

Barcelona Discrimination Observatory Report 2020

Executive Summary



1. Introduction

For the third year running, the [Barcelona Discrimination Observatory](#) is publishing its annual report on discrimination in Barcelona. The 2020 report includes detailed data of discriminatory situations that have occurred in the city, the actions and strategies adopted to tackle them, the impact of the pandemic on discrimination, the services offered, and the challenges that lie ahead.

The report is mainly based on **quantitative and qualitative** data gathered by the organisations making up the Observatory, which include the Office for Non-Discrimination (OND), the Board of Organisations for the Assistance of Victims of Discrimination (SAVD), comprising 22 organisations, and Barcelona City Council's Human Rights Resources Centre.

There were **436 situations of discrimination** recorded in 2020, a higher figure than in 2019, as a result of new or-

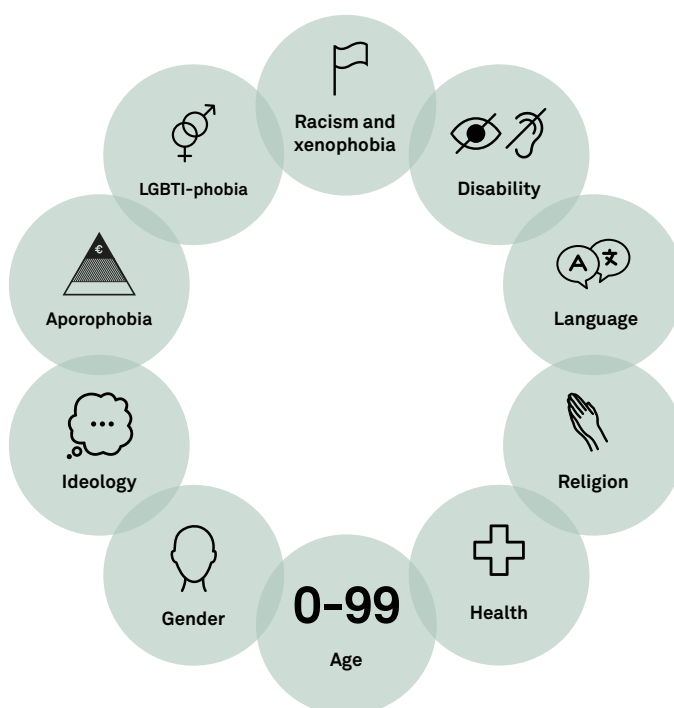
ganisations joining the Board, which extended its radius for recording discriminatory situations. Despite the rise in number of cases, it should be noted that these data are not representative of all the examples of discrimination in the city, as under-reporting continues to be a problem that hides many cases of discrimination in Barcelona.

This year's data were supplemented with data extracted from the **Survey on local resident relations and community life in the Barcelona Metropolitan Area (ECAMB)**, which collects resident's perceptions and experiences of discrimination in the city, taken from interviews conducted between October and December 2020 with 5,437 people from the Barcelona Metropolitan Area; and also with a *test* on discrimination in access to the rental housing market in the city.

2. What do we mean when we talk of discrimination?

Discrimination is any distinction, exclusion, restriction or preference based on any ground, such as culture, ethnic origin, sexual orientation, gender or other characteristics that are not relevant to the issue in question.

Discrimination is remedied by **the right to non-discrimination**, which, above all, seeks to protect people and groups that have been historically excluded from protection of their rights and freedoms, with the aim of creating equal conditions and ensuring everyone enjoys their rights.





Several **lists of categories or personal features** have thereby been legally established and they must be specifically protected to ensure no one is treated differently from another in the same situation on the grounds of their having one or more of these features.

The **grounds of discrimination** that appear in this report reflect the previously mentioned categories protected against discrimination in international, EU, national and local instruments for safeguarding human rights. The most significant grounds have been chosen taking into account Barcelona's context.

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3. Covid-19's effect on discrimination

2020 was strongly shaped by the Covid-19 pandemic, which also had an impact on discrimination and the work of organisations working to tackle it. Discriminatory situations were exacerbated by widespread fear, distress and tension, and this led to some pre-existing cases of discrimination being justified or expressed with **higher levels of tension and violence**.

