

From Poland with Love

Monthly Newsletter – April

Topic of the month

Protest of parents of disabled children in the Sejm

On April 18th parents of disabled children started the occupation of the halls of the Sejm. After two weeks they are still refusing to leave the building until their calls for more state support are addressed. They are sleeping on the floors and caring for their children every day. The Speaker of the Sejm and the management of the Sejm building are hindering donations of food and blankets to the protesters, but opposition MPs are helping to deliver much needed means from the outside. Joanna Scheuring-Wielgus, MP from Nowoczensa, was refused to bring children's physiotherapists to the parliament building.

Many other parents of disabled children are protesting in front of the Sejm, supported by the people of Warsaw.

In Poland people who choose not to work in order to care for a disabled child receive €350 per month from the government. But they can only receive this benefit if they have no other income, which means they cannot take even part-time work. What is more, as soon as the child turns 18, even that meager payment expires and parents are left alone with their children who need constant care and without means of support.

Back in 2014, Poland's Constitutional Tribunal deemed the law unconstitutional. But none of the governments – the previous PO-PSL coalition nor the current PiS government – have done much to improve situation of parents of disabled children. It is important to say that the parents of the disabled children also protested for 17 days in the Sejm when Civic Platform led the government.

Today the parents are calling for the introduction of a additional €130 monthly care allowance, as well as an increase to the social security pension for disabled people, which currently stands at €170 per month.

The fact that the PiS government that portrays itself as the representation of the poor and excluded is not able to meet the parents' demands is very surprising. The government has already spent billions of zlotys on new social programmes, but is still refusing to solve the dramatic situation of the most vulnerable part of the society. In 2016, the ruling parliamentary majority passed a "For Life" bill – a part of the PiS's anti-abortion package – that envisioned a one-time payment of €1.000 for the birth of a disabled child. This proposal was commonly called insufficient and out of touch with disabled people's reality. This lack of actions in favor of the disabled also contrasts a lot with recent scandals connected with bonuses that PiS members of the government gave to themselves (*Read the March edition of the newsletter*).

Many politicians of the current government met with the protesters, including the President Andrzej Duda, the Minister of Social Policy and Families, Elżbieta Rafalska, and the Prime Minister Mateusz Morawiecki. The government passed a bill raising disability aid to equal the minimum work disability pension. In effect, disability aid will rise from €204 to €242. The new law is to come in force on September 1, but will be effective as of June 1. The parents refuse this solution as not sufficient and require a meeting with PiS chairman Jarosław Kaczyński and the Deputy-Prime Minister responsible for social affairs Beata Szydło. The latter one is under a massive media attack for not meeting the parents and posting pictures from opening of touristic season in the mountains instead.

Today it is hard to estimate when the protest will end and with what effects. But according to all the polls a vast majority of Poles sympathizes with the protesters and put pressure on the government to end the protest.

Politics

PiS candidates in biggest cities

Patryk Jaki has been named PiS candidate for Warsaw mayor in the autumn local elections. Jaki is a deputy Justice Minister and a rising star of the national-conservative government. He has been prepared to run in Warsaw for a few months now. The government created a special investigation commission against the incumbent mayor Hanna Gronkiewicz-Waltz (Civic Platform) investigating a scandal over the restitution of prime real estate in the Polish capital. Jaki was appointed a chairman of this commission.

Jaki is not a member of PiS. He is one of the leaders of the Solidarna Polska party led by the Justice Minister Zbigniew Ziobro.

Jaki is representing a radical wing within the government and may have problems with mobilizing the centrist electorate, much needed to win in liberal Warsaw. So far all polls are showing that he will lose with Rafał Trzaskowski (supported by PO and Nowoczesna).

Kaczyński also said Małgorzata Wassermann, who heads a commission investigating the Amber Gold pyramid scheme, would run for mayor in Kraków. The spectacular collapse of Amber Gold was the scandal of the 2012 in Poland. Amber Gold promised guaranteed returns of 10 to 14% a year for what it claimed were investments in gold (compared well to the 3 to 5% interest offered by banks on savings accounts). Amber Gold was also the main investor in low-cost airline OLT Express that bankrupted after a few months in the market. 19.000 customers were swindled out of a combined sum €200 million. The affair has raised questions about the effectiveness of Poland's justice system and government because authorities failed to act against the scheme despite red flags from regulators and the criminal record of its young owner. (*Copmare: article on GetBack in the Economy section.*)

Kacper Płażyński was named as the PiS's candidate for Gdańsk mayor. PiS will also endorse two incumbent independent mayors of Katowice and Kielce.

(Full list of PiS mayor candidates:

<http://wiadomosci.gazeta.pl/wiadomosci/7,114884,23326270,warszawa-zgodnie-z-oczekiwaniem-zaskoczenie-w-katowicach.html>)

Civil unions

Nowoczesna has presented its civil unions bill. It is a first attempt to legalize civil unions in Poland in this term of the Sejm.

Monika Rosa MP presented a bill that was consulted for many weeks with LGBTQ organizations and other social partners. The bill includes:

1. civil unions for both heterosexual and homosexual couples,
2. unions will be formalized at register offices,
3. partners will be allowed to use each other's last names,
4. partners will be allowed to have community of property,
5. partners will be allowed to adopt each other's children,
6. partners will inherit their property,
7. partners will be allowed to do their taxes together,
8. partners will get access to information about their health.

The bill does not have many chances to pass in the current parliament where Nowoczesna is the only political group supporting civil unions, including same-sex unions.

