



Anti-Muslim Hatred and Discrimination in Spain 2020

Call for input: Report on Anti-Muslim Hatred and Discrimination for the Special Rapporteur on freedom of religion or belief in preparation for the report to the 46th Session of Human Rights Council.

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1. Introduction: brief context

The Spanish Constitution of 1978 abolished Catholicism as the official state religion, though recognizing its role in Spanish society. According to recent statistics,¹ around two million Muslims reside in Spain (approx. 4% of the overall populations), half of whom do not have the Spanish citizenship, making them vulnerable to various inhumane situations and to the non-reporting of these.

Anti-Muslim hatred in Spain is very rooted in a historic anti-Moorish hatred based on the “Reconquista” narrative, included in school textbooks. This is, all Muslims, Spaniards, Pakistanis, from the Maghreb, etc. become “moors” in the collective imaginary. The meaning of moor in the Spanish official dictionary confirms this re-racialization, as it comprises a large number of different groups.² It is also the most common of indicators for either xenophobic or Islamophobic hate speech, graffiti, memes, insults in football matches and even in political discourse. This and the fact that a large portion of the immigration comes from Muslim majority countries means that the observation of anti-Muslim hatred is forcibly connected to the observation of xenophobic violence and discrimination. It also means the systematic foreignization of all Muslims.

It is important to note from the beginning, that anti-Muslim hatred, or Islamophobia, is not recognized officially in Spain. This is important to understand why there is no official data on racism and discrimination faced by Muslim communities. The National Office for Hate Crimes has been issuing reports since 2013,³ but it is impossible to guess the incidents with anti-Muslim bias, despite numerous requests by Muslim NGOs who have been unsuccessfully advocating for several years. The recognized categories:

2 EVOLUCIÓN GLOBAL Y SU VARIACIÓN RESPECTO AL AÑO ANTERIOR			
>> HECHOS CONOCIDOS REGISTRADOS			
HECHOS CONOCIDOS	2018	2019	%Variación
ANTISEMITISMO	8	5	-37,5%
APOROFOBIA	14	12	-14,3%
CREENCIAS O PRÁCTICAS RELIGIOSAS	69	66	-4,3%
PERSONA CON DISCAPACIDAD	25	26	4,0%
ORIENTAC. SEXUAL E IDENT. GÉNERO	256	278	8,6%
RACISMO/XENOFOBIA	426	515	20,9%
IDEOLOGÍA	585	596	1,9%
DISCRIMINACIÓN POR SEXO/GÉNERO	69	69	0,0%
DISCRIMINACIÓN GENERACIONAL	16	9	-43,8%
DISCRIMINACIÓN POR RAZÓN ENFERM.	8	8	0,0%
ANTIGITANISMO	0	14	100,0%
TOTAL DELITOS	1476	1598	8,3%
INFRAC. ADM. Y RESTO INCIDENTES	122	108	-11,5%
TOTAL DELITOS E INCIDENTES DE ODIIO	1.598	1.706	6,8%

The little information available, comes always from non-systematic voluntary monitoring. NGOs funded to combat Islamophobia do not monitor anti-Muslim violence

¹ “Estudio demográfico de la población musulmana”, Observatorio Andalusi,
<http://observatorio.hispanomuslim.es/estademograf.pdf>.

² <https://dle.rae.es/moro>

³ “Informe 2019 de la evolución de los "delitos de odio" en España”, Ministerio de Interior,
<http://www.interior.gob.es/web/servicios-al-ciudadano/delitos-de-odio/estadisticas>.

and discrimination nor issue any annual reports. It seems there is little political will to make the problematic visible.

2. Discrimination in law and practice

2.1. Restrictions on the exercise and manifestation of the right to freedom of religion of belief in private or in community with others.

2.1.1. Legal framework

The historical non-compliance with the Cooperation Agreement signed in 1992 between the Spanish state and the Islamic Commission of Spain⁴ should regulate various aspects of the daily life of Muslims like the access to Islamic religion class in public schools, space in local cemeteries for Islamic burials, halal food in hospitals, schools, etc. Almost three decades later, around 90% of those rights have not been met and each time there is a step forward it is presented through politicians, civil servants⁵ and media as if it had never been legislated.

- ✓ Currently, only 1 of 10 Muslim children have access to Islamic religion at their school.⁶ This right is also present in Article 27 of the Spanish Constitution.⁷
- ✓ According to the Union of Islamic Communities of Spain, in 2019 only 35 of the 8,131 municipalities in Spain had space for Islamic burials.⁸

Usually city councils and administrations wrongfully understand that Muslims will be buried in their origin country, even if they are Spanish, in exile or born in Spain. It wasn't until numerous Muslims lost their lives during the Covid-19 pandemic, that some city councils started to negotiate with the Muslim local communities to habilitate the spaces in different parts of the country.⁹

2.2. Discriminatory laws and practices, both in public and private services, against Muslims

⁴ “Ley 26/1992, de 10 de noviembre, por la que se aprueba el Acuerdo de Cooperación del Estado con la Comisión Islámica de España”, Boletín Oficial del Estado, <https://boe.es/buscar/doc.php?id=BOE-A-1992-24855>.

⁵ Alejandro Fernández, Twitter, <https://twitter.com/alejandroTGN/status/1301202752832442373>, 2 September 2020.

⁶ Enrique Mariño, “Radiografía de la asignatura de religión islámica en España: sólo puede estudiarla uno de cada diez alumnos musulmanes”, Público, 11 October 2019

⁷ Artículo 27 de la Constitución Española: <https://www.derechoshumanos.net/constitucion/articulo27CE.htm>

⁸ elDiarioex, “La Comunidad, entre las cuatro sin cementerio islámico”, elDiario.es, 9 January 2020.