As the data used in the following point shows, the pandemic also had an impact on the spaces where discrimination occurred. We can see that there was a rise in the number of coexistence problems in **housing and residents' communities**. With regards to assistance for victims of discrimination, there has been

a fairly widespread surge in attending to the **basic needs** of users of organisations fighting discrimination, compelling the latter to adapt their roles so they could take on more welfare-based tasks. This, added to the **virtualisation** of some types of assistance, made it difficult for situations of discrimination to be recorded and dealt with.

The SAVD organisations denounced the fact that the management of the pandemic did not take into account the specific needs of the most vulnerabilised collectives, such as individuals in a situation of homelessness, who were fined for being out on the street during the curfew, when they had no home to go to.



4. Results of the report

4.1. Who is discriminated against?

According to the data collected by the OND and the Board's organisations, in 2020 individuals who identified as **male** continued reporting more situations of discrimination than those who identified as female. As regards age, 76% of those who reported discrimination were within the **25-to-39 and the 40-to-64 age brackets**.

Another factor recorded in this point is that at least 11.5% of the people who suffered discrimination were in an **irregular administrative situation**, refugees or asylum-seekers, situations that could lead to an additional vulnerability when it comes to reporting cases of discrimination.

4.3. Where does the discrimination occur?

The districts of Eixample, Ciutat Vella and Sants-Montjuïc were the ones that continued recording more cases of discrimination. As for the area where discrimination occurred, there was still a balance between public and private spaces, as in 2019. Within private spaces, there was a sharp rise in the number of cases of discrimination recorded in **houses, flats and other dwellings**, from 42 in 2019 to 70 in 2020, resulting from restrictions linked to the pandemic.

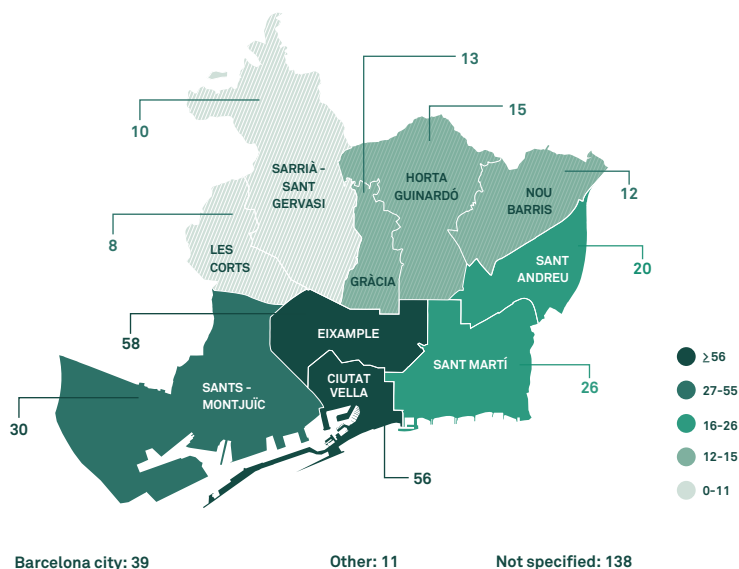
Added to the cases of discrimination occurring in dwellings and neighbour communities were situations of discrimination when renting or purchasing a dwelling. A **housing test commissioned by Barcelona City Council** to check the

4.2. Who discriminates?

In 2020, **individuals** (42%) were the main discriminators, according to the complaints recorded by the SAVD Board of Organisations and the OND, followed by private entities or companies (29%), down by 6.4% compared to the 2019 report. Another discriminator was the security forces, both public and private: if we add the cases committed by the police forces and private security, we have a discrimination rate of 15.7%.

