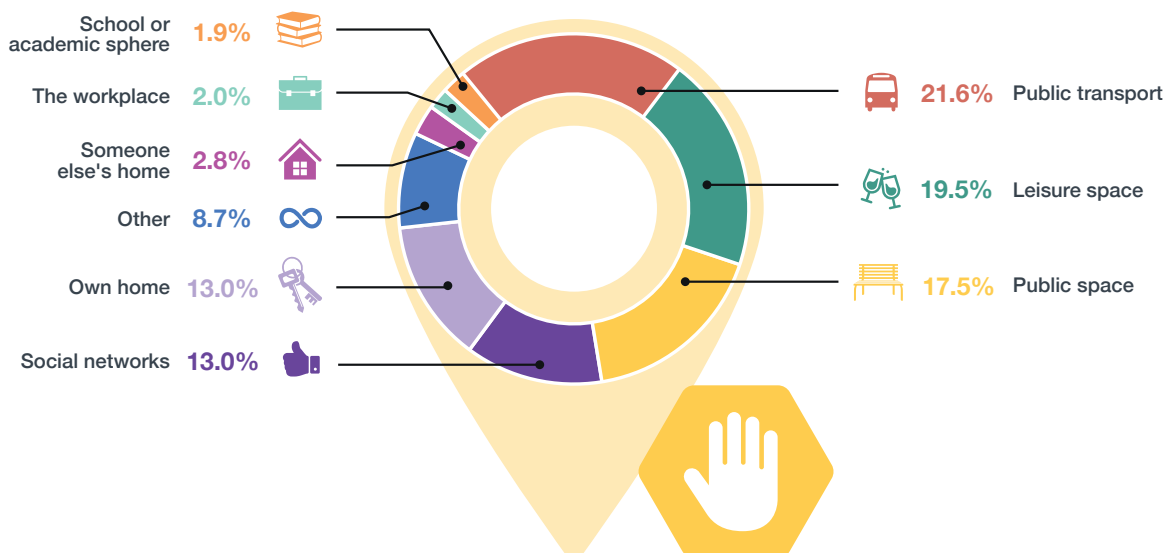
### **Sexual assault and sexist violence**

A reported entitled “**El gènere en xifres. Condicions de vida de les dones i desigualtats de gènere a Barcelona**”<sup>18</sup>, [Gender in Numbers. Women's living conditions and gender inequalities in Barcelona], published by the Barcelona City Council in 2019 and which includes the data from **the Catalan survey of sexist violence (2016)**<sup>19</sup>, among other sources of information, already pointed out that **72.3% of the city's women have suffered aggression and sexist violence** (including comments, sexual gestures and exhibitionism), and one in three has suffered from very serious violence. If we take account of the age groups, it is the youngest women (aged 16 to 29) who present the highest levels of victimisation.

It also points out that **37% of women residents in Barcelona, aged 15 and over, had experienced some form of gender violence** at the hands of their partner or former partner, compared to 8.6% in the previous year. In 2016, **6.8% of Barcelona women suffered sexual harassment or aggression** at the social or family level (excluding comments, sexual gestures and exhibitionism). If comments, sexual gestures, and exhibitionism are included, the percentage doubles, rising to 13.9%. Public places are where more situations have been collected, with 58.6% of cases; chart 19 shows that the highest number of sexual harassments occurs in public transport (21.6%), followed by leisure spaces (19.5%) and public spaces such as streets or squares (17.5%). In the private sphere, the report collects that 13% of situations occur in one's home and 2.8% at someone else's home. Finally, it is worth mentioning that 13% of situations of sexual harassment have occurred on social networks.

**Chart 19.**  
**Areas where**  
**women have**  
**suffered sexual**  
**harassment**

Source: Report  
“Gender in figures”,  
2019.



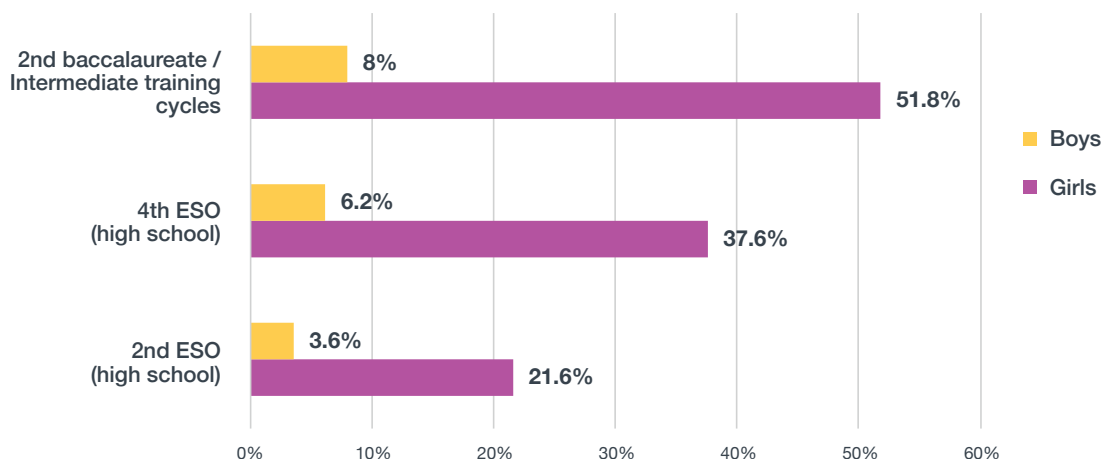
<sup>18</sup> [https://ajuntament.barcelona.cat/dones/sites/default/files/documentacio/el\\_genere\\_en\\_xifres\\_resumexecutiu.pdf](https://ajuntament.barcelona.cat/dones/sites/default/files/documentacio/el_genere_en_xifres_resumexecutiu.pdf) (in Catalan)

<sup>19</sup> <https://bcnroc.ajuntament.barcelona.cat/jspui/handle/11703/112089> (in Catalan)

If we look at the harassment data in **young people**, published in the latest survey on **“Health and its determinants in Teens of Barcelona” (FRESC)** <sup>20</sup>, which are shown in chart 20, we observe how girls suffer **sexual harassment** more frequently than boys; it stands at 51.8% in the case of girls surveyed studying in the last year of high school or vocational training cycles, and is higher in the centres in neighbourhoods with a disadvantaged socioeconomic level. The spaces where girls most frequently suffer sexual harassment are, in order: on the street, on social networks and in leisure spaces.

**Chart 20. Sexual harassment in adolescents**

Source: FRESC Survey 2021.

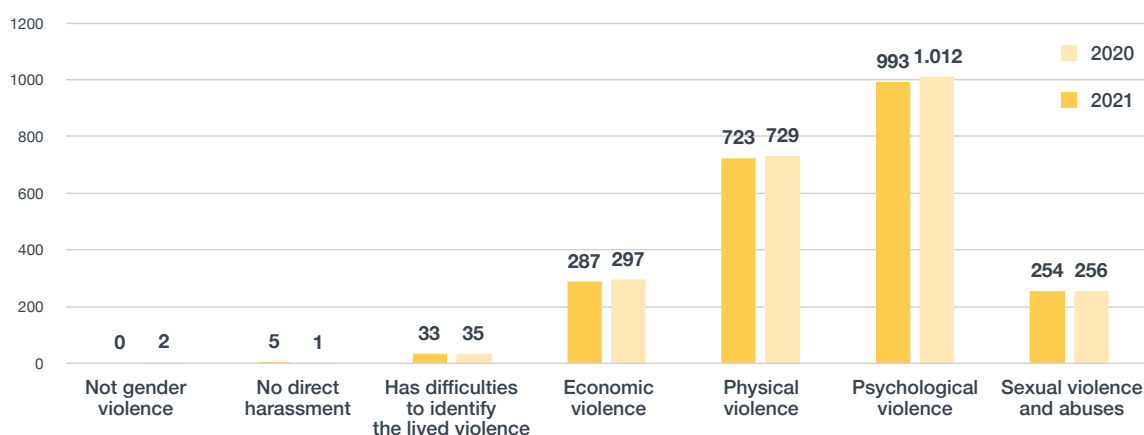


In 2021, **SARA**, an outpatient service specific to people victims of situations of sexist violence, **attended 1.382 women** and received a total of 306 women due to sexist violence, a number that, if we add children and adolescents and other relatives of the received women, adds up to a total of 595 people received in 2021 due to sexist violence. The type of abuse received by the women attended reaches high figures in the case of psychological violence, with 993 cases, and physical violence, with 723; of the total women attended, 254 suffered violence and sexual abuse.

**In 2021 SARA attended 1382 women: almost a thousand for psychological violence and 723 for physical aggression**

**Chart 21. Types of violence against women**

Source: SARA, 2021



<sup>20</sup> [https://www.aspb.cat/wp-content/uploads/2022/03/ASPB\\_Salut-determinants-adolescent\\_ENQUESTA-FRESC\\_2021.pdf](https://www.aspb.cat/wp-content/uploads/2022/03/ASPB_Salut-determinants-adolescent_ENQUESTA-FRESC_2021.pdf) (in Catalan)



According to SARA data, this **violence against women is exercised by the current or former partner in 89% of cases (57% and 32%, respectively)**. Of the women attended by SARA, 53% are between 25 and 39 years old, and 26%, between 40 and 49 years old. In 57% of cases, women are in an unsubsidised unemployment job situation, a situation that increases their vulnerability.

**UTEH** attends people who have been victims of forced labour or services, including begging, as well as sexual exploitation, labour or domestic servitude, among other exploitation situations. During 2021 the service has attended 240 people, of which 83 have been new cases registered during this year; **77.5% (186) have been situations of sexual exploitation**, and 9.5% (23) respond to cases of labour exploitation. UTEH notes that victims of human trafficking are often seen as being forcefully crossed by all axes of discrimination.

In 2021, **SAS - ABITS (Care for Cis and Trans Women Sex Workers) attended 385 women in the office and 112 in public spaces**. Women and trans people with indicators of possible TEH-FES (trafficking in human beings for the purpose of sexual exploitation) account for 21% of all people served in the office. Women and trans people cared for by this service express that their rights are being violated by engaging in sex work, due to **the impact of the stigma associated with prostitution**; it is also important to note **the community violence** experienced by all those women who occupy public space. **47%** of all women cared for in the office are in an **irregular administrative situation**, which puts them in a situation of **discrimination and vulnerability in many areas**, such as the inability to cover basic needs through regulated work and access to decent housing.

### Gender discrimination in the labour sphere

As noted in the latest Catalan survey of sexist violence, from 2016, **16.3% of women have felt discriminated against at work** in relation to wages (54.2%) and promotions (53.5%), due to a lack of personal respect (52.7%) and underestimation of their work (52.6%). In addition, 10.2% of the women had suffered sexual harassment at work over the last 15 years, and the main assailants were managers or senior staff (94.5%), work colleagues (39.5%), and users or patients (6.2%).

- Still in the area of employment, as the report shows, there is an uneven distribution between men and women in more than half the sectors and economic activities, corresponding to the existence of so-called **horizontal segregation** between work areas, concentrating women in jobs characterised by lower wages and social prestige, which are largely an extension of activities relating to domestic and reproductive work. Horizontal segregation is complemented by **vertical segregation**: executive or managerial positions with a 63% male majority, although the gender is smaller in than in Catalonia overall, where men represent 68%. So, it can be inferred that the **glass ceiling** in Barcelona is lower than the one for the whole of Catalonia, possibly because of the considerable weight of the public authority, a space where women and men have more equality when it comes to promotions.

According to the latest available data (2020) <sup>21</sup>, the **gender wage gap** of the Barcelona population stands at 17.5%; this results, in practice, in **an annual wage difference of almost €5,900**.

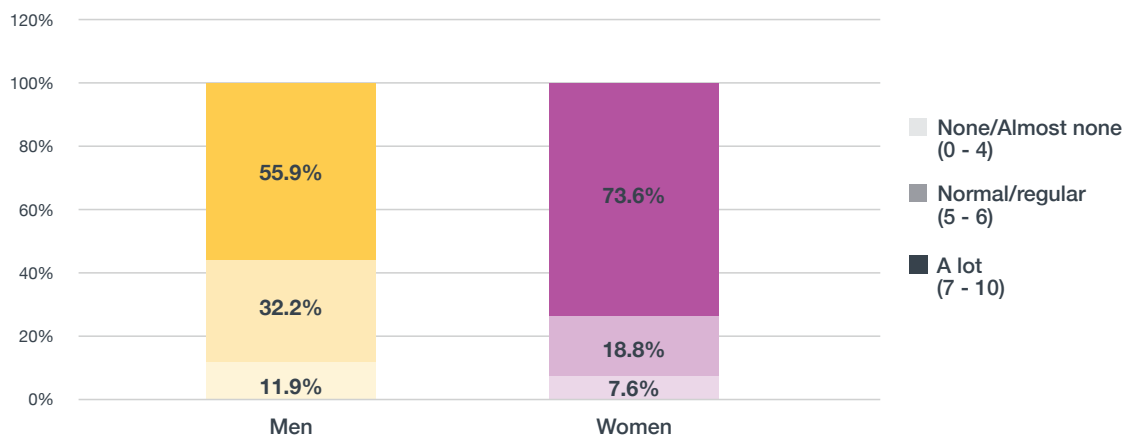
21 [https://ajuntament.barcelona.cat/barcelonaeconomia/sites/default/files/Salaris\\_2020.pdf](https://ajuntament.barcelona.cat/barcelonaeconomia/sites/default/files/Salaris_2020.pdf) (in Catalan)

## Domestic work and care: Participation and conciliation

Domestic and care tasks fall on women mostly, both in the home and community network, and both for free and paid. As for paid care work, the latest data available points out that 90% of such work was performed by women, 53.5% of whom were in an irregular administrative situation owing to their immigrant status, a situation denying them employment contracts and putting them at a clear disadvantage for negotiating their work conditions and reporting possible situations of abuse. At the same time, most do get their social security paid and, among those that are “legally” working, a high percentage pay their own social security from their wages. According to this estimate, only 8.1% are hired and have their social security paid in accordance with legal regulations.

**Chart 22. Time dedicated to the care of nearby people**

Source: Source: Web gender in numbers, Women and Feminism, Barcelona City Council <sup>22</sup>.



