



Poland

International Religious Freedom Report 2007

Released by the Bureau of Democracy, Human Rights, and Labor

The Constitution provides for freedom of religion, and the Government generally respected this right in practice.

There was no change in the status of respect for religious freedom by the Government during the period covered by this report, and government policy continued to contribute to the generally free practice of religion.

There were reports of societal abuses or discrimination based on religious belief or practice. There were occasional desecrations of Jewish and Roman Catholic cemeteries by skinheads and other marginal elements of society. Anti-Semitic sentiment persisted among some elements of society and among certain prominent political figures. However, the Government publicly denounced anti-Semitic acts.

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. U.S. embassy and consulate general Krakow officers actively monitored threats to religious freedom and seek further resolution of unsettled legacies of the Holocaust and the communist era.

Section I. Religious Demography

The country has an area of 120,725 square miles and a population of 39 million.

More than 96 percent of citizens are Roman Catholic. According to the 2006 Annual Statistical Yearbook of Poland, which uses figures from the 2004 census, the following figures represent the formal membership of the listed religious groups, but not the actual number of persons in those religious communities. For example, the actual number of Jews was estimated at between 30,000 and 40,000, while the formal membership of the Union of Jewish Communities totaled only 2,500. The number of Jews is slowly rising, due primarily to the increase of individuals acknowledging their previously hidden or unknown Jewish heritage.

The yearbook estimated that in 2004, less than 2 percent of the population was constituted by Orthodox Church members, Jehovah's Witnesses, Lutherans (Augsburg Confession), Greek Catholics, Old Catholic Mariavits, Pentecostals, members of the Polish Catholic Church, Seventh-day Adventists, members of the New Apostolic Church, Baptists, Methodists, Lutherans (Reformed), and members of the Church of Christ. There were very small communities of the Union of Jewish Communities, Catholic Mariavits, the Church of Jesus Christ of Latter-day Saints (Mormons), Hare Krishnas, and Muslims.

Each of these religious groups has a relationship with the state governed by either legislation or treaty, with the exception of Jehovah's Witnesses, the New Apostolic Church, the Church of Krishna Consciousness (Hare Krishna), and the Church of Christ.

A May 2006 public opinion poll indicated that approximately 56 percent of citizens participated in religious ceremonies at least once per week, 19 percent once or twice per month, and 17 percent attended sporadically. Eight percent declared they had no contact with the Roman Catholic Church, and 3 percent declared themselves nonbelievers.

Foreign missionary groups operate freely.

Section II. Status of Religious Freedom

Legal/Policy Framework

The Constitution provides for freedom of religion, and the Government generally respected this right in practice. The Government at all levels sought to protect this right in full and did not tolerate its abuse, either by governmental or private actors. The Criminal Code stipulates that offending religious sentiment through public speech is punishable by a fine or up to a 3-year prison term.

There are 15 religious groups whose relationship with the state is governed by specific legislation that outlines the internal structure of the religious groups, their activities, and procedures for property restitution. There are 146 other registered religious groups that do not have a statutorily defined relationship with the state. All registered religious groups, including the original 15, enjoy equal protection under the law, and there were no reports of serious conflicts among churches or religious groups.

Religious communities may register with the Ministry of the Interior; however, they are not required to do so and may function freely without registration. The 1989 Law on Guaranteeing Freedom of Conscience and Belief requires that in order to register, a group submit the names of at least 100 members as well as other information. Information on membership must be confirmed by a notary public, although the registration itself often appears to be a formality. All registered religious groups receive the same privileges, such as duty-free importation of office equipment and reduced taxes.

Citizens enjoy the freedom to practice any faith that they choose. Religious groups may organize, select and train personnel, solicit and receive contributions, publish, and meet without government interference. There are no governmental restrictions on establishing and maintaining places of worship.

The law places Catholic, Jewish, Orthodox, and Protestant communities on the same legal footing, and the Government attempts to address the problems that minority religious groups may face.

Foreign missionaries are subject only to the standard rules applicable to foreigners. There were no reports that missionaries were denied entry.

