

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
Greece	2014	Greece / Mixed Jury Court of Athens / Decision 398/2014 / Shehzad Luqman Case		Racial or ethnic origin, Religion, Racial or ethnic origin	Mixed Jury Court of Athens	The Mixed Jury Court of Athens convicted two men with alleged ties to the Golden Dawn party for murdering Shehzad Luqman, a 27 year-old worker from Pakistan on his way to work. The judgment of the Court was the first to examine the elements capable of establishing a racist motive such as the attack, the vulnerability and identity of the victim and the modus operandi of the perpetrators. The accused were sentenced to life in prison with the aggravating circumstance of racist motive under Article 79 (3) of the Greek Penal Code (which has now been amended to include racist crimes). It was the first time a Greek Court adjudicated on a hate/racist crime.	The Mixed Jury Court of Athens in a unanimous verdict, found Dionysis Liakopoulos, 26, and Christos Stergiopoulos, 30, guilty of his murder. They received an additional 32 months each for additional gun-related charges. It was the first time a racist crime had ever been examined before a court in Greece.	The Court's reasoning underlined the qualitative elements and the special circumstances under which the murder was committed. It relied on testimonies of NGOs and experts referring to a pattern of attacks against migrants by Golden Dawn supporters which were motivated by racism. During the reading of its verdict, the court did not classify the act as a racist crime, however, the sentencing took into consideration the aggravating circumstance of racist motive based on article 79CC.	The Mixed-Member Court unanimously rejected pleas by the defendants that the case was 'a quarrel', stating that the circumstances of the case such as the numerical superiority of perpetrators - at midnight - attack against an individual unknown to them, targeted as a Pakistani migrant, with the use of knives, in an area frequented by migrants and the possession of far-right pamphlets indicate that the offences committed were carried out with a racist motive.	"η ανθρωποκτονός πρόθεση των κατηγορουμένων, οι οποίοι από καινού αφαίρεσαν τη ζωή του LUQMAN SHEHZAD λόγω της διαφορετικότητας των εξωτερικών του χαρακτηριστικών, της εθνικής του καταγωγής και της θρησκείας του επιβεβαιώνεται και από το γεγονός ότι δεν υπήρξε εκ μέρους του θύματος οποιαδήποτε μορφή πρόκλησης είτε λεκτική... είτε έμπρακτη... η κατοχή 4 σελίδων με την αναγραφή ΠΟΛΕΜΟΣ ΣΤΟ ΣΥΣΤΗΜΑ www.XAgg.net - ΛΑΙΚΟΣ ΣΥΝΔΕΣΜΟΣ ΧΡΥΣΗ ΑΥΓΗ και 117 φυλλαδίων με την αναγραφή "ΓΙΑΤΙ ΘΑ ΨΗΦΙΣΩ ΧΡΥΣΗ ΑΥΓΗ" εκ μέρους του πρώτου κατηγορουμένου και συνακόλουθα η ύπαρξη των ακραίων πολιτικών πεποιθήσεών του δεν αρκεί από μόνη της για να προσδοθεί ρατσιστικός χαρακτήρας στην αξιόποινη συμπεριφορά αμφοτέρων των κατηγορουμένων, όμως οι ειδικές περιστάσεις υπό τις οποίες τελέστηκε το έγκλημα (επίθεση από υπέρτερος αριθμητικά δράστες - μετεμενούκτα ώρα - κατά αγνώστου ανθρώπου που στοχοποιήθηκε ως Πακιστανός μετανάστης, με τη χρήση μαχαιριών, σε περιοχή που συχνάζουν αλλοδαποί μετανάστες και είναι ευχερής ο εντοπισμός του θύματος, χωρίς προηγούμενη πρόκληση από αυτό, πλήρη με αλληλέλληλες μαχαίριες, διαφυγή με λήψη των πευστρίων και απόκρυψη των διακριτικών γνωρισμάτων του μεταφορικού μέσου, κίνηση χωρίς το φόβο του εντοπισμού και της σύλληψης, όπως αναπτύχθηκαν ανωτέρω) δεν καταλείπουν καμία αμφιβολία στο δικαστήριο για τη διάπραξη του εγκλήματος υπογεγραμμένου από αισθήματα ρατσιστικού μίσους... η πράξη τους τελέστηκε από μίσος προκαλούμενο λόγω της διαφορετικότητας των εξωτερικών χαρακτηριστικών του θύματος, της θρησκείας του, της εθνικής και εθνοτικής του καταγωγής, σύμφωνα με το άρθρο 79 παρ. 3 εδ. τελ. ΠΚ, όπως ισχύει". "The murderous intent of the defendants who killed Shehzad Luqman... due to the difference in his appearance, his ethnic origin and religion is confirmed by the fact that the victim did not provoke them either orally nor physically... the possession of 4 pages with the title "WAR AGAINST THE SYSTEM www.XAgg.net - GOLDEN DAWN" and 117 pamphlets on "WHY I WILL VOTE FOR GOLDEN DAWN" by the first defendant and the existence of extreme political views does not alone offer a racist character to the criminal actions of each defendant, however the special circumstances under which the crime was committed (numerical superiority of perpetrators - at midnight- attack against an individual unknown to them, who was targeted as a Pakistani migrant, with the use of knives, in an area frequented by migrants and the identification of the victim was easier, without any provocation by the victim, repeated stabs, escape by removing the evidence and hiding the distinctive features of the vehicle, moving ahead without fear of localization and arrest) leave no further doubt to the Court that the crime was perpetrated based on feelings of racist hatred... the offence was carried out due to hate based on the differences in the victim's appearance, his religion and ethnic origin."

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