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
Bulgaria	2023	Bulgaria / Administrative Court - Plovdiv / Decision No 2098 of 22 November 2023 on administrative case No 2092/2023	https://legalacts.justice.bg/Search/Details?actId=sn0hUs5uCpZD2rOE9HLtgg%3D%3D	Religion	Administrative Court - Plovdiv (Административен съд - Пловдив)	The case concerns the non-pecuniary damage suffered by the applicant as a result of inhuman and degrading treatment in prison, including discrimination on religious grounds. The applicant, who identifies as Muslim, alleges that the prison administration failed to comply with specific dietary requirements during religious holidays.	The court ordered the General Directorate Execution of Sentences (GDES) (Главна дирекция „Изпълнение на наказанията", ГДИН) to pay a compensation of BGN 15,000 (approximately €7,500) to the applicant for the non-pecuniary damage suffered due to the inhuman and degrading treatment, including religious discrimination.	The court found that the defendant, the General Directorate Execution of Sentences (GDES) (Главна дирекция „Изпълнение на наказанията", ГДИН), engaged in unlawful inaction, particularly in relation to the specific facts of the case. This included the applicant's claim of religious discrimination, as the prison administration did not accommodate their dietary needs during religious holidays.	The court upheld the lower court's conclusion that, due to the prison administration's unlawful inaction - including discriminatory treatment - the applicant was subjected to inhuman and degrading treatment, in violation of Article 3 of the European Convention on Human Rights.	„Според чл. 3, ал. 2 ЗИНЗС, за нарушение на ал. 1 се смята и поставянето в неблагоприятни условия за изтърпяване на наказанието лишаване от свобода или задържането под стража, изразяващи се в липса на достатъчно жилищна площ, храна, облекло, отопление, осветление, проветряване, медицинско обслужване, условия за двигателна активност, продължителна изолация без възможност за общуване, необоснована употреба на помощни средства, както и други подобни действия, бездействия или обстоятелства, които уронват човешкото достойнство или пораждат чувство на страх, незащитеност или малоценност, действия или бездействия на техни органи и длъжностни лица при или по повод извършване на административна дейност." "According to Article 3(2) of the Execution of Sentences and Detention in Custody Act, placing an individual in unfavourable conditions while serving a prison sentence or being held in custody - such as insufficient living space, inadequate food, clothing, heating, lighting, ventilation, medical care, or opportunities for physical activity - constitutes a violation of Article 3(1). Other conditions, including prolonged isolation without communication, the unjustified use of restraining devices, or any actions, inactions, or circumstances that undermine human dignity or create feelings of fear, helplessness, or inferiority, are also considered violations when carried out by prison authorities or officials in the course of their duties."

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