



FREEDOM IN THE WORLD 2022

Poland

81

FREE

/100

<u>Political Rights</u>	34 / ₄₀
<u>Civil Liberties</u>	47 / ₆₀

LAST YEAR'S SCORE & STATUS

82/₁₀₀ **Free**

Global freedom statuses are calculated on a weighted scale. See the methodology.



Overview

Poland's democratic institutions took root at the start of its transition from communist rule in 1989. Rapid economic growth and other societal changes have benefited some segments of the population more than others, contributing to a deep divide between liberal, pro-European parties and those purporting to defend national interests and "traditional" Polish Catholic values. Since taking power in late 2015, a coalition led by the populist, socially conservative Law and Justice (PiS) party has enacted numerous measures that have increased political influence over state institutions and damaged Poland's democratic progress. Recent years have seen an increase in nationalist and discriminatory rhetoric.

Key Developments in 2021

- In January, a near-total ban on abortion in Poland took effect, as a result of an October 2020 ruling of the Constitutional Tribunal (TK) declaring that terminations in cases of congenital disorder of the fetus were unconstitutional. Such cases previously represented around 98 percent of legal procedures in the country.
- In July, the European Court of Justice (ECJ) ordered the immediate suspension of Poland's Disciplinary Chamber of the Supreme Court, citing concerns about the potential for political interference by both the legislature and executive in its functioning. In October, the ECJ imposed a daily fine of one million euros until Poland fully complies with the suspension.
- In October, the TK ruled that parts of European Union (EU) law are incompatible with Poland's constitution, and that national law must take precedence. The European Commission responded in December, launching an infringement procedure against Poland for alleged violation of EU law.
- In August, a political and humanitarian crisis began along the Poland-Belarus border, after Belarusian authorities had coaxed migrants to the Belarusian border and stranded them there, and many then attempted to enter Poland. In response, the Polish government declared a state of emergency in two border provinces in September, and in October, authorized border guards to forcibly expel migrants, in violation of international law.

Political Rights

A. Electoral Process

A1 0-4 pts

Was the current head of government or other chief national authority elected through free and fair elections?

3/4

The president of Poland is directly elected for up to two five-year terms. The president's appointment of a prime minister must be confirmed by the Sejm, the lower house of the parliament. While the prime minister holds most executive power, the president also has some influence, particularly over defense and foreign policy matters.

Andrzej Duda, the candidate of the national-conservative PiS party, was reelected in July 2020 in the second round of Poland's presidential election with 51 percent of the vote. Voter turnout was 68.1 percent, the second highest since 1989.

The election was originally scheduled for May 2020. In April, amid political conflict over whether to hold voting during the COVID-19 pandemic, the government drafted plans to hold the vote as scheduled in May, but with mail-in ballots, transferring the election's administration to the post office instead of the constitutionally legitimate National Electoral Commission (PKW). Ultimately, the government backtracked on these plans, and a new election was called in June, with a runoff a month later.

Observers noted that the government had failed to meet its constitutional obligations by abandoning the May vote without any formal procedure, and in September 2020, an administrative court ruled that the prime minister had broken the law in attempting to transfer the election administration to the post office. In May 2021, the country's Supreme Audit Office (NIK) blamed high-ranking officials for seeking to organize the mail-in vote without a legal basis and at a cost of almost \$20 million to taxpayers. The government has repeatedly defended the legality of its actions.

Election observers from the Organization for Security and Co-operation in Europe (OSCE) concluded that the 2020 election was competitive and well-organized, but tarnished by "hostility" and "biased coverage by the public broadcaster," which PiS had effectively transformed into a government mouthpiece. The OSCE mission noted the insufficiency of regulations governing public officials' campaign activities, with the

incumbent receiving an “undue advantage” from campaigning by high-ranking officials, including the prime minister. Further, the OSCE observers raised concerns over the persistent use of homophobic rhetoric by President Duda, his team, and PiS media allies.