The Constitution gives parents the right to bring up their children in compliance with their own religious and philosophical beliefs. Religious education classes continue to be taught in the public schools at public expense. Children have a choice between religious instruction and ethics. Although Catholic Church representatives teach the vast majority of these religious classes, parents may request such classes in any of the legally registered religions. While not common, such non-Catholic religious instruction exists, and the Ministry of Education pays the instructors. Religious education instructors, including clergy, receive salaries from the state for teaching religion in public schools. Catholic Church representatives are included on a commission that determines whether books qualify for school use.

Catholic holy days (Easter Monday, Corpus Christi Day, Assumption of the Virgin Mary, All Saints' Day, Christmas, and St. Stephen's Day) are national holidays.

In 1998, the Concordat, a treaty signed in 1993 regulating relations between the Government and the Vatican, was ratified by Parliament, signed by the President, and took effect. The parliamentary vote came after years of bitter disputes between Concordat supporters and opponents. The debate centered on whether the treaty ensured the Catholic Church's right to guarantee freedom of religion for its congregants or blurred the line between church and state. The Government and the Catholic Church participate at the highest levels in a Joint Government-Episcopate Task Force, which meets regularly to discuss church-state relations.

The Government continues to work with both local and international religious groups to address property claims and other sensitive issues stemming from Nazi- and communist-era confiscations and persecutions. The Ministry of Foreign Affairs is largely responsible for coordinating relations between the Government and these international organizations, although the President also plays an important role. The Government cooperates effectively with a variety of international organizations, both governmental and nongovernmental, for the preservation of historic sites, including cemeteries and houses of worship. However, contentious issues regarding property restitution and preservation of historic religious sites and cemeteries remained only partially settled.

Progress continued in implementing the laws that permit local religious communities to submit claims for property owned prior to World War II that subsequently was nationalized. The Catholic and Orthodox churches reported general satisfaction with government action to reconstitute property. A 1997 law, which mirrors previous legislation benefiting other religious communities, permits the local Jewish community to submit claims for such property. The law allowed for a 5-year period to file claims, the longest period allowed for any religious group, for the return of synagogues, cemeteries, and community headquarters, as well as buildings that were used for other religious, educational, or charitable activities. The law included time limits for filing claims; these deadlines expired in recent years, and no additional claims may be filed. However, restitution commissions composed of representatives of the Government and the Jewish community were

continuing adjudication of previously filed claims.

Claims by the Jewish community totaled 5,544. By the end of 2006 the commission had concluded 1,143 cases, of which 316 were settled amicably and 336 properties were restored. The remaining cases were still being processed.

Nongovernmental organizations (NGOs) and other observers criticized the generally slow pace of restitution of Jewish communal property and noted reluctance by the Government to return valuable properties in some cases. In contrast, restitution of Jewish communal property appeared to be progressing well in cities where it had the support of the local governments, such as Warsaw and Lodz.

Of approximately 10,000 communal property claims filed for restitution of religious property by all religious communities, more than 5,000 were resolved, with more than 1,200 properties returned by the end of 2006.

At the end of 2006, 2,959 of the 3,063 claims filed by the Catholic Church had been concluded, with 1,420 claims settled by agreement between the Church and the party in possession of the property (usually the national or a local government); 932 properties returned through decision of the commission on property restitution, which rules on disputed claims; and 632 claims rejected by the commission.

The Lutheran Church, for which the filing deadline was 1996, filed claims for 1,200 properties. Of these, 842 cases were heard, 228 of which were resolved amicably and 136 of which were restored.

A total of 486 claims were filed with the commission by the Orthodox Church, of which 215 were closed in full or in part.

The laws on communal property restitution do not address the issue of communal properties to which private third parties had title, leaving several controversial and complicated cases unresolved. In a number of cases, buildings and residences were built on land that included Jewish cemeteries destroyed during or after World War II.

