

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
Sweden	2021	Sweden / District Court / Målnummer T 17338-19	https://www.do.se/download/18.4719c6e31791a239451ac1/1622633070650/Dom-tingsratt-PRO-2019-7-tillganglig.pdf	Racial or ethnic origin	Gothenburg District Court (Göteborgs tingsrätt)	The case concerned actions by the Västra Götaland Region's (Region) regarding a Muslim man of African origin suffering from what was later determined as a haemorrhage of the brain. The man suddenly collapsed in his home. The responsible ambulance nurse did not consider the man to be in critical need of emergency care. Instead, as the nurse noted in the journal, she assessed the man as "faking unconsciousness". The nurse also noted "cultural fainting?" in the journal. This assessment by the nurse resulted in a delay of emergency medical care. The man sustained serious brain injuries, never recovered, and eventually died. The Equality Ombudsman sued the Region for discrimination associated with ethnicity.	The District Court held that the Region had discriminated against the man for reasons related to his ethnic origin, sustained the Equality Ombudsman's claim and ruled that the Region must pay discrimination compensation to the estate of the then deceased man as well as to his widow. DO appealed the District Court's decision and requested, among other things, that the Region be made to pay SEK 300,000 in discrimination compensation to the man's estate. In April 2022, the parties arrived at an amicable settlement which encompassed a payment by the region of the entire discrimination compensation (SEK 300,000) requested by the Equality Ombudsman in its appeal of the District Court judgment.	The District Court concluded that the man was disadvantaged, among other things, by having to wait for medical care. The non-prioritisation of the man's condition by the Region's health care staff was related to his ethnicity. The action amounted to a violation of Chapter 2, Section 13 in connection to Chapter 1, Section 4, point 1 of the Discrimination Act. According to the District Court, the man's wife had also suffered from discrimination because the health care staff did not listen to her information about her husband's health condition. The discrimination against the man's wife amounted to a violation of Chapter 2, Section 17 of the Discrimination Act.	The key issues in the case were whether the Region, through the action of its health care staff, violated the prohibition of discrimination associated with ethnicity when providing medical care to the man and whether he and his estate were entitled to discrimination compensation.	"Tingsrätten har sammanlagt kommit fram till att A.A. diskriminerats genom att Regionen bedömt hans hälsotillstånd delvis utifrån etniska grunder vilket medför att Regionen därigenom överträtt diskrimineringsförbudet i 2 kap 13 § diskrimineringslagen." "The District Court has concluded that A.A. was discriminated against because the Region assessed his health condition partly based on ethnic grounds, which entails that the Region thereby violated the prohibition of discrimination in Chapter 2 Section 13 of the Discrimination Act."

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