If we look at horizontal segregation in the city’s political and social participation spaces, we can see that the most **feminised work is that of secretaryship, drafting documents and taking/managing minutes, and that of designing graphic materials**, followed by dissemination and external communication tasks. By contrast, the most masculinised work includes that of decision-making and management, team-organising and coordinating, and internal communications. As for capacity for work-life balance, 41.6% of women or non-binary people pointed out how they came across difficulties balancing social participation with their daily lives, whereas men only expressed difficulties in 19% of cases.

## Health and feminisation of poverty

If we look at discrimination in the field of health, we see that although women have a higher life expectancy than men (86.9 years in the case of women in Barcelona and 81.2 years in men in Barcelona), women have a worse state of health: **21.8% of women declare that their health is average or poor** (compared to 15.6% of men). The data of the last **“Report on the state of health of the city”** <sup>23</sup> points out that the prevalence of bad mental health increased as a result of the pandemic, from 16.5% in 2016 to 23.3% in the case of men, and from 19.9% to 35.8% in the case of women.

Another relevant data highlighted in the report is **the risk of poverty in the event of living independently**, which measures the percentage of the adult population (not student) that would be at risk of poverty if they live alone with their own income; the latest available figures show **that 44% of Barcelona women would be in a situation of poverty**, compared to 27.9% of men, data that coincide with the tendency pointed out in the section of female homelessness.

<sup>22</sup> <https://ajuntament.barcelona.cat/dones/ca/equitat-de-genera/el-genera-en-xifres/treball-domestic-i-de-les-cures> (in Catalan)

<sup>23</sup> <https://www.aspb.cat/documents/salutbarcelona/> (in Catalan)

## Sexist violence toward older women

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Older women account for 27% of women living in Catalonia. Like all women, they are exposed to sexist violence, invisible and accepted under the intersection between sexism and ageism. **There is a great invisibility of the sexist violence toward older women and a great lack of knowledge on the part of the society of the specificities**, the forms and the fields of the sexist violence toward them. The Catalan Institute of Women (ICD) presents the report **“Sexist violence against women: A feminist and intersectional approach”**<sup>24</sup>, where it analyses in depth the current situation of sexist violence toward women over 60 years old in Catalonia.

In order to know the phenomenon, it is relevant to explain the context surrounding these women, since they themselves identify cultural and generational issues that justify the normalisation of sexist violence, in particular violence in the couple. They mention **that their generation and that of their parents were marked by very different gender roles, under which men exercised power and control over women, who did not have many options beyond resignation and submission to this social mandate**. This sexism was reflected in economic control, control of the activities women were allowed to do, control of the relationships established by women with their environment, family burdens and household responsibilities, forced sexual intercourse within the framework of the domestic relationship, and other violence in the dynamics of the relationship.

Studies on the matter at the international level recognise **that 80% of cases of abuse toward older people is done toward women**, and the World Health Organisation (WHO) ensures that one in six older women suffers some form of abuse. However, the results of field work carried out allow us to conclude that **sexist violence toward older women is highly under-detected** and that there are many more situations than those that eventually reach the care resources of older people, the resources specialised in sexist violence or the police forces. Women themselves have expressed not feeling part of public discourse about sexist violence or the campaigns that are being made, and not having access to resources aimed at them.

The report concludes that older women are more vulnerable to sexist violence due to their position of lesser income, less social support, and less personal autonomy, in a general way. In this sense, interviewed women comment that being economically dependent, having reduced mobility or physical dependence, or having some mental health problems are factors that hinder or prevent them from breaking away from the situations of sexist violence that they can suffer. **Some of the forms of violence that affect older women in particular are economic violence, abandonment, emotional violence and psychological violence**. It is also concluded that such violence occurs primarily in the family and relationship sphere, and that the aggressors are husbands, sons or daughters or other nearby people.

<sup>24</sup> [https://dones.gencat.cat/web/content/03\\_ambits/campanyes/Dones\\_grans/VMDG\\_Informe\\_22\\_7\\_2021.pdf](https://dones.gencat.cat/web/content/03_ambits/campanyes/Dones_grans/VMDG_Informe_22_7_2021.pdf) (in Catalan)

## Ideology

From the Barcelona Discrimination Observatory we understand by **ideological discrimination** the discrimination motivated by ideas associated with the person's political convictions or opinions. This year **there have been 9 situations of this type, 6 of which have also been linked to the language axis**, 2 to racism and xenophobia, and 1 to LGBTI-phobia.

**Chart 23. Who discriminated on the grounds of ideology, 2019-2021**

Source: OND and SAVD Board, 2021



The data shows that **one third of the discrimination has been attributed to public administrations and another third to private entities or companies**. The other third corresponds to individuals (22%) and police forces (11%). In terms of location, we observe that discrimination has occurred in multiple spaces: in the healthcare field (2 in public centres and 1 in a private centre), in a bar, 2 have occurred in the work field and 1 more in the context of access to a home.



DISCRIMINATION SITUATION:

### Ideology + racism

A Maghrebi boy wears a fabric mask that he was given, with a painted Catalan flag. A police officer, at an ethnic profiling stop, asks him to identify himself, makes contemptuous and humiliating comments about the documentation shown by the victim (among the documents, a card from the entity **Bayt al-Thaqafa**) and asks him “what the separatists offer him

to carry this flag.” He is issued a fine on the grounds that he was not wearing his mask properly, despite having it on correctly. The boy, worried about his recently regulated administrative situation, and given his situation of economic precariousness, asks for money from people he knows to pay the fine and thus avoid having complications with the police.


**Table 23. Where was there discrimination on the grounds of ideology, 2020-2021\***

Source: OND and SAVD Board, 2021

		2021		2020	
		N	%	N	%
<b>Public</b>		<b>4</b>	<b>44.4%</b>	<b>2</b>	<b>28.6%</b>
	Streets, parks, beaches, squares	1	11.1%	2	28.6%
	Public facilities	3	33.3%	0	0%
	Hospitals	2		0	
	Other	1		0	
<b>Private</b>		<b>5</b>	<b>55.6%</b>	<b>5</b>	<b>71.4%</b>
	Private facilities with public access	2	22.2%	3	42.9%
	Shops	0		1	
	Restaurants and bars	1		1	
	Hotels, hostels and shelters	1		0	
	Transport stations	0		1	
	Private facilities where access is subject to prerequisites	3	33.3%	2	28.6%
	Houses, flats and other dwellings	1		2	
	Schools, hospitals and sports centres	2		0	
<b>Other</b>		<b>0</b>	<b>0%</b>	<b>1</b>	<b>7.1%</b>
<b>TOTAL</b>		<b>9</b>		<b>7</b>	

\* It should be taken into account that the percentages on this chart are based on a very small number of cases.

## Ageism

 **Ageism** occurs when **age is used to categorise and divide people by attributes based on stereotypes that cause harm, disadvantages or injustice**. This phenomenon adopts different forms throughout life; for example, a young person may be rejected in a decision-making space because they are considered immature or unprepared to have an opinion; a young and an old person can be rejected from a job because of their age, and a person can have their power to decide about their own life taken away from them when they are older.<sup>25</sup>

These are discriminations that, as in other axes, tend to be very normalised and go unnoticed. Throughout 2021, OND and the SAVD Board organisations collected **five cases: 3 toward young people, and 2 toward elderly people**.

**Table 24. Who is discriminated against by ageism**

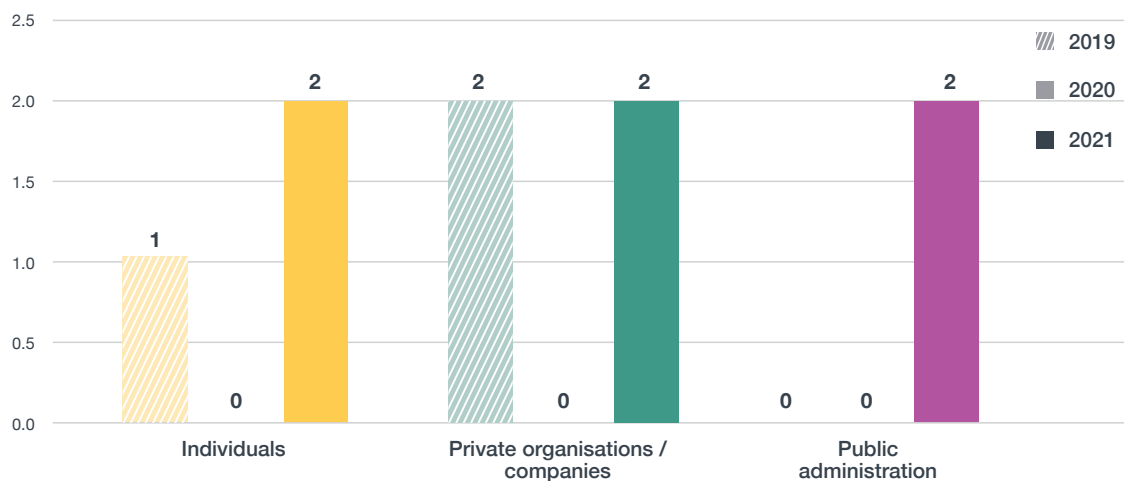
Source: OND and SAVD Board, 2021

	2021
<b>Age</b>	<b>5</b>
Young people	3
Elderly people	2

<sup>25</sup> The definition inspired by the World Report on Ageism, published by the World Health Organisation (WHO), in 2021.

**Chart 24. Who discriminated on the grounds of ageism, 2019-2021**

Source: OND and SAVD Board, 2021



**Table 25. Where was there discrimination on the grounds of ageism\***

Source: OND and SAVD Board, 2021

		2021	
		N	%
<b>Public</b>		<b>3</b>	<b>60%</b>
	<b>Public facilities</b>	<b>2</b>	<b>40%</b>
	Citizens help and information offices and courts	1	
	Sports, cultural and social centres	1	
	<b>Online and telephone services</b>	<b>1</b>	<b>20%</b>
<b>Private</b>		<b>5</b>	<b>55.6%</b>
	<b>Private facilities where access is subject to prerequisites</b>	<b>2</b>	<b>40%</b>
	Houses, flats and other dwellings	1	
	Companies and organisations	1	
<b>Other</b>		<b>0</b>	<b>0%</b>
<b>TOTAL</b>		<b>5</b>	

\* It should be taken into account that the percentages on this chart are based on a very small number of cases.

**The Barcelona Youth Council (CJB)** denounces the current social structure, where adult power and an adult-centric culture predominate, and indicate the following problems linked to discrimination toward young people during this year:

- **The criminalisation of youth in relation to mobilisations, nightlife and prevention measures of Covid-19 has continued**, a problem that was already evident during 2020 with the outbreak of the pandemic. However, the adolescent and young group is one of the most experienced in the consequences of the pandemic emotionally and economically. Young people, over the last two years, have experienced a situation of social isolation, psychological problems, educational obstacles and criminalisation, as well as having a future full of uncertainties, at a moment in their lives precisely characterised by socialisation and social expansion. Due to the mobilisations, a deep generational gap translated into a process of criminalisation of youth that has occupied the media and comments on social networks.
- **Labour precariousness most often affects the most vulnerable population groups, among which the young population occupies a prominent place.** As explained in the report **“The youth of Barcelona the year of the pandemic”**<sup>26</sup>, combining studies and work, maintaining lifelong continued training or taking on unstable occupations are increasingly present elements in the labour transitions of the young population. According to Barcelona’s 2020 labour force survey, the unemployment rate for the young population aged 16–24 is 43.2% in the first quarter, 35.0% in the second quarter, 27.0% in the third quarter, and 22.3% in the fourth quarter.

## The health of adolescent people in Barcelona

The **Public Health Agency of Barcelona (ASPB)** published in 2021 the new edition of the survey **“Factors de risc en estudiants de secundària” [risk factors in secondary school students] (FRESC)**<sup>27</sup>. This survey is carried out periodically in the educational centres of Barcelona and its objective is to know the determinants, behaviours and attitudes related to the health of the students from 13 to 19 years, to guide and evaluate health promotion policies and interventions aimed at this population. The new edition was put to 3290 students of 2nd and 4th ESO and 2nd of Baccalaureate [last year before university] and mid-grade training cycles, from February to May 2021.

Among the results is the **increase in discomfort with body image in adolescent students**. Body dissatisfaction exceeds 50% in both sexes and is higher in girls. However, compared to 2016, boys have increased by 19% and girls by 11%. In addition, in parallel, **physical appearance is the main cause of discrimination in both sexes, and the worsening of mental health** among the adolescent population is observed, especially in girls: four out of ten girls show emotional distress.

The rise, compared to 2016, of **gender discrimination**, the second cause of discrimination in girls, also stands out. Specifically, four out of ten girls surveyed have felt discriminated against for being women, while in the case of boys this situation is given in one in ten.

<sup>26</sup> [https://ajuntament.barcelona.cat/dretssocials/sites/default/files/arxiu-documents/la\\_joventut\\_de\\_barcelona\\_lany\\_de\\_la\\_pandemia.pdf](https://ajuntament.barcelona.cat/dretssocials/sites/default/files/arxiu-documents/la_joventut_de_barcelona_lany_de_la_pandemia.pdf) (in Catalan)

<sup>27</sup> <https://www.aspb.cat/noticies/salut-adolescents-barcelona-enquesta-fresc-2021/> (in Catalan)



With the aim of collecting information on how ageism manifests itself toward the elderly, within the framework of the Discrimination Observatory, a focus group was carried out **with representatives of the Advisory Council of the elderly of Barcelona [Consell Assessor de la Gent Gran - CAGG]**. These are some of the main problems that were detected, linked to discrimination toward older people in the city.

## Ageism toward the elderly

### 1 Housing and care homes

Housing is one of the most conflicting areas with regard to discrimination and rights violations (see section 4.3, “Discrimination in Housing”) and especially affects people who are in a vulnerable situation. This is the case of elderly people who have a pension that barely allows them to meet the cost of living, and who have to face the rises in rental prices. Representatives of the CAGG also mentioned **cases of mobbing to elderly people**, where attempts are made to expel them from their home because they have old rental contracts (well below the current market price).

Another space where discrimination toward the elderly was detected is care homes. Above all, **the denigrating way in which some care homes treat older people**, who are considered to have no capacity to decide about their own lives; this manifests itself in the day to day with aspects as simple as the impossibility of choosing the clothes that are put on them or the hairstyle they wear. The taboo in terms of the sex-life of older people in the care home area was also expressed, which is considered non-existent.

