DATABASE 2012-2024 ON ANTI-MUSLIM HATRED

Research findings

Country code	Year	Reference details title	Reference details URL	Main thematic focus	Institution	Key findings - Short summary	Methodology (Qualitative/Quantitative and exact type used, questionnaires etc)	Sample details and representativeness	Area/location of interest - NUTS3 level
Spain	2018	Giménez-Salinas, A. Pérez Manzano, M. Cancio Meliá, M. Díaz López, J.A. Jordá Sanz, C. Díaz Izquierdo, P Gallego Arribas, D., Observatorio Español del Racismo y la Xenofobia (OBERAXE) (2018), Analysis of cases and rulings IN SEXUAL, RACIAL DISCRIMINATION	https://www.inclusion.gob.es/oberaxe/ficheros/documentos/analisis_casos_sentenc...	Racism & xenophobia	Spain, Ministry of Employment, Migration and Social Security – Subdirectore General for Administrative Information and Pulications | Ministerio de Trabajo, Migraciones y Seguridad Social- Subdirección General de Información Administrativa y Publicaciones	The study focusing on case and rulings concludes that the average delay in prosecution or time elapsed between the facts and the date of the judgment is 2 years. The aggravating circumstance of Art. 22.4 Criminal Code (CC) was applied in 14% of cases, mostly in cases of hatred based on sexual orientation, racial origin and political ideology. Most common crimes are crimes against moral integrity (173.1CC). Imprisonment is the most common penalties, followed by special disqualification for passive suffrage and a ban on approximation and communication with the victim or injured persons. Mitigating circumstances in a 25% of cases and 5 exempt circumstances were applied. In 2.5 out of 10 cases there were previous complaints, preferably from the victim against the accused. Precautionary measures applied in 20% of the cases.	quantitative (case rulings) qualitative (expert assessments)	The selected sample of rulings was provided by the General Council of the Judiciary (CGPJ) (Consejo General del Poder Judicial) requesting Center for Judicial Documentation (CENDOJ) (Centro de Documentación Judicial) for a repository of rulings. The CENDOJ Database covers judgments handed down by collegiate bodies. This means that all these bodies have an obligation to refer all judgments handed down by them, which does not preclude CENDOJ's decisions of sole-person bodies. In addition, the State Attorney General's Office made a commitment to compile and facilitate the judgments: it did include both judgments and orders. It did contribute with 41 sentences handed down in 2014 and 2015, of which 37 were handed down by single-person bodies and 4 from Provincial Hearings. The rest were compiled by CENDOJ.	Not applicable - national level

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http://fra.europa.eu/en/databases/anti-muslim-hatred/

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