

# Showcasing institutional racism: the experience of the “Municipal Register for Everyone” task force in Tarragona

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## Abstract

The “Padró per a totes” (municipal register for everyone) task force – whose members include anti-racist bodies and local community groups – has worked throughout 2023 to improve access to municipal registration for individuals suffering from racialisation in the city of Tarragona. The origin of this campaign stems from the participatory diagnosis “Derives Migrades”, which identified institutional racism within local authorities, particularly emphasising the obstacles encountered by migrant communities in accessing municipal registration. The campaign has fought for acknowledgement of the right to municipal registration via training, political advocacy and solidarity among residents. A number of initiatives have been carried out, including research endeavours, informal meetings, informational material handouts and the escorting of individuals attending local offices, with two goals in mind: highlighting discrimination against racialised individuals who wish to register; and, acquiring tools to support those affected by this situation. Emphasis is placed on the importance of raising awareness among and training administrative staff, in addition to implementing protocols to counteract this discrimination. More inclusive policies, transparency in the registration process and a legislative framework prioritising fundamental rights are crucial to addressing this issue.

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## Praxis

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Activism and public awareness are also vital in combating institutional racism by encouraging such practices to be unveiled and resisted.

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**Keywords:** Municipal registration, institutional racism, migration, mutual aid.

## 1. Introduction

The right to registration in the municipal census in certain cities, such as Tarragona, is repeatedly infringed by the competent institutions. Current legislation states that it is incumbent on each town's local council to assure this right, and that it is the obligation of all residents to register in their area.

The violation of the right to registration demonstrates that not only is institutional racism a current-day reality, it also means many individuals are left without access to other universal rights, such as education and healthcare. It directly hinders the administrative regularisation of their status (one of the requirements for regularisation through settled status is having been registered for at least three years) and it deters a segment of the community from being able to participate. It is crucial that these situations of inequality are studied and condemned from both academic and social spheres, and that proposals are put forward to the administrations so they may guarantee equal treatment and effective compliance with the regulations.

Over the past year, the Municipal Register for Everyone task force has been investigating to identify the causes of discrimination in municipal registration and to establish what can be done to combat them. The focus that some anti-racist entities and groups in the city currently place on this issue is, among other factors, a consequence of a participatory diagnosis process conducted in 2022 under the title "Derives Migrades" (Migratory Drifts). This process highlighted the fact that access to registration is at the root of many other problems affecting the racialised community living in the city.

## 2. The right to municipal registration

According to current regulations, the municipal census is an administrative register that enables city councils to know the number of inhabitants in the local area and to map the residents living there regularly. The value of this data for the public authority is twofold: it helps with effective planning of local public policies and services according to the population size; and it allows for the accurate calculation of public funding distribution from other administrations. Its importance lies in ensuring that citizens have equitable access to public services and participation in community life. For residents, the municipal census is the gateway to other rights, such as education, healthcare and social services. Accordingly, besides serving as a residence record, registration in the census is essential for exercising other rights and accessing vital services:

- Access to basic services: registration is necessary to access services such as education, healthcare, social services and other local services.

- Participation in electoral processes: being registered in a town is a requirement to vote in local elections.
- Obtainment of official documents: to apply for and obtain official documents such as the registration certificate, national identity document or passport it is generally necessary to be registered in a specific town.
- Access to programmes and benefits: in certain cases, registration is necessary to be eligible for certain benefits.
- Administrative registration and procedures: for various administrative procedures, such as school enrolment, registration in the relevant town is often required.

The right to municipal registration is based on the principle of primary residence in a town, regardless of housing conditions. Registration allows residents to be eligible for a range of public services and legal rights and, as we have seen, is an essential process for population identification.

In Spain, the right to municipal registration is primarily regulated under Act 7/1985, of 2 April, regulating the rules of the local system. Article 15 addresses the requirement for individuals to register in the town where their primary residence is located. Article 16 lays out local powers when it comes to the population and the census, while article 17 deals with cooperation among local institutions regarding census information.

