



Butlletí d'informació sobre l'audiovisual a Catalunya

(Newsletter on the Media Sector in Catalonia)

**Note. Hate speech
and LGBTI-phobia**

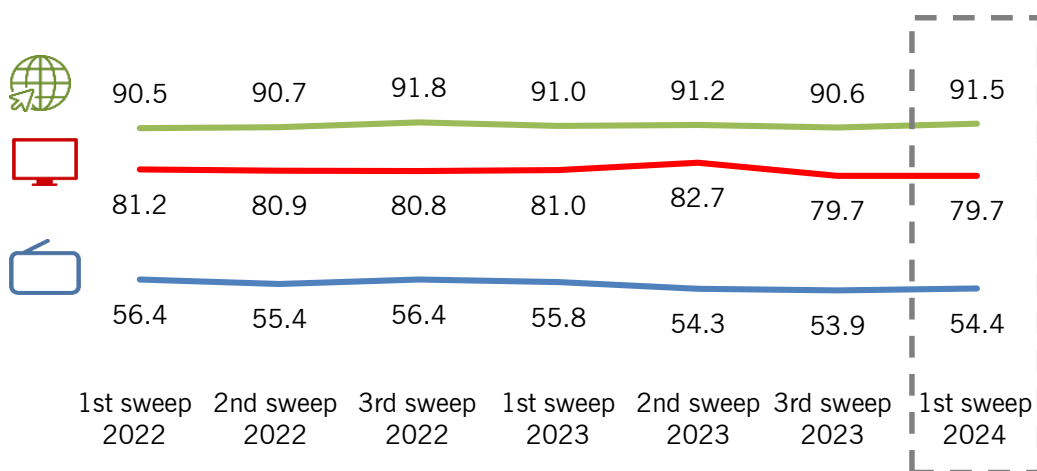
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Audiovisual penetration in Catalonia (1)

The internet is still the medium with the highest penetration in Catalonia (91.5%), followed by television (79.7%) and radio (54.4%), with stability in the penetration rates. The amount of time spent listening to the radio (Monday to Friday) has varied two-tenths compared to the previous sweep, and daily TV consumption is verging on 3 hours.

Audiovisual penetration in Catalonia by medium. Period 2022-2024 (in %)



LAST YEAR...

(1st sweep 23 vs 1st sweep 24)



Daily TV consumption
2 h 41 minutes/day



Daily Radio consumption
1 hour 42 minutes (Monday-Friday)
1 hour 34 minutes (Monday-Sunday)

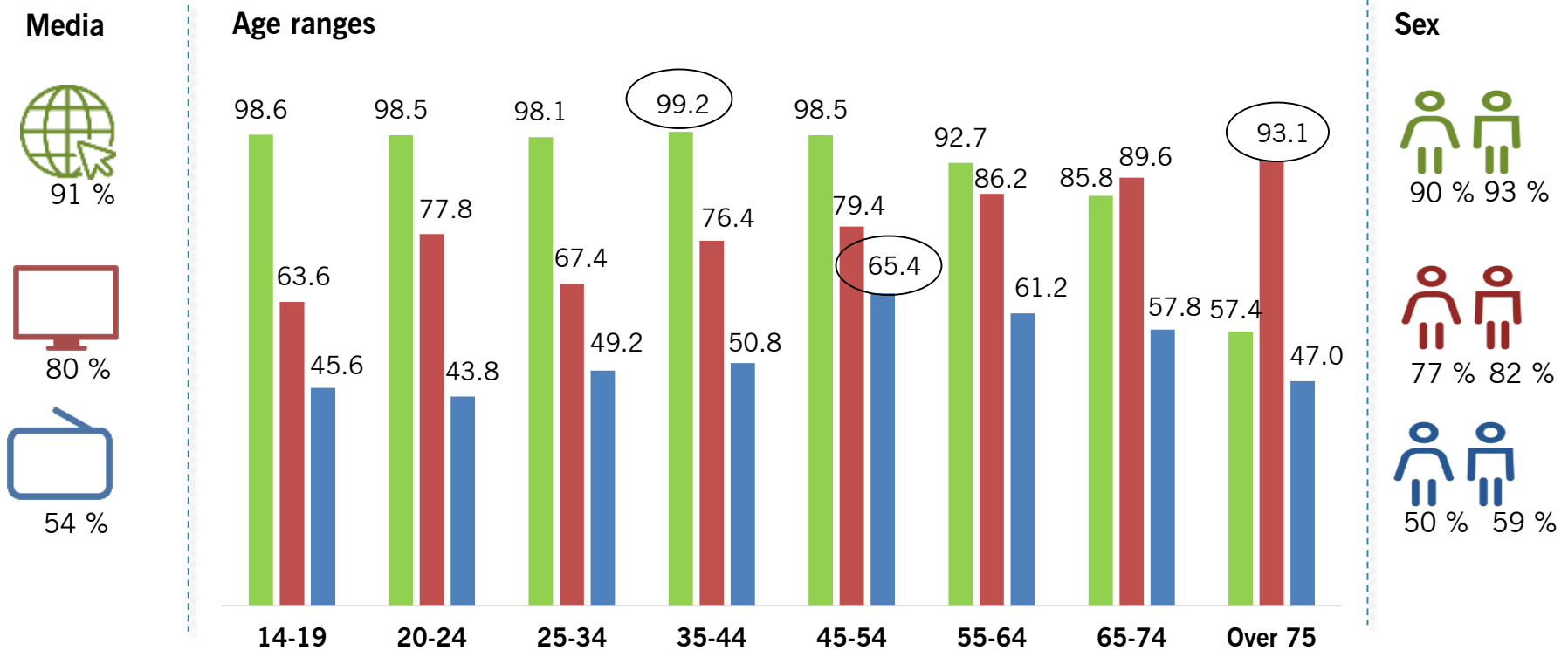
Note: The data on the internet refers to the connection. Periods: radio (Monday-Sunday); television and internet (previous day's audience).
Sources: EGM – Catalonia data. 1st sweep 2024 (penetration and radio consumption data), and Barlovento Comunicación (television consumption in April 2024).



Audiovisual penetration in Catalonia (and 2)

The internet leads audiovisual penetration in Catalonia in most age brackets, except the older segments (age 65 and older), where television rates the highest. Radio has higher penetration in the 45-64 age bracket.

Media penetration by age and sex. Catalonia. 1st sweep 2024 (in %)



Source: EGM – Catalonia data – 1st sweep 2024.



Breakdown of DTT in Catalonia

TV channel private TV public TV



Catalan households receive an average of
31 open-access television channels:
4 national, 26 State and the local channels.

**75 traditional open-access
linear television channels**

7 out of every 10 television channels are
private and half of them broadcast **locally**.

4 national channels



4 public

26 state channels



5 public
21 private

45 local channels



11 public
34 private

Note: the BIAC uses the term *channel* (usual term) to refer to the DTT *programmes* (technical and administrative term) broadcast by each multiplex (MUX).

Source: CAC (national and local DTT channels) and Ministry for Digital Transformation and of Civil Service (state DTT channels). May 2024.



Catalan DTT channels

Public TV Commercial TV Language used

By owner, offer and language used

Catalan

4 channels	4 public channels	Corporació Catalana de Mitjans Audiovisuals - 3Cat 
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Source: Catalan Audiovisual Council. May 2024.



Spanish DTT

Public TV Commercial TV Language used

By owner, offer and language used

Spanish

26 channels	5 public channels	Corporación de Radio y Televisión Española (CRTVE)     				
	21 commercial channels	Atresmedia Televisión      	Mediaset España       	SQUIRREL MEDIA  	ÁBSIDE MEDIA 	SECUOYA 
		UNIDAD EDITORIAL  	Real Madrid Televisión  	KISS MEDIA 		

Note: the provider CRTVE broadcasts content in Catalan for Catalonia through channels La 1, La 2 and Canal 24 Horas.

Source: Catalan Audiovisual Council and corporate websites of audiovisual communication service providers. May 2024.

Local DTT channels (1)

■ Public TV
 ■ Commercial TV
  Language used

By owner, offer and language used

 Catalan

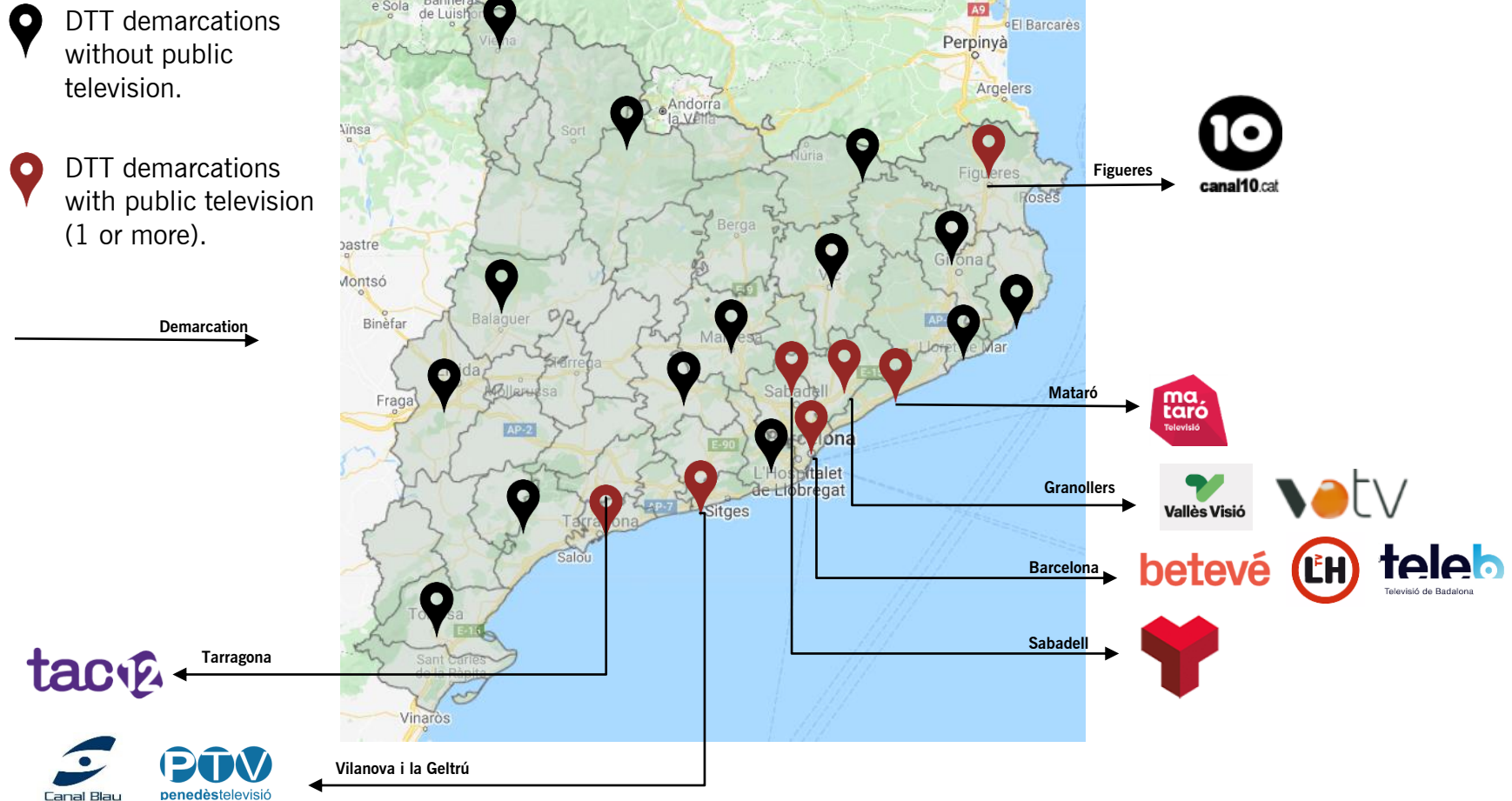
45 channels	11 public channels	          					
	34 commercial channels	Grup 4 (3)  Ebre (2)   Segre (4)   Corisa Media Grup (2)   Taelus (4)   CB Global Media (1)  ETV (3)  Prosa (1)  Cadena Pirenaica RTV (2)   Doble Columna (1)  Mola (1)  TV laSelva          					

Source: Catalan Audiovisual Council. May 2024.



