

ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO



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MINISTRY OF INTERIOR – STATE SECRETARIAT FOR SECURITY



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[SPANISH SECURITY FORCES]



PRESENTATION BY THE MINISTER OF INTERIOR



Those of us who believe in the principles of democracy actively defend the right of people to show themselves as they are in a plural and diverse society, regardless of their national or ethnic origin, sex or gender, ideology, sexual identity, religion or intellectual or physical capabilities.

Unfortunately, there are still criminal conducts which, driven by hatred and intolerance, restrict dignity and jeopardize this freedom and the development of people under equal conditions and opportunities. The so-called hate crimes attack the foundations of the rule of law and the foundational values of the European Union and, therefore, it is crucial to reinforce the fight against this type of crimes.

Combating discrimination and inequality is a priority for the Ministry of Interior. That is the reason why it is stepping up its efforts to adopt public policies related to hate crimes under the criteria of supranational organizations such as the Office for Democratic Institutions and Human Rights of the OSCE or the Fundamental Rights Agency of the EU.

A proof of our determination is the creation of the National Office to Combat Hate Crimes, under the State Secretariat for Security. Since this Office was established, officers of the Spanish Security Forces work to better identify and record hate crimes, as well as to raise awareness on the treatment and support to the victims.

Hate crimes are specifically defined under the Spanish criminal law, classifying criminal conducts and groups eligible for protection. However, apart from this legal response, in order to move forward in this fight, it is necessary to make these crimes visible. In 2017 the Spanish Security Forces recorded 1,419 incidents classified as “hate crimes”, 11.6% more than 2016. These figures reflect the scourge these crimes represent but, at the same time, the increase in the number of complaints also shows higher trust in the institutions by the citizens when reporting these facts.

In the journey towards the eradication of hate incidents and crimes, it is indispensable to establish constant dialogue and collaboration with associations, organizations and groups with different backgrounds and which could be victimized, such as the LGTBI, religious denominations, associations of people with functional diversity or migrants' organizations, among others. Thus, we are grateful to these organizations for their commitment to share their needs and the problems they face and also to contribute in the search for solutions.

As a result of this joint effort and in order to reconfirm our intention to continue moving forward, the Ministry of Interior has drafted this “Action Plan against Hate Crimes



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



and Incidents”, recently approved by the Executive Committee of Operational Coordination in our ministerial department.

This plan represents a new approach and focuses on the work and response of the Spanish Security Forces in cases of hate crimes and incidents. It encompasses four fundamental pillars: training of the Spanish Security Forces, prevention, assistance to victims and response to this type of crimes. Moreover, specific procedures and digital tools are developed to counter these crimes and hate speech, also in social media.

In addition, this Action Plan sets the foundations to continue a robust collaboration with civil society groups to jointly defend the democratic values that unite us and represents a renewed guide to promote the fight against hate conducts that generate a limitation of fundamental rights and freedoms.

Our goal is to go along this journey taking firm steps. Its final destination is to guarantee the right to dignity of all citizens equally.

Fernando Grande-Marlaska Gómez.
Minister of Interior.

PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



1. INTRODUCTION

Any criminal offence is reprehensible but those driven by hatred due to “real or perceived race, national or ethnic origin, language, colour, religion, sex, age, intellectual or physical disability, sexual orientation or other similar factor” (OSCE, 2003) are particularly censurable. This is so because hate crimes and incidents do not only cause serious consequences on the victims and their family members, but also because they fracture society.

International institutions defending human rights, such as United Nations, with its Committee on the Elimination of Racial Discrimination (CERD), especially since the Durban Declaration and Programme of Action (2001 and 2009), the European Union with the Fundamental Rights Agency (FRA), the Organization for Security and Cooperation in Europe (OSCE) with its Office for Democratic Institutions and Human Rights (ODIHR) and finally, the Council of Europe with its European Commission against Racism and Intolerance (ECRI), whose recommendations on general policy and reports about the different Member States are the basis for the case law of the European Court of Human Rights in that matter, have expressed for years their concern for an effective investigation of the crimes committed due to hate and discrimination, as well as for the assistance of the victims of these crimes.



The evolution of our societies –and the Spanish society in particular- requires a more efficient response to tackle the challenges of existing attitudes and statements against human rights and fundamental freedoms and very specially those conducts which objectively and subjectively represent hatred and discrimination towards a victim because of their connection, relation, affiliation, support or belonging, real or alleged, to a group based on “race”, national or ethnic origin, language, colour, religion, age, physical or mental disability, sexual orientation or other factors.

Article 1 of the Universal Declaration of Human Rights points out that “All human beings are born free and equal in dignity and rights. They are endowed with reason and conscience and should act towards one another in a spirit of brotherhood.” Under this premise, the Spanish Constitution enshrines equality as a high value of the legal system in its Article 1 and as a fundamental right in its Article 14. Besides, its Article 9 establishes that “the public powers are in charge of promoting the conditions so that freedom and equality of the individual and the groups where they integrate are real



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

and effective, remove the obstacles that hinder its fulfilment and facilitate the participation of all the citizens in the political, economic, cultural and social life”.

