

THE RIGHT TO PRIVATE LIFE FROM THE PERSPECTIVE OF EUROPEAN COURT OF HUMAN RIGHTS

*Andreea-Sorina ZAHARIA**

Abstract

*The year 1993 was for Romania the year in which the inviolability of citizens, their rights and freedoms were recognized. After a long period of time in which their voice was not heard, the ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms would guarantee them that the values by which each individual is characterized will be respected again, that their right to private life will no longer be violated. From the same perspective of human rights protection, the research study aims to answer the research question "How did the ratification of the Convention for the Protection of Human Rights and Fundamental Freedoms influence the protection of the right to private life?", testing at the same time the hypothesis "Effects of the European Convention on Human Rights on the domestic legal order". In order to achieve its goal, the study presents through a descriptive method what private life means from the perspective of the European Court of Human Rights and the way in which the Court's interpretation has been integrated into both the national and European legal systems. Using the method of document analysis and statistics, the study was able to highlight the effects of the Court's judgment in the case of *Buhunceanu and Others v. Romania*, a case in which the State is considered to have violated the right provided for in Article 8 of the Convention.*

Keywords: *right to private life, Convention for the Protection of Human Rights and Fundamental Freedoms, European Court of Human Rights, national legal order.*

JEL Classification: *[K23]*

1. Introduction

The idea of European unity began to take shape as early as 1948 at the Congress of Europe in The Hague, when political opinions of the time agreed on the realization of a European model in which peace, respect for human rights and freedom would triumph over the ashes of Auschwitz. The adoption of the Statute of the Council would confirm that the return to the European heritage is becoming a reality and that democratic principles will once again dominate the international legal order. From the 10 founding states that believed in and supported this process of European rebirth (Moroianu Zlătescu, 2007), to the no less than 46 members of which the organization is currently constituted, all of them recognized and affiliated themselves to the principles of the European ideal, adapting their national legal order to these European standards. (Corlăţeanu, 2015)

* Master's student in European Law and Governance, Faculty of Public Administration, National University of Political Studies and Public Administration

In order not to recreate the mistakes of the past and to leave behind a history dominated by political conflicts, the Convention for the Protection of Human Rights and Fundamental Freedoms was adopted in Rome in 1950, reminiscent of the Universal Declaration of Human Rights. The adoption of this Convention meant not only the recognition of democratic values by the Member States, but also the assumption that these values will guide the legal order at national level, the Convention being the enshrinement of the fundamental principles on which European society is built. When a state accedes to the rights recognised by the Convention, it means that it also assumes the obligation to accede to the legal system of the Council of Europe, a system in which the European Court of Human Rights ensures that these rights are protected by the member states, its jurisdiction being mandatory for each member state to respect. (Raluca, Bercea, 2020)

2. The right to private life- theoretical and jurisprudential aspects

Looking at it from a national perspective, the constitutional framework that regulates intimate, family and private life and grants them the highest level of protection, does not provide a concrete definition of what the 3 notions actually mean (Toader, Safta, 2023). However, the same Constitution provides that the provisions referring to constitutional rights and freedoms will be interpreted according to the Universal Declaration of Human Rights, covenants and treaties,³¹ which means that one of these perspectives for defining these rights will be the European Convention on Human Rights and its Article 8. In addition to the conceptualization offered by this Convention, the European Court of Human Rights, through its jurisprudence with the value of a source of law, has offered a much more complex interpretation that responds to existing social needs. Thus, the right to private life began to be viewed both from the perspective of the right to image and identity, but also from the perspective of one's physical and moral integrity, to respect for the person's marital status, sentimental life, and from the perspective of the right to a healthy environment.