### 2 Care, in both directions

The field of care has a double meaning: that of care toward the elderly and that of the care that elderly people must carry out. In the first case, cases of ill-treatment by relatives were mentioned that do not meet the needs of the elderly in a situation of dependence (specifically, cases of people who are locked in the room all day, are not fed well or left in bed); **the family household is usually an area that is very invisible**, and the difficulty to prove the abuse is especially noteworthy.

In terms of the second sense, the role of caregivers of younger relatives or dependents is often imposed on older people, **a burden that falls especially on women**. According to the CAGG, there is a tendency to link personal accomplishment of the elderly to being grandparents, and although this may be the case with many people, this is a personal decision rather than something to be imposed.

### 3 Digital divide and accessibility

With the pandemic, the process of virtualisation of formalities and everyday efforts has accelerated greatly, and consequently the digital divide has become ever wider and has left out people who cannot keep up, such as some elderly people. **This has direct implications in their day-to-day**: making banking arrangements, requesting a medical appointment, managing basic services (electricity, gas, water), doing paperwork with the tax office and public administrations or even in the areas most closely linked to leisure, such as buying tickets for shows or travel. Although in most cases it is still possible to do things face-to-face or over the telephone, virtual transactions are increasingly prioritised, and non-virtual bureaucracy becomes more complex.



**The lack of accessibility, especially cognitive and visual**, was also mentioned as important barriers to the enjoyment of the rights of older people. Some of the situations that arose in the session with the CAGG and that we find in the day to day are, for example, the small (and unfriendly to the elderly) size of the lettering of products in the supermarket, or the complexity to understand some product labels or instructions due to the way they are written.


#### 4 Health, mobility and work

Another space where discrimination has been detected toward the elderly is in health-care; CAGG consider that **no specific measures have been established to adapt to the needs and conditions of the elderly**. An example cited in the focus group on ageism is that of long queues and waiting times that may exist in some cases in the healthcare field (a situation that has been exacerbated by the pandemic) and that people must suffer regardless of their age and the state of health they are in.

There was also a widespread discomfort toward **road safety in the city**. The arrival of scooters and the increase in bike lanes, while having clear advantages in terms of reducing pollution and using more sustainable and environmentally friendly transportation, leads to an increase in tension in some people with reduced mobility, or simply with less agile mobility, they have difficulty when they have to cross a street with several lanes or when they have to cross a bike lane to throw out the rubbish. In this sense, CAGG wants the city to take into account the different rhythms and needs of the people who live there.

Regarding work, CAGG claims that **people over 60 are not hired**, even if they are very prepared and want to transfer their legacy and knowledge. This is shown in the first quarter of 2022 unemployment data: although they have suffered a decline on a general scale, the figures for the group of workers aged 50 and over are close to one million unemployed people (990,900) and exceed the numbers for youths aged 16 and 29 by almost 30,000 people.

#### 5 Personal Autonomy, self-ageism and intersectionality

Many of the discrimination and vulnerabilities in general that have been identified as being linked to ageism are based on the preconceived and widespread idea that people, as they grow older, progressively lose the value of contributing to and bringing things to society, and their opinions are no longer taken into account and they are considered vulnerable and dependent people. A direct consequence of this  **prejudice is the loss of the personal autonomy of many elderly people**, who see how they lose their decision-making ability over their own life, which becomes controlled by others. Another consequence that CAGG mentioned is the child-like treatment which the elderly are often subjected to. During the working session with the CAGG, the concept of *self-ageism*, referring to the feeling of exclusion felt by the elderly, was also mentioned, which means the internalisation of prevailing prejudices and feeling like a burden for family and society.

As with the rest of the axes of inequality, **age is crossed with other axes, such as gender, origin or racialisation**, which causes specific and aggravated discrimination situations. In the case of elderly migrants, for example, age discrimination takes place in all areas of life: to rent a room or a flat, to get work, to train in courses from the public employment service of Catalonia or other entities. Finally, gender ageism has a particularly aggravated incidence in traditionally feminised areas, such as care, which continues to fall on women, with the addition of all issues and discrimination linked to ageism.

## Type of discrimination

In this section we look at what type of discrimination has been reported during this year. Of the total of 504 cases, **87.5% have been direct discrimination**, that is, situations in which a person or group has been treated different, worse, due to their personal characteristics or situations; **and 12.5% have been indirect**, that is, apparently neutral situations in which people who have different personal characteristics or situations have been treated the same as others, so that a negative impact on an individual or group has been caused. Of the indirect discrimination cases recorded during the year 2021, more than 50% (32 cases) are linked to the axis of ableism, and 17.5% (11 cases) to aporophobia, most of which are administrative fines for breaching the restriction measures as a result of the pandemic.

**Table 26.**  
**Types of**  
**discrimination**

Source: OND and  
SAVD Board, 2021

	2021		2020	
	N	%	N	%
Direct	441	87.5%	413	94.7%
Indirect	63	12.5%	23	5.3%
<b>Total</b>	<b>504</b>	<b>100%</b>	<b>436</b>	<b>100%</b>

Regarding **direct discrimination**, almost half (48.8%) are situations that have been expressed through different treatment toward a person or group, followed by the discrimination that has been manifested through verbal aggressions, such as comments of contempt, insults or threats, with 24.3% of the cases.

**Table 27.**  
**Types of direct**  
**discrimination**

Source: OND and  
SAVD Board, 2021

	2021		2020	
	N	%	N	%
Differential treatment	215	48.8%	216	52.3%
Verbal assaults	107	24.3%	103	24.9%
Physical assaults	74	17%	57	13.8%
Discriminatory and hate speech	35	7.9%	23	5.6%
Vandalism	10	2.3%	5	1.2%
Not specified	0	0%	9	2.2%
<b>Total</b>	<b>441</b>	<b>100%</b>	<b>413</b>	<b>100%</b>

During 2021, 74 situations have been collected in which a physical aggression toward the person suffering from discrimination has been reported. Table 28 shows the crossing between the motives of discrimination and the types of direct discrimination. We note that **discrimination situations motivated by LGTBI-phobia lead both verbal (68) and physical assaults (37)**; discrimination within the field of racism and xenophobia and aporophobia are, along with LGTBI-phobia, the most physical assaults collected among the cases reported during 2021.

**Table 28.**  
Types of direct discrimination and grounds of discrimination

Source: OND and SAVD Board, 2021

Racism and xenophobia	22	37	11	112	1
LGBTI-phobia	37	68	7	41	4
Aporophobia	19	6	2	19	5
Language	0	6	13	37	0
Ableism	1	0	0	22	0
Health	1	1	3	29	0
Religion	0	3	5	16	1
Gender	4	2	4	10	0
Ideology	1	2	3	3	0
Ageism	0	1	0	4	0

Table 29 shows the crossing between the types of direct discrimination and discriminating agents. In this case, the role of individual people in aggressions, both verbal and physical, is especially notable; the **9 cases of physical assaults committed by police forces during 2021 are also especially relevant**. Private entities or companies and public administrations, on the other hand, lead the discrimination expressed through different treatment, with 106 and 50 cases, respectively.

**Table 29.**  
Types of direct discrimination and discriminating agents

Source: OND and SAVD Board, 2021

Discriminating agent	Physical assaults	Verbal assaults	Discriminatory and hate speech	Differential treatment	Vandalism
Individuals	61	95	11	42	9
Private organisations/ companies	5	7	16	106	0
Public administration	0	3	8	50	0
Police forces	9	2	0	22	1

## What rights have been violated?

In this section, we look at the rights violations that have occurred linked to the discrimination situations reported in the OND or any of the SAVD Board organisations during 2021; **the 504 cases collected this year have involved the violation of up to 761 rights** (as each discrimination may have impacted on more than one right).

**Table 30.**  
**Discrimination**  
**and violated**  
**rights, 2019-2021\***

Source: OND and  
SAVD Board, 2021

	2021		2020	2019
	N	%	N	N
Moral integrity	232	30.3%	164	177
Physical integrity	82	10.7%	57	71
Provision of services	78	10.2%	56	36
Housing	57	7.4%	55	22
Language	52	6.8%	44	47
Freedom to move / personal autonomy	38	5%	43	49
Freedom/security	32	4.2%	33	16
Work	27	3.5%	22	23
Quality of public service	26	3.4%	31	21
Admission	25	3.3%	27	34
Education / training	19	2.5%	8	4
Honour	18	2.3%	20	14
Health	17	2.2%	17	11
Information	16	2.1%	9	7
Intimacy	13	1.7%	9	14
Freedom of expression	7	0.9%	10	11
Data protection	6	0.8%	3	6
Leisure	4	0.5%	6	2
Other rights	17	2.2%	8	12
<b>Total</b>	<b>766**</b>	<b>100%</b>		

\* This table only  
collects the main  
rights infringed.

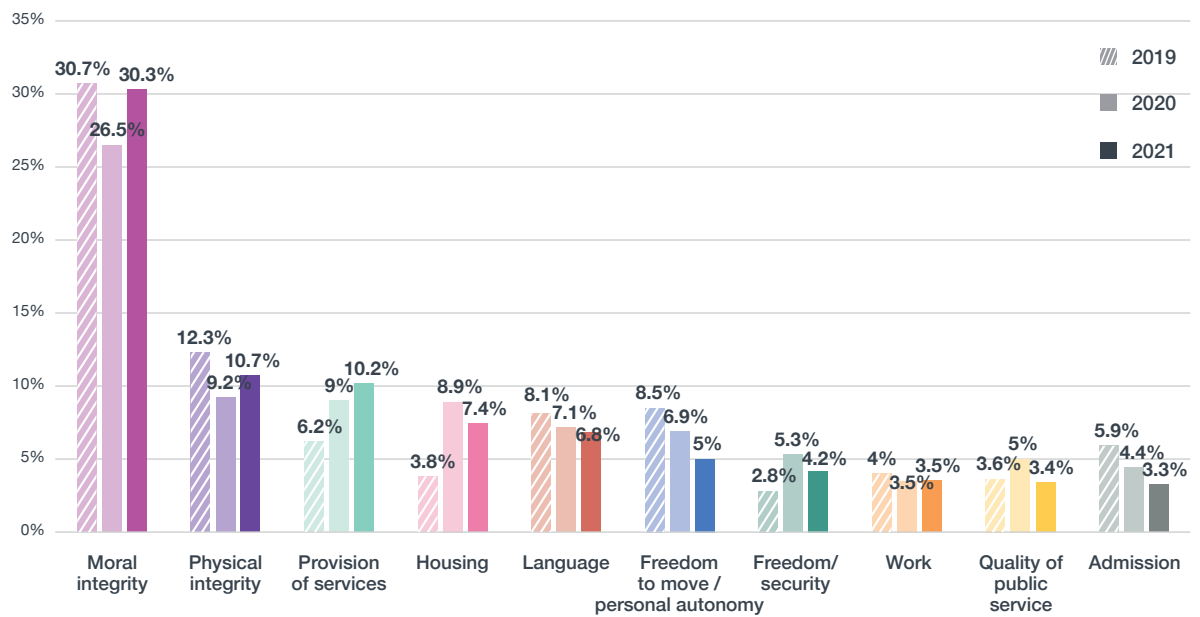
\*\* The 504 reported  
discrimination  
situations may  
involve more than  
one infringement  
of rights; for this  
reason, the total  
is greater than the  
number of cases.

If we look at the comparisons for previous years, in table 30, we find that **the right to moral integrity** is, once again, the most affected; followed by **the right to physical integrity**; in this case, the difference between the 74 cases of physical assaults addressed in section 4.2.5 and the 82 violations of the right to physical integrity respond to situations that, although they have not ended in physical aggression, have led to a real threat to the physical integrity of the person.

**The right to services** shows a 4% upward trend since 2019; **the right to housing** suffered a 5% rise with the pandemic and during 2021 has remained in fourth place.

**Chart 25.**  
**Discrimination and violated rights, 2019-2021\***

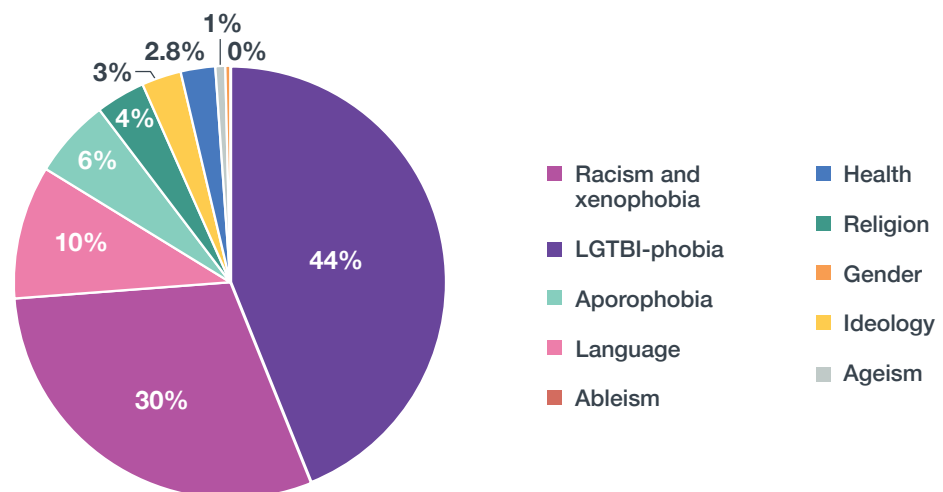
Source: OND and SAVD Board, 2021



Below, we analyse these four rights in a little more detail, crossing them with the reasons why each one is violated according to the data collected in 2021. LGTBI-phobia heads the motivations for the violation of rights to **moral and also physical integrity**, as pointed out in section 4.2.5, with more than 40% of cases, followed by racism and xenophobia, which collect about 30% of cases in both rights.

