

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
France	2016	France / Court of cassation / Decision No. 15-83070 ECLI:FR:CCASS:2013:CR03515	http://www.legifrance.gouv.fr/affichurjudi.do?oldAction=rechJurjudi&idTexte=JURITEXT0000331437356&fastReqId=276387227&fastPos=5	Religion	Court of cassation (Cour de cassation)	Upon the request of the public ministry, Mr. X. was ordered to appear before the criminal court because of the remarks he made on 18 December 2010 at a public meeting called 'International meetings on the Islamization of our countries'. The criminal court found him guilty of the offence of inciting discrimination, hatred or violence towards a group of people on the grounds of their membership of a given religion. The ruling of the Court of Appeal upheld this judgement on 9 April 2015, in sentencing Mr. X. to a €4000 fine.	The Court of cassation upheld the ruling of the Court of Appeal which sentenced Mr. X. to a €4000 fine.	The Court of cassation upheld the ruling of the Court of Appeal according to which the remarks of Mr. X. were aimed at all immigrants of the Islamic religion and led to, both in their meaning and their scope, inciting others to discrimination, hatred or violence. These remarks, under the pretext of a legitimate debate on the consequences of immigration and the place of Islam in France, presented all the members of the group thus concerned, as being part of 'banditry' and the 'organized crime', as criminals colonizing and controlling France through violence, and claimed that this situation could not be left to police action or that of the courts', since the laws and the institutions charged with upholding the law were powerless to protect the 'independence of the country' and the 'freedom of the people'.	Actions constituting the offence of incitement to discrimination, hatred or violence with regard to a person or of a group of people on grounds of their origin or their membership or their non-membership of an ethnic group, a nation, a race or a given religion.	"... Propos poursuivis ... visaient l'ensemble des immigrés de religion musulmane, ... lesdits propos, au prétexte d'un débat légitime sur les conséquences de l'immigration et la place de l'Islam en France, en ce qu'ils présentaient tous les membres du groupe ainsi visé, assimilé au 'grand banditisme' et au 'crime organisé', comme des délinquants colonisant et asservissant la France par la violence, ... tendaient, tant par leur sens que par leur portée, à provoquer autrui à la discrimination, à la haine ou à la violence." ... Continuing remarks... aimed at all Muslim immigrants, ... the aforementioned remarks, under the pretext of a legitimate debate on the consequences of immigration and the place of Islam in France, in which they presented all the members of the group thus concerned as being involved in 'large-scale banditry' and 'organized crime', like criminals colonizing and enslaving France by violence... were likely, both in their meaning and their scope, to incite others to discrimination, hatred or violence"

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