

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
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Romania	2021	Urziceni Court (Judecătoria Urziceni) Decision no. 710/2021 from 26 May 2021 file no. 3390/330/2020		Religion	Urziceni Court (Judecătoria Urziceni) the decision was upheld by the Ialomița Tribunal in second instance and in third instance by the Bucharest Court of Appeal	The case is a tort liability case by which the claimant, a former mayor asked for moral damages from a political opponent in relation to defamatory claims the latter made in several Facebook posts. The defamatory remarks included, among other things, discriminatory remarks in relation to the fact that the claimant belongs to the Muslim faith that Muslims should not be present in Christian churches. The defendant also made a request for moral damages in relation to defamatory statements made by the claimant on Facebook.	The court found that both parties made defamatory statements about each other and found that both parties should pay each other 5 000 Ron (approximately 1000 euro) sums which are to be compensated. The court also decided that both parties are to delate within 30 days all of the defamatory statements made online and that they should refrain from insulting each other any further.	The court found that statements made which refer to the religion of the claimants are defamatory, they constitute value judgements which affect not only the claimants but a whole group of people.	This case looks at opinions and comments made on social networks. The court found that such statements, whenever they are defamatorily can result in moral damages and the author of such statements can be obliged to pay moral compensation for damage caused through such statements.	“Nu în ultimul rând, referirile la religia fostului edil sunt peiorative și induc ideea că o persoană de altă religie nu ar trebui să poată să intre într-o biserică ortodoxă și invers, acest mesaj fiind propagat într-un mediu public și la care au avut acces numeroase persoane, în considerarea calității titularului de cont. Restul afirmațiilor legate de religia reclamantului-pârât se încadrează în categoria judecăților de valoare care însă, prin natura și modul, mediul în care sunt exprimate, afectează nu numai reclamantul-pârât, ci o întreagă categorie de persoane având religii diferite de cea ortodoxă.” “Last but not least, the references to the religion of the former mayor are peiorative and induce the idea that a person of another religion should not be able to enter an Orthodox church and vice versa, this message being propagated in a public environment to which many people had access, considering the quality of the account holder. The rest of the statements related to the claimant’s religion fall into the category of value judgments which, given the nature, the manner and the by the environment in which they are expressed, affect not only the claimant, but an entire category of people with religions different from the Orthodox one.”

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