There was some progress during the reporting period on adoption by Parliament of long-awaited legislation that would govern the restitution of private property. Parliament made several attempts to enact such legislation and passed a law in early 2001, but the President vetoed it because of its budgetary implications and because it was discriminatory. The legislation imposed a citizenship requirement that would have made most American citizens ineligible to file a claim. Some claimants for such restitution successfully regained title to their property in local courts. While approximately 500 claims totaling \$183 million have been settled over the past 10 years, the treasury estimated that 56,000 claims valued at approximately \$16.7 billion remained outstanding. The lack of legislation in this area affected individuals of many religious groups seeking restitution or compensation for property confiscated during and after World War II.

The international Jewish Claims Conference held its annual meeting in Warsaw in February 2007 to press for urgent passage of a private property restitution law with more lenient filing requirements. The group met with high level officials, including the Prime Minister, who made his first statement in support of compensation for private property stolen by the Nazis and the communist regime. The proposal the Prime Minister has backed would provide 15 percent of the current value of property, a figure some in the claims conference indicated was too low.

The Government cooperates with local NGOs and officials of major denominations to promote religious tolerance and lends support to activities such as the March of the Living, an event to honor victims of the Holocaust, and the Museum of the History of Polish Jews.

Restrictions on Religious Freedom

Government policy and practice contributed to the generally free practice of religion. In 2001 the Government established a department within the Ministry of Interior to monitor the activities of "new religious groups" and "cults." In April 2002, the Government closed the department; however, an employee of the Interior Ministry's Public Order Department continued to monitor religious groups.

Although the Constitution provides for the separation of religion and state, crucifixes hang in both the upper and lower houses of Parliament, as well as in many other public buildings, including public schools.

In September 2006, the Salvation Army won its appeal to register as a religious group. The Ministry of Interior had denied the application for technical reasons in April 2006.

Public radio and television stations broadcast Catholic Mass with licensure from the National Radio and Television

Broadcasting Council.

There were no reports of religious prisoners or detainees in the country.

Abuses of Religious Freedom

European Parliament representative Maciej Giertych's pamphlet published in February 2007 criticizing the Jewish community (see Anti-Semitism section) declared that much of public life in the Islamic world was "despotic" and that few Muslims knew the Qur'an.

Roman Giertych, son of Maciej, is Chairman of the conservative Catholic League of Polish Families (LPR), which was formerly affiliated with the nationalist youth organization All-Polish Youth (MW). Giertych has been a Deputy Prime Minister and Minister of Education since May 2006. MW draws from traditions of extreme nationalism and anti-Semitism and recruits its members from among skinheads.

In January 2006 EU Parliamentarian Marcin Libick, a member of the right-wing Law and Justice party, demanded the destruction of Poznan's historic synagogue. He claimed the synagogue was unsightly and derided its presence as anti-Polish and anti-Catholic. The building is widely regarded as an architectural treasure, and there are plans to renovate it and convert it into a Tolerance Centre with the support of the European Union. Libick also applied to the Polish public prosecutor for legal action to be taken against the website of the Simon Wiesenthal Centre in Los Angeles for alleged "anti-Polish" content in its presentation of WWII history. Libick is known for his opposition to the restitution of property to former Jewish owners and is viewed as an extremist. Conversely, other members of the Law and Justice party made efforts to forge good ties with the Polish Jewish community.

In November 2005 the Government prohibited and violently dispersed an anti-discrimination march in Poznan.

The state owned company Ruch continued to distribute anti-Semitic materials up through at least 2005.

Forced Religious Conversion

There were no reports of forced religious conversion, including of minor U.S. citizens who had been abducted or illegally removed from the United States, or of the refusal to allow such citizens to be returned to the United States.

Anti-Semitism

Anti-Semitism persisted among certain sectors of the population. Isolated incidents of harassment and violence against Jews continued to occur, almost always linked to skinheads and other marginal societal groups. Among certain sectors of the population the term "Jew" is a common slur, and at football (soccer) games, fans routinely call each other 'Jews as a term of abuse. During the Jewish Claims Conference's annual meeting in Warsaw in February, 2007, groups of up to 15 individuals protested the conference with signs such as "Don't give Poland back to the Jews," and "This is Poland, not Israel."

