

Although the life of a young man is in danger, the authorities refused him asylum. ECtHR will examine the case

A young man, persecuted for alleged homosexual orientation, was refused asylum in the Republic of Moldova. The European Court of Human Rights will examine the case.

C.N. is a young man from Abia, Nigeria. In February 2013 he requested asylum in the Republic of Moldova, because in his community he is considered to be a homosexual, hence risking up to 14 years of prison and inhuman or degrading treatment.

In an official letter to C.N.'s lawyer, the Human Rights Adviser from UN Office in Moldova, confirmed that homosexuality is criminalized and homophobia is institutionalized in that country. Most of the times, the State is unable to protect victims of community violence.

As reported by the applicant, while a student he had a homosexual roommate, who was arrested and surrendered to the local community. The community representatives took the decision to hang that young man. C.N. also states that he was repeatedly apprehended and interviewed by police officers on his roommate's sexual orientation. In this context, in October 2012, he was threatened by community representatives and was given one month to leave the settlement.

When requesting asylum in the Republic of Moldova, the young man explained to the authorities that the mere suspicion of being homosexual is a danger for his life. He also submitted evidence proving his statements.

The Bureau for Migration and Asylum of MIA rejected C.N.'s request, invoking that the presented circumstances do not pose a risk for the young man's life. The applicant challenged the institution's decision before the court. In the spring of 2015, the Supreme Court of Justice rejected C.N.'s request and held that there were no grounds for appeal.

The application to ECtHR was registered on 2 October 2015. The Court communicated the case on 9 December 2015.

Before the High Court, the applicant invoked the risk of being subjected to inhuman or degrading treatment by the Nigerian authorities or third parties as a consequence of his expulsion from the Republic of Moldova, which breaches Article 3 of the Convention.

The applicant is represented by Alexandru Cebanas, lawyer in Chisinau, and Vadim Vieru, Promo-LEX lawyer, in the European Court of Human Rights.

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