

LAMBDA WARSZAWA ASSOCIATION

**REPORT
ON DISCRIMINATION
ON GROUNDS OF
SEXUAL ORIENTATION
IN POLAND**

WARSAW, 2001

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1. INTRODUCTION

1.1. LAMBDA - WARSZAWA

The Association Lambda Warszawa – an organisation of the lesbian and gay community – was formed in 1997. The Association works in the Capital City of Warsaw and the Region of Mazowsze. It also co-operates with other Polish lesbian and gay organizations in initiatives of national coverage. The association relies on the work of volunteers who offer their time to pursue statutory goals, including:

- developing a positive identity of bisexual and homosexual people;
- enhancing social tolerance for bisexuality and homosexuality;
- promotion of safer sex and related co-operation with governmental agencies and NGOs.

Since 1998, the Association has maintained the Information and Support Centre “Rainbow”, the only such institution in Poland. Through the “Rainbow” Centre, the association offers:

- Support hotline for lesbians, gays, and their families;
- Support groups, meeting groups, discussion groups;
- Lesbian creative group “Gennema”;
- Legal advisory;
- Psychological counselling;
- HIV/AIDS prevention programme “Safer Relations”;
- Ecumenical Christian Lesbian and Gay Group;
- Library and reading room;
- Archive of press articles;
- Advisory through mail;
- Film Discussion Club.

The Association and the “Rainbow” Centre have their offices in Warsaw at 178/16 Czerniakowska St. (address details can be found at the end of the Report).

1.2. OBJECTIVES OF THE REPORT

This Report on Discrimination on Grounds of Sexual Orientation is part of a larger project carried out by ILGA-Europe (the European Region of the International Lesbian and Gay Association) with financial assistance of the Open Society Institute, Budapest. The project is implemented in Central and Eastern Europe, among countries applying for European Union accession. In addition to Poland, similar reports have been drafted in Romania, Slovenia, and Hungary.

It was our objective to collect information on discrimination against homosexual and bisexual people in Poland. The survey questionnaire we have developed comprises questions on violence and harassment; discrimination at work; discrimination in public services; and discrimination in the church. The information we have collected (used to draft the Report) will be presented to the Polish general public, Polish authorities, and the European Commission in Brussels. We believe this Report cannot go unanswered: we expect the public opinion will learn about the extent of discrimination against sexual minorities in Poland and we hope the

European Commission's preaccession report for the Polish Government will include recommendations on the rights of lesbians and gays.

We also hope that the publication of this Report will have a real positive impact on the position of homosexual people in Poland. Once we realize the scale of discrimination, we can demand specific measures to prevent it.

1.3. 1994 DISCRIMINATION REPORT

This Report is the second one drafted by Polish lesbian and gay organisations. The first was developed in 1994, also by the Warsaw part of the then national Association of Lambda Groups.

The 1994 Report was aimed at compiling specific information on various types of persecution and discrimination on grounds of sexual orientation. Unlike in this Report, however, no surveys were then performed; only individual cases of discrimination were reported. There were 37 such cases relating to discrimination in school and at the university; at work; in the army; in the church; discrimination by the police; discrimination by the family; discrimination in the mass media; discrimination with respect to accommodation; beatings and verbal abuse; and social stigmatisation.¹

1.4. SOCIOLOGICAL RESEARCH ON LESBIANS AND GAYS IN POLAND

A. On 6-9 April 2001, CBOS (Polish Centre for Public Opinion Polls) carried out a survey on "Attitudes towards Homosexual Marriage." The outcome is not optimistic: 69% of Poles oppose homosexual marriage, 24% of respondents accept it. 88% believe that homosexuality is unnatural, 47% think this unnatural behaviour should be tolerated, 41% believe it cannot be accepted. **Only every twentieth respondent (5%) says homosexuality is normal.** A great majority of respondents (84%) oppose adoption of children by homosexual couples. 8% of respondents accept adoption by same-sex couples, another 8% have no opinion.

Poles are not opposed to economic recognition of same-sex couples. 58% agree that same-sex couples should have joint property rights (31% oppose this, 11% have no opinion). 45% of respondents think homosexual people living in a close relationship should have the right to use tax credits in joint payment of taxes (44% oppose this, 11% have no opinion).

A large part of respondents are in favour of limiting the freedom of lesbians and gays in their private lives. 42% of respondents think homosexual people should have no right to homosexual sex, the same proportion of respondents (40%) have the opposite view.²

B. What is the average Polish gay man like? This question was partly addressed by a survey of anonymous questionnaires carried out in October 1996 – October 1997. It covered 214 homosexual males aged 15-75 living in Poland and the Polish diaspora in Canada. The questionnaire (consisting of over 60 questions) was looking at diverse aspects of the lives of

¹ The 1994 Discrimination Report was published by the monthly *Inaczej*, no. 11(53), November 1994.

² CBOS polls quoted by the Polish Press Agency PAP.

Polish gays. The other research methodology used was participatory observation carried out in 1991-1998. Below is a summary of some of the findings.³

A great majority of the respondents believe that Poles have negative attitudes to homosexuals (73%; only 2% think the attitudes are positive). In their opinion, the main reasons are misunderstandings, ignorance, and taboos related to homosexuality (40%). Many respondents think the reasons include intolerance of difference (29%); every fifth respondent thinks this is due to negative attitudes of the church and prejudices (14%). As the respondents think the general public is intolerant of homosexuality, most of them have never come out (53%). A half of them said this was due to fear of their family's reaction (33%), every fifth said they decided not to come out in order to make their lives in the family easier (15%). Every fifth respondent said they have not come out but others have found out anyway (20%). For those who did not come out at work (73%), the main reason was fear of discrimination (28%), although other reasons included no acceptance on the part of their [professional] community (10%) and fear of losing their jobs (7%). The question "Have you heard of cases of discrimination against homosexuals?" was addressed by every fifth respondent (18%) with descriptions of specific individual cases (also from their own experience). Other issues addressed included negative attitudes of the general public (13%), legal discrimination (8%), discrimination by the church (7%) and discrimination at work (8%).

Most of the respondents are in favour of legal provisions recognizing same-sex unions (78%). More than half of them (60%) referred to legal aspects, others pointed to the psychological dimension (18%). The respondents believed lack of legal provisions recognizing same-sex couples was one of the reasons for a short lifetime of homosexual unions.

2. METHODOLOGY

2.1. METHODOLOGY AND DESCRIPTION OF RESEARCH

The Report aims at collecting specific information about the extent of discrimination against homosexual people in Poland. The objective was not only to describe cases of discrimination but also to gauge its extent; hence, we have distributed the questionnaire not only among people who have experienced discrimination on grounds of their sexual orientation but all potential respondents in the group.⁴ The Report presents the cases of discrimination described in the questionnaires (violence and harassment against gays, lesbians, bisexuals, and transsexuals; discrimination at work; discrimination in services; discrimination in the church), discrimination in Polish legislation, and discrimination noted in public and political life.

The Report is an attempt at describing the situation of Polish lesbians and gays on a sociological and statistical basis. In spite of difficulty with reaching potential respondents, we have received 215 completed questionnaires. The Association was distributing the questionnaires in February-April 2001 in gay clubs, through the press and internet portals. The publishing house "Pink Press" supported us in the distribution of the questionnaire.

³ „Homoseksualisci w Polsce. Studium srodowiska” [Homosexuals in Poland. A Study of a Community], Artur Krasicki - Institute of Sociology, Warsaw University, 1999

⁴ The full Questionnaire can be found in the Appendix to this Report

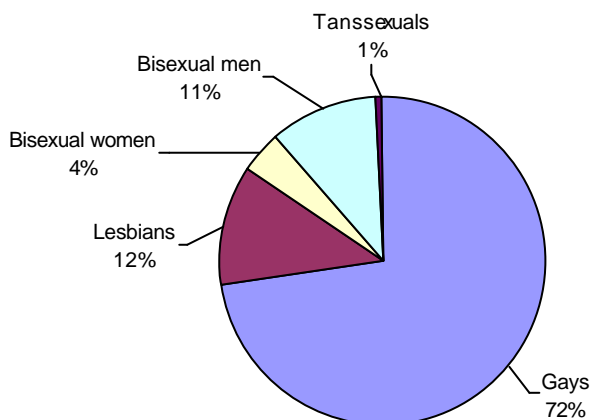
The questionnaires are anonymous unless the respondent wanted to disclose personal data. Each case of discrimination mentions the gender and age of the victim (e.g.: *man, 18-26, city below 500 thousand*; or: *woman, 26-40, Warsaw*), as well as a description of the case. In the case of violence and harassment, we also describe the reaction of the police.

