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

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Lithuania	2024	Lithuania / Regional administrative court (2024) Decision in case No. I1-6828-386/2024, 6 June 2024.		Religion	Regional administrative court	In July 2022, the applicant converted to Muslim faith and, on July 19, 2022, formally requested the prison administration to provide meals in accordance with his religious beliefs. In response, the administration assigned him a vegetarian diet without meat, considering it the closest available option for practicing Muslims. However, the Code of the Execution of Sentences and implementing legal acts provided for diet without pork for men, but this diet was not assigned to the applicant.	District administrative court ruled that the right of the applicant to receive the diet according to his religious beliefs was infringed, however, no compensation was awarded to the applicant.	The question of civil liability of state arises if three conditions are met: illegal activity by state institutions, damage suffered and causal link between state institution actions and the damage suffered. The acts of prison administration of assigning vegetarian menu to the applicant were contrary to the requests of the applicant and the legal acts in force at the time, which provided for menu without pork (but with meat). The court stated that the applicant suffered some non-pecuniary damage. However, the court concluded that the recognition of an infringement in this case is in itself a sufficient and fair compensation for the injustice suffered, because the applicant made declarative, general allegations of non-material damage in his complaint and did not provide any evidence of non-material damage.	The court indicated that the assignment of menu based on religious grounds should be done on the request of the prisoner. However, in order to receive monetary compensation, the applicants have to prove that they suffered significant damage.	"[Lietuvos kalėjimų] Tarnyba atsiliepime pabrėžė, jog pareiškėjas 2022 m. liepos 19 d. prašyme nedetalizavo kokio konkretaus maisto negali valgyti, tačiau teisiškai nepagrindė, kodėl pareiškėjas formuluodamas prašymą turėjo būti perdėtai smulkmeniškas. Teismo vertinimu aplinkybė, jog pareiškėjas prašė skirti jam musulmonišką maitinimą, turėjo būti pakankama, kad Kalėjimo administracija suvoktų, jog jis pageidauja būti maitinamas pagal valgiaraštį, kurio racione nėra kiaulienos produktų. Tai patvirtina ir daugkartiniai pareiškėjo teikti skundai dėl jo netenkinančio maitinimo pagal valgiaraštį nedirbantiems vyrams (vegetarams)." "In its reply, the [Lithuanian Prison] Service stressed that the applicant did not specify in his request of 19 July 2022 which specific food he could not eat, but the Service did not provide any legal justification as to why the applicant had to be overly detailed in the wording of his application. In the Court's view, the fact that the applicant had requested a Muslim meal should have been sufficient for the prison authorities to realise that he wished to be fed on a menu which did not include pork products. This is confirmed by the applicant's repeated complaints about the unsatisfactory meals provided to him under the menu for non-working men (vegetarians)."

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