

## 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                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                          |
|--------------|------|------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|-----------------------------------|-------------------------------|--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|
| Poland       | 2018 | <a href="#">Poland / Regional Court in Czeszochowa / VII Ka 139/18</a> | <a href="http://orzeczenia.ms.gov.pl/content/islam/151510000003506_VII_Ka_000139_2018_Uz_2018-04-13_001">http://orzeczenia.ms.gov.pl/content/islam/151510000003506_VII_Ka_000139_2018_Uz_2018-04-13_001</a> | Religion, Racial or ethnic origin | Regional Court in Czeszochowa | The defendant (M.P.) was accused of publicly inciting hatred against foreign nationals and followers of other religions, by placing on his profile on the social media calls to aggression against the Muslim community, in particular by tearing down their places of worship and posting graphics calling for the use of violence against Muslims. The District Court in Czeszochowa (court of the I instance) discontinued the criminal proceedings for the probation period of 1 year, considering that the guilt of the defendant and social harmfulness of the offense were not significant. The Regional Court in Czeszochowa (court of the II instance) repealed the judgement of the I instance court, finding that the degree of the defendant's fault and the social harmfulness of his act cannot be considered insignificant. | The ruling of the District Court in Czeszochowa was repealed by the II instance court which ordered re-conducting the court proceedings. | According to the Regional Court, commitment of a crime of a hate speech against people of certain national, ethnic, racial or religious background compromises the fundamental principles of the democratic system therefore this type of behavior must be particularly stigmatized. The crime is even more serious when it takes place in the public sphere, which may lead to the demoralization of a large group of the recipients of such information, especially in a situation where the space for publishing a statement inciting hatred is the social media. The social harmfulness of such act is significant especially in a situation of the increased religious and political tensions in Europe. | The defendant's subjective feeling that his incitement has no chance of being fulfilled is irrelevant. The offense in question is a formal offense, not aimed at achieving any effect, so it is not the Court's role to determine whether the behavior resulting from the content of the defendant's post in social media is possible. There is no doubt that the content of his post was a manifestation of religious hatred and this is of a key importance for the proceedings. | "Popelnienie przestępstwa nawoływania do nienawiści na tle różnic narodowościowych, etnicznych, rasowych, wyznaniowych albo ze względu na bezwyznaniowość uderza w fundamentalne zasady ustroju demokratycznego i z pewnością przejawy tego typu zachowań muszą być szczególnie piętnowane. Przestępstwo to jest o tyle poważniejsze, że jego dokonanie ma miejsce w sferze publicznej, co może prowadzić do demoralizacji dużego grona odbiorców tak przekazanej informacji, szczególnie w sytuacji, kiedy przestrzenią publikacji hasła nawołującego do nienawiści jest środek masowego przekazu, którym z pewnością jest internetowy portal społecznościowy. Z tych względów nie można mówić o nieznacznej społecznej szkodliwości czynu."<br>"Committing the crime of a hate speech against people of certain national, ethnic, racial or religious background compromises the fundamental principles of the democratic system therefore this type of behavior must be particularly stigmatized. The crime is even more serious when it takes place in the public sphere, which may lead to the demoralization of a large group of the recipients of such information, especially in a situation where the space for publishing a slogan inciting hatred is mass media, including social media. For these reasons, the social harmfulness of the act has to be considered as significant." |

**DISCLAIMER** The information presented here is collected under contract by the FRA's research network FRANET. The information and views contained do not necessarily reflect the views or the official position of the FRA.

<http://fra.europa.eu/en/databases/anti-muslim-hatred/>

Copyright © 2026 European Union Agency for Fundamental Rights