

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 Criminal Court in Zagreb/Kzd-10/2023		Racial or ethnic origin	Municipal Criminal Court in Zagreb (Općinski kazneni sud u Zagrebu)	On 2 March 2021, in Zagreb, a 37-year-old man physically and verbally assaulted a 14-year-old Roma boy without provocation. He insulted him using anti-Roma slurs ("Cigane, j*** ti majku cigansku.") and hit him multiple times while chasing him through a public space. The boy experienced fear, humiliation, and trauma. The accused was intoxicated at the time and claimed memory loss.	The defendant was sentenced to one year of unconditional imprisonment and ordered to undergo mandatory treatment for alcohol addiction. He must also reimburse court expenses. The ruling confirms that intoxication does not exempt responsibility for hate crimes and signals a strong legal stance against anti-Roma racism and violence, especially when minors are involved.	The court found the accused guilty of hate-motivated violent conduct under Article 323a in connection with Article 87(21) of the Criminal Code. Despite claims of memory loss due to intoxication, expert assessments confirmed he retained cognitive function. The court accepted the victim's and his parents' consistent testimonies and concluded the crime was committed with direct intent and out of ethnic hatred.	The case clarified the interpretation of bias-motivated violence under Article 323a KZ/11 and the evidentiary standards for establishing intent in cases where the defendant claims memory loss due to intoxication. It reinforced that hate speech combined with physical assault against a person or groups due to their actual or perceived race or ethnicity can constitute criminal conduct rooted in hate, even without visible physical injury.	„(...) optuženik je time nasiljem na javnom mjestu drugoga doveo u ponižavajući položaj, a time nije počinjeno teže kazneno djelo, te je djelo počinjeno iz mržnje.“ “(…) the defendant, by committing violence in a public place, placed another in a humiliating position; although the crime was not more severe, it was committed out of hatred.”

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