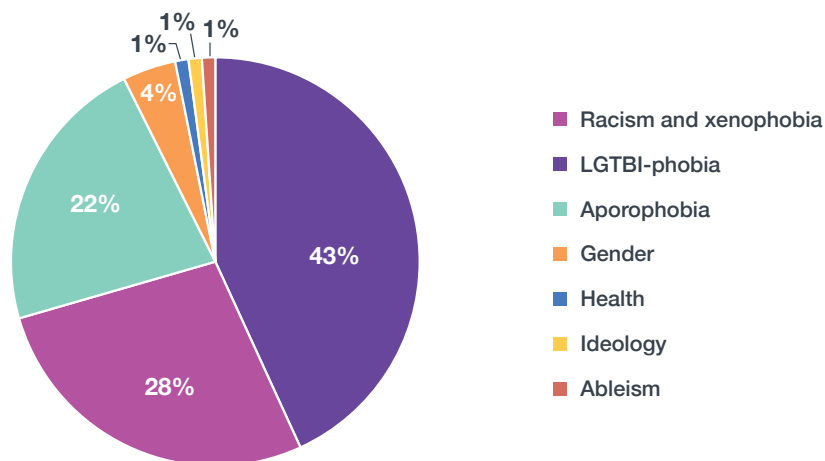
**Chart 26. On what grounds was the right to moral integrity violated?**

Source: OND and SAVD Board, 2021



**Chart 27. On what grounds was the right to physical integrity violated?**

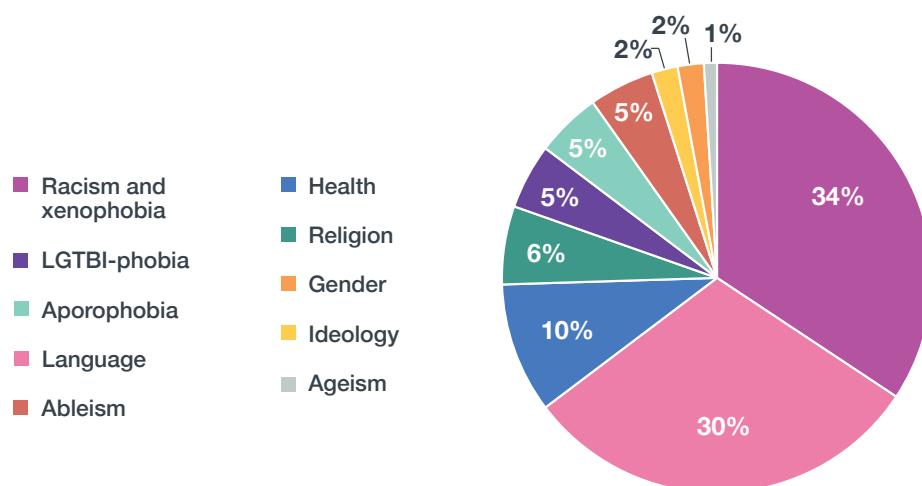
Source: OND and SAVD Board, 2021



Regarding the **provision of services**, racism and xenophobia, as well as language, are the main motivations, with about 30% of cases, followed by health, which is at 10%. If we look at **the right to housing**, the graph shows that discrimination motivated by ableism, racism and xenophobia and aporophobia collect the most violations of this right this year.

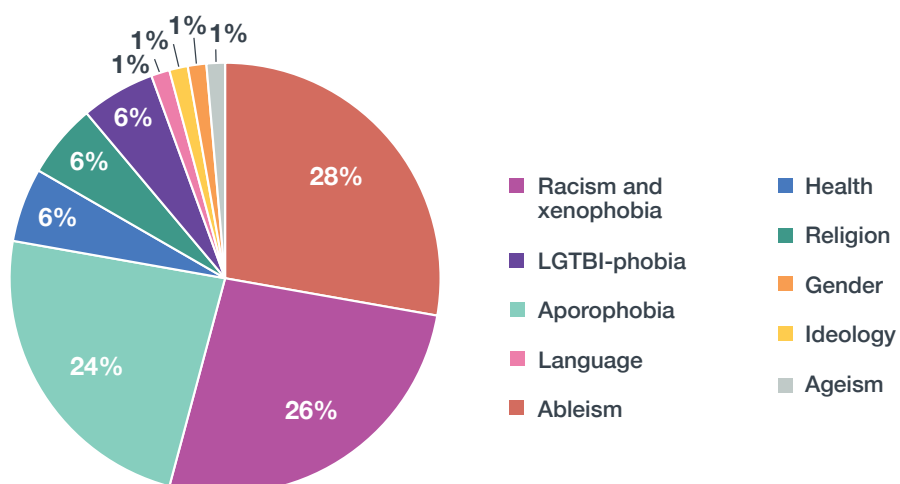
**Chart 28. On what grounds was the right to provision of services violated?**

Source: OND and SAVD Board, 2021



**Chart 29. On what grounds was the right to housing violated?**

Source: OND and SAVD Board, 2021



## Initiatives and results

In the last point in this section we look at what response was given, by the OND and the organisations of the SAVD Board, to the discrimination situations reported during 2021, and what results these actions have had, grouped into two main types: cases in which support and accompaniment are given to the victims, and cases in which discrimination ends in criminal or administrative complaint.

**Table 31.**  
**Support and assistance\***

Source: OND and SAVD Board, 2021

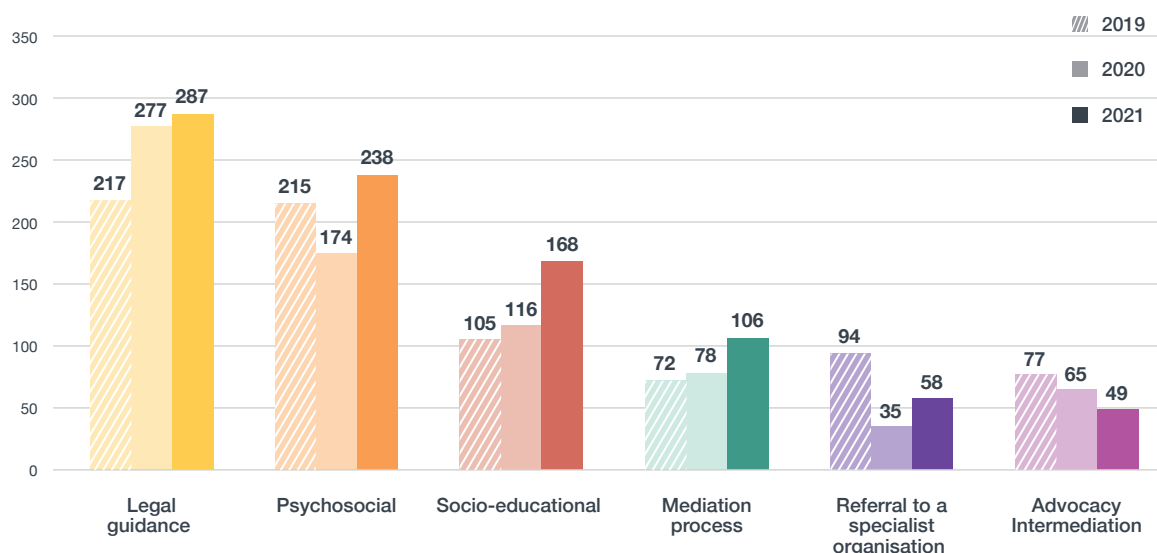
\*Each of the cases registered during 2021 may have received more than one action or response.

	N
Legal guidance	287
Psychosocial	238
Socio-educational	168
Mediation process	106
Referral to a specialist organisation	58
Advocacy	49
<b>Total interventions</b>	<b>906</b>

Most support and accompaniment actions by the City Council and social organisations in the SAVD Board have focused on providing legal guidance and psychosocial support to the victim, for 57% and 47% of cases, respectively. If we look at the comparative graph, we observe that legal orientation has increased progressively with the cases collected each year, unlike psychosocial accompaniment, which suffered a decline in 2020, in the context of the pandemic and in the face of mobility restrictions, and rose back again in 2021.

**Chart 30. Support and assistance, 2019-2021**

Source: OND and SAVD Board, 2021



There was also an upward trend for **mediation processes**, which this year have been done in 106 cases (21%). An example of a positive outcome mediation process that has been managed by the OND mediation team is what was done with a chain of gyms in Barcelona, inside of which, three situations of discrimination had occurred. Thanks to the mediation process, agreements were signed between the parties involved.

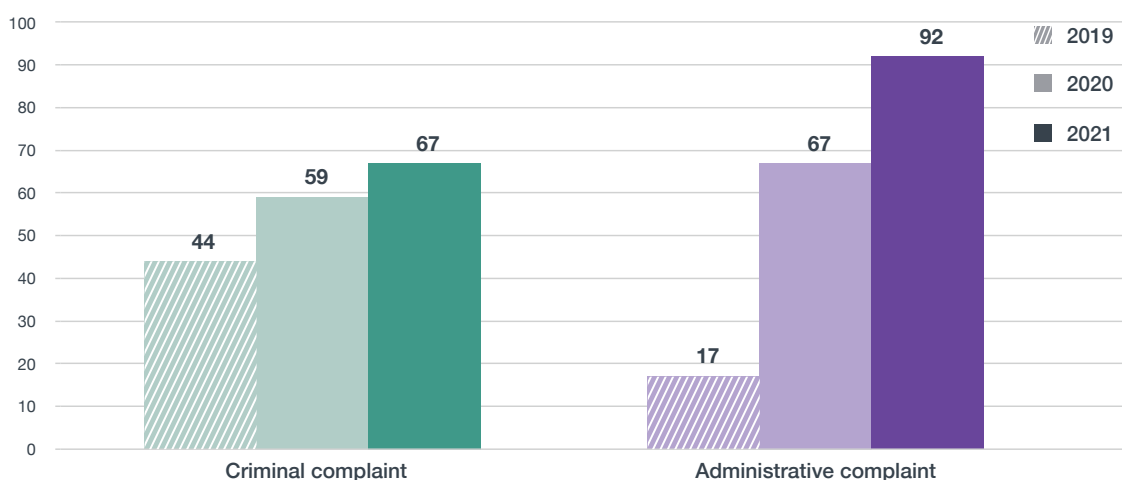
**The OND undertook a mediation process with a Barcelona chain of gyms, after three situations of discrimination were reported at its facilities**

Another key aspect in actions undertaken after discrimination is the coordination between OND and the SAVD Board organisations, and also the referrals being made to relevant agents outside this coordination space. As seen in graph 31, **referrals to specialised organisations** also suffered a decline during 2020, in the context of a pandemic, but they went back up from 35 to 58 this year <sup>28</sup>.

Finally, with regard to the scope of **public incidence**, which this year stands at around 10% of the total number of cases, especially all the actions that have been made in the field of **discrimination in housing**, that have been carried out since 2020 with the publication of the *testing* “The key can be a name”, and that have continued in 2021 with the *testing* “A la carte discrimination”, combined with other actions, such as the opening of three fining process by the IMHRB at the request of the OND, the incidence in the media with first-person testimonies, training sessions and strategic meetings with involved parts, such as the Group of Estate Agents (API) (See section 4.3).

**Chart 31.  
Complaints,  
2019-2021**

Source: OND and  
SAVD Board, 2021



<sup>28</sup> Among the derivations, there are municipal services and offices, such as the Districts themselves, the Public Attendance Offices (OAC), Social Services, the Education Consortium (CEB), the Barcelona Institute of People with Disabilities (IMPD), the Municipal Consumer Information Office (OMIC), the Guild of Greuges of Barcelona, the Centre for Urgencies and Social Emergencies of Barcelona (CUESB), the Municipal Institute for Housing and Rehabilitation of Barcelona (IMHRB), the Conflict Management Service (SGC) and the Barcelona Urban Guard (GUB). There have also been derivations in other services, such as the LGTBI Area of the Generalitat de Catalunya, the Sindic of Greuges in Catalunya, the Mossos d'Esquadra (Catalan regional police), the Prosecutor for Hate Crimes and Discrimination, and the Judges.



In parallel to actions aimed at support and accompaniment to the victim, **159 of the reported cases ended in administrative or criminal complaint (31.5% of the total)**. The criminal allegations amounted to 67 during 2021 and represent 13.3% of the total. Normally cases of criminal complaint respond to situations of discrimination that involve verbal or physical violence; this is the case of an LGBTI-phobic aggression that occurred on the beach of Somorrostro, which led to the interposition of a joint complaint by the Observatory against Homophobia (OCH) and the Barcelona City Council itself, which served as the public accusation in the case. During 2021, **OND opened 34 records for LGTBI-phobia that involved a criminal complaint**.

**THE OCH and the City Council interposed a criminal complaint as a response to an LGBTI-phobic aggression at a beach in Barcelona**

Regarding **administrative allegations**, there is a strong upward trend, from 17 in 2019 to 92 this 2021, representing 18.3% of cases. This sharp rise is associated with the reasonable requests of the OND to the Bureau of coexistence (OC) and fining records opened by the OC in application of municipal ordinance; another reason is the reasonable requests the OND has sent to the districts to open fining records for violation of the right of admission.

**SOS Racisme [SOS Racism]** have perceived **an increase in situations of unreported discrimination during 2021**; it has gone from 45% to 59% in the city of Barcelona. Of the total situations of racism in Barcelona during this year received by the entity (109), only 45 have been assumed as cases where it has been possible to intervene in some way. Unfortunately, as SOS Racisme points out, this means **that there is no real advance in the guarantee of the right of people affected by racism to denounce these situations or in the visibility of these violations**.



DISCRIMINATION SITUATION:

### **Racism and xenophobia + Islamophobia**

A Muslim family goes to the pool where they share space with neighbours, and neighbourhood friends. When leaving the enclosure another family from the neighbourhood verbally assaults them with insults and racist comments and, later, they are physically attacked. Police officers came within minutes, and, while they did intervene and record the incident, they did not take note of the insults or their racist nature. **SOS Racisme** denounces the severity of this discrimination and the police's refusal to record the report as such, as it is a fact that happens repeatedly and the police report is decisive in the recognition of hatred by the Prosecutor, if legal action is to be

taken. The entity accompanied the family and ended up legally representing them, as the private lawyer they had did not give importance to the racist axis of the aggression either. Ultimately, the family decided to end the judicial path due to the few guarantees they had, as victims, of being repaired for the damages and the fear of being revictimised during the process, and finally the allegations were not ratified. The racist event was left unpunished, but some sense of repair was achieved in the accompanying process itself, in the visibility of these facts, and in the expectation of transformation from their experience and activism.

