

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	2020	Lithuania / Lietuvos vyriausiojo administracinio teismo / A-1437-662/2020	https://eteismai.lt/byla/190833160916047/A-1437-662/2020	Religion	Lietuvos vyriausiojo administracinio teismo (Supreme Administrative Court of Lithuania)	On February 5th, 2019, the applicant appealed against the decision of the Vilnius District Administrative Court, which was unfavorable to him. In his complaint, the applicant sought non-pecuniary damages compensation and claimed that he was discriminated against as a Muslim who adhered to his religious beliefs. He argued that he was not receiving meat other than pork in the prison, especially when other persons such as vegetarians had opportunities for a special diet. He also noted that Muslims serving prison sentences in other Western European countries had more dietary options.	The Supreme Administrative Court of Lithuania rejected the complaint and left unchanged the decision of the Vilnius District Administrative Court. The Supreme Administrative Court of Lithuania found that the prison has guaranteed complainant's right to food in accordance with his religious beliefs. The ruling was final.	The National Higher Court found that, in accordance with existing legal regulations and court practices related to this particular issue, the applicant's right to adequate food in prison was not violated. The applicant's expectations regarding the variety of dishes were not justified due to his specific legal status (as he is serving a prison sentence); therefore, some restriction of his personal freedoms is inevitable.	One of the key issues was whether the applicant was discriminated against as a Muslim who adhered to his religious beliefs. The National Higher Court stated that the European Court of Human Rights recognizes certain conditions of imprisonment and related restrictions as inherent in a custodial sentence (e.g. K. H. C. vs. United Kingdom on 11 July 1967) and that a custodial sentence always subjects a person's normal life to certain restrictions and controls (e.g. Dickson vs. United Kingdom on 4 December 2007). Thus, after the applicant secured the right to nutrition that corresponds to his religious beliefs, it cannot be established that the applicant was discriminated against.	"Lietuvos vyriausiojo administracinio teismo praktikoje šiuo aspektu ne kartą konstatuota, jog nėra pagrindo teigti, kad pareiškėjas buvo diskriminuojamas, nes byloje nėra duomenų, jog analogiškoje situacijoje esantiems kitiems asmenims (musulmonams) buvo užtikrintas maitinimas pagal valgiaraštį musulmonams (žr., pvz., 2020 m. vasario 5 d. nutartį administracinėje byloje Nr. A-237-442/2020 ir kt.)." "In the practice of the Supreme Administrative Court of Lithuania, it has been repeatedly found that there is no basis to claim that the applicant was discriminated against, as there is no data in the case that other individuals (Muslims) in a similar situation were provided with meals according to the Muslim menu (see, for example, the ruling of 5 February 2020 in administrative case No. A-237-442/2020 and others)."

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