

RECENT RESEARCH FINDINGS ON POPULAR APPROACHES TO REGISTERED PARTNERSHIPS FOR NON-HETEROSEXUAL PARTNERS

Project „MARRIAGE EQUALITY FOR ALL”

Love Does Not Exclude Association - Poland (Warsaw)

Presenting person: Marcin Szczepkowski

Warsaw 19th – 20th November 2015
IV International Gender Workshop

MAŁŻEŃSTWA
DLA WSZYSTKICH



miłość
nie wyklucza
STOWARZYSZENIE

HEINRICH BÖLL STIFTUNG
WARSAW

PROJECT

Results of studies that will be presented are part of the **project "Marriage equality for all"** launched in March 2015, funded from **EEA Grants**.

This project is a response to lack of consolidated advocacy, information and education regarding legal gender couple's access to the institution of marriage in Poland.

The aim of the project is to create **long-term strategy for marriage equality** in Poland, and **build a network** of people and institutions responsible for its implementation, as well as implementation of further strategic plans concerning other important SOGIE (Sexual Orientation, Gender Identity and Gender Expression) issues.



COMPONENTS OF THE PROJECT



SITUATION IN POLAND

➤ LEGAL SITUATION

- **4 civil partnership bills** since 2004, and numerous legislation attempts, all failed
- conflicting interpretations of Article 18 of the Polish Constitution describing marriage and family as a „union between man and woman”
- only available protection of same legal gender couples rights is by contract at the notary, but it's not giving full coverage of the rights and union recognition nor guarantees compliance with contract regulations.
- lack of internal and external adoption by a same-sex couple and thus no protection given to children that are already in rainbow families (a single person can adopt externally)

➤ NGO'S SITUATION

- about 40 LGBT NGO's and informal groups working for SOGIE (Sexual Orientation, Gender Identity and Gender Expression) community in Poland, but only few of them are working as advocacy NGO's
- majority of SOGIE activists in Poland are working in this subject as volunteers

DISCRIMINATION LAWS	x/✓
Anti-discrimination laws in employment only (since 2003)	✓
Anti-discrimination laws in the provision of goods and services	x
Anti-discrimination laws in all other areas (incl. indirect discrimination, hate speech)	x
CIVIL UNIONS	x/✓
Same-sex marriages (constitutional „ban” since 1997 - conflicting interpretations of Article 18)	x
Civil partnerships	x
Recognition of same legal gender couples	x
ADOPTION AND CHILDREN	x/✓
Adoption by individuals	✓
Step-child adoption by same legal gender couples	x
Joint adoption by same legal gender couples	x
Commercial surrogacy for couples	x
Access to IVF	x
OTHER	x/✓
Gays and lesbians allowed to serve openly in the military	✓
Right to change legal gender (since 1983 - very restrictive process)	✓
<u>MSMs</u> allowed to donate blood (since 2005)	✓

SOCIAL STUDIES

	„A nationwide survey of Poles’ attitudes towards marriage equality”	„LGBTQIA community’s needs and attitudes concerning marriage equality”
Type of research	Quantitative	Quantitative
Timeframe	May 2015	July 2015
Group	Representative group of 1000 polish citizens.	5877 persons from LGBTQIA community
Method	CAPI method	Internet questionnaire
Who conducted the research?	Omni PBS	Love Does Not Exclude Association
The most interesting results	<ul style="list-style-type: none"> - Over half of Poles are willing to give same legal gender couples the same rights and responsibilities, except rights to adoption - 53,3% of Poles are supporting some form of regulation of same legal gender couples status 	<ul style="list-style-type: none"> - 65% of respondents prefer to have both legal institutions (marriage and civil partnership)

„A NATIONWIDE SURVEY OF POLES’ ATTITUDES TOWARDS MARRIAGE EQUALITY”

- RESULTS

MAŁŻEŃSTWA
DLA WSZYSTKICH



miłość
nie wyklucza
STOWARZYSZENIE

55,3% of Poles support some form of legal regulation of the same legal gender couples status *

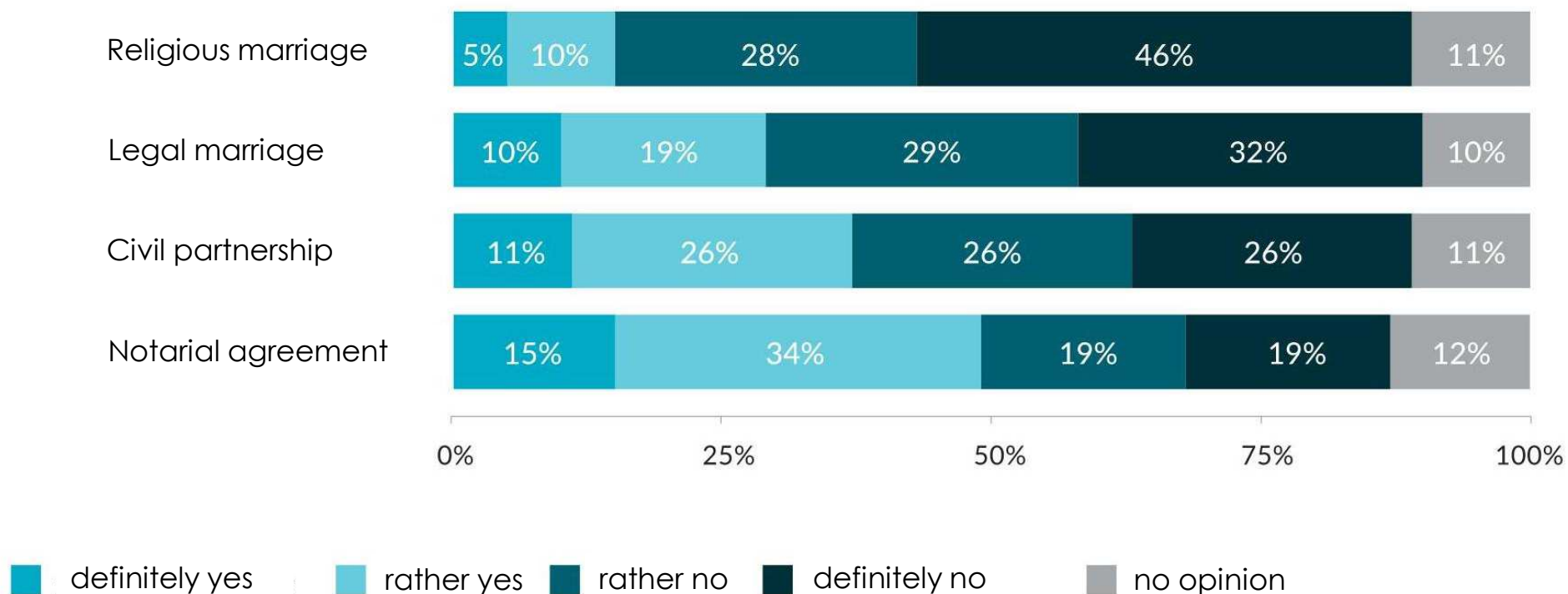
* by a notarial agreement, civil partnership, marriage, religious marriage