3. DISCRIMINATION REPORT

3.1. STATISTICS BASED ON THE QUESTIONNAIRES

The Association Lambda Warszawa collected 215 completed questionnaires within 3 months of the research. Of those, 179 were submitted by men, 35 by women, 1 by a transsexual. The statistics are shown below:

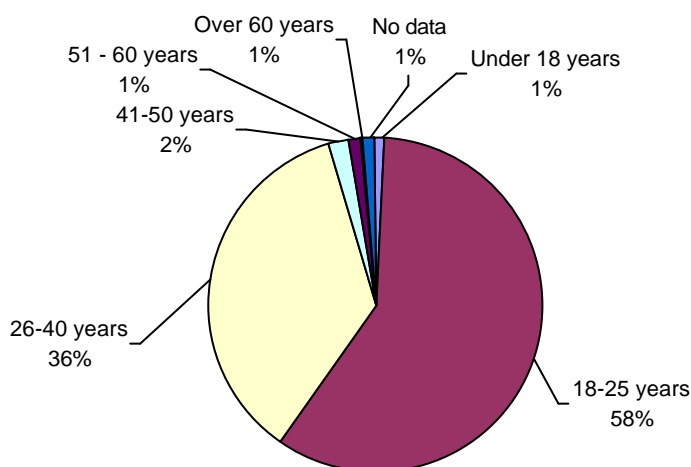
	% of all respondents	No. of respondents
Gays	72.5 % ⁵	156
Lesbians	12 %	26
Bisexual women	4 %	9
Bisexual men	11 %	23
Transsexuals	0.5 %	1
<i>Total:</i>	<i>100 %</i>	<i>215 persons</i>



The age structure of the respondents suggests that over 95 percent of the respondents are 18-40 years of age. Detailed statistics are shown below:

⁵ All percentages quoted in the Report are rounded to half a percent.

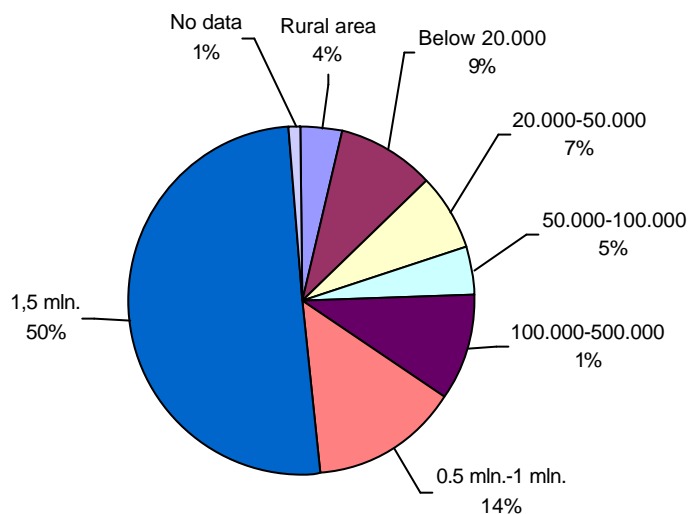
Age	% of all respondents	No. of respondents
Under 18 years	1 %	2
18 – 25 years	58.5 %	126
26 – 40 years	36 %	78
41 – 50 years	2 %	4
51 – 60 years	1 %	2
Over 60 years	0.5 %	1
No data	1 %	2
<i>Total:</i>	<i>100 %</i>	<i>215 persons</i>



With respect to the place of residence of the respondents, nearly half of the respondent live in Warsaw, 13 percent live in cities with population between 500 thousand and 1 million people, and only 4 percent live in rural areas.

Place of residence	% of all respondents	No. of respondents
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Rural area	4 %	9
City below 20 thousand people	9 %	19
City 20 – 50 thousand people	7 %	15
City 50 – 100 thousand people	4.5 %	10
City 100 – 500 thousand people	10 %	21
City 500 thou. – 1 million people	13.5 %	29
Warsaw (1.500,000 people)	51 %	110
No data	1 %	2
<i>Total:</i>	<i>100 %</i>	<i>215 persons</i>



3.2. VIOLENCE

Violence belongs to the most visible types of discrimination experienced by homosexuals in Poland. Every fifth respondent has experienced violence. This proportion is serious, and all the more so when account is taken of the high proportion of respondents who take steps to hide their sexual orientation to avoid discrimination (see para 3.4)

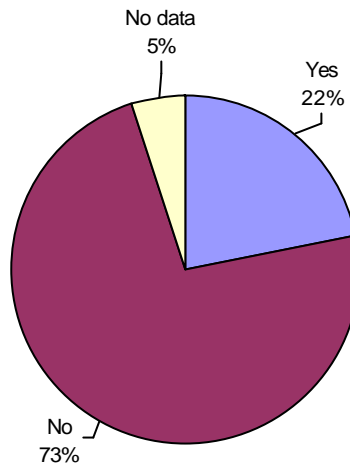
The description of cases is upsetting. Respondents described beatings, rape, physical assaults. What is also of much concern is that 77% of those who have experienced violence have not reported it to the police as they feared the reaction of law enforcement officers and the social implications of revealing violence experienced on grounds of sexual orientation.

The statistics of physical violence of homosexuals are shown below:

Have you experienced violence?

	%	No. of cases
YES	22%	48
NO	73%	156

No data	5%	11
<i>Total:</i>	<i>100%</i>	<i>215</i>



Of those who have experienced physical violence, 46% have experienced it once (22 persons), 15% twice (7 persons), 39% three or more times (19 persons). The high level of repeated violence is very disturbing. It underlines the extent to which those who are open about their sexual orientation are likely to be the subject of repeated acts of discrimination.

The most frequent types of incidents included: beating up (26 indications), hitting (21 indications), and "other" (18 indications). The perpetrators were usually strangers (28 indications), colleagues (13 indications), family members (12 indications), friends (6 indications); neighbours and the police were mentioned twice.

77% of cases of physical assault were not reported to the police (37 persons); 21% of the respondents who have experienced violence (10 persons) reported it to the police. The reaction of the police was usually hostile or neutral; only in two cases the respondents said it was supportive.

Of the 48 cases of violence, we want to describe the following 17:

1. *Woman, 18-25, city below 500 thousand*

The woman was raped by a stranger who found out she was a lesbian. This was supposed to be punishment and teach her a lesson so she knew what her body was for.

The rape was not reported to the police as the victim was afraid of vengeance and of revealing her homosexuality to her family.

2. *Man, 18-25, city below 50 thousand.*

The man was assaulted by strangers who found out he was going to visit a friend who had appeared on a TV talk show and admitted he was gay. Two young attackers beat up and kicked the victim.

The assault was not reported to the police.

3. Man, 26-40, city below 500 thousand

As a primary school student, the man was beaten up and verbally abused due to his alleged homosexuality. He never reported to the police as he didn't know he could, he was also afraid the police would ignore and ridicule him.

4. Man, 26-40, rural area

The man was assaulted by a group of skinheads at a bus stop. He and his friend were beaten up with bats and chains.
Not reported to the police.

5. Bisexual woman, 18-25, Warsaw.

The woman was deliberately pushed and hit by a stranger at a bus stop as she was taken to be a man. She was sitting in her boyfriend's lap. She was threatened with beating.

The victim did not report to the police as she thought the police would not take action.

