

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
Austria	2023	Austria / Austrian Press Council (Österreichischer Presserrat), W3 Verlagsgesellschaft m.b.H. & Co Verlag KG	https://www.presserat.at/rte/upload/entscheidungen_2023/entscheidung_2023_267_03.11.2023.pdf	Racial or ethnic origin	Austrian Press Council (Österreichischer Presserrat)	An article published in the weekly newspaper "Zur Zeit" deals with the appointment of Omar Hajjawi-Pirchner as head of the Directorate State Protection and Intelligence Service (Direktion Staatsschutz und Nachrichtendienst). It centres on the accusation that Hajjawi-Pirchner's father was of Arab origin and that this had a negative impact on the leadership of the Directorate State Protection and Intelligence Service.	The Austrian Press Council requested the "W3 Verlagsgesellschaft m.b.H. & Co Verlag KG" to publish or announce the decision voluntarily in the medium concerned.	In the opinion of the Senate, the article alleges that Hajjawi-Pirchner acts differently with suspects of Muslim origin or takes less consistent action against them, without any concrete evidence of this being cited in the article. In addition, the article is likely to increase mistrust of Muslims or fuel resentment; the author conveys the impression that people of Muslim origin are generally less suitable to head a security authority in Austria; this is also supported by the author's comment that a presumed Muslim should remain modestly in the background or be grateful to live here.	The Austrian Press Council found that this article violated the "Principles for journalistic work - Code of Honour for the Austrian Press" (Point 7.2) - prohibiting any discrimination based on age, disability, gender, ethnic, national, religious, sexual, ideological or other grounds	"Rufschädigende Mutmaßungen ohne sachliche Grundlage müssen jedoch auch Spitzenbeamtinnen und -beamten nicht hinnehmen [...] Darüber hinaus ist der Artikel geeignet, das Misstrauen gegenüber Musliminnen und Muslimen zu vergrößern bzw. Ressentiments zu schüren. Der Autor vermittelt den Eindruck, dass Menschen muslimischer Herkunft generell weniger geeignet seien, in Österreich an der Spitze einer Sicherheitsbehörde zu stehen." "However, even top civil servants do not have to accept reputationally damaging assumptions without any factual basis [...]. Furthermore, the article is likely to increase mistrust of Muslims and fuel resentment: the author conveys the impression that people of Muslim origin are generally less suitable to head a security authority in Austria."

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

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