37% of all respondents supports the introduction of civil partnerships

29% of all respondents supports the introduction of same sex marriage

Acceptance for the various methods of formalization of the union of same sex couples in Polish society.

Question: Do you agree that same-sex couples in Poland should have the right to ...



The majority of Poles support marriage equality, but they are not aware of it.

62% of respondents are aware that same-sex couples do not have the same rights as heterosexual married couples.

Most of the respondents are ready to change it.

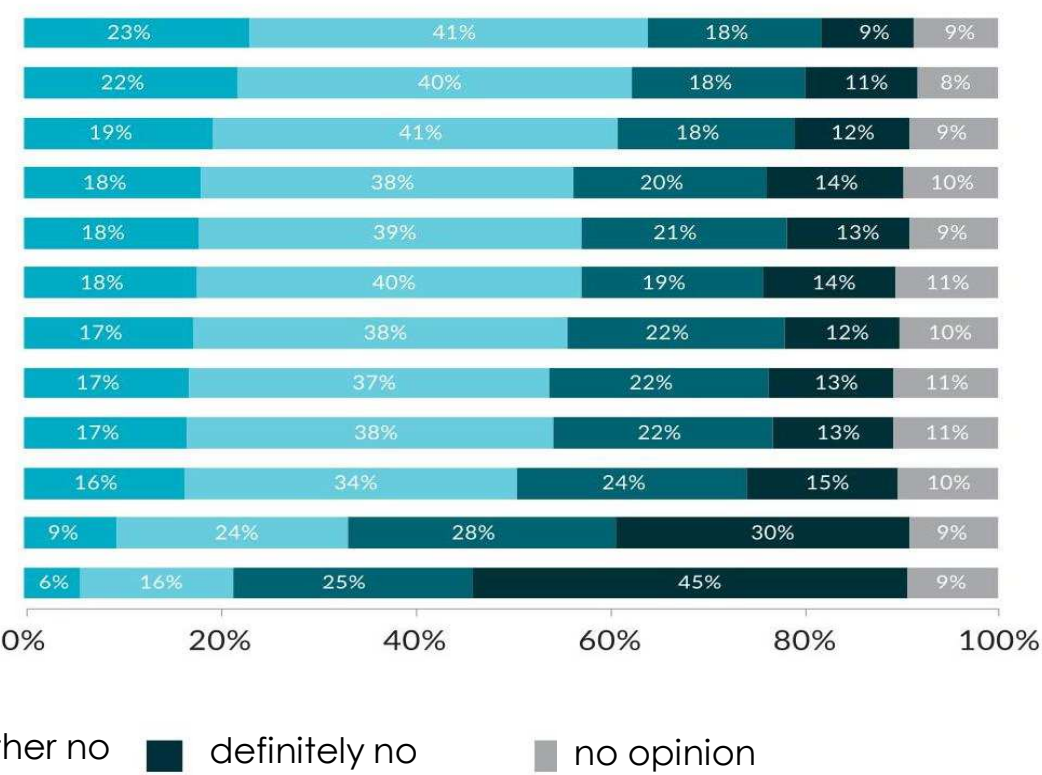
But not as far as we would like it to be changed.

Several thin, white, parallel diagonal lines are positioned on the right side of the slide, extending from the middle towards the bottom right corner.

Poles consent to give people in same sex relationships rights and obligations similar to marriage

Question: If in the near future the Polish law will be created anew, will you agree that people who live in a stable relationship with a person of the same sex have [the right to] ...

- To receive information about the partners health
- To receive the body and decide on burial
- To be partners representative in contacts with the courts, offices
- Joint property and joint filing of taxes
- Statutory partner inheritance
- Refuse to testify against a partner
- Marriage responsibilities
- To receive care pension and a pensions after the deceased partner
- Extending the state health insurance on partner
- Change the name on the partners name
- Adoption of partner's biological child
- Joint adoption of children



