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
Spain	2015	Spain / Barcelona Provincial High Court, Tenth Section / No. 115/2015		Racial or ethnic origin, Nationality, Racial or ethnic origin	Barcelona Provincial High Court	The Barcelona Provincial High Court convicted 3 members of a band made up of young nazi skinheads, the "White Rebels (WRB)", of the crimes of conspiracy, incitement to hatred and discrimination, bodily harm, threats and possession of prohibited weapons. This band had spread its ideology through the internet and organized attacks against immigrant shops, worship centers, using weapons and dangerous instruments seized at the accused homes. The 3 members had also attacked a former member who decided to abandon the group. They threatened him in person and through the social networks. They further had assaulted a person who tried to help him at the moment of being attacked.	The three neo-Nazis members of the group were condemned to prison sentences between two and five years on charges of conspiracy, incitement to hatred and discrimination, injuries, threats and possession of prohibited weapons.	The accused were considered promoters and active members of an unlawful association and a criminal organization against especially vulnerable group such as immigrants or ethnic minorities (articles 515.5 & 517 & 570 bis of the CC). The actions that were also published online were considered as a form of incitement to discrimination, hatred or violence – art. 510.1 CC. The injuries provoked were aggravated by the concurrence of an abuse of superiority - art. 22.2 CC and an ideological discrimination- art. 22.4 CP. The possession of prohibited weapons – art. 563 CC as well as the Threats occurred -169.1.2 CC were taking into consideration.	The conjunction and the simultaneous applicability of many of the articles addressing hate crimes and hate speech scattered around and within the Spanish Criminal Code. The level of violence manifested by the neo Nazi group made it very relevant too as well as the presence on the Social networks - still in place.	"confrontación con grupos ideológicamente rivales o la búsqueda de objetivos o víctimas seleccionados por su origen, raza, etnia u orientación sexual" "confrontation with ideological rival groups or the search of targets or victims selected by their origin, race, ethnicity or sexual orientation."

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