Local DTT channels (2)

11 local public DTT channels distributed in 7 DTT district

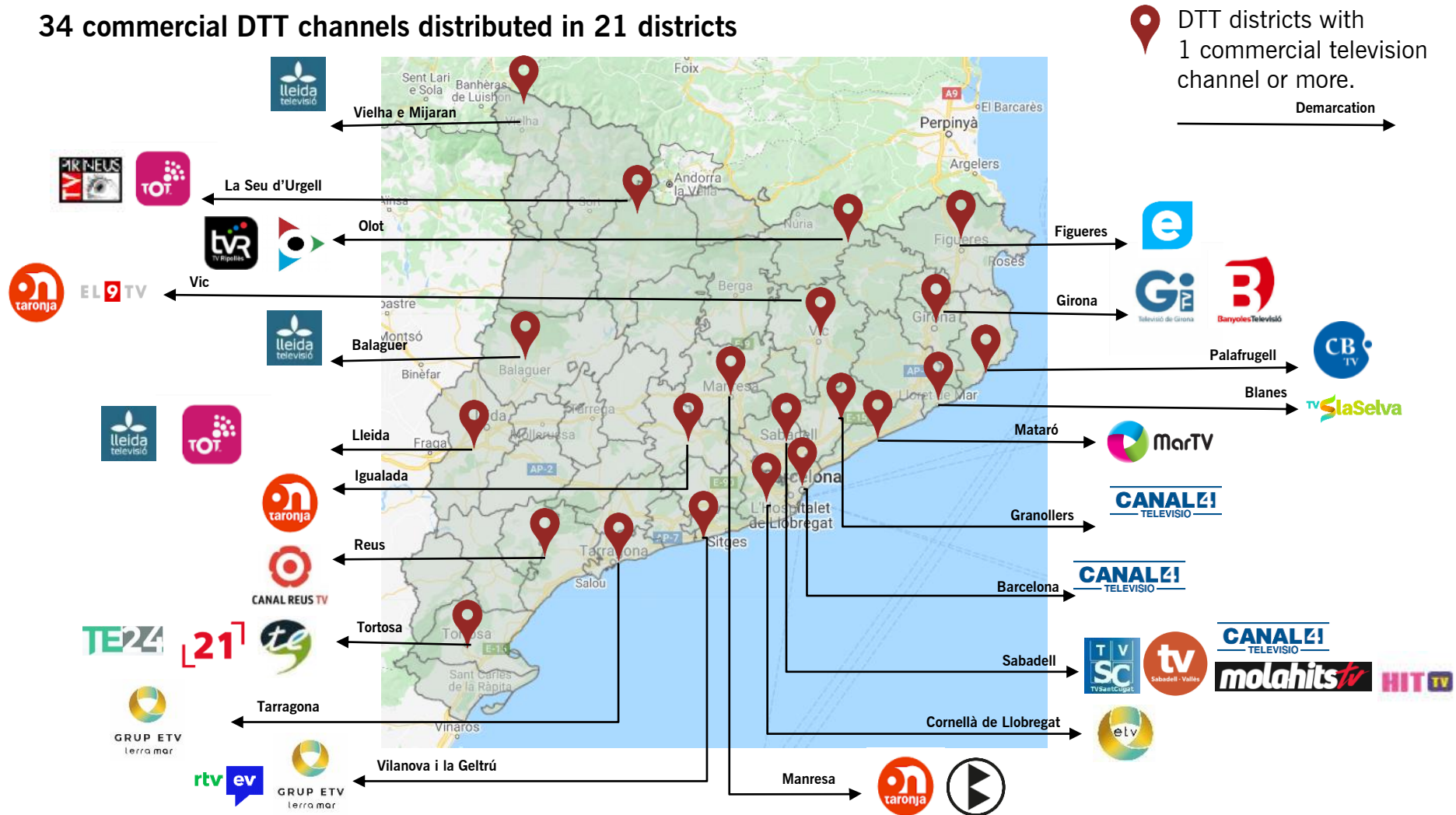


Source: Catalan Audiovisual Council. May 2024.



Local DTT channels (and 3)

34 commercial DTT channels distributed in 21 districts

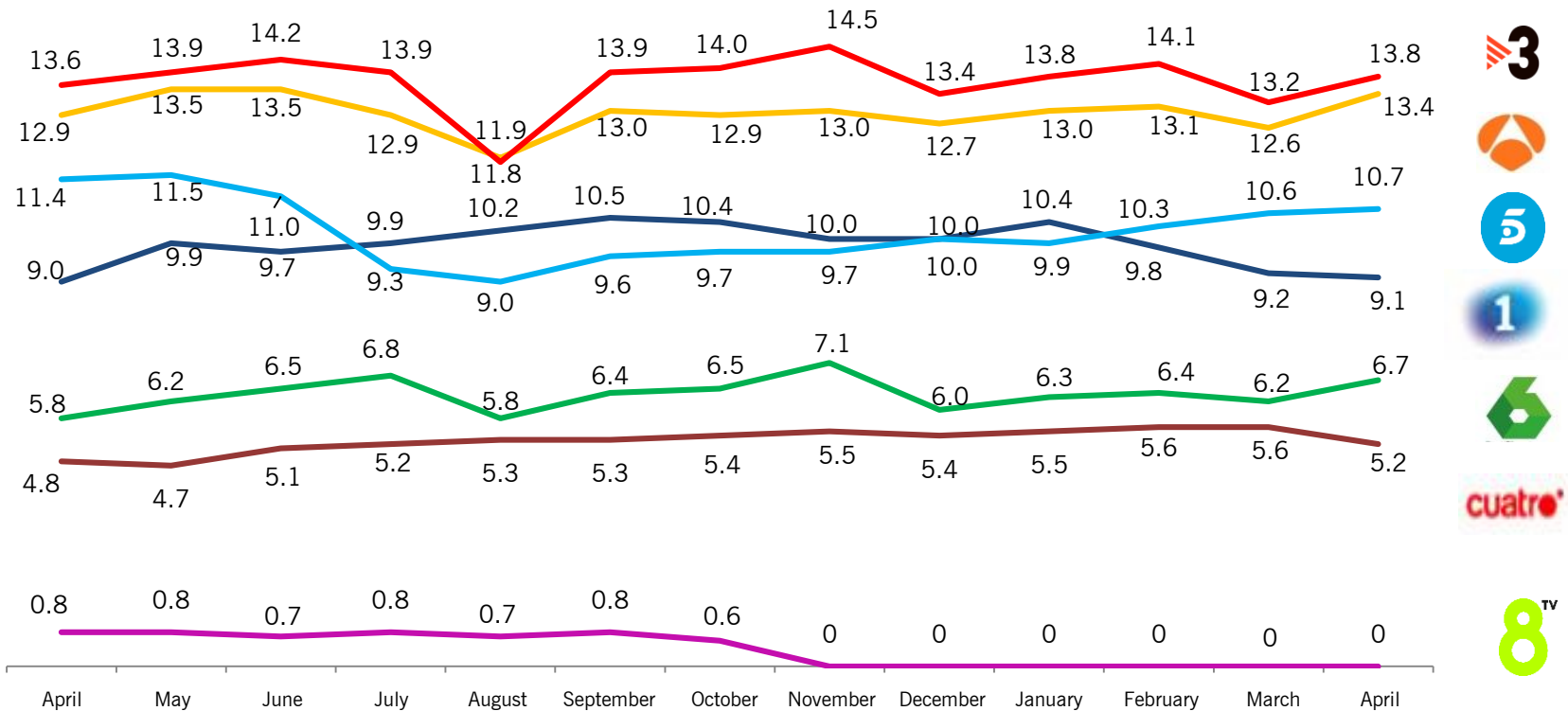


Source: Catalan Audiovisual Council. May 2024.



DTT audiences (1)

Monthly trend in the share of the main television channels. Spain. April 2023 – April 2024 (in %)



Source: Barlovento Comunicación. Audience data for TV3 corresponds to its coverage area.



DTT audiences (and 2)

Monthly trend in the television share. Spain. January-April 2024 (in % in descending order according to April data)

Channel	January	February	March	April
TV3	13.8	14.1	13.2	13.8
Antena 3 TV	13.0	13.1	12.6	13.4
Telecinco	9.9	10.3	10.6	10.7
La1	10.4	9.8	9.2	9.1
laSexta	6.3	6.4	6.2	6.7
Cuatro	5.5	5.6	5.6	5.2
Energy	2.7	2.7	2.7	2.7
La2	2.8	2.6	2.5	2.6
FDF	2.7	2.8	2.7	2.6
Nova	2.0	2.2	2.2	2.1
Atreseries	1.9	1.8	1.9	2.1
Divinity	1.9	1.9	1.9	1.9
Neox	2.0	2.0	2.0	1.9
BeMad	1.7	1.7	1.8	1.9
TRECE	1.9	1.8	1.9	1.7
Dmax	1.6	1.6	1.7	1.7
MEGA	1.8	1.7	1.5	1.7
3/24	1.4	1.5	1.5	1.5
Paramount Network	1.5	1.4	1.5	1.5
DKISS	1.3	1.4	1.3	1.3
TEN	1.2	1.2	1.2	1.3
Esport3	1.2	1.3	1.3	1.2
24h	1.1	1.0	1.0	1.1
Gol Play	1.0	1.0	1.0	1.1
SX3/33	0.7	0.8	0.8	0.8
Clan	0.9	0.8	0.8	0.7
Boing	0.8	0.8	0.8	0.7
Disney Channel	0.7	0.6	0.7	0.7
Real Madrid HD	0.6	0.6	0.6	0.7
Teledporte	0.5	0.5	0.6	0.6
BOM Cine	0.3	0.4	0.4	0.4

Overall increase in audiences of the main generalist TV channels, with the exception of La 1 and Cuatro.

TV3 leads the ranking in Catalonia with 13.8% of the share, higher than the Spanish channels.

The audience of **Antena 3TV** has risen by almost one point to a share of 13.4%, and it remains in the lead of the most viewed TV channels in Spain. **Telecinco** comes in second, trailing behind Antena 3 TV almost three points (10.7%). **La 1** comes in third place, with 9.1%.

La Sexta (6.7%) also increased its audience share, remaining in fourth place in Spain and widening the gap with **Cuatro** (5,2%).

Source: Barlovento Comunicación.

The audiences of regional channels correspond to their coverage area.



Subscriptions to IPTV platforms

Subscriptions to the leading conventional-pay IPTV platforms in Catalonia. February-March 2024

IPTV	HOUSEHOLDS 		SUBSCRIBERS 		
	Total	%	Total	%	Subscribers' variation vs. 3rd sweep 2023
	680,729	21.7%	1,580,964	23.1%	+8.1%
	163,124	5.2%	444,860	6.5%	-3.0%
	131,754	4.2%	314,824	4.6%	-15.1%

Movistar+, the leading IPTV platform in Catalonia with more than 1.5 million subscribers, grew eight points compared to the previous sweep.