Thanks to the work of the Forum of Local Ombudsmen of Catalonia in the monograph *El dret a ser empadronat i la bona administració* (the Right to be Registered and Effective Administration, 2019), we can see that there are regulations applicable to the management of the municipal census, such as the *pro homine* principle or *in dubio pro actione* principle:

Preventing or placing obstacles to impede the municipal registration of individuals in the town where they actually reside, beyond what is stipulated in the law and/or according to a rigorous interpretation, not only hinders the exercise of rights and obligations, it may also obstruct fundamental rights, particularly for vulnerable groups.

Consequently, the interpretation and application of registration legislation, particularly in areas where there is a margin of discretion at the municipal level, must always favour the right to be registered in case of doubt,<sup>3</sup> and must always favour the continuation of the procedure. This is a derivation of the well-known anti-formalist legal principle or *in dubio pro actione* inherent in administrative procedures (implicit, for instance, in article 68 of Act 39/2015, which allows for the correction of applications), which should prevent transforming this process into an obstacle course for the applicant (p. 11).

In the specific case of the city of Tarragona, several organisations have reported instances of discrimination in the processing of municipal

3 A principle derived from international law that is incorporated into national legal systems, as indicated by Aguilar and Nogueira (2016).

registration, particularly against individuals who are racialised, indicating that these principles have not been adhered to.

Through their participation in the Municipal Register for Everyone task force, with the cases they have supported in the city for the registration application process the researchers behind this article have observed that the regulations are not always followed and there is a clear bias in the treatment of applicants.

At present, the procedure to register in the municipal census in Tarragona can only be done in person at the citizen service offices by appointment. The only information available at the local level is the list of documents required for the procedure, which appears on the local authority website. This includes the identification documents of the applicant, and the following options for documents that identify the residence:<sup>4</sup>

- Owned property: deed, purchase contract, note from the Property Registry, or verification in the municipal database indicating ownership.
- Rented property: valid, applicable rental agreement for the residence accompanied by the latest rent receipt and a document confirming that the deposit has been submitted to the rental contract deposit registry of urban properties attached to INCASÒL.
- Already occupied property: authorisation with a recognised signature from the property owner or holder of the rental agreement registered at the address.
- Collective establishments (residences, convents, etc.): authorisation from the director of the respective institution.

Nevertheless, it must be noted that the regulations on municipal registration<sup>5</sup> do not specify the exact forms of documentation required to prove residence in the city:

The City Council – through its registration authority – cannot verify whether there is legal title or not (this would constitute an abuse of power, at the very least) and, moreover, cannot demand a single specific document to prove residence; rather, it must accept (...) and the applicant may provide various documents and even request a municipal inspection (Forum of Local Ombudsmen of Catalonia, 2019, p. 42).

These assumptions would be appropriate if all residents in the area were assured access to housing; however, the reality is different. We know that public policies do not fully address the issues of housing shortfalls or homelessness, even though the responsibility to ensure sufficient accessible housing lies with the public administration, without even giving any

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<sup>4</sup> Data extracted from the electronic office of Tarragona City Council.

<sup>5</sup> Articles 15 to 18 of Act 7/1985, of 2 April, regulating the rules of the local system; and articles 53 to 74 of Royal Decree 1690/86, of 11 July, approving the regulation on the population and territorial delimitation of local organisations.

consideration to the population in a state of residential exclusion (Forns, 2023).

Accordingly, in the only public information available about the municipal census Tarragona City Council does not foresee the existence of other forms of housing verification and does not explain what to do if one does not own property or have a rental agreement.

It is also noted that the same barriers to accessing the municipal census restrict access to adequate residential conditions, given that individuals who cannot register cannot apply for social housing grants, and there is a latent need to increase the availability of social and public housing and to facilitate access to housing for particularly needy groups.

Although the entire Local Housing Plan of Tarragona fails to make any reference to the situation of people renting a flat or a room without a rental agreement (i.e., subletting from those who have the agreement), we have verified that the administration is aware of this situation, which many new arrivals in the city find themselves in when they wish to exercise their right to registration. Furthermore, we have found that the City Council is aware that, due to their housing circumstances and the lack of cooperation from the local administration, many of these individuals are compelled to pay those who have a valid rental agreement for their authorisation (one of the documents accepted by the Municipal Office of Citizen Services) to process the registration application.

