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Study and analysis of Hate Crimes in Spain (2013-2020)

Estudio y análisis de los delitos de odio en España
(2013-2020)

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RESUMEN

Introducción: En este artículo analizamos la evolución de los delitos de odio en España de 2013 a 2020. Los delitos de odio se basan en la relación entre racismo y miedo, moldeada por un rechazo social y económico basado en identidad racial-étnica, religión, orientación sexual-identidad, sexo/género y clase social.

Método: Estos delitos se examinan por tipología y población afectada con las cifras obtenidas de los informes del Ministerio del Interior del Informe de Evolución de los delitos de odio. La metodología utilizada ha sido un análisis documental crítico de fuentes y datos para revelar una radiografía de los delitos de odio en la sociedad española y en comparación con la Unión Europea. Se identifica y analiza la tipología de los delitos.

Resultados: Los resultados indican un aumento general de este tipo de delitos, particularmente en cinco comunidades autónomas, con un aumento significativo de los delitos motivados por la orientación e identidad sexual. Además, los datos muestran un aumento significativo de ciertos delitos relacionados con la pandemia de COVID-19.

Conclusiones: Se requiere mayor capacitación de los funcionarios legales y de salud para mejorar la precisión del registro, la catalogación y la generación de datos con el fin de identificar las tendencias. Además, es necesaria una pedagogía para la población en general para crear conciencia sobre estos delitos en la ciudadanía.

Palabras clave: Crímenes de odio; discriminación; exclusión social; miedo y racismo.

ABSTRACT

Introduction: In this article, we analyze the evolution of hate crimes in Spain from 2013 to 2020. Hate crimes are based on the relationship between racism and fear, shaped by a social and economic rejection based on race-ethnic identity, religion, sexual orientation-identity, sex/gender, and social class.

Method: These crimes are examined by type and population affected with the figures obtained from the reports of the Ministry of the Interior of the Report on the Evolution of hate crimes. The methodology used has been a critical documental analysis of sources and data to reveal an X-ray of hate crimes within Spanish society and in comparison, to the European Union. The typology of the crimes is identified and analyzed.

Results: The results indicate an overall increase in such crimes, particularly in five autonomous communities, with a significant increase in crimes motivated by sexual orientation and identity. Moreover, the data shows a significant increase in certain crimes related to the COVID-19 pandemic.

Conclusions: Further training for law and health officials is required to improve the precision of the registry, cataloguing and data generation in order to identify trends. In addition, pedagogy for the general population is necessary to create awareness of these crimes to the public.

Key Words: Hate Crimes; Discrimination Social Exclusion; Fear and Racism.

Introduction

The presence of violence, real or perceived, induces fear which may stem from lack of understanding of what is foreign, different and the unknown, that perpetuates the rise of the conscious exclusion of that person or group that is unlike us. This fear hides a sense of vulnerability in the average person, which may transform into hate and into their willingness to initiate hostilities to reduce the threat, a real or imagined. Also perceived as an act of self-defense, the confrontation from their perspective of the perpetrator, may seem justifiable. However, there is intended destruction in violence. Evil is knowingly acting in a way that harms, abuses, humiliates, dehumanizes, or destroys innocent people, or using one's own authority and systemic power to encourage or allow others to do so on our behalf (Zimbardo, 2014, p. 434).

For Glucksmann (2005) hate exists, at the micro level within individuals and at the macro level in the very societies that are formed based on social and community interactions. In fact, he claims that surviving in today's world has become the task of surviving hate. Hate, as a social discourse (Torres and Taricco, 2019), combines a certain understanding of reality and behaviors in accordance with this perception of hate, which rejects what is different and attempts to prevent the "other" from acquiring the same rights as the dominant group and exercising the same right to freedom and equality.

The fear propelled from political parties, particularly present in the discourse of the extreme right, is observed in Spain and in Europe, where, consequently, there is a great immigration of the population from the Global South with unstable economies, political insecurity, and civil violence. Ideological violence through fundamentalist hate speech has transformed into the exploitation of terror that leads to widespread unrest in the population. Therefore, hate speech, particularly those directed at immigrants, gives free rein to individuals acting accordingly against target individuals and groups. Fears produced for legitimizing purposes are often, as history indicates, self-fulfilling prophecies.

The fear of terrorism, and all that it implies for the socio-political structures of liberal democracies, has penetrated the axiological field when violence appears institutionalized since 9/11. Security, a given Western constitutional right, is seen today as a value that every individual should enjoy and that must be provided by the State. This has given way for the construction of a map of exclusion and self-affirmation, closing of borders, erection of static and dynamic walls, hate speech and institutional racism, among others. This combination of spaces for the construction of political discourses spreads a liberal-conservative thought combined with revisionist narratives and fake news which has allowed hate speech to emerge, unacceptable until then. For these reasons, there is a discourse of attacks on social movements and of class hatred especially directed towards minorities, in such a way that it

strengthens the emotions of fear and hatred and as a result, serves to articulate the social actors in their mobilization.

This position in the social spectrum is considered a threat not only to democracy, but also to the adaptation that is experienced due to the cultural integration of social groups, a normal situation in large metropolises and many nations (UN, 2019). Where does hate speech take us? Even though hate can be conceived as an expression of a "cultural event", the immediate objective is discrimination, hostility and violence. It is not only the act of attacking a neighbor, but rather the denial to accept a collective and inclusive environment, where coexistence must be weighed above everything else.

