

Cases and rulings

Country Code	Year	Reference details title	Reference details URL	Hate Bias motivation	Court / Body	Key facts of the case	Results (sanctions, outcome) and key consequences or implications of the case	Main reasoning / argumentation	Key issues (concepts, interpretations) clarified by the case	Key quotation in original language and translated into English with reference details
Finland	2021	Finland / District Court of Oulu		Migrant status	District Court of Oulu (Oulun käräjäoikeus / Uleåborg tingsrätt) - National court	A group of asylum seekers protested against negative asylum decisions in the market square in the city of Oulu. In the early hours of the morning, X threw three petrol-bombs at a tent in the asylum seekers protest camp. At the time, two Iraqi asylum seekers and one local volunteer were outside the tent. There was a charcoal grill in front of the tent. X had not lit the fuse in the bottles, but when the bottles were thrown and shattered, petrol splashed over the tent and on the volunteer's clothes. The petrol did not catch fire, and no one was hurt.	The court sentenced X to conditional imprisonment for one year. Racist motive increased the severity of the punishment. The court also ordered X to pay € 1,500 in damages to each of the victims. The sum is the maximum amount of compensation payable in cases where threat of serious violence is imminent. The serious nature of the offence and its racist motive had an impact on the amount of the compensation.	X had told the police that he was against illegal migration and wanted to frighten the asylum seekers in the protest camp. The court considered whether X had intentionally caused a serious danger to the victims' life or health or whether he had only threatened them (illegal threat). The petrol-bombs had not been lit. X had been behind the tent, and it had not been shown that he had seen the charcoal grill in front of the tent and understood that it could ignite the petrol. The court found X guilty of illegal threat. However, the court also found that as a threat, X's deed was exceptionally serious and he had clearly acted with a racist motive.	In the court's view, the fact alone that X had chosen a tent in the asylum seekers' protest camp as his target, showed that he had acted with a racist motive. According to the Criminal Code, commissioning an offence for a motive based on race is one of the grounds for increasing the punishment.	(p. 8) "[X] on kohdistanut menettelynsä turvapaikanhakijoiden mielenosoitusteltaan. Jo yksin tämä seikka antaa aihetta olettaa, että teolle on ollut rasistinen motiivi. Teko on tehty polttopulloja käyttäen, mikä on varsin tyypillinen rasistisen rikoksen toteuttamistapa." "[X] had targeted a tent in the asylum seekers' protest camp. This fact alone gives cause to assume that he had acted with a racist motive. The act was committed using petrol-bombs, which is a typical way of committing a racist offence."

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