

## POLAND

*Population:* 38,6 Mio

*Area:* 312.685 km<sup>2</sup>

### Part 1: Laws concerning Homosexuality

*Forbidden by law:* No

*Age of consent:* Equal

*Registered partnership/marriage:* No

*Differences to heterosexual marriages:* Yes

No institutionalisation of couples. Thus, lesbian and gay couples don't have the same rights as heterosexual couples, for example regarding taxes, or inheriting property, not to mention adoption

*Anti-discrimination law, protecting lesbians/gays (L/G) against discrimination:* No

*At work:* Yes

*On the housing market:* No

*In other areas:* No

*Comments:*

Article 32 of the Polish Constitution states that all people are equal before the law and that there must not be any kind of discrimination. Practically, this article is of no use in cases of real discrimination. However, the labour code, due to European regulations, had to implement the 2000/78 employment directive, which lists a number of grounds on which you cannot be discriminated against at the job market. The code mentions sexual orientation. It was done in 2003, but has not been used yet.

*Other groups in the society protected through such a law:* Yes, regarding employment directives. In the same document discrimination at work is prohibited on grounds of religion, gender, age, disability, ethnic origin and race.

*Incidents that briefly describe the situation of L/G in society:*

The homosexual community in Poland is a very closed one. The public denies the existence of lesbians and gays, and the two worlds rarely intertwine. One can state a kind of taboo about these matters.

In the "Report on Discrimination and Intolerance due to Sexual Orientation in Poland in 2001" (Report 2001) 14.2 % of the surveyed LGBT had experienced physical violence. It took the form of beating the victim, poking or kicking. Only 22.5 % of those attacked informed the police, since the victims also fear the reactions of the police and do not expect any help from police and other authorities.

Psychological violence was experienced by 35 % of the surveyed. It most often took the form of verbal attacks, harassment, threats or blackmail. In 93,5 % of the cases the police was not notified.

Because of the general negative attitude towards LGBT most of them hide their sexual identity. Many suffer from the results of hiding, fear, and loss of self-respect.

## Part 2: Situation in the Church(es)

*Open L/G welcome to*

*Eucharist:* No

*Comment:* The problem is that usually people don't live in visible relationships. The official position in the Catholic Church (90% of the population is Catholic) is clear: The Pope is of Polish origin, and this fact certainly has an impact on Polish people, following the word and teachings of the Pope, thus being negative about homosexuality. However, there are priests (usually in bigger cities) who are open-minded, but more often they are narrow-minded and publicly proclaim that homosexuality is a sin and a sickness, and send people to psychologists. People who actually have open lesbian and gay relationships cannot take part in communion.

*Do volunteer work:* No

*Work as ordained ministers:* No

*Comments:* In the Catholic Church women cannot become priests at all. Male Priests in general, can't live in any sexual relationship, in the Catholic Church, as opposed to Protestant ministers. If they are gay and live in celibacy they might be allowed to be priests.

*Other employment in church(es):* No, only closeted people who hide their sexual orientation.

*Partnership blessing possible:* No

*Incidents/outspoken attitudes that briefly describe the situation of L/G in the churches:*

As mentioned above, the attitudes vary from more open to completely closed, depending on where the church is, situated and, mostly, on the attitudes of the priest.

Generally the view of the Catholic Church is the following: Homosexuality is not a sin, but homosexual acts are. Therefore only celibacy is accepted for lesbians and gays to keep away from sin. The Church also offers "help" to those who would like to change their sexual orientation to become heterosexual. In smaller cities however, it is not uncommon to hear from priests during a sermon that homosexuality is an abominable sin that it is sick and perverted. The same one can hear during confession.

Some quotes (Source: See the Report 2001, p.39f, named above).

Bishop Tadeusz Pieronek (7.05.2001): "It is as with a contagious disease. No one is going to discriminate against such people (homosexuals), but fearing for one's safety, everyone will demand certain limitations, some isolation from them. I think that a teacher, an open homosexual, does not fulfil the basic condition for performing this job. (...) It is not about banning people from work but it is about excluding them from certain jobs because of the lack of relevant competence."

Bishop Tadeusz Pieronek (22./23. 09.2001): "Homosexual marriage and adoption of children by homosexuals" lead to "the paralysis of societal order."

Primate Josef Glemp (26.08.2001): "Homosexuality, being presented as an alternative to the society built on the foundation of a family unit, in which children are born and grow up, is in reality a suicidal idea based on human suffering and inadequate to the challenges which homo sapiens is facing."

### Part 3: Christian Lesbian/Gay Networks

*Network name:* Ecumenical Lesbian and Gay Christian Group "Berit"

*Number of members:* 30

*Year of foundation:* 1994

*Web page/contact address:*

[www.republika.pl/berithprzymierze](http://www.republika.pl/berithprzymierze) (only in Polish so far)

[noemi\\_rut@wp.pl](mailto:noemi_rut@wp.pl)

*Network name:* Christian group of KPH-Krakow (Against Homophobia Cracow)

*Number of members:* 10

*Year of foundation:* 2003

*Web page/contact address:* [REDACTED]

*Network name:* Osrodek informacji srodowisk kobiecych „OSKA” –

National Women's Information Center „OSKA”

*Web page/contact address:* [www.oska.org.pl/english](http://www.oska.org.pl/english)

*Questionnaire filled in by* Malgosia , *Amnesty International LGBT*

*with some commentaries from* Romana, *Krakow, Poland*

*Supplementary information delivered by* Ania [REDACTED] (*Campaign against Homophobia, Krakow*)

*For further information see the "Report on Discrimination and Intolerance due to Sexual Orientation in Poland in 2001", edited by Lambda Warsaw and "Kampanie Przeciw Homofobii" (Campaign against Homophobia) in 2002.*