Poland: International institutions must protect LGBTI citizens and ensure the immediate release of activists

Press Release, Civil Rights and Freedom, Freedom of Assembly, Freedom of Expression, Human Rights Defenders, Poland

After nearly 2 years of mounting pressure, things came to a boiling point yesterday, August 7, in Warsaw. A spontaneous protest related to the "preventative detention" of an LGBTI activist, Margot Szutowicz, resulted in 48 arrests and extensive police brutality last night. More protests, and more arrests, are expected today as the repression of LGBTI people goes unabated.

The hate campaign against the LGBTI community in Poland has been going on since October 2018 and resulted in LGBTI people becoming a dominant issue during this year's presidential elections, in which President Duda degraded and scapegoated the LGBTI community on his way to election victory. This included claims that LGBT "are not people, but ideology" and other attempts at dehumanisation and incitement of hate and fear. Over 100 local governments adopted resolutions calling their territories "LGBT-free zones". Trucks with homophobic banners and audio claiming a link between homosexuality and pedophilia begun driving in public spaces, in some cases stopped and blocked by LGBT activists and allied citizens outraged by the sharing of hateful messages. In one case an altercation ensued and one of the vehicles was damaged. This was followed by repeated covert arrests of LGBT activists by plain clothes police officers in unmarked cars, which creates a climate of fear and state harassment.

Just a few days ago, an action of decorating monuments with rainbow flags and face masks was organised, which was followed by another series of covert arrests. One of the persons arrested, Margot Szutowicz, received an order for a 2 month detention to prevent her from further action. This sparked a spontaneous solidarity demonstration, during which Margot attempted to surrender to the police officers present. Their refusal to detain her among witnesses and media, and the fact she was later detained in a different location by plainclothes officer in an unmarked car, led to further civil unrest. 48 individuals were arrested and refused access to lawyers. Margot, who is non-binary and uses female pronouns, will be detained in a men's facility.

Björn van Roozendaal, Programmes Director at ILGA-Europe, says: "The LGBTI community is being denied the right to exist by the leading political party. LGBTI people in Poland live in a situation of constant, repressive pressure with no access to justice or State protection. In circumstances like these, where marginalised members of society are being attacked from all sides, protest and activism are inevitable, and may even be considered provoked by the government's failure to protect their fundamental rights and disproportionate law enforcement responses. Let us not forget this is happening in an EU country where the human rights of all citizens are deeply rooted in law."

We are calling international human rights institutions, including the European Union, the Council of Europe, and the United Nations, to raise their voices against police violence and arbitrary detention, and to demand that the rule of law be followed and fundamental rights protected for LGBTI people in Poland.

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Campaign Against Homophobia (Kampania Przeciw Homofobii), an ILGA-Europe member organisation from Poland, is calling upon the state and international authorities to summon the District Prosecutor's Office in Warsaw to revoke Margot's pre-trial arrest warrant:

- District Prosecutor's Office in Warsaw, sekretariat@warszawa.po.gov.pl, phone number: +48 22 217 31 20
- Zbigniew Ziobro, the Public Prosecutor General, zbigniew.ziobro@sejm.pl, phone number: +48 22 12 51 594

And upon the Polish police to immediately release those detained during yesterday's demonstrations:

- Police Commander in Chief – gen. insp. Jaros?aw Szymczyk, kancelaria.gsp@policja.gov.pl, +48 22 25 00 112

- Minister of Internal Affairs and Administration Mariusz Kami?ski, mariusz.kaminski@sejm.pl, +48 22 60 14 295

Updates (last updated on August 28):

- **August 8-9:** The ombudsperson visited all detainees.
- **August 13:** Margot Szutowicz had access to a lawyer.

- **August 15:** Police intervene when LGBTI activists try to stop a van with homophobic slogans from driving around Warsaw. Police forcefully remove activists and create a corridor of protection for the van with their bodies.
- **August 16:** Anti-LGBT march in Warsaw received police protection. LGBTI activists painted their route in rainbow colours, and held a counter-demonstration.
- **August 28:** Margot Szutowicz released from pre-trial detention

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Further information:

- ILGA-Europe prepared a summary of Poland Anti-LGBTI Hate Timeline 2018-2020.
- ILGA-Europe prepared a info leaflet on how twin towns can help advocate against the discriminatory Family Charters.
- Check out our social media here, and here.

For further comment, contact:

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