The Spanish Security Forces, fulfilling their constitutional mandate of protecting the free exercise of rights and freedoms, have those fundamental values as a constant guidance, especially if we take into consideration that the actions that run against equality, such as hate crimes and incidents, and discrimination, jeopardize peaceful coexistence.

The framework of “hate crimes”, as it is well known, does not fall into specific legal categories in our criminal law but it refers to a set of actions that –under a common element, hatred, which at the same time leads to discrimination and aversion- sometimes refers to new typical actions and sometimes they determine the classification of actions already included in the Criminal Code or in administrative regulations.

Due to all these reasons, a specific ***Police Action Plan against Hate Incidents and Crimes*** needs to be implemented, considering the “Action Protocol of the Spanish Security Forces for hate crimes and actions that infringe legal rules on discrimination” as a starting point, since it is a set of homogenous and unified rules or guidelines for Police officers to identify, correctly gather and classify racist, xenophobic or discriminatory incidents and crimes and to determine specific elements to be taken into account in police action.

The implementation of the principle of equal treatment and elimination of all forms of discrimination is an essential strategic element to improve democratic quality, economic growth and sustainable development of the society as a whole.

Therefore, attaining a cohesive and integrated society implies guaranteeing active participation of citizens, recognizing and respecting differences but promoting critical dialogue, the relation and interaction of people from different cultures in order to ensure social cohesion based on the common constitutional principles and the respect and positive assessment of diversity.

For all the reasons mentioned above, this ***Police Action Plan against Hate Incidents and Crimes*** emerges from the constitutional concept of an active State (Article 9.2) which tries to remove the obstacles that hinder the development of people under equal conditions and with equal opportunities by means of their public policies. This means becoming aware of the real possibilities that several sectors of the population have to access or not social, cultural and economic goods, public and private services, the creation of social and cultural relations with the community and the participation in political processes.

The 5th report on “Evolution of incidents regarding hate crimes recorded in 2017 in Spain” will be published this year. The figure of hate crimes recorded by the Spanish Security Forces in 2017 amounts to 1,419 crimes and administrative offences, which



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



means an increase of 11.6% compared to 2016.

[Traducción de la imagen]

| HATE CRIMES | 2016 | 2017 | VARIATION 2017 VS. 2016 |
|--------------------------------|--------------|--------------|----------------------------|
| Antisemitism | 7 | 6 | -14.3% |
| Aporophobia | 10 | 11 | +10% |
| Religious beliefs | 47 | 103 | +119% |
| Functional diversity | 282 | 23 | -91.2% |
| Sexual orientation or identity | 230 | 271 | +17.8% |
| Racism, xenophobia | 416 | 524 | +26% |
| Ideology | 259 | 446 | +72.2% |
| Sex/gender discrimination | 41 | 35 | -14.6% |
| Total | 1,272 | 1,419 | +11.6% |

| DELITOS DE ODIO | 2016 | 2017 | Var. 2017/2016 |
|---------------------------------|--------------|--------------|-------------------|
| ANTISEMITISMO | 7 | 6 | -14,3 % |
| APOROFOBIA | 10 | 11 | +10 % |
| CREENCIAS RELIGIOSAS | 47 | 103 | +119 % |
| DIVERSIDAD FUNCIONAL | 282 | 23 | - 91,2 % |
| OEIENTACIÓN ID. SEXUAL | 230 | 271 | +17,8 % |
| RACISMO XENOFOBIA | 416 | 524 | +26 % |
| IDEOLOGÍA | 259 | 446 | +72,2 % |
| DISCRIMINACIÓN SEXO / GÉNERO | 41 | 35 | - 14,6 % |
| TOTAL | 1.272 | 1.419 | + 11,6 % |

The fields of racism and xenophobia and ideology are the highest but the groups affected are numerous, each with its own characteristics, so the Action Plan must be vigilant to improve assistance to each of them.

PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

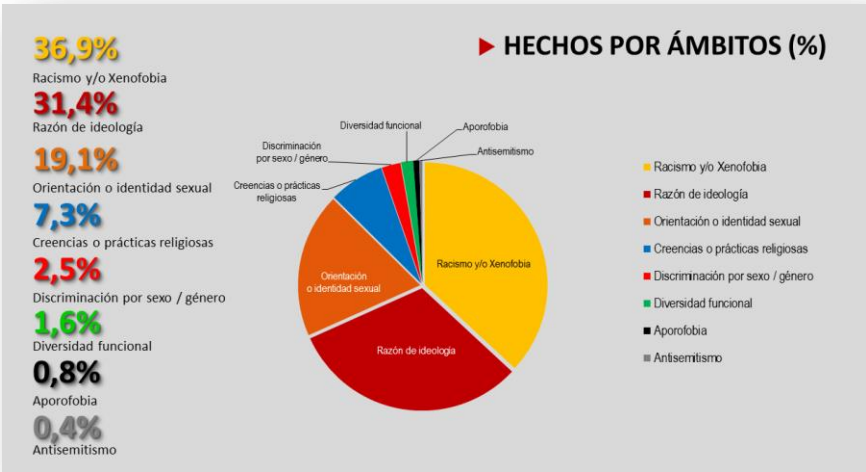


ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



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[Traducción del gráfico]

| | INCIDENTS BY FIELD (%) |
|-----------------------------------------|--------------------------------|
| 36.9% Racism and/or xenophobia | Racism and/or xenophobia |
| 31.4% Ideology | Ideology |
| 19.1% Sexual orientation or identity | Sexual orientation or identity |
| 7.3% Religious beliefs or practices | Religious beliefs or practices |
| 2.5% Sex or gender discrimination | Sex or gender discrimination |
| 1.6% Functional diversity | Functional diversity |
| 0.8% Aporophobia | Aporophobia |
| 0.4% Antisemitism | Antisemitism |

