

Poland

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Capital: Warsaw
Population: 38.5 million
GNI/capita, PPP: US\$22,830

Source: The data above are drawn from the World Bank's *World Development Indicators 2015*.

Nations in Transit Ratings and Averaged Scores

	2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
Electoral Process	1.75	2.00	2.00	2.00	1.75	1.50	1.25	1.25	1.25	1.50
Civil Society	1.25	1.50	1.25	1.50	1.50	1.50	1.50	1.50	1.50	1.50
Independent Media	1.75	2.25	2.25	2.00	2.25	2.25	2.25	2.50	2.50	2.50
National Democratic Governance	2.75	3.25	3.50	3.25	3.25	2.75	2.50	2.50	2.50	2.50
Local Democratic Governance	2.00	2.25	2.25	2.00	1.75	1.75	1.75	1.75	1.50	1.50
Judicial Framework and Independence	2.25	2.25	2.50	2.25	2.50	2.50	2.50	2.50	2.50	2.50
Corruption	3.25	3.00	3.00	2.75	3.25	3.25	3.25	3.25	3.50	3.50
Democracy Score	2.14	2.36	2.39	2.25	2.32	2.21	2.14	2.18	2.18	2.21

NOTE: The ratings reflect the consensus of Freedom House, its academic advisers, and the author(s) of this report. The opinions expressed in this report are those of the author(s). The ratings are based on a scale of 1 to 7, with 1 representing the highest level of democratic progress and 7 the lowest. The Democracy Score is an average of ratings for the categories tracked in a given year.

EXECUTIVE SUMMARY

Polish democratic institutions withstood significant political turbulence in 2014, marked by two nationwide elections, an unexpected change of government leadership, and a major wiretapping scandal. All this took place against the backdrop of violence and instability in neighboring Ukraine and rising fears that the fighting might spread.

After seven years in office, Prime Minister Donald Tusk of the ruling Civic Platform (PO) party resigned in September in order to become president of the European Council. Tusk's chosen replacement, former health minister and speaker of the lower house of parliament Ewa Kopacz, quickly launched a cabinet reshuffle, bringing some freshness to the Polish political scene. Center-right PO, in coalition with the agrarian Polish Peoples' Party (PSL), remained the dominant force in government, while socially conservative Law and Justice (PiS) continued to lead the political opposition.

A wiretapping scandal in the summer damaged PO's reputation and fueled allegations of corruption, coming chiefly from PiS and the right-wing media. In November, technical malfunctions exacerbated by the ineffectiveness of the National Electoral Commission (PKW) caused a significant delay in the tabulation of the local election results, launching an opposition-driven debate on the strength of democracy in Poland.

National Democratic Governance. The change of government that followed Prime Minister Tusk's election to the presidency of the European Council did not destabilize the political system. However, the subsequent government reshuffle appeared to be driven by PO's internal politics, rather than by principles of good governance. Illegal recordings of private conversations between top politicians in Warsaw restaurants discredited a large part of the political class. *Poland's national democratic governance rating remains unchanged at 2.50.*

Electoral Process. European Parliament and local government elections in 2014 featured low turnout and a larger-than-usual proportion of spoilt ballots. The electoral commission failed to tabulate and report the local election results in a timely manner, fueling the opposition's accusations of electoral fraud. Although the allegations did not lead to repeat elections, they undermined the credibility of the electoral process. The antiestablishment, populist Kongres Nowej Prawicy (KNP) gained political ground during the year. As a result of problems with the administration of the 2014 elections, *Poland's electoral process rating declines from 1.25 to 1.50.*

Civil Society. A growing number of charities and nongovernmental organizations (NGOs) engaged in a variety of activities in 2014, supported by a robust legal framework. A major overhaul of fundraising regulations that came into force in 2014 is expected to improve the financial situation of such organizations. While Poles are generally favorably disposed towards NGOs, their membership rates remain low. Right-wing extremist organizations have been gaining credibility and media exposure, but the major rallies held by such groups on Polish Independence Day were less violent in 2014 than in the previous year. *Poland's civil society rating remains unchanged at 1.50.*

Independent Media. Poland's media landscape is well developed, providing a diverse selection of print and electronic sources of information. Most outlets display some ideological and political bias; collectively, they provide the public with complete information and serve as an important check on political power, but they often fail to do so individually. Readership of conservative weeklies is declining and they are expected to consolidate in the coming year. After the magazine *Wprost* published a series of secret recordings of private and sometimes compromising conversations between public officials, police and state prosecutors raided *Wprost* headquarters in a failed attempt to seize the recordings and force the magazine to reveal its sources. *Poland's independent media rating remains unchanged at 2.50.*

Local Democratic Governance. Local government elections in November reinforced the dominance of the ruling coalition at the regional level, but an information technology failure and subsequent delays in vote tabulation undermined the legitimacy of the election's winners. At the subregional level most seats were retained by local committees. In some cities, urban activists won seats in municipal councils, although only in a few cases did they form part of a ruling coalition. The use of referendums has been growing, particularly at the local level, where they have been embraced by activists and politicians as an efficient governance tool. In Krakow, a referendum was used to determine whether or not the city should host the Winter Olympics in 2022. *Poland's local democratic governance remains unchanged at 1.50.*

Judicial Framework and Independence. In 2014, the European Court of Human Rights in Strasbourg ruled that Poland had breached international law by hosting a CIA "black site" in the early 2000s. Poland also failed to ratify the Council of Europe's Convention on Preventing and Combating Violence against Women. *Poland's judicial framework and independence rating remains unchanged at 2.50.*

