

40th Congress Session, 2nd part, Remote, 16th June 2021

Speech Andrew BOFF, United Kingdom (R, ECR), Rapporteur on LGBTI issues

Draft Resolution on the role of local and regional authorities with regard to the situation of LGBTI people in Poland

Check against delivery

1083 words = 9 minutes

Colleagues,

You have before you a resolution we prepared following our fact-finding mission to Poland last year about actions taken by local authorities against LGBTI people.

Let me start by saying that hate speech is harmful, and it is doubly dangerous when it is expressed by elected officials. We are supposed to be role models. If politicians can get away with homophobic statements without being challenged, others will assume that they can get away with the same, or worse.

In Poland, anti-LGBTI hate speech has sadly become a part of political discourse. Since the 2018 parliamentary and presidential elections, party

leaders, candidates, local and regional authorities, and the Church have all played their part in a campaign questioning the identity and legitimacy of the LGBTI community.

We carried out a remote fact-finding mission on 2 and 3 November last year, at the proposal of two members of the Polish Parliament. The goal was to better understand the situation of LGBTI people in Poland, particularly since some local authorities took decisions that could undermine their human rights.

The report of the fact-finding mission was adopted during our February meeting earlier this year, and the draft resolution was approved in our last Committee Meeting on 7 May.

Before I present this Resolution, allow me to remind you of the key aspects of the report.

During the fact-finding mission, we met with mayors, local and regional councillors, local government association representatives, national government representatives, the Ombudsperson, and NGOs.

We learned that, since 2019, more than 90 Polish towns and regions had passed resolutions declaring themselves free from so-called “LGBT-ideology”, saying that it is a threat to Polish culture. We tried to understand this vague notion of “LGBT ideology”. However, no one ne could explain what it means exactly.

[Tapez ici]

We got the impression that LGBTI people had become the scapegoat of a fight between two opposing views on what the Polish society should be, and that the term was created to deny LGBTI people a sense of identity and belonging. This marginalises LGBTI people and sends the message that they have no place in society.

Many other cities adopted the “Local government Charter of the Rights of the Family”. Despite its name, this document does not protect all families. It promotes the idea that families can only be LGBTI-exclusive and suggest that children need to be protected from so-called “LGBT ideology”. But LGBTI families *are* families and must not be excluded.

These developments have contributed to an atmosphere of growing hate speech towards LGBTI people. This has serious impacts on their everyday lives, such as rejection, isolation, and even suicidal thoughts.

The Polish authorities told us that there has already been a rise in registered cases of anti-LGBTI crimes.

We also found that these texts are not compatible with Polish and international law. Some anti-“LGBT ideology” declarations have already been annulled by Administrative courts on this basis. And the LGBTI-exclusive concept of family contained in the Charters is not supported by the existing laws or the Constitution.

Colleagues,

It is high time LGBTI people are not considered instigators of an “ideology” or propaganda but a group of people who are an integral part of our society.

It is high time local and regional authorities’ stop weaponising them and start fulfilling their duty to guarantee their basic human rights.

If we do not succeed in doing so, we are legitimising rejection and violence against LGBTI people.

Less than two months ago, in Latvia, Normunds Kindzulis died from burn injuries after repeatedly being the victim of homophobic attacks. This happened only a few weeks after a gay man was beaten to death in a park in Belgium.

Over the past years, homophobic and transphobic hate speech have been on the rise in Europe. These cases are examples of what this hate speech can lead to. We cannot idly sit by and watch this happen!

Local and regional representatives have to make sure that their towns, cities and regions are not hostile to LGBTI people, but welcoming, tolerant and safe.

This is why I am presenting this preliminary draft resolution for your approval today.

[Tapez ici]

First and foremost, in this resolution, we call on local and regional authorities in Poland to annul anti-“LGBT ideology” resolutions and similar texts which can undermine LGBTI rights – like the Charter.

Secondly, we ask that cities and regions develop and implement policies to protect the rights of minority and vulnerable groups, and LGBTI people in particular. We invite them to develop inclusive anti-discrimination plans. To do so, they can work together with other cities and region and involve civil society.

Thirdly, the resolution calls on cities and regions to invest in their citizens’ mental and physical health, both financially and with human resources. LGBTI people, especially the youth, need help to cope with the effects of hate speech.

Finally, we call on national associations of cities and regions to take the lead and act as platforms for dialogue between their members who do not see eye-to-eye on this issue.

Reducing polarisation around these issues will not be easy, but **we can already see some progress.**

Some Polish municipalities have been working to set up a coalition of cities against discrimination. We encourage all other cities and regions to follow this example and work towards more inclusive societies.

We also see some Polish authorities cancelling their anti-LGBTI declarations. Nowa Deba was the first town to do this earlier this year. Just a few days ago, the city of Krasnik withdrew their declaration. This is a development we welcome.

Colleagues,

Our report on the fact-finding mission has already had important results. With the help of the SOGI unit of the Council of Europe, it has been translated into Polish, making it accessible to those who can use it most. And indeed, the Polish Ombudsman informed us that he will use it in court cases against so-called anti-LGBTI ideology declarations.

This reminds us that our work here is more than simply putting words on paper and adopting text. It has a real impact. And today, in this context of rising homophobia and anti-democratic movements, it is more important than ever.

Our fact-finding report identified the problems. With this Resolution, we hope to point out solutions. It shows a way forward for Polish cities and regions to combat homophobia and to protect the rights of LGBTI citizens.

This is why I invite you all to adopt this resolution today, sending a clear message against hate speech and LGBTI-phobia.

Thank you.