

36th Session of the Human Rights Council
Item 6 – UPR Poland
Statement by: European Region of the International Lesbian and Gay Association

Delivered by Callum Birch

Thank you, Mr. President,

The following statement has been prepared in consultation with the Polish LGBT organization, Campaign Against Homophobia.

In the Third Cycle of the UPR, Poland received 11 recommendations regarding sexual orientation and gender identity (SOGI) issues.¹ These recommendations addressed the importance of improving the anti-discrimination law as well as the need to introduce hate speech and hate crime laws, combat violence and discrimination, and recognise civil unions between same-sex persons. Poland accepted 6 recommendations, partially accepted 4 recommendations, and did not accept 1 recommendation.

We welcome the Polish government's acceptance of the 6 recommendations regarding the amendment to the penal code to ensure that crimes motivated by discrimination on any grounds – including disability, gender identity and expression and sexual orientation – are included and can be investigated and prosecuted as hate crimes.

This is a positive step towards ensuring that the country is fully compliant with international standards. It is especially important in the face of a recent tragic event – the death of 14-year-old Kacper from Łaski who committed suicide as a result of homophobic violence.

However, we remain concerned that the government only partially accepted the recommendation to amend the existing anti-discrimination law and enhance legal protection on grounds of sexual orientation and gender identity.

We welcome the recommendations accepted regarding combating violence and discrimination against LGBTI persons and we hope that the Government starts undertaking actions to implement these recommendations.

Sadly, recommendations regarding the right to legally recognise same sex partnerships have not been accepted by the Polish government. We would like to stress that many human rights abuses on LGBT persons stem from the fact that Polish law does not provide a possibility to register a same sex partnership, and this matter needs to be addressed.

We thank Australia, Austria, UK, Brazil, Slovenia, US, France, Canada, Iceland, Ireland, Mexico, Norway, Belgium, Czechia and Spain who raised specific LGBT issues with Poland in this review, and we stand ready to continue working with the Polish government to ensure advances for the rights of LGBTI people in the years ahead.

I thank you, Mr. President.

¹ Recommendations on SOGI issues in Third Cycle were made by: Brazil, Norway, Mexico, UK, USA, Belgium, Iceland, Canada, Spain, Czechia and Ireland.