The current prime minister, Mateusz Morawiecki, was appointed in 2017 with the approval of the PiS majority in the parliament. His mandate was bolstered by PiS’s victory in the 2019 legislative elections.

A2 0-4 pts

Were the current national legislative representatives elected through free and fair elections?

4/4

Members of the bicameral parliament are elected for four-year terms. The 460-seat Sejm, the lower house, is elected by proportional representation and holds most legislative authority. The 100 members of the Senate, the upper house, are elected in single-member constituencies. The Senate can delay and amend legislation, but has few other powers.

In the October 2019 parliamentary elections, PiS won a second term with 43.6 percent of the vote, retaining its 235 seats in the Sejm. This majority initially allowed PiS to continue governing without formal coalition partners, though two smaller parties, United Poland and Agreement, were included within its electoral lists and parliamentary caucus. In August 2021, Jarosław Gowin, the leader of Agreement, left the ruling camp with a number of lawmakers. The coalition continued to pass legislation throughout 2021 by making deals with smaller parties and individual members of parliament.

The Civic Platform (PO) party finished second in 2019, with 134 seats. Four other parties or coalitions passed the threshold to enter parliament, including left-wing and far-right parties that had been absent during the previous term. PiS, however, narrowly lost control of the Senate in 2019, where an opposition coalition took 51 of 100 seats; PiS took 48.

An OSCE mission concluded that the 2019 elections were generally conducted in a “professional and transparent” manner. However, they expressed concern that recent

judicial reforms had left a “lack of trust in prosecutors and courts to handle election-related complaints independently.” They also noted that “nationalist and homophobic rhetoric gave rise to a sense of threat,” which they echoed in their report on the 2020 presidential election.

In December 2021, a research team at the University of Toronto reported that a mobile phone belonging to a Polish opposition politician had been hacked with Pegasus spyware in the period leading up to the 2019 parliamentary elections. At the time, the MP was the head of the election campaign team for PO. Text messages stolen from his phone were used in negative reports about him on PiS-controlled public TV news during the campaign. Phones of an opposition-linked lawyer and a prosecutor critical of the government’s judicial reforms were also hacked. Though opposition figures blamed the PiS for the incident, the government denied using surveillance for political purposes.

A3 0-4 pts

Are the electoral laws and framework fair, and are they implemented impartially by the relevant election management bodies?

3/4

Poland’s electoral framework and its implementation have generally ensured free and fair elections, though legal changes introduced in 2017–18 have increased the potential for political influence over the PKW, which manages elections and oversees party finances, including the power to withhold state subsidies. Previously, all nine members of the PKW were nominated by courts. From the beginning of the new parliamentary term in December 2019, seven members are now chosen by the parliament. As the largest parliamentary grouping, PiS was allowed to nominate a maximum of three members but could also exert influence over the member picked by the Constitutional Tribunal (TK), which is currently led by PiS-installed judges. The new commission was formally approved by President Duda in January 2020.

One of the judicial reforms that came into force in 2018 gave the newly created chamber of the Supreme Court—the Chamber of Extraordinary Control and Public Affairs, whose members are appointed by the now-politicized National Council of the Judiciary (KRS)—the authority to validate or reject election and referendum results. The chamber’s substantial power, along with its vulnerability to politicization, further threaten the integrity of electoral oversight.

In 2020, PiS undermined the authority of the PKW by ordering the postal service to administer a mail-in vote without passing proper legislation. The head of the PKW and international democracy watchdogs said such a vote—which was ultimately abandoned—would have been neither fully free nor fair.

B. Political Pluralism and Participation

B1 0-4 pts

Do the people have the right to organize in different political parties or other competitive political groupings of their choice, and is the system free of undue obstacles to the rise and fall of these competing parties or groupings?

4 / 4

Poland's political parties organize and operate freely. While the party system has been dominated by PiS and the centrist PO for the better part of two decades, challengers have risen and fallen. The latest of these, Poland 2050, a new party founded by the defeated presidential candidate Szymon Hołownia in 2020, surged in the polls to become the largest opposition force between April and July 2021.