⁹ Ricard Cugat, “El Govern pide a los ayuntamientos que busquen espacio en sus cementerios para los musulmanes”, El Periódico, 6 April 2020.

2.2.1. Access to Education

Access to public education is denied to:

a) Young Muslim women with hijab.

In 2020, at least 17 cases have been reported to NGOs by young women who, on their first day of class were denied entrance to their high schools. There is no formal legislation prohibiting the hijab, it's always done through the school's internal rulings. Best practice in this regard was the 2017 resolution of the Valencia Department of Education, prohibiting public schools to deny access to education to minors wearing hijab or kippah, among other religious signs.¹⁰ No other local Government (out of 17) has taken any similar actions. On the contrary, in July 2019, the Madrid Council of Education and the Ombudsman allowed schools to regulate students' attire and establish the obligation to keep heads uncovered, also for students with an Islamic veil.¹¹

Also, young Muslim students with hijabs encounter difficulties when taking examinations in high school or in universities, they are often obliged to take the exam with the head uncovered unless they refuse and loose the opportunity.¹²

b) Muslim and Amazigh children from Ceuta and Melilla.

In the Autonomous cities of Ceuta and Melilla, there are hundreds of youngsters and children born in Ceuta or Melilla that, because of a bureaucratic limbo, have never been able to attend school. In Melilla, around 53% of the population is Muslim and in Ceuta over 40%.¹³ The discriminated children are Amazigh and Muslim. The Ombudsman has required the local governments in Ceuta and Melilla to enroll these children,¹⁴ but the claim for enrolment has not been met until to date. In February 2020, The United Nations Committee on the Rights of the Child ordered the access of an 11-year-old girl to school "in order to prevent irreparable damage".¹⁵ A few days after she happily started school, the minor received a

¹⁰ elDiariocv, "Los colegios valencianos permitirán los símbolos de identidad cultural y religiosa", elDiario.es, 10 July 2017.

¹¹ EP "La Comunidad de Madrid permite a los colegios prohibir el velo islámico", El País, 4 July 2019.

¹² V.C.S. Los límites entre el pinganillo y el hiyab, El Faro de Cueta, 15 July 2018

¹³ "Estudio demográfico de la población musulmana", Observatorio Andalusi, <http://observatorio.hispanomuslim.es/estademograf.pdf>.

¹⁴ Iñigo Domínguez, "El Gobierno estudia cómo escolarizar a los 160 niños sin papeles de Melilla", El País, 9 July 2018.

¹⁵ Alicia Martínez, "La ONU pide la escolarización de una niña para evitarle daños irreparables", El Faro de Melilla, 13 February 2020.

notification of the Melilla City Council letting her know that she had been unsubscribed from the civil registry and therefore cannot continue in school.¹⁶

c) Unaccompanied migrant minors (*Menores Extranjeros No Acompañados-MENA*)

Child care facilities are managed by regional governments which systematically delay and refuse to guard unaccompanied migrant children who are alone in Spain, preventing them from effectively accessing their rights: education, healthcare, adequate housing and satisfaction of their needs, their personal documents and their residence permit, among others.¹⁷

To understand how this denial occurs, one can examine the political discourse referring to these minors. One of many examples is that of Carlos Verdejo, spokesman for Vox Ceuta and representative in the Ceuta Assembly when he stated in a plenary session on the right to education for migrant children:¹⁸ “Bringing the MENA into our schools, with our children, with our nephews! Including the MENA in formal education [...]! Is that what we want?!”

It should be noted that Spanish legislation on the improvement of educational quality insists on the principles of normalization and inclusion, as well as non-discrimination and effective equality in access and permanence in the educational system.¹⁹ In addition, per Article 27.1. of the Spanish Constitution²⁰: “Everyone has the right to education. Freedom of teaching is recognized.”

2.2.2. Content of Education

A new module titled “Terrorism in Spain”²¹ has been introduced by the Ministries of Education and Interior within the subject of “Geography & History” for compulsory secondary education (15- & 16-year-old students). The (partially) published contents

¹⁶ Francisco Solans Puyuelo, “Indignación ante la amenaza de la Ciudadada Autónoma de Melilla a la única niña que ha conseguido escolarizar tras más de un año de lucha”, Abogados Extranjeristas, 18 October 2020.

¹⁷ Fundación Raíces 2020, Fact sheet Spain: https://www.upr-info.org/sites/default/files/general-document/pdf/20191205_factsheet_spain.pdf.

¹⁸ Antonio García, “A Vox Ceuta le escandaliza que un menor marroquí pueda ir al colegio ‘con nuestros hijos’”, El Foro de Ceuta, 6 October 2020.

¹⁹ “Ley Orgánica 8/2013, de 9 de diciembre, article 79, para la mejora de la calidad educativa”, Boletín Oficial del Estado, <https://www.boe.es/buscar/doc.php?id=BOE-A-2013-12886>.

²⁰ Artículo 27 de la Constitución Española: <https://www.derechoshumanos.net/constitucion/articulo27CE.htm>.

²¹ “El Terrorismo en España”, Ministerio de Educación y Formación Profesional: <https://www.educacionyfp.gob.es/dam/jcr:89f903c8-a016-4f7e-922a-cce0171fce49/unidad%20didactica.pdf>.

evidence the use of violent language and images,²² and reinforce anti-Muslim sentiment. Exercises include “a search for terrorist kidnappings” or “to analyze the ‘map of terror.’”²³ The involved think tanks and NGOs in producing this material are the same that are involved in the securitization field (section 2.3.1.).

