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
Serbia	2018	Serbia / Equality body/Commissioner for Protecion of Equality/07-00-610/2018-02		Racial or ethnic origin, Religion	Commissioner for Protection of Equality (Poverenik za zaštitu ravnopravnosti)	Ms. Vjerica Radeta, a Vice President of the National Assembly, posted a tweet regarding the death of the president and founder of the association Mothers of Srebrenica. The tweet reads, "I've read that Hatidža Mehmetović's from the association of businesswomen from Srebrenica passed away. I am wondering who is gonna bury her, her sons or her husband?". An NGO (Belgrade Centre for Human Rights) filed a complaint against Ms. Radeta before the Commissioner for Protection of Equality. The complainant argued that the given tweet undermined Ms. Mehmetović's dignity on the basis of her personal charachteristics, Bosniak ethnicitiy and membersihip in the "Mothers of Srebrenica association".	The Commissioner stated that it cannot act upon the complaint due to the ongoing criminal procedure. It also asserted that the complainant will be informed about any developments in this case, when the Commissionar receives additional information from other acting authorities.	The Commissioner for Protection of Equality was informed by the Higher Public Prosecutor in Belgrade about the ongoing criminal investigation in this case. The Commissioner found that any further acting in this case could undermine the presumption of innocence in the criminal proceeding.	Not applicable since the complaint was dismissed.	(pages 1-2) "U konkretnom slučaju, posebno je relevantna odredba člana 3 Zakona o krivičnom postupku, kojom je propisano da se svako smatra nevinim sve dok se njegova krivica za krivično delo ne utvrdi pravnosnažnom odlukom suda, te da su svi državni i drugi organi i organizacije, sredstva javnog obaveštavanja, udruženja i javne ličnosti dužni da se pridržavaju ovog pravila i da svojim javnim izjavama o okrivljenom, krivičnom delu i postupku ne povređuju prava okrivljenog." "In the concrete case, Article 3 of the Law on Criminal Procedure is of special importance, for this provision states that everyone should be considered innocent unless proven guilty by a final court's decision, and that all state's and other bodies and organisations, media, associations and public figures are required to comply with this principle and not to infringe onto the rights of the accused by making public statements about him, the criminal offence or the criminal proceeding."

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

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