**Table 32.**  
**Results of**  
**interventions**

Source: OND and  
SAVD Board, 2021

*\* This table does  
not collect the total  
number of cases,  
only those for which  
information is  
available.*

*\*\* Of the 9 fines,  
7 respond to cases  
prior to 2021; for  
this reason, the % is  
not calculated.*

	N*
Pending a solution	107
Not resolved	99
Repair of damages	51
Recovery without repair	41
Cessation of situation of discrimination	32
Agreement between the parties	14
Fine	9**
Counter-report/counter-suit	1

The last table shows which results the OND response actions and the SAVD Board organisations have obtained throughout the year. **In 51 cases a repair of damages to the victim has been achieved**, 10% of the total; this implies that, as a result of the actions by the OND or the organisations of the SAVD Board, the affected person considers that the damage caused has been repaired, usually due to conciliation and intermediation processes. In all 41 cases of unrepaired recovery, some kind of compensation has occurred on the part of the aggressor, but this action has not been deemed repairing enough for the victim (8% of cases); we also note that in 3% of cases an agreement has been reached between the parties. Therefore, if we add these three categories (repair of damage, recovery without repair and agreement between the parties), we note that **in 21% of cases (106) the response and specific actions that have been carried out to accompany and support people affected by discrimination situations have obtained some result**. On the other hand, in 32 situations a cessation of discrimination has been observed, which can be as a result of the actions that have been carried out to manage the conflict, or as a result of some other external cause.

**Nine fines for discrimination situations** have been imposed during 2021, although only two respond to cases that took place in 2021; the other seven respond to discrimination that was registered in previous years and that could not be resolved so far, due to the terms of each fining procedure. Among the fines, there are seven records shared between the OND and the OC, in application of discriminatory behaviours in public space for **the coexistence ordinance**, which have been fined and are already closed for payment or embargo; there are also two records shared between OND and IMHRB in application of **the housing law**, which have been fined by the City Council of Barcelona.

### **During 2021 the City Council of Barcelona imposed 9 fines for discrimination situations**

**In 21% of cases, situations continue to be unresolved** at the time of closing this report; this responds to the fact that, in many cases, the processes of resolution of discrimination situations, especially the most complex or those involving criminal or administrative reports, usually take more than one year, which is the periodicity analysed by the report of the Observatory.

Year after year, from the Barcelona Discrimination Observatory it is observed that the area of housing — understood in a broad sense, ranging from access to a home to coexistence within houses and with the neighbourhood communities — is a particularly conflicting space with regard to discrimination, as it affects all axes of discrimination in a transversal manner. For this reason, in this year's report we devote a specific section **to the analysis of discrimination in housing**, which also lists some of **the actions and proposals that have been worked on** from the City Council of Barcelona, the OND and the organisations of the SAVD Board.

### Inequalities in the right to decent housing

Of the 504 discriminations collected during 2021 by OND and SAVD Board organisations, 7.4%, that is, **57 cases, have led to a violation of the right to housing**. Although discrimination in this area affects virtually all discrimination axes in a transversal manner, there are particularly vulnerable people and groups.

**The Secretariado Gitano Foundation** denounces the exclusion and precariousness of housing among **the Roma population** of Barcelona. Specifically, they point to the following specific problems that Roma people have often encountered when trying to access a home, or the living conditions they face in the homes they get:

- Great difficulties in being able to rent a home being recipients of aid such as guaranteed income or vital income minimum.
- Population segregation of the Roma population in especially degraded or “ghetto” neighbourhoods.
- Different treatment by public administrations, which can lead, for example, to non-referral to certain public facilities and homes in the face of mistrust that they could cause problems.
- Stereotypes, prejudices and stigma toward Roma people that generate the preconceived idea that they will not take care of property well and that they will create problems within neighbourhood communities.

The **OCH** has perceived an increase in the problems linked to LGBTI-phobia in housing, a rise that was evident during the start of the pandemic, in 2020, and that has continued this 2021. In this sense, the users go to the entity to consult how they can report this type of discriminations, which **are usually expressed through harassment from neighbours**, often in the form of verbal and physical aggressions, faced with the great difficulty to prove these situations that take place in private spaces, where there are usually no witnesses.

The OCH advises the affected person to attempt to somehow record LGBTI-phobic behaviours, although they are aware that this may pose a risk that may even exacerbate the behaviour of the aggressors. **Unfortunately, when evidence is available, it is because there has already been a serious injury that is documented through the corresponding medical report.** The entity regrets that there has to be a serious and explicit aggression so that the affected person can report with sufficient indications the situation of LGBTI-phobic harassment suffered.

**The OCH regrets that there has to be a serious and explicit aggression to be able to prove LGBTI-phobic harassment**

**ACATHI** wants the specific problems with which transsexual people find themselves in accessing a home to come to light: the users who go to the entity, that works with migrant LGBTI people, often cannot access a whole house and must rent rooms in shared floors, where they are usually in situations of rejection caused by prejudices and the stigma that there is toward transsexual people. From the entity they point out that, despite the advances made with Law 11/2020 for the regulation of rental prices, **the rental of rooms within homes are excluded**, which are regulated through private contracts, or even through verbal agreements. This affects precisely the most vulnerable people, who cannot access a whole flat, and also makes reporting the discrimination that occurs in this context difficult.

**The Regulation Act 11/2020 for rental prices does not include renting rooms within homes, and thus excludes the most vulnerable people, who cannot access entire properties**

It has already been mentioned before that **ECOM**, an entity that works for the defence of people with physical and organic disabilities, points out that they have observed **an increase in cases of risk of residential exclusion among their users**; this resulted in increased attention by the entity to people at risk of eviction or who had long been waiting for accessible official protection housing.

Another especially vulnerable sector of the population is **young people**. Job precariousness also leads to the incompatibility between the accessibility of housing and the conditions to access it; young people find that to access it they are required to comply with specific conditions that are more taxing than for the rest of the population. As noted in the document **“X-Ray: Young people renting and the right to housing”**<sup>29</sup> of the **Youth Council of Catalonia** and the **DESC Observatory**, young people tend to suffer direct discrimination in the pre-access phase to housing, in the sense that the owner of the property does not consider them to be possible candidates for rental. Some specific examples:

- Many agencies or individuals prefer that the apartment be rented by a family instead of young people who share a flat. The shared housing model is often associated with social prejudices about youth: Instability, leisure and party, little awareness, and so on.
- Increasingly, one of the indispensable requirements for accessing a lease in the city of Barcelona is a stable work contract, which directly collides with the work situation of young people and with their ability to opt for a stable job.

<sup>29</sup> [https://www.cnjc.cat/sites/default/files/campanya/adjunts/radiografia\\_joves\\_llogateres\\_dret\\_a\\_lhabitatge.pdf](https://www.cnjc.cat/sites/default/files/campanya/adjunts/radiografia_joves_llogateres_dret_a_lhabitatge.pdf) (in Catalan)



## Collection of data and penalties

Given the lack of data and evidence of discrimination in the field of access to housing in Barcelona, the City Council commissioned in 2020 a study, **“The key can be a name”**<sup>30</sup>, which confirms **that people with Arab names get 18.8% less answers than couples with names perceived as “local”** when they contact a real estate agency interested in a flat; the study also concludes that they have less access to property visits, and in this case discrimination stands at 7.6%, as 17.4% of couples receive an immediate invitation to visit a property, while in couples with Arabic names only 9.8% get a visit. Finally, it is also observed that the more expensive the rental price, the more likely the couples perceived as foreigners are to get a first response.

### À la carte discrimination

In 2021, the City Council commissioned a second study, entitled **“À la carte discrimination”**<sup>31</sup>, which detects new evidence of this discriminatory practice in the sector. The study consisted of fieldwork with 350 valid calls to estate agencies that operate in the city on behalf of a fictitious property owner that wants to rent a home and requests that the selection process exclude “immigrants”. Of the answers obtained from the estate agents, it is extracted that **86% of the discriminatory requests from the property owner get the expected result of excluding migrant population as a tenant for the property:**

**Table 33. Results of the study “À la carte discrimination”**

	Non-discrimination	Discrimination			Response evasion	Total
	Rejection of discrimination	Acceptance of discrimination	Facilitating discrimination	Total discrimination		
<b>N.</b>	35	<b>218</b>	<b>83</b>	<b>301</b>	14	350
<b>%</b>	10,0	<b>62.3</b>	<b>23.7</b>	<b>86</b>	4.0	100

Non-affiliated agents accept or facilitate the proposed discrimination in 93.1% of the cases, while the affiliated ones do so in 78.9% of the petitions. Among API agencies, we find more rejection of discrimination with a difference of 9.8% compared to non-API agencies, to the point that 75% of rejection of discriminatory petition is concentrated in responses from member agencies. During the calls, relevant information has also been extracted that has allowed to observe that three in ten estate agents spontaneously show that discrimination due to origin is common in the exercise of their profession.

30 [https://ajuntament.barcelona.cat/dretsdiversitat/sites/default/files/LA\\_CLAU\\_POT\\_SER\\_UN\\_NOM.pdf](https://ajuntament.barcelona.cat/dretsdiversitat/sites/default/files/LA_CLAU_POT_SER_UN_NOM.pdf) (in Catalan)

31 <https://ajuntament.barcelona.cat/dretsdiversitat/sites/default/files/Discriminacio-a-la-carta.pdf> (in Catalan)




## Three out of ten property agents spontaneously state that discrimination on the grounds of origin is common in the exercise of their profession

In parallel to the collection of data, in 2021 the City Council imposed **a fine of 45,000 euros for discrimination in access to housing due to origin**. The case was given to the city after the owner of a flat in Barceloneta and the company that marketed it refused the possibility of renting it to a person of Moroccan origin. The victim reported the facts to the OND, who studied and analysed the case in conjunction with the Unit of discipline and harassment of the Municipal Institute of Housing and Renovation (IMHAB). **It is the first time that a city council fines for direct discrimination in access to housing due to origin.**

### The City Council of Barcelona imposes a fine of 45,000 euros due to denying the possibility of renting a flat to a person of Moroccan origin

During 2021 the City Council imposed another fine, also **of 45,000 euros**, in this case to the company that owns a property that was offered in the rental housing market, as the responsible party for a very serious infraction, as contemplated in Article 123.2 letter a) of Law 18/2007, of 28 December, regarding the right to housing, consisting in carrying out actions or omissions that entail **harassment or discrimination in the use of housing**. The events happened in June 2020, when a **person with reduced mobility that receives a state pension for great invalidity** wanted to rent the flat and presented all the documentation they asked for. The fine is based on the fact that the property did not want to rent the flat due to the nature of their income, considering that, in case of non-payment of the rent, there would be an added difficulty in legally claiming, and placing an embargo on, this source of income, and that this constituted a case of discrimination.

 These two fines in the field of housing add to another one in 2019 imposed by the City Council of Barcelona, on this occasion for **indirect discrimination** due to origin, imposed on a search portal for apartments and an estate agency for publishing an ad where **it was specified as a requirement that the tenant be Spanish**; this infraction entailed a total fine of **€90,001**.

## Faced with discrimination in housing: Proposals and actions

In order to continue specifying actions against discrimination in housing, a monographic session was held with the organisations of the SAVD Board and also open to other entities that work in this area <sup>32</sup>. The session was structured around the content of the UN's latest special rapporteur report on the right to adequate housing and housing discrimination <sup>33</sup>, a report drawn up in a participatory process that received input from state, regional and local governments (including Barcelona), organisations of civil society, and professionals of the judicial and human rights field.

The UN Committee on Economic, Social and Cultural Rights defines elements that are considered essential to proper housing:

**Figure 7.**  
Essential  
elements for  
proper housing



**Discrimination occurs in all dimensions of law**, which is why attention and action are needed in all these dimensions. The participating entities delved deeper into the recommendations of the report grouped in the fields of **legislation, training and communication**. Below we present the main contributions.

<sup>32</sup> The session was attended by 20 people. Representatives of the Directorate of Citizens' Rights Services, the Housing Management and the Human Rights Resources Centre were also involved; representatives of the entities SOS Racisme, Bayt al-Thaqafa, Centre Against Homophobia, XAPSL, ECOM, Platform for Language, Dincat, Cepaim, CJB, Catalan Association of Human Rights Defense and Social Housing Foundation were also involved.

<sup>33</sup> <https://undocs.org/es/A/76/408> (in Spanish)



### Legislation and guarantee

In Barcelona there are several regulations that protect against, and fine, discrimination in housing. The regulator deployment of **equal treatment and non-discrimination Act 19/2020** is expected to allow continued advancements in this regard. It is important to publicise these mechanisms more and advance their application. Entities need more resources to be able to do so and citizens need to know their rights better. More inclusion mechanisms are also considered to be needed for vulnerable groups and continue to increase **the amount of social housing**.

### Training and prevention

It is considered important to offer updated training to the services and entities that take care of the citizens in various fields, so that they also know the mechanisms in the field of discrimination in housing. One such service is the **Youth Information Points (PIJs)**, which could also provide subject-matter advice after receiving adequate training. There is consensus on the importance of training **estate agents**, as key actors in the housing framework; these training sessions should foresee specific sensitisation adapted to specific groups. In the area of the people with disabilities, it is considered that **estate administrations** could become a good ally in order to achieve adaptations for accessibility to the buildings in application of current regulations. Finally, the importance of working with mediators and **leaders of the affected groups**, as well as with mutual support groups, is emphasised in order to multiply the information about the mechanisms for reporting and protecting rights.

### Communication and monitoring

It is important to take advantage of previous studies and reports to think about new actions and make use of lessons learned. Entities need support to be able **to improve their capacity for data collection and analysis** and also the monitoring of cases over time. This information is important to improve policies as well. In order to obtain more information about cases of discrimination in housing, it is proposed **to seek out complaints proactively**. In relation to communication campaigns, they are considered to have to go beyond the social sphere to have more impact. A key element continues to be to give more visibility to the idea of the **right to housing** and not so much to the private nature of contracts. Communication should be able to point out who is discriminated against and also **eliminate the fears and discourse that favour discrimination**.