Access to adequate housing for migrants is impacted by various structural inequalities and global dynamics that influence their integration into housing markets. Sassen (2014) examines this issue from the standpoint of social expulsions and the inherent brutality of the global economy's complexity, highlighting the fact that migrants are often excluded from the housing market owing to global dynamics and urban policies.

The UN Special Rapporteur on adequate housing, Farha (2016), has emphasised the specific difficulties migrants face in accessing housing, stressing the need to address this issue from a human rights and social justice perspective. This highlights the complexity and multiple hurdles that migrants must overcome to secure adequate housing.

It is imperative to tackle the issue of housing access from a human rights and social justice standpoint, particularly for migrants. This underscores the complexity and multiple hurdles they must overcome to achieve adequate living conditions.

These observations underline the vital importance of ensuring equitable access to the municipal census as a foundation for exercising individual rights, while also highlighting the need to address inclusion and social justice from a human rights perspective at the local level.

### 3. Methodology

We realise that the methodology employed and the place from where we conduct our research are fundamental components of the investigative process. It is crucial to recognise that our perspective is rooted in a specific context, which means that the selection of concepts and the interpretation of actions or practices can vary according to different locations and voices.

#### **Situated perspective**

The concept of a situated perspective in social research demonstrates that objectivity and neutrality do not exist; rather, research is situated and biased (Haraway, 1991). This approach values the recognition of the diversity of positions from which the world is observed and how this influences our understanding of knowledge. A conscious effort must be made to centre the voices of “the others” in the discourse, understanding the intersections of identity and social position within power dynamics (hooks, 1984).

Social research from this perspective must be based on understanding the intersections between the researcher’s personal identity and the context in which the research is conducted. This approach acknowledges the fact that researchers bring their own experiences, values and cultural contexts to the investigation, which can affect the way information is collected, analysed and interpreted.

The situated perspective highlights the importance of recognising the individual perspectives and positions of researchers as an integral part of the research (Balasch and Montenegro, 2003). Instead of striving for supposed neutrality, transparency in relation to the position we hold and how it influences the research process is held in high regard. This approach requires the researcher to reflect on how their own identity, experiences and social position can influence the way the research topic is approached and their relationship with participants. It emphasises the importance of critical reflection, acknowledging the fact that identities, experiences and personal contexts can provide a deeper understanding of social phenomena and help avoid simplistic or reductionist interpretations.

In this research, the authors have been part of the entire process of collective knowledge construction, as well as other actions of the “Municipal Register for Everyone” task force, with a clear position of capitalising on their knowledge and positions of power to aid in the struggle for access to the municipal register.

#### **Joint knowledge creation**

The “Municipal Register for Everyone” task force emerged from a process of collective research and the need to highlight the systematic infringement of rights experienced by migrants and racialised individuals

in Catalonia (in this project, we focus on the category of migrants/racialised individuals due to the anti-racist and institutional racism approach, but the denial of the right to municipal registration is also experienced by people in a situation of residential exclusion, regardless of their origin).

In 2022, in Tarragona city the Anti-racist Network and La Teulada association coordinated a series of meetings with collectives led by migrants to discuss their main hurdles, needs and desires in the city.

Three facilitated meetings were held to investigate the problems faced by the group of racialised individuals, focusing on how the individuals in their bodies feel the effects of their surroundings. The research perspective from the body-territory approach considers the interconnection between the human body and its relationship with the surrounding physical and social setting. This approach recognises that bodies do not exist in isolation but are intrinsically linked to the spaces they inhabit, influencing and being influenced by them.

Accordingly, in the Migratory Drifts, as they have been coined, the project explored how the bodily experiences of racialised individuals intertwine with the physical and social spaces of the city, and how racism influences these interactions. The goal was to understand how bodies relate to, experience and are shaped by physical and social environments, and how these interactions affect identity, subjectivity and human experience.

The project collectively examined how racialised communities experience and occupy urban space, focusing on how public and private settings are perceived and used by the participants. It highlighted how the narratives, experiences and perceptions of racialised individuals are linked to physical space and how these experiences are marked by racism and discrimination.