Corruption. The system of institutions tasked with combating corruption in Poland is well developed and efficient but its successes are often overshadowed by major political scandals that contribute to a damaging stereotype of "everybody steals" among the general public. The government adopted a new anticorruption strategy in 2014. *Poland's corruption rating remains unchanged at 3.50.*

Outlook for 2015. Incumbent president Bronisław Komorowski's high approval rating is expected to secure him a second term in the May 2015 elections, but the electoral campaign will provide a springboard for opposition leaders, particularly on the far right, ahead of the autumn parliamentary elections. The effectiveness of the ruling coalition in the final year of its current term seems critical for the outcome of the elections and may have consequences for the rest of the decade. If the ruling PO-PSL coalition loses its parliamentary majority in 2015, it may need to invite a third partner, most probably the left-wing Social Democracy party (SLD). Alternatively, if PiS wins the fall elections and controversial MEP Janusz Korwin-Mikke's Congress of the New Right (KNP) enters the parliament, a new right-wing coalition could materialize. The economic situation is expected to improve in 2015, with analysts predicting 3 percent average gross domestic product (GDP) growth and a return to pre-2008-level unemployment.¹ Still, the government will face pressures from trade unions to increase wages in the public sector and introduce labour market reforms, which might escalate to manifestations and strikes. As tensions in eastern Ukraine continue, related events may affect Poland's economy.

MAIN REPORT

National Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.75	3.25	3.50	3.25	3.25	2.75	2.50	2.50	2.50	2.50

Poland's constitution enshrines the principles of democratic government, protecting fundamental political rights and civil liberties. Polish citizens directly elect a head of state (president) and members of the country's two national legislative bodies (the Sejm and Senat). There remains a broad consensus among political groups and citizens on democracy as the basis of Poland's political system² and organizations that openly contest democratic principles constitute a marginal minority. Adult citizens have a constitutionally guaranteed right to vote in national and local referenda, and policy proposals on both the national and the local level usually undergo a public consultation process before going to a vote.³

The coalition between the center-right Civic Platform (PO) and its agrarian junior partner, the Polish People's Party (PSL), remained stable throughout 2014. The government withstood motions of no-confidence against two of its ministers in January and July and won another motion of confidence in July that reasserted the prime minister's leadership and ended the immediate crisis.

Support for PO suffered a major blow in June when the weekly newsmagazine *Wprost* published recordings of private discussions between several senior politicians, businesspeople, and other public figures.⁴ The conversations were recorded at high-end restaurants in Warsaw whose staff were apparently implicated in the eavesdropping. The tone and content of some of the taped exchanges raised legal questions that fueled opposition attacks and public criticism of the government. One of the recordings featured Central Bank head Marek Belka, in conversation with Interior Minister Bartłomiej Sienkiewicz (a close ally of Prime Minister Donald Tusk), apparently offering to help the PO government by cutting interest rates ahead of the next elections if Tusk would fire Finance Minister Jacek Rostowski, with whom Belka had clashed, in favor of a less political figure. Both interlocutors later argued that it was merely a scenario analysis and in September prosecutors dropped an investigation into the matter. Another recording included some crass language and over-frank commentary from then foreign minister Radosław Sikorski. The so-called Waitergate scandal exposed serious deficiencies in the work of security services—which failed to protect the confidentiality of high-level conversations—and gave the general public a glimpse into the nature of backroom deals between top politicians. Contrary to public expectations, Prime Minister Tusk did not dismiss Interior Minister Sienkiewicz, instead tasking him with investigating the case. Tusk also called for a motion of confidence, which the coalition government won. Following the change of government in September

and local elections in November, public interest in the scandal appeared to wane. Sienkiewicz lost his post during the ensuing cabinet reshuffle and the new interior minister dropped the investigation.⁵

In late August, Prime Minister Tusk was elected president of the European Council of the European Union (EU), a role he assumed on December 1. The departure of postcommunist Poland's longest-serving prime minister, who had been a key political figure for nearly a decade, had long been a topic of speculation but was still quite unexpected as Tusk had denied any interest in the Council presidency on several previous occasions.⁶⁷ Sejm Marshal⁸ and former health minister Ewa Kopacz, Tusk's longtime close associate, was sworn in as prime minister on 22 September.

Although Prime Minister Kopacz's cabinet was largely a continuation of her predecessor's, she replaced several key ministers with leaders of PO's competing factions. For example, Grzegorz Schetyna became the minister of foreign affairs; Andrzej Halicki became the new minister of administration and digital affairs; and Cezary Grabarczyk was appointed minister of justice. The replacement of longtime foreign minister Sikorski was particularly surprising to many, given the ongoing security crisis in neighboring Ukraine.⁹ Noting that Kopacz herself had been hand-picked by Tusk—unchallenged by any of her fellow party members—critics characterized these changes as an effort by the new prime minister to consolidate her leadership in the absence of a true mandate.¹⁰ With the exception of the new infrastructure minister, none of the new appointees were considered experts in their appointed portfolios when they took office. Still, the handover process was fully legal and uncontested by the opposition.