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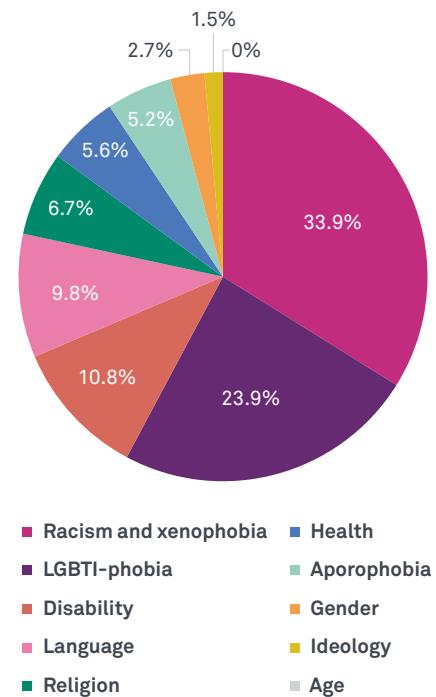


scope of the problem provided evidence of discrimination on the grounds of racism and xenophobia. The study confirmed that **couples with Arab names received 18.8% fewer replies** to applications sent in response to rental announcements than couples with local names, and they had less access to visit the properties.



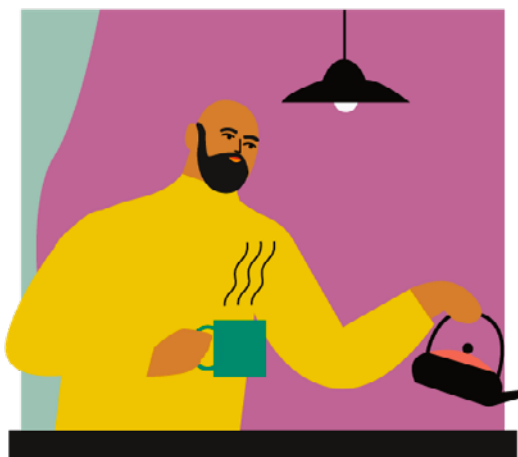
4.4. Grounds of discrimination

Racism and xenophobia remained the main grounds for discrimination in Barcelona in 2020, representing 34% of the cases recorded by the Observatory. They were followed by discrimination on the grounds of **LGBTI-phobia** (24%), **disability** (11%), **language** (10%), **religious grounds** (7%), **health** (6%), **gender, ideology and age**.



Racism and xenophobia: more cases committed by individuals

Discrimination on the basis of **racism** is based on the belief and attitude of considering the natural superiority of one group over another and is manifested against individuals according to their skin colour or a fictitious attribution to a supposed “race”. Discrimination on the basis of **xenophobia**, on the other hand, refers to the fear or rejection towards different people or cultures, or considered as foreign.



Despite the state of emergency, mobility restrictions and lockdown periods in 2020, the number of instances of racist discrimination rose, reaching a total of **163 cases**, 15 more than in 2019. We can see a clear predominance of cases of discrimination committed by **individuals (44%)** and a 9% rise in the number of those committed by **the public administration, with a total of 28 cases**.

A clear link can be detected between discrimination on the grounds of **racism and xenophobia** and **discrimination on the ground of religion**: in **84%** of the 32 total situations of the religion ground, the motives were also linked to racism, an especially important fact in the cases of Islamophobia, which constituted the overwhelming majority of those recorded on the ground of religion and show the ex-istence of **anti-Muslim racism**.



LGBTI-phobia: neighbour harassment increases

LGBTI-phobia is a form of prejudice against, hostility towards or rejection of LGBTI people or anyone identified with this collective. The number of cases of discrimination on the ground of LGBTI-phobia came to a total of 115, almost the same as in 2019 (114) and individuals were still the main discriminators. Public spaces were the most common setting for this discrimination, although the number of cases occurring in **houses, flats and other dwellings** rose during the pandemic, from 9 to 23.

Neighbour harassment was one of the main problems reported by organisations and services working to defend the rights of LGBTI people.

