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Appendix 1: Transcript of Interview with Krystyna Kacpura

Lena Münch: The first question I am trying to find an answer to in my Master Thesis is, what do you see as the biggest challenges and obstacles for the women to get the access to safe abortion?

Krystyna Kacpura: Probably you know that we have in Poland a quite restrictive abortion law, which has been existing since 1993, and according to this law abortion is allowed in three cases: If the fetus is severely damaged, or sick, when the pregnancy form rape or where there is a real threat to woman’s life or health. This is on paper, but in practice right now we have no access to legal abortion in Poland. Of course, speaking about legality, legal according to these three exceptions. Not abortion on demand or on socio-economic grounds, but according to existing law. And why, I will try to answer your question, why is it in practice much more restrictive than on paper. First of all, there is a huge stigma on abortion in Poland. Then there is broadly introduced conscience clause, or conscience objection. So, even if doctor in hospitals don’t use conscience objection, they think to use it at the end of the procedure. Just an example, a woman is coming to the hospital with a certificate that she is obliged to get access to legal procedure, termination of pregnancy, abortion. And she is told we don’t do such procedures, we don’t have staff, not here and we don’t know where and who. We don’t have staff, that means all doctors of this hospital signed the conscience clause. We don’t know where and who. This is according to the latest sentence of the constitutional tribunal, that gynecologists are not obliged to give information, if they signed the conscience clause. They are not obliged to give information to women where and who can provide them with abortion services. Because this is also against their conscience clause.

But I think that the most important is the problem of stigma of abortion and the influence of fundamental Catholic groups, with the Polish Catholic Church in front of them, supporting them. Because somehow, 20 years ago we lost the language. It means that their language is very emotional, talking about the right to life of so-called unborn child. We are called by them murderers, killers. And our language is based on human rights standards, and in their language there is not word of
woman’s autonomy, right to choose, woman’s reproductive right. They are taking on
life which isn’t existing, they don’t care for life which exists, they don’t care about
women at all.

Right now we know that to get access to abortion is like a miracle. It’s not enough to
have a certificate from any doctors, that pregnancy threatens the woman’s health, they
just demand a certificate which states that the pregnancy threatens the woman’s life.
Health is not enough for them. We were told by some directors of hospitals, secretly
of course, that every single case of legal abortion is carefully checked and
investigated, in every hospital. So, the policy, even if thanks to Black Monday and
strikes, even if we stopped this draconian law, proposed by Ordo Iuris to stop
abortion, they just step by step want to introduce very restrictive, not law, but
measures, to exclude abortion from public health services.

LM: And how is it in the private health care sector?

KK: In the private health care sector it is still that way, that, according to existing law
gynecologists are criminalized, up to three years of prison. So, so called Polish
underground, I mean private cabinets, clinics, right now it is very difficult to get
access. And it is extremely expensive. So Polish women prefer to go abroad,
because it’s cheaper, safer and legal. Even if women are not punished, they feel like
doing something against the law.

LM: And if these women go to Austria or Germany, they will not be prosecuted
in Poland?

KK: No, women are not punished at all, according to existing law. Only gynecologist
and so-called helpers. So, people who give information, who accompany them, just
like give them assistance. Gynecologists are frightened because of their position,
their profession of the fundamentalist groups, which have been staying day and
night in front of hospitals, with bloody posters. This is the kind of manipulation that
goes on, obviously it doesn’t look like on their posters. They prefer to be neutral, but
that means for us that they are not helpful, they are rather helpful for the
fundamentalists, because they just want to do everything to avoid having to make a
decision about abortion. As far as I remember, a journalist made a research about
this and then she went to Germany to some German clinics. And just last Friday she
met 8 Polish women in a clinic close to the border with a Polish gynecologist. She spoke to women waiting in this clinic, and out of these 8 waiting women, four were obliged to get access to legal abortion in Poland. So they went abroad to get access to legal abortion. One woman was seriously sick with heart problems, the second one was raped by four men, and the other two had prenatal tests and were informed that the fetuses are seriously damaged. But they tried to get access in Poland, but they failed and went to get access in these clinics.

