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Slovakia: First Bratislava Rainbow Pride takes place despite intimidation and violence

Amnesty International has today expressed its concerns to the Slovak authorities about the alleged failure of the police in Bratislava to protect participants of the Bratislava Rainbow Pride from attacks by counter-demonstrators on 22 May 2010. The peaceful assembly of approximately 1,000 participants promoting equality and the human rights of lesbian, gay men, bisexual, and transgender (LGBT) individuals was the first of its kind in Slovakia and was unfortunately marked with violence and intimidation, due to the failure of authorities to guarantee adequate security.

Amnesty International called for an immediate, thorough and impartial investigation into the allegations of attacks by counter-demonstrators on participants of the Bratislava Rainbow Pride, and the reported failure of the police to protect them and ensure their right to freedom of expression and the right to peaceful demonstration.

According to reports received by Amnesty International, participants of the Bratislava Rainbow Pride were subjected to violence and harassment by approximately 100 counter-demonstrators, who threw eggs, stones, and tear-gas at them, threatening their security and physical integrity, during speeches and concerts prior to the Pride march on 22 May. At least two individuals, who were carrying the rainbow flag, were reportedly injured when they were attacked by counter-demonstrators during the pre-rally at Hviezdoslav Square. Such incidents could have been prevented if police had been better prepared to ensure the safety of the participants of the Rainbow Pride and if appropriate action had been taken by the police officers who were deployed at the scene. According to the organizers of the Rainbow Pride, during the pre-rally at Hviezdoslav Square the police did not make any efforts to disperse the violent counter-demonstrators, who, according to reports, were displaying fascist insignia and banners with offensive statements, in breach of the Slovak Act on Assembly.

Amnesty International notes that the route of the Pride march had been agreed long in advance, and that safety guarantees had been given to the Bratislava Rainbow Pride organizers by the Mayor of Bratislava, the Chief of the Municipal Police and the Chief of the Slovak State Police. However, during the pre-rally at Hviezdoslav Square, the Chief of the Municipal Police approached the Bratislava Rainbow Pride organizers and told them that due to the presence of violent counter-demonstrators at the city centre police could no longer guarantee the safety of the Pride participants and recommended they cancelled the march. Amnesty International notes that in the weeks prior to the event, intolerant opposition to the Pride by far-right groups was made public on the internet. Reportedly, on 21 May the *Ludová strana Naše Slovensko* (People's Party-Our Slovakia), which has its roots in the banned far-right movement *Slovenská pospolitost* (Slovak Togetherness), had reportedly publicized on the internet a call for a counter-demonstration and for attacks against the Bratislava Rainbow Pride participants; the

police should have taken the above into consideration when developing a security plan for 22 May 2010.

The Pride march finally took place with a delay, following the deployment of more police officers, including riot police and negotiations between the organizers and the police, which led to the change of the original route with the participants marching from Hviezdoslav Square across the city's New Bridge spanning the Danube River to a ship anchored on the southern bank where an after-party took place. No major incidents were reported after that point. Amnesty International noted with regret a statement by the Minister of Interior, Robert Kaliňák, during a political debate on TV Markiza on 23 May 2010, where he stated that "the police was well prepared, but the police should not be confused with the organizing team of a gay and lesbian march. 29 extremists were arrested. The police did their job very well. [The Pride]...had very unfortunate timing...If [the organizers]... wanted to ensure that security met their standards, they could have hired a private security firm. Our duty is to ensure public order and we did it." In fact, the government had a duty to provide adequate policing to ensure that the participants of Bratislava Rainbow Pride could enjoy their right to freedom of expression and to peaceful assembly, without threat or experience of violence.

Amnesty International is particularly concerned that the violent attacks and harassment against participants of the Bratislava Rainbow Pride occurred within the context of discriminatory public statements by politicians and people in positions of authority. For example, on 1 May 2010, referring to the Pride, the leader of the Slovak National Party, currently in the Government coalition, was reported by the daily newspaper SME as having said: "We want to show them, here in the streets of Bratislava, that they are an unwanted element. Personally, I will go there and spit at them."

Despite the initial violence and intimidation, the organizers stated that the Pride was a great success. On 24 May Romana Schlesinger, one of the organizers, stated that "all this clearly shows that the Slovak society is ready to open up a discussion about the total emancipation of this minority, too. Now it is the turn of politicians and representatives of the government, it is their job to secure the rights of minorities. We showed that we are here and that Slovak society accepts us."

Amnesty International called on the Slovak authorities to:

- Ensure that thorough and impartial investigations are carried out into the physical attacks and threats against individuals because of their sexual orientation or gender identity on 22 May 2010 and that anyone reasonably identified as responsible be brought to justice in proceedings that meet international standards;

- Ensure that the victims receive fair and adequate reparations, including compensation;

- Publicly condemn attacks, threats of attacks and other harassment of LGBT individuals, making clear that such violence is a criminal offence and will be prosecuted as such;

- Ensure that all individuals within their jurisdiction are able to effectively exercise their right to freedom of peaceful assembly without discrimination and that the police have sufficient resources and training to take effective steps to protect this right;

- Ensure that law enforcement officials act with due diligence to provide effective protection to LGBT individuals who face threats to their lives and safety.

Background

The authorities' failure to protect the participants of the Bratislava Rainbow Pride violates their rights to peaceful assembly which is recognized and protected by Article 21 of the International Covenant on Civil and Political Rights (ICCPR) and Article 11 of the European Convention for the Protection of Human Rights and Fundamental Freedoms (ECHR). It also

violates Article 19 of the ICCPR and Article 10 of the ECHR which protect the rights to freedom of expression. Slovakia is a State Party to both the ICCPR and ECHR. European jurisprudence has made it clear that the authorities are required to take positive measures to ensure that participants in a peaceful demonstration are able to proceed without fear that they will be subjected to physical violence by their opponents, even if some find their cause offensive (*Plattform Ärzte für das Leben v. Austria*, European Court of Human Rights, 1985).

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