Currently, there are still no human rights classes available in primary nor in secondary public education. The last reform was presented March 13th, 2020, and it includes “Education in ethic and civic values” which will hopefully introduce the much-needed human rights perspective.²⁴ Article 27.2. of the Constitution states: “Education shall aim at the full development of the human personality in respect of the democratic principles of coexistence and fundamental rights and freedoms.”

The conclusions of the 2009 research project “Islamophobia or No Curriculum? The Way in Which Islam, Muslim Culture and Muslim Immigrants Are Treated in School Textbooks in Catalonia”²⁵ found that among the examined material “less than two thirds made any reference, whether verbal or iconic, to Muslim culture or any of the other concepts. The data obtained show the need to revise the contents of school textbooks in order to correct omissions and deformations in the treatment of Islam, Muslim culture, and the presence of Muslims in society.”²⁶ These conclusions are still prevailing. In 2019, several textbooks were reported for their treatment of Islam, Muslims, and Andalusian history.

2.2.3. Access to justice

There is currently no specific, permanent and specialized legal protection for Muslim communities, which is probably the reason why the 1992 Agreement has not been effective, why so many Muslim young women have to take off the hijab to access education even though there is no legal prohibition, why there are Muslim children still being served pork at school, etc. Muslim families are permanently and structurally discriminated against in housing, employment, healthcare, public administrations, etc. and have no resources to turn to. The only good practice in this regard is the Office for Non-Discrimination²⁷ that serves only the city of Barcelona but recognizes and protects Muslims, or those perceived as such.

²² María Torrens, “Los 3 errores básicos del nuevo temario sobre terrorismo para los institutos... y cómo resolverlos”, Salam Plan, 22 November 2018.

²³ “Mapa del Terror”, COVITE, <https://mapadelterror.com/>.

²⁴ Una educación para el siglo XXI, Ministerio de Educación y Formación Profesional, <https://www.educacionyfp.gob.es/destacados/lomloe.html>

²⁵ Luis Samper, Dolores Mayoral, Fidel Molina “¿Islamofobia o currículo nulo? La representación del Islam, las culturas musulmanas y los inmigrantes musulmanes en los libros de texto de Cataluña”, *Revista de Educación*, 357 (2012), p. 257-279.

²⁶ Luis Samper, Dolores Mayoral, Fidel Molina “¿Islamofobia o currículo nulo? La representación del Islam, las culturas musulmanas y los inmigrantes musulmanes en los libros de texto de Cataluña”, *Revista de Educación*, 357 (2012), p. 257-258.

²⁷ Office for Non Discrimination in Barcelona, <https://ajuntament.barcelona.cat/oficina-no-discriminacio/en>.

- The current legal framework in Spain should be sufficient to contain these everyday issues.

2.2.4. Freedom of movement

The lack of freedom of movement for migrants was exposed during the states of alarm and the measures taken during the confinement from March to June due to the Covid-19 pandemic. The study “Racism, Xenophobia and Police Brutality during the state of alarm in Spain”²⁸ carried out by Rights International Spain (RIS) and the Implementation Team of the International Decade for People of African Descent in Spain (IDPAD) showed over 70 racist incidents and institutional discriminatory practices, 45% of which refer to violations affecting a particular group. Madrid is the region with the highest number of complaints (40%), followed by Catalonia (21%) and the Basque Country (8%). Those identifying as Black and/or Afro-descendants (32%) suffer the largest number of aggressions, followed by Arab Muslims (30%), Roma (25%) and Latin-Americans (8%). Data collected by *SOS Racismo Madrid* documented 13 cases of racial profiling by the police of people purchasing basic goods between March 15 and April 7. The provoked fear lead to further self-isolation. The online survey shows that over 70% of the respondents subjected to racial profiling additionally suffered police brutality.

2.2.5. Asylum and immigration

Muslim and African migrants and asylum seekers arrive mostly and firstly to Ceuta, Melilla and the Canary Islands either in a dingy or by jumping the concertinas. Once they are in official care by the corresponding autonomous community, they are placed in a CIE (*Centro de Internamiento para Extranjeros* -Internment Center for Foreigners). If it is proven that they are under 18 through age assessment procedure,²⁹ the minors will enter a shelter for minors, where they might stay or run away due to the poor conditions and overcrowding.³⁰ According to Article 62-bis of the Aliens Act, CIEs are public establishments of a non-penitentiary nature. Admission to and stay in these facilities shall be solely for preventive and precautionary purposes, safeguarding the rights and freedoms recognized in the legal system, with no limitations other than those applying to their freedom of movement, in accordance with the content and purpose of the judicial detention order of admission.³¹ Even though under the law CIEs do not have the status of a prison, the reality in practice suggests otherwise and conditions of detention therein are

²⁸ RIS and IDPAD, “Racism, Xenophobia and Police Brutality during the state of alarm in Spain”.

²⁹ Fundación Raíces 2020, Fact sheet Spain: https://www.upr-info.org/sites/default/files/general-document/pdf/20191205_factsheet_spain.pdf.

³⁰ Spain: Inhuman Reception Conditions for Children in Melilla | European Council on Refugees and Exiles (ECRE): <https://www.ecre.org/spain-inhuman-reception-conditions-for-children-in-melilla/>.