B2 0-4 pts

Is there a realistic opportunity for the opposition to increase its support or gain power through elections?

4 / 4

There have been multiple rotations of power among rival parties since the transition from communist rule. However, the opposition faces obstacles including propaganda by PiS-controlled public media and legal changes related to electoral administration.

The PiS victory in the 2015 elections ended two terms of governance by PO, now in opposition. In 2019, PiS won a slim majority in the Sejm but lost control of the Senate. The Democratic Left Alliance (SLD) returned to the parliament, while four new parties entered for the first time.

The 2020 presidential campaign of pro-European Union (EU) Warsaw mayor Rafał Trzaskowski was one of the most significant challenges to PiS's grip on power since 2015. The presidential vote ended with the narrowest margin of victory for the incumbent since 1989.

B3 0-4 pts

Are the people's political choices free from domination by forces that are external to the political sphere, or by political forces that employ extrapolitical means?

4 / 4

Voters and politicians are generally free from undue interference by outside groups, though there are some concerns that personnel changes associated with the PiS government's assertion of control over various state institutions could be exploited to mobilize political support among public employees ahead of future local and national elections.

Powerful priest Tadeusz Rydzyk, an ally of PiS, uses his media outlets to support the government's message, and has received generous state grants for organizations under his control.

B4 0-4 pts

Do various segments of the population (including ethnic, racial, religious, gender, LGBT+, and other relevant groups) have full political rights and electoral opportunities?

4 / 4

Women have equal political rights and hold 28 percent of the seats in the Sejm; however, the number of government ministries was reduced from 20 to 14 in September 2020, leaving just one woman in the new cabinet.

Ethnic, religious, and other minority groups enjoy full political rights and electoral opportunities. However, LGBT+ people face significant challenges to entering politics and seeing their interests represented in Polish politics in practice. Homophobic rhetoric by government figures, including President Duda, is common; PiS and its media allies have frequently used homophobic rhetoric warning of the alleged dangers of LGBT+ rights. Despite such challenges, in 2020, Robert Biedroń, an openly

gay member of the European Parliament, was nominated as a presidential candidate by an alliance of three left-wing parties.

Electoral lists representing recognized national minorities are not subject to the minimum vote threshold for parliamentary representation.

C. Functioning of Government

C1 0-4 pts

Do the freely elected head of government and national legislative representatives determine the policies of the government?

3/4

Freely elected officials generally determine and implement laws and policies without interference, though PiS chair Jarosław Kaczyński—who was appointed deputy prime minister in September 2020, and had previously played a dominant role in the government despite not holding any official executive position—retains significant influence on government affairs. Throughout its time in power, PiS has sought to limit parliamentary scrutiny of legislation through various means, such as making use of private-members bills that require no consultation or impact assessments; introducing legislation unexpectedly at the last minute, sometimes in the middle of the night; and limiting opportunities for the opposition to question or amend legislation.

C2 0-4 pts

Are safeguards against official corruption strong and effective?

3/4

PiS came to power promising to clean up corruption, cronyism, and nepotism. Cronyism, a problem under all previous Polish governments, is widespread under PiS, as it has altered, lowered, or removed many criteria for staffing of public institutions, allowing for appointments based on party loyalty and personal connections. In July 2021, PiS adopted a resolution prohibiting family members of politicians from taking jobs in state-owned companies. The resolution, however, does not apply retroactively and includes major exemptions.

In past years, the NIK, a state watchdog, has raised concerns about the misuse of public funds by PiS and its coalition partners. However, since the PiS-appointed chair of NIK took office in 2019, he has been investigated for possible irregularities in his property declarations and links to a criminal group. He has called the allegations a “smear campaign” and rejected the prime minister’s call for his resignation.