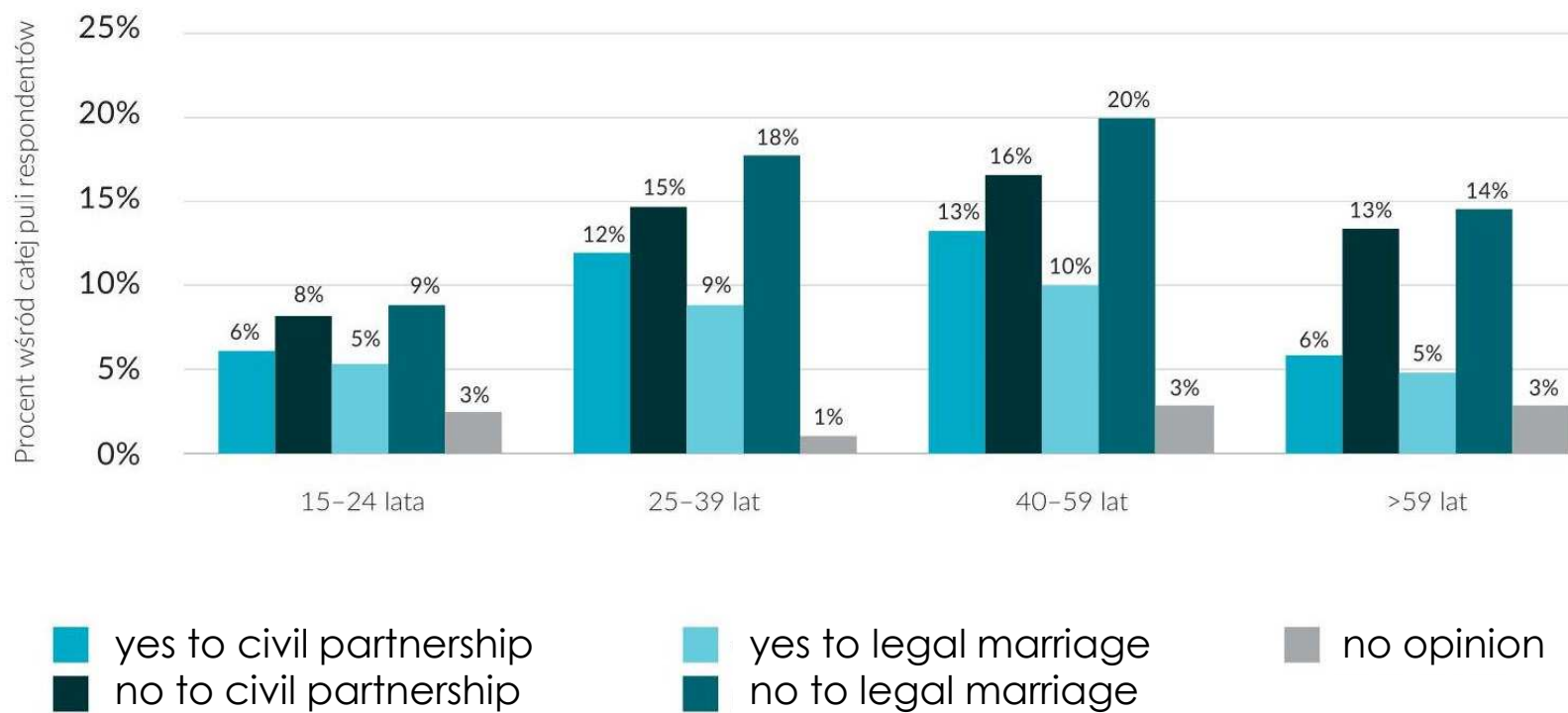
SUPPORT TO THE FORMALIZATION OF SAME-SEX UNIONS AND DEMOGRAPHIC VARIABLES

MAŁŻEŃSTWA
DLA WSZYSTKICH



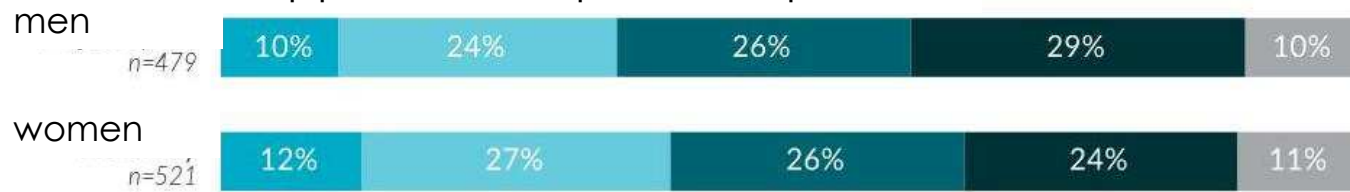
**miłość
nie wyklucza**
STOWARZYSZENIE

AGE

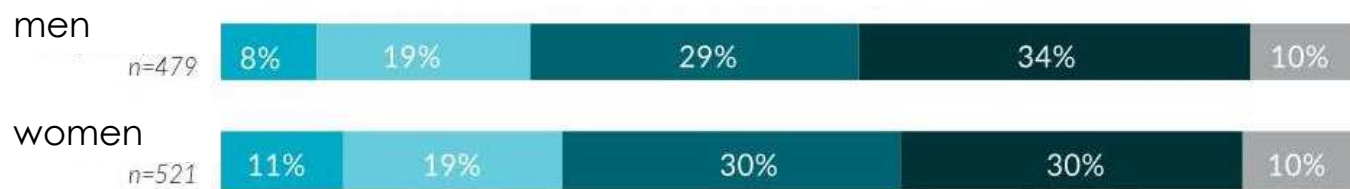


DECLARED GENDER

Support for civil partnership

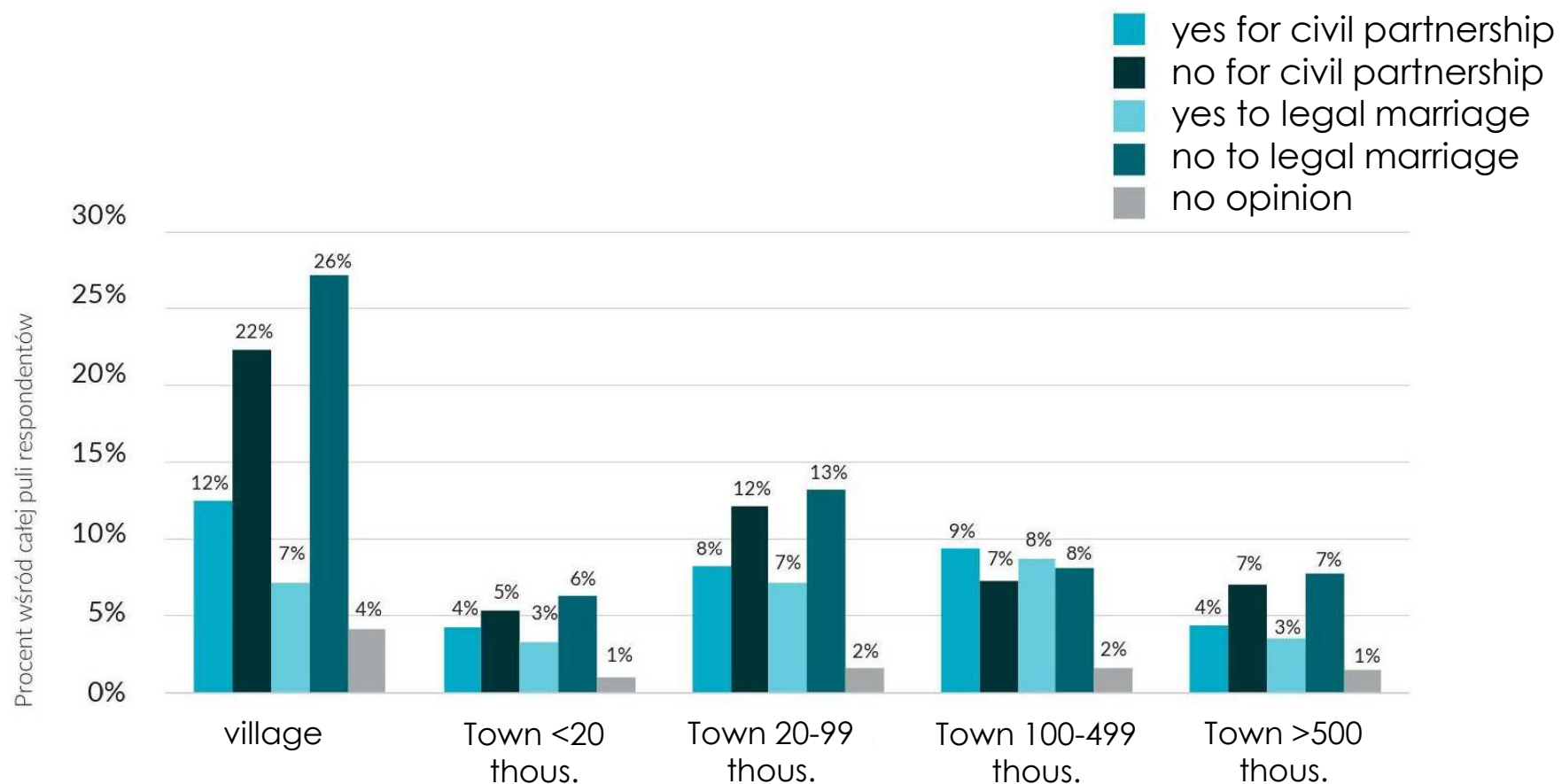