I don't know what we can do right now, because they do everything to stop any kind of abortion in Poland. For example, in January, one law, called ‘For Life’ was proposed, and in this law it is proposed that every woman who decides to bring a so-called difficult pregnancy to term will receive 4,000 zloty. And what does difficult pregnancy mean? It means that the fetus is seriously damaged or very sick or ill. And they proposed 4,000 zloty (900 €) for the women, once in the beginning, if the baby is born alive. They want to push women to give birth to very sick babies. Even if they are aware that these babies will die soon, maybe after 5 minutes, after 1 week, a month or even 10 years. It is incredible sufferings. The second step is that the prepare a special rule, post-natal hospice, this is the kind of final stage of life. Because so-called unborn child has a right to die in its mothers and right to be baptized and to have a burial as well. But nobody asked the women, if they agree with this, women are just subjects, we have no basic human rights.

Luckily we live in the center of Europe, have access to internet, we are educated and are standing in solidarity with others living outside of big cities and villages, so we help each other. But still, we live in a democratic country, in the EU member country, so it’s extremely difficult for us to understand our position.

LM: So, what I understood from your answers so far, in the near future you don’t see possibilities or opportunities to change either the law, the stigma or also the habit of the doctors?

KK: Right now we count on women’s solidarity. This is the huge weapon, and hope that we will manage to stop them. And we did stop them for the first time, they didn’t finally introduce this draconian law for a total ban of abortion including punishment for miscarriages. It was in this law, that an investigation process would be started on any case of miscarriage. And if a woman does something bad for her pregnancy she would be punished. But of course it’s stupid anyway. Right now there is another
petition and another project and a third one is waiting in the parliament, also a total ban of abortion, but women are not punished as the church is for women and the church decided that women can’t be punished. They were frightened by women leaving churches, so right now they showed more humanity for women. But instead of this, there is also a ban of oral contraception right now which will be voted on in two weeks in the Polish parliament, excluding emergency contraception to be sold over the counter. This is the last step of possible contraception for women, last possibility, especially important after rapes for example. So they want to withdraw the possibility to sell it over the counter. If we need prescription for this it will not be emergency contraception, because for this you have to wait for a visit at a doctor for at least two to three weeks. So it’s rather impossible. The selling over the counter is allowed in all European countries and it was checked by the European medical agency so carefully about its safety and everything. We can do more, if we have political support, but right now, we have one ruling party, which has a majority in the Parliament and which formulated a government alone, without any coalition. And they are of course connected to Polish Catholic Church. And I’m afraid that right now we will show that this society doesn’t allow them to introduce the law more restrictive, but for changing the law, there is no chance right now. Because we failed during voting, even though we collected 250,000 signatures in order get a law to the parliament, but this law was rejected after the first reading, even though it was promised that both draft laws on total ban of abortion as well as the one on liberalizing will be sent to the commission. So this was the main reason why women came into streets and protested. That one was rejected after first reading, which is unusual when it is a civic initiative, because usually all civic initiatives are sent for further proceedings to special parliamentary commissions. So this was rejected, the second one was sent to Commission and it made women furious and angry. They came out on the streets because of this. So first step was done, they showed our solidarity, our strength and this was the first draft law which was withdrawn by peace and justice by the fundamental party. So, we won, but they don’t allow us to have a rest, so everyday there is new development, taking care of unborn, closing hospitals, hospitals are told by the national health fund that they will not sign a contract with them, if they provide abortion services, which is of course an illegal procedure, but we know this is happening. Right now they are waiting for a next black protest, so we don’t put down our umbrellas.
LM: And how is the availability of contraception in Poland overall? Is it possible to receive the normal Pill?

