



EUROPEAN COURT OF HUMAN RIGHTS
COUR EUROPÉENNE DES DROITS DE L'HOMME

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FIFTH SECTION

Application no. 40861/22
Deniss HANOVS
against Latvia
lodged on 17 August 2022
communicated on 23 January 2023

SUBJECT MATTER OF THE CASE

The application concerns the applicant's complaint of a lack of an effective investigation by the domestic authorities in response to a homophobic act perpetrated by two private individuals against him.

On 8 November 2020 the applicant was verbally and physically assaulted on the street. Criminal proceedings (no. 11089136620) were instituted for hooliganism and later for a hate crime. By a final decision of 5 May 2022 those proceedings were discontinued as no elements of crime were found. One of the perpetrators was subject to a fine of EUR 70 for petty hooliganism in connection with administrative-offence proceedings. The identity of the other perpetrator, although questioned by the police, was not established.

The applicant relies on Article 3 taken alone and in conjunction with Articles 13 and 14 of the Convention.

QUESTION TO THE PARTIES

Have the State authorities complied with their positive obligations under Articles 3 and/or 8 of the Convention, taken alone and/or in conjunction with

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Articles 13 and 14 of the Convention, concerning the discriminatory (homophobic) attack against the applicant (see *Beizaras and Levickas*, no. 41288/15, §§ 106-30, 149-56, 14 January 2020; *Association ACCEPT and Others v. Romania*, no. 19237/16, §§ 96-103 and 114-26, 1 June 2021; *Sabalić v. Croatia*, no. 50231/13, §§ 90-101, 14 January 2021)?