Support for legal marriage



0% 25% 50% 75% 100%

PLACE OF RESIDENCE

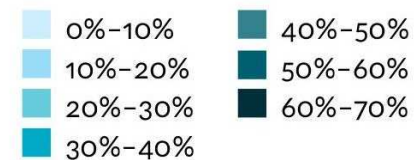


PLACE OF RESIDENCE

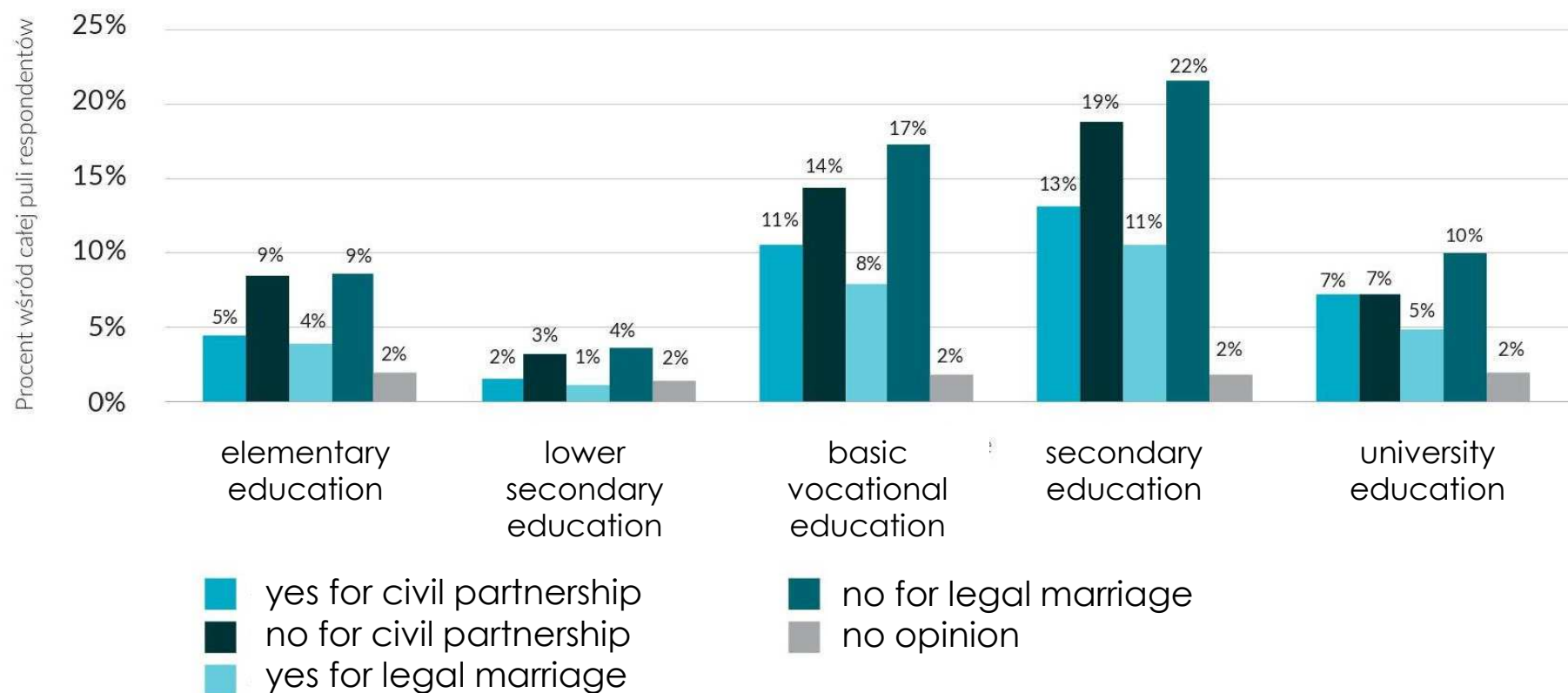
Support for civil partnership



Support for legal marriage



EDUCATION



Homemakers are more tolerant than freelancers

Professional groups differ significantly in terms of acceptance of marriage equality.

