

Pologne: Les jardiniers associés continuent de soutenir leurs collègues polonais

Au cours de leur assemblée générale statutaire annuelle les 8 et 9 mars à Luxembourg, les délégués polonais ont informé leurs collègues sur la situation en Pologne après l'arrêt de la Cour constitutionnelle.

Un recours a été introduit auprès de la Cour Européenne des droits de l'Homme à Strasbourg.

Après la création d'un comité de citoyens une proposition de loi a été déposée au Parlement.

D'autres actions sont prévues.

Les représentants des fédérations affiliées à l'Office International ont assuré la fédération polonaise de leur entier soutien. Unanimement ils ont adopté et signé une prise de position.

Ce document a été envoyé le 12 mars aux autorités polonaises (Président de la République, Premier Ministre, Président du Parlement et du Sénat)





OFFICE INTERNATIONAL du Coin de Terre et des Jardins Familiaux

Regroupement des fédérations européennes des jardins familiaux
association sans but lucratif

*Statement
of the International Office of Allotment and Family Gardens
on the current situation of the allotment movement in Poland*

The International Office of Allotment and Family Gardens is a European non-profit organization of 14 national allotment and leisure garden federations with more than 3.000.000 associated allotment gardeners in Austria, Belgium, Denmark, Finland, France, Holland, Luxembourg, Norway, Germany, Poland, Slovakia, Switzerland, Sweden and Great Britain. Our activities serve the protection and development of allotment gardens, which are important elements of the ecological policy of European cities and are significant instruments for supporting leisure and activity among people, especially amid seniors and the underprivileged. The vast majority of our activities are realized through our members, including the Polish Federation – *Polski Związek Działkowców* (PZD).

Therefore, the International Office is concerned about the information regarding the current situation of the Polish gardeners, their allotment gardens and the PZD. This situation is a result of the judgment of the Polish Constitutional Court dated 11th July 2011, which has challenged the provisions constituting the legal basis for the functioning of PZD. This judgment has obliged the Polish Parliament to enact a new law from 21st of January 2014. If a new appropriate law is not passed by the Polish Parliament before the mentioned date, the PZD will cease to legally exist and this will result in the expiration of all of the property rights to the allotment land and infrastructure, which would also deprive the gardeners of their rights to their allotments. Such a situation would mean the devastation of the 115-year-old legacy of the Polish allotment gardening movement.

For the last 30 years the PZD has been safeguarding this legacy. It should be pointed out that during the first years of the Polish federation's activity approximately 14.500 hectares of land were acquired for new allotment gardens, and as a result nearly 360.000 families received plots. Thanks to the PZD there are almost 5.000 finely developed allotment gardens in Poland today, in which nearly one million gardeners and their families enjoy having a plot. That's almost one third of all allotment gardeners in Europe! Only in Germany there are more gardeners.

Thus, the European allotment community highly values the activities of the PZD, as well as the organizational system and achievements of the Polish allotment gardening movement. For more than 20 years the PZD has been an active and a rightful member of the International Office.

The long-term international activity and cooperation of the Polish Federation has resulted in the PZD being recognized in Europe as an experienced and mature social organization well representing the interests of allotment gardens and gardeners from Poland. The achievements of the Polish Federation are widely acknowledged and supported in the European communities of allotment gardeners.

Therefore, the International Office does not understand the postulates of some political circles in Poland to liquidate the Polish allotment organization. We are concerned about the plans of several Polish parliamentary parties, including the ruling party, which are pushing to eliminate an independent and self-governing social organization, such as the PZD, as well as the nationalization of its property (without due compensation), which will dramatically worsen the legal position of individual allotment gardeners (by depriving them of rights acquired under the act of law). These postulates are blatantly inconsistent with the spirit of the European tradition, which supports the principle of respect for acquired rights and autonomy of social organizations from public authorities.

