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
Latvia	2016	Latvia / Riga District Court / Case No. 11840000316		Religion	Riga District Court (Rīgas rajona tiesa)	The defendant published a comment on the internet in response to an article about a Latvian woman who converted to Islam. The comment contained insults and aggressive language towards Muslim women living in Latvia. The defendant was accused of incitement to religious hatred under Section 78 (2) of the Criminal Law.	The defendant was found guilty and punished with 140 hours of community service.	The defendant partially pleaded guilty. He acknowledged he had published the comment in a state of anger. He blamed the state for bringing Muslims to the country and for disseminating information about Muslims. The Court agreed with the [external] expert opinion that the comment is incitement to religious hatred against Muslims. The Court highlighted that the defendant was an adult who could or should have been aware that the comment is hostile towards Muslims.	According to the Section 78 Paragraph 2 of the Criminal Law, composition of criminal offence is formal. Thus, criminal liability is not bound with criminal consequences, but with commitment of adverse action.	"Tiesa uzskata, ka ievietot pret islāma reliģijai piederīgajiem vērstu naidīgu komentāru, Apsūdzētājs, būdams pilngadīga persona, varēja un viņam vajadzēja apzināties, kā šādā veidā iespējams, tiks veicināts interneta vidē nereti sastopamais naids un neiecietības pret islamticīgajiem, apzinoties, ka ievietotājs komentārs ir pieejams neierobežotam interneta lietotāju lokam." "The Court believes that the defendant as adult person in mental competency, when posting hostile comment towards persons belonging to Islam religion, could and should have been aware that this action, possibly, will incite hatred and intolerance towards Muslims that is quite widespread in Internet environment and understand that the posted comment is available to unlimited number of Internet users. "

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