PROFESSIONAL GROUPS

entrepreneurs - 61%
homemakers- 55%
professionals
and freelancers - 47%
...
managers - 41%
manual workers - 41%
...
pensioners - 21%
farmers - 13%



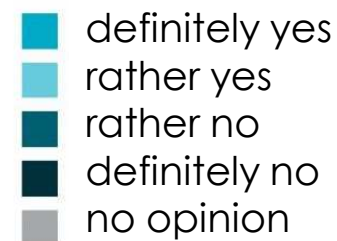
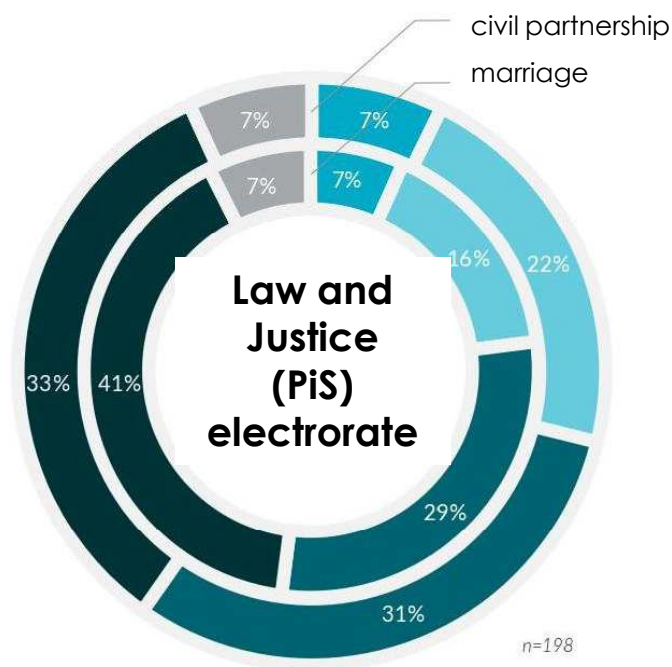
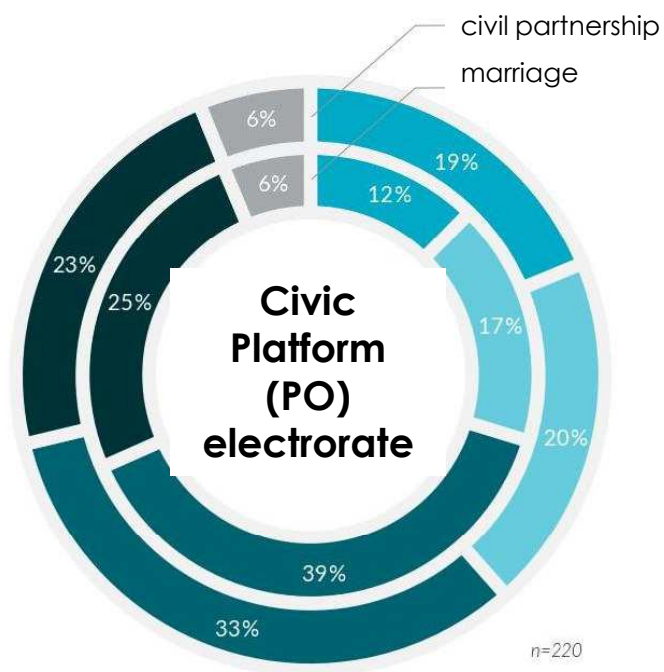
SUPPORT FOR THE FORMALIZATION OF SAME-SEX UNIONS – RELIGIOUS BELIEFS, POLITICAL OPINIONS AND VALUES

MAŁŻEŃSTWA
DLA WSZYSTKICH

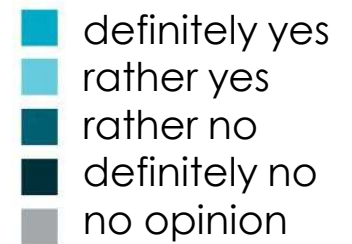
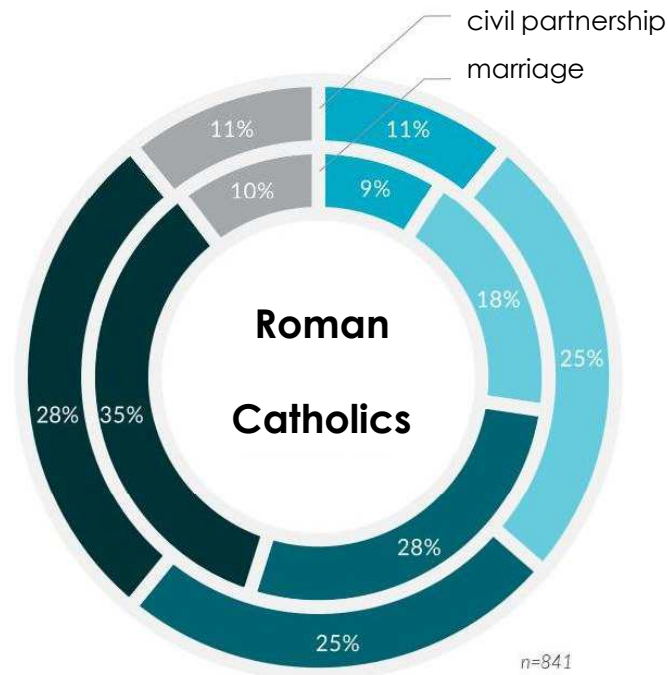
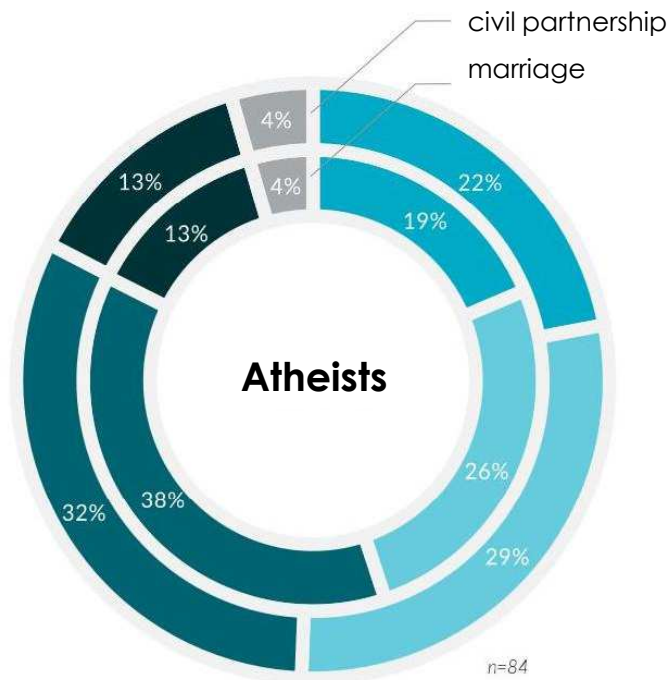