2. BACKGROUND

The concept of “hate crime” is relatively modern and almost all efforts made by international organizations and countries to counter this crime started in this 21st century. The Ministry of Interior has been acting in this field since 2012 developing a series of initiatives that lay the foundations to the current fight against this scourge in Spain.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



Among them, we could highlight the following:

a) Participation in the FIRIR Program

Since 2012, in the framework of the European Project “Progress”, the FIRIR Program (Training for the Identification and Recording of Racist Incidents, for its Spanish acronym) was developed between the State Secretariat for Security and the Spanish Observatory against Racism and Xenophobia (OBER-AXE, for its Spanish acronym). This program was used to implement the training on “hate crimes” for the officers of the Spanish Security Forces.



[Traducción de la imagen]

Handbook to Support the Training of State Security Forces for the Identification and Recording of Racist or Xenophobic Incidents

b) Handbook to Support Spanish Security Forces to identify and Record Racist and Xenophobic Incidents and modifications in the Crime Statistics System

In 2013 the Handbook to Support State Security Forces to Identify and Record Racist and Xenophobic Incidents was issued under the coordination of the General Secretariat of Immigration and Emigration and the State Secretariat for Security, under the Ministry of Interior. The goal of this Handbook was to be used as a support for the Spanish Security Forces in identifying and recording racist or xenophobic incidents. In order to register these “hate crimes”, the Crime Statistics System had to be modified and, consequently, the rules for recording data about crimes to be followed by the officers also had to be changed.

c) First report on incidents related to “hate crimes” in Spain

In 2014, a Report on incidents related to “hate crimes” in Spain was published for the first time, with data about 2013, following the recommendations of the JHA Council (December 2013), providing the number of incidents related to discriminatory actions reported by the citizens and recorded by Police authorities. After this report, two more were published year after year and it can be attested that the recording of data as well as the quality of data are increasing considerably, mainly due to the training, sensitiza-



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

tion and awareness raising of the Police officers and the gathering of specific and defined data about the underlying reasons for those incidents that led to the police report. Not surprisingly, the European Agency of Fundamental Rights has expressed that Spain is in the last few years one of the five countries with better data recording practices for these crimes.

This report is published yearly, with the data recorded from the previous year, on the website of the Ministry of Interior, available to any interested person.

d) Approval of the “Action Protocol for Spanish Security Forces for “hate crimes” and actions that infringe the legal rules on Discrimination”

In 2014, the Instruction 16/2014 of the State Secretariat for Security was adopted. In this Instruction, the “Action Protocol for Spanish Security Forces for “hate crimes” and actions that infringe the legal rules on Discrimination” was approved. One year later, this Instruction was modified year by the Instruction 16/2015, due to several legal reforms.

This Protocol has been explicitly mentioned in the set of best practices of the European Union regarding how to counter hate crimes. This set was published by the Fundamental Rights Agency (FRA) of the European Union and it covers measures and actions developed by EU Member States to fight against “hate crimes”.

Since this protocol introduces a comprehensive revision of police action in all its stages when this type of crime is committed, adapting the content of the first police report in order to guarantee that all signs to determine the reason and nature of the facts are properly explained for subsequent judicial proceedings. This means that since the beginning, they establish what can be assessed as a hate crime. A fundamental goal is sensitive and professional treatment to the victims, guaranteeing their right to protection, information, support, assistance and active participation without any kind of discrimination.

e) Specific section about “hate crimes” on the website of the Ministry of Interior

Since 2014, a specific section about “hate crimes” has been developed on the website of the Ministry of Interior, mainly with the purpose of supporting the victims of these crimes, as well as their families and acquaintances. This website includes basic information about what is hate crime, why it has to be reported and tips to follow in case of an incident, as well as other interesting links. The website also includes a set of documents encompassing simple and brief information for victims of “hate crimes” and the society as a whole, contributing to raising awareness and to collective sensitization about how to identify and, where appropriate, to report these crimes to the State Se-



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



curity Forces. Likewise, the Action Protocol mentioned above can also be downloaded.

[Traducción de la imagen]

Hate crimes

In view of the important task of providing the proper Police support and protection to the victims or witnesses of hate crimes due to racism, antisemitism or other ideological reasons, religion or beliefs, sexual orientation, illness or disability or other discriminatory facts, it is of utmost importance to offer the necessary information to those involved to react in case of such incidents. Therefore, it is essential to clarify the following questions:

- What are hate crimes according to Spanish legislation?
- How, to what institutions and why should a victim of a hate crime or a person knowing about a hate crime report?
- What measures could a victim or a witness of a hate crime adopt?