The All-Polish Youth (MW), national Rebirth of Poland (NOP), the Polish National Party (PPN), and several other organizations were known to harbor anti-Semitic views.

In August 2006 the Prime Minister denied that anti-Semitism was rising, and many local Jewish leaders agree. However, concerns remain about anti-Semitic statements made by members of the ruling coalition (notably by members of the League of Polish Families), and the influence of Radio Maryja, a conservative Catholic radio station that critics state tolerates, and in some case promotes, anti-Semitic views.

There were more than 500 racist and xenophobic websites in the country, according to Never Again, an antiracism organization. Occasional cases of cemetery desecration, including both Jewish and Catholic sites, also occurred during the period covered by this report.

In the fall of 2006, Poland installed its first Polish-born rabbi since the end of the communist regime. Three other rabbis came to work in the country in 2006, increasing the number of rabbis from three to seven.

On June 26, 2007, the President attended groundbreaking ceremonies for the Museum of the History of Polish Jews.

On March 4, 2007, Gazeta Wyborcza reported that the skinhead website "Redwatch" posted photos and names of teachers and students in Zabrze and called them "traitors to their race" for cleaning and maintaining a Jewish cemetery. This event followed the May 16, 2006 knife attack by skinheads allegedly from the same group against a journalist identified as an "enemy of the white people." The group is affiliated with the white supremacist group Blood and Honor. On July 5, 2006, authorities arrested the website's administrator and charged him with disseminating Nazi ideas, xenophobia, and participating in an illegal group. The website, which was hosted on a U.S.-based server, was shut down soon after the attack as a result of U.S.-Polish action but was reestablished on another server.

On February 15, 2007, European Parliament Deputy and former head of the League of Polish Families Maciej Giertych published a booklet bearing the EU Parliament logo that suggested that Jews are unethical, obsessed with separateness, and a "tragic community" because they do not accept Jesus as the Messiah. The 32-page brochure furthermore stated that Jews "create their own ghettos" because they like to separate themselves from others. The book is devoted to proving that European culture, education and morality should be the province of only one civilization, based on Christianity; Jews are presented as detrimental to this goal. The Polish President, Lech Kaczynski, condemned the publication.

On January 31, 2007, Deputy Prime Minister Andrzej Lepper was awarded an honorary professorship at MAUP, a private Ukrainian university which is openly anti-Semitic. The Anti-Defamation League immediately condemned Lepper, who also received an honorary doctorate from the institution in 2004.

On December 7, 2006, a court in Bialystok ordered Leszek Bubel, a self-proclaimed anti-Semite and leader of the Polish National Party, to undergo a psychiatric evaluation. The case stemmed from charges brought by the local prosecutor in 2005 for an article Bubel published, "The Polish-Jewish War Over Crosses," for which the court sentenced Bubel to 6 months in prison and a fine of \$825 (2,500 zloty) for inciting hostility and slandering Jews.

In August 2006 unknown persons vandalized 15 Jewish tombstones in the Jewish cemetery in Czeladz (Silesia). The vandals toppled the tombstones, breaking some of them. The police treated the incident as an act of vandalism because the perpetrators did not leave anti-Semitic graffiti.

On August 4, 2006, a court gave a 2-year suspended sentence to a man for attacking and insulting the country's chief rabbi in May 2006. The court convicted and fined the defendant \$1,300 (4,000 zlotys) for using violence and racially motivated hate speech. President Kaczynski and other leaders strongly condemned the incident and said they would not tolerate anti-Jewish crimes.

In late summer 2006 prosecutors dropped an anti-Semitism case against Radio Maryja in which one of its commentators labeled restitution efforts by Jewish citizens as extortion and belittled the Holocaust. Prosecutors decided that the commentator had not broken Polish laws banning Holocaust denial or insulting Jews, though he had questioned the existence of two well-known World War II-era massacres of Jews, Jedwabne and Kielce. After the case was dropped, the public broadcasting station Polish National Radio hired the defendant as a commentator.