The results of this process revealed that participants perceive many more places in the city as “problematic spaces” rather than “friendly spaces”, with one main issue being the difficulty in accessing the municipal register.

### **“Municipal Register for Everyone” task force**

“Municipal Register for Everyone” is a community campaign that seeks to recognise the right of all residents of the city of Tarragona to register in the municipal census. It is delivered through education, political advocacy and solidarity among residents in pursuit of collective strategies for defending rights.

The task force has conducted research to gain an acquaintance of the difficulties in accessing the municipal register at the local level through mutual support and collective reflection. The work has been carried out in an assembly format with each participant taking responsibility for their involvement in the forum.

Throughout 2023, meetings were held to share knowledge, dissemination materials were prepared detailing applicable regulations for the municipal register and a public condemnation campaign was launched to



highlight the situation. This condemnation led to the creation of forums for political advocacy.

Another core aspect of the campaign has been to physically accompany racialised individuals to the citizen service offices of the city. There is a twofold aim to accompanying individuals in this manner: firstly, to allow us to verify how the local authority responds to registration requests, what regulations are applied and how, whether specific protocols exist within the City Council, and the knowledge that technical staff have of these protocols; secondly, being able to accompany someone after training and reflection on this issue has made a difference when completing the procedure, showing that often individuals have left without being able to submit their application due to lack of support or information from administrative staff.

Additionally, using an online form statistical data has been collected about the number of people unable to register, as the public authority does not have this information. The results will be analysed later to determine how many people live in the city who are not registered.

One of the final initiatives of the campaign, addressing the need of some participants to know how to accompany someone who wants to register, was a workshop using role play as a methodology to apply what has been learned. This practical approach allows participants to experience and practise the necessary skills to handle these situations while fostering connections among participants.

All these actions aim firstly to highlight the clear discrimination that exists against racialised individuals who want to register in the city and, secondly, to acquire tools to enable us to use our privilege to support those affected by this situation.

### **Development of the experience**

We will now explain in more detail about each of the actions carried out.

The five collective meetings were facilitated by technical staff and were held in an assembly format where decisions were made by consensus. The meetings included entities that share an anti-racist vision as well as individuals interested in learning about the issue and participating in the campaign.

1. After working with organisations supporting migrants residing in the city, there was a shared need to come together and propose collective strategies to address the problems many people face when going to the municipal citizen service offices to register in the municipal census. In this initial forum, the “Municipal Register for Everyone” information dossier was shared with other organisations and participants. This dossier, available in several languages (Catalan, Spanish, Arabic, English and French), details the regulations applicable, how to register in Tarragona, the hurdles that might be encountered and collective

strategies to overcome them, such as self-organisation and mutual support. These dossiers were distributed among interested organisations so they could be shared as part of their services and activities.

2. This activity was dedicated to devising strategies to address instances of institutional racism in the city and to help racialised individuals register. The conclusions from the meeting were that, in addition to the communication campaign and specific political advocacy actions, organisations need to be available to accompany those in need. Along these lines, a virtual group was set up with the task force participants to share cases needing accompaniment. It was also agreed that graphic materials would be developed to support and promote the campaign.
3. This initiative was used to review and share the cases that had been accompanied, serving as an assessment of the group's progress. Some participants expressed the need for more specific training to carry out the accompaniments effectively.
4. The results of the campaign were presented at Torreforta community centre.
5. Using role play as a methodology, participants shared everything they had learned from visits and accompaniments to municipal offices. To improve these accompaniments, strategies were sought to counter negative responses from office staff by understanding the regulations in depth, as well as through body language, tone of voice and self-confidence. This session also helped generate bonds among participants and, by dramatising and making light of some of the racist situations experienced, it provided an opportunity to laugh, relieve tension and renew energy.

In relation to political advocacy actions, meetings were held with the head and management of municipal social services, as well as with the Department of Equality, Citizen Services and Social Services. During these sessions, information about the campaign and the problems encountered in the accompanied cases was shared. A request was made to offer equal treatment and non-discrimination training to administration staff and to ensure that the organisations and citizens alike could benefit from a clear protocol setting out the process an individual should follow to register in the city if they do not own property or have a rental agreement. Both requests were deemed unnecessary, as the Administration claimed no breach of regulations had been identified.