Concerns that Tusk might continue steering the ruling PO from Brussels proved unfounded.¹¹ Kopacz used her inaugural address to assert an independent and distinct point of view, presenting more welfare-oriented policy plans than her predecessor.¹² Kopacz also took over as PO party leader on 8 November, shortly before local government elections. PO lost these by a narrow margin but Kopacz's individual approval rating remained high at 62 percent.¹³ Opinion polls showed that 41 percent of respondents supported the Kopacz government and only 15 percent opposed it; the last time Donald Tusk's ratings were at a comparable level was in late 2011.¹⁴

President Bronisław Komorowski, whose first five-year term in office expires in 2015, remained Poland's most popular politician throughout 2014, with an approval rating hovering between 70 and 80 percent.¹⁵ A former PO leader and parliamentary speaker, Komorowski continued to act as an independent figure, supportive of the government but with his own policy agenda complementing the symbolic role of a head of state. President Komorowski's voice was particularly important following the local government elections, when he firmly spoke out against attempts by the opposition to contest the electoral process.¹⁶

In mid-2014, the proportion of Polish citizens satisfied with the functioning of democracy in their country reached 50 percent for the first time since the early 1990s, while the proportion of those dissatisfied fell below 39 percent. In September,

more than two-thirds of Poles believed democracy to be the best type of regime, a proportion that has remained stable for the past few years.¹⁷ At the same time, over 60 percent of survey respondents expressed a negative opinion of the parliament's recent performance. Since 2000, the percentage of people critical of the parliament has consistently exceeded the percentage of people who assess its work positively by a wide margin.¹⁸ Public opinion polls show that politicians in general and party members in particular are the least respected professionals in Polish society.¹⁹

The economic situation in 2014 was mixed, with sustained growth rates, low inflation (turning into deflation), falling production and exports, and rising employment and real wages. In September, the unemployment rate was 11.5 percent, down from 13 percent the year before.²⁰ Though rising, labor costs in Poland remain among the lowest in the EU.

The Ukraine crisis, EU sanctions against Russia, and Russian retaliatory sanctions negatively affected Polish economic growth (mainly in the agricultural and horticultural sector), albeit to a lesser extent than originally expected. Early in the year, Russia imposed a ban on Polish pork due to the risk of African Swine Fever. The government's ineffective response in subsidizing the affected farmers led to the resignation of unpopular agriculture minister Stanisław Kalemba.

Russia's annexation of Crimea and the ongoing security crisis in Ukraine resonated strongly within Polish society. In March, nearly 90 percent of survey respondents declared they were interested in the unfolding situation and 82 percent said it would be of major importance to Poland.²¹ By October, more than two-thirds said that the conflict between Russia and Ukraine was a security threat to Poland, mainly in terms of economic interests and energy security.²² PO campaigning ahead of the European elections emphasized the significance of EU membership for Poland's security. The crisis even brought about a short-lived rapprochement between the otherwise polarized parties in Poland's domestic political arena, with all opposition parties explicitly supporting the government's handling of the situation.²³ The Polish government has pledged to increase military spending from 1.95 to 2 percent of GDP by 2016 in support of its ongoing army modernization initiative.²⁴

Electoral Process

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
1.75	2.00	2.00	2.00	1.75	1.50	1.25	1.25	1.25	1.50

Elections to the European Parliament in May 2014 and local government polls in November marked the first time that Polish election results were formally contested by the political opposition on the grounds of alleged fraud. Though there was no evidence of systematic fraud, the controversy strongly agitated the public and undermined trust in electoral institutions. Political parties operated in electoral campaign mode throughout 2014 and will likely remain so until the conclusion of the presidential and parliamentary elections in 2015. Every election

in postcommunist Poland has been declared free and fair by international observers and domestic monitoring bodies.

Although there are no legal barriers to political engagement, party membership in Poland is low compared to other European countries.²⁵ Polish electoral behavior remains difficult to predict: median voters change their sympathies quickly and often, participating in one contest and abstaining from the next.

Voter turnout to the European Parliament elections was low throughout Central Europe. About 23.9 percent of eligible Polish voters participated—significantly fewer than in 2009, but still more than in 2004.²⁶ PO scored a narrow victory with 32.13 percent of the vote, followed by PiS, with 31.78 percent. Both parties received 19 seats in the European Parliament. The Democratic Left Alliance (SLD) won 5 seats (down from 7 in 2009) and 4 seats went to PO's junior coalition partner PSL.

The elections saw an unexpected breakthrough for the Congress of the New Right (KNP) party led by Janusz Korwin-Mikke, a longtime *bête noire* of the Polish political establishment who had not been elected to office since 1993. Libertarian, socially conservative, Eurosceptic KNP came in fourth, winning 7.15 percent of the vote and 4 EP seats. Analysts believe the party stands a good chance of entering the Sejm in 2015. By contrast, a center-left electoral coalition co-founded by the liberal Your Movement (TR) was unable to reach the minimum 5 percent threshold for representation in the European legislature and disbanded shortly after the election. TR, which came third in the 2011 Polish parliamentary elections with over 10 percent of the vote, saw its popularity flag throughout 2014; by December, all but 15 of its 40 Sejm deputies had defected. Based on public support at year's end, the party is unlikely to retain any seats following the 2015 parliamentary election.

Although PiS secured the same number of EP seats as PO, it immediately challenged the validity of the 2014 European election results, citing irregularities at some electoral offices as evidence of possible fraud. The Supreme Court received 64 official complaints, 11 of which were ruled valid but irrelevant to the election result.²⁷

The results of local government elections in November—considered a key test for national parties ahead of the 2015 parliamentary elections—were even more contentious, due in part to a technical malfunction during vote tabulation. The National Electoral Commission (PKW), an independent body appointed by the judiciary and the president, is tasked with overseeing the electoral process and running the National Electoral Bureau (KBW), which organizes the elections. In November, a major IT system failure affecting the regional offices of the KBW prevented them from summarizing and reporting voting station results in a timely manner. It was later revealed that the IT system had been commissioned by KBW at the last minute, leaving insufficient time to test and fix potential glitches in its functioning. PKW set and missed several new deadlines for the release of the results over the next week, offering the public little explanation for the delay. The official results of the voivodeship sejmik election—considered the most important at the national level—were not announced for a full six days.

