

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
Germany	2019	Germany / Administrative Court of Düsseldorf (Verwaltungsgericht Düsseldorf) / 18 L 1606/19 ECLI:DE:VGSD-2019-060118L160619-00	http://www.justiz.nrw.de/mwe/ovgs/vg_duesseldorf/2019/18_L_1606_19_Beschluss_20190601.html	Religion	Administrative Court of Düsseldorf (Verwaltungsgericht Düsseldorf)	The applicant, an association, objected against requirements imposed by the police on an assembly organized by it. The assembly had the title "We do not want Salafist pigs - not in N. - not in Germany". The police prohibited the shouting of the slogan "We do not want Salafist pigs" and the grilling of body parts of pigs. In the run-up to the assembly, a pig's head was laid in front of a mosque in a pool of blood and a swastika was painted on the wall. On the Facebook website of the association the comment was published: "Who does something like this? (laughing Emojis and a pig Emoji) [...]. But in principle, of course, we welcome any non-violent form of civil disobedience."	The emergency appeal was rejected and the assembly was only allowed to take place as required by the police.	The court ruled that the police's risk assessment (Gefahrenprognose) and the resulting official requirements for the assembly were plausible. Furthermore, the planned slogan would probably go beyond the protected area of freedom of assembly and expression because it was clearly intended to provoke the Muslim community. Therefore, the public interest in enforcing the conditions prevailed.	Balancing the interests of the assembly participants in freedom of assembly and freedom of opinion vs. the risk assessment of the police with regard to the commission of criminal offences out of an anti-Muslim motivation.	"Die Einschätzung des Polizeipräsidiums N., dass vor diesem Hintergrund die mit den betreffenden Auflagen untersagten Handlungen und Verhaltensweisen zur erhöhten Einschüchterung/Bedrohung der muslimischen Gemeinde, einem Klima der Gewaltbereitschaft und zur Provokation der Versammlungsteilnehmer und Dritter zu strafbaren Handlungen führen, ist hiernach zumindest nachvollziehbar. " "The assessment of the Police [...] that, against this background, the actions and behaviour prohibited by the relevant conditions would lead to increased intimidation/threat of the Muslim community and a climate of violence and would provoke assembly participants and third parties to criminal acts is therefore at least understandable. "

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