Over the course of the campaign (June-December 2023), over forty racialised individuals were accompanied to the municipal citizen service offices. The vast majority of these cases had previously attempted to complete the process on their own and were either not allowed to proceed (non-acceptance of the generic request) or had received a negative response. Those who were unable to register on their own were indeed able

to do so with the support of the task force, the only difference being that they were slightly better informed and more confident about their rights, as well as having someone with them who had a more thorough understanding of the regulations. Cases were identified either through people coming forward to the meeting forums or by word of mouth.

Most of the accompanied individuals encountered the same issue: they only had an address for their accommodation and did not own property or have a rental agreement, meaning they were systematically not allowed to register. When accompanied and when the person handling the request was reminded that the City Council must allow all residents to register, regardless of their residential situation, the first step of submitting the application was successful in all cases. However, there were still some negative responses to the application. The most notable, perhaps because of its absurdity, was a case where a person received a letter denying their registration at the same address which, according to the letter, did not exist.

From these accompaniments, it can be concluded that the way an individual is treated varies depending on skin colour and language spoken, which, as argued throughout this article, are discriminatory and racist attitudes.

## 4. Institutional racism

Institutional racism is a manifestation of systematic discrimination that permeates the institutions, laws and policies of a society, adversely affecting individuals originating from the Global South. This form of discrimination may be less overt or more subtle compared to individual discrimination (Braveman, 2022), but it does have a profoundly rooted impact on the lives of those affected.

The denial of the right to register in the municipal census owing to origin or nationality constitutes a potential manifestation of institutional racism when it stems from discriminatory policies, practices or attitudes within public institutions or administrations. In such contexts, it is imperative to identify and counteract this discrimination, not only through the promotion of more inclusive policies but also by raising awareness and providing training for the staff operating within these institutions.

Conceived as an administrative right, municipal registration aims to ensure the provision of basic services without distinction owing to nationality. However, there have been instances where certain towns have applied restrictive policies or hindered the registration of migrants, in breach of current legislation. The denial of registration undermines fundamental rights and laws that guarantee access to basic services for all residents, regardless of their migration status.

Discrimination in the registration process based on origin or other personal characteristics is unacceptable and runs counter to the principles of equality and non-discrimination, which are fundamental in so-called democratic societies.

We have questioned why some public administration staff systematically treat individuals differently depending on how they speak, their appearance or where they come from. This discrimination can arise from a lack of clear information on how to apply the law or from the prejudices of the serving staff. While isolated cases could be addressed with training or protocols, the fact that this situation recurs in most citizen service offices clearly portrays the problem stemming from institutional racism.

In a society that remains racist and colonialist, where postcolonial forces continue to have a profound impact on international relations, cultural representation and global exploitation (Mohanty, 2003), it is unlikely that these discriminatory situations will disappear. However, as public organisations, local councils should strive not to perpetuate them.

The concept of “necropolitics” (Mbembe, 2006) is a useful reference here as it looks at the relationship between political power and the management of life and death within global forces, and how governments and institutions control and suppress populations. These theories can be applied to local policies, particularly concerning communities that suffer from some form of discrimination.

In urban or municipal contexts, Mbembe’s theories could be applied to local urban planning policies and the management of urban spaces, local surveillance strategies such as security cameras or police actions, and local policies related to access to essential services. They may also apply to how these can reflect a form of control over the lives and deaths of people and reinforce dynamics of social inequality and exclusion.

This issue calls for a critical, resolute focus to ensure equality of rights and opportunities for everyone, regardless of race or ethnic origin. Human rights activism and public awareness are crucial tools in the fight against this form of discrimination as they promote visibility and resistance against institutionalised discriminatory practices.

It is important to point out that Tarragona City Council approved a motion submitted by the Anti-racist Network to address the public health crisis represented by racism.<sup>6</sup> This motion directly references the need to identify and eliminate the hurdles faced by the migrant community in the city when it comes to accessing the municipal register, paving the way for registration without a fixed address, as already applies in other areas within Catalonia.

This motion focuses on the linkage between public health and racism, highlighting the multifaceted ways in which racial discrimination and inequalities contribute to health disparities among different groups.