In May 2006 a government coalition was formed by the ruling Law and Justice Party (PiS) with the leaders of the League of Polish Families (LPR) and the Self Defense Party (SO). LPR's participation in the Government and the appointment of LPR Chairman Roman Giertych as Deputy Prime Minister and Minister of Education sparked controversy amongst international Jewish groups, including the Anti-Defamation League, because of Giertych's ties to the All-Poland Youth League, a group which has long been perceived as Anti-Semitic. In the wake of protests, the responsibility for Holocaust memorial programs was removed from the Education Ministry and is now overseen by a Secretary of State in the Prime Minister's Chancellery. According to a May 2007 survey by the Anti-Defamation League, 29 percent of Poles believe the LPR to be Anti-Semitic.

Section III. Societal Abuses and Discrimination

There were reports of societal abuses or discrimination based on religious belief or practice.

There were sporadic attacks and discrimination against Jewish properties and persons (see anti-Semitism section).

Some individuals publicly expressed concern about the growth of groups perceived to be "sects" and the influence of nonmainstream religious groups, especially during the summer travel season when young persons travel to camps and other gatherings. Newspapers and magazines published articles during the reporting period concerning the arrival of Scientologists in the country. In April 2007 the newspaper Dziennik published a series of articles which criticized the Church of Scientology as a "dangerous sect."

Interfaith groups worked to bring together the various religious groups in the country. The Polish Council of Christians and

Jews met regularly to discuss issues of mutual interest, and the Catholic and Orthodox churches had an active bilateral commission. The Polish Ecumenical Council, a group that includes most religious groups other than the Roman Catholic Church, was also active. Approximately 250 Greek Catholic churches were taken over by Roman Catholic dioceses after World War II, and Greek Catholics were working to have those properties returned. This was an internal issue between the Greek and Roman Catholic dioceses, mediated by the Pope, which did not involve the Government.

Section IV. U.S. Government Policy

The U.S. Government discusses religious freedom issues with the Government as part of its overall policy to promote human rights. Representatives of the U.S. Embassy and Consulate General Krakow regularly monitor issues relating to religious freedom and interfaith relations, including ethnic-Polish-Jewish relations. Embassy and consulate officers met frequently with a wide range of representatives of religious communities, the Government, and local authorities on such matters as religious freedom, property restitution, religious harassment, and interfaith cooperation. The Embassy and Consulate General actively urged the protection and return of former Jewish cemeteries throughout the country, and urged the Government and Parliament to enact private property restitution legislation. U.S. government officials cooperated with Polish police officials in shutting down the skinhead website "Redwatch" and raised concerns about anti-Semitic associations of some officials.

Embassy and consulate representatives, including the Ambassador, regularly met with representatives of major religious communities, including leaders of the Jewish community, to discuss religious freedom. The U.S. Special Envoy to Monitor and Combat Anti-Semitism and Special Envoy for Holocaust Issues met in Warsaw and Krakow with government and community officials. Consulate officials routinely attended commemorations at Auschwitz honoring the Jews, Roma, ethnic Poles, and others killed there. They also monitored developments regarding historical sites related to the Holocaust, supported efforts at commemoration and youth education, and facilitated official visits to the Auschwitz Museum, located near Krakow. Embassy and consulate officers also remained in contact with and attended events associated with the Orthodox, Protestant, and Muslim minorities.

The Embassy and Consulate continued to support activities to promote cultural and religious tolerance, including press and public affairs support for the Auschwitz Jewish Center Foundation's education project in Oswiecim, financial support for teacher training in Holocaust education, and visits by U.S. officials to schools to speak on tolerance and human rights as part of the Anne Frank House's "Free2Choose" program. The majority of events conducted the U.S. "Partnership for Democracy" program (formerly called "Bridges to the East") featured nonviolence and tolerance as integral parts of the presentations.

Released on September 14, 2007

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