6. Man, 18-25, Warsaw.

As a primary school student, the man was many times beaten up by his classmates who knew about his homosexuality. The victim described this period as "*one long nightmare*." In recent years, the victim was several times beaten up by strangers in the vicinity of gay clubs.

The assaults were reported to the police who decided they were "*immaterial incidents*."

7. Man, 18-25, Warsaw

The man was on a bus with his partner. They were called "*queers*." Off the bus, they were beaten up by a group of people who had earlier abused them verbally.

The victims did not report to the police as they thought no one would take an account of two gays seriously.

8. Man, 18-25, Poznan

The man was walking with his friend (also gay) in the streets of Poznan. They were talking of men, unaware they were being followed. Suddenly, the man who was following them attacked them and called a group of his friends. The victims escaped.

Not reported to the police.

9. Bisexual woman, 18-25, Warsaw

The victim was beaten up by a group of skinheads only because she sported a "red ribbon", the symbol of solidarity with people living with HIV/AIDS.

The assault was reported to the police who took regular action.

10. Woman, 18-25, Kraków

The woman was walking in the street, hugging her (female) partner. Suddenly, a drunk bald-headed man approached them and wanted to beat them up. He was calling them “whores” and “dykes”. The man’s friend restrained him.

The victims did not report this to the police as they thought there was no point reporting to law enforcement officials.

11. Man, 18-25, city below 50 thousand

The man was twice attacked for being gay.

The first assault was a beating by a friend who found the gay magazine *Inaczej* among his belongings.

In the other case, he was deliberately hit by a car driven by a stranger who saw the victim hold his partner’s hand.

The victim reported to the police but they were hostile and said, “*We are not responsible for provocation.*”

12. Woman, 26-40, Wrocław

The victim was twice beaten up for being a lesbian.

She was first hit by her father after a meeting with her partner. In the second case, she and her partner were beaten up by a stranger at a bus stop. The attacker had seen the victims sit together and hug on a bus.

The victim did not report to the police out of fear, guilt and conviction that the police would take the attacker’s side.

13. Man, below 18, Warsaw

The man was several times beaten up by classmates and strangers. The most recent case was described as follows:

“I was sitting in the classroom when several people approached me hurling abuse. I was hit on the face, spat at, my earring was torn off.”

The victim did not report to the police as he did not think it would be effective.

14. Man, 18-25, Terespol

In late February 2001, the man was beaten up by his relatives – father and brother – who entered his apartment by force. The man was hit in the face with a fist. When he fell, his brother kicked him all over his body. When the attackers were leaving, the father said: “*Now you will stop meeting the man.*”

The victim reported to the police but he says they were hostile.

15. Man, 27, village in the Mazowsze Region

The man was hit in his face by his father who knew the son was gay.
The victim did not report to the police as he was afraid he would be thrown out of home.

16. Man, 26-40, Poznan

The victim was beaten up several times, including with a baseball bat, when leaving gay meeting places (bar, sauna, park).
The police, when alerted, responded in a neutral way.

17. Man, 26-40, Warsaw

In 1995, the man was on television as a representative of a gay organization. Several days later, someone broke a window in his apartment with a stone. The man suspected his neighbour.
Not reported to the police.

3.3. HARASSMENT

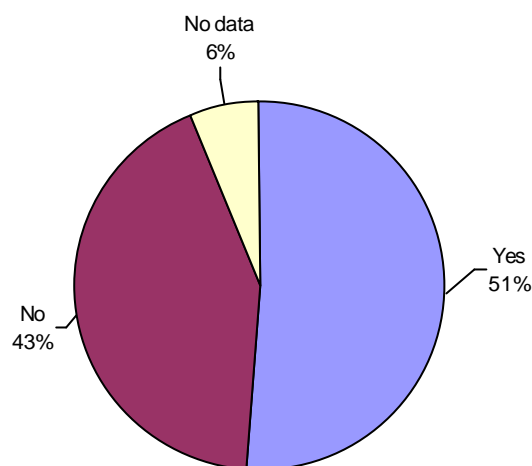
Harassment is an experience of 51% of the respondents. Again, to appreciate the full seriousness of this figure, account must be taken of the high proportion of respondents who take steps to conceal their sexual orientation to avoid discrimination (see paras 3.4, 3.5, 3.6A, 3.6C below)

The respondents reported cases of threats, blackmail, verbal abuse, vandalism. What is of much concern is that 93.5% of those who have experienced harassment did not report it to the police.

The statistics of harassment against homosexuals are as follows:

Have you experienced harassment?

	%	No. of cases
YES	51%	109
NO	43%	93
No data	6%	13
<i>Total:</i>	<i>100%</i>	<i>215</i>



Of those who have experienced harassment, 65% have been victims 3 or more times (71 persons), 17.5% twice or once (19 persons). As with violence, the high level of repeated harassment is very disturbing. It again underlines the extent to which those who are open about their sexual orientation are likely to be the subject of repeated acts of discrimination.

The most frequent forms of harassment include: verbal abuse (93 indications), threats (23 indications), graffiti (19 indications), blackmail (15 indications), vandalism (7 indications), malicious and hateful letters (4 indications), and “other” (18 indications). Perpetrators usually included colleagues (47 indications), strangers (47 indications), family members (34 indications), neighbours (15 indications), friends (5 indications); the police were mentioned as perpetrators five times.

93.5% of the harassment cases were not reported to the police (102 persons); 5.5% of the respondents who experienced harassment (6 persons) reported it to law enforcement officers. The police usually reacted in a hostile or neutral way.

Of the 109 cases of harassment, we want to describe the following 15:

1. Man, 18-25, Szklarska Poreba

The victim was many times subjected to harassment, mainly in the form of verbal abuse and insults hurled by family members, colleagues, and strangers. He was insulted in the street as “*a queer, a faggot*”; his mother several times called him, “*you faggot, you ass-fucker*.” The conflict with his mother caused the end of his 13-month-long relationship.

The victim did not report the harassment to the police.

2. Man, 18-25, Zywiec

The victim was subjected to harassment as a secondary school student. He was always being laughed at, ridiculed, insulted in school.

The police were not alerted as the man wanted to tackle the problem on his own.

3. Man, 18-25, Biala Podlaska

The man experienced harassment from his classmates and strangers when he was on a secondary school internship. He was harassed with nasty jokes, allegations of being different, and insults such as “*queer*” or “*faggot*.” Strangers sometimes commented: “*I think he’s changed his sex.*”

The man did not report this to the police as he was afraid of their reaction as well as of notoriety, derision and condemnation by the local community.

4. Man, 18-25, Opole Lubelskie

The man has been called “*queer*” and “*faggot*.” Some people maliciously address him as a woman. He has been hit and pushed in the street.

The man did not report this to the police as “*this would not help.*”

5. Man, 26-40, city below 20 thousand

The victim was subjected to harassment from his family members, friends and strangers. In his own words:

“I have many times heard the monologue opening with the question ‘So when are you going to get married?’ What follows is epithets about the different sexual orientation as a new subject right after the question (supposedly not about me).

“My colleagues at work suspect that I’m different and test my reaction to undisguised comments. This is a problem to me, I can’t conceal my worries, I sweat out of fear, I blush.

“A situation several years ago. Obscene phone calls asking ‘Is your son in?’ and ‘Hey, I’m a lonely gay, suck my cock...’ My mother takes the calls (she’s unaware of what’s going on).

“I’m depressed, yet not brave enough to leave this world.”

The police were not alerted, the victim is afraid of notoriety.

6. Man, 26-40, Trzcianka near Pila

The victim was twice subjected to harassment in the form of verbal abuse from colleagues at work who said, “*I would send all queers to Auschwitz, to the [concentration] camp, to get gassed.*”

The man did not report to the police as “*the attitude of the Polish police is not all positive about gays. Many officers sneer at gays. With notoriety, I could lose my job quickly.*”

7. Man, 18-25, Wielun

The man was several times abused verbally by strangers in the street. Insults were hurled at him, such as, “*Look, a faggot,*” etc.