Taking into account the fact that the recognition of same-sex relationships has often been the subject of discussion in numerous European debates, in the jurisprudence of the European Court of Human Rights it can be seen that the same subject has been invoked as a breach of the right to private life, thus the same right has begun to refer to concepts such as homosexuality, transsexuality or abortion. In addition to these, due to technological evolution, the respect for private life was also seen from the perspective of compliance with technological security, technical surveillance measures and access to databases. (Bercea, 2020)

³¹ Art. 20, paragraph 2 of the *Constitution of Romania*, published in the Official Journal of Romania, no. 233 of November 21, 1991, amended and supplemented by the Law revising the Constitution of Romania no. 429/2003, published in the Official Journal of Romania, Part I, no. 758 of October 29, 2003.

Strictly analysing the concept that Article 8 of the Convention presents, the 4 rights recognized by this provision are the right to respect for private life, the right to respect for family life, the home, but also the secrecy of correspondence. Despite the fact that the article enshrines the prohibition of any public authority to limit these rights by exception, there are situations in which they are relativized due to a national interest that seeks the protection and security of democratic society. (Radu, 2007)

The right to private life of the person has been regarded by the Court's case-law as a sum of several rights, such as the right to identity, to name and surname, the right to respect for the physical and moral integrity of the person, his reputation, the freedom to have a sexual life, but also rights providing for the protection of personal data and access to such information, the right to respect for family life and everything related to it, the right to a healthy environment at home, as well as the right to respect for the confidentiality of correspondence. All this sums up what the case-law has recognised as characteristics of the right to private life. (Bîrsan, 2010)

The obligation of the authorities to apply certain special measures to protect the physical and moral integrity of the person has been provided for both in the areas covered by private life and in some cases exceeding the limits provided for in the same article, by turning to the provisions of Article 3 of the Convention. This right includes the obligation to protect individuals against violence (*Sandra Jankovic v. Croatia*), against sexual assault (*X and Y v. the Netherlands*), cases involving forced medical treatment and not exceeding the scope of Article 8 (*Acmanne and Others v. Belgium*), the right to have a child and the adoption of special measures permitting abortion (*Tysiqc v. Poland*). Also in the sphere of moral integrity is the protection of persons with mental illness (*Bensaid v. the United Kingdom*) or with disabilities (*A.-M.V. v. Finland*) and the provision of assistance, treatment, or compensation as a result of cases of malpractice (*Vasileva v. Bulgaria*). (European Court of Human Rights, 2025)

In addition to this comes the right to respect the identity of the person who ensures the free development of the person and the choice of the aspect with which the person wishes to display himself in both the public and private space, without taking into account external factors (*Popa against Romania*), but also the maintenance of interpersonal relations (*Oleksandr Volkov against Ukraine*), the right of a person to find out the identity of his ancestors (*Gaskin against the United Kingdom*), but also the establishment of paternity (*Mikulic against Croatia*). Respect for religious beliefs also falls within the scope of the same right, despite the fact that Article 9 values the rights to freedom to choose one's religion, the present right is only responsible for cases concerning the disclosure of such information relating to the subject of the person's religious belief (*Folgero and Others v. Norway*). Due to the fact that the identity of the person most often corresponds to the right to have a name and surname, practically an identity document, the Court considered that the authorities are obliged to ensure the legislative framework for the protection of this

right that guarantees the identification of the person and at the same time the family to which that person belongs (*Garnaga v. Ukraine*). (Dijmărescu, 2015)

An aspect that, in recent years, has been the subject of political debates, but also of contradictions at the level of society, is represented by gender identity, a choice that is defended by the right to private life, recognizing the possibility of any person to undergo sex reassignment surgeries (*Schlumpf v. Switzerland*) and their official recognition (*A.P., Garçon and Nicot v. France*), and the right to sexual freedom, which can be summarized as the right to have a particular sexual orientation (*Dudgeon v. Great Britain*), without this affecting his reputation in both his personal and professional life (*Axel Springer AG v. Germany*). (Cârnaț, Cobișenco, 2017)

