

On the situation in Poland

1. The institutes and values of Polish democracy are destabilizing due to the new government's antidemocratic actions. However, these actions are strongly and effectively countered by a strong civic movement, including KOD and others. These movements are an example of a belief in democracy put into action, thus should be supported by all who cherish democracy across the continent. After the democratic elections of last year in which the party Law and Justice won a commanding majority and the government of Beata Szydło was formed, the democratic procedures and institutions were increasingly destabilized.
2. A major antidemocratic move was the attack on the principal institutions of the state of law, when the Szydło government made an attempt to block the functioning of the Constitutional Court. Primarily, they blocked the appointment of three judges that had been chosen in accordance with the law. After which the governing party introduced an Act aimed at paralyzing the work of the Constitutional Court, for example, through proposed changes that cases be treated in the order of arrival, thus the first complex case would block all others. Additionally, the Szydło government has repeatedly blocked the publication of the decisions of the Constitutional Court in an attempt to stop these decisions from coming into force. The Szydło government has also decided to ignore the critical opinion of the Venice Commission concerning the issues surrounding the Polish Constitutional Court. All this aims to bring about a situation in which the constitutional court would be rendered as an ineffective balance to the government's power.
3. Unwelcome developments are also seen with regards to the freedom of media. New laws enabling the new conservative government to appoint the heads of public TV and radio, as well as civil service directors were passed, leading on the PiS takeover of the public media. Massive layoffs of managers and ordinary journalists occurred following the introduction of the law.
4. The leading party has decided to make political views and a person's affiliation the principal criteria for civil service directors, therefore, the competition system for recruitment was abolished and all the directors are directly nominated by ministers. As a result, a huge wave of replacements of high officials, directors and middle-level managers has followed in all public institutions.
5. An extreme violation of women's right to control their bodies was proposed by the Polish anti-abortion movement and supported by the leader of the governing party and the Prime Minister, which has rightly caused outrage. Poland already has one of the strictest laws on abortion. The proposed full ban on abortion is a great drawback in the fight for gender equality and for personal freedom. However, this is not the only example of the present governing party's approach which limits women's rights, as they are also attempting to curb access to emergency contraceptives by changing their status to prescription medication.
6. Another major issue is connected to the actions aimed at weakening the protection of human rights in Poland. The first move within this field has been cutting the budget of important institutions set up in order to protect such rights, i.e. the Polish Ombudsman, the Chief Labour Inspectorate, the Inspector General for the Protection of Personal Data, the Ombudsman for Children. Additionally, just recently, in the first week of May, Beata Szydło also made the decision to eradicate the Council for the Prevention of Racial Discrimination, Xenophobia and Related

Intolerance, despite the increasingly xenophobic and racist atmosphere in Poland.

7. The Szydło government attacks the laws and institutions guaranteeing nature conservation, by subordination of the logic of conservation to the logic of forestry and exploitation of natural resources. The Minister of Environment has made the following decisions: he has dismissed the members of the State Council for Nature Conservation, established the National Council of Forestry as an advisory body to the Prime Minister, progressively replaced the directors of national parks by persons subordinated to the leading party and its ideology, issued a shocking decision to kill 40,000 wild boars in the period of reproduction on the eastern borders of Poland, etc. Such policies are contrary to the interest of Polish citizens, future generations and the goal of preserving biodiversity in Europe. The case of the Białowieża Forest, with authorization given for massive logging is particularly shocking, as the primeval forest, protected as a European Natura 2000 area and Unesco world natural heritage site, was a foundational base for biodiversity conservation in Poland.
8. The ruling party and the government are apparently intent on curbing the development of green energy. Wind energy is the first target. A new draft law on wind energy would not only effectively preempt the possibility of building new wind farms in the country, but also indirectly expropriate the proprietors of the existing installations with new punitive taxes and regulations. Instead of giving more power and enhancing the participation of the local communities in the development of wind power, the new law would effectively disempower them. At the same time, a new law on renewable energies is being prepared by the government, which would cut support for prosumer energy production with great loss for the PV sector. The preferred way to produce “renewable” energy is to be support for so-called “co-burning” of biomass with coal, which is an indirect way to subsidise coal with funds officially intended for support of green energy. This sort of creative accounting has repeatedly been criticised by environmental organizations and experts.
9. Actions countering democratic procedures are an emerging new trend in Europe, which shows that a cooperative counteraction is necessary in the continent. Yet these counteractions have to be developed on the basis of struggles of pro-democracy forces fighting within the country itself.
10. The action of the European Commission under the Rule of Law Framework to assess the situation in Poland is a welcome first step. Under the Lisbon Treaty the European Commission must take steps to address any act by a member state that can amount to serious breaches to the values of human dignity, freedom, democracy, equality, the rule of law and respect for human rights by a member state. Moreover, the leaders of the European Union and Poland must also take into deep consideration the opinions and analyses voiced by outside actors like the Venice commission.
11. The fundamental values of the European Union must be guarded, and the greens must be a leading force in protecting our common values. Europeans Greens are committed to supporting the forces opposing these reactionary visions of Poland and Europe, and to strengthening the green political alternative.