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
Cyprus	2024	Cyprus/ Commissioner for Administration and Protection of Human Rights/AY710/2024	https://www.ombudsman.gov.cy/ombudsman/ombudsman.nsf/All/CDC44D63A6232DAFC2258BCF003834E6/file/%CE%81%CE%A5%CE%A410.24%20%CE%A6%CE%B9%CE%B1%CE%B6%CE%B7%CE%BC%CE%B5%CE%B9%CE%B1%CE%B2%20%CE%A6%CE%B1%CE%B9%CE%B7%CF%84%CE%BF%CF%85%CC%81.pdf?OpenElement	Racial or ethnic origin	Commissioner for Administration and Protection of Human Rights	The Ombudsman published a self-initiated intervention, following media reports about attacks against migrant delivery workers. The Ombudsman had made a similar self-initiated intervention in 2022 on the same subject. The report states that there is a chance that the incidents were motivated by prejudice and that for some of these incidents arrest warrants were issued and criminal prosecutions were initiated, adding that the intervention does not examine the manner in which the police investigated the incidents. The report states that incidents against migrants are on the rise despite the legislative and policy framework and pointed out to the ECRI recommendation of 2022 to adopt a system of monitoring hate crimes and hate speech and to render the legislation stricter. The report refers to police training offered by the ombudsman's office and to a memorandum of understanding decided between public authorities and CSOs, pursuant to an initiative undertaken by the OSCE.	The report recommended to the responsible public authorities that the police examines each incident in order to establish whether or not there is a bias incident and that the recommendations contained in the ECRI report of 2022 be adopted, especially as regards the amendment of the legislative framework to render it more strict, since the current framework appears inadequate in order to serve as a deterrent. No sanctions were imposed. The recommendations were not implemented; the legal framework remained unchanged and the police only investigates racist motivation if the perpetrators utter racist slur during the physical attack. There is no protocol in place to be followed by the police in order to identify a racist motivation in the absence of a racist slur and most attacks against delivery workers are prosecuted as common assaults and/or thefts. No measures were adopted and no clarifications were added to police investigation protocols to facilitate the identification of bias motive. Attacks against delivery workers continued after this report was issued. The report refers to police training offered by the ombudsman's office and to a memorandum of understanding decided between public authorities and CSOs, pursuant to an initiative undertaken by the OSCE.	Due to their racial nature, hate crimes impact fundamental human values and dignity and undermine democratic principles on which equality and non-discrimination is premised. The codification of bias motivation into law recognises the seriousness of hate crimes, however it is evidently not strict enough to contain them. National jurisprudence established that bias motivation may refer to real or assumed protected characteristics which convert the victim into a target in the eyes of the perpetrator.	Current legislation against hate crime should be rendered stricter and its implementation should be strengthened. There is a need to establish a comprehensive system for monitoring incidents of crime and hate speech. Police authorities should examine and register bias motivation in police reports to combat the phenomenon of under-reporting of incidents of discrimination.	"Ένεφερε των ανωτέρω, ανεφέρω ότι η Αστυνομία οφείλει να προβαίνει στην εξέταση του κάθε περιστατικού, προκειμένου να διαπιστώνει κατά πόσο υπάρχει ενδεχόμενο κίνητρο προκατάληψης. Ακόμη, επισήμανα ότι οι συστάσεις που εμπεριέχονται στην Έκθεση της ECRI του 2022, θα πρέπει να εφαρμογής από όλους τους αρμόδιους φορείς, και συγκεκριμένα, οι συστάσεις για ενισχυμένη εποπτεία του νομοθετικού πλαισίου, καθώς διαφαίνεται ότι η ισχύουσα νομοθεσία δεν λειτουργεί αποτρεπτικά για τη διάπραξη των εν λόγω αδικημάτων." "In view of the above, I state that the Police are expected to investigate each incident in order to determine whether there is a possible motive of bias. Furthermore, it is expected that the recommendations contained in ECRI's 2022 Report will be implemented by all relevant actors, in particular, the recommendations to tighten the legislative framework, as it appears that the current legislation does not act as a deterrent to the commission of the offences in question."

DISCLAIMER The information presented here is collected under contract by the FRA's research network FRANET. The information and views contained do not necessarily reflect the views or the official position of the FRA.

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

Copyright © 2025 European Union Agency for Fundamental Rights