Fear and hatred have become a useful weapon for the advancement of certain interests. It is not the integration of the human into new cultural environments, where personal insecurity generates rejection of new ways of seeing human coexistence. Rather, terror and panic are used to generate convenient effects in large social sectors, to plant fear as an act of repression in the face of new forms of development. Consequently, fear has become the protagonist of media content, this, in order to maintain the idea of submission through panic. The result is doubly harmful, as fear not only inhibits the integration and development of the victim of hate but also of its perpetrator.

Spanish society is posed with the question: What is a hate crime? it can be defined based on a common characteristic of its members, such as their actual or perceived race, national or ethnic origin, language, color, religion, sex, age, intellectual or physical disability, sexual orientation, or another similar factor (OSCE, 2017; Ministry of the Interior, 2020).

Hate crimes represent aggressions directed at certain minorities onto which the dominant majority population (with hegemonic economic and socio-cultural position), exercises different processes of poverty, marginalization, social exclusion, and vulnerability. This is based on the differences that minorities present, and as a result rhetoric, discourses, attitudes, practices of exclusion and discrimination, and ultimately violence, are used against them.

In 2013, Spain presents its first report on hate crimes. Until that date, it was one of the few countries in the European Union (EU) that did not record such crimes. Prior to that date, it was understood that violence and aggression were not necessarily motivated by the factor of differentiation or discrimination, but rather it was one more manifestation of general violence.

The objective of this research is to offer a descriptive analysis of the evolution of hate crimes in Spain between the years 2013 to 2020, both inclusive. Observing the changes and evolution of these crimes, we trace certain trends and examine specific criminal typologies that are behind the category of hate crimes. To do this, the following objectives were established: a. Analyze the types and number of incidents namely hate crimes between 2013 and 2020 both inclusive, in Spain, by Autonomous Communities (17), and in compar-

ison, with the EU; and b. Identify the specific criminal typology behind the generic denominator of "hate crimes".

Method

This study uses a quantitative methodology based on secondary sources obtained from the reports of the Ministry of the Interior on "Incidents related to hate crimes in Spain", between the years 2013 and 2020, both inclusive. The continuance of the data are not available for the years 2021 and 2022.

The data offered by these reports corresponds to the knowledge of events registered by the civil guard, the national police force, the *Mossos d'Esquadra*, the Navarre regional police and local police that provide data to the Crime Statistics System (Sistema Estadístico de Criminalidad, SEC).

Likewise, the Ministry of the Interior indicates that the members of the security forces have standards for recording statistical data, which clearly specify procedures on how to carry out their computation. On the one hand, the type of event in question is recorded and on the other, the criminal scope or context in which the action takes place is specified. This is intended to designate the circumstances and/or conditions in which a criminal act takes place; in other words, the fabric or environment formed by people, things, and situations, where the act germinates.

Although specific data on hate crimes is collected in this analysis, there may be some variation between recorded crimes and crimes that occur and yet are unknown. It is understood that the reason may be an under-reporting of criminal acts due to victims choosing not to declare. The reasons are multiple: mistrust or fear of the police, lack of knowledge of the law, fear of revealing their sexual orientation, fear of expulsion from the country in the case of undocumented immigrants, etc. (Report of the Prosecutor's Office for Hate Crimes, Memoria de la Fiscalía de Delitos de Odio, 2012, p. 11, in López, 2017).

The data referring to the EU were obtained from the reports of the European Commission: Special Eurobarometer 437 and 493 Report "Discrimination in the European Union" of 2015 and 2019, respectively.

Results and Discussion

We present a macro view of the progression of hate crimes in the EU and Spain from 2013 to 2020, as a context and starting point. The crimes perpetrated in the Autonomous Communities were analyzed in the categories of analysis: due to Disability, Sexual Identity, Racism/Xenophobia, Ideology, Sex/Gender. We conclude with the analysis of the typologies of the crimes perpetrated, which are included in the general category of hate crimes.

Perception of the Extent of Discrimination in the European Union and Spain

In carrying out an analysis of the evolution of hate crimes in Spain, it is useful to understand the perception that citizens have about the extent (extension) that discrimination and violence affects different collectives. This is a key consideration since this type of crime is based on the discrimination that unfolds in different social layers, leading them to the risk of further social exclusion. As Cortina states, “[...] hate speech is a problem of discrimination and exclusion, because it seeks to separate a group from social life. It is not just about intolerance but about contempt for a social group” (2017, p. 81).

In a comparative exercise between 2012 and 2019 (recent data offered by the European Commission), approximately half of those surveyed in 2012 consider that there is widespread discrimination in most of the groups consulted (See table 1). Three years later, in 2015, it is observed that the perception of the extent of discrimination increases, in some cases significantly, as in the case of Sexual Orientation by +12% or Sexual Identity and Religion or Religious Beliefs in +11%, and only decreases or remains the same in those cases referring to the age of the groups, either for being over 55 years old (-3%) or under 30 years old (+1%). On the other hand, the perception of gender discrimination has one of the lowest ratios of all (31%) and a category, which increases in the following three years (+6%). However, in 2019, there was a sharp drop in practically all cases (between 5% and 9% less) except in discrimination based on Gender (-2%) and Religious Beliefs (-3%).

