

# Institute of National Remembrance

<https://eng.ipn.gov.pl/en/news/228,Communiqu-regarding-article-Its-not-a-Crime-to-Denounce-a-Jew-published-in-Gazet.html>

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## Communiqué regarding article “It’s not a Crime to Denounce a Jew” published in Gazeta Wyborcza on March 16, 2007

Information in the article “It’s not a Crime to Denounce a Jew”, published in Gazeta Wyborcza on March 16, 2007 (refers to the proceeding S14/05/Zn carried out by the IPN Branch Commission for the Prosecution of Crimes against the Polish Nation), need correction.

The article “It’s not a Crime to Denounce a Jew” by Wojciech Czuchnowski includes untrue information on the verifying legal proceeding regarding the giving over the family of Szenker–Barski to Gestapo. The author puts forward ideas which are an insult to IPN. Therefore, I demand that the article is straightened out what regards the following information:

1. The very title of the article constitutes a manipulation and implies the idea, offensive to IPN, that denouncing Jews during the war was not a crime. Yet prosecutor Dąbrowski clearly stated in the justification of his decision that such behavior constitutes a crime described in art. 1 item 2 of Decree of 31st August 1944 on crimes for Nazi criminals guilty of murder and torturing civilians and POW as well as for traitors of Polish Nation. However, it was the lawmaker and not the IPN who decided to depenalize the crime.

2. There is an untrue statement in the article which implies that the Szenker family was killed in Treblinka or in the ghetto and that it resulted from denouncement by Kobyłański. Yet the proceeding’s outcomes suggest that the death of the family was not caused by the denouncement and detention by Gestapo – as after those events one of the family members telephoned and later met with Stanislaw J. and Leokadia S. who were witnesses in the case. Despite of his efforts the prosecutor could not learn more about the later fate of the family Szenker.

3. The author of the article stated the prosecutor Dąbrowski did not explain why he had not interrogate Jan Kobylanski. However, according to the binding criminal code, interrogation of a

witness is possible only when the investigation has been launched. In the situation when there were no legal grounds for launching the investigation there was no possibility of interrogating a witness during the verifying procedure.

4. The author of the article implies that Mr. Ryszard Sznepf, Polish diplomat, testified during the verifying procedure carried out by Branch Commission for the Prosecution of Crimes against Polish Nation in Warsaw. The statement is untrue. Mr. Ryszard Sznepf did not give any evidence about the reasons stated in point 2 of the communiqué. There was a conversation with Ryszard Sznepf and there is a note of that conversation.

Andrzej Arseniuk  
IPN Spokesman

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