Movistar+ widens the gap with its competitors, as they are losing subscribers. **Orange TV** dropped by three percentage points, failing to reach half a million subscribers, while **Vodafone's** subscriber loss was even higher at 15%.

Note: There may be multiple responses, because a single household or person may have more than one subscription to the pay platforms, either IPTV or OTT.

Source: EGM – Catalonia Data – 1st sweep 2024. Base: 3,137,000 households and 6,844,000 people.



Subscriptions to OTT services

Subscriptions to the leading paid VoD services in Catalonia. February-March 2024

SVoD SERVICES	HOUSEHOLDS 		SUBSCRIBERS 		
	Total	%	Total	%	Subscribers' variation vs. 3rd sweep 2023
NETFLIX	1,681,432	53.6%	3,955,832	57.8%	-2,7%
prime video	1,364,595	43.5%	3,182,460	46.5%	+4,0%
Disney+	677,592	21.6%	1,608,340	23.5%	-13,6%
HBOmax	636,811	20.3%	1,526,212	22.3%	-9,5%
DAZN	260,371	8.3%	629,648	9.2%	+9,9%
FILMIN	156,850	5.0%	321,668	4.7%	-11,6%
Rakuten TV	100,384	3.2%	191,632	2.8%	-44,3%
Otros proveedores	652,496	20.8%	1.450,928	21.2%	+11,5%

The upward trend that OTTs were on at the end of 2023 comes to an end in 2024. The majority of platforms show a decline in subscriptions compared to the previous sweep of the EGM.

Netflix is the OTT service with the most subscribers, almost 4 million. It is followed by **Amazon Prime Video** in second place, which is closing the gap with Netflix.

Disney+ is the platform that loses the most subscribers in this sweep, more than 250,000 people. **HBO Max** also recorded losses.

The ranking of the smaller platforms remains unchanged, but while the number of **DAZN** subscribers grew by 10%, **Rakuten TV** recorded the biggest percentage drop (-44%).

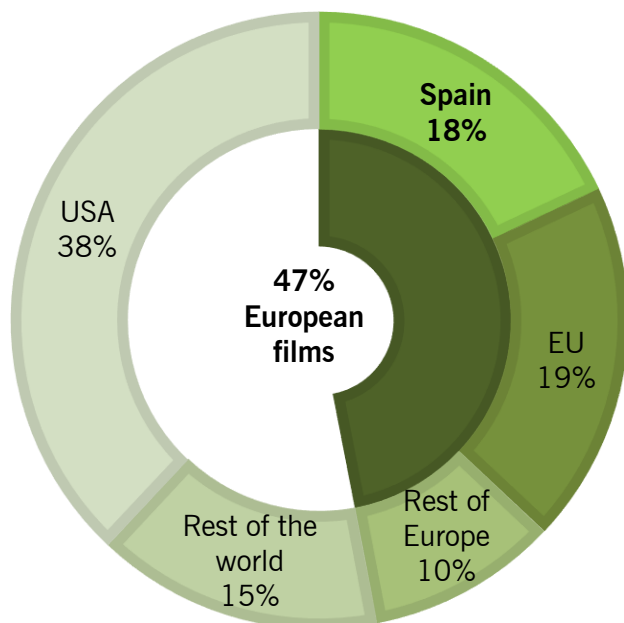
Source: EGM – Catalonia Data– 1st sweep 2024. Base: 3,137,000 households and 6,844,000 people.



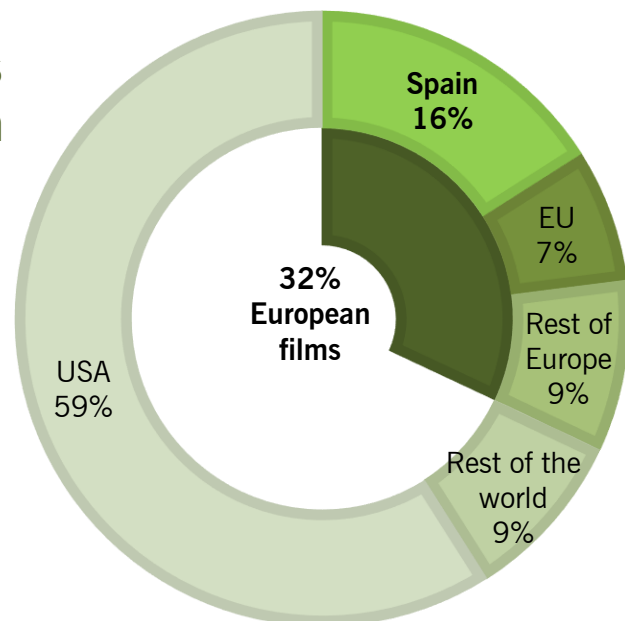
Consumption of European works in SVOD services (1)

The **consumption of films from the United States comprises 60%** of the total hours spent watching films on the platforms, even though these films account for less than 40% of the catalogue. In contrast, **European films** comprise almost half the catalogue but only **account for one-third of consumption**. Even so, the consumption of Spanish films remains equivalent to their weight in the platforms' catalogues.

Catalogue of films in SVOD services in Spain,
by origin of work



Consumption of films in SVOD services in Spain,
by origin of work (in % over total hours watched)



Catalogue vs consumption

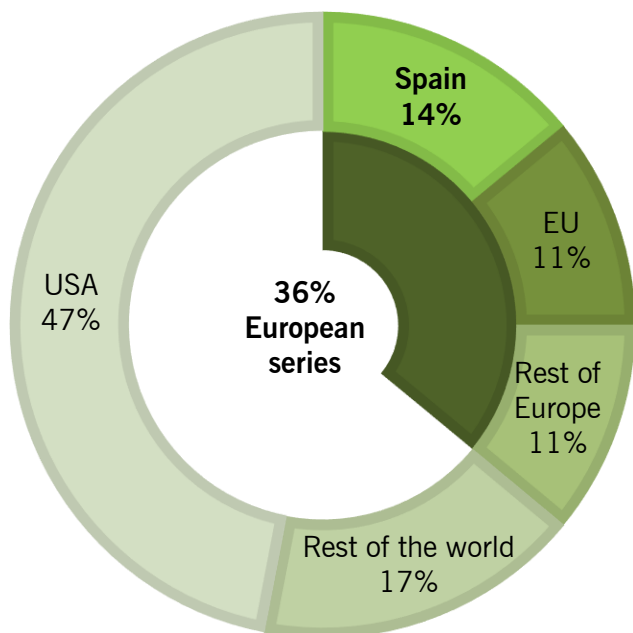
Source: European Audiovisual Observatory [SVOD Usage in the European Union](#). Period: September 2022 - September 2023. Base: 2,569 works from the catalogues of 13 SVOD services in Spain: Apple TV, Atresplayer Premium, Disney+, Filmin, FlixOlé, HBO Max, Mitele Plus, Movistar+, Netflix, Orange, Prime Video, Rakuten TV and Vodafone TV.



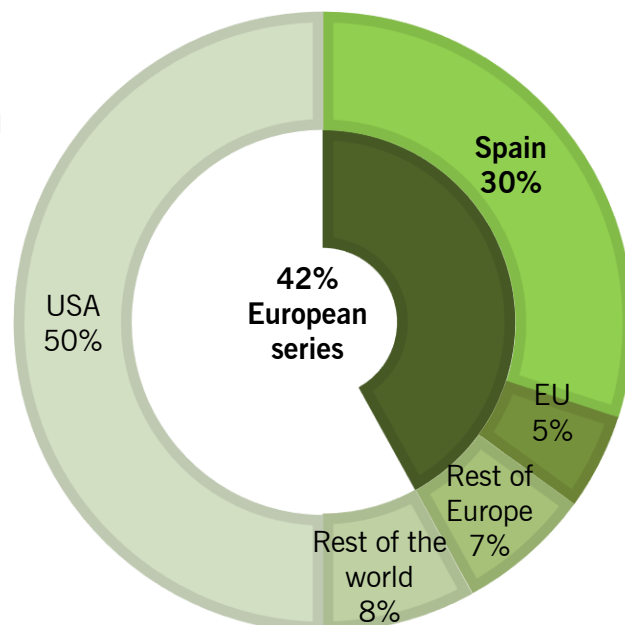
Consumption of European works in SVoD services (and 2)

In Spain, **2 out of every 5 hours of series watched correspond to European works**, mainly due to the momentum of Spanish series. Spanish series only account for 14% of the platforms' catalogue, but their consumption is twice their relative proportion. On the other hand, **Spanish audiences spent half their time watching series from the USA**.

Catalogue of series in SVoD services in Spain,
by origin of work



Consumption of films in SVoD services in Spain,
by origin of work (in % over total hours watched)



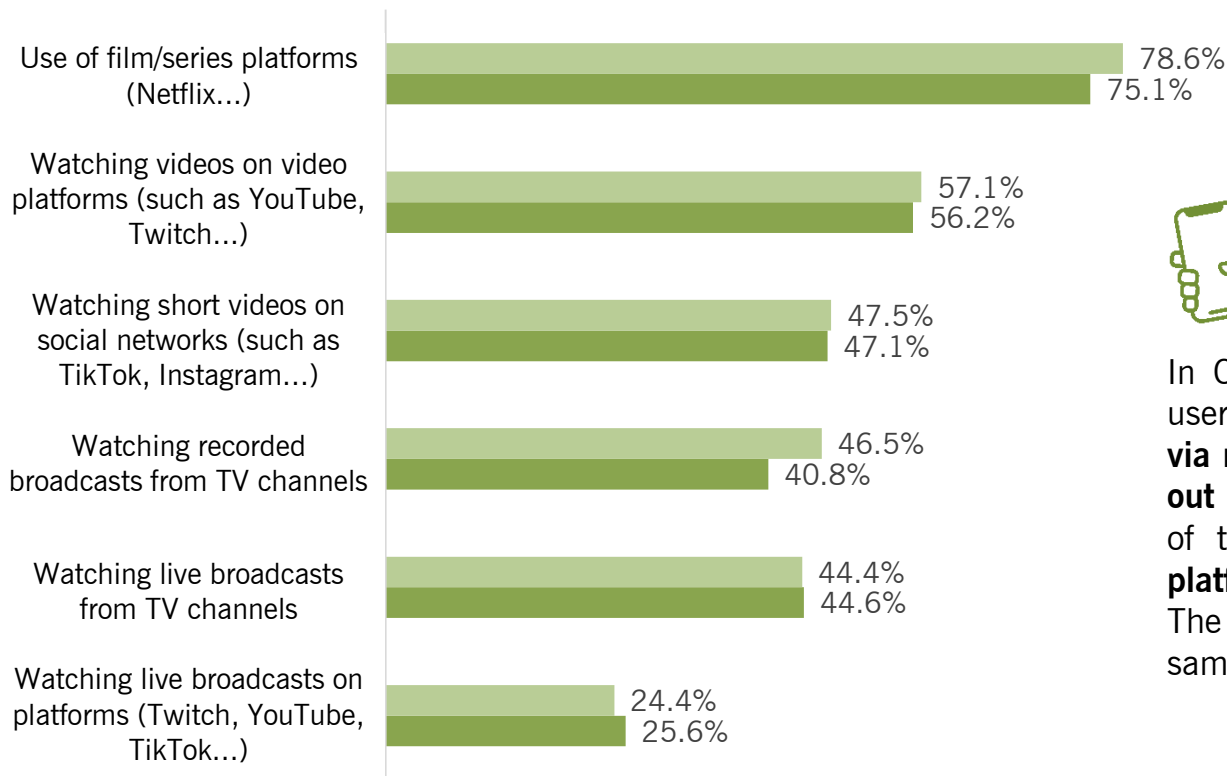
Catalogue vs
consumption

Source: European Audiovisual Observatory [SVOD Usage in the European Union](#). Period: September 2022 - September 2023. Base: 3,163 works (one season of a series is equivalent to one work) from the catalogues of 13 SVoD services in Spain: Apple TV, Atresplayer Premium, Disney+, Filmin, FlixOlé, HBO Max, Mitele Plus, Movistar+, Netflix, Orange, Prime Video, Rakuten TV and Vodafone TV.