The data on the perception in Spain of the extension of discrimination are very similar to those of the EU. Close to half of those surveyed in 2012 believed that discrimination in the different areas proposed was widespread, thus Ethnic Origin at 58% and Sexual Orientation at 44%, are figures very similar to those of the EU which were at 56% and 46%, respectively. The perception that Spain has of discrimination based on sexual identity is striking; 10 points above the EU and whose increase between 2012 and 2015 is +13%, the highest of all the items examined.

Regarding the variation in Spain with respect to 2015, a significant increase in discrimination based on Sexual Orientation (+12%) and Religion or Religious Beliefs (+11%) stands out. Similarly, being over 55 years old (-2%) and under 30 years old (+1%) are the only categories which drop or remain the same. Compared to 2019, there are sharp declines in the perception of the extent of discrimination in Spain, as was previously observed in the EU. However, in the Spanish case, although Religious Beliefs coincide (-3%), it is not Gender discrimination that has a smaller decrease (-5%), but it is discrimination based on Sexual Orientation that remains in the same perception parameters, from 56% only drops to 54% (-2%). Thus, it can be determined that the perception of discrimination that exists in Spain has a similar behavior to the perception that exists in Europe.

	European Union			Spain		
	2012	2015	2019	2012	2015	2019
Ethnic origin	56%	64%	59%	58%	63%	54%
Disability	46%	50%	44%	40%	49%	39%
Sexual Orientation (Gay, Lesbian, Bisexual)	46%	58%	53%	44%	56%	54%
Sexual Identity (Transgender, Trans-sexual)	45%	56%	48%	53%	66%	58%
Age – Being over 55 years old*	45%	42%	*	45%	43%	*
Religion or Religious Beliefs	39%	50%	47%	32%	43%	40%
Gender	31%	37%	35%	38%	41%	36%
Age – Being under 30 years old*	18%	19%	*	19%	20%	*
Perceived as too old or too young*	–	–	40%	–	–	40%

Table 1. Perception of the Extent of Discrimination: European Union 27 and Spain

Note: European Commission (2012-2019)

Incidents related to Hate Crimes in Spain

In social discourse, hate speech imposes a singular interpretation of understanding the culture and context. As Torres and Taricco indicate,

“Hate speech, as social speech, seeks to impose a unique way of interpreting events, which is why they are generally directed against dissident, vulnerable, migrant groups or any person or group of people who is viewed as threatening” (2019, p. 4).

Hence, the categories in which they materialize represent this possible “interpretation of events” and include aporophobia, sexual orientation, gender, religious beliefs, or political ideology, etc. In 2013, (Figure 1) 1,172 hate crimes were committed in Spain, a figure that has been maintained until 2016 (1,272), producing a staggered rise the following three years until 2020 (1,401) when a decrease of 17.9% takes place compared to 2019 (1,706).

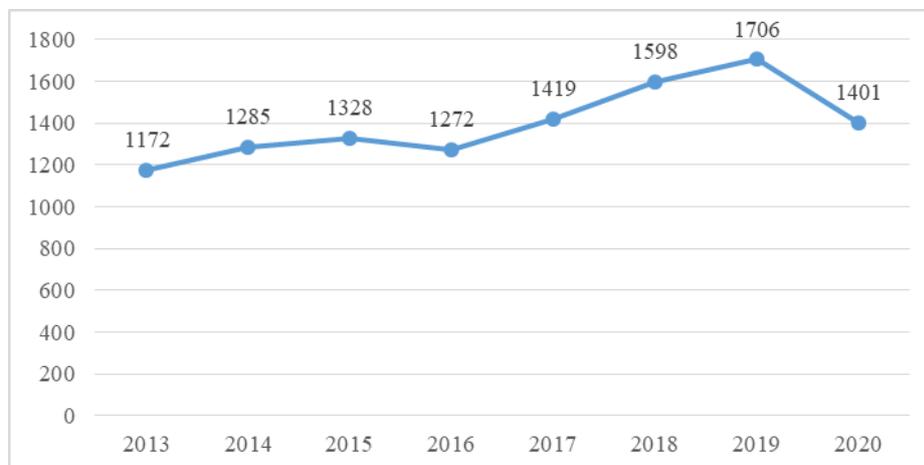


Figure 1. Incidents related to Hate Crimes in Spain, 2013-2020

Note: Ministry of the Interior (2013-2020)

In 2014, there was an increase of 9.36% with respect to 2013, considering that in that year the incidents registered by the *Ertzaintza* (Basque Country police force) were computed for the first time. The increase that occurs in 2015 compared to 2013 (13.31%) may be due to the reform of the criminal code of that year, which allows classifying behaviors not previously contemplated, such as those that occur through the Internet.

It should be noted that the decrease of 17.9% in 2020 would be directly related to the COVID-19 pandemic, which kept a large part of the population confined to their homes for almost two months between March and May. Thus, according to data from the Ministry of the Interior (2020), there was a decrease of -43.34% in March, -69.93% in April, and -27.17% in May with respect to the same months of 2019.

The perceptions as well as the incidents of hate crimes registered by the police, both National and Autonomous Communities, are broken down in table 2, where each column shows the incidents produced annually, between the years 2013 and 2020, and the percentage that corresponds to each one of the total crimes. Taking 2013 as a starting point, the categories of Sexual Orientation and Identity (38.57%), Racism and Xenophobia (32.51%) and Disability (24.74%) occupy the first positions with quite a difference with respect to the rest and remaining in those positions in the following years. Sexual Orientation falls by 18%, Disability by 20% and Racism by 32%; however, they remain at the top of the categories in 2016.