It can be seen that the identity of the person also implies the free choice of the physical appearance of the person, broadly speaking, of the person's image, but the same right can also be applied to the protection of the photographs in which that person appears. Thus, the right to image includes the right to refuse the publication of certain photographs in which the person appears in a private or even public space (*Reklos and Davourlis v. Greece*), the authorities ensuring that filming a person without his consent is prohibited (*Soderman v. Sweden*). There is only one exception in terms of respect for the person's image, when the authorities hold photographs for judicial identification, used for criminal trials (Radu, 2007), which means that the storage of personal data, access to this data and to the personal file by state officials (*Murray v. Great Britain*), without the person being informed and giving his consent is prohibited. However, even in this area there are some limitations on the retention by the police of personal data (*Segerstedt-Wiberg and Others v. Sweden*), the collection and storage of medical data (*Chave v. France*), as well as some public information held by public authorities. In order for all these rights to be respected, and for these exceptions not to be subject to undermining of rights, the legislature has the duty to adopt provisions regulating the measures and procedures for storing this data (*Malone v. Great Britain*). (European Court of Human Rights, 2025)

Despite the fact that there are no specific regulations according to which the direct effect of the healthy environment on people's private lives is established at the level of the European Convention on Human Rights, case law has recognized the importance of the relationship between people and the environment. Thus, in certain cases where some people are affected by certain noises (*Moreno Gomez v. Spain*), or by other sources of pollution, they can file a complaint with the Court of Justice of Human Rights regarding the damage caused to them as a result of these pollution factors. However, not every complaint can be accepted, but only those that show through evidence that the intensity and duration to which people have been exposed generates an imminent danger to their health (*Fadeyeva v. Russia*). (Roagna, 2012).

Thus, not only the Convention, through its regulations, brings rights and obligations that states must respect, but also the jurisprudence of the European Court of Human Rights, which comes and complements the provisions of the Convention,

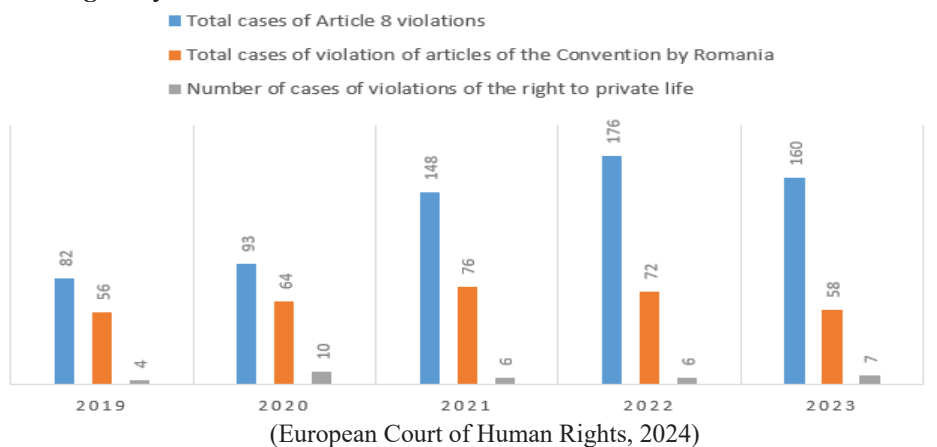
the non-compliance with the provisions of both the Convention and those enshrined in the jurisprudence of the Court having the effect of the State's liability for the non-execution of the obligations assumed by ratifying the Convention.

3. Respect for the right to private life in Romania - statistical situation

Romania's ratification of the European Convention on Human Rights in 1994, which unified the regulations in the field of human rights (Moroiianu Zlătescu, 2001), did not only mean the recognition of certain rights of citizens and according to the constitutional law, their interpretation and application according to the treaties to which Romania adhered, but also represented the assumption of a series of obligations regarding the observance of the provisions of the Convention, but also of the Court's case-law. However, the fulfilment of these obligations of Romania as a signatory of the Convention seems to have become a challenge for it. If 7 years ago in the statistics on the number of cases opened before the Court of Justice of Human Rights Romania was at the top of the ranking, more precisely, the 34th place out of the total of 47 signatory countries of the Convention, unfortunately the same is not applicable in recent years, in all the statistics of the last 5 years Romania occupying the 4th place (European Court of Human Rights, 2024). Given that Russia chose to withdraw from this Convention and occupied second place in each ranking, it is not surprising that at the time of publishing a new ranking for 2024, Romania will enter the top 3 member states with the most lawsuits opened before the Court.

