

	Ciberhate		<p>discrimination and hostility against minorities, immigrants and people of immigrant origin.</p> <p>"This phenomenon is what has become known Cyberhate that applies to any use of the electronic communication of information to disseminate messages or information Semitic, xenophobic, homophobic, racist, intolerant, extremist, etc."</p>
Country	Definitions	Provided by whom	What do they say
Spain	<p>Hate Crime: It is an aggravating circumstance of subjective nature, and expressing a mobile particularly undesirable: the negation of the principle of equality.</p> <p>Hate Speech: "which has a heavy burden of hostility that incites, sometimes directly and other subliminally, violence by way of humiliation. The explosive effect of such ingredients well mixed, experience is something that our eyes can predict with almost no margin for error, be a causal connection between them.</p>	<p>Justice Ministry</p> <p>Constitutional National Court</p>	<p>Aggravating circumstances are committing the crime for racist, anti-Semitic motives or another type of discrimination relating to ideology, religion or beliefs of the victim, ethnicity, race or nation to which he belongs, sex, sexual orientation or identity, diseases suffering or disability.</p> <p>It requires the existence of a predicate offence will be punishable elevated to the upper section by the concurrence of this aggravating based on an attack on the dignity of the individual, closely linked to personal or social circumstances (race, ideology, religion, etc.).</p> <p>The Constitutional Court in its STC 176/1995 (Case Makoki) defines as "hate speech", who has "a heavy burden of hostility that incites, sometimes directly and other subliminally, violence by way of humiliation. The explosive effect of such ingredients well mixed, experience is something that our eyes can predict with almost no margin for error, be a causal connection between them. "</p> <p>The Constitutional Court made explicit in the judgment 214/1991 that "neither ideological freedom (Art. 16 EC)</p>

			and freedom of expression (Art. 20.1 EC) include the right to make statements, expressions or campaigns of a racist and xenophobic nature, since that, as provided for in Art. 20.4, no unlimited rights and this is contrary not only to the right to honor the person directly affected, but other constitutional goods such as human dignity (Art. 10 EC), to be respected by both the authorities and the citizens themselves, in accordance with the provisions of arts. 9 and 10 EC. The rank or dignity of the person as such, from which it derives and in which the right to honor (Art. 18.1 EC) projects, does not allow any discrimination on grounds of birth, race, sex, opinions or beliefs.
Country	Definitions	Provided by whom	What do they say
	<p>1. Hate incident: "Any racist incident which is perceived to be racist by the victim or any other person".</p> <p>2.- "Hate crimes comprise of two elements: a criminal offence, committed with a bias motive. Firstly there has to be an act that constitutes an offence under criminal law (the "base offence"). Secondly, the criminal act is committed with a particular motive (the "bias motivation"). This means that the perpetrator intentionally chose the target of the crime (one or more people) because of some protected characteristic shared by a group, such as race, religion, ethnicity, nationality, disability, gender identity, sexual orientation or other similar common factor".</p> <p>3.- Hate speech "This phenomenon is what</p>	<p>Ministry of Interior to enforcement bodies (Action Protocol of the Security Forces for hate crimes and behaviors that violate laws on discrimination)</p>	<p>Enforcement bodies shares the ECRI definition for hate incident adopted by the European Commission against Racism and Intolerance of the Council of Europe, in its Recommendation on the Policy nº11.</p> <p>National Polices shares the OSCE definition for hate crimes, and has an internal protocol for action when facing crimes and behaviors that violate legal regulations on discrimination. And also they have in mind the perception of the victim, the agent or the witness for begin the hate crimes diligences.</p> <p>Includes even the aporaphobia as bias motivation, because in Spanish laws (Penal Code) is still no conceived as a hate crime (510 CP), can be considered that the victim of this crime can be protected under CP 173 (tortures and other crimes against moral integrity), but is a fewer protection. Anyway, they collect aporaphobia in the SEC (Criminal Stadistical System).</p> <p>Which is the subject of punishment, is not itself the</p>

	<p>has become known Cyberhate that applies to any use of the electronic communication of information to disseminate messages or information Semitic, xenophobic, homophobic, racist, intolerant, extremist, etc.”</p>		<p>expression of ideas, for they are abominable, but when this expression is so and circumstances involving a provocation to hatred, discrimination or violence, in violation of constitutional values and human dignity of non-discrimination on grounds of birth, race, sex, religion, opinion or any other condition or personal or social circumstance, as determined in Article 14 of the Constitution. Similarly, it constitutes a criminal offense, when these expressions tend to cause hatred or violence, either physical or moral.</p> <p>Is not necessarily that incitement is through the media, as Article 18.1 of the Criminal Code describes the provocation and incitement to the commission of a crime when performed by the press, broadcasting or any other amid such effectiveness.</p> <p>The conduct must be directed to a plurality of unspecified persons. Would, for example, excluding the expressions uttered in a private conversation between friends.</p> <p>It makes no difference to be made directly to a group of people, both open and closed space, either through publications, lectures, demonstrations, meetings, concerts. Examples: RAC / OI1, or using internet or social networking music.</p>
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