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Banning of LGBTI demonstrations creates a dangerous climate in Moldova

The Moldovan government should reverse a move by four local councils effectively to ban outright demonstrations by lesbian, gay, bisexual, transgender and intersex (LGBTI) people, Amnesty International said.

In the course of the past two weeks local councils in the city of Bălți, the villages of Chetriș, and Hiliuți in Fălești District and the Anenii Noi District adopted discriminatory measures to forbid any kind of promotion of LGBTI.

The Bălți City Council proclaimed exclusive support for the Orthodox Church, and banned “aggressive propaganda of non-traditional sexual orientation”, it also decided to seek support from other government bodies and organizations.

Councillors speaking in support of the decision in Anenii Noi quoted religious reasons and fear of an “epidemic of homosexuality”.

The villages of Chetriș, and Hiliuți banned the construction of buildings or temporary shelters connected with the practice of Islam as well as the promotion of “homosexuality”. Such bans are also directly discriminatory against Muslims in their exercise of the right to freedom of religion or belief.

The decisions have yet to be registered with the national authorities and may be challenged in court.

“In effect, these decisions are inscribing into law discrimination against LGBTI people and they stoke up a climate of hostility and,” said John Dalhuisen, Deputy Programme Director of the Europe and Central Asia Programme.

“Moldova has signed up to a range of international human rights treaties which protect the rights to freedom of expression and assembly, as well as the right to non-discrimination and equality before the law to LGBTI people included. Moldova’s Constitution, as well as national laws also guarantee freedom of assembly and freedom of expression. A failure by the national authorities to overturn the local councils’ decisions will amount to violation of their national and international obligations.”

The decisions came against the backdrop of extremely virulent rhetoric by some public figures, including senior politicians, directed primarily against members of LGBT communities, which have been the target of discriminatory discourse since the launch of a public debate on the draft anti-discrimination law last year.

The draft Law on Preventing and Combating Discrimination has been mooted since 2007. Last year it was approved by the government and passed on to the parliament; however, due to open opposition of the majority of factions and following a massive campaign by a range of religious organizations, the

government withdrew its own project 'for further consultation'. The bone of contention is the right to complain about discrimination on the basis of sexual orientation.

In the meantime, the rights of the Moldovan LGBTI community to freedom of assembly is consistently being violated, either through banning public demonstrations, as in 2010, when the Gay Pride march was banned by a court decision, or by a failure to protect demonstrators from violent anti-demonstrators as in 2008.

"The right to freedom of expression includes the right to express views that may shock or offend other parts of society," said John Dalhuisen.

"We call on Moldovan parliamentarians to pass the Anti-Discrimination Law and to ensure that everyone in Moldova can enjoy their human rights without distinction as to race, sex, language, ethnic origin, nationality or religion."