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Servicios al ciudadano » Delitos de odio

Servicios al CIUDADANO

Delitos de odio

Ante la importante tarea de facilitar una adecuada asistencia policial y protección a las víctimas o testigos de delitos de odio por motivos racistas, antisemitas u otros referentes e ideología, religión o creencias, orientación sexual, enfermedad o discapacidad y otros hechos discriminatorios, se antepone la exigencia de ofrecer, a las personas implicadas, aquella información que sea precisa para actuar ante un incidente de esta índole. Por tanto, resulta ineludible precisar diferentes cuestiones como:

- ¿Qué son los delitos de odio según la legislación española?
- ¿Cómo, ante qué instituciones y por qué se debería denunciar un delito de odio por una víctima u otra persona que tiene conocimiento de un delito de odio?
- ¿Qué medidas podría adoptar una víctima o un testigo de un delito de odio?

ATENCIÓN A VÍCTIMAS

OFICINA NACIONAL DE LUCHA CONTRA LOS DELITOS DE ODIOS

SECRETARÍA DE ESTADO DE SEGURIDAD | MINISTERIO DEL INTERIOR

Qué es un delito de odio
Denunciar un delito de odio
Prevenciones ante delitos de odio
Estadísticas
Enlaces de interés

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Atención a personas con DISCAPACIDAD AUDITIVA

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ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

f) Implementation of the “Survey on experiences with incidents related to hate crimes”

With the purpose of countering this type of crime and improving the treatment to victims, since the 15th of March until the 31st of December 2017, the “Survey on experiences with incidents related to hate crimes” was implemented. It could be filled in by any person who felt as victim of a hate crime with the possibility of accessing the “easy reading mode” for people with intellectual functional diversity. The fundamental aim of the survey was to record situations and cases that are not reported either because of lack of trust or because the person does not want to reveal a situation that affects them and their environment directly. This shall not prevent the eradication of the problem and find a solution to the situation of the person involved and, in such a way, improve Police action. This survey is planned to be implanted twice a year.



[Traducción de la imagen]

SURVEY ON EXPERIENCES WITH INCIDENTS RELATED TO HATE CRIMES

g) Creation of the National Office to combat Hate Crimes

Another important step was the creation of the National Office to combat Hate Crimes, whose members are the Spanish Security Forces. It was created under the Instruction 1/2018 of the State Secretariat for Security, as a unit under the Director of the Coordination and Studies Cabinet, advising the State Secretariat for Security in matters related to “hate crimes” and providing strategic and technical information to adopt public policies in this regard.

To meet the requirements set by the Instruction, the National Office to combat Hate Crimes keeps direct contact at central level with the representatives of each Police Corps to implement and execute the right communication mechanisms. It also has contacts for communication and collaboration with non-governmental organizations representing the victims of “hate crimes” and vulnerable groups, and other national and international public and private institutions involved, with the aim of creating an information network to improve knowledge about the situation of “hate crimes”.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



3. FRAMEWORK OF THE ACTION PLAN

The Government considers it is necessary to use a new approach and to promote the fight against hate incidents and crimes, establishing strategic guidelines for the set of actions that the Spanish Security Forces shall implement with a specific Action Plan.

The goal of this Action Plan is preventing hate incidents and crimes and mitigating or reducing the harm caused to the victims, improving the response by the State Security Forces and increasing the trust of vulnerable groups have in them.

Therefore, this Action Plan is orchestrated at the State Secretariat for Security. The **National Office to combat Hate Crimes**, under the Coordination and Studies Cabinet, is in charge of promoting, coordinating and supervising it.

It mainly targets the Spanish Security Forces and the measures foreseen are compulsory for the bodies of the State Secretariat for Security related to this matter.



Nevertheless, in the framework of the agreements reached at regional and local level, the participation of the different Police Corps will be fostered.

Likewise, the measures of this Plan pay special attention to the participation of the organizations representing vulnerable groups, since without them, the Plan loses its practical value to a great extent.

The Action plan is divided in four **Action Lines**, three **Objectives**, 47 proposed **Measures** and also the drafting of three new documents and the review of one more, as well as the bimonthly edition of a newsletter about this topic.

Its implementation will be immediate, once approved by the Instruction of the State Secretariat for Security, and the validity period is until the end of 2020.

The follow-up and supervision of the Plan is crucial in order to evaluate its scope and effectiveness. With the information gathered, the National Office to combat Hate Crimes will publish an annual report during the first quarter of the year to present the results of the Plan to the Minister of the Interior and to redraft, if necessary, a new Action Plan.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



4. ACTION LINES, OBJECTIVES AND MEASURES IN THE ACTION PLAN

This Action Plan has four main pillars or action lines that will lead us to the desired goal: a firm and rigorous response in case of hate incidents or crimes, increasing prevention and investigation capabilities and improving assistance to victims, thanks to better trained and prepared Security Forces to tackle hate conducts.

