



LAW

This lawyer said he would never hire gay people because they're 'abnormal'. He just lost his final appeal at the EU's highest court

JOSH MILTON | APRIL 24, 2020



Italian lawyer Carlo Taormina was thrown into European Union courts for calling gay people "abnormal". (Instagram)

Italian lawyer Carlo Taormina, who said that "homosexuals are abnormal" and refused to hire gay people, failed Thursday to secure relief from the European Union's highest court.

The case saw Taormina, 79, catapulted to the Court of Justice of the European Union for comments he made in 2013 on the radio show, *La Zanzara*.

"Homosexuals are abnormal," he said at the time, according to *Court House News*, "they have physical and genetic anomalies."

Taormina, who then held a senior position at a law firm, also stated that he would never hire an LGBT+ person, provoking a lawsuit from nonprofit Rete Lenford.

Carlo Taormina, who refused to hire gay people, defends decision by saying his firm wasn't hiring at the time.

The network argued that Taormina's comments clashed with anti-discrimination employment codes. They ultimately won the first court case in 2014, forcing Taormina to pay €10,000 in damages.

However, he appealed the ruling and defended himself by alleging that his firm was not hiring when he made the comments. Moreover, he said that the *Equality Framework Directive 2,000* – a plank of EU labour law – would not classify his comments as discriminatory.

The Italian Supreme Court referred the case to the EU Court of Justice, with the Luxembourg-based court's Grand Chamber ruling that it does, indeed, constitute discrimination.

Justices said the comments fell into the scope of the directive, that covers the "conditions for access to employment" and "occupation".

"The link between those statements and the conditions for access to employment or occupation within the firm of lawyers concerned is not hypothetical," an *English translation of the seven-judge panel* decision stated.

Justices, perhaps wary of the ruling's collision with freedoms of speech and expression, noted that while it does limit speech, they stressed that: "Freedom of expression is not an absolute right and its exercise may be subject to limitations."

"The expression of discriminatory opinions in matters of employment and occupation by an employer or a person perceived as being capable of exerting a decisive influence on an undertaking's recruitment policy is likely to deter the individuals targeted from applying for a post," the panel wrote.

