

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
Albania	2024	Albania / Commissioner for protection against discrimination / Decision No. 153, dated 24.05.2024	https://www.kmd.al/wp-content/uploads/2024/06/Vendim-nr.-153-date-24.05.2024-A-D-kunder-Njeise-Administrative-nr.-8-Tirane-Diskriminim.pdf	Religion	Commissioner for Protection from Discrimination	The case involves A.D., a Specialist for Citizen Information at Administrative Unit No. 8, Tirana Municipality, who filed a complaint against Administrator D.D. for religious discrimination. A.D. had been allowed to attend Friday prayers (12:30-14:00) for years, but in September 2023, D.D. imposed restrictions, requiring prior approval from direct supervisors. After A.D. failed to inform the correct superior, D.D. penalized him by deducting a workday. A.D. claimed this was unfair and discriminatory. The Commissioner for Protection from Discrimination (KMD) investigated the case, confirming that Friday prayers must be performed in a mosque and that refusal to allow this could constitute religious discrimination.	The Commissioner for Protection from Discrimination (KMD) evaluated whether A.D. faced unequal treatment based on his religious practice. A.D. had attended Friday prayers for years with prior approval, but new regulations required direct supervisor notification. When A.D. failed to inform the correct superior, his absence was penalized. KMD considered whether this was a neutral workplace rule or a discriminatory restriction. Testimony from the Muslim Community confirmed Friday prayers must be performed in a mosque, and work should not prevent it. KMD found that the imposed restriction and penalty could constitute indirect religious discrimination.	The Commissioner for Protection from Discrimination (KMD) evaluated whether A.D. faced unequal treatment based on his religious practice. A.D. had attended Friday prayers for years with prior approval, but new regulations required direct supervisor notification. When A.D. failed to inform the correct superior, his absence was penalized. KMD considered whether this was a neutral workplace rule or a discriminatory restriction. Testimony from the Muslim Community confirmed Friday prayers must be performed in a mosque, and work should not prevent it. KMD found that the imposed restriction and penalty could constitute indirect religious discrimination.	The case clarifies key issues regarding religious freedom in the workplace and indirect discrimination. It highlights that workplace policies requiring prior approval for absence must not disproportionately restrict religious practices. The interpretation of "reasonable accommodation" is also examined, questioning whether employers must adjust rules to allow religious observance. Additionally, the case reaffirms that Friday prayers must be performed in a mosque, making refusal to permit absence a potential violation of religious rights under anti-discrimination laws.	"Në këndvështrimin tonë, moshejmi i punonjëse të kryejnë këtë ritual është shprehë e lirisë fetare dhe të ndërgjegjes, që nuk i përgjigjet aspak nivellit ku vendet dhe shoqëritë demokratike janë në drejtim të respektimit të lirisë dhe të drejtave themelore të njeriut." (Komuniteti Mysliman i Shqipërisë, përgjigje për KMD, 22.04.2024). "In our view, not allowing employees to perform this ritual is a violation of religious freedom and conscience, which does not align with the level of respect for fundamental human rights and freedoms in democratic societies." (Muslim Community of Albania, response to KMD, 22.04.2024).

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