The man did not report this to the police as he lives in a small town and the police officers are his neighbours.

8. Man, below 18, Warsaw

The victim was many times harassed in the form of insults, insulting graffiti, vandalism, threats. Attacks came from school mates and strangers.

The most serious incident involved a graffiti at school reading, *'M., you fucking faggot.'* Similar graffiti was also produced elsewhere. The man's belongings were stolen at school; when found, they were destroyed and covered in graffiti.

Not reported to the police.

9. Man, 26-40, Wroclaw

The victim was many times subjected to harassment in the form of insults, anonymous phone threats, and malicious mail – he was once sent a condom filled with blood.

The police were alerted and reacted in a neutral way.

10. Man, under 18, Warsaw

The man is blackmailed by his mother who keeps saying, *„Change your opinions or I'll die."*

This is not reported to the police for obvious reasons.

11. Man, 18-25, Warsaw

The victim was twice subjected to harassment on the part of friends and colleagues in the form of insulting postcards sent to the family.

Not reported to the police.

12. Woman, 18-25, Warsaw

The woman was many times harassed by her family. The parents and other relatives insulted her, quarrelled with her and humiliated her.

Not reported to the police.

13. Woman, 18-25, Warsaw

The victim was several times subjected to harassment, blackmail and threats on the part of relatives and strangers.

In one case, her partner's mother found out her daughter and the victim were together. The mother started to shout, then many times called the victim threatening her with revealing her sexual orientation to her mother.

In another case, at a McDonald's restaurant, the victim and her partner heard loud comments about them made by a man and two women at the next table who said: *"I wonder how they do that. With their fingers? I think one of them is looking at me. I guess she finds me sexy."*

Not reported to the police.

14. Man, 18-25, Warsaw

Following many arguments with and threats from his father, the victim was thrown out of the family home in his home town.

Not reported to the police as the victim's father (the perpetrator) is a police officer in the town.

15. Man, 26-40, Bydgoszcz

The victim was many times subjected to verbal abuse. This happened in particular in secondary school where both students and some teachers ridiculed him.

Not reported to the police as the victim was trying to tackle the attacks on his own.

3.4. AVOIDANCE OF BEHAVIOUR WHICH MAY CAUSE DISCRIMINATION

Of the 215 questionnaires we have received, 74% of respondents try to avoid expressing their feelings for their partner in public places. 67% of the respondents avoid coming out to people other than their family or friends.

	Yes	No	No data
Do you avoid kissing or holding hands in public with same-sex partners/friends?	74% (158 persons)	21% (46 persons)	5% (11 persons)
Do you avoid telling people who are not friends or family about your sexual orientation?	67% (145 persons)	30% (62 persons)	3% (8 persons)

More than half of the respondents have decided to come out to their family and friends. Homosexuals usually are more willing to come out to their friends: 72% of the respondents have done so while only 51% of the respondents have come out to their family.

Do your family and friends know you're gay?

		%	No. of respondents
FAMILY	Yes	51%	110
	No	46%	99
	No data	3%	6
FRIENDS	Yes	72%	155
	No	25%	53
	No data	3%	7

The questionnaire also asked respondents whether they would like to leave Poland. 49% of the respondents say they would. Of those, 63% say they would emigrate because of their sexual orientation.

Would you leave Poland? Would your sexual orientation be a key factor in this decision?

		Percentage	No. of respondents
I WOULD LEAVE POLAND	Yes	49%	106
	No	43%	91
	No data	8%	18
MY SEXUAL ORIENTATION WOULD BE KEY⁶	Yes	63%	67
	No	35%	37
	No data	2%	2

3.5. DISCRIMINATION AT WORK

At a first look, our findings appear to indicate that discrimination in the workplace for homosexuals in Poland is not as significant an area of discrimination as others addressed in this report. However, as with violence and harassment, the full seriousness of these findings can only be appreciated if account is taken of the high proportion of respondents who hide their sexual orientation (see below).

The first 4 questions of the questionnaire on discrimination at work were addressed as follows:

⁶ The question whether sexual orientation would be a key issue in the decision to leave Poland was asked only of those respondents who said they would like to emigrate. The percentages are based on a group of 106 respondents.

	Yes	I suspect so	No	No data
Have you ever been denied a job because you were known or suspected to be lesbian, gay or bisexual?	4% (9 persons)	7% (16 persons)	77% (165 persons)	12% (25 persons)
Have you ever been denied promotion because you were known or suspected to be lesbian, gay or bisexual?	~ 1% (3 persons)	5% (11 persons)	79% (169 persons)	15% (32 persons)
Have you ever faced attempted or threatened dismissal because you were known or suspected to be lesbian, gay or bisexual?	5% (10 persons)	0%	81% (175 persons)	14% (30 persons)
Have you ever been dismissed (or forced to resign) because you were known or suspected to be lesbian, gay or bisexual?	8% (16 persons)	0%	~77% (166 persons)	~ 15% (33 persons)

Another question about harassment at work also provided disturbing findings: .

Harassment has been experienced by 25.5% of the respondents (55 persons), another 65.5% (141 persons) have not experienced it, 9% of the respondents did not address this question. Again, the proportion of respondents who hide their orientation at the work place (see below) is very important to an understanding of these statistics.

The most frequent forms of harassment include jokes and teasing (49 indications), homophobic abuse (18 indications), aggressive questions (12 indications), threats and sexual harassment (4 indications each). "Other" forms of harassment were mentioned 7 times.

Another question on discrimination at work was on lesbian and gays who avoid or leave their jobs. The statistics are shown below:

	Yes	No	No data
Have you ever refused or avoided applying for a work in a particular job or field (e.g., in the armed forces) because you were lesbian or gay?	17% (36 persons)	66% (142 persons)	17% (36 persons)
Have you ever left your job because of your sexual orientation?	5% (11 persons)	81% (173 persons)	14% (31 persons)

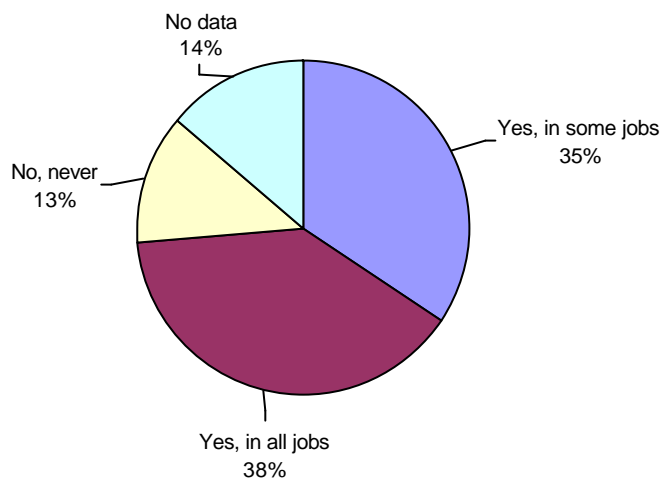
Nearly all cases of refusal of a job by respondents involved military and related institutions: the army, the police, etc., with almost 100% of male staff.

The fact that around 70% of respondents hide their sexual orientation in their institutions organisations has been emphasised above.

The questions on this issue were addressed as follows:

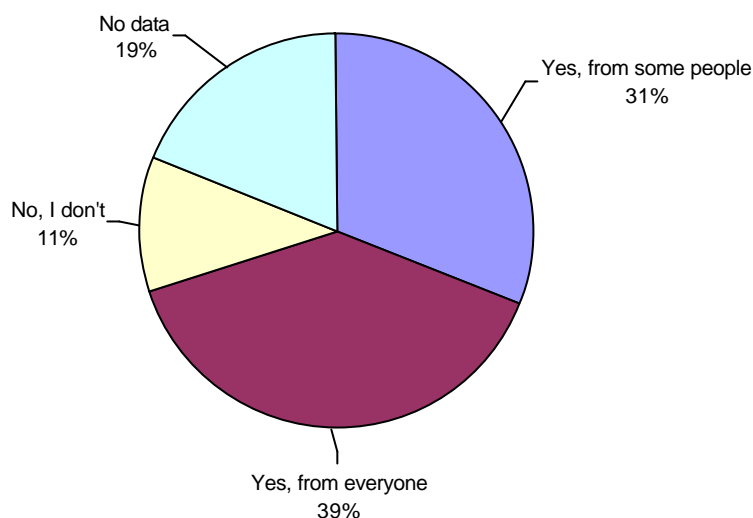
Have you ever felt it necessary to hide or keep quiet about your sexual orientation at work?