KK: Yes, contraception is accessible, but it’s not subsidized by the State, so it’s rather expensive. Besides, we do not have family planning centers in Poland. So one gynecologist does everything, takes care of your pregnancy, of some illness as well as family planning, so there is only two minutes for family planning. And hormonal contraception is not so popular in Poland because of lack of knowledge about it. As far as I know there is around 18% of women who use oral contraception in Poland. Mainly this is condoms and so-called natural methods. Right now there was a study published in January this year from a special Commission on procreative life. Interestingly, they are afraid of the word reproductive rights and reproduction, they use procreation and procreative rights. Which means that a woman is allowed only to give birth, not allowed to plan the maternity, when and how many children to have. No, they are taking care of her future pregnancy ended with giving birth. So this group is working on securing the life of unborn child – fetus – and include this issue into endless education in school, instead of sexuality education. How to secure and why this is extremely important. And they concentrate their efforts on natural methods, calendar etc. So we have no help political side as well from the governmental institutions.

LM: As you mentioned sexual education in school, is it only based on natural contraception?

KK: Sexual education, there is no comprehensive sexual education on school. This is the subject called preparation to the family life. So, it’s more about traditional values, traditional families – mother, father, children. Men and women. There is nothing about LGBT issues, diversities of families, about single mothers, single fathers, or same sex couples, nothing about sexuality, about contraception, only at the last stage of this subject they will provide information about natural methods.

LM: And how many hours does this subject have in school?

KK: It’s one hour a week, for one year. And of course this is not in the school curriculum, it’s not obligatory. It depends on parents mainly. It is also stated in the new draft proposal, that sexual education depends on the parents’ religion.
people stay alone with their problems and stay alone with their knowledge from the Internet, from pornography and they suffer. There is an increase of HIV and other STDs in Poland right now and increase of psychological disorder among young generation. Because they compare themselves with a picture shown in porno-films. Young boys, aged 14–15 is calling our experts in hotline hours and says he saw a film where the man looked quite different, thinking that he is abnormal. So how could he live with this? Usually we answer, if he has seen any science fiction film, as porno compares to science fiction, as this is also fiction, everything is made especially for this film. And the length of the penis for example, is made especially for this film, so he should not worry about this. This might seem funny, but it’s a real tragedy for young people.

LM: Coming to another topic, do you think that the official rate of abortion is reliable?

KK: The official rate of legal abortion is nearly 1,000 abortions a year, but could you imagine 1,000 abortions yearly in a society with 10 million women of reproductive age? It’s impossible, so we estimate this number should be 150,000 abortions a year. This is agreed with the previous period in the early 90s when abortion was allowed in Poland, and compared for example to Spain which has the same number of women in reproductive age. And a very important research agency conducted a research among 1,000 women in Poland and the results were terrible, being during her life, no less 4.5 million and no more than 5 million perform at least once in her lifetime an abortion. So, that is 1/3 of women, which is agreeable with our estimations. In the official statistic it is 1,000 legal abortion and 900 were performed because of fetus illnesses and damages.

LM: In order to help the women in need, there is a website called ‘Women on the Web’, which sends the required medicine to the women in Poland.

KK: Polish women contact them, as well as some clinics close to the boarders in Germany, Slovakia, Czech Republic, Switzerland, Austria, Netherland, Swedish, which is interesting, because 20 or 30 years ago, they went to Poland to get access to abortion, but right now we are travelling there to get access. But they are very helpful. But still it has to be quite a different situation in Poland.
LM: The process of ordering the pill online and then having it shipped to the women's house?

KK: Yes, this is very helpful, as these women working on the hotlines of ‘Women on the Web’ are women who had medical abortions and have experience and accompany the women and serve as an assistance to women taking these abortion pills. The procedure of shipping and disguising these pills to the women has changed over time, as some packages were stopped by the post and not delivered, but they now changed it to sent it via a third country, in order to disguise these shipments.

