

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
Romania	2022	The National Council for Combating Discrimination (Consiliul Național pentru Combaterea Discriminării) decision no. 388 from 6 July 2022	https://www.cncd.ro/wp-content/uploads/2022/09/Hotarare-388-2022.pdf	Racial or ethnic origin, Religion	The National Council for Combating Discrimination (Consiliul Național pentru Combaterea Discriminării)	The case concerns a news article that covers different positions from within the Muslim community from Constanta in regard to a statute of a Kazakh composer that was placed there. The petitioner claims that the way a news article portrays the different opinions from the Muslim community and that fact that it claims the community is worried about this statute is discriminatory and it sows discontent within the local Muslim community.	The equality body rejected the complaint.	The equality body rejected the complaint, finding that the journalist acted within the freedom of speech margins and presented the situation in an unbiased manner.	Any limitation of the right to expression must be expressly provided by law (legal provision which, in turn, must be predictable and accessible), must pursue a legitimate purpose, be necessary in a democratic society and proportional.	"Prin urmare, având în vedere contextul în care au fost făcute afirmațiile și modalitatea de exprimare, precum și calitatea reclamatului, de organizație neguvernamentală care are drept scop analizarea critică a demersurilor care vizează cetățenii, Colegiul director constată că, prin postare nu s-a depășit sfera libertății de exprimare, fapt pentru care nu se impune o ingerință a statului prin constatarea și sancționarea faptelor ca fiind o formă de discriminare." "Therefore, taking into account the context in which the statements were made and the manner of expression, as well as the quality of the complaint, of a non-governmental organization whose purpose is to critically analyse the actions aimed at citizens, the Board of Directors finds that the statements did not exceed the limits placed on freedom of expression, hence there is no scope for the state to interfere and sanction the statements as a form of discrimination."

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

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