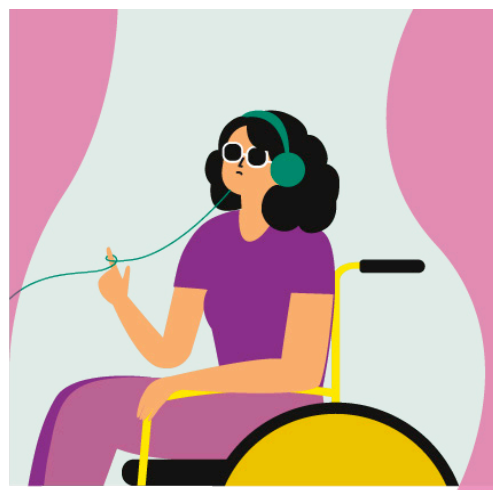
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Disability: more cases of discrimination in public spaces

Discrimination on the ground of **disability** occurs when one person gives someone else unfavourable or discriminatory treatment on the basis of the latter having a disability. In 2020, there were **151,846 individuals** living with a recognised degree of disability in Barcelona.

Disability remained the third most-common ground of discrimination recorded by the Observatory, with a total of 52 cases, **85% of them on the basis of a physical disability**.

The main discriminator on the basis of disability was the public authority, with the number of situations having risen by 5.7%, representing **49% of the total cases**. In addition, there was a 20% increase in the number of situations reported in **public spaces**.



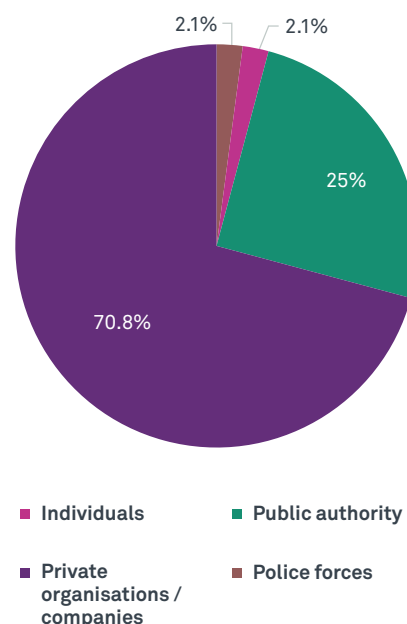
The organisations working with people with disabilities criticised the invisibility of these groups during the pandemic and the fact that the authorities had failed to provide specific measures to ensure their **right to personal autonomy**.



Language discrimination: common in shops and markets

In the area of **language discrimination**, where a total of **47 cases** were reported in 2020, private organisations or companies continued to be the main discriminator (71%). As for the spaces where such discrimination occurred, there was a drop in the number of cases in bars and restaurants (from 10 to 4), circumstances directly linked to the restrictions caused by the pandemic, while the number of situations in shops and markets rose (from 0 to 12 cases).

Discrimination on the ground 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.



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Health: clear effect of the pandemic on mental 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'. **Discrimination on the ground of health**, 27 cases of which were recorded in 2020, occurs when an arbitrary distinction is made between people on the basis of their state of health.

Following the outbreak of the global pandemic, there was a change in trend as regards discriminators in the area of health: almost **70% of the cases of discrimination recorded were committed by private organisations or companies**. One of the main problems reported here were cases of discrimination linked to insurance companies, which denied coverage to individuals on the ground of their health.

Health	27
Mental	14
Serophobia	8
Other	5

In 2020, **52%** of the health discrimination cases were committed against people with **mental health** conditions, who in many cases had experienced a **worsening of their symptoms** (caused by anxiety, uncertainty, fear and a higher vulnerability to contract the Covid-19 virus) and greater difficulties in maintaining their usual work activity.



Another phenomenon among the cases of discrimination on the ground of health was the one suffered by individuals with HIV/AIDS, known as **serophobia**, representing 29.6% of the cases on health grounds. The main forms of discrimination that this group suffered were restrictions to or **difficulties in accessing health services and private medical insurance companies**. Such denial of access could imply violations of rights in numerous fields of life, including access to mortgages.