It is worth noting the inclusion in 2015 of two modalities not previously included in reports: crimes due to Gender discrimination and Ideology. The latter bursts onto the scene with 23.19% occupying the second position, moving into the first position with 37% in 2018 and 2019. This phenomenon may be related to the ultra-right wing groups' behaviors in sports venues, which are also present in crimes linked to racism and xenophobia, as well as with the strongly present pro-independence political movement in Catalonia during these years.

On the other hand, the observable decrease that occurred in crimes related to Sexual Orientation and Identity, can be attributed to two fundamental reasons: first, that as of 2015, crimes of discrimination based on Sex and Gender are disaggregated from this category, forming an independent category which had been previously included in a single category; and second, the recorded data may not be accurately reflecting reality, since it represents a group that is not yet fully visible and that continues to be socially stigmatized, so it is possible that the majority do not report, or under report, for fear of declaring their sexual orientation. As described in table 1, the perception of discrimination against this group was widespread, 56% for Sexual Orientation and 66% for Sexual Identity.

Finally, although there was a general decreasing trend in 2020 compared to 2019, it has recently registered a significant increase in crimes perpetrated against people with Disabilities (+69.2%), discrimination due to Illness (+62.5%), Anti-Gypsy/Travelers sentiments (+57.1%) and discrimination due to Sex/Gender (+45.5%).

Violence against people with Illnesses and Discrimination due to Age are registered for the first time in of 2018. Crimes based on Illness do not register a significant increase, however, it is a category of crimes considering the direct effects of COVID-19 and the long-term consequences that the viral load and comorbidity can produce, which may disable many people in the future.

Table 2. Hate Crime Incidents: Evolution 2013 to 2020

	2013	%	2014	%	2015	%	2016	%	2017	%	2018	%	2019	%	2020	%
Antisemitism	3	0.3	24	1.9	9	0.7	7	0.6	6	0.4	9	0.6	5	0.3	3	0.2
Aporophobia	4	0.3	11	0.9	17	1.3	10	0.8	11	0.8	14	0.9	12	0.7	10	0.7
Religious Beliefs	42	3.6	63	4.9	70	5.3	47	3.7	103	7.3	69	4.3	66	3.9	45	3.2
Disabilities	290	24.7	199	15.5	226	17.0	262	20.6	23	1.6	25	1.6	26	1.5	44	3.1
Sexual Orientation and Identity	452	38.6	513	39.9	169	12.7	230	18.1	271	19.1	259	16.2	278	16.3	277	19.8
Racism / Xenophobia	381	32.5	475	37.0	505	38.0	416	32.7	524	36.9	531	33.2	515	30.2	485	34.6
Ideology	n/a		n/a		308	23.2	259	20.4	446	31.4	596	37.3	596	34.9	326	23.3
Discrimination based on Sex/ Gender	n/a		n/a		24	1.8	41	3.2	35	2.5	71	4.4	69	4.0	99	7.1
Discrimination based on Age	0		0		0		0		0		16	1.0	9	0.5	10	0.7
Discrimination based on Illness	0		0		0		0		0		8	0.5	8	0.5	13	0.9
Anti-Gypsy/ Travelers	0		0		0		0		0		0	0.0	14	0.8	22	1.6
Other incidents	0		0		0		0		0		0		108	6.3	67	4.8
Total	1,172	100.0	1,285	100.0	1,328	100.0	1,272	100.0	1,419	100.0	1,598	100.0	1,706	100.0	1,401	100.0

Note: Ministry of the Interior and epdata (2013-2020)

In addition, the health crisis generated by COVID-19 has highlighted society’s paternalistic vision, which infantilize the elderly. According to a recent report by La Caixa (2020), “this limitation (by virtue of health in general and the common good) has not followed criteria of equity in terms of the group of older people, who have seen their rights more restricted than the general population” (2020, p. 3). Therefore, ageism and discrimination for health reasons and illnesses may have increased as a result of the pandemic lockdown. It

remains to be seen whether these actions translate into individual or collective hate crimes.

Territorial Representation of Hate Crimes

Spain is organized into 17 Autonomous Communities (which include the islands of Balearic and Canary Islands), and two cities (located in northern Africa, Ceuta and Melilla). The territorial representation of hate crimes in the country reveals that five Autonomous Communities -Andalusia, Catalonia, the Community of Madrid, the Valencian Community, and the Basque Country-, accumulate 70.57% of the total hate crimes committed in Spain.

