

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/Municipal Misdemeanor Court in Split/Pp-6677/2022-9	https://odluke.sudovi.hr/Document/View?id=bac2341b-fc26-4162-b94a-00c1e9273976	Religion	Općinski prekršajni sud u Splitu (Municipal Misdemeanor Court in Split)	On 25 March 2022, in Split, the defendant V.B., a Croatian citizen, was charged with public disorder for shouting insults at S.B. and E.Dž., including slurs directed at E.Dž.'s Muslim identity. V.B. was intoxicated and verbally assaulted the victims with phrases such as "Fuck you bums, what are you doing here, this is my street" ("Jebeć vam mater klošari, šta vi ovdje radite, ovo je moja ulica"). He was accused of violating public order and of discrimination based on religion under the Anti-Discrimination Act. The court found him guilty of public disorder but acquitted him of discrimination, citing a lack of intent to create a hostile or degrading environment.	The court found V.B. guilty of public disorder and imposed a fine of €79.64, which was considered served due to his time spent in police custody. Additionally, he was ordered to pay €30 in procedural costs. However, the court acquitted him of discrimination charges, concluding that the prosecution failed to prove intent to create a hostile or degrading environment. The ruling underscores the high evidentiary threshold for establishing discriminatory intent under Croatian law and highlights potential gaps in addressing bias motivated conduct when intent is not explicitly demonstrated.	The court found V.B. guilty of public disorder under the Law on Misdemeanors Against Public Order and Peace, citing credible eyewitness testimonies. However, it acquitted him of discrimination under Article 25 of the Anti-Discrimination Act, ruling that while his remarks were offensive and religiously derogatory, the prosecution failed to prove that he intended to create a hostile or degrading environment. The court distinguished between offensive conduct punishable under public order laws and discriminatory conduct requiring a specific intent to harm based on protected characteristics.	The case clarified that religiously derogatory expressions alone do not meet the threshold for discrimination under the Anti-Discrimination Act unless accompanied by a demonstrated intent to create a hostile or degrading environment. The court distinguished between offensive conduct punishable under public order laws and discriminatory conduct requiring a specific intent to harm based on protected characteristics.	„Na temelju čl. 182. toč. 1. PZ-a okrivljenik (...) oslobođa se od optužbe da bi (...) vrijeđao E. Dž. po vjerskoj i nacionalnoj osnovi (...)”. Pursuant to Article 182, item 1 of the Misdemeanor Act, the defendant is acquitted of the charge that he (...) insulted E. Dž. on the grounds of religion and nationality (...)”.

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