

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
Italy	2013	Italy / Court of Cassation / 4879		Racial or ethnic origin, Racial or ethnic origin	Corte di cassazione	Two men were prosecuted for the crime of apology of fascism (promoting fascist ideology or symbols) and for being part of the group Milizia, which has among its aims, to instigate discrimination or violence on racial and ethnic grounds. They were subjected to security measures.	They were subjected to security measures.	The Court argued that there were sufficient elements to suspect that the two men were responsible for the crime of apology of fascism and that there was a risk they would commit the same kind of crime again, considering the continuity of the illegal conduct and the crimes of the same nature they had already committed.	It is the competence of the judicial authority and not of the administrative authority to apply security measures.	"Il tribunale ... ha apprezzato, con motivazione adeguata e coerente scvra da violazioni della logica e del diritto, le esigenze cautelari senza invadere le competenze preventive dell'autorità amministrativa" "The Tribunal ... has established, with adequate and coherent motivation based on logic and the law, the need to adopt security measures without interfering with the competences of the administrative authority. "

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