BASIC GUIDE

on the protection of rights and empowerment against discrimination and hate crime



Cofinanciado por la Unión Europea

GOBIERNO DE ESPAÑA
MINISTERIO DE INCLUSIÓN, SEGURIDAD SOCIAL Y MIGRACIONES
SECRETARÍA DE ESTADO DE MIGRACIONES
DIRECCIÓN GENERAL DE GESTIÓN MIGRATORIA

Fondos Europeos

YMCA



Basic guide on the protection of rights and empowerment against discrimination and hate crime

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What was this Guide designed for?

This Guide is part of the PRODEM programme (*Protection and Rights of Migrants against Xenophobic and Racist Hate Crimes*).

Its main aim is to inform migrants in Spain about their rights and to offer free legal, social, and psychological support when facing situations of discrimination or hate.

We know that living in a new country can present many challenges, and that discrimination or acts of hatred generate fear, confusion, and loneliness. That is why we created this Guide: so that you know what you can do, where to go, and how to look after yourself if you ever experience a situation like this or if it happens to someone close to you.

At YMCA we have a specialised professional team to support you:

- Legal: to advise you and support you if you decide to file a complaint.
- Psychological: to help you understand and manage the emotions these experiences may cause.
- Social: to guide you towards resources, services, and support available in your area.



If you, a family member, or someone close to you have/has been a victim of discrimination or a hate crime:

- We help you to understand what has happened.
- We explain, in simple terms, the rights that protect you.
- We offer you step-by-step support if you decide to file a complaint so that you never feel alone.

And if you have not yet experienced such a situation but you want to be prepared, to know your rights, and to know how to act, you can also count on us.

All our services are free and confidential. Your wellbeing and protection are the most important thing

PART I.

Your rights in cases of discrimination and hate crime

Have you experienced any of the following because you are a migrant...?

- Being insulted, assaulted, or threatened.
- Being denied medical care or treated differently in a health centre.
- Having worse working conditions than others.
- Being treated unequally in restaurants, shops, or on public transport.
- Being treated unfairly or discriminatorily by the authorities.



What is discrimination?

Discrimination is when you are treated worse because of your **origin, skin colour, language, religion, nationality, gender, or other characteristics**.

Examples:

- Even though you meet the requirements, you are not hired because you are a migrant.
- You are refused entry to a bar or restaurant without reason.
- You are told a flat “is already taken” after they hear your accent.
- You are denied medical attention despite having the right to it.

When does it become a hate crime?

When discrimination is **severe**:

- Insults, threats, or physical assaults.
- Damage to your home, car, or business.
- Systematic rejection by companies, establishments, or public services.
- Online hate messages (cyber hate).

Where can it happen?

It can occur in any area of life, but especially the following ones:

Work

- You are not hired even though you meet the requirements.
- You are paid less than others for the same work.
- You are dismissed without a clear reason.

What you can do:

- If it comes from a colleague: report it to your superior.
- If it comes from your superior: report it to their superior or to Human Resources.
- You can also seek advice about your rights from NGOs that offer free legal support.
- You can file a complaint with:
  - The Labour Inspectorate (in person or online).
  - Trade unions.
  - Labour Courts (for discrimination or dismissal).
  - The police or other authorities (if discrimination is serious).

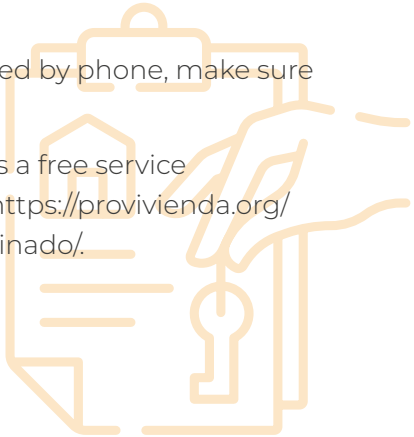


Housing

- You call about a rental advert and, after they hear your accent, you are told the flat is already taken...
- You are asked about your nationality when you enquire about a flat...
- You visit a flat and, after they see you are from another background, they say it is already taken or demand stricter financial conditions...

What you can do:

- Ask for a claim form, if it is a real estate agency.
- Write to the People's Advocate
- "*Fair Housing Testing*": if you suspect you were rejected because of your origin, ask someone you trust, ideally a Spanish and white person, with a neutral accent and in a similar financial situation, to contact the same owner or real estate agency. If they are offered the flat while you were not, you can report this to the police:
  - If communication is established in writing, taking screenshots will be enough.
  - If communication is established by phone, make sure you record the calls.
- The Provivienda association offers a free service against housing discrimination: https://provivienda.org/nodiscriminacion/te-han-discriminado/.



In Spain, it is legal to record conversations in which you are a participant and these recordings can be used as evidence in a complaint.

Healthcare

Did you know that healthcare in Spain is universal and public, even for those without residence permits?

Even if you do not have a health card or if you are undocumented, you can access public healthcare if:

- You have a medical emergency.
- You suffer from a serious or contagious illness.
- You are a pregnant woman, have just given birth, or are under 18.
- You are a victim of gender-based violence or trafficking.

You are also entitled to be issued or to have your health card renewed if you are applying for International Protection and you are in one of the following situations:

- You have not yet had your asylum interview but you have expressed your willingness to have it.
- Your request has been denied and you have submitted an appeal.



