

Hogan Lovells Warsaw fights against the dissemination of anti-Semitic content

14 May 2021

The logo for Hogan Lovells, featuring the company name in a bold, black, serif font. The text is set against a solid, bright yellow-green rectangular background.

Warsaw, 14 May 2021 - Global Law firm Hogan Lovells has advised “Nigdy Więcej” Association (“Never Again” Association), an independent non-governmental organization dedicated to monitoring and combating racism and racial, national, or ethnic discrimination, in a case filed by 3DOM Publishing House.

In 2020, Allegro - a Polish online e-commerce platform, removed auctions with several items sold by 3DOM Publishing House after the “Never Again” Association reported hateful content. Both the criminal law and the rules introduced by Allegro prohibited the trading in items containing content that promotes fascism; other totalitarian systems of the state; incites hatred based on national, ethnic, racial, religious differences, or lack of denominations.

The publications indicated by “Never Again” Association, mostly reissues of pre-Second World War titles, were especially anti-Semitic, inciting hatred against the background of national, ethnic, racial, and religious differences and stereotypes. These threads are the key elements of these books, most often the central thesis. The publications distributed by 3DOM Publishing House did not have any scientific or educational value, and were devoid of reviews, reliable historical introduction, or attempts at critical evaluation.

The lawsuit filed by 3DOM Publishing House is based on the assumption that calling the indicated publications ‘anti-Semitic’ violates its good name and reputation. The plaintiff demands from the Association financial compensation, an apology and a guarantee that in the future it will never recommend removing any product sold by 3DOM Publishing from Allegro.

In response to the statement of claim, “Never Again” Association pointed to the truthfulness of the allegation that the publications were anti-Semitic. They also stressed the importance of measures taken to eliminate hateful and discriminatory content from public debate. The loss of reputation and good name results from the very activities of the 3DOM Publishing House, which was involved in the distribution of books of an anti-Semitic nature.

The first hearing was held on 6 May 2021. The next hearing is likely to be scheduled for the second half of 2021.

The “Never Again” Association is represented by a team of lawyers from Hogan Lovells in the Warsaw office: counsel Dr. Wojciech Marchwicki, associate Maryna Bakal, and lawyer Daria Kulaga. The scientific opinion on the content of the books questioned by “Never Again” Association was prepared by Dr. Maciej Moszyński, a historian specializing in research on anti-Semitism.

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