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
Cyprus	2021	Cyprus, Commissioner for administration and human rights/Position of the Commissioner for Administration and Human Rights Protection on rhetoric promoting racism and xenophobia and the specific implications of such rhetoric when developed on the internet.	http://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/096D1406A519D012C2258714002FC9FB/$file/REPORT%20HATE%20SPEECH.pdf?OpenElement	Nationality	Commissioner for administration and human rights (Ombudsperson)	The Ombudsperson published a document setting out the framework on hate speech, with reference to a collaboration launched with ODIHR. A number of complaints examined by the Ombudsperson in previous years were set out, mostly dealing with racist comments against third country nationals, mainly asylum seekers and refugees for welfare benefits they are receiving. The paper presented the legal framework of the Council of Europe and ECtHR jurisprudence on hate speech, freedom of expression and its delimitations, the national laws on hate speech and hate crime, the national jurisprudence consisting of just two court decisions on hate speech, as well as the relevant recommendations of the Council of Europe, the European Commission and Equinet. The paper recommended that mass media introduce a system of monitoring comments of readers in order to locate and promptly delete comments with hate speech and called on the police to prioritise combating hate speech through criminal investigation and prosecution and training of its members for effectively address hate speech	The Ombudsperson recommended that the mass media introduce a system of monitoring readers' comments so as to promptly locate and delete hate speech; this recommendation was not adopted by any media outlet. Additional recommendations addressed to the police, including the need to prioritise hate speech and adopt measures to facilitate identification and prosecution of hate speech did not generate concrete measures either.	The Ombudsperson stated that the increasing levels of on line hate speech entail the risk of inciting general societal hostility towards vulnerable groups such as the migrants, ethnic and religious communities and LGBTI persons. It argued that xenophobic discourse in the public sphere was a product of the immigration and refugee flows of the past 25 years, intensified by the economic crisis which generated xenophobic reflexes against migrants, refugees and asylum seekers in Cyprus. The paper referred to the role which the mass media can play in alleviating phenomena of xenophobia and sensitising public opinion and the responsibility of the police to prosecute public discourse promoting or inciting intolerance against specific groups on the basis of colour, national origin, religion or sexual orientation.	The Ombudsperson stated that on-line hate speech is attracting more focus in recent years because the internet is a mass communication tool operating on a global level whose directness and pervasiveness by far exceeds that of the traditional media such as print media, radio and television. She pointed out that on-line hate speech is more dangerous because the internet provides its users with the opportunity to become public speakers and to disseminate views globally within seconds which remain publicly available for a long time. The Ombudsperson added that xenophobic hate speech is a result of the migration and refugee flows of the past 25 years, intensified by the economic crisis.	"Ειδικότερα, αναφέρω τον προβληματισμό μου σε σχέση με τις ακόλουθες αναφορές στα επίμαχα δημοσιεύματα/αναρτήσεις σημειώνοντας Την ακραία, και απεχθή, ρητορική μίσους που αναπτύχθηκε από αριθμό αναγνωστών του δημοσιεύματος, σε αναρτήσεις τους κάτω από δημοσίευμα για αλλοδαπό που απειλούσε ότι θα αυτοκτονήσει, με την οποία, μερικοί αναγνώστες δεν δίστασαν ακόμη και να ενθαρρύνουν/προτρέψουν, με χλευασμό, τον θάνατο του αλλοδαπού στον οποίο αναφέρεται το δημοσίευμα..."_"In particular, I raise my concerns in relation to the following references in the contested publications/posts, noting: - The extreme, and despicable, hate speech developed by a number of readers of the publication, in their posts under an article about a foreigner threatening to commit suicide, whereby some readers did not even hesitate to encourage/encourage, with mockery, the death of the foreigner referred to in the article..."

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http://fra.europa.eu/en/databases/anti-muslim-hatred/

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