

10 June 2008

**Re: Statement of the International Lesbian and Gay Association
Regarding the UPR Report Issued by the Government of Poland**

International Lesbian and Gay Association would like to emphasize its great satisfaction with the fact that the Polish government has accepted most of the recommendations for the Universal Periodic Review Report. We are glad that recommendations concerning lesbian, gay, bisexual and transgender people were addressed.

Recommendations number 6 made by Slovenia, United Kingdom and Sweden encourage Poland to adopt an anti-discrimination law that would ensure equal treatment and non-discrimination on any grounds, including sexual orientation and gender identity. We must stress that the governmental proposition of the anti-discrimination law includes sexual orientation only in employment. The human rights standards in Europe on this matter include sexual orientation and gender identity in all contexts. Therefore, we recommend implementing the current UPR recommendations and the ones presented by Canada in 2004 for preparation of the Horizontal Anti-Discrimination Initiative. We also welcome the Algerian recommendation number 27 encouraging the Polish government to enact a comprehensive body of anti-discrimination legislation and to set up a body to combat discrimination. We call the Polish government to equip the new Plenipotentiary of Equal Status with the material and personal resources to effective performance of the duties.

Recommendation number 17 made by Canada stressed its importance of the rights to freedom of expression and association. We would like to encourage Polish government to fulfill the decision of the European Court of Human Rights in the case of Baczkowski and others guaranteeing freedom of assembly to all. We also strongly encourage the Polish government to include sexual orientation and gender identity as one of the grounds in the anti-hate speech criminal code provisions.

Recommendation made by Cameroon number 23 has encouraged Poland to intensify its efforts to promote and protect dignity and equality. The Polish government claimed at international meetings that the issue of the Council of Europe's handbook COMPAS on promoting human rights had been resolved and is no longer banned and censored in Poland. Yet we do not have any confirmation of that. ILGA-Europe would like to see that inaccurate information on homosexuality is removed from Polish school textbooks.

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