Yes, in some jobs	34.5 % (74 persons)
Yes, in all my jobs	39% (83 persons)
No, never	12.5 % (27 persons)
No data	14% (31 persons)



If you are employed, do you hide your sexual orientation in your current job?

Yes, from some people	31% (67 persons)
Yes, from everyone	39% (83 persons)
No, I don't	11% (24 persons)
No data	19% (41 persons)



Respondents most often hide their sexual orientation from their superiors (114 indications), colleagues (89 indications), clients (85 indications), and children and young people (55 indications).

The questionnaire also asked who – at the respondent’s work – has access to benefits available to couples (e.g., allowances, discounts, special leave).

Most respondents said “I don’t know” (41% or 88 persons). 23% (50 persons) said married couples only, 11% (23 persons) said heterosexual couples, 5% (11 persons) said all couples. 20% of the respondents (43 persons) did not address this question.

3.6. DISCRIMINATION IN SERVICES (public service, health care, etc.)

A. Accommodation

7% of the respondents have had problems with accommodation; usually, they were refused tenancy when the landlord/landlady found out they were homosexual (10 indications) and they were harassed by other tenants and neighbours (3 indications). As in the case of work, infrequent discrimination may be due to the fact that the respondents hide their sexual orientation from neighbours: a great majority (over 70%) try to conceal their sexual orientation from other tenants.

	Yes	No	No data
Have you ever had problems over accommodation because of your sexual orientation?	7% (15 persons)	86% (185 persons)	7% (15 persons)
Do you hide your sexual orientation from neighbours, landlord/landlady to avoid discrimination?	72% (154 persons)	23% (50 persons)	5% (11 persons)

B. Health Care

Discrimination against lesbians and gays in the health care system seems a more serious problem. Even though experienced by a relatively low proportion of the respondents (10%), it seems the health care service whose mission is to help others should be completely free of such behaviour.

Below are cases of discrimination in health care described by respondents:

1. Man, 26-40, city below 500 thousand

„When I was 16, I was ‘treated’ for homosexuality in a psychiatric hospital. The hospital head said, ‘I’ll cure you, you fucking faggot.’ Twelve years later little has changed. I went to a psychiatrist for treatment for depression. They suggested I could get cured of homosexuality.”

2. Woman, 18-25, Kraków

The woman was tested for HIV. The receptionist asked her whether she belonged to a high-risk group. When she said she was lesbian, the receptionist’s attitude changed, she became “*terribly nasty.*”

3. Man, 18-25, city below 50 thousand

The man was not admitted by a physician (who knew he was gay) as the physician was afraid.

4. Man, 18-25, city below 20 thousand

The man was twice subjected to discrimination in the health care system. In the first case, a psychologist laughed at him and ignored him when he approached him with his problems.

The second case took place in hospital. In the man’s own words:

“Three years ago, I tried to commit suicide. I took a large doze of antidepressants and was hospitalised. In hospital, I was treated like a drug addict and an outcast.”

5. Man, 18-25, Terespol

During a medical examination by a neurologist, the man had a hard-on. When the physician asked why, the man said it was normal. The physician said the man looked homosexual. When the man said, “*If so, then what?*” the physician said, “*We don’t treat them, they are usually HIV positive.*”

6. Man, 26-40, Poznan

When a secondary school student, the man was called a “*pervert*” by a school physician.

C. Discrimination in other public services

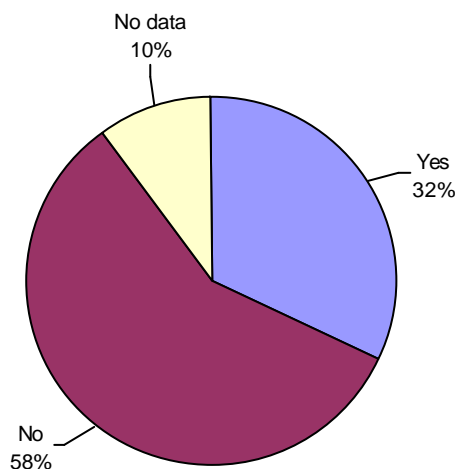
20% of the respondents (44 persons) say they have experienced discrimination in other public services or places. Respondents usually mention bars (32 indications), restaurants (11 indications) and hotels (11 indications) as places of discrimination. At the same time, 71% of the respondents try to hide their sexual orientation in such places in order to avoid discrimination.

	Yes	No	No data
Have you ever experienced discrimination in other areas of service or public places?	20% (44 persons)	75% (160 persons)	5% (11 persons)
Do you conceal your sexual orientation in these places to avoid discrimination?	71% (153 persons)	23% (50 persons)	6% (12 persons)

3.7. DISCRIMINATION IN THE CHURCH

To our surprise, as many as 32% of the respondents say they have experienced discrimination in the church. Interestingly, most of them refer to priests' comments and sermons or public statements by church officials rather than discrimination directly targeting the respondents. This may underline the importance attached by the Polish lesbian and gay community to the position of the church (mainly, the Catholic church) on sexual minorities.

	Yes	No	No data
Have you ever experienced any discrimination because of your sexual orientation in the church or in your contacts with church representatives?	32% (69 persons)	58% (125 persons)	10% (21 persons)



As for discrimination directly targeting the respondent, the following cases were described:

1. Man, 26-40, city below 20 thousand

The respondent described the following case of discrimination:

“I was Catholic. I remember two cases:

- *In religious instruction class with a priest, the description of the “different” sexual orientation clearly and thoroughly stressed that it was a perversion which must be avoided and eliminated at any cost. Saying this, the priest instructor ... was looking in the eyes of each child one by one (a difficult experience).*
- *In a religious retreat at Gleboka Street in Jaroslaw (the retreat lasted several days, one could not leave the monastery). The class on sex education was conducted in the spirit of rejection of needs other than heterosexual, with an emphasis on the unquestionable evil rooted in homosexuality. I felt alienated, it was pointless to remain with the community where I was looking for understanding and shelter.”*

2. Woman, 18-25, city below 500 thousand

In confession, when she spoke about her sexuality, the woman heard from the confessor that she *“shouldn’t enter the church.”*

3. Man, 18-25, Wielun

During the mass, a priest who knew that the man was gay refused him the communion.

4. Man, 18-25, Terespol

The man describes the case of discrimination:

“I come from a very Christian family and therefore go to confession. When I was [in confession] in December [2000], I said I was seeing a guy and we were living together. I wasn’t absolved because the priest said he didn’t want to see me in the church. What’s more, in the Sunday mass, he said, ‘I’ve already come across a homosexual in our town.’”

5. Man, 26-40, Warsaw

The man describes the case of discrimination:

“After the programme ‘Night Talk – Homosexuals and Children’ (on the first channel of public television) where I took part, a priest in my hometown said he was ashamed a person he had prepared for family life participated in such a programme.”

6. Woman, 18-25, Kraków

“In confession, I said I was a lesbian living with a woman. The priest treated me like a whore or a rapist. He told me to get away from girls because I was a threat.”

7. Man, 18-25, Warsaw

“I belonged to the Church of Jesus Christ of Latter Day Saints. This church does not tolerate people of a different sexual orientation. I had to leave the church, I was excommunicated.”

8. Man, 26-40, Warsaw

“I wasn’t allowed to kiss the stole after the confession [during absolution].”

9. Man, 18-25, city below 20 thousand

“I was refused absolution and the communion. The priest asked me whether I was normal yet.”

