

Nikolay Alekseyev and Movement for Marriage Equality against Russia

[Case Law](#), [Legal Protection](#), [European Court of Human Rights](#), [Family](#), [Marriage Equality](#), [Russia](#), [Strategic Litigation](#)

Freedom of association

Application No. 58282/12, 29 July 2016

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- The applicants (Mr Alekseyev, the founder and executive director of the second applicant, Movement for Marriage Equality, aimed defending human rights in the sphere of marriage relations, of combatting discrimination on the grounds of sexual orientation and gender identity and of promoting equality for gays, lesbians, bisexuals and transsexuals, in particular through legalisation for same-sex marriage) complained about the **refusal to register the organisation** and of **discrimination on grounds of sexual orientation**. They argued that the refusal to register the organisation was based on the Russian authorities' conviction that homosexuality was immoral.
- ILGA-Europe together with the European Human Rights Advocacy Centre and the ICJ submitted the following:
 - According to the ECtHR, associations formed for the purposes of asserting a minority consciousness are protected by **freedom of association**.
 - Under international and European standards, restrictions to freedom of association require a very strong justification. The ECtHR has recognised that the Convention requires the exercise of the right to freedom of expression and peaceful assembly by LGBT persons.
 - **Sexual orientation is a prohibited ground of discrimination** (Article 14 of the Convention) according to the ECtHR. A restriction imposed on grounds of public morality will not be regarded as compatible with European and international standards where this is inconsistent with other protected rights and, in particular, entails discrimination on grounds of sexual orientation.
 - ECtHR delivered judgment on 16 July 2019, where it found that refusals to register the applicant organisations on the ground that they promoted LGBT rights cannot be said to be reasonably or objectively justified, thus were in violation of Article 11 on freedom of association in conjunction with Article 14.