Table 3. Total Crimes, Annual Percentage, and Autonomous Community

	2013	%	2014	%	2015	%	2016	%	2017	%	2018	%	2019	%	2020	%
Andalucía	299	25.5	297	23.1	142	10.7	152	11.9	135	9.5	165	10.3	201	11.8	156	11.1
Aragón	42	3.6	50	3.9	32	2.4	28	2.20	31	2.2	33	2.1	37	2.2	25	1.8
Asturias	33	2.8	27	2.1	22	1.7	29	2.28	14	1.0	34	2.1	37	2.2	24	1.7
Balearic Islands	41	3.5	60	4.7	25	1.9	25	1.97	21	1.5	30	1.9	38	2.2	29	2.1
Canary Islands	53	4.5	38	3.0	35	2.6	18	1.42	42	3.0	31	1.9	52	3.0	48	3.4
Cantabria	6	0.5	15	1.2	9	0.7	17	1.34	3	0.2	14	0.9	17	1.0	13	0.9
Castilla La Mancha	78	6.7	58	4.5	73	5.5	56	4.40	39	2.7	33	2.1	51	3.0	49	3.5
Castilla y León	52	4.4	55	4.3	55	4.1	49	3.85	62	4.4	57	3.6	78	4.6	56	4.0
Catalonia	188	16.0	214	16.7	277	20.9	282	22.17	516	36.4	600	37.5	514	30.1	236	16.8
City of Ceuta	0	0.0	4	0.3	0	0.0	0	0.00	3	0.2	0	0.0	1	0.1	3	0.2
City of Melilla	4	0.3	6	0.5	0	0.0	6	0.47	7	0.5	6	0.4	5	0.3	10	0.7
Valencian Community	100	8.5	119	9.3	123	9.3	127	9.98	121	8.5	125	7.8	144	8.4	151	10.8
Extremadura	29	2.5	13	1.0	30	2.3	31	2.44	18	1.3	16	1.0	20	1.2	23	1.6
Galicia	67	5.7	62	4.8	64	4.8	60	4.72	41	2.9	42	2.6	76	4.5	46	3.3
Community of Madrid	136	11.6	102	7.9	159	12.0	171	13.44	180	12.7	234	14.6	258	15.1	225	16.1
Region of Murcia	16	1.4	20	1.6	31	2.3	37	2.91	30	2.1	22	1.4	25	1.5	26	1.9
Navarre	20	1.7	24	1.9	31	2.3	31	2.44	14	1.0	10	0.6	31	1.8	51	3.6
Basque Country	4	0.3	117	9.1	201	15.1	141	11.08	134	9.4	121	7.6	103	6.0	221	15.8
La Rioja	2	0.2	1	0.1	11	0.8	12	0.94	5	0.4	23	1.4	6	0.4	4	0.3
Unknown	2	0.2	3	0.2	8	0.6	0	0.00	3	0.2	2	0.1	12	0.7	5	0.4
Total	1,172	100	1,285	100	1,328	100	1,272	100	1,419	100	1,598	100	1,706	100	1,401	100

Note: Ministry of the Interior (2013-2020)

As can be seen in table 3, the six categories that represented a total of 95% of the hate crime incidents committed in Spain in the last five years (2016 to 2020), include: Hate crime incidents related to Religious Beliefs, Disability, Sexual Orientation and Identity, Racism and Xenophobia, Ideology and Discrimination based on Sex/Gender. In the following sections, these categories are analyzed considering their geographical location.

Religious Beliefs and Practices

Religion, religious beliefs, and practices are understood to be a fundamental right of expression within a social democracy. The Declaration on the Elimination of All Forms of Intolerance and Discrimination Based on Religion or Convictions, in its article 1.1, establishes that,

“[...] everyone has the right to freedom of thought, conscience, and religion. This right includes the freedom to have a religion or any belief of his choice, as well as the freedom to manifest his religion or belief individually or collectively, both in public and in private, through worship, observance, practice, and teaching”.

Likewise, in article 16.1 of the Spanish Constitution reads, “The ideological, religious, and religious freedom of individuals and communities is guaranteed with no other limitation, in its manifestations, than that necessary for the maintenance of public order protected by law”.

As can be seen in table 4, there have been 330 incidents of hate crimes related to “Religious beliefs and practices” (2016 to 2020). Of all of them, 73.3 were distributed among five Autonomous Communities: Andalusia, Catalonia, the Valencian Community, Community of Madrid, and the Basque Country. In 2020, the number of crimes of this nature decreased by -61.21% compared to 2019.

	2016	2017	2018	2019	2020
Andalucía	4	18	6	7	2
Aragón	0	1	1	2	0
Asturias	3	0	1	1	1
Balearic Islands	0	2	1	2	0
Canary Islands	0	3	0	1	0
Cantabria	0	0	1	1	1
Castilla La Mancha	1	0	3	0	0
Castilla y León	2	6	1	3	3
Catalonia	14	43	37	17	12
City of Ceuta	0	1	0	1	1
City of Melilla	1	1	0	0	0
Valencian Community	3	8	6	5	5
Extremadura	0	0	0	1	2
Galicia	0	3	2	5	0
Community of Madrid	8	6	1	8	8
Region of Murcia	1	3	1	3	4
Navarre	7	1	1	1	3
Basque Country	3	6	7	8	0
La Rioja	0	1	0	0	0
Unknown					3
Total	47	103	69	66	45

Note: Ministry of the Interior (2016-2020)

Table 4. Crimes in Religious Beliefs and Practices by Autonomous Communities

Persons with Disabilities

Acting against a person or their property for the mere fact of having a disability is considered a hate crime, as established by the Spanish Committee of Representatives of Persons with Disabilities (CERMI, 2021). The International Convention on the Rights of Persons with Disabilities establishes in its article 2, Discrimination based on disability,

“[...] shall mean any distinction, exclusion or restriction on the basis of disability that has the purpose or effect of hindering or nullifying the recognition, enjoyment or exercise, under equal conditions, of all human rights and fundamental freedoms in the political, economic, social, cultural, civil or other fields. It includes all forms of discrimination, including the denial of reasonable accommodation”.