In July 2021, the NIK called for an investigation into the justice ministry for allegedly improperly dispensing hundreds of millions of złoty meant for victims of crime, including to political allies. In response, the justice minister is seeking to strip the NIK head of immunity from prosecution.

C3 0-4 pts

Does the government operate with openness and transparency?	2/4
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The right to public information is guaranteed by the constitution and by the 2001 Act on Access to Public Information, but obtaining records and data from public institutions can be slow and difficult.

The current government avoids consulting outside experts or civil society organizations on policy ideas and tends to introduce and pass legislation rapidly, with little opportunity for debate or amendment.

In 2021, the government faced a string of scandals when official correspondence was leaked from private email accounts; the government has blamed the leak on Kremlin-backed Russian hackers, and claims that some of the emails are not authentic, but part of a Russian disinformation campaign.

Civil Liberties

D. Freedom of Expression and Belief

D1 0-4 pts

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The constitution guarantees freedom of expression and forbids censorship, though libel laws have been used to harass journalists. Since 2015, nearly 200 lawsuits against independent media outlets and journalists have been filed by politicians and government-affiliated entities.

Public media and their governing bodies have been purged of independent or dissenting voices since PiS came to power in 2015. TVP, the state broadcaster, promotes government messages and often seeks to discredit the opposition, in flagrant breach of statutory obligations to present news in a “reliable and pluralistic manner.” In June 2021, an international study found that TVP is the least trusted of Poland’s most prominent news sources. TVP also depicts voices critical of the government, including NGOs and judges, as agents of the opposition or foreign forces. The broadcaster’s electoral coverage in 2020 was marked by “xenophobic, homophobic and antisemitic” rhetoric, according to the OSCE’s observers.

Since 2015, the government has regularly used state-run companies to exert control over local media. In December 2020, oil giant PKN Orlen bought the previously German-owned Polska Press, a media organization that publishes 20 regional daily newspapers, 120 regional weekly newspapers, and 500 online portals. While the company has pledged to safeguard editorial independence, more than a dozen editors-in-chief had quit or been dismissed by July 2021.

PiS leadership also promised to pass a law “deconcentrating” and “repolonizing” private media by reducing foreign ownership, a move that would disproportionately affect the outlets that most vigorously hold the current government to account. In August 2021, the Sejm passed a bill preventing companies registered outside the European Economic Area (EEA) from majority ownership of Polish media companies. While officials say tightening ownership rules would prevent states like China and Russia from influencing media, opposition figures have accused the government of seeking to silence the US-owned TVN, a prominent critic of PiS and the country’s largest private broadcaster. The bill was rejected by the Senate in September, but passed again by the Sejm in December, before being vetoed by Duda later that month.

Since 2015, state-controlled companies have also shifted their advertising to private media outlets that support the PiS government. More critical outlets have suffered a corresponding drop in advertising revenue, as well as a sharp decline in subscriptions from government ministries. In February 2021, the government proposed a new tax on media advertising revenue, which independent media organizations claimed would threaten media freedom; following widespread protests, including an unprecedented 24-hour media blackout, the government agreed to rewrite its proposal.

In September 2021, the government declared a state of emergency barring journalists from visiting two provinces on the border with Belarus amid a surge of illegal migrant crossings. Critics say the measure is designed to limit media scrutiny of official conduct in the area.

D2 0-4 pts

Are individuals free to practice and express their religious faith or nonbelief in public and private?

4 / 4

The state respects freedom of religion. The PiS government is aligned with the Roman Catholic Church, which wields significant influence in the country. Religious groups are not required to register with the authorities but receive tax benefits if they do. Minority faiths are generally able to obtain registration in practice. There is a formal ban on state funding for church construction, but, in practice, a church can obtain Culture Ministry funding if it includes a museum.

D3 0-4 pts

Is there academic freedom, and is the educational system free from extensive political indoctrination?

3 / 4

The ruling party has sought to discredit academics who challenge its preferred historical narrative, particularly with regard to the events of World War II. However, the right to pursue academic research has been upheld by courts.

