DATABASE 2012-2024 ON ANTI-MUSLIM HATRED

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
Germany	2012	Germany / Administrative Court Meiningen/ 2 E 355/12 Me	https://openjur.de/u/2329021.html	Religion	Administrative Court (Verwaltungsgericht)	Application by the right-wing party NPD for a public demonstration close to a mosque with the slogan "Stop foreign infiltration - no mosque in E." was rejected by the competent authorities because the gathering posed a threat to public safety. The applicant asked for reversing the prohibition in an urgency appeal.	Cancellation of the ban by the competent authority in an urgency decision. Authorisation to raise conditions (shorten the time span for the gathering, dislocation to another place). Rejection of a comparison with bans of public gatherings against Jewish institutions due to the special case of persecution of Jews during WWII.	The competent authority may ban a public meeting or demonstration or may require the compliance with specific conditions, if at the time of the decision according to recognisable circumstances public safety is directly endangered by the event. The risk assessment by the authority requires material grounds, which should, after sound analysis, indicate a sufficient probability of risks. Mere suspicion or assumptions of risk do not meet this requirement.	Right to public gathering and freedom of speech versus risk of sedition against specific groups.	"The ban of a public meeting in direct proximity to a mosque with the slogan "Stop foreign infiltration - no mosque in E." is unlawful because no concrete signs for endangering public safety had been present. The case does not constitute a sedition prohibited by law. The ban is cancelled." "The authorisation for the public gathering is restored under the condition of dislocation to another meeting place more distant to the mosque." "Das Verbot einer Versammlung in unmittelbarer Nähe eines islamischen Gebetsraums unter dem Motto "Überfremdung stoppen - keine Moschee in E.!" ist rechtswidrig, weil keine konkreten Anhaltspunkte für eine Gefährdung der öffentlichen Sicherheit vorliegen. Das Motto erfüllt nicht den Tatbestand der Volksverhetzung." "Die aufschiebende Wirkung des Widerspruchs des Antragstellers vom 20.07.2012 gegen das Versammlungsverbot der Antragsgegnerin im Bescheid vom gleichen Tag wird unter folgender Auflage wiederhergestellt: Der Kundgebungsort wird auf die J... - aus Richtung S... kommend rechtsseitig hinter den Pollern in Richtung G... verlegt."

DISCLAIMER The information presented here is collected under contract by the FRA's research network FRANET. The information and views contained do not necessarily reflect the views or the official position of the FRA.

http://fra.europa.eu/en/databases/anti-muslim-hatred/

Copyright © 2025 European Union Agency for Fundamental Rights