³¹ Immigration detention in Spain: a rapid response to Covid-19, The Global Detention Project: <https://www.globaldetentionproject.org/wp-content/uploads/2020/05/GDP-Immigration-Detention-in-Spain-2020-Online.pdf>

still not satisfactory. CIEs have been the object of high public scrutiny and have attracted media and NGO attention due to several incidents (mainly deaths and suicides) that took place throughout the last years and through the Covid-19 pandemic. From the CIEs deportation might take place, often to third countries where migrants may have never been before.³² In the last months there has been a rise on boat landings in the Canary Islands due to the Covid-19 consequences in the origin countries and it has been decided to build a new and larger CIE similar to a refugee camp.³³

2.2.6. Unaccompanied migrant minors

They are mostly teenagers from Morocco and Algeria, although little by little the number of those who come, especially from different countries of Sub-Saharan Africa, has been increasing. Most of them flee from poverty, exclusion and lack of opportunities. Some also seek protection from violence in their home countries. These children continue to suffer grave and systematic violations of their rights because of a discriminatory migration policy that prioritizes their condition of migrants over their condition of children and prevents them from receiving an adequate protection. This practice becomes visible at the border, when they are rejected upon entry, in the age assessment procedure, in the way they are treated within the child care centers and residences, when accessing their most basic rights (education, healthcare, employment), all of which end up criminalizing them.³⁴ Most of the boys and girls who arrive alone in Spain, leave the protection system when they turn 18 years old without having been processed the residence authorization as protected minors, since one of the requirements to obtain it is to be under guardianship and / or guardianship of the public protection entity. De facto, they have resided in public shelters, generating the right to said authorization, but without having legally constituted a figure of protection, for the reasons already mentioned. In practice, it causes that, upon reaching the age of majority, they remain in a situation of administrative irregularity, at the risk of being expelled to their country of origin. On some occasions, deportation proceedings have even been initiated when they have tried to re-enter the shelter.³⁵ The exact number of foreign unaccompanied minors in the country is unknown.³⁶

2.2.7. Employment and immigration

³² Devoluciones exprés de Canarias a Mauritania: Interior ha expulsado a malienses que declararon su intención de pedir asilo, *elDiario.es*, 31 January 2020.

³³ Growing migrant crisis in Canary Islands pushes Spanish government to action, *El País*, 16 November 2020.

³⁴ “Children arriving alone in Spain- Factsheet”, Fundación Raíces, May 2019.

³⁵ Report “Violencia Institucional en el sistema de protección a la infancia, Fundación Raíces”, julio 2020

³⁶ María Martín, “España no sabe cuántos menores extranjeros no acompañados acoge”, *El País*, 14 May 2020.

Covid-19 has once again revealed the situation of the settlements in Andalusia as well as in Murcia, Galicia, and Lleida, but it is not a new phenomenon. The Andalusian ombudsman in a report in 2001 called on the public authorities and the host society “to guarantee decent accommodation to all seasonal workers, whatever their nationality.”³⁷ At that time, significant and serious shortcomings were already recognized in terms of accommodation for workers not in accordance with the terms of dignity and adequacy required by article 47 of the Constitution.

“The conditions that I saw there were worse than those in a refugee camp”, said Philip Alston, the UN special rapporteur on extreme poverty and human rights, after visiting six autonomous communities for two weeks in February.³⁸ In his statements, he mentioned that what had caught his attention the most was the situation of migrant workers in Huelva, underlining their lack of access to water, electricity and sanitation. The shacks, made with wooden pallets at the base, cardboard on the inside and plastic tarps, are useless to protect themselves from rainy days or the fire. The poor conditions, the lack of a contract and the fear of migrants of being deported has created the perfect frame for any human rights violation to happen. This is the case of the pending cases of sexual abuse and labor assaults of migrant women. In 2018, 17 Moroccan women denounced sexual and labor assaults and abuse during their stay in the strawberry fields of Huelva, no trial has yet been held.³⁹ In September 2020, an agricultural manager was arrested for 20 sexual assaults on female temporary workers in Murcia.⁴⁰ These victims are silent, firstly, because they do not speak Spanish and have hardly any contact with other people who are not co-workers and their own aggressor. Second, for fear of losing their job, the only source of income for both them and their families, who are waiting for remittances in Morocco, where they have already accumulated debt to be able to come. They also fear being expelled from the country or arrested for being in an irregular situation if they go to the police or ending up condemned to social ostracism in their origin countries.

2.2.8. Participation and representation in political life and citizenship

The Spanish nationality is necessary to be able to vote and be part of the political change. Also, someone that is born in Spain can only have the nationality if at least one of the parents has it. The other way is to go through the administrative channel, that may take from 5 to 10 years, although there have been cases of over 20 years. There are currently hundreds of Muslim adults born in Spain with no right to vote.⁴¹ Also, in order to apply

³⁷ El alojamiento y la vivienda de los trabajadores inmigrantes en la provincia de Huelva, BOPA n° 193, de 4-10-2001.

³⁸ Statement by Professor Philip Alston, United Nations Special Rapporteur on extreme poverty and human rights, on his visit to Spain, 27 January – 7 February 2020

³⁹ “Abandonadas tras la denuncia: la desprotección de las temporeras migrantes víctimas de abusos”, Jairo Vargas, Público, 4 October 2020.

⁴⁰ EFE, “Detenido un encargado agrícola por 20 agresiones sexuales a temporeras en Murcia”, La Opinión A Coruña, 28 September 2020.

⁴¹ Hija de Inmigrantes, <https://votaresunderecho.es/>.

to the acquisition of the nationality, the person has to be able to go to the administrations to do the corresponding tasks, but for a couple of years now, to get an appointment⁴² has become an obstacle race, even more so, since the Covid-19 pandemic. Trafficking of appointments for economic gain has been frequently reported.⁴³

As for representation in the political field, Muslim politicians are highly active in Ceuta, Melilla and Catalonia, but always at a local level. There has never been a Muslim congressman or woman.