In February 2021, a Warsaw district court ordered two Holocaust scholars to apologize to a woman who claimed they defamed her uncle in their book on wartime Poland; the book contained the testimony of a Holocaust survivor who accused the

woman's uncle—the mayor of a small Polish town during World War II—of collaboration with the Nazis. The case triggered international concern over the use of the judicial system to restrict academic freedom. An appeals court overturned the ruling in August, citing the importance of freedom in scholarly research and condemning the use of litigation to interfere with academic work.

D4 0-4 pts

Are individuals free to express their personal views on political or other sensitive topics without fear of surveillance or retribution?

3/4

People are generally free to engage in private discussions on political and other matters without fear of harassment or detention by the authorities. However, Poland has harsh insult laws, including against offending religious feelings and insulting the president, which have been increasingly used to pursue criminal cases in recent years.

In March 2021, a popular Polish writer, Jakub Żulczyk, was charged with insulting the president on social media, for which he could face up to three years in prison; his trial began in November. Earlier that year, a Polish musician was convicted of blasphemy for posting a photo of a foot stepping on an image of the Virgin Mary. A Warsaw court ordered him to pay a fine, but he contested the judgment, and the case was dismissed in September.

E. Associational and Organizational Rights

E1 0-4 pts

Is there freedom of assembly?

3/4

Freedom of assembly is generally respected in law and in practice. Public demonstrations are held with some regularity, though local authorities can limit demonstrations in their districts on grounds of maintaining public order.

Greater numbers of LGBT+ pride parades have taken place in Poland in recent years, with many staged in smaller and eastern cities for the first time. Authorities attempted to obstruct these events, including on grounds of safety, but in each case courts prevented authorities from stopping the organizers, arguing that freedom of assembly cannot be denied on the basis of potential violence by opponents.

E2 0-4 pts

Is there freedom for nongovernmental organizations, particularly those that are engaged in human rights– and governance-related work?

3/4

Although NGOs have generally operated without government interference in Poland, public media and top government officials began systematically undermining the credibility of rights and governance-related groups in 2016, accusing many of lacking financial transparency and pursuing an opposition-led political agenda. A 2017 law centralized distribution of public NGO funding through a new body, the National Freedom Institute, which is indirectly attached to the prime minister's office. As anticipated, when the National Freedom Institute distributed funds in 2019, the money went disproportionately to organizations that fit the government's ideological profile.

In September 2021, the government imposed a state of emergency on the border with Belarus in response to repeated attempts by thousands of migrants, mostly from the Middle East, to enter Poland illegally. This decision barred NGOs from entering the area; international human rights organizations have criticized Polish authorities for refusing to allow NGOs to provide humanitarian aid to migrants stranded along the border or to monitor the conduct of border guards and police.

E3 0-4 pts

Is there freedom for trade unions and similar professional or labor organizations?

4/4

Poland has a robust labor movement, though certain groups—including the self-employed, private contractors, and those in essential services—cannot join unions. Complicated legal procedures hinder workers' ability to strike.

F. Rule of Law

F1 0-4 pts

Is there an independent judiciary?

1/4

Since taking power in 2015, the PiS government has moved aggressively to assert control over the judiciary, passing legislation designed to curb the powers of the TK and to install progovernment judges on its benches. In a May 2021 ruling, the European Court of Human Rights (ECtHR) found that the TK is not a “tribunal established by law,” because at least one of its judges was illegitimately appointed.

In 2017, three significant judicial reforms were adopted. The first gave the justice minister the power to appoint and dismiss presidents and deputy presidents of courts. The second, which came into force in 2018, mandated that 15 of the 25 members of the KRS, which is responsible for nominating judges, be appointed by the parliament instead of elected by the judiciary. In July 2018, new, lower retirement ages for the Supreme Court came into force, effectively meaning that 27 out of 73 judges had to step down unless they were given the president’s approval to remain. These judges were reinstated later that year after an infringement procedure from the European Commission and an interim ruling of the European Court of Justice (ECJ), which later confirmed that the measures had breached European law. The Supreme Court law also created powerful new chambers—the Chamber of Extraordinary Control and Public Affairs (responsible for declaring the validity of elections), and the Disciplinary Chamber.

