

## Chronology of the case of the employee of a printing house v. LGBT Business Forum Foundation

1. **27 May 2015** - The LGBT Business Forum Foundation orders a service in the form of a roll-up in one of the printing houses of the city of Łódź. An employee of the printing house refuses to provide the service. He justified his decision by e-mail: " *I refuse to print a roll-up banner with the graphics I received. We are not contributing to the promotion of LGBT movement by our work.*"
2. **February 2016** - LGBT Business Forum Foundation complained about the employee's behavior to the ombudsman. The [Commissioner for Human Rights Protection](#) informed the Warsaw Police headquarter about the situation, which led to the investigation in this case. (See [the response of the Minister of Justice to the Commissioner for Human Rights Protection](#))
3. **June 2016** - the Regional Court Łódź-Widzew in Łódź found the employee of the printing house guilty of committing an offense under art. 138 of the Code of misdemeanour and ordered him to pay a fine of 200 Polish Zloty. The verdict was not legally binding. The employee appealed the judgment. The case was re-examined by the court.
4. **July 2016** - the Minister of Justice issued a critical statement of the judgment of the District court in this case.
5. **July 2016** - the Campaign Against Homophobia reacted to the statement of the Minister of Justice by issuing a [statement](#).
6. **31 March 2017** - the Regional court of Łódź-Widzew in Łódź found the employee of the printing house guilty of an offense and sentenced him to pay the 200 PLN of the penalty, but the court suspended the execution of the penalty in this case. The verdict was not legally binding, because the parties (prosecutor, defender, and offended person – LGBT Business Forum Foundation) filed an appeal against the judgment rendered by the court of the first instance.
7. **26 May 2017** - the District Court in Łódź upheld the verdict of the Regional court of Łódź-Widzew declaring guilty the employee of printing house. The verdict was final at this stage.
8. **September 2017** – The Minister of Justice - the Attorney General brought a cassation appeal of the final judgment of the District court in Łódź.
9. **December 2017** - The Minister of Justice - the Attorney General submitted an application to the Constitutional tribunal declaring that art. 138 is not in conformity with the Constitution (especially with the constitutional principles of a democratic state ruled by law, freedom of conscience and religion, as well as freedom of economic activity). The Commissioner for Human Rights which joined the proceedings in this case, requested that the Constitutional Tribunal should declare that art. 138 Code of Misdemeanour is consistent with the Constitution. He also stressed that the freedom of conscience and religion is not the right model of constitutional examination in this case.
10. **14 of June 2018** - The Supreme Court dismissed the cassation appeal of the Minister of Justice - the Attorney General; thus, the case is now closed. The judgment of the District Court in Łódź is final and valid (the employee of printing house is guilty, but is not compelled to pay the 200 PLN penalty).

Michal Zawislak, June 2018