

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
Belgium	2019	Belgium / Court of First Instance Liège / Le Procureur du Roi vs. X	https://www.unia.be/nl/wetgeving-en-rechtspraak/rechtspraak/correctionele-rechtbank-luik-18-juni-2019	Racial or ethnic origin	Court of First Instance (Rechtbank van eerste aanleg)	On the occasion of a royal visit to a Muslim family, a couple posted messages on Facebook inciting hatred, including a picture of Hitler saying "put them all in the oven!"	Both defendants are found guilty. One of the defendants is sentenced to 46 hours' community service. The other benefits from the suspension of the sentence for 5 years, subject to compliance with a number of conditions.	The Facebook messages found and reported by the police are of such a nature as to incite hatred, which is corroborated by the reading of the comments. A look at one of the two accused persons' Facebook profile reveals that he is accustomed to publishing this type of hate-inciting images and comments.	The defendants were prosecuted for one of the circumstances indicated in article 444 of the Penal Code, inciting hatred or violence against a person, because of one of the protected criteria, even outside the areas referred to in article 5 of the law of 30 July 1981, because of his nationality, alleged race, skin colour, descent or national or ethnic origin, in this case against the Muslim Community.	"Les messages qu'ils ont capturés et joints à leur procès-verbal sont de nature à inciter à la haine ce que corrobore la lecture des commentaires dont un de XXX qui consiste en la publication d'une photographie d'Hitler avec la mention « foutez-moi ça au four !! ». La consultation du profil Facebook de XXX révèle qu'il est habitué à la publication de ce type d'images et de commentaires incitant à la haine." "The messages they found and attached to their minutes are of such a nature as to incite hatred, which is corroborated by the reading of the comments, including one from XXX, which consists of the publication of a photograph of Hitler with the words "put them all in the oven!! ». A look at XXX's Facebook profile reveals that he is accustomed to publishing this type of hate-inciting images and comments."

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

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