As regards the cases in which the violation of the right to private life was complained of, Romania also remains at the top of the ranking in terms of the violation of Article 8 of the Convention. If in 2019 out of the total of 82 cases of violation of the right to private life brought before the Court of Justice of Human Rights, 4 of them were against Romania, over the years their number began to increase, reaching in 2023 that out of the total of 160 cases concerning the violation of Article 8, 7 of them to be cases brought against Romania regarding the violation of the right to private life. It can thus be said that, every 2 months or so, there has been a violation of the right to private life in Romania. It is precisely for this reason that Romania, as a member of the European Union, whose treaties, including the Charter of Fundamental Human Rights are an integral part of national law, and as a signatory to the European Convention for the Protection of Human Rights, needs to take measures to resolve all these dysfunctions without the need to conclude the lawsuits brought before the Court through amicable settlements with the plaintiff parties and without having to forced to pay from the state budget numerous sums of money as compensation for the violations brought to citizens.

TABLE 1 Total cases of violation of article 8 from the European Convention on Human Rights by Romania



4. The impact of the judgments of the European Court of Human Rights on Romania

The judgments of the European Court of Human Rights have a significant impact on the legislative framework, implicitly on the citizens to whom these provisions apply, ensuring those who consider themselves harmed by the actions or inactions of the signatory states of the Convention the possibility of punishing the violations committed by one or more signatory states, as was the case in the case of *Buhuceanu and others v. Romania* concerning the respect of their right to private life.

On May 23, the European Court of Human Rights, by voting by an absolute majority of 5 to 2, considered the applications of Romanian citizens as admissible and also with the same majority decided that there had been a serious violation by the Romanian state of the provisions of Article 8 of the Convention, which concerns their private and family life. The complaint was filed by Florin Buhuceanu and Victor Ciobotaru, a same-sex couple with a stable relationship, who have been living together for a long time³². (European Court of Human Rights, 2010) They presented before the Court arguments that they had been violated numerous social and civil rights, such as: the right to acquire the status of co-insured of the partner holding a medical insurance contract, rights that married partners acquire in the event of the death of one of them, such as in the case of lease agreements, the right to set up a family business, to defend themselves in the event of domestic violence, but also

³² The same situation as in the *Case Schalk and Kopf v. Austria* no. 30141/04 of 24 June 2010.

many other rights that they may not have due to the non-recognition by the Romanian state of the partnership between them.³³

In order to acquire all these rights, they submitted applications to the civil status services, but they refused to receive them, the same refusal being received from the health insurance funds. Based on these grounds, the two partners challenged the decisions received before the court, and following the declines of jurisdiction, the Bucharest Court of Appeal was in a position to judge the case. However, it suspended the case until the Constitutional Court's decision on the constitutionality of the legislative framework on health reform is pronounced, so no judgment of the Court has yet been delivered. In response to the parties' arguments, the Government argued that the applicants had not exhausted all remedies available domestically that could bring about changes in the protection of same-sex relationships. Moreover, the Government added that the two partners could exercise their right by means of a private civil law contract. However, the applicants disputed the Government's response, arguing that there is no legal regulation on legal means for the protection of persons of the same sex, and a partnership under private civil law would not grant them the same rights as in the case of married couples. Analyzing the arguments of the two parties, the Court decided that the Romanian executive has no evidence of non-compliance with the remedies, as there are no legislative provisions in this regard, and the rights offered to married couples will not be able to be obtained from the type of contract specified by the Government. The applicants added to their arguments that the Government had never shown support for legislative proposals that aimed at a legal framework appropriate to the needs of same-sex couples. In combating these statements, the Government has affirmed its support for the regulation of these same-sex relationships, the only fact with which it does not agree is the speed of the legislative process, in this case it is not possible to ensure the adoption of legislation that complies with the norms of legislative technique. Moreover, the Government asked the Court to declare that the margin of appreciation as regards the legal regime for same-sex couples had not been exceeded. (European Court of Human Rights, 2023)