**miłość
nie wyklucza**
STOWARZYSZENIE

POLITICAL OPINIONS



RELIGIOUS BELIEFS

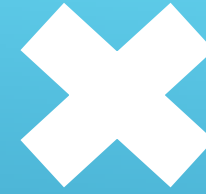


VALUES



Supporters of formalization of same-sex unions:

- are open to change
- are independent in thinking and acting



Opponents of formalization of same-sex unions:

- are attached to tradition
- need a sense of safety
- easy adapting to other peoples standards and requirements

ATTITUDES TOWARDS FORMALIZING SAME SEX UNIONS AND ATTITUDES TO LGBTQIA PERSONS

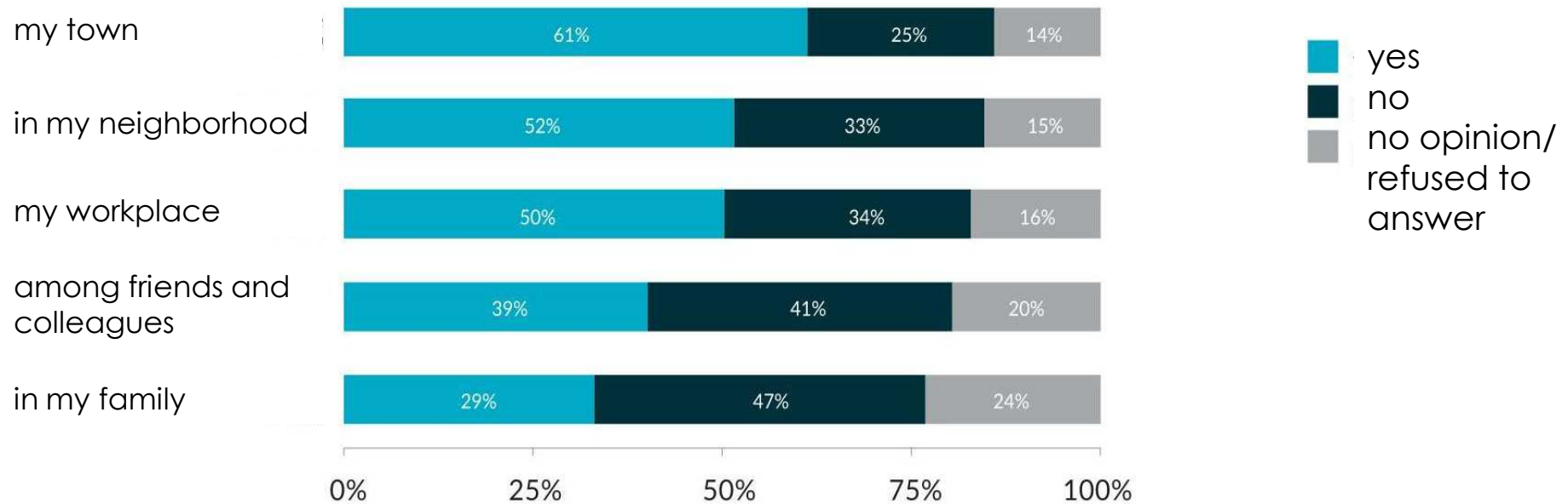
MAŁŻEŃSTWA
DLA WSZYSTKICH



**miłość
nie wyklucza**
STOWARZYSZENIE

SOCIAL DISTANCE

I'm ready to accept same sex couples in... (n=1000)



ATTITUDE

46,5 % of Poles think that the LGBT community has become **too aggressive in their demands** for equality

44,6% of Poles think that LGBT community must continue to **fight for equal rights**

Several white lines of varying lengths and angles are drawn on the right side of the slide, extending from the middle towards the bottom right corner.

ATTITUDE

Traditional homophobia

is an attitude against homosexual persons, due to the moral and religious beliefs on homosexuality.

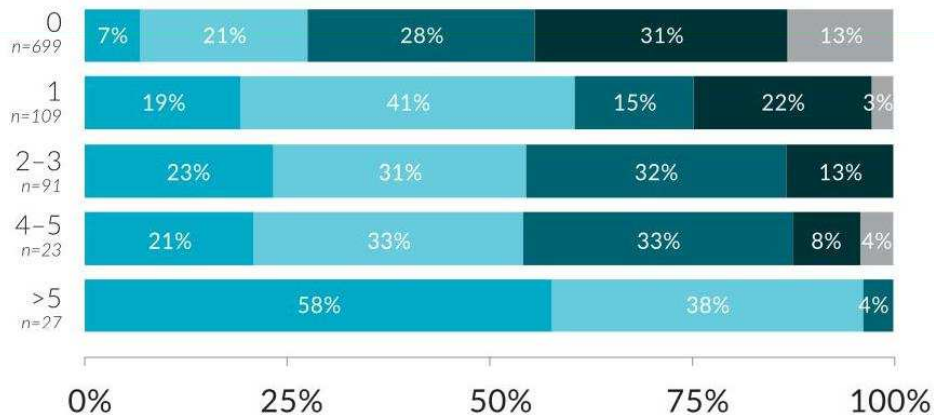


Modern homophobia

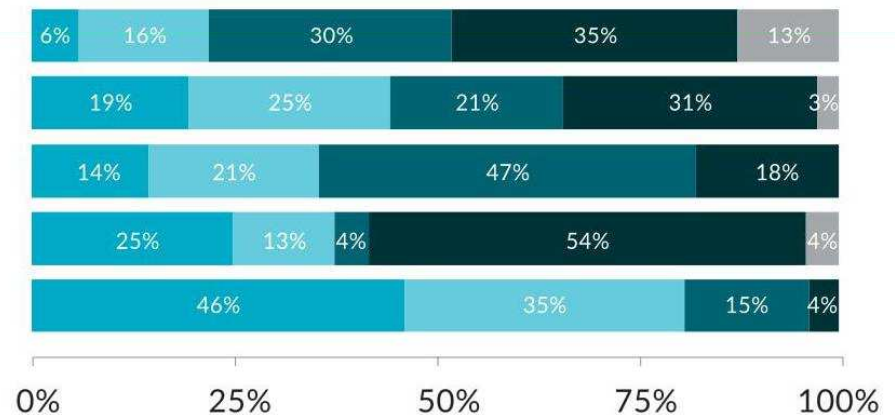
is an attitude towards homosexual people based on the belief, that discrimination based on orientation is negligible or does not appear in general, and social, and political demands of LGBT community are not justified