Thus, we see how the right to municipal registration is intrinsically linked to public health issues, from limiting access to public health services to impacting social determinants of health such as housing, employment and education.

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6 Motion 7.6. CP 23/10/2020, of Tarragona City Council, submitted by CUP Tarragona municipal group, prepared by the Anti-racist Network “To tackle the public health crisis represented by racism”.

The social determinants of health are integrated within social, economic and political factors that add to health disparities, providing a robust theoretical foundation for addressing health inequities from a holistic and comprehensive perspective (Palomino et al., 2014). This approach emphasises the importance of inclusive policies that address structural inequalities, including racial discrimination and restrictions on registration, to bring about sweeping change in the health of discriminated communities.

## 5. Anti-racism measures

Incorporating an anti-racist perspective into local governments is a complex process that may involve various strategies and actions.

In the current context of cultural and social diversity, it is imperative for local governments to adopt an anti-racist perspective to ensure policies and practices that are inclusive and equitable for all city residents.

One essential proposal is to establish continuing training programmes for local administration staff which focus on understanding the history of structural racism, cultural diversity and ethnic consciousness (hooks, 2000). These training sessions aim to raise awareness and educate administrative workers about the importance of recognising and addressing the racial inequalities present in the local community (Lorde, 1984).

At present, there is resistance within the local administration to acknowledging racial bias, which makes it harder to tackle the issue and implement effective measures. Local organisations like the Anti-racist Network have offered to conduct awareness workshops, but the interest from technical and administrative staff has been minimal.

Another tool is the formation of participatory forums comprised by members of various communities, which can be an effective instrument to ensure representation and direct participation on the part of communities affected by local policies (Davis, 2004). These committees would serve as channels for cooperation between the community and local government, allowing for a better understanding of diverse needs and perspectives (Lorde, 1984).

Progress has been made in Tarragona in this regard, for instance there is the Intercultural Panel, a forum addressed to migrant organisations to discuss city issues. Work is already underway also on the Immigrant Panel. However, these initiatives still have many shortcomings, such as the lack of associated resources and hurdles to participation (only registered organisations are accepted).

A thorough review of policies for accessing services and opportunities to ensure equity, identifying and eliminating existing racial biases (hooks, 2000), is also essential in the process of improving access to these services.

When it comes to access to the municipal register, there is a need for a clear protocol on how the local government operates, as it should not depend on the interpretation of the law by the individual technical staff

member or on orders that are not documented and cannot be verified by citizens and local organisations.

## 6. Conclusions

There is a constant presence of hurdles in the way of accessing the municipal register in Tarragona and they particularly affect racialised individuals. This systemic discrimination not only violates the right to municipal registration but also limits access to a range of basic services and fundamental rights, such as education, healthcare and social services.

Conceived as an administrative right, municipal registration should guarantee equal access to public services regardless of nationality. However, this research unveils the existence of restrictive practices, problematic application procedures and discriminatory criteria in application processing, revealing a form of institutional racism.

Far from being neutral, urban dynamics and local policies exhibit structural inequities and differences in access to housing and essential services for migrant communities. Therefore, registration constitutes a fundamental pillar for accessing adequate housing within a framework where municipal policies must address this reality from a human rights and social justice perspective.

The analysis of global forces highlights the need to re-conceive local urban planning policies and management of space, as these can reflect a form of control over the lives and deaths of people, exacerbating social inequalities and exclusion.

Accordingly, the importance of raising awareness, training administrative staff and implementing inclusive protocols in local authority practices to counteract this discrimination is underscored. The need for more inclusive policies, transparency in registration processes and the establishment of a legislative framework that prioritises fundamental rights are key aspects to addressing this issue.

Activism and public awareness are also vital tools in combating institutional racism and fostering visibility and resistance against these discriminatory practices. In short, a comprehensive, multidisciplinary and collective approach is required to tackle this complex reality and ensure equality of rights and opportunities for all, regardless of their administrative status, origin or migratory situation.

Currently, in the city of Tarragona the Cafè Migrant project by the Anti-racist Network is responsible for monitoring and assisting individuals who encounter hurdles when it comes to registration.

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