

What is Incitement to Racism?

Incitement to Racism includes any content that incites to hater or violence or racial or religious discrimination with the intent of encouraging it.

With racist, revisionist or neonazzi speeches, thousands of sites, blogs and other virtual communities disseminate racial hatred and intolerance. This behaviors are foreseen in our Penal Code.

Constitution of the Portuguese Republic

Article 13.

(Principle of the Equality)

1. All citizens have the same social dignity and treated equally before the law.
2. No one can be privileged, benefited, damaged, private of any exempt right or of any duty because of he's reason of ancestry, sex, race, language, territory of origin, religion, political or ideological beliefs, instruction, economic situation, social condition or sexual orientation.

How it Incitement to racism criminalized?

Article 240

Racial, religious or sexual discrimination

1 – Who:

- a) Establishes or constitutes an organization or develops organized propaganda activities that stir up to the discrimination, hater or violence against a person or a group of people because of their race, color, ethnic or national origin, religion, sex or sexual orientation, or that encourages it; or
- b) Takes part in the organization or any other activities mentioned in the previous point or

gives assistance to them, including financial support;
will be punished with imprisonment for a term from 1 year up to 8 years.

2 – Who, in a public meeting, by a writing document intended to be publicly disclosed or through the media or by any computer system intended to be disclosed:

- a) Practices any violent act against a person or group of people because of their race, color, ethnic or national origin, religion, sex or sexual orientation; or
- b) Defames or insults a person or group of people because of their race, color, ethnic or national origin, religion, sex or sexual orientation, namely by denying war crimes or crimes against peace and humankind: or
- c) Threatens a person or group of people because of their race, color, ethnic or national origin, religion, sex or sexual orientation;
with the intent to incite racial, religious or sexual discrimination, or to encourage it, will be punished with imprisonment for a term from 6 months up to 5 years.

*Law number 7/82, published on 29 April
(unique article)*

The International Convention for the Elimination of All Forms of Racial Discrimination adopted by the United Nations on the 21st of December of 1965 with related texts in Portuguese and in English follow this law, is approved to adhesion.

Documents:

- [Convenção sobre o Cibercrime](#)
- [Protocolo Adicional à Convenção sobre o Cibercrime Relativo à Incriminação de Actos de Natureza Racista e Xenófoba Praticados Através de Sistemas Informáticos](#)
- [Convenção Internacional sobre Eliminação de Todas as Formas de Discriminação Racial](#)
- [European Union Agency for Fundamental Rights](#)