

Criminal Code (1995, amended 2015) (excerpts)

Criminal Code of Spain

Excerpts from Criminal Code, Law 10/1995 of 23 November, as of 2015.

Article 22 - Aggravating circumstances

The following are aggravating circumstances:

(...)

(4) Committing the offence for racist or anti-Semitic reasons, or another kind of discrimination related to ideology, religion or belief of the victim, ethnicity, race or nation to which he belongs, his sex, sexual orientation or gender identity, gender role bias, illness suffered or disability.

(...)

Article 170 [intimidation – specific penalty enhancement]

1. Should the intimidation be of a harm which constitutes a felony is intended to cause fear **among the inhabitants of a location, ethnic, cultural or religious group, or a social or professional group, or any other group of persons**, and if serious enough for such harm to be inflicted, the respective higher degree of penalties than those foreseen in the preceding Article shall be imposed.

(...)

Article 510 – Incitement to violence

1. Those who **provoke** discrimination, hate or **violence** against groups or associations **due to racist, anti-Semitic reasons or any other related to ideology, religion or belief, family situation, belonging to an ethnic group or race, national origin, gender, sexual preference, illness or handicap**, shall be punished with a sentence of imprisonment from one to three years and a fine from six to twelve months.

2. Those who, with knowledge of its falseness or reckless disregard for the truth, were to distribute defamatory information on groups or associations in relation to their ideology, religion or belief, belonging an ethnic group or race, national origin, gender sex, sexual preference, illness or handicap shall be punished with the same penalty.