Consumption of audiovisual contents on the internet (1)

Main audiovisual activities on the internet. Catalonia and Spain 2023



In Catalonia, **6 out of every 10** Internet users consume audiovisual contents online **via mobile phone**. Of this group, almost **1 out of every 4** spends more than **1 hour** of their daily time **watching videos on platforms** like YouTube or Twitch. The behaviour in Spain is generally the same.

Question: In the past 30 days, which of the following audiovisual activities have you done via the Internet? (Base: Spain 18,902; Catalonia 2,758)

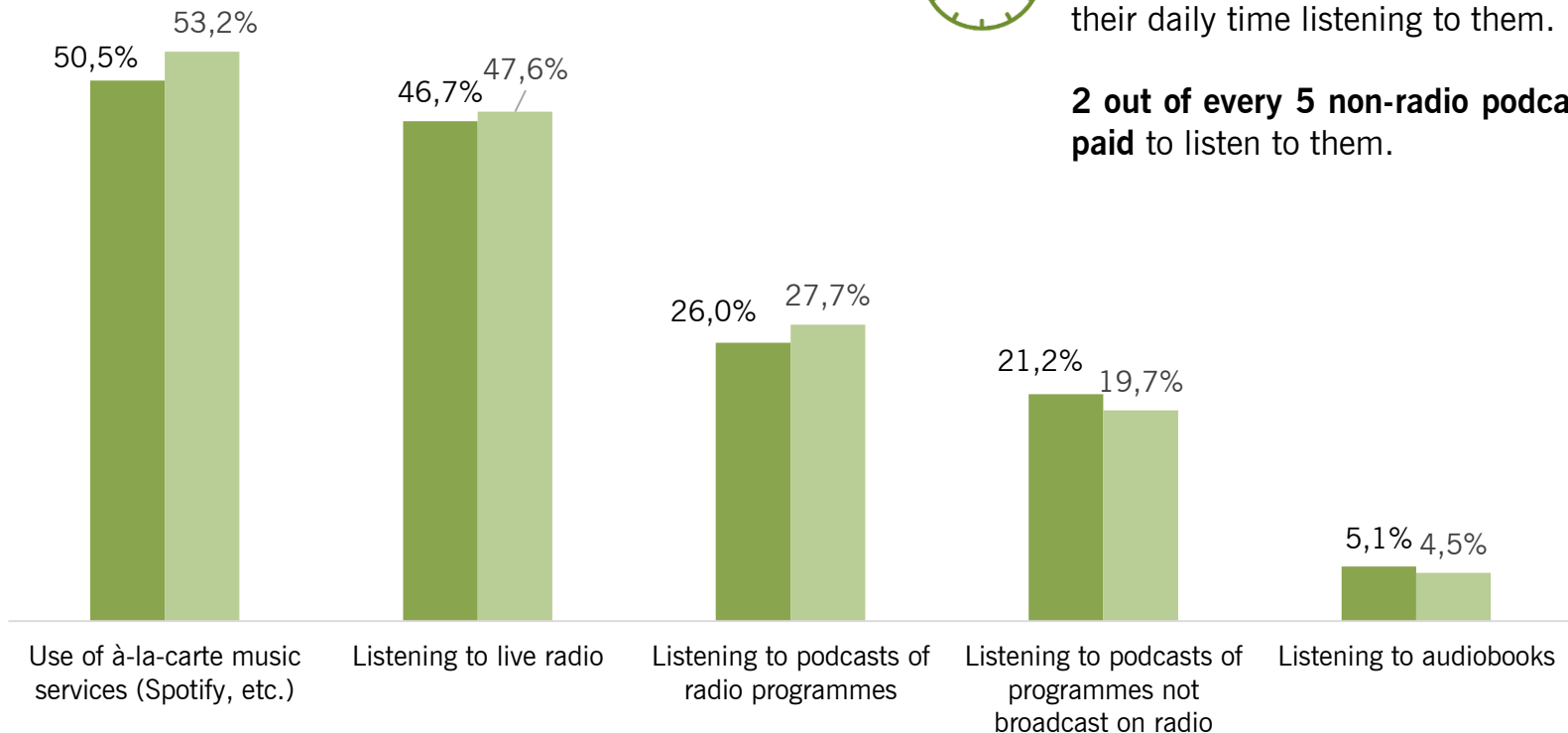
Source: AIMC (2023). [26.ª encuesta a usuarios de internet - Navegantes en la red](#). Area: Catalonia. Period: October-December 2023.



Consumption of audiovisual contents on the internet (and 2)

Main audio activities on the internet. Catalonia and Spain 2023

Spain Catalonia



In Catalonia, **half** the people who listen to **podcasts** spend **more than 30 minutes** of their daily time listening to them.

2 out of every 5 non-radio podcast users paid to listen to them.

Question: In the past 30 days, which of the following audio activities have you done via the Internet? (Base: Spain 18,902; Catalonia 2,578)

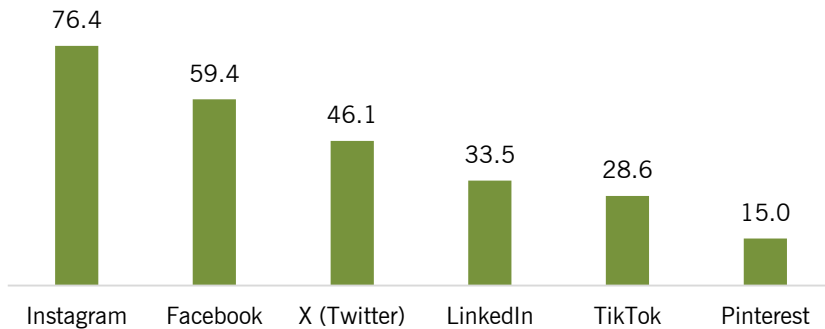
Source: AIMC (2023). [26.ª encuesta a usuarios de internet - Navegantes en la red](#). Area: Catalunya. Period: October-December 2023.



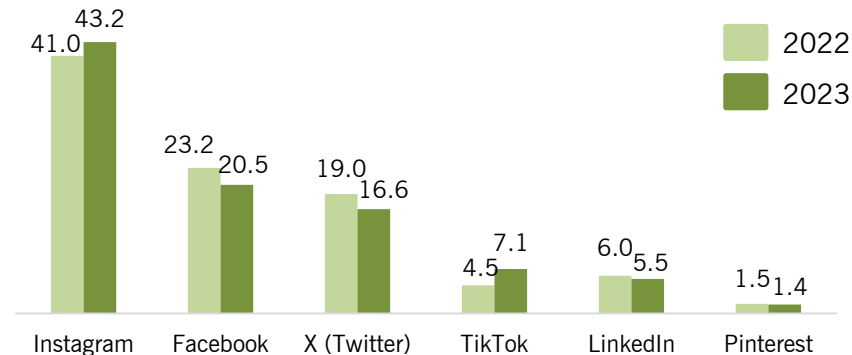
Social media consumption in Catalonia (1)

In Catalonia, **9 out of every 10 Internet users** claim that they use social media every day. **More than half check social media for more than half an hour every day, compared to almost 40% who say that they connect less than 30 minutes.**

Most used social media (in %)



Favourite social media (in %)



The amount of time spent on the social media grew overall compared to 2022.

Instagram, Facebook and X (Twitter) occupy the top three ranks in both use and preference.

LinkedIn is the fourth most used social media, ahead of **TikTok**, although the latter is the fourth favourite social media.

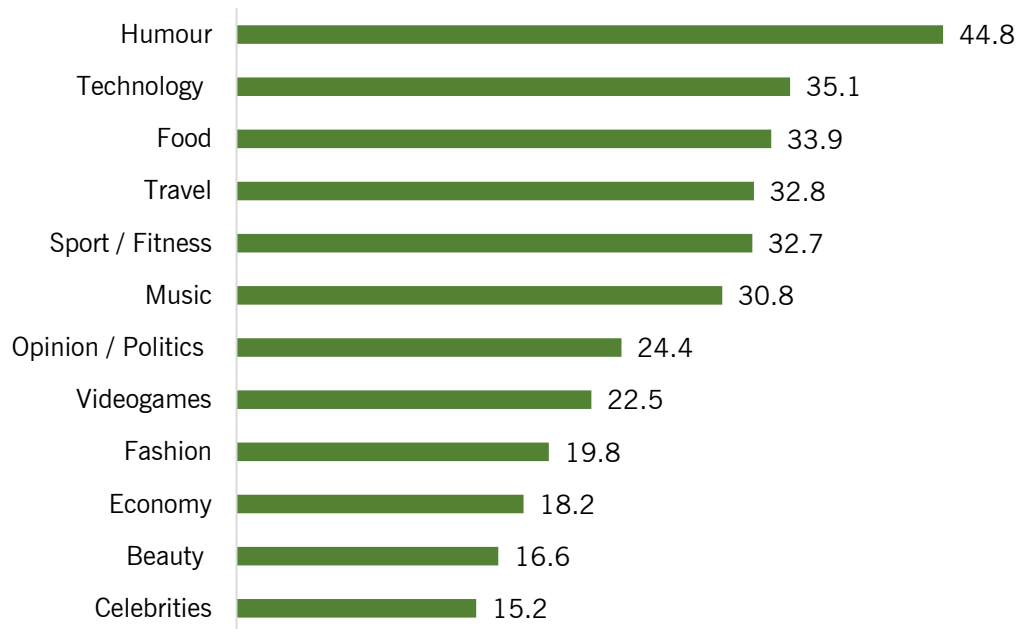
Source: AIMC (2023). [26.ª encuesta a usuarios de internet - Navegantes en la red](#). Catalonia data. October-December 2023.



Social media consumption in Catalonia (and 2)

Almost half (around **46.5%**) of the Internet users interviewed said that they follow influencers, YouTubers or streamers in the social media. Of this group, **35%** state that they are swayed by influencers' recommendations and/or opinions **when shopping**.

Type of content posted by favourite influencer, YouTuber or streamer (in %)



By content types, **humour** is the most followed by users (44.8%), next to **technology**, **food**, **travel** and **sport**, which range between 32% and 35%.

The **least followed content** includes topics related to **beauty** (16.6%) and **celebrities** (15.2%).