2.2.9. Access to housing

Access to housing remains highly dependent on the means, the administrative and employment situation as well as on the perception of the origin, ethnic and religious identity of the tenants to be. The Barcelona municipality, alerted by complaints received at its Office for Non-Discrimination, carried out an experiment on discrimination by real estate operators/owners. Using both Arabic and native names,⁴⁴ the results show that 56.6% of the requests made under a native name received a reply, vs. 37.8% in the case of Arabs. In addition, Arabs are less likely to be offered a visit. Furthermore, in the case of Arabic surnames, the average price was 108 euros higher than prices offered to people with Spanish names.

2.3. Counter-terrorism measures, preventing violent extremism legislations.

2.3.1. Preventing Violent Extremism (PVE), Countering Violent Extremism (CVE) and Counterterrorism

Preventing Violent Extremism (PVE), Countering Violent Extremism (CVE) and Counterterrorism policies, countless initiatives by think tanks and NGOs in addition to the enormous amount of trainings and courses to counter “Jihadism”⁴⁵ and violent “Jihadist” radicalization⁴⁶ - online and open to civil society- have a long-term negative impact on Muslim individuals and communities. These policies have developed control

⁴² Coronavirus Effects on Foreigners Living in Spain <https://www.immigrationspain.es/en/coronavirus-effects-on-immigration-spain/>

⁴³ Gabriela Sánchez, Venta en Wallapop de citas para comisarías de extranjería: "Te la consigo por 100 euros", elDiario.es, 16 August 2020.

⁴⁴ Pau Rodríguez, “La misión imposible de encontrar piso con un apellido árabe: un estudio del Ayuntamiento de Barcelona evidencia la discriminación”, elDiario.es, 7 October 2020.

⁴⁵ Examples: “Curso de Introducción al Terrorismo Yihadista con Protocolos de Autoprotección”, LISA Institute, <https://www.lisainstitute.com/products/curso-de-terrorismo-yihadista-protocolos-consejos-de-autoproteccion>.

“Curso de organizaciones terroristas: enemigo asimétrico”, CEDGYS, <https://cedegys.com/cursos/organizaciones-terroristas-enemigo-asimetrico/?v=3b0903ff8db1>.

⁴⁶ Example: “Formación”, Observatorio Contra la Amenaza Terrorista y la Radicalización Yihadista-OCATRY, <https://www.ocatry.org/formacion.html>.

tools to be used by citizens in general to participate actively in the construction and report of suspects.⁴⁷

Various imams have been deported without a judicial procedure,⁴⁸ apparently more often due to the person's lack of means and relations⁴⁹ than to alleged terror-related accusations.⁵⁰ In July 2019, *El País* informed that “the National High Court endorses the use of secret reports by the National Intelligence Agency to deport suspects of Jihadism.”⁵¹

Securitization entered the education system in 2016 with several protocols. An example is the Catalanian PRODERAEV⁵² (Detection, Prevention and Intervention in Processes of Radicalization and Violent Extremism), following the British PREVENT structure⁵³ and consists of training sessions on “radicalization detection” tools for education professionals. These sessions are taught in Catalanian schools by teams formed by Catalanian police officers and civil servants from the departments of Internal Affairs and Education. According to official data, 5,579 education professionals received this training between 2016 and 2018.⁵⁴ In December 2018, the newspaper *La Directa* published a leaked recording⁵⁵ of a training session, demonstrating how trainers explain to teachers and school staff how to detect “signs of radicalization” using indicators as “born in a family from a Muslim-majority country”, hijab-wearing, asking halal food at school (within the 1992 Agreement), neighborhood of residence, not drinking Coca Cola, etc. Different State authorities seem to equal terrorism and violent radicalization solely to “jihadism”, while ignoring other possible kinds of terrorism. This tendency seems to feed the popular narrative “Not all Muslims are terrorists, but all terrorists are Muslim”. Both the yearly National Security Reports⁵⁶ and updates from the Intelligence Center for Counter-Terrorism and Organized Crime (CITCO) of the National Strategic Plan against

⁴⁷ Virtudes Téllez, “El ‘Pacto Antiyihadista’ y las estrategias de lucha contra la ‘radicalización violenta’: implicaciones jurídicas, políticas y sociales”, *Revista de Estudios Internacionales Mediterráneos* 24 (2018), p 9-30.

⁴⁸ Francisco Carrión, “El imam de Logroño, de la expulsión exprés en España a una cárcel egipcia”, *El Mundo*, 24 September 2018.

⁴⁹ EFE, “La Policía se plantea expulsar de España a un líder de la comunidad musulmana de Salt por terrorismo”, *El Mundo*, 9 September 2018.

⁵⁰ Europa Press, “Marlaska 'perdona' a un imán expulsado de España por el anterior Gobierno”, *Voz Pópuli*, 17 November 2018.

⁵¹ Oscar López-Fonseca, “La justicia avala el uso de informes secretos del CNI para expulsar a sospechosos de yihadismo”, *El País*, 16 July 2019.

⁵² “Prevençió, detecció e intervenció de processos de radicalització als Centres Educatius”, The Department of Education of the Generalitat.

⁵³ Ainhoa Douhaibi, Vicent Almela, “Control policial a les aules”, *La Directa* 443 (2017), pp. 4-11.

⁵⁴ “La escuela como panóptico racial”, *La radicalización del racismo. Islamofobia de Estado y prevención antiterrorista*, ed. Salma Amzian y Ainhoa Douhaibi, (Cambalache, Oviedo: 2019), pp. 91-108.

⁵⁵ Ainhoa Douhaibi, Vicent Almela, “No beure Coca-Cola, no celebrar Sant Jordi o esborrar-se els tatuatges són indicadors de ‘radicalització islamista’, segons els Mossos”, *La Directa*, 18 December 2018.

⁵⁶ “Informe Anual de Seguridad Nacional 2018”, Departamento de Seguridad, <https://www.dsn.gob.es/es/documento/informe-anual-seguridad-nacional-2018>.