As in the previous elections, local committees won the majority of seats at the *powiat* (county) and *gmina* (municipality) councils, while nearly all of the seats at Poland's voivodeship *sejmiki* (regional parliaments) went to the country's four major parties: PiS, narrowly beating PO for the first time since 2005, won 26.85 percent of the vote; PO won 26.36 percent of the vote, PSL took 23.68 percent, and SLD received 8.78 percent.

Exit polls released just after the voting had put PiS a full four percentage points ahead of PO, predicting victories in 8 of Poland's 16 regions. Instead, PiS won one region, which it already controlled before the election. Citing the discrepancy between exit polls and official results and buoyed by the bungling of the result-reporting by KBW and PKW, opposition parties called for repeat elections. Proponents of this course pointed to the unusually high proportion of spoilt ballots—17.47²⁸ percent in the voivodeship *sejmik* elections and 17 percent for *powiat* councils²⁹—as evidence of possible electoral fraud.³⁰ Some political scientists also argued that the new booklet format of ballots had confused voters, prompting many to vote from among the candidates listed on the first page (the order of party lists in the booklet was randomly assigned by PKW and PSL ended up on the cover).³¹

Under the constitution, repeat elections are only allowed if 46 district courts declare the previous poll invalid. President Bronisław Komorowski did meet with the PKW as well as the heads of country's highest courts—the Constitutional Tribunal (TK), the Supreme Court, and the Supreme Administrative Court—which jointly stated that there were no grounds upon which to question the validity of the elections. The investigation of individual complaints was ongoing at year's end. However, as a consequence of the prolonged crisis resulting from the failure to produce the results, all but one member of the PKW resigned and all were replaced by the end of the year.³² The Supreme Audit Office (NIK) added to concern about the commission's competence by issuing an opinion in late November that the PKW was not yet technologically prepared to effectively tabulate votes for the next year's presidential or parliamentary elections.³³

Whether or not procedural deficiencies truly distorted the outcome of the 2014 local elections—case-by-case rulings by district courts will continue well into 2015—the ensuing controversy affected public confidence in the election results. Only 58 percent of respondents to a December survey by the Center for Public Opinion Research (CBOS) considered the voivodeship *sejmik* election results credible.³⁴ The survey data reflected public dissatisfaction with politics in general—73 percent of Poles agreed that “voters do not have a meaningful choice”—but did not otherwise point to distrust of the electoral process. About 69 percent of respondents believe that votes are usually counted fairly and 70 percent agree that electoral commissioners are generally honest. Only 19 percent perceive vote buying to be widespread.³⁵

Polish electoral legislation was harmonized as recently as 2010, when the Sejm voted unanimously to merge all electoral regulations into a single electoral code. Legal changes that came into force in February 2014 codified certain rules

for financing EP electoral campaigns. More electoral legislation came into force in August, extending the right to cast votes via mail to all citizens (previously, this option had been available only to the disabled and to citizens living abroad). Universal mail-in voting applies to all but local government elections and will be applied for the first time in May 2015. Additional new provisions facilitate voting procedures for the disabled³⁶ and permit the PKW to accept financial statements with irregularities equivalent to up to 1 percent of the party's total income.³⁷ Previous regulations required PKW to dismiss statements with irregularities, regardless of the amount under dispute, putting some parties at risk of losing public financing over minor accounting mistakes.

The November 2014 local elections were the first ones in which single-seat constituencies were enforced at the *gmina* level. The change was introduced in 2010 to increase the accountability of local representatives (no comprehensive analysis of the consequences of the reform was available at year's end). Members of the lower chamber of parliament (*Sejm*) are elected through party-list proportional representation, and members of the higher chamber of parliament (*Senat*) are elected in single-member districts.

Civil Society

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
1.25	1.50	1.25	1.50	1.50	1.50	1.50	1.50	1.50	1.50

The vibrancy of Polish civil society played a critical role in freeing the country from communist rule in 1989. Since that time, successive governments have passed legislation to encourage and protect the functioning of nongovernmental organizations (NGOs) and other civic associations. The Polish constitution also guarantees freedom from excessive state pressures and bureaucratic control and effectively protects the rights of the independent civic sector.

Taxpayers are allowed to dedicate 1 percent of their income tax to the registered NGO of their choice, though less than half of them take advantage of this option. In 2014, NGOs received approximately 506 million *złoty*ch (about \$150 million) through this mechanism.³⁸ Some critics say it disproportionately benefits the largest, most recognizable charities,³⁹ rather than fostering civil society by supporting grassroots organizations.⁴⁰

More liberal fundraising regulations came into force in 2014, allowing fundraisers to report their activities *ex post*, rather than requesting permission from the authorities ahead of time. The NGO sector was closely involved with the new legislation and welcomed its adoption.⁴¹ Its effect on the vibrancy of civil society could not yet be estimated at year's end.

