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
Romania	2020	Romania / National Council for Combatting Discrimination / casefile no.567/2019 decision 281/2020	https://www.cncd.ro/wp-content/uploads/2021/01/Hotarare-281-2020-2.pdf	Religion, Racial or ethnic origin	National Council for Combatting Discrimination (CNCD) (Consiliul National pentru Combaterea Discriminarii)	The case is filed by the plaintiff, a Romanian citizen and member of the Local Town Council in Măgura village, who claims that the defendant, also a member of the Local Council, called him “alien” (“venetic”) countless times and asked him, during the Local Council meeting, if he came with a gun on him. Thus, the petitioner shows that the defendant refers directly to his origin and frequently and unjustifiably infringes his right to dignity.	The act was sanctioned with a fine of 1,000 lei (approx. EUR 200) applied against the defendant, for discrimination and incitment to hatred.	In its decision, the CNCD Steering Board noted that protecting the dignity of persons with disabilities, of national minorities or of other vulnerable groups is a legitimate aim in a democratic society. In the light of the parties' submissions and the annexed documents, the Board noted that the defendant made statements which undermined the plaintiff's right to dignity. The decision also mentions that the plaintiff was placed in degrading situations during meetings of the Local Council, in the presence of his colleagues, by being called an “alien” and by being asked, in public, if he was carrying a gun (because he is Muslim).In CNCD’s view, this implies an association with terrorism.	While the initial complaint on this case was submitted on grounds of ethnic origin, ex-officio CNCD identified and referred to an additional ground of discrimination - that of religion. This is based on that fact that the plaintiff is not only part of a national minority, but also a Muslim and, on this account, is indirectly associated with terrorism - in a public setting, during the sessions of the Local Council, in front of his colleagues.	“Colegiul director consideră că petentul a fost pus într-o situație denigratoare (...). A-l considera și a-l numi “venetic” în prezența altor persoane reprezintă o încălcarea a demnității. Mai mult, prin întrebarea (...) referitoare la posibilitatea ca acesta să dețină o armă asupra lui (...) doar pentru că este de origine musulmană, induce, negreșit, ideea că ar fi terorist.” “The Board finds that the plaintiff was placed in a degrading situation (...). To consider him and call him “alien” in the presence of other people represents a violation of dignity. Moreover, the question (...) regarding the possibility that he had a weapon on him (...) only because he is of Muslim origin, induces, without a doubt, the idea that he is a terrorist".

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