

INACH – Italian legislation on (online) hate speech

Italy still does not have a specific law contrasting hate speech online. Nevertheless, most of the hate speech happening on the Internet can be sanctioned by means of different articles included in the Italian Criminal Code (*Codice Penale*). Indeed, the criminal offense is judged even more severely by the Courts when it is committed through the Internet, as it obviously has a much stronger diffusion and dissemination capacity.

For this reason, I believe that some other pieces of legislation should be included in our dedicated web page (<http://www.inach.net/italy/>), namely:

Article 416 c.p (on Criminal Conspiracy), used to sanction online hate speech propaganda by a neo-Nazi Group

Article 595 c.p (Defamation), as the use of the Internet to diffuse defamatory sentences was acknowledge being an aggravating circumstance (by Decision 24431/2015)

Article 612 c.p (Threats)

Law 645 1952 (on Apology of Fascism), it is used to contrast fascist movements and contents diffused online

Art 656 c.p – (Publication or dissemination of false, exaggerated or biased news, likely to disturb public order) it applies to online contents too.

Law 115/2013 (“urgent provisions on security and on combatting gender-based violence) This Law introduced the crime of “stalking” in Italy, and it modified the aforementioned Art. 612 c.p (on Threats), by introducing legal persecution against persecutory actions carried out also through IT and/or electronic means.