According to 2014 estimates, there are around 117,000 foundations and 107,000 associations registered in Poland.⁴² In the previous year, it was estimated that 60–80 percent of registered organisations were active, with approximately every fifth NGO operating on a full-time basis and 29 percent working only

occasionally.⁴³ Additionally, there are nearly 16,000 volunteer fire department organizations, traditionally highly influential and often the only NGOs operating in rural areas.⁴⁴

Polish belief in the effectiveness of NGOs has grown significantly in the last decade. In 2014, 77 percent of survey respondents expressed belief that it is possible to solve local problems by cooperating with others, up from 54 percent in 2004.⁴⁵ This belief is more common among younger respondents. Additionally, 63 percent of Poles believe NGOs are more capable than public institutions of helping people in need.⁴⁶ Nevertheless, in 2014 only 8 percent reported that they regularly worked as a part of some organization—a sharp contrast to the 78 percent reporting that they had individually helped friends, family, or neighbors.⁴⁷

The largest charitable organization operating in the country is Caritas Polska,⁴⁸ run by the Catholic Church. Caritas' activities include humanitarian aid (mainly provision and distribution of food, clothing, and other supplies) and social services. Chapters of Caritas are present in each Polish diocese, providing help through professional care facilities and educational rehabilitation centers, soup kitchens, daycares for children and the elderly, and other social welfare services. Caritas's financial statements are not publically available.

Poland's most popular and recognizable charity is the Great Orchestra of Christmas Charity (WOŚP),⁴⁹ a unique organization that collects money and supplies for life-saving medical care, mainly through a huge fundraising drive in a single weekend in January. Approximately 40 percent of Poles donate to WOŚP and approximately PLN52 million (\$16 million) were collected during the 2014 "Grand Finale."⁵⁰

Watchdog organizations like Panoptikon and Stowarzyszenie Sieć Obywatelska—Watchdog Polska are active and engaged with public institutions. Think tanks, too, engage energetically in dialogue on social and political issues. So do intellectual journals representing the full range of political stances, from the liberal *Res Publica Nowa* and *Liberté* to the leftist *Krytyka Polityczna*, the conservative *Frona* and *Teologia Polityczna*, and the socially conservative/economically liberal *Rzeczy Wspólne*. The majority of influential NGOs are concentrated in Warsaw.

The activism of right-wing extremists was highly visible in 2014. The National Movement (RN), an umbrella organization for the All-Polish Youth (MW) and National-Radical Organization (ONR), represents some of the most radical sections of the Polish population and has been attempting to establish itself as a legitimate political force for several years. Although they participate in elections, its leaders represent a populist anti-establishment platform, bound together by nationalist, xenophobic, and homophobic rhetoric. Despite the fact that Poland has the lowest proportion of permanent foreign citizens in the EU (0.1 percent),⁵¹ RN employs strong anti-immigration rhetoric, mimicking nationalist organisations and political parties in other European countries. Every year since 2009, RN has organized a so-called Independence March through the streets of Warsaw on Polish Independence Day (November 11). The march typically gathers tens of thousands of mainly young males and ends in violent clashes with police forces, as well as acts

of vandalism. RN received nearly 100,000 votes in the European elections but has yet to gain any seats in the EP or the Polish Sejm.

In December, Twój Ruch attempted to put a draft bill regulating civil partnerships on the Sejm's agenda, but the majority of MPs voted against it.⁵² Similar legislation was struck down in 2012 and again in 2013.⁵³ Prime Minister Kopacz has expressed a desire for progress on this issue, but it is unclear whether anyone will take it up again before the 2015 parliamentary elections.⁵⁴

Poland's trade union membership is among the lowest in Europe, with only about 10 percent of all employees (fewer than 1.5 million people) belonging to such organizations.⁵⁵ However, some branches of the economy have a particularly strong union base, notably the mining industry and railways. In theory, industrial dialogue is organized through a Tripartite Commission—a body of representatives from unions, employer organizations, and the government—but in reality the commission has been ignored by trade unions since June 2013. Poland's largest trade union, "Solidarność," is closely associated with right-leaning opposition party PiS, while the second-largest union, OPZZ, is linked to SLD and the political left.

Independent Media

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
1.75	2.25	2.25	2.00	2.25	2.25	2.25	2.50	2.50	2.50

Polish print, broadcast, and online media are diverse but increasingly partisan. While individual outlets often present a biased view, they collectively offer a range of opinions and serve the public interest, playing a watchdog role with respect to government policies and the actions of all political factions. The media typically act as agents of civil society, and in return receive the support of NGOs and the public when threats to press freedom arise.

Public television and radio broadcasters tend to favor the government, carrying less criticism than the private media. This tendency has persisted for many years, regardless of who is in the government. Because the majority of private outlets display ideological or political bias in one direction or another, citizens must consult multiple sources in order to inform themselves effectively. *Gazeta Wyborcza*, Poland's most prominent news daily, the Polish edition of *Newsweek*, the weekly newsmagazine *Polityka*, and the 24-hour news station TVN24 are considered supportive of the incumbent government.⁵⁶ Other titles, including *Rzeczpospolita*, *Gość Niedzielny*, *Nasz Dziennik*, and *Gazeta Polska* show more sympathy for PiS and the conservative opposition. Polish media also include a range of largely apolitical, business-focused titles and tabloids.

