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
North Macedonia	2023	North Macedonia / Commission on Prevention and Protection Against Discrimination / 08-141/1	https://kspd.mk/wp-content/uploads/2023/02/08-141-%D0%BF%D0%B4-01-07-23-%D1%83%D1%82%D0%B2%D1%80%D0%B4%D0%B5%D0%BD%D0%B0-%D0%B4%D0%B8%D1%81%D0%B4%D1%80%D0%B8%D0%BC%D0%B8%D0%BD%D0%B0%D1%86%D0%B8%D1%98%D0%B0-08-597.pdf	Religion	Commission on Prevention and Protection Against Discrimination	A complaint was filed with the Commission for Prevention and Protection against Discrimination against a council member of the Levica party in the Municipality of Centar. The complainant who was proposed for a management committee, alleged multiple instances of harassment based on ethnicity, religion, and belief. The complaint stemmed from statements made during a municipal council meeting on 28.09.2022 and a Facebook post on 27.09.2022, where the council member accused the complainant of "financing radical Islam and having family ties to criminal activities". This contributed to the end-result of the selection process where the complainant did not get the job.	The council member was recommended to remove the offensive Facebook content within 30 days, issue a written apology to the complainant, and avoid similar discriminatory expressions in the future. Failure to comply would result in the Commission initiating misdemeanor proceedings under Article 27(4) of the Law on Prevention and Protection against Discrimination.	The Commission for Prevention and Protection against Discrimination determined that the council member of Levica violated anti-discrimination principles by making statements and a Facebook post that constituted harassment based on ethnicity, religion, and belief. Citing Article 10(1) of the Law on Prevention and Protection against Discrimination, which defines harassment as any unwanted conduct creating a hostile or degrading environment, the Commission ruled that the statements caused repeated and multiple discrimination. It found that the council member abused freedom of expression against social peace, tolerance, and human rights, violating anti-discrimination norms.	The Commission addressed issues such as harassment and discrimination under Article 10(1) of the Law on Prevention and Protection against Discrimination, the abuse of freedom of expression, and the repeated and multiple discrimination as an aggravated form of discrimination. It interpreted harassment broadly, ruling that public statements and social media posts could create a hostile and degrading environment. The case reinforced the balance between free speech and anti-discrimination norms, emphasizing that political discourse must not undermine social peace, tolerance, or human dignity based on ethnicity or religion.	„Советничката на партијата Левица ја злоупотребила слободата на изразување спротивно на најинијата вистинска цел, со тоа што извршила дејствија спротивни на начелата на дискриминација, толеранција, социјален мир, соживот на припадниците на општеството...“ "The council member of the Levica party abused the freedom of expression contrary to its true purpose by engaging in actions that violate the principles of non-discrimination, tolerance, social peace, and coexistence among members of society...“

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