Our particular concern has to do with the danger of expiration of property rights of the PZD and allotment gardeners. These rights are currently the legal basis for the functioning of almost 5.000 allotment gardens and the use of plots by nearly one million Polish families. The International Office believes that upholding these rights is a key issue for the continued existence and development of allotment gardening in Poland. Public authorities must treat allotment gardeners as fully fledged citizens and be committed to respecting their acquired rights and the independence of their organization. Undoubtedly, the dispossession of a self-governing social organization and its members, not to mention the liquidation of this organization, would be an unprecedented event that would be negatively received not only by the European allotment gardeners, but also by the general public in our countries.

For this reason, the International Office recognizes the sovereignty of the Polish Parliament to adopt a new law on the further functioning of allotment gardens in Poland, but calls at the same time to acknowledge the voice of the allotment gardeners in the process of establishing the new law. Their many years of experience in setting up and operating thousands of allotment gardens guarantee that the best possible solutions will be worked out.

Therefore, the European allotment community fully endorses the initiative of the Polish allotment gardeners who have prepared and submitted a citizens' draft law on family allotment gardens (*obywatelski projekt ustawy o rodzinnych ogrodach działkowych*) to the Parliament. This draft not only meets the guidelines set by the Constitutional Court, but also upholds the property and organizational rights of the allotment gardeners, which will ensure the existence and development of Polish allotments. At the same time the draft meets the expectations of the gardeners and society what has been proven by over 924.000 signatures of Polish citizens expressing their support for this initiative. For us, such a huge number of signatures is the best indication of what decision should be made on the future system governing the family allotment gardens in Poland.

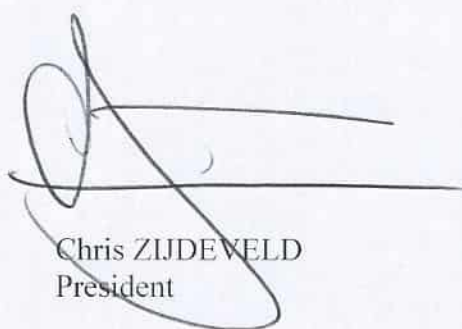
Therefore, the General Assembly of the International Office grants its full support to the citizens' draft law on family allotment gardens as implementing the ideas and values of the allotment gardening movement. We unite in solidarity with the Polish allotment gardeners and all those who signed the citizens' draft law.

At the same time, as representatives of more than 3 million European allotment gardeners, we call on the Polish Parliament to establish a law that will respect all the existing rights of allotment gardeners and their organization, including the property rights to the land. We also urge to stop all initiatives that are aimed at the liquidation of the PZD and the general expiration of existing rights to the land occupied by gardens. We believe that such actions are contrary to the interests of allotment gardeners and can pose a serious threat to many Polish gardens.


We hope that in Poland, similarly as in other member states of the European allotment garden organisation – which are community friendly and valuable for the public - will be able to benefit from the help of public authorities. We also hope that the achievements of the Polish allotment gardeners and their organization will be appreciated, as well as the need to preserve the gardens and a strong allotment movement for future generations of Poles.

Do not allow the destruction of the allotment legacy that has a 115 year tradition in your country!

This statement is sent to the President of Poland, the Speaker of the Sejm and the Senate, and the Prime Minister of Poland. At the same time we authorize the PZD to send this statement to Polish parliamentarians and local authorities



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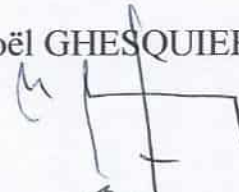
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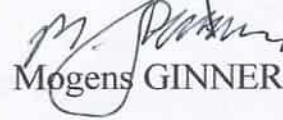
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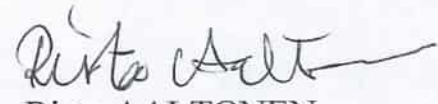
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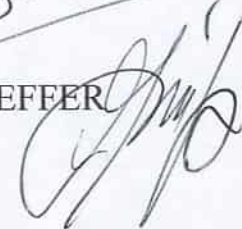
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