The Action lines, determined by the objectives to be achieved through a series of measures, are the following:

- **Training of the Spanish Security Forces**
- **Prevention of hate incidents and crimes**
- **Assistance to victims**
- **Efficient and rigorous response to this type of incidents and crimes**



[Traducción de la imagen]

Action lines

Training of the Spanish Security Forces

Assistance to victims

Prevention of hate incidents and crimes

Response to this type of crimes

ACTION LINE: TRAINING OF THE SPANISH SECURITY FORCES



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



TRAINING THE SPANISH SECURITY FORCES

[OBJECTIVE 1]

Attaining comprehensive training of the members of the Spanish Security Forces on human rights and "hate crimes"

1. MEASURES:

1.1. Including specific content regarding the protection of human rights and rejection of "hate crimes" in the curriculum of both Security Forces in the academies as well as in the internal promotion programs and online courses for non-specialized personnel. Special attention will be paid to the treatment of the victims when the complaint is filed and in any other contact the Police officer may have with the victim. Implementation: academic year 2019-2020.

1.2. Implementing continuous training courses specialized in the subject on a yearly basis with enough content so that the course can be taken into consideration for new positions, internal promotions, etc. Promoting this training among officers responsible for receiving the complaints and for citizen security tasks. Implementation: academic year 2019-2020.

1.3. Promoting training activities such as seminars, round tables, meetings, etc. that allow the participation of NGOs and other stakeholders such as the Prosecutor's Office or social media, at central level as well as at territorial level. In order to arrange the training, the organizations representing the victims will be contacted and the courses will be run by experts from these organizations so they can contribute with their knowledge, as well as with victims who can give their testimony. Implementation: first quarter 2019.

1.4. Issuing educational material adapted to children and young people to be used by the officers in charge of giving talks under the Master Plan for Peaceful Coexistence and Improving Safety at Educational Centres and their Surroundings. Implementation: first quarter 2020.

[OBJECTIVE 2]

Developing standardized training at the level of international organizations where Spain is a member.

2. MEASURES:

2.1. Promoting an agreement with OSCE-ODHIR to implement the TAHCLE program. This will ensure the training criteria are standardized and the "hate crimes" are treated equally by the Spanish Security Forces in comparison to other neighbouring European countries. Implementation: second quarter 2019.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



2.2. Promoting seminars about hate crimes and hate speech in the European Police Academy CEPOL with the purpose of boosting this type of training and exchanging best practices with other European Police forces. Implementation: third quarter 2019.

2.3. Participate in training programs and exchanging best practices among the members of the European Fundamental Rights Agency (FRA) after Spain was appointed country of reference in this matter. Implementation: first quarter 2019.

[OBJECTIVE 3]

Fostering the exchange of knowledge among the different law enforcement agencies and the organizations of this sector

3. MEASURES:

3.1. Exchanging best practices among the members of the National Office to Combat Hate Crimes with their peer units in the neighbouring countries to directly observe their work in this field and unify some of the practices when the law allows. Implementation: first quarter 2019.

3.2. Conducting at least one annual seminar (international if possible) specially targeting the social partners in both Security Corps and with the participation of the Prosecutor's Office, the judiciary, representatives of vulnerable groups, members of international organizations safeguarding human rights, etc. Implementation: first quarter 2019.

3.3. Participating in initiatives regarding traceability of complaints about "hate crimes" in collaboration with other organizations involved such as universities, OBERAXE, Prosecutor's Office, General Council of the Judiciary and the Legal Studies Centre. Implementation: first quarter 2020.

3.4. Creating a study group about hate crimes under an international network where members of the different departments of the administration participate together with social organizations involved. This group would also have the task to develop a narrative about mutual understanding to counteract the effect of hatred and how it is experienced. Implementation: second quarter 2019.

ACTION LINE: PREVENTION OF "HATE CRIMES"

[OBJECTIVE 4]



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



Awareness rising about this type of crimes among society

4. MEASURES:

4.1. Improving the collection and treatment of statistical data about “hate crimes” as established in the European recommendations of the FRA. A complaint model for “hate crimes” will be proposed in order to facilitate the work of the Police officer. Implementation: second quarter 2019.

4.2. Publishing a report on “hate crimes” on a yearly basis with the largest degree of publicity possible. The matters researched will be extended to include anti-gypsism as a specific field of racism, as it was done by the Fundamental Rights Agency of the EU (FRA). Implementation: first quarter 2020.

4.3. Collaborating with public and private institutions, associations, civil society organizations, etc. in projects about “hate crimes” or online hate speech whose aim is to make the society aware of this matter, promoting respect for human rights and rejecting hostility and violence against any social group. A special effort will be made in raising awareness and disseminating this information in the rural areas. Implementation: first quarter 2019.

4.4. Improving awareness in social media regarding this problem by means of activities targeting them where the victims would have a voice. Providing accurate, relevant and clear information about hate crimes to social media, so they can convey it to society. Implementation: fourth quarter 2019.

4.5. Including specific seminars to avoid any type of bullying that may lead to a hate crime in the Master Plan for Peaceful Coexistence and Improving Safety at Educational Centres and their Surroundings. Presenting the risks associated to discrimination and hatred and explaining how to identify and tackle them in meetings with the school management and parent’s associations. Implementation: first quarter 2020.

