



## Freedom in the World - Poland (2009)

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Capital:  
Warsaw

Population:  
38,100,000

Political Rights Score: 1 \*

Civil Liberties Score: 1 \*

Status: Free

### Overview

**The Polish parliament ratified the Lisbon Treaty on European Union structural reform in April 2008, but President Lech Kaczynski, who generally opposed closer EU integration, refused to grant his final approval throughout the year. Nevertheless, the president and Prime Minister Donald Tusk of the pro-EU Civic Platform party agreed on a missile defense pact signed with the United States in August, and Kaczynski appeared to drop his resistance to plans for Poland to adopt the euro currency after the global economic downturn took root in the fall.**

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After being destroyed by its powerful neighbors in a series of 18th-century partitions, Poland enjoyed a window of independence from 1918 to 1939, only to be invaded by Germany and the Soviet Union at the opening of World War II. The country then endured decades as a Soviet satellite state until 1989, when the Solidarity trade union movement forced the government to accept democratic elections.

Fundamental democratic and free-market reforms were introduced between 1989 and 1991, and additional changes came as Poland prepared its bid for membership in the European Union (EU). In the 1990s, power alternated between political parties with a background in Solidarity and those with communist origins. Former communist Alexander Kwasniewski replaced Solidarity's Lech Walesa as president in 1995 and was subsequently reelected by a large margin in 2000. A government led by the Democratic Left Alliance (SLD) oversaw Poland's final reforms ahead of EU accession, which took place on May 1, 2004.

Law and Justice (PiS), a conservative party with strong anticommunist roots that was headed by identical twin brothers Lech and Jaroslaw Kaczynski, won the September 2005 parliamentary elections. Although Jaroslaw was the formal party leader, Kazimierz Marcinkiewicz was named prime minister-designate to avoid damaging Lech Kaczynski's presidential bid. He duly won the presidential contest in October, and PiS eventually formed a fragile majority coalition with the leftist-populist, agrarian Self-Defense Party (Samoobrona) and the socially conservative, Catholic-oriented League of Polish Families (LPR). Marcinkiewicz was replaced in July 2006 by Jaroslaw Kaczynski. The ruling coalition broke apart in September

2006, only to reform in a weakened state the following month.

The Kaczynskis pressed ahead with their increasingly unpopular policies in 2007, including “lustration” legislation that required as many as 700,000 citizens in positions of authority to declare in writing whether they had cooperated with the communist-era secret service. Refusal to comply would have resulted in a 10-year ban from public office. However, the Constitutional Tribunal struck down many of the law’s provisions in May 2007. Political instability continued over the summer as the prime minister fired a number of senior officials, including the deputy prime minister and agriculture minister, Self-Defense Party leader Andrzej Lepper. The dismissals led to the collapse of the governing coalition, and in September, the Sejm (lower house of parliament) voted to dissolve itself, triggering national elections the following month.

Some 55 percent of eligible voters turned out for the polls, the highest rate since the fall of communism, and handed victory to the center-right Civic Platform (PO) party. The PO won 209 seats in the Sejm, followed by PiS with 166, the Left and Democrats (LiD) coalition with 53, and the Polish People’s Party (PSL) with 31. The PO and PSL formed a coalition government in November, with PO leader Donald Tusk as prime minister.

The relationship between Tusk and Lech Kaczynski remained tense in 2008, as the president resisted the government’s generally pro-EU policy initiatives. The biggest conflict involved ratification of the Lisbon Treaty on structural reform of the EU and the accompanying Charter of Fundamental Human Rights, which the PiS felt would infringe on Polish sovereignty and potentially allow more legal abortions, same-sex marriage, and euthanasia. The parliament ratified the treaty with PiS support in April after Tusk pledged to reaffirm the supremacy of Poland’s constitution and laws over EU laws, though the president refused throughout the year to grant final approval. In October, Tusk’s government laid out plans for Poland to adopt the euro currency by 2012. President Kaczynski appeared to back away from demands for a referendum on the issue after the country’s existing currency, the zloty, lost value amid the global economic downturn.