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# 5 Conclusions

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- 1 **Discrimination in Barcelona.** According to the Survey of neighbourhood Relations and coexistence of the Barcelona Metropolitan Area (ECAMB) that took place at the end of 2020 with 5437 people, 4043 of whom in Barcelona, **16% of the Barcelona population was subject to some form of discrimination** during that year. On the other hand, **the Office for Non-Discrimination (OND)**, of the Barcelona City Council, and **the Board of Organisations for the Assistance of Victims of Discrimination (SAVD)** have attended to and accompanied **504 discrimination situations** during the year 2021, which represents an increase in the collection of cases of 13.5%.
- 2 **Under-reporting.** ECAMB notes that only **33.7% of people affected by discriminatory action chose to speak up about it**. And, of the people who did, most (58.7%) explained it to a person of trust (family, friendship, etc.) and only 4.8% of victims of discrimination say they have informed a social entity (1.4%), a public administration service (1.6%), or police or courts (2.7%). In this sense, **one of the main challenges facing the Barcelona Discrimination Observatory is precisely this under-reporting**.
- 3 **Who was discriminated against?** Once again, among the situations attended to by SAVD Board organisations and OND, we observe that **people identifying as male gender have reported more discrimination**, in 52% of cases, compared to 36% of situations in which people identifying as female gender. Regarding the age of persons discriminated against, **the 25-39 and 40-64 ranges continue to be the ones that most report situations of discrimination they have faced**: they make up 80% of cases. The vast majority of people who have reported situations of discrimination in OND or in the SAVD Board during 2021 were in a regularised administrative situation (75%), compared to 12.7% who were in an unregulated administrative situation (8.5%) or were asylum seekers (3.8%) or refugees (0.4%).
- 4 **By whom?** According to the ECAMB results, **90.6% of cases of discrimination in neighbourhoods occurred due to the action of an individual**. The amount of people that explain that the discriminating agent was a neighbour from their neighbourhood (44.7%) or their building (10.4%) very much stands out. In 12.1% of cases, the

discriminating agent was a merchant or worker from the neighbourhood. Along the same lines, **individuals have exercised the most discrimination**, in terms of the cases collected by the OND and the entities of the Board in 2021, with 43%, followed by private entities or companies, which have been involved in 28% of cases. Public administrations have been discriminating agents in 22% of cases, and police forces, 7%; therefore, if we add these two categories, we find **that 29% of discrimination has been exercised, directly or indirectly, by a public actor.**

- 5 **Where?** According to ECAMB, the proportion of people who have experienced some discriminatory action has been higher in **Ciutat Vella (20.3%), in Gràcia (19.7%) and in Sants-Montjuïc (18.3%)**. Ciutat Vella also heads the number of situations reported in the SAVD and OND Board organisations and, with 91 cases per 100,000 inhabitants, well above the Eixample and Sants-Montjuïc, which have 27 and 26, respectively. Regarding the locations of discrimination, we note that during 2021 more discrimination was reported in public spaces (268) than private ones (231). In terms of public spaces, there is discrimination in **streets, parks, beaches and squares**, with 141 cases, as well as cases reported in stations or **transportation** (37), which, as identified in previous reports, are especially conflictive spaces. Within private spaces, discriminatory situations in houses, flats and homes (67) are especially relevant, as already happened in the 2020 report, with a lot of links to the pandemic context and the associated mobility restrictions.
- 6 **Grounds of discrimination.** The overall discrimination index for ECAMB points to **gender** as the main reason for discrimination in neighbourhoods, with **7.7%**; the Barcelona City Council's attention, recovery and reception (SARA) service has attended 1,382 women **for sexist violence** during 2021. Skin colour and ethnic origin are placed as the fourth reason for discrimination according to the survey. If we look at how these axes of discrimination affect based on the place of birth, we note that **discrimination motivated by racism and xenophobia rises to 9.3% among the population born outside of Spain**. The axis of racism and xenophobia is the main motivation in cases collected by OND and the SAVD Board during 2021, with 31% of registered discrimination, followed by the LGTBI-phobia, which this year represents 25%. From an **intersectional perspective**, 21.8% of the 504 discrimination situations registered by the OND and the SAVD Board organisations during 2021 are assigned more than one reason for discrimination; **racism and xenophobia is the axis that most intersects with other axes, especially with LGTBI-phobia, Islamophobia and aporophobia** and, to a lesser degree, also with gender and health.
- 7 **Type of discrimination.** Of the total cases collected by OND and the social organisations of the SAVD Board, **87.5% have been direct discrimination** and, of these, almost half (48.8%) are situations that have been expressed through **differential treatment** toward a person or group, followed by discrimination that has manifested itself through **verbal aggression**, such as comments of contempt, insults or threats, with 24.3% of cases. During 2021, 74 situations have been collected where a physical aggression toward the victim of discrimination has been reported; discrimination within the field of racism and xenophobia and aporophobia are, along with LGTBI-phobia, the most **physical assaults** collected between the cases reported during 2021.
- 8 **Violated rights.** The 504 cases collected this year have involved a violation of up to 761 rights. **The right to moral integrity** is, once again, the most affected; followed by the rights to **physical integrity, service provision and housing**. LGTBI-phobia heads the motivations for the violation of rights to **moral and also physical integrity**, with more than 40% of cases, followed by racism and xenophobia, which collects about 30% of cases in both rights.

- 9 Actions and results.** Most support and accompaniment actions by the OND and social organisations in the SAVD Board have focused on providing **legal guidance and psychosocial accompaniment** for the victim, for 57% and 47% of cases, respectively. Followed by **socio-educational** and **mediation process** actions, both with a clear ascending upward trend in recent years. Regarding network work, the **58 referrals** due to discriminatory situations to other specialised entities or services stand out. In parallel to actions aimed at support and accompaniment to the victim, 159 of the reported cases ended in **administrative or criminal complaints (31.5% of the total)**. Of the 504 cases, **10% have been resolved with repair of the damage** to the affected person or group. In addition, **9 fines for discrimination situations** have been imposed during 2021.
- 10 Discrimination in housing.** Of the 504 discriminations collected during 2021 by OND and SAVD Board organisations, 7.4%, that is, **57 cases, have led to a violation of the right to housing**. From the Barcelona City Council, two studies have been carried out that demonstrate discrimination for reasons of origin in access to housing; the last one, published in 2021, concludes that **86%** of discriminatory requests by owners (fictitious, in this case) to estate agents result in **the exclusion of migrant populations as tenants for a property**. In parallel to the collection of data, in 2021 the City Council imposed **a fine of 45,000 euros for discrimination in access to housing due to origin**. It is the third fine that is imposed in the field of housing linked to a discriminatory event.

# 6 Initiatives and challenges

THEMES/AXES	INITIATIVES	CHALLENGES
CROSS-CUTTING THEMES		
Law 19/2020, Act on Equal Treatment and Non-Discrimination	<ul style="list-style-type: none"> <li>During 2021, social entities and municipal services working in the field of combating discrimination have held meetings <b>to begin putting forward training sessions for key agents</b> (social services, education and health professionals, and so on); diffusion of the law has been started, as well as mentioning and integrating it in the cases of discrimination received.</li> <li>Barcelona City Council has participated in <b>meetings where work has been carried out in the regulation of the law</b>.</li> </ul>	<ul style="list-style-type: none"> <li><b>It is necessary to move forward in the process of regulation of the law</b>, which recognises the specific competency regime of Barcelona and grants fining competence; the necessary resources must be provided by the bodies responsible for applying the fines, and ensure that people suffering from any type of discrimination in the city are already being helped.</li> <li>In parallel, progress must also be made in the deployment and design of <b>restorative justice measures</b> stipulated in law.</li> <li>It is necessary to solve <b>the overlaps that occur with other sectoral laws</b> (housing, LGBTI or racism, among others).</li> </ul>
Equality data collection	<ul style="list-style-type: none"> <li>In Autumn 2021, the Citizen Rights Services Directorate of the Barcelona City Council organised <b>a debate on the incorporation of data of ethnic or racial origin into studies and surveys</b>, in which representatives of social entities and anti-racist activists participated, as well as representatives of the Ministry of Equality and the Municipal Data Office of the City Council.</li> </ul>	<ul style="list-style-type: none"> <li><b>Article 9 of Organic Law 3/2018, of 5 December, regarding personal data protection must be reformed</b> to harmonise with Regulation 2016/679, of 27 April 2016, of the European Parliament and of the Council, so that data can be collected that reflect the reality of the existing diversity in our society.</li> </ul>

## The fight against under-reporting

- During 2021 and within the framework of the Observatory of Discrimination, the strategy of training and sensitisation of technical staff in entities and the users of the groups most likely to suffer discrimination has continued, among which we must highlight the joint trainings with ECOM, FSMC and the Catalan Association for the Promotion of Deaf people (ACAPPS).
- A project to create **OND antennas** has also been initiated by the city's neighbourhoods, and internal staff have been trained in the City Council in order to improve the detection and reporting of cases.
- Several initiatives have been promoted **to enhance the detection of situations of discrimination and to facilitate their reporting.**
  - SOS Racisme initiated the campaign “This is racism”, to fight against the normalisation of racist attitudes and actions.
  - The Federation of Gypsy Associations of Catalonia (FAGIC) has launched an app to facilitate reporting discrimination in the city.
  - The “Alerta Discriminación” [Discrimination ALert] project, by Red Acoge, has created a website and an app to facilitate allegations of discrimination and hate crimes in Spain; the entity Bayt al-Thaqafa is in charge of managing those that happen in Catalonia.
- There is a **lack of reporting tools and channels**, and even the ones that are available, on occasion do not apply or do not give an appropriate response to people victims of discrimination; for example, local consumer offices, transportation operators or social networks such as Facebook. In this sense, there are still situations of racism and xenophobia in which the affected person is not helped or only given help when accompanied by a “local” person or technical staff from a social entity with a broader knowledge of the operation of the channels through and bodies at which to present allegations.
- There are **many obstacles to reporting situations of discrimination**, especially the most serious ones, which require a criminal complaint. This greatly discourages reporting, and makes that, in practice, only activists or people linked to the associative world can do so. It is necessary to open up access to the tools for reporting and presenting allegations and bring them closer to all citizens.
- Beyond the punitive justice mechanisms, we must explore other ways such as **restorative justice** that can be complementary to the regulatory tools we already have, but which are pending implementation.
- Another challenge in under-reporting is **the normalisation of some discriminations**, which are considered “less important or serious”: it is the case of discrimination on the basis of language, for example.

## Discrimination in housing

- After the publication, in 2020, of the first housing test, “The key can be a name”, in 2021 the City Council of Barcelona carried out a **second testing, “À la carte discrimination”**, which shows that 86% of estate agents accept or facilitate discrimination on the basis of origin.
- In fact, in 2021 the City Council imposed a **penalty of €45,000 euros for discrimination in access to housing due to origin**.
- Within the framework of the SAVD Board, a **monographic session has been held on housing discrimination**, in which strategies have been put in common to deal with it, in three main areas: legislation and guarantees, training and prevention, and communication and monitoring.
- The City Council has had contacts with representatives of estate agencies and estate administrations and has agreed to design a work plan in which **training estate agents in matters of discrimination** will be a fundamental element.
- A challenge mentioned by several sectors is the lack of specific public policies that favour **access to decent housing to the most vulnerable people and collectives**.
- In spite of the advances achieved with Law 11/2020 for the regulation of rental prices, **renting rooms within a house is excluded**, and agreed upon in private contracts. This affects precisely the most vulnerable people, who cannot access a whole flat, and also makes reporting the discrimination that occurs in this context difficult.
- Also, in spite of the advances achieved with **[local] registration without a fixed domicile**, some entities indicate that its application is not uniform throughout the city and that it is necessary to provide training for the group of professionals who attend the citizenship to avoid unnecessary procedures and obstacles.

## INEQUALITY AXES

### Aporophobia

- Preparatory work has been carried out for the creation of a **Protocol for coordination-action between OND and XAPSLL** for cases of aporophobia.
- Within XAPSLL, the **Commission for Rights and Aporophobia** has been created with the aim of collecting cases from all entities and administrations where aporophobia is present and created pedagogy from the phenomenon and giving it the important place that it deserves within the scope of homelessness.
- **Female homelessness:** It is necessary to create safe spaces considered from a gender perspective to recognise the particularities presented by women in the situation of homelessness, that intersect with multiple discriminations.



## LGBTI-phobia

- THE OCH and Area of Social responsibility, Women, and Diversity of TMB have created **the LGTBI-phobia Prevention, Detection and Intervention Protocol in TMB transport networks**.
- The **parliamentary task force against LGTBI-phobia** was created to make proposals for prevention, detection and intervention against LGTBI-phobia, acting in conjunction with social and institutional agents working on this social issue.
- It is committed to **amending Act 11/2014 to ensure the rights of lesbian, gay, bisexual, transgender, and intersex people and to eradicate homophobia, biphobia and transphobia**: entities working within the scope of LGTBI-phobia want the application of the decree regulating the fining regulation procedure established in law.
- **The coordination and communication of the agents that work with discrimination motivated by sexual orientation and gender identity or expression must be improved** by establishing work tables and a fluid communication that leads to more effective interventions.

## Ableism

- Many actions have been taken from ECOM to make **the 14-F (autonomic) elections accessible** and safe to everyone. Good communication and predisposition were found with the Administration.
- It is essential to **guarantee the participation of people with physical, organic and intellectual disabilities**, and of the entities that represent them, in the construction and implementation of public policies and strategies to ensure that the International Convention on the Rights of People with Disabilities is taken into account and that their specific needs are taken into account.
- Work must be continued to inform, guide and accompany people with disabilities about **the legislative recognition of their rights and the knowledge of the channels to report** possible situations of discrimination and violation of rights, with the aim of reducing under-reporting and further visibility of the situations of vulnerability suffered by people with disabilities in the day to day.
- Social policies must be conceived from **the perspective of diversity and with an intersectional look**, and incorporate disability into public policies in a cross-cutting way.



## Health

- The State Coordinator of HIV and AIDS (CESIDA), of which Gais Positiu is a part, promotes **the Legal Clinic Project**, which seeks to answer the questions and problems encountered by people living with HIV.
- The City Council of Barcelona promotes the “**Konsulta’m**” space, a psychological support service aimed at adolescents and young people to detect and pre-emptively address the psychological suffering and mental health problems of youth. The space also offers advice to professionals who work with groups of teens or young people.
- It is committed to **creating specific action protocols in the face of the refusal of insurers** to sell insurance to people living with HIV.
- It is necessary to continue working so that all **people with mental health problems know their rights**, can create their plan for living wills, know the new support figures and, above all, be aware of the rights they have in **involuntary internments** in order to try to prevent abusive practices from continuing.

## Racism and xenophobia

- The Barcelona City Council launches **the government measure “For an anti-racist Barcelona”**,<sup>34</sup> which plans to strengthen the Office for Non-Discrimination, both territorially with regard to functions, and deepen prevention to eradicate racism and xenophobia and deconstruct “white privilege”, with an initial expenditure of 400,000 euros.
- The **Protocol for actions against discrimination against racism** between OND and SOS Racisme entities, Bayt al-Thaqafa, SAFI, FSG, FAGIC is approved.
- Cepaim has continued to **ac-company people to carry out proceedings**, as an action that guarantees access to rights.
- **Modifications to the regulation of the Alien Status Act** is allowing some young people that are part of the young people and families programme that come from the guardianship of the Public Administration to be regularised.
- The “**El Reto de Mañana**” **[The challenge of tomorrow]** campaign of the Secretariado Gitano Foundation (FSG) calls for more effective active employment policies for the Roma population.
- **It is necessary to promote the strategy of strategic litigation**, together with the Public Administration, to give more visibility to anti-gipsy racism.
- Measures are needed to recognise, from the administrations, **the structural racism** that exists, and also to demonstrate the rights violations that this racism generates.