4.6. Promoting educational material (handbooks, brochures, audio-visual content) for teachers and school managers regarding hate crimes in collaboration with the Education authorities. Implementation: first quarter 2020.

4.7. Social media campaign in the accounts of the Ministry, Civil Guard and National Police to sensitize the society about this problem. These campaigns will be reinforced on certain dates (International Day for the Elimination of Racial Discrimination...) or in case of serious events (attacks, homophobic campaigns, etc.) Implementation: first quarter 2019.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

[OBJECTIVE 5]

Counteract hate speech in social media

5. MEASURES:

5.1. Using new technologies for the research of hate speech in social media, collaborating in university research and development programs on analytic software of DATA SCIENCE which could be applied to the work carried out by the Police. By doing so, reports will be drafted allowing to identify patterns or trends in “hate crimes”, so they can be analysed and studied by Police Forces to offer objective field information. Implementation: first quarter 2019.

5.2. Promoting collaboration with universities for the development of study and scientific research programs to better understand this phenomenon and to issue the proper counternarrative. Implementation: first quarter 2019.

5.3. Conducting an annual specialized seminar about hate speech with the participation of the Spanish Security Forces, the Prosecutor’s Office, social media operators and non-governmental organizations where measures to reduce the impact of hate speech would be analysed. Implementation: first quarter 2021.

5.4. Preparing contents to counteract hate speech to provide them to victims and experts. Implementation: fourth quarter 2020.

5.5. Implementing an area on the website of the Office to Combat Hate Crimes to facilitate the availability of contents regarding hate speech. Implementation: fourth quarter 2020.

5.6. Appointing the National Office to Combat Hate Speech as “trusted flagger” for Internet service providers to facilitate the withdrawal of contents including hate speech in coordination with the National Security Forces so there is no interference with on-going judicial investigations. Implementation: second quarter 2019.

[OBJECTIVE 6]

Identifying spaces and situations where vulnerable groups are specially insecure or at risk

6. MEASURES:

6.1. Launching a survey about insecurity for victims of “hate crimes”. Implementation: third quarter 2019.

6.2. Analysing and evaluating the reports by the different “hate crimes” Observatories issued by non-governmental organizations. Proposing to include information to identify risk spaces in their surveys. Implementation: third quarter 2019.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



6.3. Fostering cooperation with priority witnesses (private security agents, doormen of clubs, taxi drivers, etc.) who may provide relevant data and information about the spaces, situations and time bands where certain groups may be especially insecure or at risk. Implementation: third quarter 2019.

6.4. Exchange of best practices with social groups specialized in this matter. Implementation: first quarter 2019.

ACTION LINE: ASSISTANCE TO VICTIMS

[OBJECTIVE 7]

Promoting first-line support and advisory services for victims of hate crimes

7. MEASURES:

7.1. Establishing a permanent agenda of meetings with different associations and civil society organizations that will generate a better understanding of the situation of “hate crimes”. Implementation: first quarter 2019.

7.2. Drafting a guide of good practices developed by the different groups to prevent “hate crimes”. Implementation: first quarter 2021.

7.3. Following the line of the “Guide for Police intervention with people with intellectual disabilities”, drafted by the Ministry of the Interior in 2017, a “Guide for action with “hate crime” victims with disabilities” will be drafted in coordination with the different organizations representing this group. This guide will include information about the “facilitator”. Implementation: fourth quarter 2020.

7.4. Informing the Offices for Assistance to Victims of the specific characteristics of “hate crimes” and the actions that the Spanish Security Forces carry out. Fostering the psychological care of these victims. Implementation: third quarter 2020.

[OBJECTIVE 8]

Facilitating and improving the response to the victim when the crime is committed

8. MEASURES:

8.1. Including a specific button for “hate crimes” in the ALERTCOPS app, so the victims can receive counselling about this problem. Implementation: third quarter 2020.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

8.2. Preparing the proper material for people with intellectual disabilities so they can receive accessible and understandable information when they file the complaint. Implementation: third quarter 2020.

ACTION LINE: POLICE RESPONSE TO THESE CRIMES

[OBJECTIVE 9]

Improvement and systematic dissemination of the “Action Protocol of the Spanish Security Forces for hate crimes and actions that infringe legal rules on discrimination”

9. MEASURES:

9.1. Reviewing the Protocol to update it and introduce new contents considered necessary. Implementation: fourth quarter 2019.

9.2. Distributing the study about judicial sentences conducted in the Framework of the Framework Agreement of Collaboration and Cooperation against Racism and Xenophobia among the Spanish Security Forces. Implementation: third quarter 2019.

9.3. Disseminating case law that may come up in this matter among the Spanish Security Forces. To do so, a permanent contact point will be established between the National Office to Combat Hate crimes and the specialized unit of the Prosecutor’s Office. Implementation: first quarter 2019.

9.4. Establishing a procedure for risk analysis that may enable the Police officer to identify a potential case of “hate crime” even if there is no complaint filed. Implementation: first quarter 2021.

[OBJECTIVE 10]

Promoting the investigation of “hate crimes” by the Spanish Security Forces, specifically online hate speech

10. MEASURES:

10.1. Creating a shared database with symbology used by radical groups (homophobic, racist, antisemitic, against Muslims, etc.). Implementation: fourth quarter 2019.

