



**HUMAN RIGHTS HOUSE
FOUNDATION**

**36th SESSION OF THE UNITED NATIONS HUMAN RIGHTS COUNCIL
22 September 2017**

Item 6
UPR outcomes-Poland

Human Rights House Foundation statement

*Delivered by Matthew Jones, International Advocacy Officer, Human Rights House Foundation
Check against delivery*

Thank you, Mr Chairperson.

Human Rights House Foundation welcomes the report of the Working Group on Poland's Universal Periodic Review, which includes shared concerns on diverse issues – from shrinking civil society space, and reduced protection afforded to human rights defenders, to issues around the rule of law, media freedom and judicial independence. We also endorse the video statement of Helsinki Foundation for Human Rights.

During Poland's review in May, Poland's Under-Secretary of State said that "Poland would work to guarantee that its national norms in the field of human rights would conform to the most rigorous international standards¹".

Today, we would like to recall that pledge in light of recent events.

Since 2015 Poland has succeeded to dismantle many of the hard-won democratic principles underpinning the rule of law which originally established Poland as a model and leader of democratic change in the region. How did Poland manage this? It began with changes to the functioning of the Constitutional Court, a law granting government control over public TV and radio, a law granting additional powers of surveillance, and the merging of the functions of the Justice Minister and the formerly independent Prosecutor General².

Most recently, Poland's Parliament has jeopardized the independence of the judiciary, by authorising Poland's Justice Minister to choose Supreme Court judges, and enabling the Parliament to appoint the members of the National Council of the Judiciary.

The High Commissioner for Human Rights acknowledged at the start of this session that as a result of the mobilisation of the international community and courageous national protests, the Polish president was forced to veto these latest bills. However, that does not assuage these trends in Poland which suggest

¹ Report of the working group on the Universal Periodic Review of Poland, paragraph n°119, p. 11. Available at : <https://documents-dds-ny.un.org/doc/UNDOC/GEN/G17/194/27/PDF/G1719427.pdf?OpenElement>

² Human Rights House Foundation "Polish judiciary law threatens rights" article available at : <http://humanrightshouse.org/Articles/22621.html>

a willingness to undermine the independence of the judiciary, weaken checks and balances, and threaten the rule of law and respect for fundamental freedoms.

Mr Chairperson,

Is this the way for Poland to conform to the most rigorous international standards? Not only it is below “rigorous” international standards, it does not comply in large-part with international standards at all.

Human Rights House Foundation shares the view of the High Commissioner for Human Rights in deploring the “Government's increasingly visible control of key institutions, including the Constitutional Tribunal and national broadcast media”³.

In 2008, at its first review under the UPR process, Poland received 29 recommendations, today in 2017, it received 185 recommendations. Civil society, national, regional and international bodies have already expressed concern at recent reforms in Poland. Today, with this high number of recommendations, the international community has also expressed concern.

We therefore encourage Poland to strongly consider these international warning signs and move back to a path of honouring and protecting its human rights commitments in the interests of all its citizens, and in line with the pledge of its government. We urge Poland to implement the recommendations contained in its UPR report and reverse measures seeking to undermine the rule of law.

We join the High Commissioner in urging Poland to recall the Polish people's recent and honourable struggle for human rights and liberty, and to respect, protect and promote their rights to an independent judiciary, due process, independent media, and fundamental freedoms⁴.

Thank you.

This statement also enjoys support from the following organisations:

³ “Darker and more dangerous: High Commissioner updates the Human Rights Council on human rights issues in 40 countries” available at

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22041&LangID=E>

⁴ “Darker and more dangerous: High Commissioner updates the Human Rights Council on human rights issues in 40 countries” available at

<http://www.ohchr.org/EN/NewsEvents/Pages/DisplayNews.aspx?NewsID=22041&LangID=E>