

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
Netherlands	2019	Netherlands / Supreme Court (Hoge Raad) (2019), Case no. 1705728, 3 December 2019, ECLI:NL:HR:2019:1816, available at: http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:HR:2019:1816	http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:HR:2019:1816	Religion	Supreme Court (Hoge Raad)	A Christian preacher with the American nationality made in public in the centre of the city of Eindhoven several anti-Muslims statements in the English language, like "Muslims are bad", "Muslims are terrorists" and "All Muslims will go to hell". In this ruling the Supreme court confirms the ruling by the Court of Appeal of 's-Hertogenbosch on 22 November 2017 which convicted the preacher for group insult for making the statement "Muslims are terrorists" under article 137c of the Dutch Criminal Code.	By making the statement "Muslims are terrorists" in public a Christian preacher insulted Muslims and was convicted by the Court of Appeal under article 137c of the Dutch Criminal Code which criminalizes group insult. In this ruling the Supreme Court confirms this ruling by the Court of Appeal.	By making the statement "Muslims are terrorists" in public a Christian preacher insulted Muslims and is criminal under article 137c of the Dutch Criminal Code which criminalizes group insult on the ground of race and religion.	The statement "Muslims are terrorists" made in public insults Muslims as a group and does not contribute in any way to a public debate and cannot be seen as an expression of a belief or of artistic intentions. So it is criminal under article 137c of the Dutch Criminal Code.	"Het Hof heeft geoordeeld dat de in de bewezenverklaring weergegeven uitslating op zichzelf beschouwd beledigend is in de zin van art. 137c Sr. Daarbij heeft het in aanmerking genomen dat de uitslating "Muslims are terrorists" de strekking heeft moslims bij het publiek in een kwaad daglicht te stellen en hen als groep te treffen. Dit oordeel - dat het Hof heeft geplaatst tegen de achtergrond van het hiervoor weergegeven kader - geeft niet blijk van een onjuiste rechtsopvatting en is toereikend gemotiveerd." "The Court of Appeal has ruled that the statement in question constitutes an insult on basis 137c Sr of the Criminal Code. In doing so, the court has considered that the intention of the statement "Muslims are terrorists" is to put Muslims in a bad light and to target them as a group. This ruling by the Courts constitutes not an error of law and is sufficiently reasoned. Insofar as the plea complains, it fails." The Netherlands, Supreme Court (Hoge Raad) (2019), Case no. 1705728, 3 December 2019, ECLI:NL:HR:2019:1816, available at: http://deeplink.rechtspraak.nl/uitspraak?id=ECLI:NL:HR:2019:1816

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 © 2026 European Union Agency for Fundamental Rights