“Informe Anual de Seguridad Nacional 2019”, Departamento de Seguridad, <https://www.dsn.gob.es/es/documento/informe-anual-seguridad-nacional-2019>.

Terrorism⁵⁷ and the National Strategic Plan to Fight Violent Radicalization,⁵⁸ perpetrate this association through the excessive use of words like “Jihadism”, “DAESH”, “Foreign Terrorist Fighters”, etc. and the absolute omission of “far-right”, “neonazi”, etc. As part of the National Strategic Plan to Fight Violent Radicalization, the Authorities collaborate with “Groups at risk or vulnerable to the threat of radicalization: Cooperating actors will be the groups directly affected by the development of the Plan. Once the ideology that sustains the threat listed as a priority has been determined in the first Management Plan, the risk groups or the most vulnerable groups that are affected by it will be identified. The incorporation of these groups into the created structures will be facilitated, through qualified individuals and / or representatives of representative entities.” Muslim communities and entities are often requested to be present at these meetings as “group at risk” while far-right radicalization seems to be ignored, though very present (online, in the media and on the streets) and a clear menace to national security. This double standard is easy to see while comparing the outcome of the very same actions depending solely on the perpetrator’s perceived religious identity.⁵⁹ Please note, that there have been recent cases of what we could call neonazi or supremacist terrorism related crimes in Lleida,⁶⁰ in Almería,⁶¹ in Alfarrasí⁶² (Valencia) and in Valencia city⁶³, that, despite the enormous material found, the organization of the groups and the definitions contained in the aforementioned strategies and reports, these 4 supremacist groups- 3 of which, planned to attack Muslims- were treated, ironically, as hate crimes.

3. Social attitude, hate speech, attacks and violence against Muslims

3.1. Hate speech against Muslims

3.1.1. Politicians

Political leaders who openly use Islamophobia in their public discourses usually belong to far-right Vox or right-wing PP. While until 2017 Islamophobic hate speech was noticeably clear, especially after each terror attack, the years after it became interlaced

⁵⁷ “Estrategia Nacional contra el Terrorismo 2019”, Departamento de Seguridad, <https://www.dsn.gob.es/es/documento/estrategia-nacional-contra-terrorismo-2019>.

⁵⁸ “Plan Estratégico Nacional de Lucha contra la Radicalización Violenta”, Ministerio de Interior, <http://www.interior.gob.es/web/servicios-al-ciudadano/plan-estrategico-nacional-de-lucha-contra-la-radicalizacion-violenta/plan-estrategico-nacional/aplicacion-del-plan>.

⁵⁹ “El Tribunal Supremo confirma la pena de ocho años de prisión por difundir en redes sociales contenidos a favor de Daesh”, Diario Del Derecho, 3 August 2020.

⁶⁰ Guillem Sánchez, “Dos supremacistas blancos planeaban ataques racistas en Catalunya desde Lleida”, El Periódico, 22 September 2020.

⁶¹ Redacción, “Nueve detenidos en Almería por incitar al odio hacia la comunidad musulmana”, EFE, 11 June 2020.

⁶² EP, “Detenido en Alfarrasí (Valencia) por incitar al odio y a la violencia contra musulmanes desde una red social”, Europa Press, 26 February 2019.

⁶³ EP, “Detienen a un hombre de ideología nazi por delitos de odio y amenazas e intervienen un arsenal en su domicilio”, Europa Press, 21 December 2019.

with xenophobic hate speech against North-African migrants and more specifically against migrant unaccompanied minors. These children have been used politically by the aforementioned parties and its members, but also, they are the main target of violent hate groups online and offline (“hunts of mena”).⁶⁴

3.1.2. State Media

An example of how State media uses regularly harmful stereotyping is the short documentary titled “Spanish [female] jihadists in limbo”⁶⁵ broadcasted during primetime on public television, considered apt for 7 years and up. The film is about “48 Spaniards who travelled to Iraq and Syria to join the so-called Islamic Caliphate. 12 were women. *Informe Semanal* interviewed three of them and a Moroccan widow of a Spaniard.” The documentary constantly links Islam with terrorism, portraying practices like “stoning” as Islamic. This type of TV programs often relies upon the same group of “pundits”.⁶⁶ In mainstream private media, Muslims are presented in the same way.

3.1.3. Disinformation and Fake news

In October, the research “Disinformation, religious minorities and hate speech”⁶⁷ was published by Maldita.es,⁶⁸ a non-profit medium who focuses on fake news, misinformation and public discourse through fact-checking techniques and data journalism. The research identified and analyzed misinformation about religious minorities in Spain between 2017 and June 2020. Out of 141 hoaxes on religion, 100 were related to Islam or Muslim culture.⁶⁹ Half of them were about immigration. Hoaxes linking Muslims to terrorism are frequent: 30 were related to violence and terrorism. In 2020, there were numerous hoax on Muslims supposedly disrespecting the sanitary measures, like the one of PP senator for Almería, Rafael Hernando, who spread a hoax claiming that Muslims skip confinement with a video of a celebration in Valencia in

⁶⁴ Example: “Spain: Residents of Madrid's San Blas district protest 'neo-Nazi attacks’”, Ruptly, 17 October 2020.

⁶⁵ Informe Semanal, “Yihadistas españolas en el limbo”, RTVE, 13 October 2020 (as from minute 16:26).

⁶⁶ Redacción, “Exmujer de yihadista crea asociación para tipificar a las víctimas indirectas”, La Vanguardia, 11 April 2019.

