

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
France	2024	France / Conseil d'État / N°489498 / ECLI:FR:CECHR:2024:489498.20241230	http://www.conseil-etat.fr/fr/arianeweb/CE/decision/2024-12-30/489498	Religion	Conseil d'État	The case related to the dissolution of the "Civitas" association, which organised tributes to personalities in favour of collaboration with the Nazi regime, and whose leaders regularly made anti-Semitic and anti-Muslim remarks.	The Council of State (Conseil d'État) upheld the dissolution.	The Council of State (Conseil d'État) noted that Civitas members, including its leaders, promoted "a vision of the world in which denouncing the role and influence attributed to people of the Jewish faith was central. It also called for discrimination against people of the Muslim faith and, more broadly, foreign or French people of immigrant background, who were systematically associated with the dangers presented by crime, radical Islamism or terrorism." Article L. 212-1 of the French Internal Security Code allows for the dissolution by the Council of Ministers of associations or groups "which either provoke or contribute through their actions to discrimination, hatred or violence against a person or a group of people on the grounds of their origin, sex, sexual orientation, gender identity or membership or non-membership, real or supposed, of a particular ethnic group, nation, alleged race or religion, or propagate ideas or theories tending to justify or encourage such discrimination, hatred or violence".	The question was whether the dissolution of the "Civitas" association was justified and thereby consistent with freedom of association.	"10. Il résulte de ce qui précède que le décret attaqué a pu, sans être entaché d'erreur de droit, d'erreur d'appréciation ou d'erreur de fait, retenir que les prises de position de l'association Civitas propagent des idées ou des théories tendant à justifier ou encourager la discrimination, la haine ou la violence envers des groupes de personnes à raison de leur origine, de leur orientation sexuelle, de leur identité de genre ou de leur appartenance ou de leur non-appartenance, vraie ou supposée, à une ethnie, une nation, une prétendue race ou une religion déterminée, motif justifiant sa dissolution administrative en application du 6° de l'article L. 212-1 du code de la sécurité intérieure." "10. It follows from the foregoing that the contested decree was able, without being vitiated by an error of law, an error of assessment or an error of fact, to hold that the positions taken by the Civitas association propagated ideas or theories tending to justify or encourage discrimination, hatred or violence against groups of people on the grounds of their origin, their sexual orientation, their gender identity or their membership or non-membership, whether real or supposed, of a particular ethnic group, nation, alleged race or religion, a ground justifying its administrative dissolution pursuant to 6° of Article L. 212-1 of the French internal security code (code de la sécurité intérieure)."

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