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## INFORMATION ON UNPRECEDENTED ATTACKS ON CIVIL SOCIETY ORGANISATIONS IN POLAND

In the light of recent developments in Poland, one of the most pressing problems is the attack on civil society by governmental administration bodies. Non-governmental organisations, critical of state authorities (including [Obywatele RP](#) [Citizens of Poland], Fundacja Otwarty Dialog [Open Dialogue Foundation], [Komitet Obrony Demokracji](#) [Committee for the Defence of Democracy] and [Akcja Demokracja](#) [Action Democracy]) have been subjected to unprecedented pressure due to [their objection](#) to the government's plan for judicial reform and their involvement in peaceful civil society protests in the second half of July 2017.

As broadly covered by [international media](#), anti-government [protests](#) were aimed at defending the rule of law and the Constitution. **Demonstrators objected to the attacks on the independence of the judiciary and the impartiality of judges, both seriously endangered by non-constitutional, draft laws.** Such draft laws, presented by the current parliamentary majority (formed by the Law and Justice party) in cooperation with the government, essentially abolished the separation of powers. Significant mobilisation of society led to the vetoing of two out of three laws by President Andrzej Duda, which has contributed to partially, yet significantly halting the process. The independence of the Supreme Court and the National Council of the Judiciary was maintained, but [the law on the system of common courts](#) was passed, subjecting the courts to [the actual control](#) of the Minister of Justice.

**Controlled by the ruling party, Polish public television, TVP, has launched [a massive defamation and slander campaign](#) against the aforementioned organisations and, more broadly, all citizen-led, independent initiatives.** The campaign is based on manipulations, half-truths and facts which [do not correspond to reality](#). Organisations critical of the government are accused of artificially provoking protests in defence of courts and the Constitution and manipulating public opinion with [money from abroad](#). The image of the external enemy is created and key activists are portrayed as *traitors of the homeland* or [puppets in the hands](#) of foreign powers and governments (e.g. George Soros, Russia, even Germany and the *Brussels elites*). **Projects aimed at subjecting NGOs to special supervision, including investigations into them by special services and limiting their access to foreign funding, are issued and discussed publicly, also by key ministers of the Polish government.** The organisations are accused of having the intent to provoke *a bloody revolution* and to overthrow the government in order to achieve the interests of foreign states and other foreign actors.

[Critical voices](#) of [the EU](#), including [the European Commission](#), are held in open contempt by Polish authorities which not only dismiss them but also make attempts to turn the public opinion against them, thus enhancing [radical anti-European](#) and [xenophobic](#) sentiment.



Covers of right-wing weeklies, titles read “Hitler was a leftist” and “Caliphate Europe”

This campaign is also carried out by extreme right-wing and nationalist organisations and these attacks lead to a massive wave of hate speech and threats, punishable by law, on the Internet; there are also incidents in public spaces, which are often carried out with the tacit consent of and reluctant response from law enforcement agencies. An important aspect of hateful or spiteful comments is their frequent xenophobic dimension: victims of the attacks are denied the right to Polish nationality and [aggression](#) is also directed against a large population of Ukrainians in Poland. It is connected, among others, with the [participation of Ukrainian citizens living in Poland in the protests](#) and previous high-profile [humanitarian aid actions](#), organised for Ukraine by the Open Dialogue Foundation. The result of these activities is strong polarisation in society and development of a climate in which the aversion to citizens' initiatives, refugees and immigrants is growing.

Media attacks are a prelude to harassment by governmental administration, which brings to mind the methods used in Poland in the communist era and, more recently, in numerous non-democratic, post-Soviet states. Members of the Polish government, such as Minister of Interior [Mariusz Błaszczak](#) and his deputy [Jarosław Zieliński](#), Minister Coordinator of Poland’s Special Services, [Mariusz Kamiński](#), Minister of Foreign Affairs [Witold Waszczykowski](#) and Minister of National Defence [Antoni Macierewicz](#) publicly discuss actions which should be taken against particular NGOs.

On 20 July, 2017, the Ministry of the Interior sent a letter to **Fundacja Wolni Obywatele RP** [The Foundation of which supports the **Citizens of Poland** movement], in which it gives a 14-day deadline for [ceasing to violate the law](#). Should the Foundation fail to fulfill the demands, the Ministry of Interior will file a motion with the court, demanding the suspension of the Foundation’s Management Board and appointment of a board of trustees. On 27 July, 2017, police recordings of surveillance activities against

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activists of the **Citizens of Poland** and one of the leaders of the opposition party **Nowoczesna** [Modern], **Ryszard Petru**, were revealed. It became apparent that the largest civil resistance movement, **Komitet Obrony Demokracji** [Committee for the Defence of Democracy] faced [similar problems](#). On 23 August, 2017 two activists of the Citizens of Poland movement, **Wojciech Kinasiewicz** and **Tadeusz Jakrzewski**, reported the above-mentioned surveillance activities, which [affected them personally](#), to the District Prosecutor's Office in Warsaw.

On 27 July, 2017, the Ministry of Foreign Affairs demanded an explanation from **the Open Dialogue Foundation**, alleging that it was calling for illegal activities and unspecified personal attacks. In spite of an extensive explanation provided by the Foundation, on 7 August, 2017, the MFA, citing its supervisory powers, demanded that the Foundation [removes the illegal content](#) from the Foundation's websites and social media accounts within three days. The Foundation clearly identifies it as [an attack on freedom of speech](#) and the independence of NGOs. It also [assumes](#) that the Ministry of Foreign Affairs may take steps leading to the suspension of the Foundation's Management Board. At the request of the Minister of Foreign Affairs, on 7 August, 2017, fiscal authorities have launched a special fiscal and customs inspection of the Open Dialogue Foundation (despite the fact that different inspections have already been carried out in previous years).

