

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
Denmark	2014	Denmark / Eastern High Court / U.2014.2648Ø		Religion	Eastern High Court of Denmark	A Danish politician and former MP, T. was found not guilty of racism. She had posted a picture on her Facebook profile of two women wearing Burqas standing next to two black garbage bags, alongside the text "hehe, remember trash day tomorrow :))) ..."	T was found innocent. Three judges or jurors found that the statement was not suitably degrading or humiliating. Two judges or jurors found that the statement was suitable degrading or humiliating.	T. was charged with violating the Danish Penal Codes known as "the racism paragraph".	The "racism paragraph" requires a statement to be both degrading and humiliating and made with intent of publication. The question in this case was whether T. had intended for the statement to be made public. T. argued that the statement was posted on her private Facebook-profile.	"Meddelelsen er lagt ud på den private facebook-profil, men efter oplysningerne om antallet af venner på denne profil og særligt under hensyn til, at tiltalte var bekendt med, at oplysninger fra den private profil kan blive udbredt til en videre, ubestemt kreds af personer, må meddelelsen anses for at være fremsat med forsæt til udbredelse i en videre kreds." "The message is posted on the private Facebook-profile, but after the information on the number of friends on this profile, and paying special attention to the fact that the defendant knew, that the information on the private profile could be distributed to a wider, unspecified group of people, the message must be considered as posted with intent of publication."

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