The Court stated that the State had exceeded that margin of appreciation, notwithstanding the fact that it was entitled to have that wider margin as regards the legal regime applicable to those couples. Thus, the Court held that the State had violated the provisions of Article 8 of the Convention, being obliged to regulate the legal framework that would provide persons of the same sex in a relationship with adequate protection, having the possibility to choose how to carry out their obligations and the legal regime applicable to them, and should not limit itself to regulating a legal regime for married persons. (Toader, Safta, 2023)

However, the obligation for the state to comply with this decision has a significant impact on both the state and the population as a whole. From the statements of the third parties introduced in the present case, it is stated that Romania

³³ European Court of Human Rights, *Case Buhuceanu and Others v. Romania*.

has suffered significant losses due to the fact that it has not adopted a regulation to protect the rights of same-sex couples, most of them deciding to leave the country, losing the specialized workforce, which has led to a decrease in the interest of multinational companies to set up their headquarters, having a strong impact on economic progress. In addition, studies have shown that countries that have given legal recognition to these relationships have had a much higher gross domestic product per capita than before the adoption of the legislative changes. (European Court of Human Rights, 2023)

As far as citizens are concerned, given that more than 85% of the Romanian population declared themselves Orthodox Christians (National Institute of Statistics, 2021), it turns out that they are quite sceptical in recognizing same-sex relationships through any legal regulation, proof that only 23% of the population agrees with the adoption of a legal basis by which they are granted their rights (Ipsos Pride, 2023) which the Convention, by its Article 8, provides. The statistics carried out at European level do not seem to prove a change of opinion of Romanian citizens either, 69% of them claiming that same-sex people who form a couple should not be recognized the same rights as married ones. (European Commission, 2023) Given the result of these statistics and the small share of citizens who support the recognition of same-sex couples, it is hard to believe that the referendum that must be organized in order to amend the constitutional provisions will have some positive results that support the adoption of those regulations.

Looking a year later at the regulations on civil status and identity documents, regulations to which legislative changes have been constantly made, it can be seen that Romania is not yet close to this goal of changing the legal regime applicable to these persons, the laws in force still providing for the prohibition of the transcription of civil status certificates of persons who form a same-sex couple³⁴ and the impossibility of updating the National Register on the registration of persons for these couples³⁵. What is even more worrying is the fact that the legislation in force prepares the regulatory framework to be able to make the transition to electronic certificates, the deadline imposed being March 25, 2025, and considering that these provisions would also be kept for future civil status documents, it is hard to believe that Romania will bring changes to the regulatory framework in the near future regarding the recognition of same-sex couples.

³⁴ Art. 6, paragraph 5 of *Law no. 119 of October 16, 1996 on Civil Status documents*, republished, with subsequent amendments and additions, published in the Official Journal no. 339 of May 18, 2019.

³⁵ Art. 57, paragraph 6 of Government Decision no. 295 of March 10, 2021, regarding the approval of the Methodological Norms for unitary application of the provisions of the Emergency Ordinance no.97 / 2005, with subsequent amendments and supplements, regarding the evidence, domicile, residence and identity documents of Romanian citizens, as well as for establishing the form and content of identity documents, proof of residence and real estate card, published in the Official Journal no. 312 of March 29, 2021.

Thus, the amendments that must be made to the legislative framework for Romania's fulfillment of the obligation to comply with the judgment of the European Court of Human Rights and especially the way in which same-sex couples will be recognized remain at the stage of *lege ferenda*, if Romania will follow the French model of regulating for the first time the civil pact of solidarity and then will go on the express recognition of the marriage for all, or will expressly regulate the right of these persons to marry without resorting to this civil contract. What is certain is that Romania is obliged to grant the due rights to married persons of the same sex, an obligation provided for both by European Union law, by the decision of the Court of Justice of the European Union in the Coman case, and by the provisions of the European Convention on Human Rights of the Council of Europe in the case of *Buhuceanu and others v. Romania*.