Foreigners associated with the attacked organisations [are concerned](#) for their residence documents and their right to stay and work in Poland.

**Hostile actions against particular NGOs and critical civil society as a whole are being carried out by right-wing MPs and MEPs from Poland:**

- On 25 July, 2017, [Anna Fotyga](#), Chair of the Subcommittee on Security and Defence of the European Parliament (SEDE), former Minister of Foreign Affairs and prominent member of the Law and Justice party in Poland, publicly expressed her disapproval of the Open Dialogue Foundation. The reason for the unfavourable opinion was a statement on the situation in Poland issued by Bartosz Kramek - the Head of the Foundation Board. The statement included calling for massive civil disobedience. MEP Fotyga has not only promised to boycott all future initiatives carried out with the participation of the Foundation but also declared that she would thwart all its efforts in the European Parliament (despite the fact that the Foundation had previously cooperated with her and carried out valuable joint initiatives, dedicated mainly to supporting Ukraine and countering Russian propaganda).
- On 31 July, 2017, [Stanisław Pięta](#), MP from the Law and Justice party, Vice Chair of the Polish-Ukrainian Parliamentary Group, publicly announced, in a very impolite manner, that the Open Dialogue Foundation should immediately leave (*get out of*) Poland as that it allegedly interferes with Polish affairs and destroys Polish-Ukrainian relations.
- The same day, [Adam Andruszkiewicz](#), MP from the Kukiz'15 political party and the leader of the Endecja nationalistic organisation filed a motion with *the relevant* [special]services in which he [requested that an inspection be carried out](#) in the Open Dialogue Foundation, as it

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allegedly represents *a foreign and leftist threat* to the Polish state. He declared that he would submit a parliamentary written inquiry with regard to the Foundation's activities.

- On 1 August, 2017, [Tomasz Rzymkowski](#), MP from the Kukiz'15 party, gave an interview in which he described the Open Dialogue Foundation as an *international predatory group*, allegedly financed *by Soros and Russia*, aimed at provoking a rebellion in Poland, and urged a ban on foreign funding for NGOs.
- On 23 August, 2017, [Dominik Tarczyński](#), MP from the Law and Justice party, reported to the prosecutor's office an alleged crime of attempting to overthrow a constitutional body by force, committed by the Open Dialogue Foundation. MP Tarczyński declared he would discuss the matter with the Prosecutor General/Minister of Justice Zbigniew Ziobro as well.
- On 30 August, 2017, Prime Minister [Beata Szydło](#) (Law and Justice) in a press interview for Gazeta Polska claimed that the latest social protests were not spontaneous but *well directed and paid*. She stressed that particular foundations work for *influential foreign interests groups* and that they would not give up easily. Responding to a journalist's question implying the need for reaction in the cases of the Free Citizens of Poland and the Open Dialogue Foundation, Prime Minister Szydło added that the Minister of Foreign Affairs had informed the prosecutor's office about the matter of *the unlawful actions* of the Open Dialogue Foundation.

On 26 September, 2017 **the Senate** passed a law on the **National Institute of Freedom - Centre for the Development of Civil Society**. Although it is presented as part of the current Polish government's commitment towards [strengthening civil society organisations and activities](#), the law has been heavily criticised by numerous NGOs, [federations](#) and [the ombudsman](#). Currently, the law is awaiting the President's approval and, once signed, it will undermine the independence of civil society in Poland. The law states that all governmental funding for NGOs will be centralised within a newly-created office. It raises doubts because it aims to promote activities which comply with Christian and patriotic values (and may lead to the exclusion of others). It is seen as a clear and narrow expression of the ideological approach of the current authorities and, thus, it seems to violate the constitution and its preamble, which proclaims a wide endorsement of [different beliefs and views](#). What's more, it will subject the management bodies of the Institute to strong and direct political influence, without [guaranteeing transparency](#) in appointments to key positions within the Institute.

**On 3 October, 2017, the Open Dialogue Foundation was informed by the Regional Court of Warsaw that the Minister of Foreign Affairs had filed a motion demanding the appointment of a so-called forceful trustee [replacing the current Management Board](#).** The court set a 7-day deadline for the delivery of the Foundation's official statement on the matter.

On 5 October, 2017, the day after the nationwide women's rights protests, **police officers [entered the offices](#) of several women's organisations (local offices of the Center for Women's Rights and the Baba Association) and seized their documentation, computers and hard disks with data related to their past projects, and – in some cases – to their general activities as well.** The targeted organisations perceive

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these actions as [intimidation and discouragement](#) from further protest campaigns. The office of the ombudsman has already expressed its concern.

Several statements have been issued by international NGOs, such as [Global Ukraine](#) and [Centre for Civil Liberties](#), condemning the unacceptable pressure exerted on **the Open Dialogue Foundation** and other civil society organisations in Poland.

We believe that concerted action should be carried out by the EU, especially the European Commission and the European Council. If the action takes into account the NGOs' appeals, it will hinder members of the Polish government from their attempts to destroy the foundations of the rule of law and civil society in the Republic of Poland.

**We invite the international community to call upon the Polish Government to restore democratic, European standards and guarantee the independence of civil society initiatives in Poland.**

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