

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
Denmark	2021	Denmark / National Court /		Religion	Østre Landsret (The Eastern National Court)	The case concerned whether the accused by a range of circumstances had violated § 266 b of the Danish Criminal Code (commonly known as "the racism paragraph"). The accused were found guilty in violating § 266 b in six of the circumstances. The circumstances were related to a range of statements regarding people from Greenland, Muslims and people living in the so-called "ghettos". The statements were delivered both online and during demonstrations. The case was distinct in the sense that the accused was the leader of the political party "Stram Kurs".	The accused was found guilty of violating the racism paragraph in six instances. He was sentenced 3 months prison. The sentence was reduced from the original city court's ruling by suspending the jail sentence. The cases are closed.	The Court found that the accused had violated the racism paragraph by the severity of the statements and that he had done so intentionally. The Court also found that the accused did not have extended access to freedom of speech in his capacity as leader of a political party.	The case provided some clarification on the consideration between freedom of speech and the prohibition on racist statements. It also provided clearance on the legal status of political leaders.	DK: "[...] og landsretten bemærkede i den forbindelse, at det er muligt at forholde sig kritisk til personer, som har en anden tro eller etnisk oprindelse, uden groft at forhåne eller nedværdige dem [...]". EN: "[...] and in this regard the Court noted that the would have been possible to be critical of groups with another faith or ethnicity without grossly mocking or degrading said group [...]"

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