10.2. Adoption of technological initiatives that enable discovery and treatment thanks to analytic tools. Implementation: second quarter 2019.

10.3. Quantifying the “hate crime” incidents identified. The information identified by the different social groups and reported to the National Office to Combat Hate Crimes



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



as well as those recorded by Police Forces will be centralized at the National Office. Implementation: first quarter 2021.

10.4. Collecting information about complaints against the Spanish Security Forces about how they treat victims of alleged “hate crimes”. Common work will be conducted by the Inspection of Security Services, under this State Secretariat, in order to implement a new code where any potential complaint in this field can be expressly recorded. Implementation: second quarter 2019.

[OBJECTIVE 11]

Increasing coordination between social partners and Spanish Security Forces

11. MEASURES:

11.1. Creating a technical working group for “hate crimes” that will meet at least once every half year, coordinated by the National Office to Combat Hate Crimes, where the central social partners of both Corps will be present. Implementation: second quarter 2019.

11.2. Collecting police reports about “hate crimes” and discrimination that may be relevant due to its media impact and the seriousness of the crime and tackling any existing problem regarding “hate crimes”. Implementation: second quarter 2019.

11.3. Disseminating news and information about incidents related to “hate crimes” among social partners to get a better understanding of the problem. A bimonthly newsletter will be issued with all this information. Implementation: second quarter 2019.

[OBJECTIVE 12]

Promoting the involvement of local Police forces in the identification and first response to these incidents

12. MEASURES:

12.1. Signing up a framework collaboration and cooperation agreement between the Ministry of Interior and the Spanish Federation of Municipalities and Provinces regarding “hate crimes”. Implementation: third quarter 2020.

12.2. Developing a national specialized seminar for the training of local Police forces. Implementation: second quarter 2020.

12.3. Establishing contacts between social partners and local Police forces to develop



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

the Agreement. Implementation: third quarter 2019.

[OBJECTIVE 13]

Fostering and improving the reporting of these facts

13. MEASURES:

13.1. Drafting a guide to best practices on reporting “hate crimes” where information about guidelines provided by the specialized unit of the Prosecutor’s Office, related case law, etc. will be gathered. Implementation: second quarter 2020.

13.2. Promoting the participation of specialized lawyers in the support to victims. Increasing mutual understanding between social partners and Spanish Security Forces and these lawyers. Implementation: first quarter 2019.

13.3. Increasing the contact with organizations representing people with disabilities to promote the reporting of these facts committed against them. Implementation: first quarter 2019.

13.4. Encourage organizations representing vulnerable groups to report to the National Office to Combat Hate Crimes about incidents they may be aware of in order to follow up the potential reporting and, if no complaint is filed, to inform specialized teams. For this purpose, a common model, dully anonymized, will be agreed so the gathering of data is correct and standardized. Implementation: second quarter 2019.

13.5. Promoting training for people with intellectual disabilities and their families about what is a “hate crime” and how to report it by means of collaboration agreements with organizations representing them. Implementation: second quarter 2019.

13.6. Create a map of services for the assistance to victims that includes information, legal aid, protection of victims or psychosocial support services. Implementation: fourth quarter 2020.



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

[Traducción de la imagen]

Don't allow it! If you are a victim or see or hear signs of a "hate crime", report!
091/062

ZERO tolerance to hate crimes



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



5. COORDINATION OF THE PLAN AND MONITORING COMMITTEE

The **National Office to Combat Hate Crimes**, under the Coordination and Studies Cabinet (State Secretariat for Security) is responsible for promoting, coordinating and monitoring the Plan.

The General Managers of National Police and Civil Guard will appoint a National Coordinator of the Plan (and one more for each autonomous region and Ceuta and Melilla) with sufficient capacity to promote the measures included in the Plan. The national Coordinators, who will participate in the Monitoring Committee explained below, will be in charge of the follow up of the indicators of the Plan and of preparing and sending the corresponding reports.

There will be a **Monitoring Committee** for this Action Plan, chaired by the Manager of the Coordination and Studies Cabinet, and comprised of staff working in the National Office to Combat Hate Crimes, the National Coordinators of the Plan for Civil Guard and National Police and representatives of those associations reflecting each field in "hate crimes". The unit of the Prosecutor's Office for protection of equality and against discrimination will be invited to this Monitoring Committee.

The Monitoring Committee will meet once every six months to assess the scope of compliance of the Plan according to the indicators set in point 6. After three months of the entry into force of the Plan, the Monitoring Committee will draft and send a report with the evaluation of its implementation.

The Monitoring Committee will issue its reports to the State Secretariat for Security for the follow up and evaluation of the Plan.