Separately, Poland signed a missile defense pact with the United States in August. Tusk’s government had pressed for additional military assistance in return for hosting a planned U.S. antiballistic missile base, but final negotiations were reportedly accelerated after Russia’s invasion of Georgia that month raised security concerns in Poland.

### **Political Rights and Civil Liberties**

Poland is an electoral democracy. Voters elect the president for five-year terms and members of the bicameral National Assembly for four-year terms. The president’s appointment of the prime minister is subject to confirmation by the 460-seat Sejm, the National Assembly’s lower house. The prime minister is responsible for most government policy, but the president also has an important

role, especially in foreign relations. The 100-member Senate, the upper house, can delay and amend legislation but has few other powers.

The conservative PiS and the center-right PO have become the two most important political parties, while smaller left-leaning parties, including the SLD, have joined forces in the LiD coalition. PiS's former coalition partners, Self-Defense and the LPR, failed to win representation in the October 2007 legislative elections.

Corruption remains a problem. In March 2008, the minister responsible for fighting corruption said graft often goes unpunished, citing faulty supervision and weak control over state institutions. Poland was ranked 58 out of 180 countries surveyed in Transparency International's 2008 Corruption Perceptions Index.

The 1997 constitution guarantees freedom of expression and forbids censorship. However, the country's libel law treats slander as a criminal offense. Infringements on media freedom include gag orders and arbitrary judicial decisions concerning investigations of individuals affiliated with parties in power. Poland's print media are diverse and for the most part privately owned. The state-owned television and radio broadcaster is dominant but faces growing competition from private Polish and foreign outlets. The Sejm passed legislation in March 2008 that would have changed the appointment procedures for the management and supervisory boards at the state broadcaster, allowing for merit-based leadership, but President Lech Kaczynski vetoed the measure. The government does not restrict internet access.

The state respects freedom of religion. Religious groups are not required to register but receive tax benefits if they do. Roman Catholic priest Tadeusz Rydzyk, a PiS supporter and head of a media group that includes the ultraconservative Radio Maryja, was criticized in 2007 for making anti-Semitic remarks. Radio Maryja, although owned by a private Catholic group, enjoys fee exemptions and public-broadcaster status. Academic freedom is generally respected, though one rarely invoked law threatens anyone who "publicly insults or humiliates a constitutional institution" with a fine or up to two years' imprisonment.

Polish citizens can petition the government, assemble legally, organize professional and other associations, and engage in collective bargaining. Public demonstrations require permits from local authorities. Poland has a robust labor movement, but groups including the self-employed and those working under individual contracts are barred from joining a union. Union pluralism is recognized with the exception of law enforcement personnel. Labor leaders have complained of harassment by employers.

Poland has an independent judiciary, but courts are notorious for delays in administering cases. State prosecutors have proceeded slowly on corruption investigations, contributing to concerns that they are subject to considerable political pressure. A November 2007 report by the International Bar Association's Human Rights Institute faulted several recently passed and proposed legislative amendments introduced by the PiS government; however, since Tusk's election,

the proposed amendments stalled. Prison conditions are fairly poor by European standards, and pretrial detention periods can be lengthy. Outrage over an incest and pedophilia case in September 2008 prompted the drafting of a law giving judges the right to sentence pedophiles to chemical castration, but equal outrage over the draft law appeared to have stifled the debate.

Ethnic minorities generally enjoy generous protections and rights under Polish law, including funding for bilingual education and publications, and privileged representation in the parliament; their political parties are not subject to a minimum vote threshold of 5 percent to achieve representation. Some groups, particularly the Roma, suffer discrimination in employment and housing, racially motivated insults, and occasional attacks. Poland's homosexual community is active, but faces discrimination.

Women have made inroads in the professional sphere and are employed in a wide variety of occupations. A number of women hold high positions in government and the private sector. However, domestic violence against women is a serious concern. Trafficking in women and girls for the purpose of prostitution remains a problem.

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*\* Countries are ranked on a scale of 1-7, with 1 representing the highest level of freedom and 7 representing the lowest level of freedom. Click [here](#) for a full explanation of Freedom in the World methodology.*