There are fewer options at the local level, and local political leaders and businessmen sometimes influence media content through direct pressure or by withholding advertising revenues. Local media may also show less professionalism and accountability than nationwide outlets.⁵⁷ The regional press has been consolidated since 2008 under corporate ownership (i.a. Polskapresse, which owns

almost every major regional newspaper), resulting in staff cuts and the centralization of editorial policies.⁵⁸

Even before the general economic downturn, Polish print media were suffering from the shrinking of the advertising market and the need to compete with electronic and online channels. Readership of periodicals is declining, particularly in the conservative press, where at least four major titles are in fierce competition with one another (in the “liberal” press, there are only two major nationwide weeklies i.e. *Polityka* and *Newsweek*).⁵⁹ The conservative weekly *Do Rzeczy* lost 32 percent of its readership in 2014, and *W Sieci* lost 19 percent.⁶⁰ An ongoing audit of credit unions (SKOKs)—some of which co-finance *W Sieci*—by Poland’s financial regulator may bring further pressure to bear on the periodical; several credit unions have already faced bankruptcy due to irregularities and poor management.⁶¹

Television broadcasters are becoming more diversified. Though its viewership does not yet compare with TVN24, after one year on the air the conservative news station TV Republika is already more popular than Polsat News 2, a news channel owned by one of Poland’s main television networks.⁶² *TV Trwam*, an ultraconservative station that broadcasts mostly religious content but strongly supports PiS, obtained a spot in the digital multiplex of free channels by the decision of the National Broadcasting Council (KRRiT)⁶³ and began broadcasting in February.⁶⁴

The Polish constitution protects freedom of speech and press freedom, and media workers are free to form professional associations. Under Polish law, journalists are protected from victimization by state or other actors and their sources are protected.⁶⁵ The “Waitergate” tape scandal of mid-2014 took on an additional dimension on June 18 when representatives of the prosecutor general’s office and the Internal Security Agency (ABW) raided the offices of *Wprost*, the weekly newsmagazine that had published the illegal recordings. The editor-in-chief resisted police officers as they attempted to confiscate his laptop by force. Prosecutors later explained that they were “searching for evidence” after *Wprost* refused to hand in the tapes.⁶⁶ The raid itself was recorded and transmitted nationwide on television and online, eliciting public outrage at the apparent police brutality.⁶⁷ The state responded by launching an investigation into two counts of alleged police brutality and breach of duty by the prosecutors. Prime Minister Tusk formally apologized for the event and promised a government report, though the latter project was seemingly abandoned when he left office in autumn.

The wiretapping scandal itself had serious repercussions for the national government,⁶⁸ highlighting the influence of the media on public opinion. Corruption scandals unearthed by journalists during the year confirmed this influence and also demonstrated the important watchdog role played by media.

After the local elections in November, a group of activists entered the State Electoral Commission headquarters, demanding new elections and the resignation of the commission’s members. Police ejected the protesters and arrested several. They also arrested journalist Jan Pawlicki of TV Republika and photojournalist Tomasz Gzell of the Polish Press Agency. In December, the two were acquitted of

disturbing the peace on the grounds that they had been present as journalists, not protesters.⁶⁹ Nevertheless, some media outlets, as well as members of the political opposition, characterized the incident as an assault on Polish media freedom.⁷⁰

Local Democratic Governance

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.00	2.25	2.25	2.00	1.75	1.75	1.75	1.75	1.50	1.50

Poland has been decentralized from the very beginning of its democratic transition, both in law and in practice. The constitution and other national legislation enshrine principles of local democratic government, and local authorities have some freedom to design policies reflecting local needs and interests. Encouraged by grassroots activists and regular public protests, central authorities frequently consult local governments on planning and decision-making. In some cases, this local consultation is perceived as excessive, particularly when it delays the implementation of infrastructure projects.

On 18 May, 17 municipalities surrounding Zielona Góra voted (via local referendum) to merge with that city in 2016. The city area will increase fourfold, making it the sixth largest agglomeration in Poland, larger than Poznań and Gdańsk. Over the years, cities like Rzeszów have expanded by absorbing neighboring groups of villages, but until now none of them had succeeded in effecting a voluntary merger.⁷¹

In another groundbreaking referendum held on 25 May, residents of the city of Kraków were asked to weigh in on four policy related questions, most notably Kraków's bid to host the 2022 Winter Olympics. Citing the exorbitant costs of associated infrastructural and other improvements, pressure groups like Kraków Against the Olympics (*Kraków Przeciw Igrzyskom*) rallied the support of 70 percent of referendum participants against the measure.⁷² The bid was withdrawn, marking the first time that citizens managed to reject a particular policy through a binding referendum.⁷³

Local officials are chosen through free and fair elections. However, an unprecedented delay in the reporting of the November 2014 local elections and a large percentage of invalid votes raised doubts about the outcome of the elections.

Election results indicate that Poles are becoming increasingly weary of long-serving city mayors: only 37 out of 106 mayors were chosen in the first round (four years ago, 52 mayors were elected in the first round). Even some of the most popular local government representatives narrowly won run-off votes in 2014, including PO-supported Rafał Dutkiewicz in Wrocław, Hanna Gronkiewicz-Waltz in Warsaw, and Paweł Adamowicz in Gdańsk. In Poznań, longtime mayor Ryszard Grobelny lost a run-off to PO-approved candidate Jacek Jaśkowiak. Some of these incumbents had been in office since the early 1990s. There is a growing weariness with local authorities in general, although this trend has yet to result in a change of personnel in most towns and cities.⁷⁴

New urban movements and NGOs were expected to make major inroads in the November elections, running for office in 11 cities, but ultimately their candidates managed to pass the threshold for representation in only a few cities and districts. In Gorzów Wielkopolski, the urban movement People for the City (*Ludzie dla Miasta*) reported significantly higher support than the SLD party and won the city president (mayoral) post.⁷⁵ They also gained relatively high support in the major cities of Kraków, Gdańsk, and Gliwice. The urban movement, The City is Ours (*Miasto Jest Nasze*), secured 4 of 25 council seats in Warsaw's most important district,⁷⁶ but when a leadership dispute split the faction, 3 councilors joined PO to form a ruling coalition.⁷⁷ Other urban activists won seats in 8 of Warsaw's 16 city districts, collectively making them the third largest political force in the capital after PO and PiS. However, it has been argued that urban movements lack unifying political ideals and long-term goals, which hinders their effectiveness in the political arena.⁷⁸

