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
Germany	2020	Germany / Higher Regional Court of Dresden (Oberlandesgericht Dresden) / 4 U 2198/19 / ECLI:DE:OLGDRES:2020:0212.4U2198.19.00 - No direct link to the decision available. The case number "4 U 2198/19" needs to be filled into the search field of the data	https://www.justiz.sachsen.de/esamosplus/pages/index.aspx	Migrant status, Racial or ethnic origin	Higher Regional Court of Dresden (Oberlandesgericht Dresden)	The plaintiff took action against the deletion of a Facebook post and a 30-days blocking of her account by Facebook that followed the deletion of the post. Moreover, she requested the court to declare Facebook's measures as illegal and claimed damages. The deleted post showed a picture of the Kaaba in Mecca with the slogan "End terrorism. Nuke the cube".	The plaintiff's appeal was rejected.	The Court found the deletion of the post legitimate as it was classified as hate speech and, thus, violated the Facebook Community Standards.	The Higher Regional Court had to decide whether a Facebook post constitutes hate speech or not.	"Dem verständigen Durchschnittsleser wird sich keine andere Interpretation erschließen, als diejenige, dass „muslimischen Terroristen" nur durch deren Vernichtung beizukommen ist. Mit diesem Beitrag werden also in der denkbar schärfsten Weise Personen allein aufgrund ihrer religiösen Zugehörigkeit angegriffen, indem ihre massenhafte Auslöschung als probates Mittel für die Bekämpfung des vermeintlich von sämtlichen Angehörigen dieser Religion verbreiteten Terrorismus propagiert wird." "The reasonable average reader will not come to another interpretation than that the only way of responding to "Muslim terrorists" is their annihilitation. By claiming that mass killings are an appropriate way to combat terrorism that is allegedly commited by all members of this religion, this post attacks persons in the most radical way only because of their religion."

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