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
Lithuania	2016	Lithuania / Kedainiai district court / penal order in the criminal case no. 1-303-836/2016	http://liteko.teismai.lt/viesasprendimupaieska/tekstas.aspx?id=ef87f839-db6d-41c6-95ad-6a142c87afe3	Religion, Racial or ethnic origin	Kedainiai district court	M.J. from Lithuania publicly wrote two comments on the online article "The fat is in the fire: refugee Basir tricked Lithuania" („Yla išlindo iš maišo: pabėgėlis Basiras apgavo Lietuvą") on the news portal "www.lrytas.lt". A court of first instance decided that by writing the comments, M.J. publicly incited violence and physical violent treatment of Muslims on a grounds of nationality, publicly ridiculed, expressed contempt for, and urged hatred of refugees (Article 170 (paragraphs 2 and 3) of the Criminal Code.	M.J. was given a fine of €1129.80, but the fine was reduced to €753.20 on the ground that the case has ended by the court penal order and the accused fully admitted his guilt. Under the Code of Criminal Procedure, it is permitted to deviate from the model of general criminal procedure and the criminal procedure can be ended by means of a court penal order when the stipulated conditions are met.	M.J. fully admitted his guilt. The Court ruled that the discriminatory character of the activities was obvious.	not applicable	"BK 170 straipsnyje įtvirtintas draudimas pagrįstas Lietuvos Respublikos Konstitucijos 25 straipsnio 4 dalies nuostata, pagal kurią laisvė reikšti įsitikinimus ir skleisti informaciją nesuderinama su nusikalstamais veiksmais – tautinės, rasinės, religinės ar socialinės neapykantos, prievartos bei diskriminacijos kurstymu, šmeižtu ir dezinformacija." "Prohibition provided in Article 170 of the Criminal Code is based on the provisions of Article 25(4) of the Constitution of the Republic of Lithuania, according to which the freedom to express convictions and to impart information shall be incompatible with criminal actions—incitement to national, racial, religious, or social hatred, incitement to violence or to discrimination, as well as defamation and disinformation."

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

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