

SUMMARY

ECtHR 17 December 2020, application no. 73544/14 (Novaković), Age Discrimination, Race, Nationality Discrimination, Other Fundamental Rights

Mile Novaković – v – Croatia

Summary

Unjustified dismissal of Serbian ethnic origin teacher for failing to use standard Croatian in class, considered unable to adapt due to pre-retirement age.

Ruling

The Court

Holds, unanimously, that the applicant's heirs have standing to pursue the application in his stead and dismisses the Government's objection in that respect;

Declares, unanimously, the application admissible;

Holds, by six votes to one, that there has been a violation of Article 8 of the Convention;

Holds, by six votes to one, that there is no need to examine separately the complaints under Article 14 taken in conjunction with Article 8 of the Convention and under Article 1 of Protocol No. 12 to the Convention;

Holds, by six votes to one,

(a) that the respondent State is to pay the applicant, within three months from the date on which the judgment becomes final in accordance with Article 44 § 2 of the Convention, the

following amounts, to be converted into the currency of the respondent State at the rate applicable at the date of settlement:

- (i) EUR 5,000 (five thousand euros), plus any tax that may be chargeable, in respect of non-pecuniary damage;
- (ii) EUR 850 (eight hundred and fifty euros), plus any tax that may be chargeable to the applicant, in respect of costs and expenses;

(b) that from the expiry of the above-mentioned three months until settlement simple interest shall be payable on the above amounts at a rate equal to the marginal lending rate of the European Central Bank during the default period plus three percentage points.

Creator: European Court of Human Rights (ECtHR)

Verdict at: 2020-12-17

Case number: application no. 73544/14