10. Man, 26-40, Wroclaw

“I had to leave the organisation of Jehovah’s Witnesses.”

11. Man, 26-40, city below 500 thousand

“I was told off by the priest confessor whom I approached for support. I left the Catholic church. In the Protestant church I was under pressure to relinquish my sexuality. I was expelled from the church.”

3.8. DISCRIMINATION IN POLISH LEGISLATION

The Constitution of 2 April 1997 lays out, in Art. 32, the fundamental principles of non-discrimination: the principle of equality before the law, the principle of equal treatment by public authorities, and the prohibition of discrimination in political, social or economic life on any grounds. The existing Art. 32 is a result of a compromise reached in the debate preceding the adoption of the Constitution. One of the drafts of Art. 32 included sexual orientation as one of the criteria of non-discrimination. However, the draft was rejected in favour of a provision on non-discrimination “on any grounds.” In the light of generally accepted interpretation, this existing provision also implies non-discrimination on grounds of sexual orientation. However, the fact that the explicit clause on non-discrimination on grounds of sexual orientation was rejected – in fact, the inclusion of the clause on non-discrimination on grounds of sexual orientation in the draft caused the rejection of the draft – suggests that there is a strong trend to challenge the principle of equality of homosexual people before the law in Poland. This trend is further affirmed by the protection that the Polish Constitution extends to marriage “as a union of a woman and a man” (Art. 18). This provision renders impossible interpretations of Art. 32 of the Constitution (principle of equality) whereby equality before the law would also include the right to get married and other related rights.

In spite of the general non-discrimination provision, the Constitution also includes specific clauses extending protection to social groups considered most vulnerable to discrimination or

violation of rights. These include provisions protecting veterans of struggle for independence and war invalids (Art. 19), religious associations (Art. 25), national and ethnic minorities (Art. 27 and Art. 35), equal rights of women and men (Art. 33), children (Art. 72), and consumers (Art. 76). Unfortunately, the groups which merit special protection do not include sexual minorities, even though they are obviously vulnerable to discrimination.

Lack of non-discrimination provisions and legal privileges for heterosexual unions are also prevalent in other legislation. This results in the following:

1. Same-sex partners are deprived of rights and benefits available to the spouse of an employee (i.e., right to death allowance, inheriting employee property rights of the deceased spouse, right to take sick leave in order to take care of a sick spouse, priority collection of the spouse's alimony from the employee's pay, social security at the age of retirement, etc.).
2. Limitation of the constitutional rights of lesbians and gays to express their opinions and receive and distribute information, rights to freedom of artistic creation, scientific research and publication of its results, freedom of education and free access to culture, all due to the obligation of the mass media to respect "religious beliefs of the audience, and in particular the Christian system of values," often hostile to homosexuality.
3. No possibility to enter legal same-sex unions deprives homosexuals of the right to inheritance guaranteed under Art. 64 of the Constitution as subject to equal legal protection for everyone. Practically, homosexuals cannot take advantage of this "equality" as under the law they cannot inherit as a spouse even if they live in a union which has all factual attributes of marriage.

Under the provisions of the Civil Code (Art. 931 and further), the homosexual partner of the deceased inherits from the deceased partner only if the deceased made a will. The spouse inherits under the law. In addition, the possibility to exclude inheritance by the biological family of the deceased (spouse, parents, and children), who can always demand the statutory part of inheritance, is limited to cases of crime against the testator or manipulations of the will. In practice, this gives rise to cases of gross injustice when the surviving partner of the deceased contributed to the property of the deceased which after the death of the deceased is inherited by the biological family of the deceased, who often reject the deceased when still alive due to his or her homosexuality.

If there is a will under which the surviving homosexual partner of the deceased receives the inheritance, the partner has to pay a tax on the inheritance. The law makes the tax rate dependent on the value of the received inheritance; the taxed amount is different depending on the degree of kinship or affinity of the testator and the inheritor (Art. 9.1 and Art. 14 of the Law on Tax from Inheritance and Donation). The amount of the inheritance not taxed is the highest when the inheritor is the spouse, descendant, ascendant, stepchild, son in law, daughter in law, brother, sister, stepfather, stepmother or parent in law of the deceased. The amount not taxed is smaller in the case of the family of the parents, siblings, or spouses. Other inheritors, including homosexual partners, pay the highest tax. For homosexual partners, the amount not taxed is ca. 50% smaller than the amount not taxed for the closest relatives of the deceased; the tax rate paid by non-family in the sense of the law (including the unmarried partner) is nearly three times the tax rate paid by the closest biological family (including the legal heterosexual spouse).

4. In the context of existing regulations which make the appointment to certain functions or performance of certain professions dependent on the undefined criterion of "integrity" (Art.

24 of the Law on Legal Counsel, Art. 28 of the Law on the Supreme Court, Art. 51 of the Law on the Courts of Law), “high morals” (Art. 2 of the Law on the Ombudsman), which refer to generally accepted standards of integrity and morals, in Polish practice often identified with traditional, non-homosexual family and sexual tradition, it is possible to legally challenge the rights of persons who are openly homosexual to be appointed to certain functions or do perform certain professions. This means that the Constitutional protection of equality before the law, dignity and good reputation (Art. 47 of the Constitution) may be ineffective in such cases. Consequently, the freedom to choose a profession and the prohibition of discrimination of employees, guaranteed by the Constitution (Art. 65) and the Labour Code (Art. 10 and Art. 11³ of the Labour Code) may be undermined where the law makes the right to perform a certain profession dependent on specific moral or personal properties. Likewise, the equality of homosexual people in access to public service, guaranteed by Art. 60 of the Constitution, is also restricted. In the case of heterosexual people, similar restrictions may only be a result of a conscious choice of a certain lifestyle, incoherent with generally accepted standards of integrity and morals.

5. Lack of legal protection of common property and personal relations (obligation of mutual help) of same-sex partners or alimony obligations of same-sex couples.
6. Additional costs (cost of legal counsel, notary assistance, taxes) incurred due to the regulation of property relations of the partners.
7. Problems with joint accommodation (it is not possible for same-sex partners to buy a co-operative apartment together, rent a municipal apartment together, they have to ask permission of the co-operative or the lessor to register the partner under the address, pay tax on rent of “part of the apartment” to the partner, etc.).
8. No tax credits, normally available to spouses (joint tax payment, lower tax rates on loans, inheritance and donations between the spouses, etc.)
9. No possibility to represent the partner before authorities and natural persons under the law.
10. No right to refuse testimony in proceedings involving the partner
11. The homosexual partner is often refused information about the health of the sick partner and participation in decisions about treatment, or even visits in the hospital or other institution.
12. The Criminal Code provides for the protection of groups and individuals who belong to national, ethnic, racial, religious and atheist minorities against violence, verbal abuse, incitement of hatred or promotion of a totalitarian state. This protection does not cover sexual minorities in spite of obvious risks and actual violation of their rights by such acts.

Summary

Provisions of the Polish law institute fundamental inequality in the treatment of Polish citizens who are heterosexual and those who are homosexual, both with respect to individual and social relations. The section above covers only a fraction of the issue and highlights the main area of legal discrimination of Polish lesbians and gays, i.e.:

- lack of non-discrimination provisions protecting homosexuals;
- limited civic rights and freedoms due to conflicting Constitutional provisions (e.g., restricted right to equality as there is no right to enter legal unions);
- limited civic rights and freedoms due to legislation (e.g., restricted right to freedom of expression and right to information due to the obligation of the mass media to respect “Christian values”, discrimination against lesbian and gay partnerships with respect to economic rights and social security);
- actual additional obligations towards public authorities (mainly in procedures and taxation).