34 [https://ajuntament.barcelona.cat/dretsdiversitat/ca/noticia/per-una-barcelona-antiracista\\_1165647](https://ajuntament.barcelona.cat/dretsdiversitat/ca/noticia/per-una-barcelona-antiracista_1165647) (in Catalan)

## Language

- During 2021, from Plataforma per la Llengua, **collaboration with neighbourhood associations in many neighbourhoods** has been improved, a fact that has contributed to channelling intermediate agents to solve discriminatory situations, and the training and awareness of citizens in terms of linguistic rights.
- **Collaborations with some entities of the Barcelona City Council**, the municipal government and municipal groups have also been accentuated. This practice has helped in reporting malpractices and finding relatively rapid solutions.
- **The politicisation of the use of language** by groups contrary to linguistic normalisation, as well as its legal minority, is contributing to the rupture of social consensus in favour of Catalan and cohesion, and to increase hostile attitudes toward the use of Catalan. All this has led to a situation of linguistic emergency; year after year, Catalan loses percentage weight of speakers in the city of Barcelona and language discrimination increases.

## Religion / Islamophobia

- Collaboration agreements have been promoted **between various entities** (Bayt al Thaqafa and SAFI; Bayt al Thaqafa, Iridia and OND) that allow improved coordination and give a more comprehensive response to the resources of each of the entities seeking the benefit of the victims.
- The **first report of the Observatory of Islamophobia in Catalonia (ODIC)** was published, with data collected during 2020. The main objective of the ODIC is to monitor and centralise all the allegations of Islamophobia that take place in the Catalan territory and also all discourse that fosters or normalises this practice; likewise, the ODIC promotes reporting of Islamophobia both socially and judicially.
- To emphasise **gender Islamophobia**, through collaboration agreements between related entities that allow us to obtain much more complete and detailed data of Islamophobia discrimination in the city of Barcelona and its surroundings.

## Ageism

- The Barcelona Council of Youth, in relation to the participation and involvement of young people as citizens, has done work **to facilitate spaces of youth representation** before the Administration and in terms of public policies.
- Another of the good practices has been **to give visibility to, and underline, some of the adult-centric practices** generated in precisely these spaces of work or participation with the Administration, both in situ and on social networks.
- From the Advisory Council of the elderly in Barcelona, a collaboration with the OND and the Human Rights Resource Centre of the Barcelona City Council has been established to continue advancing the fight against ageism toward the elderly. The Council has participated in several resources and activities of the campaign on discrimination in Barcelona and group work sessions have been held with Council members and participants to contribute to **detecting and giving visibility to discrimination by providing the vision of the elderly about ageism**.
- **Spaces of participation are created from an adult logic** and most of the participants are adults and they prioritise their needs above those of young people. There is little recognition and validation of the activities and projects carried out by young people.
- **Network work** must be enhanced, in collaboration with other groups affected by ageism towards young people, and work carried out to establish shared strategies in **order to disseminate the current mechanisms and resources of the city** in the area of combating ageism, adult power and adult-centrism.
- One of the main challenges in the area of ageism toward the elderly is **the loss of in-person attention in multiple services** that are also essential for the elderly, both private ones (banking entities, supplies or, in part, commerce) as well as public services (citizenship and processing services, social and health services, and so on). It is important to help the elderly to know and use IT tools, but it is even more so not to lose personal and personalised attention and support that many people may need and that, in addition, have great benefits in terms of social relations and contribute to alleviating situations of isolation and unwanted loneliness.

## Gender

- Barcelona City Council has presented the **II Plan for Gender Justice 2021-2025**<sup>35</sup>, the second plan made by the institution that takes over its predecessor in the vocation of becoming the fundamental instrument of action for the Barcelona City Council in eliminating gender inequalities in the city.
- The new municipal facility **Plural, Masculinities Centre** comes into operation with the desire to promote a plural, positive and diverse perspective of masculinities, which contributes to generating collective images that are different from the strictest and most old-fashioned meaning of “being a man” or “behaving like a man”. The flexibilisation of masculinities is the way to promote healthy and equal relationships and to eradicate stereotypes based on binarism.
- One of the challenges in the field of visibility of discrimination is to **agglutinate and integrate gender discrimination data** from all public administration services and social entities that work in this field, in order to obtain data that is as close as possible to the reality of gender-based discrimination in the city.

35 [https://bcnroc.ajuntament.barcelona.cat/jspui/bitstream/11703/123474/1/NouPla\\_2021-2025-ONLINE\\_DEF.pdf](https://bcnroc.ajuntament.barcelona.cat/jspui/bitstream/11703/123474/1/NouPla_2021-2025-ONLINE_DEF.pdf) (in Catalan)

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## Websites of the Barcelona Board of Organisations for the Assistance of Victims of Discrimination

### Office for Non-Discrimination:

[ajuntament.barcelona.cat/oficina-no-discriminacio/ca](http://ajuntament.barcelona.cat/oficina-no-discriminacio/ca)

### ACATHI:

[www.acathi.org/ca](http://www.acathi.org/ca)

### Barcelona Youth Council:

[www.cjb.cat](http://www.cjb.cat)

### Bayt al-Thaqafa:

[www.bayt-al-thaqafa.org](http://www.bayt-al-thaqafa.org)

### Catalan Association for the Defence of Human Rights:

[acddh.cat](http://acddh.cat)

### Catalan Mental Health Federation:

[www.salutmental.org](http://www.salutmental.org)

### Cepaim:

[cepaim.org](http://cepaim.org)

### Creación Positiva:

[www.creacionpositiva.org](http://www.creacionpositiva.org)

### Dincat:

[www.dincat.cat](http://www.dincat.cat)

### ECOM Federation:

[www.ecom.cat](http://www.ecom.cat)

### Exil:

[www.centroexil.org](http://www.centroexil.org)

### Federació Veus:

[veus.cat](http://veus.cat)

### Fil a l'agulla:

[filalagulla.org](http://filalagulla.org)

### Gais Positius:

[gaispositius.org](http://gaispositius.org)

### Homeless People's Assistance Network (XAPSLL):

[sensellarisme.cat/ca](http://sensellarisme.cat/ca)

### Irídia:

[iridia.cat](http://iridia.cat)

### Islamophobia Observatory in Catalonia (SAFI):

[www.odic.cat](http://www.odic.cat)

### Observatory Against Homophobia:

[och.cat](http://och.cat)

### Secretariado Gitano Foundation:

[www.gitanos.org](http://www.gitanos.org)

### SOS Racisme Catalunya:

[www.sosracisme.org](http://www.sosracisme.org)

### Unión Romani:

[unionromani.org](http://unionromani.org)

**Ableism**: aversion towards or discrimination against individuals with functional diversity.

**Administrative situation**: any of the situations in which individuals may find themselves in Catalonia, whether they have immigrant status or their papers are or not in order, depending on whether they have or do not have a resident or work permit enabling them to reside there or live there and carry out work activity there, or whether they are registered as city residents.

**Affirmative action**: strategy aimed at establishing equality through (temporary) measures that enable remedy or correct discrimination resulting from social practices or systems; in other words, a tool that implements the principle of equal opportunities and which tends to correct inequalities. (Council of Europe Gender Equality Commission)

**Ageism**: stereotyping and discrimination against individuals or groups based on their age.

**Androcentrism**: vision that places men at the centre of all things. Androcentrism implies that what is good for men is good for humanity. It is a discriminatory vision toward women and trans people, because it relegates them to a second order and always subordinated. (“Glossary”, Women and feminism, Barcelona City Council)

**Anti-Christianity**: opposition to Christian people, the Christian religion or the practice of Christianity.

**Anti-Gypsyism or Romaphobia**: a specific form of racism, intolerance and discrimination towards Roma individuals and communities.

**Anti-Muslim racism**: a series of discriminatory practices by a dominant group of people who aim to take, stabilise and extend their power through the definition of a scape goat — real or invented — and by excluding this scape goat from resources/rights/ definition of a constructed concept of “us”. Thus, Islamophobia also operates, according to the European Islamophobia Report, constructing a static “Muslim” identity, which is attributed in negative terms and generalised for all Muslims; at the same time, Islamophobic images are fluid and vary in different contexts, because Islamophobia tells us more about the Islamophobe than it tells us about the Muslims/Islam. (European Islamophobia Report 2019)



**Anti-Semitism:** fear, hatred, resentment, suspicion, prejudice, discrimination or unfair treatment of people of Jewish origin or those professing Judaism. Modern forms of anti-semitism include Holocaust denial.

**Aporophobia:** contempt, phobia, aversion, rejection or hatred of people in poverty. As a form of behaviour, it may dehumanise individuals and regard them as an object; legally speaking, it is a hate crime that is not yet recognised in the Spanish Criminal Code.

**CIS heteronormativity:** to consider that the norm is to be heterosexual and to identify with the gender and identity that is socially associated with your birth sex.

**Cultural racism:** it refers to representations, messages and stories that convey the idea that behaviours and values associated with white people are automatically “better” or more “normal” than those associated with other groups defined by race. Cultural racism appears in advertising, films, history books, definitions of patriotism, and policies and laws. Cultural racism is also a powerful force for maintaining internalised supremacy systems and internalised racism. It does this by influencing collective beliefs about what constitutes proper behaviour, what is seen as beautiful and the value given to the various forms of expression. All these cultural norms and values have racialised ideals and assumptions in an explicit or implicit way. (Racial Equity Tools)

**Direct discrimination:** when a person is, it has been or could be treated less favourably than another in a similar situation for one of the protected reasons that the current legislation enumerates.

**Disability:** this is a situation resulting from the interaction between people with foreseeably permanent impairments and any type of barriers that limit or prevent their full and effective participation in society, on equal terms with all others.

**Discrimination:** any distinction, exclusion, restriction or preference based on any ground, such as race, culture, ethnic origin, nationality, sexual orientation, religion, physical disability or other features, which is not relevant to the issue in question.

**Discrimination by association:** a situation where a person is subject to discrimination as a result of their relationship with a person belonging to one of the protected groups.

**Discrimination by mistake:** a situation where a person is or group of people are subject to discrimination as a result of an incorrect assessment.

**Equality data:** it refers to all types of disaggregated data used to assess the comparative situation of a specific discriminated group or group at risk of discrimination, to design public policies that may contribute to promoting equality, and to evaluate their application. (European Network against Racism - ENAR)

**Ethnicity:** this refers to an individual’s membership of a group or community that shares a language, symbolic identity, ideology and culture and, in some cases, certain visible physical traits that distinguish them from other groups or communities.

**Functional diversity:** an alternative term for *disability*.

**Gender:** a collection of social, cultural, political, psychological, legal and economic features that are socially constructed and which society assigns to people differentially, as typical of men and women. (“Glossary”, Women and feminism, Barcelona City Council)

**Gender expression:** a form and way taste, behaviour and self-expression expected from a particular gender and that is imposed. There is male gender expression and female gender

expression and, for androgynous people, gender expression is a mixture of the two, which may vary. ("Glossary", Women and feminism, Barcelona City Council)

**Gender identity:** this refers to the internal and individual experiences of gender sensed by each person, which may or may not match their sex assigned at birth, including their personal experiences of their body (which may or may not involve modifying bodily function or appearance through medical, surgical or other means, provided that this has been freely chosen).

**Glass ceiling:** a metaphor of the invisible barriers that prevent many highly qualified women from accessing and rising in the hierarchies of economic, political and cultural power.

**Hate crimes:** a) any criminal offence, including offences against persons or property, where the victim, premises or target of the offence is selected because of a real or perceived connection to, attachment to, affiliation to, support for or membership of a group such as those defined in part b; b) the group must be based on a common feature of its members, such as real or perceived national or ethnic origin, language, colour, religion, sex, age, learning or physical disability, sexual orientation or another similar factor. (Organisation for Security and Co-operation in Europe - OSCE)

**Hate speech:** the advocacy, promotion or incitement of the denigration, hatred or vilification of a person or group of persons, as well any harassment, insult, negative stereotyping, stigmatisation or threat of such person or persons and any justification of all these forms of expression – that is based on a non-exhaustive list of personal characteristics or status that includes "race", colour, language, religion or belief, nationality or national or ethnic origin, as well as descent, age, disability, sex, gender, gender identity and sexual orientation and other features or personal status. (European Commission against Racism and Intolerance - ECRI)

**Homelessness:** situation of individuals unable to keep their dwelling or access an appropriate permanent dwelling, adapted to their personal situation, which offers a stable household framework, not just for economic reasons or other social barriers but also because the personal difficulties the present for leading an independent life. (European Federation of National Organisations Working with the Homeless - FEANTSA)

**Horizontal segregation:** concentration of women or men in specific degrees or levels of responsibility, jobs or academic and training options. In the election, gender role is more influential than the personal freedom.

**Indirect discrimination:** a situation in which an apparently neutral provision, criterion or practice puts members of a certain group at a particular disadvantage in relation to other groups, unless the provision, criterion or practice in question can be objectively justified for a legitimate purpose and where the means used to achieve the purpose are appropriate and necessary.

**Intersectional discrimination:** this refers to discrimination suffered by a person on the grounds of their positions in various social structures, on the understanding that the discrimination is not the sum of different grounds of discrimination, but rather a specific configuration created by the different positions (gender, origin, age, etc.) occupied by the person. We shall therefore need to understand the specific form in which the discrimination or inequality is configured in each intersection.

**Intersectionality:** it is a concept developed in the United States at the end of the 1980s by Kimberlé Crenshaw (1989); as a result of the debates that were taking place within the black feminism movement, this concept arose with the desire to describe the existing interconnections between "race" and gender in black women. It later became popular as a way

of tackling different types of discrimination and inequality on multiple axes, including class, sexual orientation, age and religious identity, among others. (Maria Rodó-Zárte, “Report of the Barcelona Discrimination Observatory 2019”)

**Islamophobia:** any act of discrimination, hostile attitude or prejudice brought about against a person on the ground of their being Muslim, or understood as such, or against an establishment run by such people (mosque, prayer room, shop etc.) Any speech too that promotes or normalises such practices.

