

# POLAND'S CRIMINALISATION OF SEXUALITY EDUCATION

## An explainer

### Background

Since coming to power, the recently re-elected right-wing government led by Poland's Law & Justice Party (Prawo i Sprawiedliwość, PiS) has been propagating a misogynistic, anti-abortion, anti-contraceptive, homophobic and conservative ideology - using anecdotes, random opinions and bizarre wording to support their stance. One such example is that they blame the addiction to pornography on sexuality education.

Meanwhile, sexuality education classes in more conservative areas of the country tend to teach students how to 'prepare for family life' based on misinformation and harmful stereotypes. However, schools in metropolitan areas with a more liberal leaning would include sexuality education in their curriculum - and it is the latter that has now come under attack.

### What is the draft bill about?

A new so-called 'Stop Paedophilia' bill would effectively ban publications and criminalise individuals that promote sexuality education in Poland.

The bill essentially equates sexuality education with paedophilia, as the PiS wants to outlaw the 'demoralisation and sexualisation of children'. It would prosecute teachers and anyone who 'promotes underage sexual activity' with a sentence of up to three years in prison.

That means biology teachers would be banned from teaching minors in classes about sex or face prosecution.

### 'Medieval' legislation

This bill has been criticised for being 'medieval' and is similar to the one adopted by Russia back in 2012, which made it impossible for teachers to provide sexuality education, talk about the prevention of teenage pregnancy or STIs/HIV transmission.

Amongst the controversial elements proposed in the Penal Code is Article 200b which states:

*Whoever publicly promotes or approves paedophilic behaviour shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.*

*The same penalty shall be imposed on anyone who publicly promotes or approves the undertaking of sexual intercourse by a minor.*

## GENDER AND SEXUALITY IN POLAND



**4.5 MILLION WOMEN**

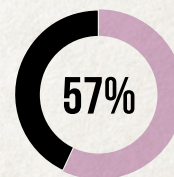
experience psychological violence at the hands of their current partners or husbands

**2 MILLION WOMEN**

experience physical or sexual violence



This summer, over **20 CITIES** across Poland held pride parades



expressed support for same-sex unions

Source: <https://www.ipfen.org> and <https://foreignpolicy.com>. Icons flaticon.com

## What our MEPs say



**Silvia Modig**  
(Vasemmisto, Finland)

*“Poland’s intentions of criminalising sexual education are absurd. Access to comprehensive and age-appropriate information about sex and sexuality is a sustainable basis for youth safety. The Polish parliament should refrain from adopting the proposed bill.”*

### Next step

The European Parliament debated the subject and voted in favour of a resolution on 14 November 2019. In Poland, an as-yet-unknown parliamentary commission will work on the bill and then make recommendations to the lower house, Sejm. It is hoped that they will react negatively to the approval and call for the bill to be scrapped in its entirety.

The PiS had previously claimed that any attempts to broaden sexuality education would ‘sexualise’ children. This is a lie because sexuality education helps to protect children from sexual abuse, by teaching them to identify it and to seek help.

## Who will be prosecuted under the proposals?

In short, anyone who ‘promotes sexual behaviour amongst minors’

This puts teachers, doctors, psychologists, gynaecologists, NGOs & foundations, journalists, publishers, activists at risk - even parents, just for providing information about sex to their children.

Some of the wording in the bill are extremely vague and cover a wide spectrum that can be interpreted in many ways. Anyone found to be advocating for contraception, the prevention of teen pregnancy and the spread of STDs (including HIV & AIDS) amongst minors, providing non-judgemental information about homosexuality, promoting equality, tolerance, countering discrimination, gender identity and violence could all face prosecution.

Similarly, a three-year sentence awaits anyone ‘guilty’ of disseminating sexuality education through books, websites, videos, films, theatres, teen magazines, letters pages and even agony aunts.

## Does this contravene any international law?

This PiS bill directly contravenes Poland’s international obligations on human rights.

The government has long ignored and dismissed the importance of sexual and reproductive health and rights, including for minors.

International bodies such as the World Health Organization and Council of Europe, the UN Committee on Economic, Social & Cultural Rights and the Working Group on Discrimination Against Women have also stated that sexuality education is critical for future generations’ wellbeing, and is central to preventing the spread of STDs, unwanted pregnancies and maternal mortality.

Reproductive healthcare education is also a fundamental right, they say.

## The reaction?

Many worry that generations of girls and boys will now be at risk of grow up in ignorance and fear.

Amnesty International has called the proposed legislation “[recklessly retrogressive](#)”. IPPF European network, which champions sexual and reproductive health and rights for all, condemned the new law as ‘[morally bankrupt](#)’.

Meanwhile, in spite of such anti-paedophilia propaganda, no references have been made to the sex abuse committed by the Catholic Church in Poland.

## Impact on women’s rights

By limiting their access to information and education on sexual and reproductive rights, the rights of Polish women and girls have come under unprecedented levels of attack under the PiS.

With 4.5 million Polish women said to have experienced psychological violence at the hands of their current partners or spouse, and another two million victims of physical and sexual abuse, (IPPFEN), women’s rights NGOs have said the new proposals would further erode women’s and children’s rights their protection from violence.