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
Finland	2016	Finland / Eastern Finland Court of Appeal / R 16/28, 16/121898 and Finland / District Court of Kymenlaakso, 15/150275, R 15/1907 (20 November 2015)		Racial or ethnic origin	The Eastern Finland Court of Appeal (Itä-Suomen hovioikeus / Östra Finlands hovrätt)	In September 2015, the defendant prepared a petrol bomb and threw it towards an emergency accommodation unit where asylum seekers were staying. The guard and the residents of the unit managed to extinguish the bomb. Another similar bomb was later found at the defendant´s apartment. The District Court of Kymenlaakso convicted the defendant of attempt of criminal mischief on 20 November 2015. The Eastern Finland Court of Appeal concurred with the ruling of the district court and did not change the outcome of the district court´s judgement.	The defendant was sentenced to one year (unconditional) imprisonment for attempted criminal mischief.	The defendant was convicted of attempted criminal mischief, not for attempted aggravated criminal mischief, because the court considered that the act was conducive to causing general danger to life or health and not a concrete and probable danger to life and health. An aggravated penalty was applied because the court found that the criminal act had a racist motive and it was to some extent premeditated. (see key issues)	The defendant admitted having prepared and thrown the bomb. However, he contested that there was a racist motive behind the act. He claimed that he only wanted to protest against the current refugee policy of Finland. The defendant had posted an insulting message on his Facebook-page a few days before the criminal act which was presented as evidence in court. Moreover, a witness had heard the defendant say (right after he had thrown the bomb) that he objects to the immigration policy and wants everybody away from here and wants to kill them. The defendant used an insulting term when referring to asylum seekers. The district court concluded that the defendant´s behaviour and writings indicate that there was at least a partial racist motive behind the crime. The Eastern Finland Court of Appeal accepted the statement of reasons of the district court and did not change the outcome of the district court´s judgement.	(Kymenlaakson käräjäoikeus:) "[X] on kuitenkin kohdistanut vihansa myös majoitusyksikköön ja siellä oleskeleviin turvapaikanhakijoihin. Rasistista motiivia tukevat [X]n kirjoitukset omalla facebook-sivullaan muutamia päiviä ennen ryhtymistään tekoon." (The District Court of Kymenlaakso:) "[X] has nevertheless directed his anger also at the accommodation unit and asylum seekers that are staying there. The racist motive is backed up by [X]´s writings on his own Facebook-page a few days before committing the criminal act."

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