The section above does not cover all aspects of legal discrimination of lesbians and gays in Poland, in particular:

- all specific regulations regarding, among others, social benefits for some social groups, provisions which regulate access to procreation and adoption, tax and other regulations which put homosexual individuals and couples in a worse legal position than that of heterosexual individuals or couples (in particular, legally married couples);
- legal practice, hostile towards lesbian and gays, which often prevents or hampers the exercising of their rights even where the law is not directly unfavourable, for example where the municipality refuses to agree that the partner may live in a municipal apartment as a sub-tenant while relevant regulations provide that the municipality cannot refuse its permission without reasonable grounds. Another example: powers of attorney are often required to be made as a notary deed while legal regulations do not require this. Compared to similar situations faced by partners in legally recognized heterosexual unions, this increases the homosexual partners’ investment of time and money in mutual help and relations. Another circumstance is the identification of “morals” with traditional customs, hostile towards lesbians and gays, which turns regulations aimed at protecting society against corruption into a weapon against emancipation of the homosexual community.
- negative effects of lack of stabilisation and legal protection of informal unions (e.g., no joint property, no possibility to refuse testimony against a partner in legal proceedings) or necessary formalisation of relations to mutual relations between partners who have to anticipate potential conflicts and look for solutions in advance. In addition to potential psychological discomfort related in some cases to the negotiation of a contract and the involvement of legal counsel or tax advisors in private lives, this may produce conflicts between the partners. It bears emphasizing that this form of regulation of mutual relations is rather ineffective as not all possible scenarios can be predicted. Similar situations between partners in a legal union are regulated by professionally drafted legal provisions applicable to all situation; hence, such partners do not have to invest their efforts and money in establishing makeshift surrogates of such regulations.

In spite of promising declarations in the Constitution, the Polish law restricts the protection of fundamental rights and freedoms of lesbians and gays and fails to recognize their unions, which undermines the declaration expressed in Art. 1 of the Constitution, whereby the Republic of Poland is the good of all citizens, and in Art. 2 of the Constitution referring to social justice. The Constitution itself fails to give some of the citizens access to legal protection. This is deplorable, not only because it goes against world standards of human rights and civic rights protection, but also because it erodes the confidence and trust in Polish authorities on the part of some citizens and the international community. The principle of unequal treatment of lesbians and gays enshrined in the Polish Constitution is also consistently applied in lower-level legislation.

3.9. DISCRIMINATION IN PUBLIC AND POLITICAL LIFE

1. In 1998, activists of the Christian Lesbian and Gay Group “Exodus” at the Association Lambda Warszawa approached the authorities of the Catholic church with a request for the appointment of a special minister for the homosexual community. Their request was refused by the church officials who said that “gays and lesbians do not need a separate minister.” Meanwhile, much smaller groups, such as artists, police officers, soldiers, scouts, physicians, and prisoners have their own ministers.

2. Reform of the Polish educational system, launched in 1999, introduced into “junior high schools” (students at the age of 13-15 years) the subject “Family Life Education”. A regulation issued by the Ministry of National Education recommends that the curriculum include the following issues: “Acceptance of one’s gender” and “Disturbances and difficulties in reaching gender identity; lack of acceptance of one’s gender. Homosexual fears vs. actual homosexual tendencies; reasons. Available assistance in overcoming problems with gender identity.” Guidelines for teaching students aged 16-18 years involve the same issues as well as “Assistance in developing a positive attitude to gender” and “Need of full acceptance of one’s sexuality.”

The Minister of National Education has approved several textbooks for the subject. In some of those, homosexuality is presented as a perversion. Lambda Warszawa has protested but to no avail. Each teacher can freely and at his/her own discretion choose a textbook from the list approved by the Minister. Although the subject “Family Life Education” is obligatory, there are few trained teachers and classes are offered by few schools (the supply of teacher training courses exceeds the demand). In result, many schools never mention homosexuality or present a very negative picture.

3. In July 2000, before the Third World Lesbian and Gay Cultural Conference held in Warsaw, Marcin Libicki, MP representing the party AWS, sent an open letter to presidential candidates (the election was held in October 2000) including the following questions: What is your opinion on so-called homosexual marriages? What do you think about adoption of children by homosexual couples? Two candidates – the incumbent president Aleksander Kwasniewski and the leader of the Polish Socialist Party (PPS) Piotr Ikonowicz – supported registered partnerships and adoption by same-sex couples. The other 11 candidates were either opposed or never responded. Andrzej Olechowski, a representative of the liberal intelligentsia and the business community, said the issue should not be subject to a public debate.

4. Poland is a member of the Council of Europe and the United Nations. In spite of Recommendations of the Council of Europe calling upon national governments to promote tolerance and adopt legislation to make discrimination on grounds of sexual orientation punishable, the Polish Government has taken no action.

In 2000, at the UN General Assembly’s Special Session on Women in New York, the delegation of the Polish Government voted against an amendment in the final document recommending that discrimination on grounds of sexual orientation be punishable. Head of the delegation Minister Jerzy Kropiwnicki (Minister of Regional Development, an institution which has little to do with women’s rights) explained the decision with his personal disgust with perversion. When the delegation returned home, its lack of support for the amendment was explained with too short notice and lack of guidelines in the instructions of the Polish Government.

5. On 6 March 2001, the Swedish Minister for Equality of the Sexes Margaret Windberg presented the UN Committee for the Status of Women with the draft EU position on the equality of the sexes. Before, the EU position was presented to the Polish Foreign Ministry which forwarded the document to Maria Smereczynska, Governmental Plenipotentiary for Family. Minister Smereczynska refused her support for the EU position as it included such phrases as “sexual rights and sexual orientations.”

6. The Polish Red Cross (PCK), involved among others in blood donor activities, said in its leaflet that blood should not be donated by those who have many sexual contacts and switch partners, by intravenous drug users and homosexuals. According to the authors of the leaflet, homosexuals are at a high risk of HIV infection. Meanwhile, statistics suggest a growing number of HIV infections through heterosexual sex. The leaflet perpetuates a social stereotype of homosexuals as a promiscuous group of people who often change partners.

4. CONCLUSIONS AND RECOMMENDATIONS

In Poland, where a major (social and political) role is played by the Catholic church, the general public's perception of homosexuality is usually based on the conviction that it is a violation of generally accepted standards. Negative attitudes to homosexuality – partly confirmed in this Report – mostly derive from the deep belief that homosexuals undermine the fundamental system of the nation's values: the family, which in Poland has always been a reference point for morals, and – equally important given its violent history – Polish patriotism. According to most Poles, lesbians and gays seem to deny the importance of the family, and it is in the name of family values that homosexuals are condemned and accused of corrupting minors, immoral behaviour, paedophilia, and – consequently – destroying the family. Due to such thinking, among others, most Poles think homosexuals are not first-rate citizens and should be excluded from important social functions.

This attitude generates homophobia, the root of contempt and prejudice. It is vented through physical violence or – more often – through language. Homosexuals are branded with words, humiliated (see: Harassment), and held responsible for AIDS, as reflected in the Report. It is more comfortable to believe that AIDS is not a problem to the “healthy” population. This leads to cases unknown to the civilized world. The editors of a Polish daily didn't think there was anything was wrong with publishing an ad reading, *“Award to HIV for special merits in cleansing the society of faggots and drug addicts.”*⁷

Negative attitudes towards homosexuals in Poland are fuelled and strengthened by frequent statements of church officials and by the mass media (also the opinion-making ones). Most press publications, radio and television programmes confirm the belief that homosexuality is a “different” sexual orientation; gays are mentioned in the context of AIDS, paedophilia, transsexuals, in brief – scandals. Adoption of children by lesbians and gays is a notorious issue (even though no opinion poll has asked those directly interested!); homosexual interviewees are introduced by initials only, shown with a blurred face or with the face turned away from the camera, which may enforce the impression that homosexuality is something evil or improper.

