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

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Finland	2013	Finland / Eastern Finland Court of Appeal / R 12/492		Nationality, Racial or ethnic origin	The Eastern Finland Court of Appeal (Itä-Suomen hovioikeus/Östra Finland Hovrätt)	The Court of Appeal amended the decision by the Disctrict Court of Northern Karelia concerning defendant Ryynänen and increased the severity of the punishment according to the prosecution's demands. The defendants had posted defamatory statements as messages on a discussion board on the Facebook website. Furthermore, one of the defendants had created the discussion board in question and had titled it "Uncensored discussion on immigration (Lieksa)". The prosecutor demanded that one of the defendants (Ryynänen) should be convicted and imprisoned instead of fined, and that the defendant sentenced to community service (Turunen) should be convicted and imprisoned instead of doing community service.	The Court of Appeal amended the decision concerning defendant Ryynänen and increased the severity of the punishment according to the prosecution's demands, with the result that Ryynänen was convicted to 60 days of imprisonment, which was converted to 57 hours of community service. The Court of Appeal amended the decision concerning defendant Turunen and decreased the severity of the punishment from 60 to 50 days of imprisonment, which was converted to 47 hours of community service.	The court considered that the defendant was guilty of making available to the public information wherein a certain group (immigrants) was threatened, defamed or insulted on the basis of their national or ethnic origin. Freedom of expression may be subject to limitation in such a case. Thus the defendants were found guilty for the crime of incitement to hatred prohibited by the Criminal Code. The Court of Appeal considered that when an incitement crime includes incitement to violence or threat of violence, the deed cannot be expiated by a fine because of its harmful and dangerous nature. Thus one of the defendants was sentenced to imprisonment.	The Court of Appeal considered that when an incitement crime includes incitement to violence or threat of violence, the deed cannot be expiated by a fine because of its harmful and dangerous nature.	

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