Public debate continued in early 2014 around the special regional tax (*janosikowe*) that is paid by wealthier voivodeships and redistributed among poorer communities.⁷⁹ After the economic downturn of 2008, the regional council of Mazowsze voivodeship (which pays the lion's share of *janosikowe* contributions) petitioned the Constitutional Tribunal (TK) to examine provisions obliging voivodeships to pay the tax. Meanwhile, a public campaign called "STOP Janosikowe" maintained pressure on the government to adjust the tax, which it claims is unfair. In March 2014, the Tribunal ruled that the system used to calculate the tax does not take into account the changes in voivodeships' revenues caused by cyclical fluctuations in economic activity. Moreover, the mechanism of calculation does not guarantee that local authorities are able to retain sufficient revenue to allow them to carry out their day-to-day tasks. The TK did not directly overrule the regulations, but it did call on the parliament to change them within 18 months. In late October, just before the local elections, the Sejm passed a new law reducing the tax and easing the financial burden on the Mazowsze region.⁸⁰

Judicial Framework and Independence

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
2.25	2.25	2.50	2.25	2.50	2.50	2.50	2.50	2.50	2.50

The judiciary is arguably the least reformed branch of government in Poland, having maintained considerable continuity in personnel during the transition to democracy. This continuity has likely contributed to the character of the current system, as well as its levels of effectiveness, organization, and credibility with the public.

Polish courts are still slow, with the average procedure lasting about two months.⁸¹ The main reason for the backlog is the uneven division of casework between court departments (more in criminal and fewer in labor and social security divisions). Judges in bigger cities also tend to hear many more cases than those in smaller ones. So far, attempts to transfer additional judges to busier courts by closing

down the smallest courts have failed. With one year to go before parliamentary elections, the new minister of justice appointed in fall 2014 had launched no reforms in this area by year's end.⁸²

Poles are quite critical about the judicial system, particularly the courts.⁸³ The majority (51 percent) of respondents describe their attitude toward judges as ambivalent. Nearly one quarter (23 percent) have a negative attitude, and less than a fifth (19 percent) define their attitude as positive. Over 84 percent of Poles think that courts work too slowly.⁸⁴

Poland's constitution provides firm protections for all democratic political, civil, and human rights. It guarantees equality before the law, protects freedom of conscience and religion, and ensures freedom of association and freedom of speech. It also guarantees business and property rights. The Constitutional Tribunal interprets and enforces the constitution.

However, as in previous years, individual violations of Article 3 of the European Convention on Human Rights, such as arbitrary arrest, detention without trial, and searches without warrants, were noted throughout 2014.⁸⁵ Poor conditions in Polish prisons,⁸⁶ including overcrowding, also violate Article 3 of the convention although new regulations in force as of August 2014 improve sanitary standards for detainees.⁸⁷

In July, the European Court of Human Rights (ECHR) ruled that Poland had violated the rights of terrorism suspects Abu Zubaydah and Abd al-Rahim al-Nashiri by allowing their transfer to a secret detention center run by the U.S. Central Intelligence Agency in Poland between 2002 and 2003, where the two suspects were subjected to "torture and inhuman or degrading treatment."⁸⁸ When the prison was closed, the suspects were transferred to detention sites in Romania and Morocco. The ECHR ordered Poland's government to pay the men, in custody at Guantánamo Bay since 2006, a total of approximately \$305,000. President Komorowski's office announced its "embarrassment" at the judgment, describing it as a "burden on [Poland's] image."⁸⁹

In December, the U.S. Senate published a report on interrogation abuses by CIA operatives around the world. The report confirms that the Polish government knew suspects were being held in the country. It also alleges that Poland accepted a multimillion-dollar payment to be flexible with regard to the number of CIA detainees at the facility and when the black site would eventually be closed.⁹⁰ Deputies from the Sejm secret service committee planned to investigate how Poland's intelligence agency received funds from the CIA.⁹¹

In its 2014 Poland assessment, the United Nations Committee on the Elimination of Discrimination against Women (CEDAW) emphasized the problem of harmful gender stereotypes. CEDAW is concerned about the lack of a firm opposition to "the campaign against gender ideology conducted by the Polish Catholic Church."⁹² Additionally, CEDAW criticized Poland for not ratifying the Council of Europe's Convention on preventing and combating violence against women.⁹³ At year's end, the bill allowing ratification was still stuck in the parliament, blocked by conservative MPs from the ruling coalition who see it as clashing with traditional values.

In May, President Komorowski and the human rights ombudsman sent a 2013 law on compulsory treatment of violent offenders after their release from prison before the TK for review.⁹⁴ The law allows prison directors to convene a panel of court experts to assess the ongoing “risk” posed by an inmate approaching the end of his or her sentence who was once diagnosed with a mental disorder. If the panel determines that the prisoner is still a threat, he or she will be isolated in a special psychiatric facility.⁹⁵ Critics argue that the law does not precisely define which offenders can be evaluated in this way and what constitutes “risk.”

