

DK v. Croatia

[Case Law](#), [Anti-discrimination](#), [Croatia](#), [Sexual Orientation](#), [Strategic Litigation](#)

Ill-treatment by police officers

(Application no. 28416/14), 8 June 2015

[Find Court's communication here.](#)

[Find Court's decision here.](#) (Inadmissible, premature complaint before the Court)

[Klobucar v. Croatia](#) [Download](#)

- The case concerned police ill-treatment and discrimination based on applicant's sexual orientation, with subsequent **lack of an effective investigation** by the Croatian authorities in that respect.
- The joint intervention by ILGA-Europe, the AIRE Centre and the ICJ focused on the positive obligations of the Contracting Parties under the Convention in respect of allegations disclosing credible evidence of treatment prohibited under Article 3, sexual orientation and/or gender identity as a ground of discrimination, and the duty of the authorities to take all reasonable steps to identify any discriminatory motive in connection with allegations of ill-treatment.
 - Submissions further argued that discrimination based on sexual orientation is prohibited on the international and European levels. The ECtHR expressly stated that the concept of one's sexual orientation is a prohibited ground of discrimination under Article 14 ECHR and discrimination on this ground is considered 'suspect' and subject to 'particularly severe scrutiny'.