Conclusions

The accession to the Convention for the Protection of Fundamental Rights and Freedoms did not only mean the recognition of the rights provided for in it and through the internal regulation brought by the Constitution, the interpretation and application of these rights according to the Convention, but also meant a cumulation of obligations that the state authorities assumed to fulfil. From the perspective of the negative obligation not to violate the right to private life of citizens, the judgment of the European Court of Human Rights in the case of *Buhuceanu and others v. Romania*, found that the Member State has not fulfilled its obligation to respect the right of individuals to private life, so that it will have to adopt the legislative regulations by which the right of persons of the same sex forming a couple is recognized.

Compliance with this obligation will be one of the biggest challenges for Romania, given the critical opinion of citizens on this issue, but also the lack of regulations to support this change, the effects of the Court's judgment having a strong impact both on the national legal order and from a social point of view, on citizens.

Bibliography

1. Bercea, R., 2020, *Protection of Fundamental Rights in the European Convention on Human Rights System*, Bucharest: C.H. Beck Publishing House.
2. Bîrsan, C., 2010, *European Convention on Human Rights. Commentary on Articles*, C.H. Beck Publishing House.
3. Corlăţeanu, T., 2015, *European and International Protection of Human Rights*, Second Revised Edition, Bucharest: Universul Juridic Publishing House.
4. Muraru, I., Tănăsescu, E.S., 2008, *The Constitution of Romania. Commentary on Articles*, Bucharest: C.H. Beck Publishing House.

5. Moroianu Zlătescu, I., 2001, *Human Rights at the Beginning of the Millennium*, Bucharest: "Calistrat Hogaș" Publishing House.
6. Moroianu Zlătescu, I., 2007, *Human Rights – An Evolving System*, Bucharest: Romanian Institute for Human Rights Publishing House.
7. Radu, Horațiu, R., 2007, *European Convention on Human Rights. Lecture notes*, Second edition revised and added, Bucharest: Universul Juridic Publishing House.
8. Toader, T., Safta, M., 2023, *The Constitution of Romania annotated*, 5th edition, neat and annotated, Bucharest: Hamangiu Publishing House.

Scientific articles

1. Cârnaț, T., Cobișenco, I., 2017, *Jurisprudence of the European Court of Human Rights on the right to private and family life*, National Law Review, no. 3 of 2017.
2. Dijmărescu, D.M., 2015, *Some considerations regarding the right to respect for private life*, Annals of the "Constantin Brâncuși" University of Târgu Jiu, Legal Sciences Series, no. 3/2015.
3. European Court of Human Rights, 2025, *Guide on Article 8 of the European Convention on Human Rights*, available at: https://ks.echr.coe.int/documents/d/echr-ks/guide_art_8_eng, accessed on: 17.03.2024.
4. Romanian Institute for Human Rights, 2009, *Protection of Fundamental Human Rights in Criminal Trials. General Report*, Bucharest.

Legislation

1. *The Constitution of Romania* published in the Official Gazette of Romania, no. 233 of November 21, 1991, amended and supplemented by the Law on the revision of the Constitution of Romania no. 429/2003, published in the Official Gazette of Romania, Part I, no. 758 of 29 October 2003.
2. *Law no. 199 of 16 October 1996 on civil status documents, republished*, with subsequent amendments and completions, published in the Official Gazette no. 339 of 18 May 2019.
3. *Government Decision no. 295 of 10 March 2021*, as subsequently amended and supplemented, published in the Official Gazette no. 312 of March 29, 2021.
4. Constitutional Court, *Decision no. 12/2015 on the exception of unconstitutionality of the provisions of Law no. 198/2004*.
5. European Court of Human Rights, *Case of Acmann and Others v. Belgium*, No 10435/83 of 10 December 1984.
6. European Court of Human Rights, *Case A.-M.V. v. Finland*, no. 53251/13, 23 March 2017.

