

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	2016	Belgium / Tribunal of First Instance of Gent	https://www.unia.be/nl/wetgeving-en-rechtspraak/rechtspraak/correctionele-rechtbank-gent-19-april-2016	Racial or ethnic origin	Tribunal of First Instance of Gent (Rechtbank van Eerste Aanleg te Gent),	In 2016, the Tribunal of Gent convicted a person for incitement to hatred. After fighting with a Somali man, the accused shouted various racist insults such as "dirty black" and "go back to your country" while the Somali man was describing his account of the event to a policeman. The tribunal considered that the accused clearly had the intent to incite bystanders to violence and hatred towards the victim.	The accused was condemned to four months of prison plus an additional fine and contributions to the Fund for assistance to the Victims of intentional acts of violence.	The Tribunal found a violation of the law of 30 July 1981 on racism and xenophobia and held that the conditions of incitement to hatred or violence in Article 444 of the Criminal Code were met in this case when the accused shouted at the victim in public - in the presence of a police officer and bystanders - with the intention to harm the victim. Also, the accused did not dispute the facts and the incitement to hatred against the victim based on the latter's origin or skin colour was clearly established in the police findings.		"Article 444 of the Criminal Code set the conditions for incitement to hatred or violence against a person, in this case H.K. based on one of protected criteria here being the race, the colour of the skin and the origin, and even beyond the domain of Article 5 (Article 20-2), in this case in public, in the presence of the verbalising police officer and various passers-by, shouting 'dirty black - return to your country - it's those blacks again', with the clear intention to set the passers-by against the victim." "In een van de in art 444 van het strafwetboek bedoelde omstandigheden te hebben aangezet tot haat of geweld jegens een persoon, namelijk jegens H. K., wegens een van de beschermde criteria zijnde een zogenaamd ras, huidskleur en afkomst, en dit zelfs buiten de in artikel 5 bedoelde domeinen (artikel 20-2)". Namelijk door in het openbaar, in aanwezigheid van de verbalisanten en verschillende omstaanders 'vuile zwarte - ga terug naar uw land - 't is weer diene zwarten' te roepen, duidelijk met de bedoeling om de omstaanders op te jatten tegen het slachtoffer."

DISCLAIMER The information presented here is collected under contract by the FRA's research network FRANET. The information and views contained do not necessarily reflect the views or the official position of the FRA.

<http://fra.europa.eu/en/databases/anti-muslim-hatred/>

Copyright © 2026 European Union Agency for Fundamental Rights