LM: But this is one of the only possibilities these women have. To either order an abortion pill online or to go to another country, pay a lot of money, any receive the abortion there.

KK: Yes, that's absolutely right.

LM: So, to recap, you don't see any possibilities for the situation to change in the near future?

KK: I don't see any real possibility to change the law right now. Maybe after the next elections. So in 2 ½ years.

LM: But even if the law was changed, it still wouldn't mean that doctors will perform the abortions, right?

KK: If the law would be changed, we will do everything that the law is the same in practice as in paper. But right now we don't have any support, we have only us women.

LM: And what are the possibilities and chances to change the conscience clause, as obviously it is the right of the doctors to refuse to perform abortions?
KK: Actually, the doctors just don’t want to have trouble. This is not their religion or ideology; this is not real conscientious objection, this is just ‘I am neutral, I don’t want to have any trouble’. If the political climate will be better and more pro-choice, they will change their conscience, and will be more with women and for women’s rights. So right now we would like to devote our time and power for raising awareness among women, to educate them. We just want to have an increased amount of the pro-choice population. This is extremely important. Right now this is 42% totally pro-choice, but 87% are against more restrictive abortion laws. So we will work on this.

LM: You said before, that about every fourth woman in Poland had an abortion in her life, is that due to the fact, that they are not enough educated about sexuality and about contraception?

KK: Yes, that could be, but you have to keep in mind that this was in past 25 years, when about was still legal in Poland. And in that time contraception was not popular or accessible, women were not educated, no access to internet and no information. So nowadays we mostly take advantage of the Internet to search for information, in order to be well informed about many issues, among them contraception.

LM: Do you think the abortion rate has dropped by now?

KK: I think that the rate is probably as it is in other countries from this region. I am sure that the rate in Poland is higher when compared to France or Germany, because we basically don’t have sexual education, we have no access to free and broad to modern contraception, no family planning centers, so we are not well informed as a society. Because even if educated women living in towns have information and use contraception, we are thinking about the majority of those living in small towns and villages with one doctor, one cabinet and no access to internet, as there still are some regions in Poland like this. So we are afraid for those women.
Appendix 2: Interview with Gina Horst

Lena Münch: Als erstes steht die Frage, was die Damen als die größten Hürden und Hindernisse sehen, die bewältigt werden müssen, um den Zugang zur Abtreibung zu vereinfachen, beziehungsweise ihn überhaupt zu ermöglichen. Es geht mir hier vor allem um die eigentlich legalen Fälle, in denen die Abtreibung erlaubt ist, in denen die Frauen, die eine Abtreibung durchführen lassen wollen aber vom Arzt abgelehnt werden oder es ansonsten Probleme mit dem Zugang gibt.

Gina Horst: Eines der größten Hindernisse ist wohl die Anzahl an Kliniken und ÄrztInnen, die diesen Eingriff noch vornehmen. Gerade im ländlichen Raum stellt dies ein massives Problem dar, aber auch in den Städten findet sich immer mehr medizinisches Personal, das sowohl den Eingriff selbst als auch die Nachsorge aus Gewissensgründen nicht mehr übernehmen möchten.

LM: Die zweite Frage bezieht sich auf die Möglichkeiten oder auch Chancen, die die Damen sehen, dass die Situation verbessert wird. Welche Möglichkeiten gibt es, einen Weg vor allem mit der katholischen Kirche zu finden, um den Frauen das ihnen zustehen Recht durchzusetzen? Und wie stehen hierfür die Chancen? Würden die Damen zum Beispiel die Option als Möglichkeit betrachten, dass die Frauen, die sich gerne einer Abtreibung unterziehen würden, die benötigten Medikamente legal im Internet bestellen könnten? Und wie stehen die Chancen, das Problem an der Wurzel zu fassen und die fehlende Aufklärung und Verhütungsrate zu steigern?