Corruption

2006	2007	2008	2009	2010	2011	2012	2013	2014	2015
3.25	3.00	3.00	2.75	3.25	3.25	3.25	3.25	3.50	3.50

Poland continues to suffer from a legacy of corrupt practices that undermine good governance and distort the political process. A January 2014 survey reveals that 87 percent of Poles believe corruption is a serious problem in Poland.⁹⁶ This perception has been high since the beginning of the country’s postcommunist transition, hovering between 83 and 95 percent. Interestingly, the proportion of Poles saying that the graft problem is “very serious” has fallen steadily and was only 40 percent in 2014.⁹⁷

Poland has a well-developed network of institutions that deal with the problem of corruption. Chief among them is the Central Anticorruption Bureau (CBA), established in 2006. In 2014, CBA worked on 477 cases and completed 214 investigations. A quarter of the cases were related to local government administration, 13 percent concerned enterprises, 8 percent involved the healthcare and pharmaceutical sectors, and 7 percent related to central government administration.⁹⁸ Despite these activities, the general public remains ambivalent about the bureau: 44 percent of respondents to a March 2014 poll had no strong opinion about it, while 36 percent had a positive view (up from 29 percent in 2010).⁹⁹ In March, the Supreme Court upheld the acquittal of former PO deputy Beata Sawicka and the mayor of Hel City on charges related to a major corruption scandal. In May 2013 Sawicka was sentenced to 3 years in prison for taking a bribe to rig a tender for the purchase of commercially desirable land on the Hel peninsula in 2007; Sawicka appealed on the grounds that she had been entrapped by the CBA, and was acquitted. The Supreme Court upheld the appellate court’s verdict, declaring the CBA’s actions—including its invigilation of Sawicka—illegal.¹⁰⁰

Opposition MP Mariusz Kamiński, who headed the CBA under the last PiS government, has himself been investigated for allegedly abusing his powers to pursue political ends while in office from 2006 to 2009. At the time, Kamiński approved an undercover operation whose aim was apparently to bring tax evasion charges against former president Aleksander Kwaśniewski. In June 2014, the Sejm held a secret vote on repealing Kamiński’s parliamentary immunity, but the motion did not pass, as the coalition MPs were not unanimous and several of them did not attend the session.

Shortly before the vote, Kamiński reportedly gave testimony related to Kwaśniewski and his wife's real estate transactions. The Kwaśniewskis responded with a statement in which they called the accusations baseless and Kamiński "obsessed."¹⁰¹ In the late 2000s, CBA was often accused of pursuing politically motivated investigations but this perception has waned in the last several years.

In April, the government adopted a multiyear program for combatting corruption, laid out by the Interior Ministry. The program filled the vacuum left after the last comprehensive strategy expired in 2012. It strengthens the position of the Interior Minister, now responsible for coordinating the actions of agencies tackling corruption, and also places greater emphasis on education and prevention. However, the final version of the program omitted much-anticipated whistleblower protections that had been included in its draft version.¹⁰² The first meeting of the Interior Minister's task group took place in December.

In August, a reform of the law on government medical consultants¹⁰³ came into force requiring them to disclose detailed financial statements in order to examine possible conflicts of interest. In response, more than 30 consultants resigned preemptively from their positions.

Public opinion in Poland is extremely sensitive to nepotism and abuses of power by political elites. Politicians are also under high media scrutiny. Following the resignation of Donald Tusk, it was announced that one of his closest advisors, Igor Ostachowicz, had been elected to the management board and given a high-level communications position in one of Poland's biggest state-owned companies, Orlen.¹⁰⁴ The day after the story broke, and under pressure from Ewa Kopacz, Ostachowicz relinquished the post.

Shortly before the November local government elections, a news story sparked a probe into parliamentary deputies' travel allowances. The story revealed that some MPs had claimed reimbursement for car travel while actually travelling much more cheaply by air, pocketing the difference. Three deputies from PiS, including the party's spokesman, were expelled as a result of the scandal. Sejm Speaker Radosław Sikorski also announced changes to parliamentary regulations intended to prevent such abuses in the future.

After the elections, *Wprost* published a story accusing Sikorski himself of travel reimbursement fraud.¹⁰⁵ The magazine claimed that during his tenure as foreign minister Sikorski had claimed a refund for 32,000 kilometers in car travel that he could not actually have completed. At first, the prosecutor's office refused to investigate the accusations, but after sustained pressure from tabloid newspapers an investigation finally began in mid-December.

The "Waitergate" recordings scandal, which implicated many top-level politicians, launched several lines of inquiry by the state prosecutor's office. Only one of these was ongoing at year's end—namely, a problematic conversation in which former minister of infrastructure Sławomir Nowak appeared to be asking former deputy minister of finance Andrzej Parafianowicz to end an investigation into Nowak's wife's financial statements. Parafianowicz responded to Nowak that an end to the inquiry could be "arranged." Nowak had already been dismissed in 2013

amidst allegations of corruption related to an expensive gift from a businessman friend. In November, a court found Nowak guilty of not disclosing the gift (a watch) in a financial statement, as deputies are required to do. He gave up his seat in the Sejm shortly thereafter.¹⁰⁶

Corrupt practices persist in the area of professional sports. In November CBA apprehended the head of Polish Volleyball Association (PZPS) on corruption charges related to the organization of 2014 men's world championship for volleyball.¹⁰⁷ In April, Jagna Marczułajtis-Walczak, a PO deputy, resigned from her position as the head of the Kraków Winter Olympics 2022 candidature committee after it was revealed that her husband had attempted to bribe journalists to write in favor of the initiative.¹⁰⁸

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