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
Netherlands	2016	Netherlands / District Court Midden-Nederland / Case no. 16/652077-16 ECLI:NL:RBMNE:2016:5414	http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:RBMNE:2016:5414	Religion	District Court Midden-Nederland (Rechtbank Midden-Nederland)	On 11 October 2015 during a Pegida demonstration a woman said during her speech: "Another reason to despise and hate Muslims is their insane ideology. Because it's never the religion of peace." She placed her speech in written form on het Facebook-page. The Court decided that that the woman has been publicly guilty of insult, incitement to hatred, and the discrimination of Muslims. The court sentenced the woman for insulting a group and inciting hatred and discrimination against Muslims. She was sentenced to a fine of 1000 euro, of which 50% was conditional.	Making public statements insulting and inciting	The court decided that the accused made public statement inciting hatred and discrimination of Muslims.	This verdict clarifies that public statements expressing hatred of Muslims and/or inciting discrimination of Muslims carry a penalty under Dutch criminal law.	"Verdachte gebruikt in haar uitlating letterlijk de woorden “verachten” en “haten” en maakt daarbij anders dan door de verdediging is betoogd, geen onderscheid tussen religie en ideologie. Deze termen zijn, zeker in combinatie gebruikt, zo krachtig dat daarmee aangezet wordt tot haat. Door de uitlating van verdachte worden moslims als groep weggezet en in een kwaad daglicht gesteld.De rechtbank acht derhalve wettig en overtuigend bewezen dat verdachte zich in het openbaar schuldig heeft gemaakt aan het aanzetten tot haat tegen en de discriminatie van moslims wegens (ten minste: mede) hun godsdienst." "The accused literally uses the words "despise "and "and hate" and makes no distinction between religion and ideology as argued by the defence. These terms, especially used in combination, are so powerful that they incite to hate. The statement of the accused puts Muslims as a group in bad daylight. The court therefore decides that the suspect is guilty of inciting hatred and discrimination against Muslims because of (at least: in part) their religion."

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