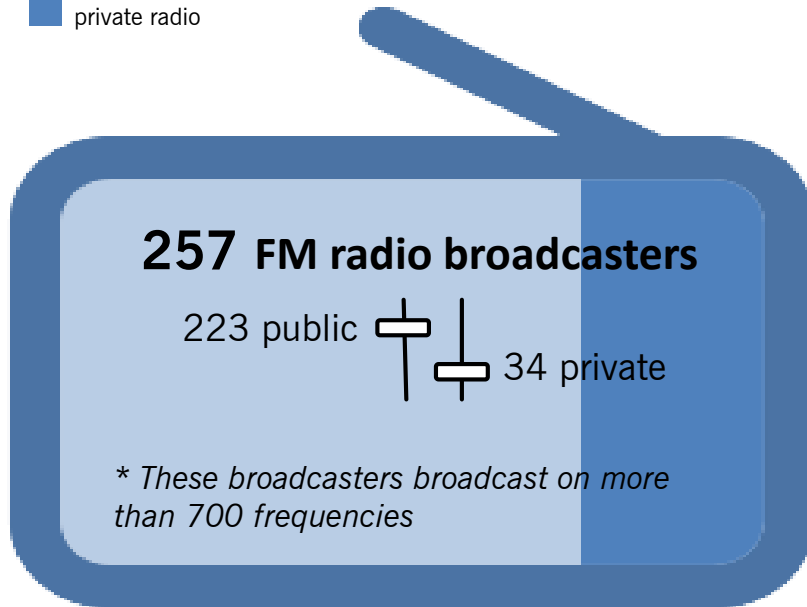
Question: What type of content do you check the most regularly among the influencers, YouTubers or streamers you follow? (in %)

Source: AIMC (2023). [26.ª encuesta a usuarios de internet - Navegantes en la red](#). Area: Catalonia. Period: October-December 2023.



Breakdown of radio stations in Catalonia

public radio
private radio



Catalan households receive an average of more than **30 FM broadcasters**: 12 national radio channels, 17 state channels and the local channels.

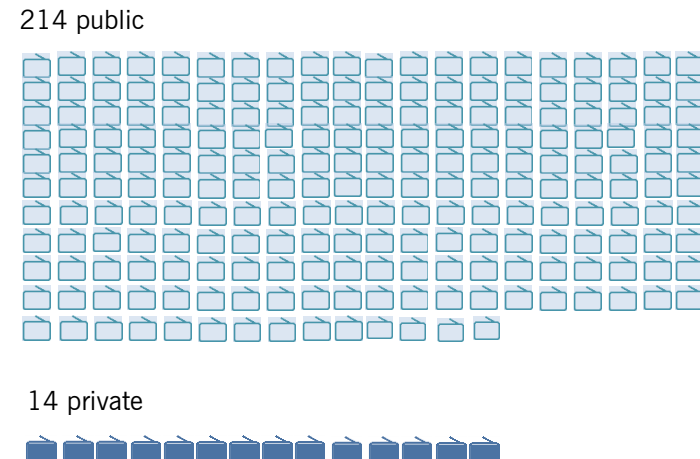
12 **national** broadcasters



17 **state** broadcasters



228 **local** broadcasters



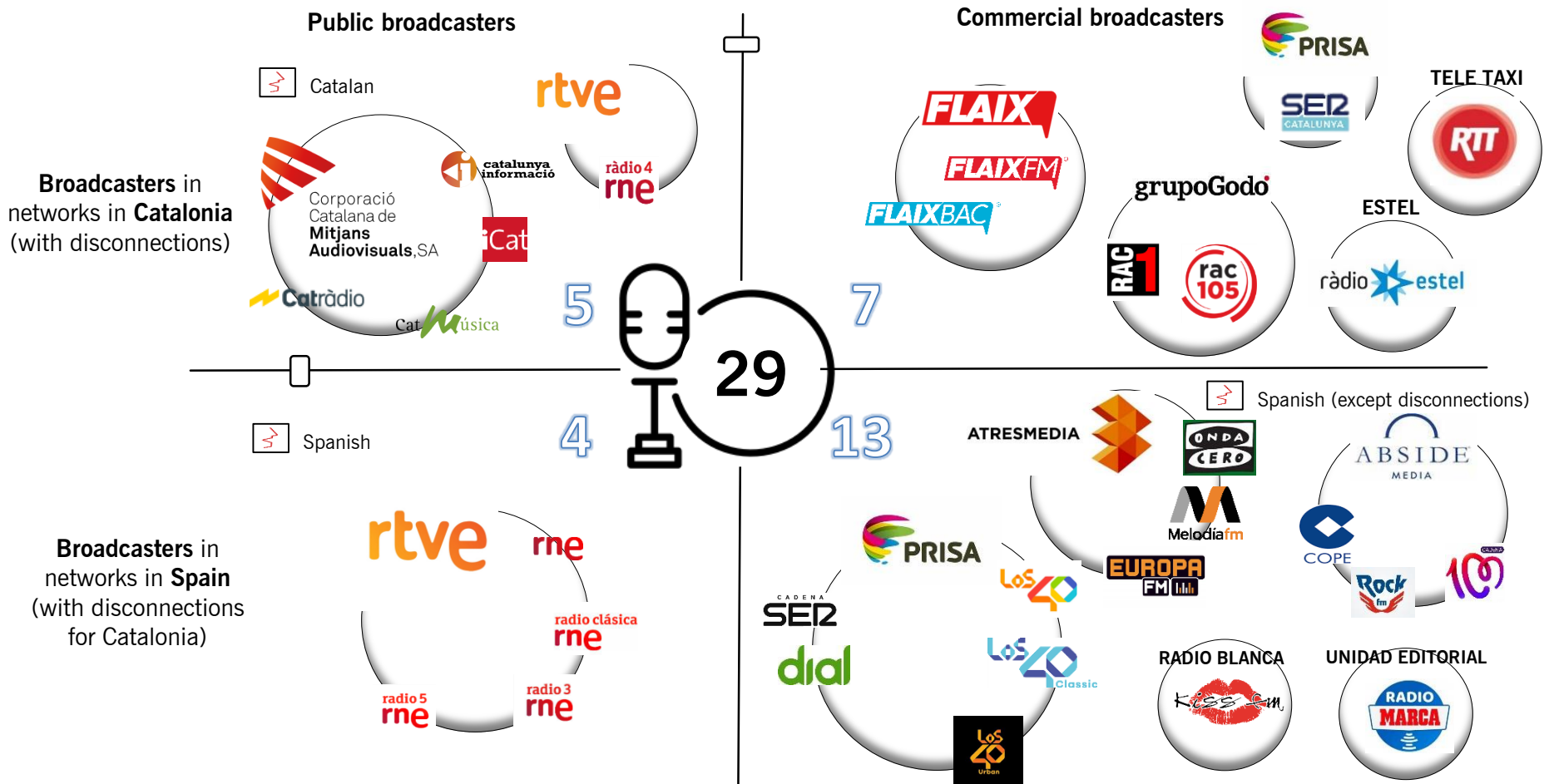
Note: within the BIAC, *radio station* means the media outlet that offers a radio product over one or more frequencies and *broadcasting network* means the group of radio stations that broadcast content from a centralised source.

Source: CAC (local FM), CCMA (national FM) and Ministry for Digital Transformation and Public Service (state public FM). May 2024.



Catalan and Spanish radio stations

Breakdown of Catalan and Spanish broadcasters in Catalonia. By ownership and language used



Source: CAC, Ministry for Digital Transformation and Public Service and corporate websites. May 2024.



Catalan FM broadcasters

Radio networks broadcasting exclusively for Catalonia. By ownership, language spoken and number of FM frequencies

12 broadcasters	5 public broadcasters 270 FM frequencies	CCMA – 3Cat  catalunya informació  Cat  			CRTVE 	 Catalan
	7 private broadcasters 96 FM frequencies	FLAIX  	GODÓ  	PRISA 	ESTEL 	TELE TAXI   Mostly in Catalan

Note: One broadcaster may have more than one FM frequency.

Source: CAC (frequencies of private broadcasters), CCMA (CCMA frequencies) and RTVE (Ràdio 4 frequencies). May 2024.



Spanish FM broadcasters

Radio networks broadcasting in Spain with disconnections in Catalonia. By ownership, language spoken and number of FM frequencies

17 broadcasters	4 public broadcasters 65 FM frequencies	CRTVE (Corporación de Radio y Televisión Española)      Spanish
	13 private broadcasters 61 FM frequencies	                   Spanish (except disconnections)

Source: CAC (frequencies of private broadcasters), Ministry for Digital Transformation and Public Service ([CRTVE broadcast frequencies](#)).
May 2024.



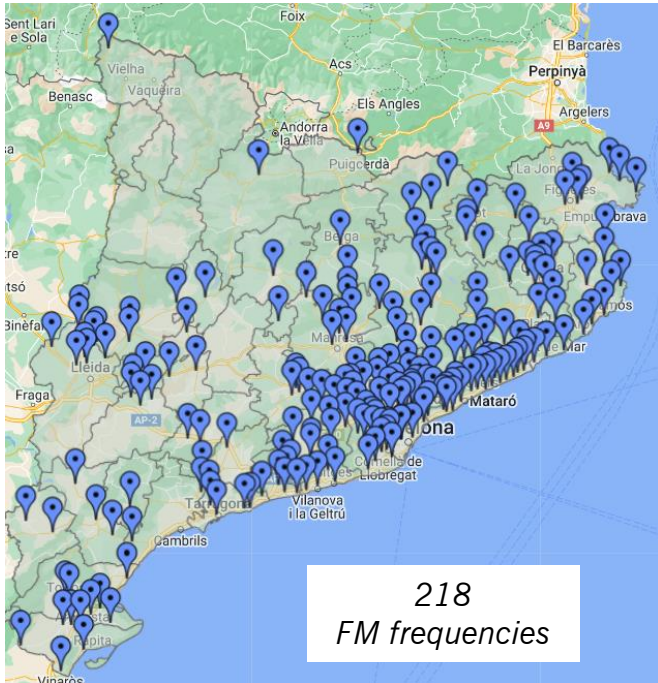
Local FM broadcasters

Local broadcasters in Catalonia. By ownership and language spoken



Catalan

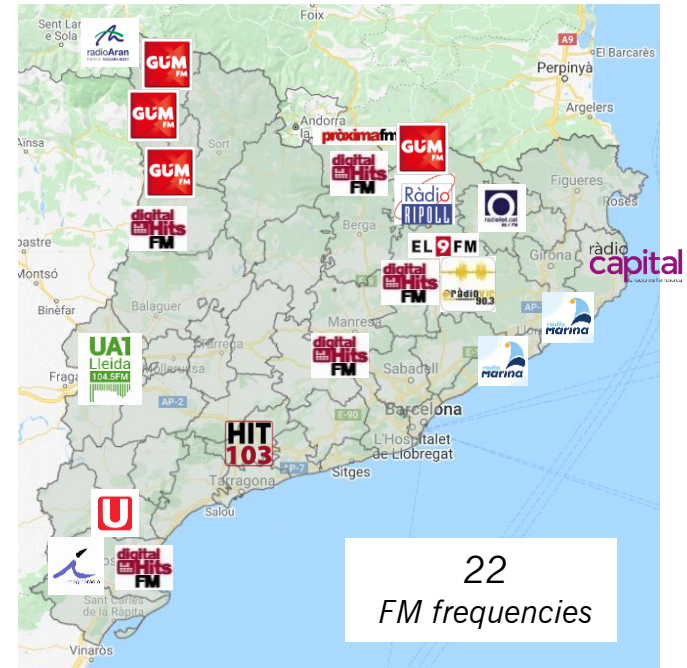
214 public broadcasters



228
local
radio
stations



14 private broadcasters



Source: CAC and corporate websites. May 2024.