In 2019 and 2020, the European Commission launched infringement procedures alleging that the Disciplinary Chamber undermined the independence of judges. In July 2021, the ECJ ordered that the activities of the Disciplinary Chamber be suspended, expanding the scope of an earlier judgment, which, according to critics, the Polish government had ignored. The ECJ’s July 2021 ruling stated that the Chamber lacked independence from the legislature and executive, and that measures needed to be taken immediately to rectify the situation. The same day, the TK ruled that the interim measures imposed by the ECJ conflict with Poland’s constitution, potentially opening the way for the government to ignore the ECJ’s rulings on the

Disciplinary Chamber. In October 2021, the ECJ imposed a daily penalty of one million euros on Poland until the measures required by the Court's order are fully implemented.

The same month, in response to a motion from Poland's prime minister, the TK ruled that some parts of EU law are incompatible with Poland's Constitution, which would have primacy in such cases. The European Commission responded by launching another infringement procedure, arguing that the TK's July and October rulings had violated EU law. The Commission also expressed "serious doubts on the independence and impartiality" of the TK itself.

Since 2018, several European courts have rejected Polish arrest warrants and extradition requests, citing concerns about the independence of Polish courts. In September 2020, a Dutch court ruled that the Netherlands would suspend all extraditions to Poland until the Court of Justice of the EU (CJEU) responds to its concerns about the ability of the Polish judiciary to ensure fair trials for all defendants.

F2 0-4 pts

Does due process prevail in civil and criminal matters?

3/4

Defendants generally enjoy due process protections in Poland, though the law allows for extended pretrial detention, and there is a large backlog of cases. The decision by the PiS government to merge the roles of justice minister and prosecutor general "creates potential for misuses and political manipulation" of the justice system, according to the Venice Commission. The use of pretrial detention has significantly increased since the PiS came to power.

Legislation introduced in 2016 gave law enforcement agencies broad authority to monitor citizens' communications activity, including the ability to access metadata without a court order, monitor the movements of foreign citizens without prior court approval, and hold terrorism suspects without charge for up to two weeks. It also contained ambiguous provisions on collecting individuals' data, arresting civilians, prohibiting demonstrations, and blocking internet access.

F3 0-4 pts

Is there protection from the illegitimate use of physical force and freedom from war and insurgencies?

4/4

Civilians are largely free from extralegal violence, though some incidents of abuse by police have been alleged in the context of antigovernment demonstrations. Human rights groups have reported inadequate medical care in prison facilities.

F4 0-4 pts

Do laws, policies, and practices guarantee equal treatment of various segments of the population?

2/4

Women and ethnic minority groups generally enjoy equality before the law. LGBT+ people continue to face discrimination. Public support for LGBT+ rights, including same-sex civil partnerships, has risen in recent years. However, 2019 and 2020 saw major setbacks, as an intense anti-LGBT+ campaign led by PiS and parts of the church stoked fears of an “imported LGBT ideology.” By the end of 2020, more than 100 local governments had declared themselves “LGBT-ideology-free” zones or established “family charters,” in resolutions without specific legal implications that were described by domestic and international rights groups as “manifestations of hate” toward LGBT+ people. However, in 2021, the Polish government asked local authorities to repeal their anti-LGBT+ resolutions after the EU threatened to withdraw millions of euros in funding from towns that had adopted such declarations.

Because Poland’s law against inciting hatred does not cover crimes motivated by sexuality or gender identity, public figures have been free to make slurs that would be prosecuted if targeted at other marginalized groups.

