

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
Spain	2017	Spain / Social Courthouse: Palma de Mallorca / No. 31/2017	https://www.iberley.es/jurisprudencia/sentencia-social-n-31-2017-iso-palma-mallorca-sec-1-rec-478-2016-06-02-2017-47703786	Religion, Sex/Gender	Social Courthouse, Palma de Mallorca	The social court of Palma de Mallorca ruled against an airline company which had sanctioned several times a female staff member for wearing a hijab, allegedly based on the minor offence of "lack of cleanliness" of the person or uniform and the serious offence of disobeying orders. She was finally fired for wearing the hijab at work. The applicant requested the court to invalidate the sanctions imposed by the company. The court declared the existence of a violation of the fundamental right to religious freedom (article 16 of the Spanish Constitution) and consequently the invalidity of sanctions imposed by the company.	It declared the existence of a violation of the fundamental right to religious freedom of Mrs Daniela (article 16 of the Spanish Constitution), and consequently the invalidity of sanctions imposed by the company. The company is requested for an immediate cessation of the action and the restoration of the plaintiff on the integrity of their right and to be replaced as at the initial moment, together with the pending payment of 449,142 euros and the payment of a compensation for the damages caused calculated in 7.892 euros.	The use of the hijab is a manifestation of religious belief of the employee. The ban was based on a purely aesthetic requirement. The company's manual about the dress code was not provided to the Committee members. Therefore the company did not provide to have in place any relevant rule restricting the use of symbols religious.	Violation of the fundamental right to religious freedom recognized under the Article 16 of the Spanish Constitution. It was not comparable to the use of mere adornments to the use of the veil. Related to discrimination by gender at employment	"la existencia de vulneración del derecho fundamental a la libertad religiosa de la Sra. Daniela (artículo 16 de la Constitución), y consiguientemente la nulidad de las sanciones impuestas por la empresa" "the existence of a violation of the fundamental right to religious freedom of Mrs Daniela (article 16 of the Constitution), and consequently the invalidity of sanctions imposed by the company"

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