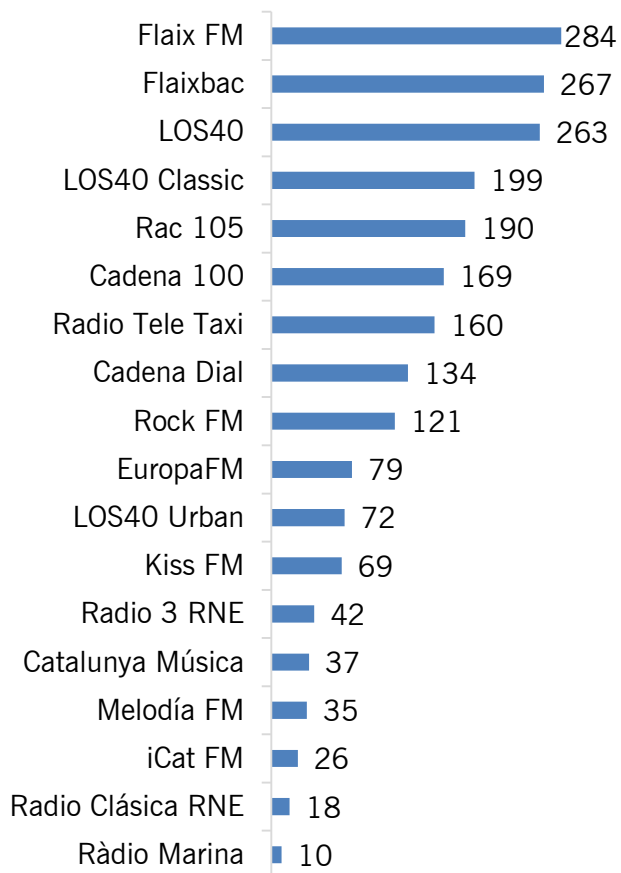


Radio audiences (1)

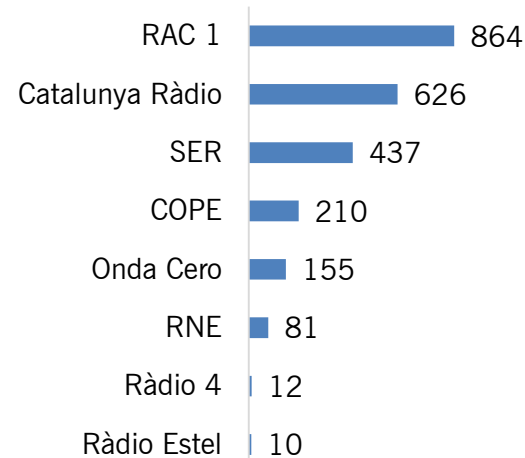
Daily accumulated radio audience in Catalonia, by type of radio (in thousands)

Monday to Friday

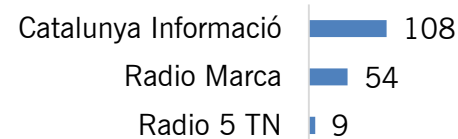
Music radio



Generalist radio



News radio



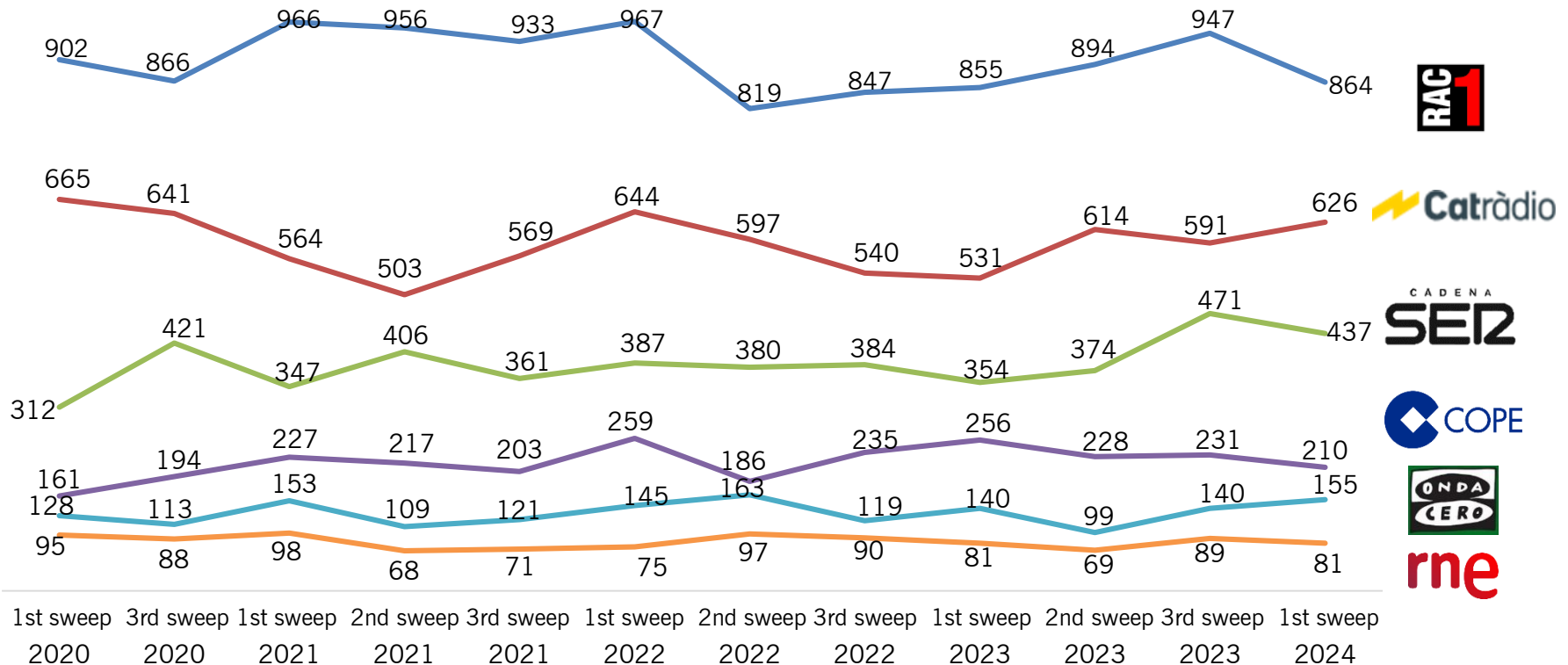
Source: EGM – Catalonia data. 1st sweep 2024.



Radio audiences (2)

Ranking of generalist radio stations in Catalonia. Period: 1st sweep 2020 – 1st sweep 2024 (in thousands)

Monday to Friday



Source: EGM – Catalonia data – 1st sweep 2024. Note: EGM did not conduct the second sweep in 2020 due to the pandemic.



Radio audiences (3)

Audience of leading generalist radio stations by time brackets in Catalonia. 1st sweep 2024 (in thousands)

Monday to Friday

	Total audience	6 am to 12 noon	12 noon to 4 pm	4 pm to 8 pm	8 pm to 6 am
	864	701	299	265	191
	626	349	202	189	197
	437	298	113	101	131
	210	142	30	40	93
	155	113	35	29	35
	81	41	17	11	42

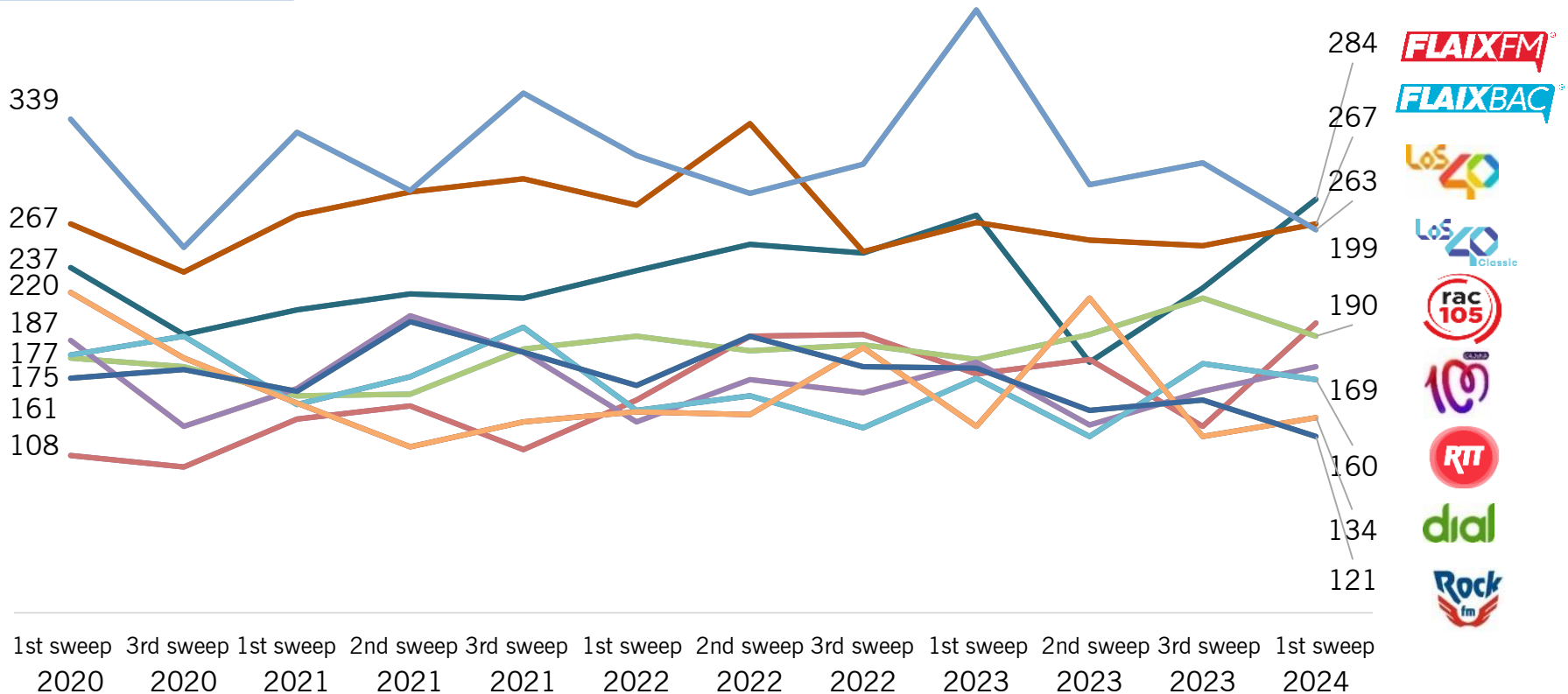
Source: EGM – Catalonia data – 1st sweep 2024.



