

## 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 |
|--------------|------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------|--------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------|
| Austria      | 2017 | <a href="#">Austria / Supreme Court / 14 Os 9/17f</a><br><a href="#">ECU/AT-OGH0002-2017-01400500009.17F.0228.000</a><br><a href="#">Austria, Regional Court (Landesgericht), Ried/20.Hv.33716K</a> | <a href="https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=justiz&amp;Dokumentnummer=JIT_20170228_OGH0002_01400500009_17F0000_000">https://www.ris.bka.gv.at/Dokument.wxe?Abfrage=justiz&amp;Dokumentnummer=JIT_20170228_OGH0002_01400500009_17F0000_000</a> | Nationality          | Supreme Court (Oberster Gerichtshof) | The case concerns online incitement to hatred and violence. The defendant posted the following on Facebook [roughly translated]: "No sending back. You can open Mauthausen[,] having a little showering or dragging rocks at the death stairs[,] there are some fine things one can do there @ lowlives" and "Negro = target[,] we could shoot them a little with softguns @ haha". | Appeal for nullity has been dismissed. The case has been sent back to the Higher Regional Court Linz in order to get to a decision regarding the sentence. | The Constitutional Court has found that the defendant has failed to provide any reasons for nullity (repealing the lower court's judgement and ordering a reconsideration of the case by a lower court). | The key issue is about deciding upon whether there are any significant reasons for nullity. | The present case does not provide for any significant key quotation.                  |

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