“Carola García-Calvo”, Real Instituto El Cano,

http://www.realinstitutoelcano.org/wps/portal/rielcano_en/biography/?WCM_GLOBAL_CONTEXT=/elcanov2_en/elcanov2/analysts/carola-garcia-calvo, (Access date 1 November 2020).

“El Ministerio del Interior crea el Centro de Inteligencia contra el Terrorismo y el Crimen Organizado (CITCO)”, Ministerio de Interior, http://www.interior.gob.es/prensa/noticias/-/asset_publisher/GHU8Ap6ztgsg/content/id/2624738.

⁶⁷ Raúl Magallón, “Desinformación, minorías religiosas y discurso del odio”, Maldita.es, 28 October 2020, https://migracion.maldita.es/wp-content/uploads/2020/10/Informe_minorias_religiosas_web-3.pdf.

⁶⁸ “Conoce al equipo”, maldita.es, <https://maldita.es/quienes-somos/>.

⁶⁹ Maldita Te Explica, “El islam: foco de desinformación sobre las minorías religiosas en España”, Maldita.es, 28 October 2020.

2018.⁷⁰ Another hoax accusing Muslims of not respecting the social distancing was virilized along with an old video of a gathering of members of the Madani Masjid community in the Ciudad Meridiana Sports Center in Barcelona. The Sports Center has been closed by the City Council since January 2020 for construction works.⁷¹

3.1.4. Public reactions towards violent attacks against Muslims

Usually there is no reaction or even knowledge of attacks on Muslims unless it is for sensationalist and dehumanizing purposes (i.e. a Muslim migrant drowning in the Mediterranean Sea). To see how attacks against Muslims are generally treated in mainstream Spanish media, we can take the example of journalist María Jamardo who, while commenting on the New Zealand terror attacks and the terrorist who killed 51 Muslims, stated that there is a connection between the extreme-right terror attack and “certain parts of the Koran which say that ‘we will conquer or reconquer *al-Andalus* with the bellies of our women’ and the second, third generation of Muslims who are winning in birth rate.”⁷² There is always a “logical” motivation to “explain” such violence.

3.1.5. Public reactions towards Muslim communities when a terrorist attack took place in the country

As other types of terror attacks or terror related crimes perpetrated by non-Muslim groups are not registered as such in Spain, we can only see what happens when a religious pretextted terror attack occurs. Also, when a neonazi or supremacist terror attack occurs in Germany or in England, it’s not worthy to be mentioned in the national news.

Anti-Muslim hatred reaches the same level if the terror attack takes place in Europe and the perpetrators are presumably Muslim. Surprisingly, anti-Muslim hatred was extremely high before the August 2017 terror attacks in Catalonia, it didn’t rise further when it happened locally. On the contrary, after many years, Muslim communities finally felt a wave of support of a part of the broader civil society.

3.2. Hate incidents

⁷⁰ “El senador del PP Rafael Hernando difunde un bulo que asegura que los musulmanes se saltan el confinamiento”, 20Minutos, 27 April 2020.

⁷¹ Maldita Migración, “No, este vídeo de musulmanes rezando sin distancia social en Barcelona no es actual ni está grabado durante la pandemia, elDiario.es”, 18 August 2020.

⁷² “Denuncia a María Jamardo por sus comentarios en Espejo Público a la Comisión Nacional del Mercado y la Competencia”, Musulmanes contra la Islamofobia, 22 March 2019, <https://mcislamofobia.org/denuncia-contra-la-periodista-maria-jamardo-programa-espejo-publico-cnmc>.

3.2.1. Statistics on hate incidents

The last report published in Spain by civil society corresponded to 2017.⁷³ Currently, the only report on anti-Muslim hatred in Spain is in the yearly European Islamophobia Report (EIR)⁷⁴ and the OSCE-ODIHR hate crime data base.⁷⁵

Within the yearly official statistics of the National Office for Hate Crimes: Overall 6.8% increase in hate crime: out of 1.706 complaints, 66 relate to religion (-4.3% less than in 2018) and 515 to racism and xenophobia (+20.9% than in 2018). No segregated statistics by anti-Muslim bias are available.

3.2.2. Discrimination: perception survey

In November, the Secretary of State for Migration through the Spanish Observatory of Racism and Xenophobia (OBERAXE) published the results of the “Survey on intolerance and discrimination towards Muslims in Spain”⁷⁶ based on the questionnaire sent to state, regional and local administrations, non-governmental organizations, immigrant organizations, mosques and other centers of worship and Muslim and non-Muslim individuals. At the time of the survey closing for this report, 163 valid responses had been obtained. Results found that “82.8% of those surveyed maintain that there is a lot of Islamophobia in Spain, and among the situations in which more discrimination is perceived towards Muslim individuals or associations are the difficulty when buying or renting a home 87.2%; difficulties in having places of worship 79.3%, and discrimination in access to employment 83.2%. In the case of the surveyed individuals, the most frequent situations of rejection or discrimination recorded in this study are directly linked to access to housing and employment, while the Muslim entities surveyed affirm that discrimination materializes in difficulties at the time of trying to settle in a neighborhood.”

3.2.3. Vandalism

It has been noted that vandalism against oratories has decreased considerably in the last two years. It seems it has much to do with the terror events, as it was usually in the “day after” when there was a somehow coordinated rise on attacks in many different parts of the country on Mosques and other Islamic Cultural centers or on businesses belonging to

⁷³ “Informe Anual sobre la Islamofobia en España 2017”:

<https://www.islamofobia.es/2018/03/05/informe-anual-islamofobia-en-espa%C3%B1a-2017/>

⁷⁴ Aurora Ali: Islamophobia in Spain: National Report 2019, in: Enes Bayraklı & Farid Hafez, *European Islamophobia Report 2019*, Istanbul, SETA, 2020.

