

Genderdoc-M v Moldova

[Case Law](#), [Civil Rights and Freedom](#), [European Court of Human Rights](#), [Freedom of Assembly](#), [Moldova](#), [Strategic Litigation](#)

Ban on demonstration / Freedom of assembly of LGBT associations.

(Application no. 9106/06), June 2010

[Find Court's judgement here.](#) (Violation of Article 14 in conjunction with Article 11 + award of damages)

[Genderdoc-M v Moldova](#)Download

- The applicant association – whose aim is to provide information and to assist the LGBT community in Moldova – complained that the **ban** imposed on it on holding a **demonstration** constituted a violation of its right to peaceful assembly. The Government alleged that the refusal was based on “public order” and “public morality.
- ILGA-Europe together with the International Commission of Jurists submitted the following:
 - Public morality and public disorder are misused to justify interferences with the rights of LGBT individuals. The requirements of democratic societies are such that public morality and related prevention of disorder grounds must be narrowly construed and applied.
 - The Court has emphasized the **importance of freedom of association for minorities**, which include people of diverse sexual orientations and gender identities.
- The European Court of Human Rights delivered its [judgement on 12 June 2012](#).
- The Court referred to the interveners’ submission that the protection of morals is not and can never be an objective and reasonable justification under Article 14 of the Convention. It reiterated that sexual orientation is a concept covered by Article 14. It considered that the reason for the ban imposed on the event proposed by the applicant was the authorities’ disapproval of demonstrations which they considered to promote homosexuality. When limiting the right of assembly, national authorities should offer clear reasons for so doing. However each authority which dealt with the applicant association’s request to hold a demonstration rejected it for a different reason. In view of the above, the Court held that there had been a **violation of Article 14 in conjunction with Article 11 of the Convention**.