What you can do if access is denied

- Ask to speak to a superior of the person refusing the service.
- If your local health centre continues to deny you healthcare, contact an NGO such as YMCA.
- Report the situation to the health authority of your autonomous community.



What to do step by step

1. At the time of the incident

If you are attacked or threatened in the street, in a doorway, in a shop, etc., call for help **immediately** so that someone can come to the scene.

If responders arrive quickly, they may be able to arrest the attacker or take the details of witnesses that will help in the investigation.

- Police: **091**
- Emergencies: **112**
- Ambulance: **061**
- Do not confront the aggressor if it puts you at risk.

2. If there is physical assault

If you have been physically assaulted, it is essential that you go to a hospital or health centre.

- Go straight to a health centre or hospital.
- Clearly say: “I am a victim of a hate crime”.
- Ask for a copy of the medical report.

3. Report what happened

You can report it immediately after the incident or when you feel ready, but do not leave it too long. You may be accompanied by a trusted person for support.

Where can you file a complaint?

- At a National Police or Civil Guard station.
- At the duty court (check locations online).

What should be included in the complaint?

- Your personal details.
- A detailed description of what happened, when, where, and how.
- If you were insulted with reference to your origin, skin colour, religion, or nationality.
- If it happened in a place often frequented by members of your community.
- If the aggressors showed racist symbols.
- Witness names and contact details, if there were any.
- In the case of cybercrime, screenshots showing threats, insults, or humiliation comments...

Useful evidence

- Medical or psychological reports.
- Photos or videos of injuries, damage, or aggressors.
- Audio recordings (if you were part of the conversation, these are legal).
- Screenshots of messages or online posts.
- Witness details.



Your rights when filing a complaint

- The right to be provided with a copy of your complaint and clear information about your case.
- The right to a free interpreter.
- The right to a free public defender, if you have no means.
- The right to protection from your aggressor and to respect for your privacy.

Important

- **Even if you are undocumented,** you can still file a complaint.
- The police **cannot deport you** for reporting a hate crime.
- Reporting allows you access to protection, legal support, and medical assistance.

Where to get help

- **PRODEM programme – YMCA**: free legal and psychological support. prevencion@ymca.es
- **People's Advocate**: +34 900 101 025
- **Council for the Elimination of Racial Discrimination**: 021 (free and multilingual line).
- **Provivienda**: support in cases of housing discrimination.
- NGOs: **Red Cross, CEAR, Accem** offer support.

Filing a complaint protects your rights and helps stop racism and xenophobia. You are not alone.

PART II.

How to look after yourself in the face of hate and discrimination

Living in a new country can be difficult, especially if you face discrimination or acts of hatred. These experiences affect your emotions and daily life. That is why it is so important to look after yourself, your health, and your wellbeing.

Here are some practical tips:



1. Nurture and strengthen your cultural identity

Your culture is part of who you are and can give you strength.

- Remember what makes you unique: your customs, stories, words, or symbols.
- Share your traditions and memories with others.
- Notice how you feel when you express pride in who you are.

Remember: You do not need to hide your accent, your clothes, or your customs to be accepted.



2. Identify and understand your emotions in the face of hate

It is normal to feel fear, sadness, or anger when you are discriminated against. Each emotion has a purpose:

- Fear protects you.
- Anger helps you set boundaries.
- Sadness allows you to heal.

Remember: Do not repress your emotions. Ask yourself "What am I feeling? Where do I feel it in my body? What do I need right now?".

3. Use strategies to regain control

When you go through difficult moments, having calming tools will help you feel better.

- Try the 5-4-3-2-1 technique to calm anxiety: identify 5 things you can see, 4 things you can hear, 3 things you can touch, etc.
- Replace negative thoughts with more realistic and kind ones.

Write in a diary or draft a letter you will not send. This can help you feel better and release tension.

4. Connect with your community and seek support

Being around others and joining community activities can help you feel better and stronger.

What you can do:

- Join *group activities* where you can *meet people* and feel *part* of something.
- Find out about resources and support available in your area or city.
- Look for migrant or racialised groups that share your interests and g*oals*.

Remember: You do not have to put yourself out there if you do not want to. You can choose when and how to take part. Being part of a community helps you feel that you are not alone and that your story matters.



5. Seek individual psychological support

Psychological support can help you understand your feelings, heal emotional wounds, and learn how to look after yourself.

What you can do:

- Talk to *a professional who will listen and help you* understand how discrimination or exclusion is affecting you.
- Learn *techniques to manage anxiety, fear, sadness, or sleep difficulties*.
- Together, you can make a plan so you are better prepared if you find yourself in a difficult situation again.

Remember: Your pain is valid and seeking help is an act of self-care, not weakness.



6. Join Mutual Support Groups (MSG)

These are safe and confidential spaces where people with similar experiences come together.

- You can share how you feel or simply listen.
- Topics include self-esteem, emotions, self-care, trauma, and empowerment.
- Doing group activities can help you feel supported.

Remember: Even if you only listen, your presence is valuable.

Through our PRODEM programme, we address all of the aforementioned aspects in depth through workshops on various topics, in addition to offering individualised psychological care and MSG.

Ask for more information without fear.
We are here for you!

General e-mail

prevencion@ymca.es



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