ATTITUDE Coming out

The number of known gay people and support for civil partnership



The number of known gay people and support legal marriage



■ definitely yes
 ■ rather yes
 ■ rather no
 ■ definitely no
 ■ no opinion

„LGBTQIA COMMUNITY'S NEEDS AND ATTITUDES CONCERNING MARRIAGE EQUALITY”

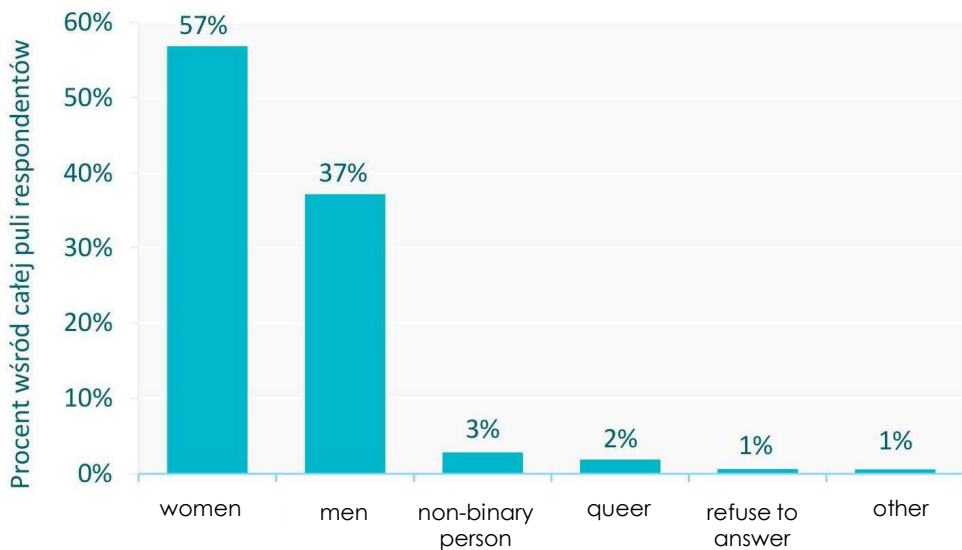
- RESULTS

MAŁŻEŃSTWA
DLA WSZYSTKICH

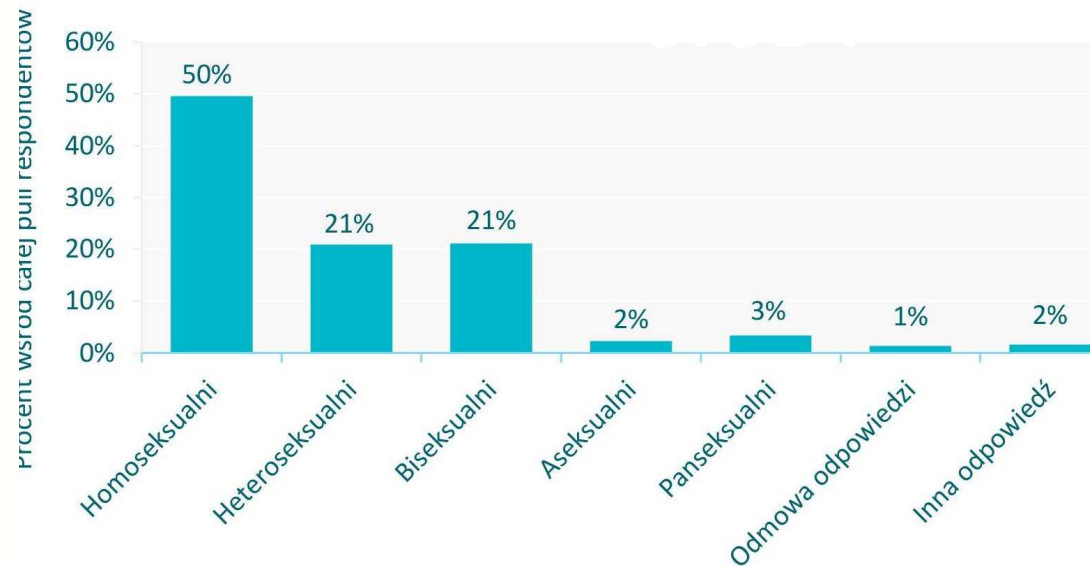


miłość
nie wyklucza
STOWARZYSZENIE

Gender status



Sexual orientation

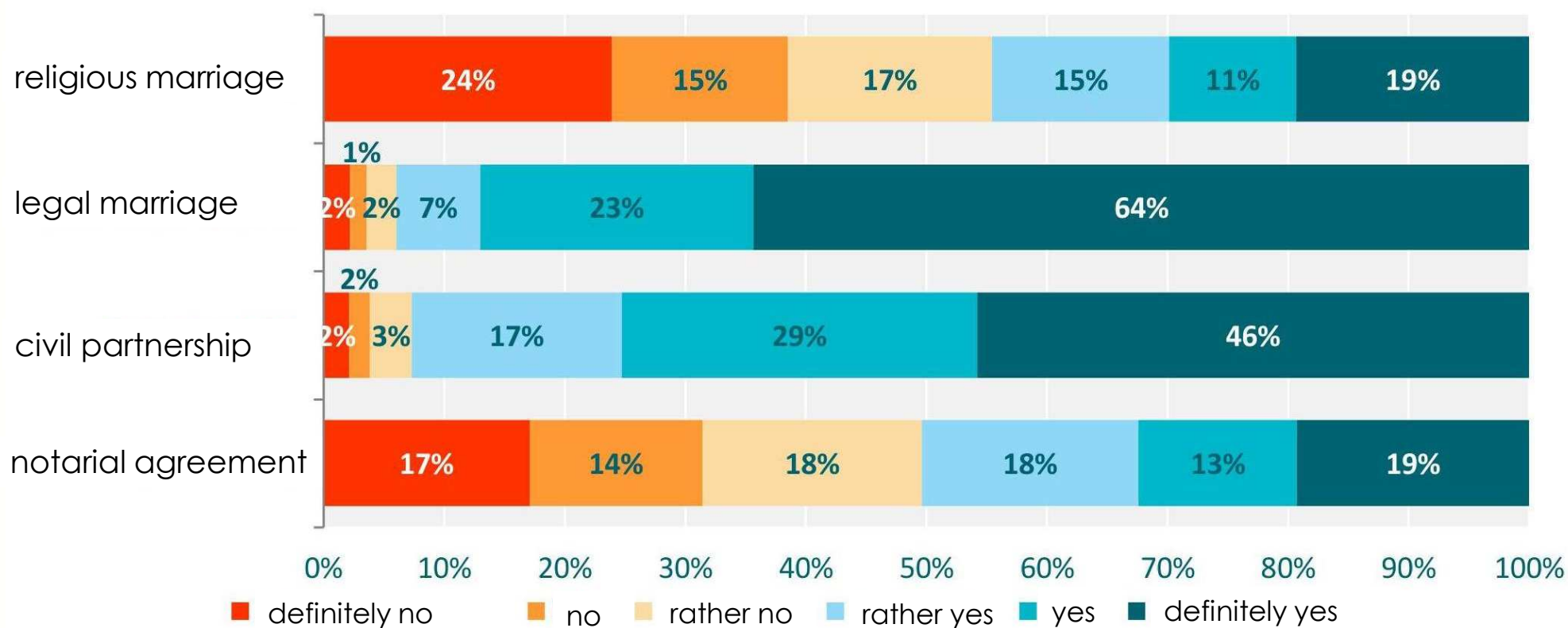


Respondents age



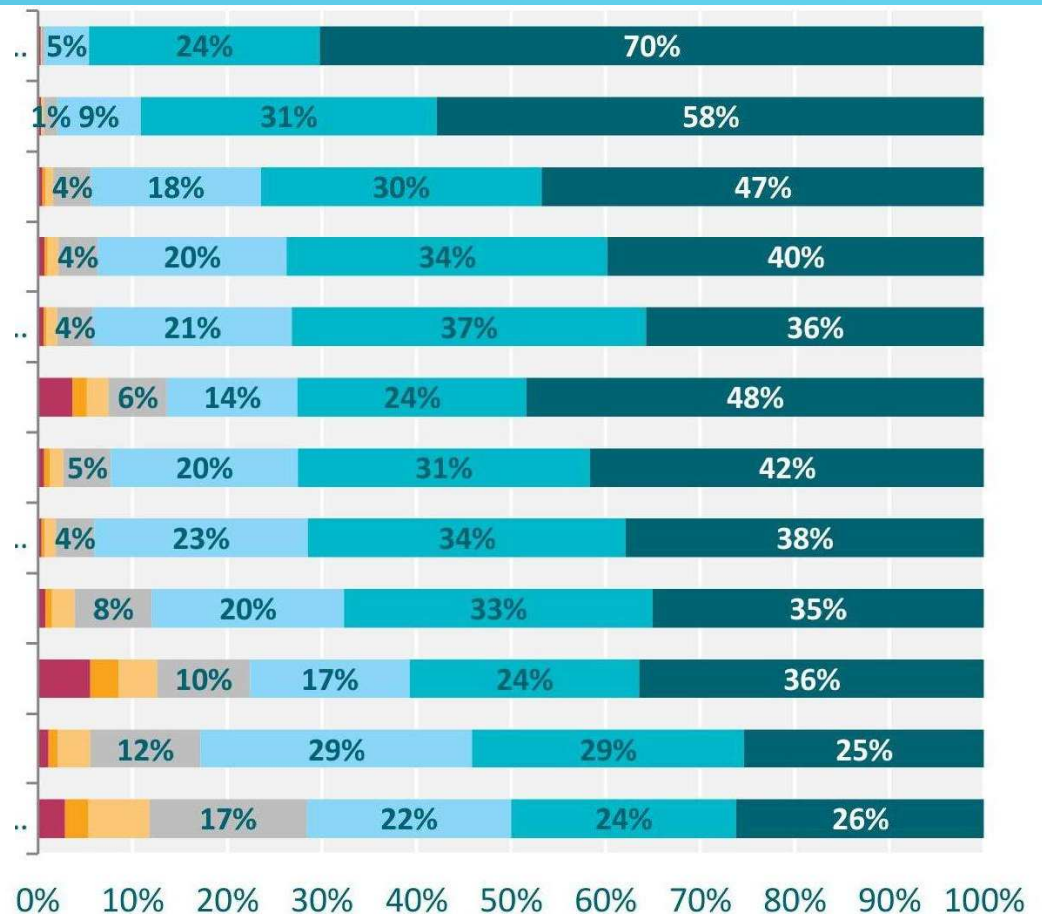
Preferences of legal solutions for same-sex unions

Question: Would you be satisfied if the Polish law includes a provision about ...



The importance of legal rights in relationships for LGBTQIA community

- Receive information about the partners health
- To receive the body and decide on burial
- Statutory inheritance partner
- Extend the state health insurance on partner
- Receive care allowance to take care of partner
- Biological adoption of partners child
