

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
Serbia	2018	Serbia / National Court/Higher Court in Belgrade/K 654/2016		Racial or ethnic origin, Religion, Nationality	Higher Court in Belgrade (Viši sud u Beogradu)	The case concerns a street fight in the Kotež neighborhood in Belgrade. The accused physically and verbally assaulted several persons and inflicted upon them minor physical injuries. While punching them, the accused was verbally assaulting them on the basis of their nationality (Albanians) and religion (Muslims). The accused threatened the victims by shouting that he was going to burn down their homes and to displace them from Serbia.	The Higher Court in Belgrade determined a suspended prison sentence of 1 year in the case the accused commits another crime within 3 years following the day of the receipt of the final decision.	The Higher Court in Belgrade found that the accused is guilty of incitement to national, racial and religious hatred and intolerance pursuant to Article 317 para. 2 in conjunction with para. 1 of the Criminal Code. The Higher Court in Belgrade also found the accused guilty of taking part in the fight pursuant to Article 123 (1) of the Criminal Code.	It is not possible to discern any key issue from the body of the case since the decision was rendered without a reasoning pursuant to Article 429 of the Criminal Procedure Act. This Article allows for accelerated criminal procedure and for a decision to be rendered without reasoning in the case when defense waives the right to appeal and when a conditional sentence is determined.	N/A

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