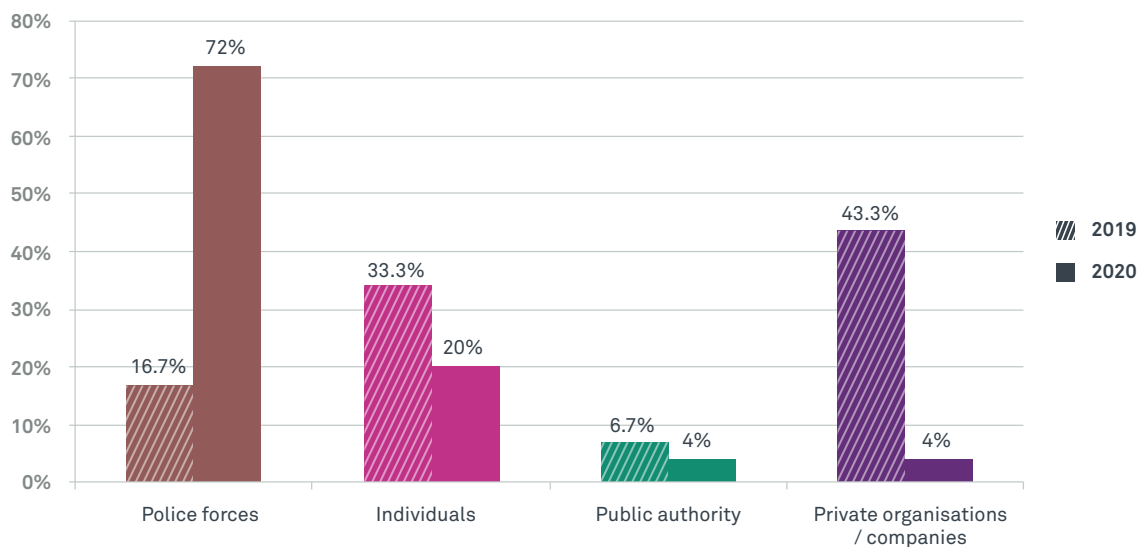
Aporophobia: Covid-19's big impact on homelessness

Aporophobia is a phenomenon expressed through contempt, phobia, aversion, rejection or hatred towards poor people.

There was a drop in the recorded number of cases of aporophobia in 2020 (from 29 to 25) due to organisations working in the field of homelessness being overwhelmed and forced to focus their efforts on dealing with the increased demand for basic services from users, without being able to record cases.

There was a clear predominance of **police forces as discriminators** – they accounted for 72% of the recorded cases – and of cases occurring in public spaces, which represented 80% of the total.

This trend reflects the specific problem that homeless people in Barcelona suffered in 2020: they were directly affected by the measures adopted following the pandemic and by the fines that resulted from them, **being unable to comply with the restrictions on mobility and presence in outdoor public spaces** during curfew times.





4.5. Perception of discrimination in neighbourhoods

This year's data extracted from the *Survey on local resident relations and community life in the Barcelona Metropolitan Area* (ECAMB) provided complementary information on the perceptions and experiences that residents had of discrimination in the city and its neighbourhoods. This survey is the result of 5,437 interviews made in the Barcelona Metropolitan Area (**4,043 in Barcelona**) between 29 October and 23 December 2020.

If we look at the **overall figures**, the survey shows three important indicators:

- **Perception of discrimination in the neighbourhood.** 15.6% of Barcelona's population believe that there are people in their neighbourhoods who are discriminated against.
- **Spontaneous recollection of discrimination.** This refers to whether the respondents remember having suffered an episode of discrimination or been a victim of rejection in their neighbourhood in the previous year. **6.6%** of the people interviewed had suffered at least one instance of discrimination.
- **Neighbourhood discrimination index.** In addition to spontaneous recollections, the survey also asked whether its respondents had suffered a series of certain personal situations of discrimination, specified by ground. The results show that **16% of Barcelona's residents have experienced a situation of discrimination in their neighbourhood.** On average, each person has been discriminated against on 1.7 grounds, meaning that in many cases they have been a victim of **multi-discrimination.**

