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
Croatia	2023	Croatia/County Court in Varaždin/Gž-779/2023-4	https://odluke.sudovi.hr/Document/View?id=9c36adc0-236f-4a61-afb4-2032895e2819	Religion	Županijski sud u Varaždinu (County Court in Varaždin)	The case involved a defamation claim by Dr. Z.H. against journalist A.T. for an article in the Serbian magazine N., later shared online, containing offensive remarks. The Municipal Court awarded the plaintiff €1,990.84 for non-material damage and ordered reimbursement of legal costs. The defendant appealed, disputing the violation of rights, the assessment of public interest, and the proportionality of awarded damages.	The defendant was ordered to pay €1,990.84 for non-material damages and €1,185.43 for partial legal costs. The case sets a precedent for limits on freedom of expression in political commentary, highlighting that personal attacks are not protected when they exceed the boundaries of legitimate public debate.	The Varaždin County Court upheld the lower court's ruling on damages, stating that the defendant's expressions, though part of public commentary, exceeded the limits of freedom of expression by using ad hominem insults. Applying ECtHR criteria from the Axel Springer v. Germany case, the court found the statements lacked public interest contribution and primarily aimed to demean. It partially reduced awarded legal costs, recognising proportionality in litigation success but affirmed the damages due to the nature and impact of the statements.	The key issue was the boundary between satirical criticism and defamatory insult. The court emphasised that public figures must tolerate criticism but not extreme personal insults that violate dignity and honor, reaffirming the balancing test from the ECtHR Axel Springer v. Germany case.	"(...) tuženikov ekstremno netolerantan tekst nije spojiv s interesima koji opravdavaju slobodu izražavanja, te da je njegova minimalna društvena vrijednost daleko manja od suprotstavljenog privatnog interesa usmjerenog zaštiti osobne časti." "(...) the defendant's extremely intolerant text is incompatible with interests that justify freedom of expression, and its minimal social value is far outweighed by the opposing private interest of protecting personal dignity."

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