Radio audiences (4)

Ranking of music radio stations in Catalonia. Period: 1st sweep 2020 – 1st sweep 2024 (in thousands)

Monday to Friday



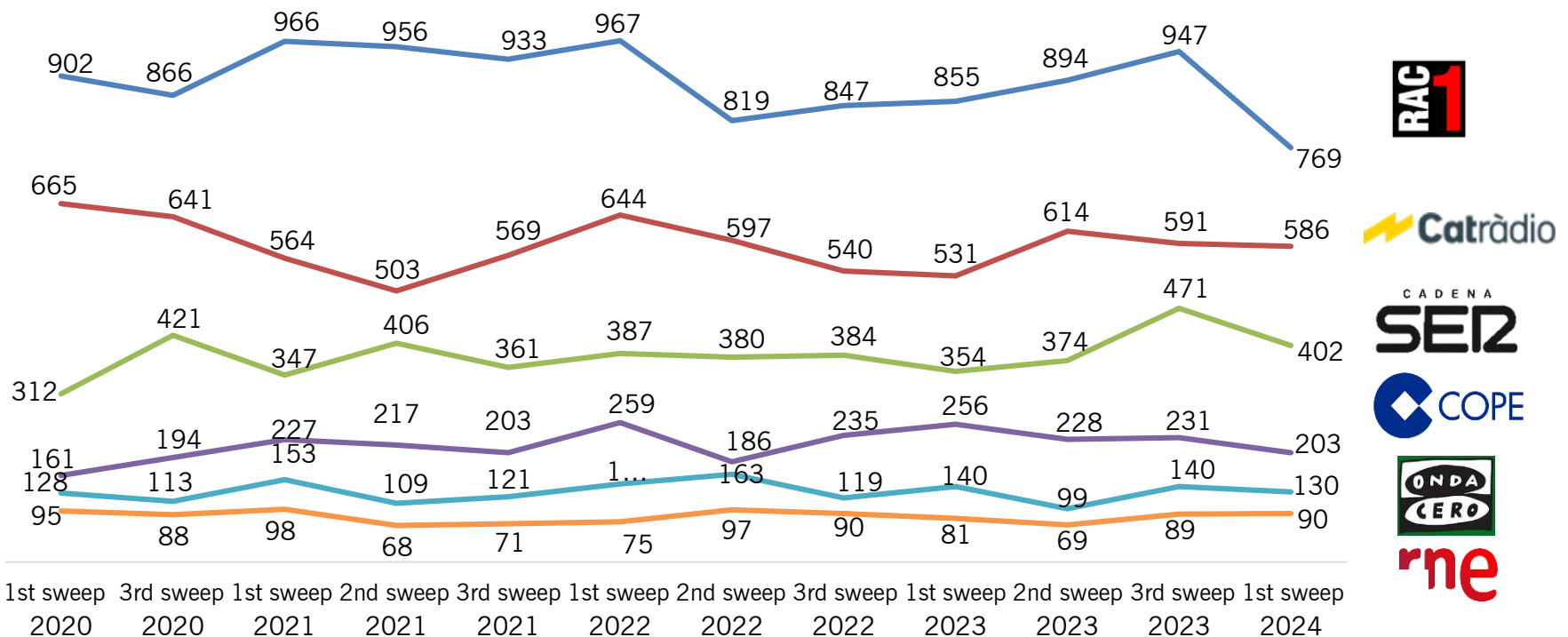
Source: EGM – Catalonia data – 1st sweep 2024. Note: EGM did not conduct the second wave in 2020 due to the pandemic.



Radio audiences (5)

Ranking of generalist radio stations in Catalonia. Period: 1st sweep 2020 – 1st sweep 2024 (in thousands)

Monday to Sunday



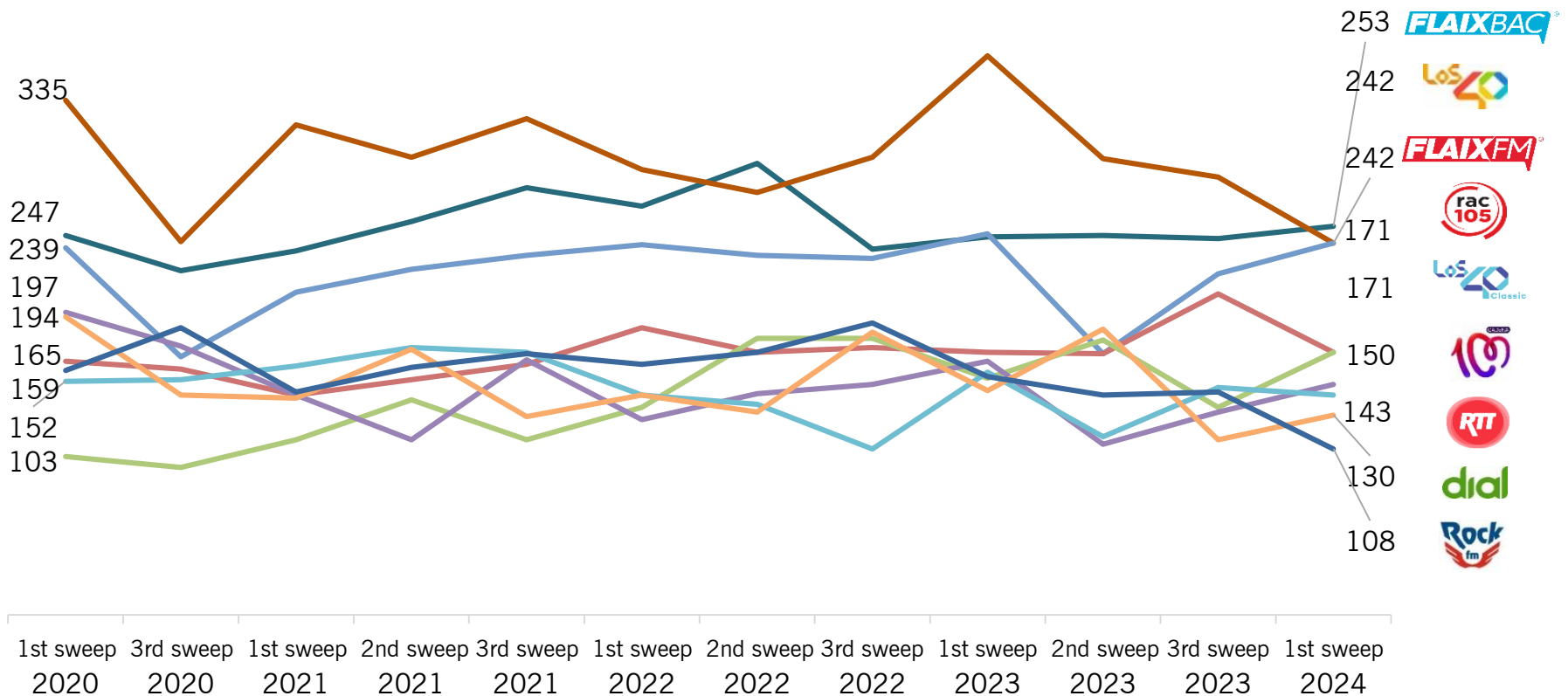
Source: EGM – Catalonia data – 1st sweep 2024. Note: EGM did not conduct the second sweep in 2020 due to the pandemic.



Radio audiences (and 6)

Ranking of music radio stations in Catalonia. Period: 1st sweep 2020 – 1st sweep 2024 (in thousands)

Monday to Sunday



Source: EGM – Catalonia data – 1st sweep 2024. Note: EGM did not conduct the second sweep in 2020 due to the pandemic.



Note. Hate speech and LGBTI-phobia

What do we mean when we talk about hate speech?

‘...**hate speech** is to be understood... as the advocacy, promotion or incitement, in any form, of the denigration, hatred or **vilification** of a person or group of persons, as well as any **harassment, insult, negative stereotyping, stigmatisation** or **threat** in respect of such a person or group of persons and the justification of all the preceding types of expression, **on the ground of "race"**, colour, descent, national or ethnic origin, age, disability, language, religion or belief, sex, gender, gender identity, sexual orientation and other **personal characteristics or status**’.

[Recommendation no. 15](#) on combating hate speech
of the European Commission against Racism and Intolerance (ECRI) of the Council of Europe.

This note focuses on hate speech and LGBTI-phobia in the media within a context of an upswing in far-right and reactionary stances that uphold discriminatory arguments.

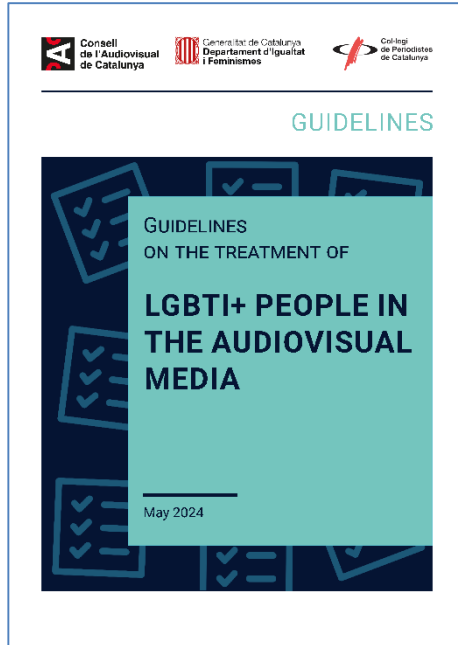
The CAC’s latest guidelines on the treatment of LGBTI+ people are presented, along with a UOC study on the rights of groups affected by hate speech in the media and the complaint mechanisms available to citizens and organisations.





Note. Hate speech and LGBTI-phobia

Guidelines on the treatment of LGBTI+ people in the audiovisual media



The new guidelines update the ones published in 2017.

On 14 May, the Catalan Audiovisual Council (CAC), the Ministry of Equality and Feminisms of the Government of Catalonia and the Col·legi de Periodistes de Catalunya [Journalists' Association of Catalonia] presented the update of the [Guidelines on the treatment of LGBTI+ people in the audiovisual media](#).

In an effort spearheaded by the Consell Nacional LGBTI [LGBTI National Council of Catalonia], the guidelines enlisted the participation of LGBTI organisations, the Consell Nacional de Dones de Catalunya [National Women's Council of Catalonia] and experts from universities and the Observatori LGBTI+.

They are a guide for media professionals aimed at fostering good practices in relation to diversity, inequality and non-discrimination. Their scope includes the social media and other platforms.

With guidelines on **news treatment, language and audiovisual resources**, and **fiction, entertainment and advertising**.

They include a table of expressions to be avoided, **inclusive expressions** and a **glossary** with the most key terms on LGBTI+ issues.



Note. Hate speech and LGBTI-phobia

Most noteworthy guidelines

Include the LGBTI perspective and voice



In **any sphere of action**, regularly. Beyond news on discriminations, aggressions or commemorations. Consider whether a news story specifically affects LGBTI+ people and whether this could become newsworthy, or whether visibility or voice can be given to LGBTI+ people and their situation in any news story.

Inclusive newsrooms and active training



Training in the LGBTI+ perspective is crucial to provide accurate, egalitarian news and combat hate speech. **The training of professionals** in media companies, as well as **teachers** and **students** in media faculties, **must be guaranteed**.

It is recommended to include LGBTI+ people in newsrooms, as they can enrich viewpoints and news stories in order to construct more plural media discourses.

More intersectionality and more visibility



Diverse and complex representation of LGBTI+ people in the news: beyond their gender identity, gender expression or sexual and affective orientation.

We are intersected by **many identity factors**, including age, background, culture, social class, political orientation, disability, region, beliefs...

These factors may be the cause of discrimination, inequality and further invisibility.

Regular LGBTI+ characters and complex, multidimensional plot lines



More LGBTI+ characters in fiction, including **main characters**.

Being LGBTI+ should not be the only plot line.

Intersectional, diverse representation is needed, including their personalities, interests, aspirations and challenges. Representing varied characters, beyond stereotypes, contributes to a more authentic, respectful representation.



Note. Hate speech and LGBTI-phobia

Most noteworthy guidelines

Combat hate speech with arguments

Deactivate this kind of speech with an **active, critical attitude** towards news, talk shows and debates, in online participatory platforms and the social media, as well.



Establish **monitoring and moderation mechanisms** to detect and eliminate hate and discrimination against LGBTI+ people.