In the last five years in Spain, 373 crimes have been committed against people with disabilities. Most of them, 68.36%, occurred in 2016, falling by around 93% in the following three years. It is striking that crimes of this nature have rebounded strongly during the year of the COVID-19 pandemic (+69.2%), being the category that experienced the overall greatest increase.

	2016	2017	2018	2019	2020
Andalucía	58	3	2	4	4
Aragón	11	0	0	0	2
Asturias	10	1	0	0	0
Balearic Islands	6	1	1	0	0
Canary Islands	8	0	1	0	1
Cantabria	5	0	0	0	0
Castilla La Mancha	29	0	1	0	3
Castilla y León	14	0	2	0	0
Catalonia	6	10	10	8	2
City of Ceuta	0	0	0	0	0
City of Melilla	1	1	0	2	0
Valencian Community	50	0	2	3	4
Extremadura	10	0	0	0	2
Galicia	13	2	0	1	0
Community of Madrid	23	2	2	2	1
Region of Murcia	9	1	0	0	0
Navarre	2	0	0	0	0
Basque Country	4	2	3	6	25
La Rioja	3	0	0	0	0
Unknown			1		
Total	262	23	25	26	44

Table 5. Crimes in Persons with Disabilities by Autonomous Community

Note: Ministry of the Interior (2016-2020)

Sexual Orientation / Gender Identity

According to the Andalusian Observatory against Homophobia, Biphobia and Transphobia (2020), any crime that is motivated by sexual orientation, gender identity or expression is considered a hate crime. However, not all crimes inflicted on the LGBTI community are hate crimes. Mainly, due to the difficulty of under-reporting of events, lack of training in the state security forces and insufficient information.

In Spain, 1,315 crimes were committed in the period covered by the investigation (see table 5), which places them in third place with 17.8%. It is significant to note that, although in 2020 there was a decrease in almost all the Autonomous Communities, the Basque Country registered 12 crimes in 2019 and 45 in 2020, which is almost four times more during the pandemic.

	2016	2017	2018	2019	2020
Andalucía	30	18	36	42	34
Aragón	5	3	6	1	3
Asturias	1	2	5	6	1
Balearic Islands	4	1	6	1	5
Canary Islands	2	17	5	14	14
Cantabria	3	0	1	1	1
Castilla La Mancha	4	6	7	5	7
Castilla y León	4	7	5	16	8
Catalonia	60	99	77	101	69
City of Ceuta	0	0	0	0	0
City of Melilla	3	1	2	1	7
Valencian Community	17	26	13	16	20
Extremadura	3	5	3	5	10
Galicia	10	6	10	12	5
Community of Madrid	42	39	42	40	40
Region of Murcia	2	5	4	3	4
Navarre	10	5	1	0	4
Basque Country	30	30	34	12	45
La Rioja	0	0	1	0	0
Unknown		1	1	2	
Total	230	271	259	278	277

Table 6. Crimes in Sexual Orientation/ Gender Identity by Autonomous Community

Note: Ministry of the Interior (2016-2020)

Racism and Xenophobia

A significant factor in the analysis is the continuing presence of racism, which is essential to understanding the hate crimes committed, and a category that may be the source, which underlies antisemitism, anti-gypsy/travelers sentiment, and xenophobia. In addition, it can be linked to religion and political ideology, so that ethnicity and nationality can be manifested and related to

religion (Latin Americans with Catholicism, Protestants, Evangelicals; English speakers with Protestantism; Arabs with Islam, etc.).

Minorities with the potential to experience discrimination, as "differentiated minorities", either due to the breaking of social ties (economic, political and cultural) or their elimination from the networks of Spanish society tend to be the unemployed, by gender (women), by age (children, youth and the elderly), immigrants, other ethnic and marginal minorities (Gypsies/Travelers) (Jiménez, 1997).

	2016	2017	2018	2019	2020
Andalucía	42	64	47	62	41
Aragón	8	9	14	11	9
Asturias	5	5	14	7	7
Balearic Islands	7	7	13	17	8
Canary Islands	5	18	19	30	21
Cantabria	5	1	6	5	1
Castilla La Mancha	5	15	8	13	10
Castilla y León	14	23	23	16	11
Catalonia	111	166	114	119	72
City of Ceuta	0	1	0	0	1
City of Melilla	1	0	3	0	0
Valencian Community	35	55	48	48	58
Extremadura	8	3	6	5	3
Galicia	21	9	19	9	19
Community of Madrid	68	70	123	104	96
Region of Murcia	7	5	9	3	11
Navarre	4	4	2	10	12
Basque Country	63	67	60	51	104
La Rioja	7	1	3	2	0
Unknown		1		3	1
Total	416	524	531	515	485

Table 7. Crimes in Racism/Xenophobia by Autonomous Community

Note: Ministry of the Interior (2016-2020)

In certain studies, based on a generalization of the concept of racism or on an analogical categorization (which takes the "attitude of discriminating against difference" as a model), one speaks of "everyday racism" (Jiménez, 2004, p. 997-1,000). This means that racist actions occur and are experienced daily in small details without escalating to hate crime proportions. In the same way that specific, subtle, or overt sexist attitudes are now termed "micro-machismos", everyday racism is just as harmful and contributes to the escalation of direct violence. In this same sense, Rey (2014) calls this phenomenon "liquid racism" (alluding to Bauman's concept of liquidity), predominant among us unconsciously accepted as normal, and of low intensity, as opposed to conscious and violent racism.

