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
Belgium	2020	Belgium / Tribunal correctionnel du Luxembourg / Trib.corr.Lux., 22-10-2020	https://www.unia.be/nl/wetgeving-en-rechtspraak/rechtspraak/correctionele-rechtbank-van-luxemburg-22-oktober-2020	Racial or ethnic origin	Luxembourg Criminal Court (Tribunal correctionnel du Luxembourg)	The case concerns online incitement to hatred and violence. More concretely, it concerns two individuals who were responsible for a website and a Facebook group related to an identarian group from the Ardennes region. In these online platforms, multiple texts or images inciting to hatred or violence against Muslims were published.	Both individuals were sentenced to 6 months in prison and a fine of 800 EUR. They were also ordered to pay 200 EUR to the special fund for assistance to victims of intentional acts of violence.	The content of the publications and the individuals' responsibility for them cannot be denied and thus the Court found that their criminal responsibility was established.	As the creators and administrators of the concerned website and Facebook page, the individuals involved in the case are held personally responsible for the content published in them.	"les deux prévenus sont respectivement les fondateurs de deux groupements qui, de manière manifeste et répétée, ont prôné la discrimination ou la ségrégation fondée sur la nationalité, une prétendue race, la couleur de peau, l'ascendance ou l'origine nationale ou ethnique, mais aussi et surtout incité à la haine et à la violence à l'égard de la communauté musulmane [...] ; Or, il ressort de leurs propres déclarations - à la police [...] et lors de l'audience - qu'ils ont créé personnellement les sites internet et/ou pages Facebook liés à leurs mouvements et qu'ils géraient personnellement également (ou à eux deux) les publications de ceux-ci ; " " the two defendants are respectively the founders of two groups which, manifestly and repeatedly, advocated discrimination or segregation based on nationality, alleged race, skin color, ancestry or national or ethnic origin , but also and above all incited to hatred and violence against the Muslim community [...]; However, it appears from their own statements - to the police [...] and during the hearing - that they personally created the websites and/or Facebook pages linked to their movements and that they managed personally also (or between them) the publications of these; "

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