[Traducción de la imagen]

Monitoring Committee

Reports

Evaluation

New Plan



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



6. CHART OF INDICATORS AND REPORTS

With the aim of properly monitoring the compliance of the Plan, the following chart of indications is established:

| PERIOD | OBJECTIVE NUM. | MEASURE | COMPLIANCE DEGREE | REMARKS |
|---------|----------------|---------|-------------------|---------|
| Q1 2019 | 1. | 1.3. | | |
| Q1 2019 | 2. | 2.3. | | |
| Q1 2019 | 3. | 3.1. | | |
| Q1 2019 | 3. | 3.2. | | |
| Q1 2019 | 4. | 4.3. | | |
| Q1 2019 | 4. | 4.7. | | |
| Q1 2019 | 5. | 5.1. | | |
| Q1 2019 | 5. | 5.2. | | |
| Q3 2019 | 6. | 6.3. | | |
| Q1 2019 | 6. | 6.4. | | |
| Q1 2019 | 7. | 7.1. | | |
| Q1 2019 | 9. | 9.3. | | |
| Q2 2019 | 10. | 10.2. | | |
| Q1 2019 | 13. | 13.2. | | |
| Q1 2019 | 13. | 13.3. | | |
| Q2 2019 | 2. | 2.1. | | |
| Q2 2019 | 3. | 3.4. | | |
| Q2 2019 | 4. | 4.1. | | |
| Q2 2019 | 5. | 5.6. | | |
| Q2 2019 | 11. | 11.1. | | |
| Q2 2019 | 11. | 11.2. | | |
| Q2 2019 | 11. | 11.3. | | |
| Q2 2019 | 13. | 13.4. | | |
| Q2 2019 | 13. | 13.5. | | |
| Q3 2019 | 6. | 6.1. | | |
| Q3 2019 | 6. | 6.2. | | |
| Q3 2019 | 9. | 9.2. | | |
| Q3 2019 | 12. | 12.3. | | |
| Q3 2019 | 2. | 2.2. | | |
| Q4 2019 | 4. | 4.4. | | |
| Q4 2019 | 9. | 9.1. | | |
| Q4 2019 | 10. | 10.1. | | |
| Q4 2020 | 13. | 13.6. | | |
| Q1 2020 | 1. | 1.4. | | |
| Q1 2020 | 3. | 3.3. | | |
| Q1 2020 | 1. | 1.2. | | |
| Q1 2020 | 4. | 4.2. | | |
| Q1 2020 | 4. | 4.5. | | |
| Q1 2020 | 4. | 4.6. | | |
| Q2 2020 | 12. | 12.2. | | |



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



| | | | | |
|---------|-----|-------|--|--|
| Q2 2020 | 13. | 13.1. | | |
| Q3 2020 | 7. | 7.4. | | |
| Q3 2020 | 8. | 8.1. | | |
| Q3 2020 | 8. | 8.2. | | |
| Q3 2020 | 12. | 12.1. | | |
| Q4 2020 | 5. | 5.4. | | |
| Q4 2020 | 5. | 5.5. | | |
| Q4 2020 | 7. | 7.3. | | |
| Q4 2020 | 1. | 1.1. | | |
| Q1 2021 | 5. | 5.3. | | |
| Q1 2021 | 7. | 7.2. | | |
| Q1 2021 | 9. | 9.4. | | |
| Q1 2021 | 10. | 10.3. | | |
| Q2 2019 | 10. | 10.4 | | |

The General Directorates of the Police and the Civil Guard will issue a semi-annual report to the Coordination and Studies Cabinet informing about the actions developed by each Corps in their respective territories.

The report will also include statistical data about the activities developed in each period analyzed in the format agreed by the Coordination and Studies Cabinet, as well as the main conclusions drawn from the analysis and comparison of data, a general evaluation, relevant circumstances and problems identified, proposals for improvement and any other complementary information that is considered of interest regarding the following issues:

- Information regarding incidents and criminal offences and regarding the victims in the field of hate crimes, as well as information provided to the National Police or Civil Guard or local Police forces about actions carried out in their respective territories in the framework of the collaboration established.
- Training activities conducted, their type, duration and certification, as well as the number of Police officers who participated in them.
- Training curriculum implemented in the different study plans regarding new access, promotion to different levels, specific training modules and specialized modules about the actions to be conducted in case of hate incidents and crimes, training, specialization and capacity-building courses for Spanish Security Forces and their content.
- Statistical data relating to the victims of hate crimes assisted and relating to those referred to the Offices for Assistance to Victims of Crimes under the Ministry of Justice.

With this information, the National Office to Combat Hate Crimes will draft the corre-



ACTION PLAN TO COMBAT HATE CRIMES

[SPANISH SECURITY FORCES]



sponding semi-annual and annual reports.

7. FINANCIAL ENVELOPE TO DEVELOP THE PLAN DURING 2019.

The economic resources associated to the implementation of the Plan and the development of the measures covered in each Action Line for 2019 amount to **472,500 Euros**, distributed as follows:

- **Human resources** at the National Office and central bodies: 179,000 Euros.
- Actions regarding **Training the Spanish Security Forces**: 95,000 Euros.
- **Actions regarding Prevention of hate incidents and crimes**: 111,500 Euros.
- **Actions regarding Assistance to victims**: 27,500 Euros.
- **Actions** to improve an **efficient** and rigorous **response** to this type of incidents and crimes: 59,500 Euros.

14th of January, 2019

PLAN DE ACCIÓN DE LUCHA CONTRA LOS DELITOS DE ODIO

