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
Croatia	2020	Croatia / Municipal Court In Dubrovnik / 4K-316/20-23		Religion	Municipal Court in Dubrovnik / Općinski sud u Dubrovniku	The perpetrator was found guilty of having committed a criminal offense against personal freedom - threat as described in the Criminal Code art. 139. The perpetrator on first occasion told to A.H. knowing that the person is Muslim: "This is my homeland, this is not your homeland and I will send you away from here for good", on the second occasion: "I will kill you using a gun, bullet in the head ..." and on the third "I will take a gun and blow one bullet into each of you".	The perpetrator was sentenced to a single prison term of 1 year but the court determined a conditional sentence in such a way that the prison sentence will not be carried out if the accused does not commit another criminal offense within the 4-year probation period following the finality of the judgment. The court also determined a security measure on the perpetrator, prohibiting him from approaching the victims at a distance of less than 5 meters, and put a ban on harassing or stalking them for a period of 2 years after the finality of the judgment, with the provision that the court may, if the perpetrator does not comply with the determined security measure, revoke the suspended sentence.	At the hearing of the competent court, the perpetrator stated that he is considered guilty of the criminal offenses charged against him in the indictments. On the basis of the evidentiary procedure, analysis and evaluation of all the evidence separately and in its totality, and taking into account the defendant's defence, in which he fully admits guilt, and taking into account the testimony of the injured party, the court found it proven that the perpetrator, through his actions on the accused occasions, achieved all the legal characteristics of the criminal acts that are charged against him in the indictments.	Not publicly available	"that..., in alcohol intoxication state, due to intolerance against Muslims and knowing that A.H. is a Muslim, and with the intention of causing A.H. fear and panic, said to him: "This is my homeland, this is not your homeland, I will send you away and I will eradicate you Muslims from here", which caused A.H. fear, terror and humiliation due to his religious orientation and national belonging, therefore, he seriously threatened another to kill him, and the crime was committed out of hatred" „što je..., u alkoholiziranom stanju, zbog netrpeljivosti prema pripadnicima islamske vjeroispovijesti i znajući da je A. H. musliman te u nakani da kod A. H. izazove osjećaj straha i prepasti mu rekao: "Ovo je moja djedovina, ovo nije tvoja djedovina, otjerat ću vas i ja ću vas muslimane iskorijeniti odavde", a što je kod A. H. izazvalo osjećaj straha i prepasti te poniženja zbog njegovih vjerskih i nacionalnih osjećaja, dakle, drugome ozbiljno prijetio da će ga usmrtiti, a kazneno djelo je počinjeno iz mržnje“

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