



NEWS REPORT

Date: 24 November 2011
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Title: Supreme Administrative Court Rules Against Far Right Activist for Hate Speech Against Refugees on TV and Radio
Country: Bulgaria
Context
Issue at stake: Harassment and Incitement to Discrimination
Ground of discrimination: Race/ ethnicity
Source: Judicial decision N 14653 in administrative case N 4855/2011
Field: Public expression

Content: _

On 10 November 2011, in a case brought by human rights activists, the Supreme Administrative Court confirmed a decision by the equality body to convict a nationalist activist for verbally abusing African refugees on racial grounds on TV and the radio. The court held racist/ xenophobic speech was not protected under the constitutional guarantee of freedom of speech. It ruled that such speech constituted harassment and incitement to discrimination. No actual identification of a victim in particular was deemed necessary. The language was sufficiently clear and insulting to create an offensive environment for any black person. Direct discrimination did not depend on an individual complaining of being affected.

The fines imposed on the perpetrator are as followed: 1. EUR 500 for harassment + 2. EUR 500 for incitement + 3. abstaining from repetition (cumulative sanction)