⁷⁵ “2019 Hate Crime Data”, OSCE-ODIHR: <https://hatecrime.osce.org/what-do-we-know>.

⁷⁶ “Encuesta sobre intolerancia y discriminación hacia personas musulmanas en España”, Secretaría de Estado de Migraciones a través del Observatorio Español de Racismo y Xenofobia (OBERAXE), 24 November 2020,

http://www.inclusion.gob.es/oberaxe/ficheros/documentos/Resultado_encuesta_musulmanes_11112020.pdf.

Muslims.⁷⁷ Also, they were usually perpetrated by far-right groups leaving their posters with their logo in the corresponding place and publishing it online afterwards. In 2020, there were two attempted arsons, both in Catalonia, in Manlleu⁷⁸ and in Montcada i Reixac.⁷⁹ In the latter, the firemen had to intervene.

Currently, other acts of vandalism are usually writings in the street (“moors out”, “moors rapists” or “kill and Arab”⁸⁰).

4. Pertinent reports and resources

4.1. Anti-Muslim hatred

- Aurora Ali: Islamophobia in Spain: National Report 2019, in: Enes Bayraklı & Farid Hafez, *European Islamophobia Report 2019*, Istanbul, SETA, 2020: https://www.islamophobiaeurope.com/wp-content/uploads/2020/06/EIR_2019.pdf
- “2019 Hate Crime Data”, OSCE-ODIHR: <https://hatecrime.osce.org/what-do-we-know>
- “Survey on intolerance and discrimination towards Muslims in Spain”, OBERAXE, 24 November 2020: http://www.inclusion.gob.es/oberaxe/ficheros/documentos/Resultado_encuesta_musulmanes_11112020.pdf

4.2. Historical Memory

- **Tulaytula**: Initiative by historian Felipe Vidales to disseminate and cultivate the population on Toledo’s history and more broadly on the national Andalusian period: <https://tulaytula.com/>.
- **Centro de Estudios sobre el Madrid Islámico**: Initiative by Fundación de Cultura Islámica (FUNCI) to disseminate and cultivate the population on Madrid’s history (the only European capital founded by a Muslim, Emir Mohamed I) and more broadly on the national Andalusian period: <https://madridislamico.org/>.

⁷⁷ “Informes”, Plataforma Ciudadana contra la Islamofobia: <https://plataformaciudadanacontralaislamofobia.wordpress.com/informes/>.

⁷⁸ “Detenen a un home per intentar cremar un oratori a Manlleu i a un altre per apunyalarlo com a revenja”, ACN Manlleu, ACN, 29 July 2020.

⁷⁹ SAFI: Stop als Fenòmens Islamòfobs a Catalunya, Facebook, 8 September 2020, <https://www.facebook.com/286484064855510/posts/1412140572289848/?sfnsn=scwspmo&extid=bruocNIr88swazkV>.

⁸⁰ Zakaek, Twitter, 25 September 2020, <https://twitter.com/Zakaek/status/1309508389513375745>.

4.3. Legal Framework regarding religious diversity

- “Manual for municipal management of religious diversity”, Observatorio del Pluralismo Religioso en España: https://www.pluralismoyconvivencia.es/wp-content/uploads/2018/12/Manual_Gestion_Municipal_2%C2%AAedicion.pdf

4.4. Legal Framework regarding Muslim minorities religious rights

- Ley 26/1992, de 10 de noviembre, por la que se aprueba el Acuerdo de Cooperación del Estado con la Comisión Islámica de España, Boletín Oficial del Estado: <https://boe.es/buscar/doc.php?id=BOE-A-1992-24855>.
- Statistics on the demographics of Muslim population in Spain by Observatorio Andaluz: <http://observatorio.hispanomuslim.es/estademograf.pdf>

4.5. Covid-19 consequences on minorities

- RIS and IDPAD, “Racism, Xenophobia and Police Brutality during the state of alarm in Spain”:
<http://rightsinternationalspain.org/uploads/publicacion/1feee36ba56ffc10aa328d7a342f7f8affdfab3d.pdf>
- “Addressing Islamophobia: a response to the Covid-19 crisis and broader inequalities” (brief report and recommendations from Muslim civil society to EU and member states), https://www.enar.eu.org/IMG/pdf/2020_05_collective_contribution_final.pdf
- Immigration detention in Spain: a rapid response to Covid-19, The Global Detention Project: <https://www.globaldetentionproject.org/wp-content/uploads/2020/05/GDP-Immigration-Detention-in-Spain-2020-Online.pdf>

4.6. Migration: unaccompanied migrant children

- Fundación Raíces, *Violencia Institucional en el sistema de protección a la infancia*, July 2020: http://www.fundacionraices.org/wp-content/uploads/2020/07/FundacionRaices_Informe.pdf
- Children in Migration 2019, Fundamental Rights Agency: https://fra.europa.eu/sites/default/files/fra_uploads/fra-2020-children-in-migration_en.pdf
- “De infancia en peligro a infancia peligrosa” (From childhood in danger to dangerous childhood), *SOS Racisme Catalunya*, 25 May 2020: <http://www.sosracisme.org/infanciamigrant/>

4.7. Securitization

- Virtudes Téllez, “El “Pacto Antiyihadista” y las estrategias de lucha contra la “radicalización violenta”: implicaciones jurídicas, políticas y sociales”,

Revista de Estudios Internacionales Mediterráneos 24 (2018), p 9-30:

<https://revistas.uam.es/reim/article/view/9745>

- “La escuela como panóptico racial”, *La radicalización del racismo. Islamofobia de Estado y prevención antiterrorista*, ed. Salma Amzian y Ainhoa Douhaibi, (Cambalache, Oviedo: 2019).