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
Romania	2018	Romania / National Council for Combatting Discrimination / casefile no. 580/2017, decision 75/2018		Religion	National Council for Combatting Discrimination (CNCD)	The case refers to an incident between a Muslim student and a professor of the Bucharest University, who is in favor of banning headscarves and other religious symbols in state institutions. The professor, who teaches at the Political Studies Faculty, harasses his Muslim students wearing headscarves. He later writes a blog entry describing his views on wearing niqab or hijab in state institutions, and on the need to limit refugees' rights in order to ensure "fidelity" towards the countries of asylum. A complaint for discrimination is filed against the professor and the Faculty. The Faculty, through its Ethics Office, publicly distances itself from the professor's statements.	The University professor is sanctioned for discrimination with a 2,000 lei fine (EUR equivalent at the time: approx. 430). The sanction is eventually replaced with that of a written warning due to the fact that the term for applying a fine was prescribed. He is also obliged to publish the decision sanctioning his behavior on his personal blog. CNCD's Steering Board considers that, given the initiation of the internal sanctioning procedures towards the defendant, it is not necessary to sanction the University of Bucharest and the Faculty of Political Sciences. CNCD also recommends that the professor avoids discriminatory statements in the future.	CNCD finds that the statements by the professor were discriminatory. Every person has a right to ethnicity, cultural and linguistic identity, religion (para. 63). The manifestation of religious beliefs should not be obstructed. In this case, state interference is required in limiting freedom of expression. The article written by the defendant did not aim to inform the public; the manner in which the defendant addressed the victim impacted on the personal dignity of Muslims and created a sense of inferiority for the student in question (para. 57). As a professor, it is noted he is in a position of power compared to the victim and should show tolerance and equidistance.	The free expression of opinions and beliefs, even unpopular or atypical ones, is a fundamental condition in a democratic society (para. 55). With reference to Art. 19 para.(3) of the ICCPR and Art. 10 para. 2 of the ECHR, CNCD notes that freedom of expression may be subject to specific restrictions (para. 68-69). The aim of these restrictions, in this case, is to protect human dignity, regardless of ethnicity and religion. This represents a legitimate goal (para. 42). From the perspective of the limits of freedom of expression, the role and position of the author are decisive (para.50). The defendant is a professor at the Faculty of Political Sciences, speaking on a topic of public interest.	"Prin textul supus analizei s-a creat o atmosfera ostila, degradanta, umilitoare la adresa comunității musulmane, reprezentând discriminare cu încălcarea dreptului la demnitate conform art. 2 alin. 1 şi alin. 5, art. 11 (1) precum şi al art. 15 din O.G. nr. 137/2000". (p.9, para.2 of the decision). "Through the article, a hostile, degrading, humiliating environment was created for the Muslim community, representing discrimination and a violation of the right to dignity according to art. 2 paragraph 1 and 5, art. 11 (1) as well as of art. 15 of Government Ordinance no. 137/2000)".

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 © 2025 European Union Agency for Fundamental Rights