DATABASE 2012-2024 ON ANTI-MUSLIM HATRED

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
Hungary	2015	Hungary / General Attorney's Office /Decision		Nationality	General Attorney's Office (Legfőbb Ügyészség)	On 21 July 2015, during the peak of the migration crisis in Hungary, a Facebook user posted the following: 'Who would like to be involved in some hunting? If you are in the mood, drop me a message!'. The comments related to the post - coming from men and women users of Facebook - suggested the preparation of an attempted hate crime targeting refugees and asylum seekers at the southern borders of Hungary. The Civil Liberties Union (Társaság a Szabadságjogokért) reported the conspiracy to the Police, and urged them to start investigating it as a crime of the attempt to commit a violence against a member of the community. The Police refused to initiate a criminal investigation. They argued that the posts and comments did not impose a serious threat to the refugees and asylum seekers. The Civil Liberties Union appealed against this decision and brought the case to the General Attorney's Office.	The Attorney General rejected the Union's appeal stressing that there was no indication of violent actions in the comments, and the victims were not properly identified by the Facebook users.	The Hungarian Criminal Code (Act C of 2012 on the Criminal Code, 2012. évi C. törvény a Büntető Törvénykönyvről) orders the court to punish the attempt of all crimes; however, it is possible to reduce or even neglect the punishment that is otherwise imposed on the perpetrators of finished crimes in the Code (Article 10). The Civil Liberties Union argued that an attempt requires intentional preparatory actions in order to commit a crime, and since the comments contained agreements on places and time for committing various violent actions against the asylum seekers, they constituted an attempt.	The Attorney General had to decide whether the post and the related comments indicating place and time and methods of execution for violent acts against refugees and asylum seekers constitute an attempted violence against a member of the community.	As the Attorney General's decisions and the records of the criminal investigation are not in the public domain, there is no original text available to the decision.

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