

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	2022	Belgium / Cour d'appel d'Anvers, 9-02-2022	https://www.unia.be/nl/wetgeving-en-rechtspraak/rechtspraak/hof-van-beroep-antwerpen-14-november-2022	Religion	Antwerp Court of Appeal (Cour d'appel d'Anvers)	The case concerns the appeal from a decision in which the primary judge found that it was discriminatory for a not-for-profit organisation providing assistance to mothers in need to ask the mothers and anyone accompanying them to remove their headscarves in the premises of the organisation.	Not publicly available	The discussion between the parties focuses on the question of whether the social activities of the appellant are open to the public (terminology in the Anti-Discrimination Act) or are offered outside the private sphere (terminology in the Equal Opportunities Decree). If the activities do not fall under these scopes, then the anti-discrimination legislation (neither federal nor regional) does not apply.	The Court of Appeal concluded that the social activities of the organisation were not open to the public and did not come out of the private sphere within the meaning of the anti-discrimination law and the decree of the Flemish Community. The assistance provided by the organisation on its premises was limited to a specific group, namely mothers in precarious situations referred to the association by specific institutions (e.g. police) and registered for assistance after an admission interview with the association. Their building was also not freely accessible. Thus, the social activities of the organisation do not fall under the anti-discrimination law and the decree of the Flemish Community.	"Uit niets blijkt dat de bewering van de appellante dat het pand enkel toegankelijk is op afgebakende tijdstippen voor een beperkte groep hulpbehoevende moeders en bij uitzondering vaders die werden doorverwezen door officiële instanties en/of door haar werden ingeschreven (na een intakegesprek) niet strookt met de waarheid. De hulpverlening die de appellante er verleent aan de doorverwezen en bij haar ingeschreven hulpbehoevende moeders vindt dan ook niet plaats buiten haar privésfeer zoals het Gelijkekansendecreet vereist." "There is nothing to show that the claim of the appellant that the building is only accessible at defined times for a limited group of mothers in need of help and, exceptionally, fathers who were referred by official authorities and/or who were registered by her (after an intake interview) is not consistent with the truth. The assistance that the appellant provides to the referred and registered with her dependents therefore does not take place outside her private sphere, as required by the Equal Opportunities Decree."

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