



**EUROPEAN COMMISSION**  
DIRECTORATE-GENERAL JUSTICE and CONSUMERS

Directorate D: Equality and Union citizenship  
**Unit D.1: Non-discrimination and Roma coordination**

Dear Petitioner,

Thank you for starting a petition on Change.org, in which you raise awareness on the increasingly LGBTI-hostile environment in Poland and call on the European Union to take action to protect LGBTI+ rights. I was asked to reply on President von der Leyen's behalf, as my unit deals with non-discrimination.

The European Commission is following the situation of LGBTI+ persons in Poland closely and has taken action, within its competences under the Treaties, to address it. On 27 May 2020, the Commission sent a letter to the Polish regional authorities that have adopted "LGBT ideology-free zone" resolutions and are managing programmes supported by the EU Structural and Investment Funds (ESIF) reminding them that Polish authorities who are beneficiaries or managers of ESIF funding must respect the principle of non-discrimination. In July 2020, six applications for funding under the Town Twinning programme, involving Polish authorities that have declared so-called "LGBT ideology-free zones" or adopted "family rights" charters, were rejected.

As the guardian of the EU Treaties, the Commission will continue to closely monitor the situation in the EU and make sure that, when implementing EU law and EU funded projects, the principle of non-discrimination is fully respected. Beyond the implementation of EU law, it is for Member States, including their judicial authorities, to ensure that fundamental rights are effectively respected and protected, in accordance with their national legislation and international human rights obligations. In this regard, it must be noted that the Polish Ombudsman (Commissioner for Human Rights) lodged in December 2019 legal actions before administrative courts against 5 communes that had declared "LGBT ideology-free zones". In July and August 2020, administrative courts in Gliwice, Radom and Lublin declared these municipalities' resolutions unconstitutional.

The Commission has on several occasions strongly condemned such "LGBT ideology-free zones". The Commission will continue to urge public authorities in Poland to revoke "LGBT ideology free zone" resolutions, "family rights" charters and similar instruments and to refrain from adopting them in the future, as well as to ensure a fair and correct treatment of peaceful protesters, regardless of the issue for which they are demonstrating. At the same time, the Commission will work to build an open dialogue with the Polish authorities to prevent any hostility and attacks against LGBTI+ people in Poland. LGBTI+ rights are not in opposition to family rights or the right to freedom of religion – on the contrary, these rights complement each other and must be upheld at the same time.

Let me reassure you that the European Commission strongly condemns any discrimination, violence and hatred against LGBTI+ persons and activists. Discrimination against LGBTI+ people is a violation of the Union's founding Treaties. It has no place in the European Union. EU values and fundamental rights must be respected by all EU Member States and state authorities alike, without exception.

I am happy to inform you that the Commission will adopt an LGBTI+ Equality Strategy in 2020, which will include concrete actions to advance LGBTI+ equality in the European Union by 2025.

Yours sincerely,

[E-Signed]  
Szabolcs Schmidt  
Head of Unit