In October 2021, the parliament authorized border guards to forcibly expel migrants who had crossed into the country illegally. This law was passed in response to the political and humanitarian crisis taking place along the Polish-Belarusian border, where Belarusian security forces were stranding migrants who then illegally crossed the border into Poland. The situation, apparently engineered by Belarusian President Alyaksandr Lukashenka, has trapped thousands of migrants between the two countries; approximately 20 migrants are believed to have died in the border zone in 2021. Human rights organizations, including the UN, have been denied access to the border zone, and have accused Polish authorities of putting migrants’ wellbeing and

lives at risk with this policy of “illegal pushbacks.” In December, the European Commission proposed measures to allow for temporary extended asylum claim processes and expedited deportations.

Score Change: The score declined from 3 to 2 due to unlawful, violent pushbacks of migrants at the Belarusian border, and other mistreatment of migrants by border guards.¹⁸

G. Personal Autonomy and Individual Rights

G1 0-4 pts

Do individuals enjoy freedom of movement, including the ability to change their place of residence, employment, or education?

4 / 4

People in Poland typically enjoy freedom of travel and choice of residence, employment, and institution of higher education.

G2 0-4 pts

Are individuals able to exercise the right to own property and establish private businesses without undue interference from state or nonstate actors?

4 / 4

Citizens have the right to own property and establish private businesses. However, a 2016 law imposed onerous restrictions on sale and ownership of agricultural land, ostensibly to protect small-scale farmers. State and religious institutions are not bound by the new restrictions.

G3 0-4 pts

Do individuals enjoy personal social freedoms, including choice of marriage partner and size of family, protection from domestic violence, and control over appearance?

3 / 4

Under Polish law, abortion is permissible through the 12th week of pregnancy if a woman's health or life is in danger or if the pregnancy is a result of a criminal act such as rape. In October 2020, the TK ruled that abortion in cases where the fetus has a congenital disorder is unconstitutional, effectively restricting legal abortion to cases involving rape, incest, or danger to the life or health of the mother. In response to the ruling, mass protests with hundreds of thousands of participants took place in Warsaw and other Polish cities. Despite delays in late 2020, the ruling went into effect in January 2021. UN human rights experts said the ruling violates Poland's human rights obligations, and has "effectively slammed the door shut" on legal and safe abortions in the country.

Since 2017, contraceptive pills have been available by prescription only, making Poland one of only two EU countries in which such a restriction is in place. A report by the NIK found that in many, especially rural, parts of Poland, gynecologists are rare. Many women must travel to obtain care, and reliable and timely access to contraception and other sexual-health services is limited.

Same-sex civil partnerships and marriages are not permitted, and same-sex couples are not legally allowed to adopt. The constitution places "marriage, as a union of a man and a woman," under the "care and protection" of the state. In August 2021, the leader of PO, Donald Tusk, pledged to introduce same-sex unions as one of his first acts if his party wins elections.

Since 2020, Poland's ministers have debated withdrawing from the Istanbul Convention, a treaty to combat domestic violence and violence against women, on grounds of its alleged promotion of "LGBT and gender ideology." In a September 2021 report, the Council of Europe praised several initiatives introduced by the Polish government to combat domestic violence, including a law passed in March 2020 mandating the immediate separation of perpetrators of domestic violence from their victims. The report further states that more progress must be made, specifically on changing the definition of rape to include all non-consensual sexual acts.

G4 0-4 pts

Do individuals enjoy equality of opportunity and freedom from economic exploitation?

3/4

The law provides meaningful protections against abusive working conditions and child labor, especially in the formal sector. The authorities work to combat human trafficking, but women and children are still subjected to trafficking for sexual exploitation and foreign migrant workers are vulnerable to conditions amounting to forced labor.

State-owned entities have been expanding their already considerable presence in various sectors, such as banking, often by buying out foreign owners, as the government effectively renationalizes parts of the economy. Hiring for senior positions at such firms is often based on political loyalty or connections rather than merit, a longstanding issue under various governments that has grown more widespread under the current administration.



On Poland

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Country Facts

Global Freedom Score

81/100 Free

Other Years

2021

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