Do not act as a mouthpiece of hate speech, and always provide **data and context as a counterpoint**.

Respect people's names and pronouns



Before writing or holding an interview, it is important to **ask the name and pronouns** with which each person identifies and **use them**.

Identify whether they are trans* men, trans* women, or non-binary trans* people in order to give them visibility.

Do not question trans* minors when they talk about their identity.

Report on aggressions and resources available to the victims



Aggressions, harassment or discrimination on the grounds of sexual orientation, identity or gender expression **are not isolated cases but structural violence** against LGBTI+ people. They have to be **tracked** and the consequences reported.

The dignity and **anonymity** of the people affected must be respected, as well as the decision to either share or safeguard their identity.

Do not invalidate the victims' story or provide details on how the aggression or harassment took place, to prevent it from being copied and avoid sensationalism.

It is recommended to **include public-service information** on how to file a report (as a victim or witness), on the existing resources to deal with it, and on telephone hotlines and information lines.



Note. Hate speech and LGBTI-phobia

Citizens faced with hate speech and LGBTI-phobia

When faced with hateful and discriminatory content against LGBTI people in the media, citizens and civil-society organisations **can exercise their right to file a complaint**.



A UOC [study](#) analysed ten years of complaints filed with the Catalan Audiovisual Council (CAC) and the Consell de la Informació de Catalunya [Catalan Information Council Foundation] (CIC), as well as regulations on hate speech in Catalonia, Spain, Europe and internationally.

Main conclusions of the study:

- **Low incidence:** Very small number of complaints about racism and LGBTI-phobia received in ten years. **10 complaints filed with the CAC** and **15 with the CIC**, with no penalties imposed during the studied period.
- There is not a single regulatory body that can issue penalties for all the media: audiovisuals, print and online.
- **Scepticism and lack of trust:** Organisations do not trust the mechanisms nor the likelihood of a positive resolution. Of the 10 organisations surveyed, only 3 have filed complaints with the CAC. They prefer other paths, such as complaining directly to the media or spreading the complaint on social media.
- The research reveals the **debate on legal rulings**, by detecting divergences between the regulations in Catalonia, Spain, Europe and internationally.

Source: Clua, A.(IP), Granados, J., Canet. V. (2024). [We2.0. Els drets dels col·lectius i persones afectades per discursos d'odi racistes i LGBTi-fòbics a través dels mitjans de comunicació. Diagnosi del funcionament dels mecanismes de queixa del CAC i del CIC.](#) SOTRAC Research Group at the Universitat Oberta de Catalunya. Period in which complaints were studied: 2014-first quarter of 2024.



Note. Hate speech and LGBTI-phobia

Legal framework analysed

Catalonia

- [Law 11/2014](#), for guaranteeing the rights of lesbian, gay, bisexual, transgender and intersex people and eradicating homophobia, biphobia and transphobia. Articles 34 & 35.
- [Llei 19/2020](#), on equal treatment and non-discrimination. Articles 4 & 43.

Spain

- Criminal code. [Article 510](#) (and [pinterpretative guidelines](#))

International/Europe

- Regulatory activity of the United Nations, the Council of Europe and the European Union.
- Decisions of the European Court of Human Rights (ECtHR).

The research concludes that the legal interpretations in Spain follow a pre-eminently conservative logic. It detects **misalignments** in three aspects:

- **Behaviours defined as hate speech:** The European and international regulations are more extensive and go beyond the provisions of Spanish regulations. The Catalan laws have a conception of hate speech that is aligned with international regulations, although their penalising capacity is limited to administrative infringements.
- **Social groups affected:** The ban on hate speech in Spain has not always been limited to historically victimised groups, according to the research.
- **Clash between the right to equality and the right to freedom of expression:** The European justice system (ECtHR) limits the right to freedom of expression when it is associated with other rights, like equality and peaceful social coexistence. Spain's Constitutional Court (TC) upholds a 'non-militant' model of protecting democracy, in which freedom of opinion and expression may legitimise forms of speech that attack the democratic system itself.

Source: Clua, A.(IP), Granados, J., Canet. V. (2024). [We2.0. Els drets dels col·lectius i persones afectades per discursos d'odi racistes i LGBTi-fòbics a través dels mitjans de comunicació. Diagnosi del funcionament dels mecanismes de queixa del CAC i del CIC.](#)



Note. Hate speech and LGBTI-phobia

Comparison of the regulatory approach to discrimination and hate speech. International/European vs Catalan/Spanish

International/Europe	Catalonia/Spain
There are anti-discriminatory laws that regulate hate speech.	There are anti-discriminatory laws that regulate hate speech.
The anti-discriminatory laws identify an extensive range of discriminatory behaviours as hate speech.	The anti-discriminatory laws identify a limited range of discriminatory behaviours as hate speech.
The anti-discriminatory laws show a high degree of effectiveness.	The anti-discriminatory laws show a low degree of effectiveness.
The regulations on hate speech are aimed at protecting social groups that have historically been the target of different forms of oppression.	The regulations on hate speech are aimed at protecting social groups that have historically been the target of different forms of oppression, although many legal rulings are aimed at defending groups or individuals who have not experienced discrimination.
The interpretation and enforcement of the regulation is coherent with its <i>raison d'être</i> : the hermeneutics used is in line with the origins of the ban on hate speech.	The courts have interpreted anti-discriminatory laws in a way that disconnects them with their original political goal of combating discrimination.
The insertion of hate speech into legal systems reflects the political demands of the different emancipatory social movements that have existed throughout history (antiracism, antisexism and antiLGBTI-phobia). The judicial application of hate speech in Europe determines that the doctrine of hate speech should not be used to censor political and/or institutional criticism.	The insertion of hate speech into legal systems reflects the political demands of the different emancipatory social movements that have existed throughout history, but the judicial application of hate speech enables expressions of political and institutional criticism to be censured (such as pronouncements by the feminist movement or anti-monarchic speech).
In the legal debate on the clash between the right to freedom of expression and the right to non-discrimination, the interpretation guarantees the right to equality.	In the legal debate on the clash between the right to freedom of expression and the right to non-discrimination, the interpretation does not guarantee the right to equality and instead tends to prioritise defending the right to freedom of expression.

Source: Clua, A.(IP), Granados, J., Canet. V. (2024). [*We2.0. Els drets dels col·lectius i persones afectades per discursos d'odi racistes i LGBTi-fòbics a través dels mitjans de comunicació. Diagnosi del funcionament dels mecanismes de queixa del CAC i del CIC.*](#)



Note. Hate speech and LGBTI-phobia

Proposals and considerations for regulatory bodies

Promote actions to improve citizens' knowledge of their rights and responsibilities and the development of a democratic culture

Undertake internal actions to improve citizens' trust in complaint mechanisms

Interpret the regulations to guarantee the protection of historically discriminated social groups

Other proposals

Have third-sector entities incorporate knowledge and competent use of the anti-discriminatory regulations addressing hate speech into their immediate objectives

Revive the social debate on regulating the right to information and communication and review the sphere of competence of independent regulatory bodies

Source: Clua, A.(IP), Granados, J. Canet. V. (2024). [*We2.0. Els drets dels col·lectius i persones afectades per discursos d'odi racistes i LGBTi-fòbics a través dels mitjans de comunicació. Diagnosi del funcionament dels mecanismes de queixa del CAC i del CIC.*](#)



Flashes (1)



The EU forces TikTok to remove its Lite version due to the risk of addiction

On 8 April, TikTok launched its new Lite version in Spain and France, which includes the possibility of monetarily compensating users for watching videos. The European Commission [described](#) the application as potentially toxic and addictive, and it launched a sanction proceeding against TikTok because it had not submitted the required mental health risk assessment, as required by the new Digital Services Law. In response, the Chinese company ByteDance, which owns TikTok, [announced](#) on 24 April that it was temporarily removing the app from the market.



The UN presents a global network of women in film and audiovisual media

On 18 March, the first global network of women in film and audiovisual media was presented at the United Nations headquarters in New York, as part of the 68th session of the Commission on the Status of Women ([CSW68](#)). The initiative is being led by Spain via the Association of Women Filmmakers and Audiovisual Media ([CIMA](#)), and more than 30 international associations have joined it. The network aims to become a collaborative platform which fosters the presence of women in the film and audiovisual sectors, along with equality and project financing with a gender perspective.



The state government regulates the activity of influencers

On 30 April, the Spanish Council of Ministers approved [Royal Decree 444/2024](#), which for the first time establishes the requirements regulating influencers to ensure that they are compliant with the 2022 General Audiovisual Communication Law. It defines *users of special relevance* according to economic criteria (yearly income of more than 300,000 euros), audience criteria (more than 1 million followers) and activity (more than 24 videos per year). In 2023, the Ministry of Social Rights, Consumer Affairs and 2030 Agenda [detected](#) that 77% of influencers' videos analysed were noncompliant with the obligation to identify advertising.



RNE starts broadcasting in DAB+

On 13 February, dovetailing with World Radio Day and the centennial of radio in Spain, [Radio Nacional de España](#) started its digital radio broadcasting using the DAB+ standard in conjunction with Cellnex Telecom. Initially, the DAB+ broadcasts of RNE, Radio 5 and Radio 3 can be heard in Barcelona, Madrid, Valencia, Seville, Murcia and Bilbao. The intention of the promoters of DAB+ is to gradually expand its coverage and for this digital radio standard to eventually replace FM in the long term, just as DTT replaced analogue TV.



Flashes (and 2)



The government approves the CCMA's contract programme

On 20 February, the Government of Catalonia approved the [2024-2027 contract programme](#) of the Catalan Audiovisual Media Corporation (CCMA), which calls for public investment to the tune of 1.347 billion euros during that period. The CCMA has not had this programmatic document for 14 years. The contract revolves around three main areas: the economic stability of the public media; the dissemination and strengthening of Catalan language and culture; and the drive for the digital transformation, which the CCMA started when it launched the OTT platform [3Cat](#).



3Cat première its SuperCampus educational platform

On 2 May, the CCMA premiered the first digital platform for educational audiovisual contents in Catalan, [SuperCampus](#). The project is supported by the Catalan Department of Education and has been endorsed and supervised by a team of educators. It aims to be a benchmark learning tool for the Catalan educational community. It is initially offering around 100 short videos. SuperCampus is accessible from both the [SX3.cat](#) environment and from the [3Cat](#) platform.



The CAC finds that TV3 met its obligations to broadcast European works in 2023

In May, the Catalan Audiovisual Council found that Televisió de Catalunya complied in 2023 with the broadcasting quotas for European works established in the General Law on Audiovisual Communication, both for TV3, SX3/33 and Esport3 separately and as a whole. The [CAC report](#) states that 86% of broadcasting time on TVC channels was spent on European works (the law obligates a minimum of 51%) and that 68% of this time was spent on productions in the state's official languages (minimum of 50% by law).



Barça launches its new OTT platform

On 4 April, Futbol Club Barcelona launched a new digital audiovisual streaming platform with contents from the club, called [Barça One](#). This service is replacing Barça+, –which premiered in 2020–, and is available to anyone free of charge with advertising, or with a premium subscription without advertising. It has both original productions and live broadcasts, as well as archival contents produced by Barça TV, a channel which stopped broadcasting on 30 June 2023 after 24 years on air.



Main sources and bibliographic citation

Main sources:

CAC: the Council's own data.

EGM: 1st sweep 2024. Catalonia data.

Barlovento Comunicación: monthly public reports.

Iconography: [Canva](#), [Noun Project](#), [Freepik](#).

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