

MC & AC v. Romania

[Case Law](#), [Safety](#), [Bias-motivated Violence](#), [European Court of Human Rights](#), [Romania](#), [Strategic Litigation](#)

Violent attack against LGBTI individuals

(Application No: 12060/12), January 2014

[Find Court's judgement here.](#) (violation of Articles 3 and 14 and award of damages)

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- The applicants complained about the authorities' **failure to conduct adequate investigation** into their criminal complaints concerning acts of **violence motivated by hatred against homosexuals**, and more generally about the lack of adequate legislative and other measures to combat hate crimes directed against the LGBTI minority in Romania.
- ILGA-Europe together with FIDH and the AIRE Centre submitted the following:
 - Failure to protect LGBTI individuals from violent attacks or to properly investigate allegations of hate crime and bring the perpetrators to justice threatens not only the rights of the victims but also the rights of the LGBTI community as a whole, as they would fear becoming victims of violent homophobic crimes.
- The European Court of Human Rights delivered its judgement on 12 April 2016.
- In its judgement, the Court referred to the submission (paras 101 to 104), particularly regarding the general climate of hostility towards LGBTI individuals in Europe and the very high level of **discrimination on grounds of sexual orientation in Romania**. The Court also noted ILGA's call for adequate training for all law enforcement agencies in the field of LGBTI rights and hate crimes.
- The Court considered that the treatment to which the applicants were subjected and which was directed at their identity must necessarily have aroused in them feelings of fear, anguish and insecurity. It was not compatible with respect for their human dignity. Further, the investigations into the allegations of ill-treatment were ineffective and failed to take into account possible discriminatory motives. Accordingly, the Court found **violation of Article 3 read together with Article 14**.