7. European Court of Human Rights, *Case of A.P., Garçon and Nicot v. France*, nos. 79885/12, 52471/13 and 52596/13 of 6 April 2017.
8. European Court of Human Rights, *Case Axel Springer AG v. Germany*, no. 39954/08 of 7 February 2012.
9. European Court of Human Rights, *Case of Bensaid v. Great Britain*, no. 44599/98 of 6 February 2001.
10. European Court of Human Rights, *Case Buhuceanu and others v. Romania*, no. 20081/19 of 23 May 2023.
11. European Court of Human Rights, *Key Case v. France*, no. 14461/88 of 9 July 1991.
12. European Court of Human Rights, *Case of Dudgeon v. Great Britain*, no. 7525/76 of 22 October 1981.
13. European Court of Human Rights, *Case of Folgero and Others v. Norway*, no. no. 15472/02 of 29 June 2007.
14. European Court of Human Rights, *Case Fadeyva v. Russia*, no. 55723/00 of 9 June 2005.
15. European Court of Human Rights, *Case of Gaskin v. the United Kingdom*, no. 10454/83 of 7 July 1989.
16. European Court of Human Rights, *Garnaga v. Ukraine*, no. 20390/07 of 16 May 2013.
17. European Court of Human Rights, *Hoechst v. Commission of the European Communities*, (1989) ECR 2859.
18. European Court of Human Rights, *Case of Malone v. Great Britain*, no. 8691/79 of 2 August 1984.
19. European Court of Human Rights, *Case Mikulic v. Croatia*, no. 53176/99 of 7 February 2002.
20. European Court of Human Rights, *Case Moreno v. Spain*, no. 4143/02 of 16 November 2004.
21. European Court of Human Rights, *Case Murray v. Great Britain*, no. 14310/88 of 28 October 1994.
22. European Court of Human Rights, *Case of Oleksandr Volkov v. Ukraine*, no. 21722/11 of 9 January 2013.
23. European Court of Human Rights, *Popa v. Romania*, no. 4233/09 of 18 June 2013.
24. European Court of Human Rights, *Case of Rekkos and Davourlis v. Greece*, no. 1234/05 of 15 January 2009.
25. European Court of Human Rights, *Case Sandra Jankovic v. Croatia*, no. 38478/05 of 5 March 2009.
26. European Court of Human Rights, *Case of Schalk and Kopf v. Austria*, no. 30141/04 of 24 June 2010.
27. European Court of Human Rights, *Case Schlumpf v. Switzerland*, 29002/06, of 8 January 2008.

28. European Court of Human Rights, *Case of Segerstedt-Wiberg and Others v. Sweden*, no. 62332/00 of 6 June 2006.
29. European Court of Human Rights, *Case Soderman v. Sweden*, no. 5786/08 of 12 November 2013.
30. European Court of Human Rights, *Case Tysiqc v. Poland*, no. 5410/03 of 20 March 2007.
31. European Court of Human Rights, *Case Vasileva v. Bulgaria*, no. 23796/10 of 17 March 2016.
32. European Court of Human Rights, *Case X and Y v. the Netherlands*, No 8978/80 of 26 March 1985.

Siteography

1. European Commission, 2023, *Discrimination in the European Union, LGBTIQ Rights (Country factsheets 2023)*, available at <https://europa.eu/eurobarometer/surveys/detail/2972>, accessed on: 18.03.2024.
2. National Institute of Statistics, 2021, *Population Census*, available at: <https://www.recensamantromania.ro/>, accessed on: 17.03.2024.
3. Ipsos Pride, 2023, *Study on the perception of same-sex marriage*, available at: <https://www.ipsos.com/ro-ro/studiu-ipsos-pride-2023-atat-romania-cat-si-la-nivel-global-9-dintre-adulti-se-identifica-drept-LGBT>, accessed on: 17.03.2024.