

Cases and rulings

Country	Year	Reference number	Reference details URL	State Body involvement	Court / Body	Key facts of the case	Results / Recommendations and measures taken by the state	State monitoring / Implementation	Key human rights instruments referred to by the case	Key questions raised, legal issues and/or points of law
Spain	2023	1/2023	https://www.fra.europa.eu/en/cases/anti-muslim-hatred/cases/anti-muslim-hatred-in-spain		Spanish Constitutional Court	The petition, filed with the Spanish Constitutional Court, challenged the constitutionality of article 1.1 of the Organic Law of the Judiciary (LOPJ) in relation to the jurisdiction of the courts in cases of anti-Muslim hatred. The petitioners argued that the current legal framework did not adequately protect the fundamental rights of Muslims in Spain, particularly in the context of hate speech and discrimination. They claimed that the existing laws were insufficient to address the growing problem of anti-Muslim hatred in the country, which had led to several incidents of violence and discrimination against the Muslim community.	According to article 1.1 of the LOPJ, the courts have jurisdiction over cases of anti-Muslim hatred. The petitioners argued that this was not sufficient to protect their fundamental rights, as the current legal framework did not adequately address the problem of anti-Muslim hatred in Spain. They claimed that the existing laws were insufficient to address the growing problem of anti-Muslim hatred in the country, which had led to several incidents of violence and discrimination against the Muslim community.	The report found that the current legal framework in Spain did not adequately protect the fundamental rights of Muslims in the context of anti-Muslim hatred. The report recommended that the Spanish government should take measures to strengthen the legal framework, including by improving the definition of anti-Muslim hatred and by ensuring that the courts have sufficient resources to handle such cases.	The report found that the current legal framework in Spain did not adequately protect the fundamental rights of Muslims in the context of anti-Muslim hatred. The report recommended that the Spanish government should take measures to strengthen the legal framework, including by improving the definition of anti-Muslim hatred and by ensuring that the courts have sufficient resources to handle such cases.	The report found that the current legal framework in Spain did not adequately protect the fundamental rights of Muslims in the context of anti-Muslim hatred. The report recommended that the Spanish government should take measures to strengthen the legal framework, including by improving the definition of anti-Muslim hatred and by ensuring that the courts have sufficient resources to handle such cases.

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

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