

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
Belgium	2015	Belgium / Tribunal of First Instance of Brugge / RC4315.5987-12-DJ	https://www.unia.be/nl/wetgeving-en-rechtspraak/rechtspraak/correctie-rechtbank-brugge-25-februari-2015	Racial or ethnic origin	Tribunal of First Instance of Brugge (Rechtbank van Eerste Aanleg te Brugge)	In 2015, the Tribunal of Bruges convicted a person for incitement to hatred based on the victim's ethnic origin. The victim, a migrant, was assaulted by two men and racially insulted by a third person. On the basis of the police report of the incident, the Tribunal considered that the accused intended to incite hatred.	For the crime of bodily harm causing incapacity, the first two men were sentenced to six and eight months of prison respectively, and to pay fines. For the crime of damaging property and for the crime of incitement to hatred on basis of a person's nationality, so-called race, skin colour, descent or national or ethnic origin, the third man was sentenced to sixty hours of community work plus fines.	The three men were accused of incitement to hatred based on the victim's nationality, race, skin colour, descent or national or ethnic origin. The Tribunal acquitted the first two men due to lack of evidence. On the other hand, the witness' statement and the police's statement were considered sufficient to establish hatred by the third man towards the victim.		"On the basis of the data in the criminal record and the hearing of the case by the tribunal, it cannot be established with sufficient certainty that one of the driving forces of the hits and wounds caused by the first and second defendants was the hate, contempt or hostility against G. Nassine based on his skin color or his origin. [...] Based on the data of the investigation and the hearing, the indictment C of the third defendant is substantiated. The tribunal refers to the statements of the third defendant at the time of his interception as noted by the police officer." "Op grond van de gegevens van het strafdossier en de behandeling van de zaak ter zitting van deze rechtbank kan niet met voldoende zekerheid worden vastgesteld dat een van de drijfveren van de door de eerste en de tweede beklaagde toegebrachte slagen en verwondingen bestond in de haat tegen, het misprijzen van of de vijandigheid tegen G. Nassine wegens zijn huidskleur of zijn afkomst. [...] Door de gegevens van het opsporingsonderzoek en door het onderzoek ter terechtzitting is de tenlastelegging C in hoofde van de derde beklaagde bewezen. De rechtbank verwijst terzake naar de uitspraken van de derde beklaagde op het ogenblik van zijn interceptie en zoals genoteerd door de verbalisanten."

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