

## Europe and Central Asia: Summary of Amnesty International's Concerns in the Region: July - December 2006

AI Index: EUR 01/001/2007

### POLAND

#### Discrimination on grounds of sexual orientation

##### *Homophobic statements by leading public officials*

Despite the fact that the Equality March in Warsaw on 10 June was able to proceed in the end without major incidents as did the Equality Parade in Poznań in November, these positive steps were not part of a larger move towards greater tolerance. During July and August further openly homophobic statements from public officials and leading figures worsened the climate of discrimination and intimidation. Mirosław Kochalski, a spokesman for the mayor of Warsaw, was quoted on 5 July as saying that the march was "immoral and a danger to the inhabitants of Warsaw."

On 7 August Paweł Zyzak, editor in chief of the leading Law and Justice Party (Prawo i Sprawiedliwość, PiS) magazine, *Right Turn!*, wrote that gays were "animals" and were "the emissaries of Satan sent to destroy the Catholic Church." Around the same time, in the city of Kosciierzyna, a leading PiS member of parliament who is also a member of the party's governing council, Waldemar Bonkowski, placed a large banner on the wall of the local party headquarters. "Today it is gays and lesbians -- what's next, zoophilia? Is that liberty and democracy? No, that's syphilisation! Our Polish pope [the late John Paul II] is looking down from the sky and asking: Whither go thou, Poland?" the banner read.

The new Prime Minister Jarosław Kaczyński did not acknowledge this climate of intolerance towards Lesbian, Gay, Bisexual and Transgender (LGBT) people in Poland when, during his visit to the European Commission on 30 August, he said that "people with such [homosexual] preferences have full rights in Poland, there is no tradition in Poland of persecuting such people" and he asked the President of the European Commission, Jose Manuel Barroso "not to believe in the myth of Poland as an anti-Semitic, homophobic and xenophobic country."

In July, TV Opole, a Polish public television network, abruptly cancelled its planned broadcast of the fifth year of an important music festival because, according to the network's director, Jacek Kruczkowski, the festival organizers "had hidden the fact that the theme of this edition of the festival was "tolerance" and, he added, "tolerance can be dangerous,

because in its name gays want to distribute in the schools brochures on the techniques of homosexual love."

*Actions by the Ministry of Education (update to AI Index: EUR 01/017/2006)*

After the dismissal in June of the director of the National In-Service Teacher Training Centre (Centralnego Ośrodka Doskonalenia Nauczycieli, CODN) on the grounds that the CODN had books that "there were encouraging teachers to organize meetings with LGBT organizations" a new director was appointed in October.

However, in spite of concerns about the worsening climate of homophobia in Poland and the official tolerance of homophobic behaviours expressed by the Council of Europe and the European Commission, the new director of the CODN, Teresa Łécka, she stated on 9 October 2006 that "active homosexuality is contrary to human nature". When asked whether it was appropriate to discuss homosexuality at schools she was reported to have responded that "improper patterns must not be present at schools, because the objective of the school is to explain the difference between good and evil, beauty and ugliness (...) school has to explain that homosexual practices lead to drama, emptiness and degeneracy".

*Discrimination against non-governmental organization*

On 26 September, the Polish Selection Committee of the Ministry of Education rejected a project proposal submitted by the Campaign Against Homophobia (Kampania Przeciw Homofobii) to the National Agency of Youth Programme, the Polish partner of the framework of the European Voluntary Service and the European Youth Programme. The reason given was "that the policy of the Ministry does not support actions that aim to propagate homosexual behaviour and such attitude among young people. Also, the role of Ministry is not to support cooperation with homosexual organizations."

### **Death penalty**

In July President Lech Kaczyński called for the restoration of the death penalty in Poland and throughout Europe on the Polish Public Radio Programme 1, stating that: "countries that give up this penalty award an unimaginable advantage to the criminal over his victim, the advantage of life over death."

On 2 August, the League of Polish Families (Liga Polskich Rodzin, LPR) announced a Europe-wide campaign to restore the death penalty and for a referendum on its reintroduction in Poland. LPR vice-president Wojciech Wierzejski called for a ban on the death penalty across the EU "anachronistic."

Responding to these statements on behalf of the EU, the European Commission spokesman Stefaan de Rynck stated that "the death penalty is not compatible with European values." The EU Guidelines on the death penalty state that "abolition of the death penalty contributes to the enhancement of human dignity and the progressive development of human rights". The Guidelines establish as an EU objective "to work towards universal abolition of the death penalty as a strongly held policy view agreed by all EU member states."

The President of the Parliamentary Assembly of the Council of Europe (PACE), René van der Linden, on 3 August wrote an open letter to Lech Kaczyński in his capacity as President of a Council of Europe member stating that: "In our view, the death penalty has no place in the criminal justice system of any modern, civilised country." He added: "to suggest that its reintroduction could in any sense represent a positive development would be a direct attack on our common values, which are founded on respect for the basic human dignity of every person." See also *Poland goes backwards: No to the restoration of the death penalty* (AI Index: EUR 37/002/2006)

### **Secret detention centres and renditions (update to AI Index: EUR 01/017/2006)**

In November, members of the European Parliament's Temporary Committee on allegations of illegal activity in Europe by the US Central Intelligence Agency (CIA) said that more investigation of the CIA's possible actions in Poland was needed. It deplored the lack of co-operation by the Polish authorities and regretted that no special inquiry committee had been established and that the Parliament did not conduct an independent investigation. The Committee considered that "in the light of serious circumstantial evidences, a secret detention centre may have been located" in Poland and called for more investigation.