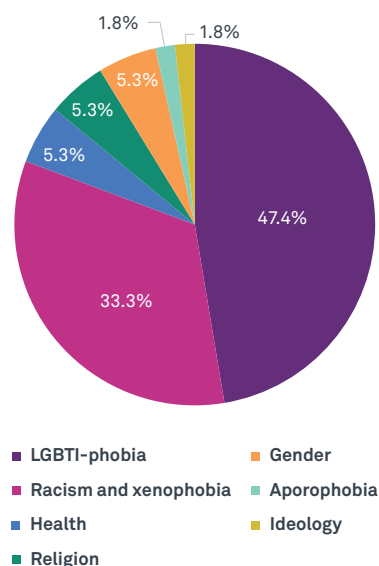
Besides these three factors, the ECAMB also looked at other indicators, such as the main discriminators, who were individuals in 90.4% of the cases, or the main grounds of discrimination, which in 2020 were **gender** (7.7%) and **ideology** (6.9%). By contrast, there were smaller percentages for the main grounds detected by the OND and the Board's organisations: discrimination on the grounds of **skin colour or ethnic or national origin represented** 3.4%; **sexual orientation or identity**, 0.9%, and **disability**, 0.5%.



5. Impact of discrimination on our rights

Discrimination often leads to the **violation of one or more human rights**. In 2020, attacks on **moral integrity** continued to predominate, as in previous years, in the situations recorded by the OND and Board of Organisations, with 164 violations (26.5% of the total). It is especially worrying that violations of **physical integrity**, implying discrimination expressed in the form of **physical assaults**, remain the second most-common violated right, with 57 situations reported (9.2% of the total, 3% fewer than in 2019). The **LGBTI** (47.4%) was the collective most affected in such cases, as in 2019, with 27 assaults reported, followed by assaults motivated by **racism and xenophobia** (33.3%), with 19 cases.

On what grounds is the right to physical integrity violated?



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6. Advances and recommendations for 2021

There were three key advances in 2020 in the area of discrimination in the city:

- The passing of the **Catalan Equal Treatment and Non-Discrimination Act**, which sets out a series of advances in key areas, such as the rights of victims in the disciplinary procedure, the disciplinary capacity of local authorities and the inclusion of aporophobia as a ground for discrimination. It also creates different instruments for protecting and promoting equal treatment and non-discrimination.
- The **Barcelona Action Protocol for situations of discrimination on the ground of LGBTI-phobia** strengthens the tools for combating situations of discrim-

ination or violence on the grounds of sexual orientation, gender identity or gender expression in Barcelona and extends collaboration between the services and organisations associated with defending LGBTI people.

- The amendment to the Penal Code to **eliminate the forced or non-consensual sterilisation of legally incapacitated individuals with a disability** harmonises Spanish legislation with the UN Convention on the Rights of Persons with Disabilities and, more specifically, the right to respect for one's home and family.



These advances, as well as the challenges posed by the pandemic, set the framework for the main recommendations and lines of action of the Discrimination Observatory's member organisations for 2021:

- To ensure that the procedures for accessing services and basic rights are **adapted to the needs of the most vulnerable collectives** and move towards an assistance model that puts people at the centre.
- **To raise public awareness of the reporting tools** offered by the authorities and social organisations in Barcelona to tackle under-reporting and strengthen alternative channels for resolving disputes, based on a restorative approach.
- To create action protocols in the areas where discriminatory practices are detected, such as ethnic profiling, where there is a need to implement a **protocol against racial discrimination in police actions**.
- The establishment, by the Catalan Ministry of Health and the Public Prosecutor's Office, of a **protocol regulating the mechanical restraint** of people with mental health conditions and people with intellectual disabilities, so such types of hospital practices are notified to the Public Prosecutor's Office, which will be empowered to approve or deny them – as is already the case in prisons and old people's homes – and specific spaces are set up for such restraint which are provided with video-surveillance cameras and medically monitored every hour.
- To make progress in **implementing legislation already in existence**, but which is not regulated or has no budgetary provision, such as the decree of accessibility in Catalonia, which must implement Law 13/2014, and Decree 150/2017 on inclusive education, or the Comprehensive Strategy for Tackling Homelessness in Catalonia, which, despite its approval in 2017, still has no budgetary provision.
- A key action for 2021 will be the **implementation and regulation of the Equal Treatment and Non-Discrimination Act** and its application in Barcelona, maintaining the joint work between the authorities and social organisations, which have been working in the fight against discrimination in the city for over two decades.

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