**Learning disability:** learning and development disabilities are characterised by significant limitations in both intellectual functioning and adaptive behaviour, as expressed in adaptive, conceptual, social and practical skills. This disability starts from before the age of 18. (American Association of Intellectual and Development Disabilities - AAIDD)

**LGBTI:** an acronym referring to lesbian, gay, bisexual, transgender and intersex people. Sometimes the initial “Q” and the “+” symbol are added to the acronym. “Q” refers to *queer* and *questioning* (people who are deconstructing and questioning their gender, gender expression or sexual identity), while the “+” symbol refers to all other emerging identities.

**LGBTI-phobia:** prejudices, hostility or rejection toward LGBTI people or identified with this group. This phenomenon covers situations relating to discrimination on the ground of sexual orientation, gender identity and gender expression.

**Mental health:** the capacity to form harmonious relations with other people and to participate in or contribute constructively to change in the social and physical environment. (World Health Organisation - WHO)

**Multiple discrimination:** this occurs when an individual suffers discrimination on different grounds; it is often understood as an additive discrimination, that is, its different grounds add up with a negative impact on the person’s experience.

**Non-motor physical disability:** an impairment that, owing to organic causes, such as kidney, heart, lung or other diseases, affects the person’s ability to carry out some of their everyday activities.

**Physical motor disability:** an impairment that affects the person’s movement, handling, balance or control abilities.

**Prejudice:** a priori or pre-judgement of a person or group made without foundation.

**Racialisation:** racism does not exist without races, which are the result of a classification of human beings into races on a hierarchical scale, where those considered white are in the top position. Following the horrors of the Holocaust, the concept of races was rejected. Classifying human beings into “races” was considered scientifically incorrect and politically dangerous, and the term “race” became frowned upon. In this process, *culture* and *ethnicity* replaced it. Perversely, these terms have substituted the term race conceptually without questioning the logic behind it; its true meaning and racial hierarchisation have not been dealt with or attacked at the root.

**Racialised person:** individuals and groups that have been subjected to a process of racialisation and have been attributed a certain racial category. In European societies, all people are racialised, but we use the term to refer to those that have been so negatively or racialised as “others.” (Initiative for racial Justice - Equinox)

**Racism:** any form of exclusion, segregation, discrimination or aggression against people due to their ethnic or national origin, the colour of their skin, their religious beliefs, their cultural practices or any other characteristic. It is not just an ideology: it is a systematic, routine practice that is necessary for maintaining a power structure based on Western cultural hegemony. It is manifested through both institutional and everyday relations. It is constantly produced and reproduced. It may be expressed explicitly, through racialising language, or implicitly. It is structural, with deep roots in a past marked by slavery, pillaging, usurpation, domination and exploitation in the context of colonial modernity.

**School segregation:** concentrations of students with similar features (ethnicity, social status, nationality, etc.) in certain schools, classrooms or school groups.

**Serophobia:** stigma surrounding issues relating to HIV and AIDS, particularly people who are HIV positive.

**Sex:** sex is a concept linked to biology, to the body of human beings. Our species usually presents sexual dimorphism, meaning people are born either male or female. A very small percentage of the population, however, are born intersex chromosomally, morphologically or hormonally, that is, with a reproductive or sexual anatomy or chromosome pattern that does apparently not fit the typical biological notions of male or female.

**Sexist Gender violence:** violence that is used against women as a manifestation of discrimination and inequality within a system of power relations of men over women and which results in physical, sexual or psychological harm or suffering, in public or private.

**Sexual harassment:** any verbal, nonverbal or physical behaviour of a sexual nature that is unwanted and that aims to or produces the effect of attacking a woman's dignity or creating an intimidating, hostile, degrading, humiliating, offensive or annoying environment. ("Glossary", Women and feminism, Barcelona City Council)

**Sexual orientation:** every person's capacity to feel emotional, affective and sexual attraction towards people of different gender their own, the same gender or more than one gender. A spectrum of sexuality referring to the direction of people's desire that is defined through gender and has physical, sensory, emotional or affective implications.

**Stereotype:** an oversimplified, generalised and often unconscious preconception of people or ideas that can lead to prejudice and discrimination. It is a generalisation where the features shared by part of a group are extended to the group as a whole.

**Sticky ground:** this refers to the circumstances that arise from family responsibilities and duties, which impose a "stickiness" to affective and emotional responsibilities and duties on women that end up falling to them in the domestic area, trapping them and hindering, slowing down or impeding their way out and personal development away from the family.

**Vertical segregation:** exclusion of women from managerial positions and their adherence to activities of lower prestige.

**White supremacy:** a belief based on 17th-century racism and colonial imperialism that asserts that white people are superior to non-white people and thus have the right to economic, political, and social privileges. The privilege of whites has allowed a system of white domination that normalises existing inequalities. (Intersectional Justice Centre - CIJ)

**Xenophobia:** fear or rejection toward different people or cultures, or those considered foreigners.



# Appendix

## Appendix 1. List of categories protected by non-discrimination

Spanish Constitution (Art. 14)	European Treaty (Art. 14)	ICCPR (Art. 2 and 26)	ICESPR (Art. 2.2)	Criminal code Art. 22.4 and 510)	Statute of Autonomy of Catalonia (Art. 40.8)	BCN Municipal Charter (Art. 38.1)
Birth	Birth	Birth	Birth			Place of birth
Opinion	Political or other opinions	Political or other opinions	Political or other opinions			
Race	Race	Race	Race	Race	Race	Race
Religion	Religion	Religion	Religion	Religion or beliefs	Religion	Religion
Sex	Sex	Sex	Sex	Sex	Sex	Sex
Any other social or personal condition or circumstance	Any other situation	Any other social condition	Any other social condition			
	Colour	Colour	Colour			Colour
	Language	Dialect	Dialect		Linguistic (Art. 32)	
	National or social origin	National or social origin	National or social origin	Nation to which they belong	Origin/ nationality	
	Belonging to a national minority					
		Financial position	Financial position		Social condition	
				Sexual orientation or identity	Sexual orientation	
						Ancestry
					Age, elderly people (Art. 18)	Age
				Gender	Gender (Art. 19, 41 and 45)	Gender
				Disability		Disability
				Ideology		
				Ethnicity		
				Illness suffered		
				Family situation		

## Appendix 2.

### Articles that cover the principles of equality and non-discrimination

INTERNACIONAL		EUROPEAN UNION		SPAIN	
Universal Declaration of Human Rights, UDHR, United Nations (1948)	<b>Article 1.</b> All human beings are born free and equal in dignity and rights.	Treaty on European Union (1992)	<b>Article 9.</b> In all its activities, the Union shall observe the principle of the equality of its citizens, who shall receive equal attention from its institutions, bodies, offices and services.	Spanish Constitution (1978)	<b>Article 1.1.</b> Spain is hereby established as a social and democratic State, subject to the rule of law, which advocates freedom, justice, equality and political pluralism as the highest values of its legal system.
	<b>Article 7.</b> All are equal before the law and are entitled without any discrimination to equal protection of the law.				
International Covenant on Civil and Political Rights, ICCPR (1966)	<b>Article 2.1.</b> Each State Party to the present Covenant undertakes to respect and to ensure to all individual within its territory and subject to its jurisdiction the rights recognised in the present Covenant, without distinction of any kind, such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.	Charter of Fundamental Rights of the European Union (2000)	<b>Article 20.</b> Everyone is equal before the law.		<b>Article 9.2.</b> It is the duty of public powers to promote the conditions that ensure that the freedom and equality of individuals and the groups they are part of are real and effective; to remove the obstacles that prevent or impede their plenitude and to facilitate the participation of all citizens in political, economic, cultural and social life.
	<b>Article 14.</b> All persons shall be equal before the courts and tribunals.		<b>Article 21.1.</b> Any discrimination based on any ground such as sex, race, colour, ethnic or social origin, genetic features, language, religion or belief, political or any other opinion, membership of a national minority, property, birth, disability, age or sexual orientation shall be prohibited.		
			<b>Article 21.2.</b> Within the scope of application of the Treaty establishing the European Community and of the Treaty on European Union, and without prejudice to the special provisions of those Treaties, any discrimination on grounds of nationality shall be prohibited.		
	<b>Article 26.</b> All persons are equal before the law and are entitled without any discrimination to the equal protection of the law. In this respect, the law shall prohibit any discrimination and guarantee to all persons equal and effective protection against discrimination on any ground such as race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.	European Convention for the Protection of Human Rights and Fundamental Freedoms, ECHR, European Council (1950)	<b>Article 14.</b> The enjoyment of the rights and freedoms set forth in this Convention shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.	Act 34/1988 of 11 November	On advertising.
					Framework Act 4/2000 of 11 January
				Framework Act 3/2007	On effective equality between women and men.
				Act 19/2007	Against violence, racism, xenophobia and intolerance in sport.



<i>International Covenant on Economic, Social and Cultural Rights, ICESCR (1966)</i>	<b>Article 2.2.</b> The States Parties to the present Covenant undertake to guarantee that the rights enunciated in the present Covenant will be exercised without discrimination of any kind as to race, colour, sex, language, religion, political or other opinion, national or social origin, property, birth or other status.	..... <i>continues</i>	<b>Protocol 12, preamble.</b> All persons are equal before the law and are entitled to the equal protection of the law.	<i>Legislative Royal Decree 1/2013 of 29 November</i>	On the rights of persons with disabilities and their social inclusion (recast).
			<b>Protocol 12, article 1.1.</b> The enjoyment of any right set forth by law shall be secured without discrimination on any ground such as sex, race, colour, language, religion, political or other opinion, national or social origin, association with a national minority, property, birth or other status.	<i>Royal Decree 1112/2018 of 7 September</i>	On the accessibility of public sector websites and mobile device applications.
			<b>Protocol 12, article 1.2.</b> No one shall be discriminated against by any public authority on any ground such as those mentioned in paragraph 1.	<i>Organic Law 3/2021, of 24 March</i>	Regulation of euthanasia.
<i>International Convention on the Elimination of All Forms of Racial Discrimination (1965)</i>					
<i>International Convention on the Elimination of All Forms of Discrimination against Women, CEDAW (1979)</i>				<i>Organic Law 8/2021, of 4 June</i>	Comprehensive protection of children and adolescents from violence.
<i>International Convention on the Rights of Persons with Disabilities (2006)</i>	<b>Article 9.2.</b> States Parties shall take appropriate measures to ensure to persons with disabilities access, on an equal basis with others, to the physical environment, to transportation, to information and communications, including information and communications technologies and systems, and to other facilities and services open or provided to the public, both in urban and in rural areas.	<i>European Council Directive 2000/78/EC</i>	Equal treatment in employment and occupation.	<i>Law 8/2021, of 2 June</i>	Reforms civil and procedural legislation to support people with disabilities in the exercise of their legal capacity.
		<i>European Council Directive 2000/43/EC</i>	Equal treatment between persons irrespective of racial or ethnic origin.		
		<i>European Council Directive 2002/73/EC</i>	Principle of equal treatment for men and women as regards access to employment, vocational training and promotion, and working conditions.		
		<i>European Council Directive 2004/113/EC</i>	Principle of equal treatment between men and women in the access to and supply of goods and services.		
		<i>European Parliament and European Council Directive 2006/54/EC</i>	Implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast).		
		<i>European Charter for the Safeguarding of Human Rights in the City (1998)</i>	<b>Article II.</b> Principle of equality of rights and non-discrimination. The rights contained in this Charter apply to all persons who inhabit the signatory cities, irrespective of their nationality.		



### Appendix 3.

## Regional and municipal discrimination protection laws

### Regional laws (Catalonia)

#### **Statute of Autonomy of Catalonia**

*Preamble, articles 4, 15, 18, 19, 23, 32, 40.8 44.1 and 45.1*

**Act 11/2021**, of 16 February, of the programming of the educational offer and the admission procedure to the centers of the Catalan Service of Education.

**Act 19/2020**, of 30 December, on equal treatment and non-discrimination.

**Act 9/2017**, of 27 June on the universalisation of healthcare out of public funds through the Catalan Health Service

*Preamble*

**Act 4/2016**, of 23 December on measures for the protection of the right to housing for people at risk of residential exclusion

*Article 2.b*

**Act 17/2015**, of 21 July on the effective equality of men and women

**Act 11/2014**, of 10 October on the safeguarding of the rights of lesbian, gay, bisexual, transgender and intersex people and to eradicate homophobia, biphobia and transphobia

**Act 13/2014**, of 30 October on accessibility

**Act 29/2010**, of 3 August on the use of electronic media in the Catalan public sector

*Article 4, three*

**Act 22/2010**, of 20 July on the Consumer Code of Catalonia

**Act 21/2010**, of 7 July on access to public health care provided by the Catalan Health Service

*Preamble*

**Act 14/2010**, of 27 May on the rights and opportunities of children and teenagers

*Article 9*

**Act 19/2009**, of 26 November on access to the environment by people accompanied by service dogs

*Article 13*

**Act 12/2009**, of 10 July on education

*Articles 22, 37, 41, 56, 97 and 202*

**Act 11/2009**, of 6 July on the administrative regulation of public shows and recreational activities

*Articles 5.1.d, 10 and 47*

**Act 5/2008**, of 24 April on women's right to eradicate gender violence

**Act 18/2007**, of 28 December on the right to housing

*Articles 2.f and 2.h; 45, 46, 123.2.a*

**Act 22/2005**, of 29 December on audio-visual communication in Catalonia

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## **Municipal laws and byelaws** **(Barcelona)**

**Regulatory Byelaw on  
e-Government (2009)**

**Byelaw of measures to promote  
and guarantee citizen co-existence  
in Barcelona's public spaces (2005)**

*Articles 6.2, 7.2.g; 15, 16, 17 and 18*

**Municipal byelaw on public activities  
and establishments (2003)**

**Municipal byelaw on uses of the urban  
landscape in the city of Barcelona  
(1999)**

*Article 114.1.h.*

**Act 22/1998**, of 30 December on the  
Municipal Charter of Barcelona, which  
includes the amendments made by Acts  
11/2006 of 19 July, 7/2010 of 21 April and  
18/2014 of 23 December

*Preamble, articles 38.1 and 112.1*





**Barcelona  
Discrimination  
Observatory  
Report 2021**

**Report  
June 2022**

**Directorate of Citizen's  
Rights; Area for Social  
Rights, Global Justice,  
Feminism and LGBTI**