- Joint property and joint filing of taxes
- Being partners representative in courts, offices
- Refuse to testify against a partner
- Joint adoption of children
- A pension after the partner deceased
- Change the name on the partners name



The right too...



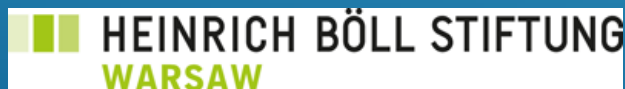
RECOMMENDATIONS

- changing language - to highlight the subject of family and child welfare, and conservative values
- creating and strengthening a sense of pride in the LGBTQIA community
- creating a friendly atmosphere and encourage people to coming outs
- anti-discrimination education from an early age
- searching for unobvious allies (other excluded groups, church, labor unions)
- consolidation and strengthening LGBTQIA NGO's
- sharing knowledge between NGO's especially those who do not work in advocacy right now

THANK YOU

Contact:

Marcin Szczepkowski
President of Love Does Not Exclude Association
www.miloscniwyklucza.pl
www.facebook.com/Miloscniwyklucza
Phone: (+48) 502 712 256
e-mail: mszczepkowski@miloscniwyklucza.pl



MAŁŻEŃSTWA
DLA WSZYSTKICH



miłość
nie wyklucza
STOWARZYSZENIE