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
Netherlands	2020	Netherlands / The Netherlands Institute for Human Rights (College voor de Rechten van de Mens) (2020), Opinion 2020-48, 22 June 2020	https://oordelen.mensenrechten.nl/oordeel/2020-48	Religion	Netherlands Institute for Human Rights (College voor de Rechten van de Mens)	A man wanted to open a business account with Bunq, a bank, for the general partnership of which he is a partner. The activities of the general partnership include the dissemination of Islamic knowledge to every individual in the Netherlands. The bank argued that the reason for the exclusion of religious organisations from a business account lies in legislation regarding the prevention of money laundering and terrorist financing. But the Netherlands Institute for Human Rightst is of the opinion that legislation cited by the defendant neither obliges nor justifies the exclusion of individuals or organisations from a corporate account without further investigation simply on the grounds that they adhere to a religion. The Netherlands Institute for Human Rights decides therefore that with its acceptance policy Bunq discriminates on the ground of religion between organisations without a religious character and organisations with a religious character. Under Dutch Equal Treatment Law a bank may not discriminate on the grounds of religion when offering services, such as a business account.	A bank may not refuse a business account to an organisation because of the religious character of this organisation.	A bank may not refuse an account to an organisation on ground of the religious character of the organisation in character.	A bank may not discriminate on the ground of religion when offering services, such as a business account. With its acceptance policy Bunq makes a direct distinction on the ground of religion between organisations without a religious character and organisations with a religious character. This is not allowed under Dutch Equal Treatment Law.	"Het maken van direct onderscheid is verboden, tenzij daarvoor een uitzondering in de wet is opgenomen. Verweerster heeft aangevoerd dat de reden van de uitsluiting van religieuze organisaties van een zakelijke rekening gelegen is in wetgeving ten aanzien van het voorkomen van witwassen en financieren van terrorisme. Het College erkent weliswaar het belang van het voorkomen van witwassen en financieren van terrorisme, maar de door verweerster genoemde wetgeving verplicht noch rechtvaardigt het zonder nader onderzoek uitsluiten van individuen of organisaties van een zakelijke rekening, enkel op grond van het feit dat zij een godsdienst aanhangen of vertegenwoordigen." "Making direct distinction is prohibited, unless an exception is provided for in the law. The defendant has argued that the reason for the exclusion of religious organizations from a business account lies in legislation regarding the prevention of money laundering and terrorist financing. While the Institute recognizes the importance of preventing money laundering and terrorist financing, the legislation cited by the defendant neither obliges nor justifies the exclusion of individuals or organizations from a corporate account without further investigation simply on the grounds that they adhere to a religion. or represent." The Netherlands, The Netherlands Institute for Human Rights (College voor de Rechten van de Mens) (2020), Opinion 2020-48, 22 June 2020, available at: https://mensenrechten.nl/nl/oordeel/2020-48

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 © 2025 European Union Agency for Fundamental Rights