As documented in table 7, this is the most widespread crime both in Spain and in the EU. In Spain, the number of crimes due to racism and xenophobia in the period between 2016 and 2020 amounts to 2,480, which represents a third (33.40%) of all hate crimes committed in this period in our country. In fact, in 2020 it is a category that demonstrated the least decrease (-5.83%), the significant increase is registered in the Basque Country with over 50%.

According to López (2017), these figures may be due to the demographic and social transformations at the beginning of the 21st century, transforming Spain into a receiving country for immigrants, heightening racist and xenophobic attitudes, which peaked during the economic crisis of 2007.

	2016	2017	2018	2019	2020
Andalucía	14	25	46	42	44
Aragón	4	17	11	16	5
Asturias	9	5	14	21	9
Balearic Islands	3	9	7	8	5
Canary Islands	0	4	3	0	3
Cantabria	1	0	1	4	5
Castilla La Mancha	17	18	10	23	21
Castilla y León	12	25	20	36	27
Catalonia	65	187	350	253	70
City of Ceuta	0	0	0	0	0
City of Melilla	0	2	0	2	0
Valencian Community	18	28	42	43	24
Extremadura	10	10	4	4	1
Galicia	14	21	10	34	14
Community of Madrid	26	44	44	62	47
Region of Murcia	18	15	6	8	6
Navarre	7	4	4	16	21
Basque Country	39	28	15	15	21
La Rioja	2	3	9	2	3
Unknown		1		7	
Total	259	446	596	596	326

Table 8. Crimes by reason of Ideology by Autonomous Community

Note: Ministry of the Interior (2016-2020)

Ideology

Crimes linked to political Ideology occurred in 223 instances at the national level. In analyzing table 7, the significant increase that occurs from 2017 in Catalonia stands out with an increase of +65.24% with respect to the previous year, and +46.58 in 2018. We understand that the complex political situation in Catalonia since October 1, 2017, may be behind these increases. In addition, it is observed in the data of the Ministry of the Interior (2017) that the months of October, November, and December 2017 experienced signifi-

cant increases in criminal acts. Finally, the province of Barcelona 2017 registers 109 cases that represents almost 25% of the cases at the national level, and in 2018, 208, which represents 35%. All this points to the influence of the *Procés* independence movement on this issue.

Sex and Gender

The distribution of crimes by reason of Sex/Gender among the different Autonomous Communities, as seen in table 9, are distributed mainly between Andalusia, Catalonia, and Madrid, with two significant increases occurring in 2018 and 2020. The year 2020 is especially revealing since there is an overall increase of +45.5% when that year there was a total decrease in hate crimes of -17.9%.

	2016	2017	2018	2019	2020
Andalucía	2	4	19	14	9
Aragón	0	0	1	0	1
Asturias	0	0	0	1	0
Balearic Islands	4	1	1	1	6
Canary Islands	3	0	1	4	3
Cantabria	3	2	3	0	2
Castilla La Mancha	0	0	2	2	3
Castilla y León	1	1	4	0	2
Catalonia	20	6	9	9	5
City of Ceuta	0	1	0	0	1
City of Melilla	0	1	1	0	3
Valencian Community	2	1	7	9	24
Extremadura	0	0	2	0	3
Galicia	2	0	0	2	3
Community of Madrid	3	17	16	21	14
Region of Murcia	0	1	2	3	1
Navarre	1	0	2	0	3
Basque Country	0	0	0	3	15
La Rioja	0	0	1	0	0
Unknown					1
Total	41	35	71	69	99

Table 9. Crimes by reason of Sex/Gender by Autonomous Community

Note: Ministry of the Interior (2016-2020)

Criminal Typology

Specific criminal typology includes the criminal and administrative offenses contemplated under the common denominator of hate crimes. The most common crime is Injuries, which over the last eight years that have been studied represents a total of 1,954 criminal actions, followed by Threats with 1,915, and Damages a considerable distance away with 776 cases, as can be seen in table 10.

However, sexual assault crimes recorded in the hate crime reports of the Ministry of the Interior are separated into two concepts, namely: Sexual Assault with 168 incidents, penetrative sexual assault with 138 incidents; and Sexual Abuse with 442 incidents. If they are counted under the same category, almost 750 incidents would be recorded between 2013 and 2016, a significant figure considering that only four years are documented. Likewise, the reasons why data on crimes of this nature are no longer administered after 2016 are unknown.

Table 10. Crime Typologies

	2013	2014	2015	2016	2017	2018	2019	2020	TOTAL
Lesions	149	179	240	249	276	278	320	263	1,954
Abuses and Sexual Assault	164	157	59	62	1,663*	1,850*	2,175*	2,058*	748
Threats	114	145	205	201	253	320	350	327	1,915
Minor harassment	58	84	49						191
Injuries		63	113	49	79	73	82	77	536
Racist and Xenophobe acts	83	58	88	82	64	95	61		531
Damages		41	86	77	109	173	176	114	776
Exhibitionism	32								32
Theft	67					67			134
Degrading treatment			40	64	63	68	80	65	380
Acts against the Constitution			38	90	113	110	90	62	503
Acts against freedom of conscience					32				
Constraints							58	49	107
Inciting public hate speech								66	66
Non-criminal acts								50	50
Discrimination				53	93	94	93		333
Others	350	407	410	345	337	320	396	328	2,893
TOTAL	1,172	1,285	1,328	1,272	1,419	1,598	1,706	1,401	11,181

Note: Ministry of the Interior (2013-2020). * INE data not added to the totals.

