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

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Spain	2021	Spain, Algeciras Criminal Court No. 3 (Juzgado de lo Penal número 3 de Algeciras), March 2021.		Racial or ethnic origin, Migrant status, Religion	Algeciras Criminal Court No. 3 (Juzgado de lo Penal número 3 de Algeciras)	A 63-year-old person of Spanish nationality from Algeciras (Cádiz) disseminated many violent content publications through his Facebook profile, clearly and directly inciting hatred and violence against Muslim immigrants. The publication of the material online was made without restriction, and the accused had more than 200 friends on his Facebook profile. The Navarra Civil Guard investigated to identify the user of that profile due to the seriousness and cruelty of the contents poured into social networks. It resulted in the full identification of the accused. Then, he was arrested in the Navarra region, and his case was transferred to the Public Prosecutor of the Office of the Algeciras Area (Cádiz).	The Algeciras Criminal Court issued a judgment condemning the accused of committing a crime of provocation to discrimination and xenophobia through social networks, covered under Article 510 of the Criminal Code. The Court imposed one year and six months imprisonment, plus eight months fine and one year and six months special disqualification from the right to stand as a political candidate. The decision is subject to appeal.	As the publication of the material on the Internet was made without any restriction, it was concluded that the messages of incitement to hatred, violence and discrimination published could have reached a large number of users of this social network (he had more than 200 friends on the Facebook profile).	The Navarra Civil Guard operation is part of the priorities for investigating and prosecuting hate crimes, framed in the Action Plan to Combat Hate Crimes (Plan de Acción de Lucha contra los delitos de odio) because the publication of comments on social media “without any restrictions.”	not available

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