

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
France	2013	France / Paris Court of appeal, Ordinance	https://www.doctrine.fr/d/CA/Paris/2013/RCSBAED6AC14489C6CE8C	Religion	Paris Court of appeal (Cour d'appel de Paris)	The Paris Court (TGI) ordered the company Twitter to communicate to plaintiffs the data in its possession in order to allow them to identify whoever contributed to the creation of clearly unlawful tweets. It also ordered Twitter to set up an easily accessible and visible device allowing any person to bring to their attention any illegal content classed as condoning crimes against humanity and inciting racial hatred. Twitter appealed this decision. One of the plaintiffs, the Union of Jewish Students of France (Union des Etudiants Juifs de France - UEJF) requested the First President of the Court of Appeal of Paris to reject the appeal on the ground that the appealed decision has not been executed.	Twitter was ordered to set up an accessible and visible device to inform Twitter of illegal content and to communicate the data allowing for the identification of the authors of the illegal tweets. The Court of Appeal of Paris ordered the annulment of the appeal made by Twitter.	Twitter has not executed the decision of the court of first instance to set up a specific device or to communicate the data allowing for the identification of the authors of the illegal tweets and it has not proven the impossibility of its execution or any manifestly excessive consequences attached to its provisional execution. Thus, under article 526 of the Code of civil procedure, the appeal was rejected.	Whether the obligation to communicate the data allowing the identification of the authors of the illegal tweets deprive the respondent of the appeal system.	"Si la communication des données personnelles ordonnée est irréversible, il convient de rappeler que la poursuite de l'exécution provisoire se fait aux risques et périls de celui qui la poursuit, et qu'en cas d'infirmité, il encourt une condamnation au paiement de dommages-intérêts" "Elle (la société Twitter) ne saurait prétendre être privée du double degré de juridiction du fait de l'obligation de communiquer les données permettant l'identification des auteurs des tweets illicites." "If the disclosure of the personal data ordered is irreversible, it should be borne in mind that the continuation of the provisional execution is carried out at the risk and peril of the person prosecuting it and that, it is liable to pay damages ; ..." "It (company Twitter) can not claim to be deprived of the appeal system because of the obligation to communicate the data allowing the identification of the authors of the illegal tweets."

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