Therefore, in order to complete the analysis of this category, we resorted to the National Institute of Statistics’ (INE) data for the years 2017 to 2020. In the figures for those years (table 9), we have added the crimes with convictions referring to “sexual abuse”, “sexual assault” and “sexual abuse and assault on minors under 16 years of age”. The figures are much higher and range from 1,663 in 2017 to 2,058 in 2020. However, it is necessary to underscore that they are total figures of convicted persons, that is, this makes it impossible to know precisely how many of them would have the strict description of a hate crime. In fact, the “Conceptual Delimitation Report on Hate Crimes” establishes that a sex/gender crime can be considered a hate crime when the victim is, “[...] a woman or a man whose role was not compatible -in the opinion of the perpetrator- with the socially constructed roles, behaviors,

activities, and attributions that society considers proper to women or men” (2018, p. 70).

In our comparative analysis of the perception of discrimination in Spain and the EU, there are no significant differences observed, on the contrary, the perception that discrimination exists in Spain and in Europe has a similar behavior in both Spanish and European citizens, with *ethnic origin* (racism and xenophobia) being one of the items that concentrates more discrimination. There is a significant difference, however, when it comes to perceiving discrimination in *sexual identity*, which in the case of Spaniards is 10 percentage points above other Europeans. In other words, in Spain more discrimination is perceived due to *sexual orientation* than in the EU.

Between the years 2013 and 2020, both inclusive, there has been a sustained increase from 1,172 crimes in 2013 to 1,706 in 2019, which is an upsurge of 32% in just six years. Crimes related to *Racism/Xenophobia, Ideology and Sexual Orientation and Identity* accounted for 81.4% of all hate crimes in Spain in 2019.

On the other hand, it is perceived that the arrival of COVID-19 in 2020 meant a decrease in these crimes by 17.9% in that year, although they produced significant increases in those related to *Persons with disabilities* (+69.2%), discrimination due to *Illness* (+62.5%), *Anti-Gypsy/Travelers* sentiments (+57.1%) and discrimination due to *Sex/Gender* (+45.5%).

The territorial representation of hate crimes by Autonomous Communities offers an x-ray among the five Autonomous Communities -Andalusia, Catalonia, the Community of Madrid, the Valencian Community and the Basque Country-, which accumulate 70.57% of the total of hate crimes committed in Spain. These are related to *Religious Beliefs and Practices, Disability, Sexual Orientation and Identity, Racism and Xenophobia, Ideology* and discrimination based on *Sex/Gender* and represent 95%.

If the three major categories -Orientation and Sexual Identity, Racism and Xenophobia and Ideology-, the Basque Country leads in the first two in 2020 with rates per 100,000 inhabitants of 2.02 in *Orientation and Sexual Identity* (multiplying the 2019 figures by almost four) and 4.68 in *Racism and Xenophobia* (multiplying the previous year by two). However, Catalonia leads on hate crimes based on *Ideology* with a rate per 100,000 inhabitants of 4.49 in 2018 and 3.25 in 2019 when the independence process was in full swing.

The specific criminal typology behind the generic denominator of hate crimes appears in the form of injuries, threats, damages and abuses, and sexual assaults. In light of COVID-19, an increase in hate crimes and discrimination against people for reasons of *illness* is projected. Therefore, it will be necessary to detail said category to accurately document these events.

Conclusions

The original concept of fear that exclusion generates are manifested in the act of hate crimes. As can be seen in the data analyzed, the rate of hate crimes demonstrates an increasing trend, which may be exacerbated in the shadow of the COVID-19 pandemic. These crimes represent a violent symptom or consequence in the face of the most powerful differentiating factors of racism, xenophobia, homophobia, aporophobia (strong antipathy, aversion or hatred toward poverty or the poor), among others.

The results indicate a marked increase, 32% in six years, in hate crimes in Spain. Autonomous Communities -Andalusia, Catalonia, the Community of Madrid, the Valencian Community and the Basque Country-, represent over 70% of the total of hate crimes committed in Spain. The majority of the assaults in the latter years, 2019 and 2020, demonstrate increases in those related to Persons with disabilities, discrimination due to Illness (COVID-19 related), Anti-Gypsy/Travelers sentiments and discrimination due to Sex/Gender.

When compared to the European Union, Spain ranks similarly in perceiving hate crimes and discrimination. Where there is diversion, is that in Spain more discrimination is perceived due to sexual orientation than in the EU.

In conclusion, it is crucial for academia to continue to study emerging categories of victims (individuals and collectives). Civil society needs to be vigilant in light of this trend in order to counteract with educational tools and social awareness for the population. In addition, the continuous training of police forces, members of the justice system, forensic doctors, and all health personnel as well as private security personnel is essential to document trends and recognize emerging categories of victims that will help verify the multiple and evolving manifestations of hate crimes. In the manner that these professionals are educated in identifying and cataloguing hate crimes, it will facilitate the visibility of these crimes in society.

The conclusions of the upturning trends are substantial and point to the continued need for the constant definition, registration and data collection of assaults as well as reconceptualization of the education of the general population about exclusion, discrimination and hate crimes in Spain.

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