Attitudes towards homosexuals can be a useful measure of the mentality of Poles. The promoted and fostered negative image of homosexuals goes with the general trend of condemning and showing hostility not only towards gays and lesbians but also all “others”, all those “different” (national and religious minorities). In Poland, due to social disapproval of and aversion to homosexuality, many homosexuals have low self-esteem, feel guilty and concerned about their sexual orientation (this is clear in the reported cases where beatings, blackmail or threats were not reported to the police). This often leads to alienation, loneliness, depression. Lesbians and gays often fear others may find out about their sexuality (see: Discrimination at work). After all, the sentiment of the homosexual community is also a measure of the tolerance and openness of society. The situation of minorities in a country speaks volumes about its society. Meanwhile, on 24 May 2001, the Polish Parliament gave the police the right to collect information about the sexual orientation of suspects.⁸

⁷ *Express Wieczorny*, no. 90, 17 April 1998

⁸ Under the new law, the police can collect “sensitive information” about suspects by permission of the prosecutor.

RECOMMENDATIONS:

In our opinion, the following measures are urgent:

1. Introduction into the Polish legislation of provisions prohibiting discrimination on grounds of sexual orientation (in the Constitution, the Criminal Code or the Civil Code), in particular in the context of protection against hate crimes and at work.
2. Opening of registered partnerships to homosexuals living in unions, giving rights to joint tax payments, social benefits, and inheritance on the same principles as family members.
3. Introduction to the school “Health Education” curriculum of issues on tolerance of homosexuals and bisexuals. Appropriate training should be provided for teachers whose class curricula cover homosexuality so the teachers have adequate knowledge.
4. Ensuring full police assistance to homosexual victims of crimes:
 - provision of training on tolerance of homosexuality and assistance to homosexuals to emphasise equal rights of homosexuals and other citizens;
 - promotion in the homosexual community of the right to use police assistance in the case of discrimination and promotion of civic rights of all citizens (legal education of homosexuals).

All those measures should guarantee safety and fair treatment of homosexual citizens of Poland in their own country.

5. APPENDIX

5.1 . SAMPLE QUESTIONNAIRE



Association Lambda

Warszawa

ul. Czerniakowska 178/16, 00-440 Warsaw

tel. (0-22) 628.52.22 (Tue, Wed: 6 p.m. – 9 p.m., Fri: 4 p.m. – 10 p.m.)

e-mail: lambdawa@gejowo.pl, lambdawa@polbox.com; <http://lambdawa.gejowo.pl>

DISCRIMINATION REPORT – SURVEY QUESTIONNAIRE

INTRODUCTION

This questionnaire is being circulated by the Association Lambda Warszawa. We want to collect information about discrimination against homosexuals and bisexuals. This information and the report based on it will be presented to the mass media, Polish authorities, and the European Commission,

We think this report cannot go unanswered. We hope the European Commission's preaccession report for the Polish Government will include recommendations on the rights of lesbians and gays.

Information you will submit through the questionnaire will improve the situation of lesbians, gays, and bisexuals in Poland. Once we realize the scale of discrimination, we can demand specific measures to prevent it. Please fill out this questionnaire and respond to all questions truthfully, by circling the correct answer or describing your case. If there is not enough space, please use another sheet. If possible, please attach documents (copies) to authenticate the described cases of discrimination. Please send the completed questionnaire to:

Association Lambda – Warszawa, ul. Czerniakowska 178/16, 00-440 Warsaw

Please persuade your friends to complete the questionnaire as well! You can get more copies on request. You can also photocopy this sheet. You can also download the questionnaire from our web site (<http://lamdawa.gejowo.pl>).

QUESTIONNAIRE

A – VIOLENCE AND HARASSMENT

Violent attacks

1. Have you ever been subjected to violent attacks because you were known or suspected to be homosexual?

(Except in the case of harassment at the work place – for this, see section below)

Yes / No (if "No" – go to question 8)

2. How many times have you been attacked?

Once / Twice / Three or more times

3. What form did the attack(s) take?

Beaten up / Assaulted with a weapon / Hit, punched or kicked / Other

4. What was the identity of your attacker?

Family member / Work colleague / Friend / Neighbour / Police / Unknown to you / Other

Please describe the incident(s)

5. Did you report the violence to the police?

Yes / No

6. If "No", why not?

7. If "Yes", what reaction did you get from the police?

Supportive / Neutral / Hostile

Harassment

8. Have you ever been harassed because you were know or suspected to be homosexual? (example of harassment – see question 10) (Except in the case of harassment at the work place – for this, see section below)

Yes / No (*if "No" – go to question 16*)

9. How many times have you been harassed?

Once / Twice / Three or more times

10. What form did the harassment take?

Verbal abuse / Graffiti written about you / Vandalism / Hate mail / Threats / Blackmail / Other

11. What was the identity of the person who harassed you?

Family member / Work colleague / Friend / Neighbour / Police / Unknown to you / Other

Please describe the incident(s)

12. Did you report the harassment to the police?

Yes / No

13. If "No", why not?

14. If "Yes", what reaction did you get from the police?

Supportive / Neutral / Hostile

15. If you reported the harassment to the local authority, what reaction did you get?

Supportive / Neutral / Hostile

Action to avoid violence and harassment

16. Do you avoid kissing or holding hands in public with same-sex partners/friends?

Yes / No

17. Do you avoid telling people who are not friends or family about your sexual orientation?

Yes / No

B – DISCRIMINATION AT WORK

1. Have you ever been denied a job because you were known or suspected to be lesbian, gay or bisexual?

Yes / I suspect so / No

If "Yes" or "I suspect so", please describe what happened.

2. Have you ever been denied promotion because you were known or suspected to be lesbian, gay or bisexual?

Yes / I suspect so / No

If "Yes" or "I suspect so", please describe what happened.

3. Have you ever faced attempted or threatened dismissal because you were known or suspected to be lesbian, gay or bisexual?

Yes / No

If “Yes”, please describe what happened.

4. Have you ever been dismissed (or forced to resign) because you were known or suspected to be lesbian, gay or bisexual?

Yes / No

If “Yes”, please describe what happened.

Harassment at work

5. Have you ever been harassed at work because you were known or suspected to be lesbian, gay or bisexual? (examples of harassment – see question 6)

Yes / No (if “No” – go to question 7)

6. Please indicate the form this harassment took:

Physical violence / Threats / Aggressive questions / Homophobic abuse / Jokes or teasing / Sexual harassment / Other

7. Have you ever refused or avoided applying for a work in a particular job or field (e.g., in the armed forces) because you were lesbian or gay?

Yes / No

If “Yes”, which jobs did you avoid?

8. Have you ever left a job because of your sexual orientation?

Yes / No

9. Have you ever felt it necessary to hide or keep quiet about your sexual orientation at work?

Yes, in some jobs / Yes, in all my jobs / No, never

10. If you are employed, do you hide your sexual orientation in your current job?

Yes, from some people / Yes, from everyone / No, I don't

11. If you hide your sexual orientation in your current job, from whom do you hide it?

Clients/customers / Employers/superiors / Other employees / Children/young people / Other

12. If your pay package or social package includes benefits available to couples (allowances, discounts, special leave), who are they available to?

I don't know / All couples / Heterosexual couples / Married couples only

C - SERVICES

1. Have you ever had problems over accommodation because of your sexual orientation?

Yes / No (if "No" – go to question 3)

2. What kind of problems did you have?

Refused a tenancy / Verbal harassment by tenants / Other

Please describe the incident(s)

3. Do you hide your sexual orientation from neighbours, landlord/landlady to avoid discrimination?

Yes / No

4. Have you ever experienced any discrimination because of your sexual orientation in the provision of health services?

Yes / No

If "Yes", please describe.

5. Have you ever experienced discrimination in other areas of service or public places?

Yes / No

6. If so, which of the following:

Bars/clubs / Restaurants / Hotels / Other

7. Do you conceal your sexual orientation in these places to avoid discrimination?

Yes / No

D – CHURCH

1. Have you ever experienced any discrimination because of your sexual orientation in the church or in your contacts with church representatives?

Yes / No

If “Yes”, please describe.

E - EMIGRATION

1. If it were practical for you to emigrate, would you do so?

Yes / No (*if “No” – go to General Information*)

2. If “Yes”, would your sexual orientation be a key factor in this decision?

Yes / No