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	2023	Lithuania / Regional Administrative Court (2023) Decision in administrative case No. I1-6455-428/2023, 14 August 2023.		Religion	Regional administrative court	The applicant was a prisoner in Pravieniškės Correctional Home-Open Colony. He claimed that he was not provided with proper conditions for religious practice while serving his sentence. He was not allowed to pray undisturbed, had no designated space for worship, and was denied meetings with his religious leader (Mufti). His written requests for religious accommodations were ignored, making him feel discriminated against. He asked to be compensated for the non-pecuniary damage he suffered. The Prison Department responded to his requests by stating that there was no possibility to set up a specific room for practice of Muslim faith due to logistical reasons, and promised to set up one in the future. However, there was a recreational room where the inmates could carry out religious practices and a chapel.	The request by the applicant was dismissed.	The right of prisoners to perform religious services is established in the Code of Execution of Sentences of the Republic of Lithuania, which foresees their right to perform services in their freetime, but the practice should not disturb the recreation of other prisoners. There is a possibility to invite a clergyman on the request of a group of prisoners. The court acknowledged that some inconveniences may have existed but did not consider them a violation of the applicant's rights. It was noted that simply claiming religious discrimination was not sufficient, and the fact that the applicant practiced Muslim faith did not automatically indicate religious discrimination. No evidence was found that his right to learn about Muslim faith or read related literature was restricted. Furthermore, the applicant never formally requested a meeting with an Muslim faith spiritual leader, meaning the prison administration was not obligated to arrange one. Since the applicant did not specify how his rights were violated or provide concrete circumstances, the court dismissed his religious discrimination claim as unfounded.	The main issue was what constitutes discrimination of prisoners on the grounds of religion. The mere fact of not providing specific premises for prayer did not amount to discrimination in the opinion of the court.	"Nepakankama, kad pareiškėjas formaliai nurodytų jo diskriminavimą dėl religijos išpažinimo, o savaime nurodyta aplinkybė, kad pareiškėjas išpažįsta islamą, negali būti vertinama kaip jo diskriminacija religijos pagrindu. Byloje nėra duomenų apie tai, kad pareiškėjui buvo varžoma teisė domėtis islamo tikėjimu ar, pavyzdžiui, skaityti su tuo susijusią literatūrą. Įvertinus tai, kad byloje nėra duomenų apie tai, kad pareiškėjas būtų reiškęs prašymą pataisos namų administracijai susitikti su islamo dvasininku, todėl pataisos namams nekilo ir pareiga tokią galimybę pareiškėjui sudaryti. Pažymėtina, jog pareiškėjas detaliai skunde neišdėstė, kuo pasireiškė minėtų teisių pažeidimai, nekonkretizavo aplinkybių subjektinių teisių požiūriu, todėl pagal skunde abstrakčiai išdėstytas aplinkybes nėra pagrindo daryti išvadą, jog pareiškėjas buvo diskriminuojamas religiniu aspektu, todėl skundo argumentai dėl diskriminacijos religiniu aspektu atmestini kaip nepagrįsti." "It is not sufficient for the applicant to formally claim religious discrimination, and the mere fact that he practices Islam cannot be considered religious discrimination on its own. There is no evidence in the case that the applicant's right to learn about Islam or read related literature was restricted. Additionally, since there is no record of the applicant requesting a meeting with an Islamic spiritual leader, the correctional facility had no obligation to arrange such a meeting. It should be noted that the applicant did not clearly specify in his complaint how his rights were violated or provide concrete details from the perspective of individual rights. Therefore, based on the general arguments presented in the complaint, there is no basis to conclude that the applicant was discriminated against on religious grounds, and his claim of religious discrimination is dismissed as unfounded."

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