



The collapse of Polish democracy

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The European Association for the Defence of Human Rights (AEDH) and its Polish member organization, Otwarta Rzeczpospolita, condemn the political decisions made by the Polish government against freedoms and democratic life. Furthermore, the statements made by the new leaders imply that women's rights will be the next target, once the country has been brought to heel. By choosing the authoritarian route, the new Prime Minister and her government, from PiS, the Law and Justice party – whose leader, Jaroslaw Kaczynski, says he wants to “have Budapest in Warsaw” – are trying to impose the idea that all components of Poland's society agree. The country therefore no longer needs to monitor the constitutionality of laws or the freedom of the press.

Accordingly, the new government has attacked the constitutional court by appointing five new judges and changing the way it operates so that it has little way of opposing bills. It has also placed public media under its direct control and plans to increase online surveillance. Lastly, those in charge of the most important public institutions have been either replaced, or strictly brought to heel. The next step will be an amendment to the law on the functioning of the public prosecutor's department and a broadcasting act targeting private media outlets. According to Karol Modzelewski, a former opponent in the 1970s-1980s, Polish democracy is collapsing.

The list of their “enemies” particularly illustrates the extremist ideology of PiS. For example, in an interview with the Germany daily newspaper Bild, one of PiS leaders Witold Waszczykowski, opened fire on “the new mix of cultures and races, the world of cyclists and vegetarians, which is counting only on renewable energy and fights all forms of religion”. He is the Minister of Foreign Affairs... An MP for the ruling party, Stanislaw Pieta, added to this in an interview with the French magazine L'Obs: “communists, those who treat the Catholic tradition with contempt, non-patriots, those who bring diseases from the degenerate Western world such as homosexual couples, euthanasia, abortion.” This is not a nightmare; it is the reality in Poland in 2016.

But contrary to the claims of a government that is completely blinded by its spirit of nationalist vengeance, not everyone agrees and it has not taken long for opposition movements to form. The activism of many Polish men and women is driven by a memory of the successive restrictions on freedoms and the abuse they suffered under the authoritarian regimes of the 1930s, then during the dual offensive by Germany and the USSR, during the Nazi occupation, and lastly under Soviet rule; they are not ready to accept yet another attempt to undermine public freedoms, the fundamental separation of powers and judicial independence. This is shown by the active, strong, brave protests for democracy in Poland, such as those, among many others, led by KOD, the committee for the defence of democracy, which has picked up the burning torch of the historic KOR.

AEDH and Otwarta Rzeczpospolita call on the Polish government to cancel all measures that limit democratic rights in Poland. They request the European institutions to take action to ensure that all possible means are used to persuade the Polish government to change course. Otherwise, the very foundations of the European Union will be undermined if nothing is done against the policy of a Member State which seriously violates the principles of democracy.

AEDH and all its member organizations that have signed this statement expect the European institutions to recognize that it is absolutely necessary not to allow the deluded belief that democracy within the EU is a flexible notion to spread. They approve the Commission's activation

of the new rule of law framework set up in 2014, which means that Poland is now under structured observation by the EU. But they want the European institutions, especially the European Council, to have no qualms about going further if this observation has no effect, including by invoking Article 7. Otherwise, the leaders of the Member States will have given yet more proof of the threat facing Europe: as each government makes decisions in its own interests, ignoring the rules of EU law which they nonetheless ratified in order to enter the EU, Europe is being gradually dismantled.

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