According to the IPSOS Institute in 2017 for the first time the majority of Poles was in favor of civic unions for same-sex couple (52%; and 43% were against).

Facebook removes Polish far-right groups

Facebook announced that in a statement on community standards that it "prohibits on its platform" the presence of organizations violating its regulations. The statement specifically lists the National Radical Camp (ONR) and the National Rebirth of Poland (NOP). "We believe that these organizations openly promote racist, anti-Semitic and homophobic views," Facebook said in the statement.

The ONR is often described as fascist and neo-Nazi. The ONR considers itself an ideological descendant of the antisemitic political movement which existed before World War II, sharing the same name. ONR attracted publicity in 2005, 2007, and 2008 for unauthorized marches during the anniversary of the anti-Jewish riot in Myślenice in 1936. NOP is an ultranationalist and national-revolutionary organization. The NOP is stated to be an anti-Semitic organisation by a number of government bodies, nongovernmental organizations, academic institutions and individual experts worldwide, such as the United States Department of State, and the European Commission against Racism and Intolerance (ECRI).

Representatives of far-right Polish groups, including an MP elected from Kukiz'15 list, Robert Winnicki, asked the Prime Minister and the Ministry of Foreign Affairs to intervene. They also

announced to create an alternative for Facebook that will help them to build new Catholic Poland. Polfejs – this is how the nationalistic social media platform was called – is not very successful and was closed after a few days for violating copy rights.

(Further reading on the Polish far right: https://news.vice.com/en_us/article/nedyyb/poland-populist-government-far-right-extremism)

Foreign Affairs

Article 7 dispute continues

The dispute between the European Commission and the Polish government over the reform of the judiciary continues. Next episode thereof was a visit of Frans Timmermans in Warsaw on April 9th, 2018.

“The debate isn’t about whether Poland has a right to reform its judicial system, that’s not our competence. We want to be sure that the Polish justice system maintains its independence,” Timmermans said during a joint news conference with Polish Foreign Minister Jacek Czaputowicz. “I have sensed a strong will on the side of the Polish government to come to solutions; there is a strong will also on the side of the Commission,” he added.

In recent weeks the Polish government was trying to show some flexibility but according to many observers, including the Ombusman and the opposition it is not enough, it is only a put-on show.

Both Timmermans and Czaputowicz stressed that they want to reach a compromise as soon as possible. Also Jarosław Kaczyński said in a recent interview that there was an “80 percent” chance that the dispute could be resolved.

Unfortunately, a few weeks after the visit the conflict is still unresolved and the Commission Vice-President has urged Poland to formulate its full proposal to solve the dispute over the rule of law by mid-May. Poland’s rule of law was one of the main topics of the Luxembourg meeting of the Council of Ministers on April 17th. Behind closed doors, Timmermans told the ministers that the formal reply of the Morawiecki government, issued in March as a ‘White Paper’, did not solve any problems. The Council will return to the topic at its next meeting on May 14th. Timmermans told the ministers he would then present them with a full assessment of the concessions from Poland and propose conclusions.

The conflict over the judiciary reform is happening alongside the discussion on the new EU budget. Though no official information has been released, some Polish media outlets have said that Poland would get tens of billions of euros less than previously, because funding would go to countries with a high unemployment rate, rather than to countries with a lower GDP per capita.

Will significant financial punishments stop the PiS government? Or will it empower it in its domestic propaganda against the opposition and the European Union?

Economy

Debt collector shock markets

Polish debt collector GetBack has so far failed to redeem bonds worth €21 million, augmenting worries about the remaining €597 million worth of bonds of a firm that only last year used to be a darling of the capital markets. GetBack, together with its subsidiaries, provides debt collection services in Poland. It engages in buying accounts receivable portfolios; managing investment portfolios consisting of the accounts receivable of closed-end investment funds; and operating debt collection proceedings to precipitate repayment of the accounts receivable undergoing debt collection. The company was founded in 2012 and is based in Wroclaw.

GetBack claimed it was in talks with the state-owned Polish Development Fund (PFR) and Warsaw Stock Exchange-listed lender PKO Bank Polski on up to €59 million in credit and investment financing, though both PFR and PKO BP quickly denied it.

The Polish Financial Supervision Authority (KNF) initiated proceedings against GetBack for a possible breach of complying with reporting rules and has launched an inquiry into the company's Q1, Q2, and Q3 earnings reports. KNF filed a notice to the national public prosecutor's office about the suspicion of crimes committed by persons representing GetBack.

The sudden crash of the bonds and shares of GetBack has taken investors, analysts and regulators by surprise, weighing on share prices of other listed firms. The value of bond issued by the company amount to near €610 million. The company's shares have lost nearly 90 percent of their value since October. Up to 10.000 Polish retail investors and some 180 financial institutions might have exposure to GetBack's bonds. If these people lost their savings the GetBack case will become one of the biggest financial scandals of the modern Poland, bigger than the Amber Gold case that is politically used by PiS to attack the former government and Donald Tusk himself.

(Further reading on the Amber Gold case: <https://www.reuters.com/article/us-poland-politics-tusk/polish-lawmakers-plan-to-question-eus-tusk-over-ponzi-scheme-idUSKBN13A1ES>)

Culture

Lady with an Ermine

At the end of 2016 Polish government bought one of the most important art collections in Poland, the famous Czartoryski family collection. Poland paid €105 million for the entire collection, which is valued at around €2 billion. The Polish Minister of Culture Piotr Glinski described the deal as a "donation" by the family to the state.

The collection includes 300.000 pieces of art and historic manuscripts that the family amassed in order to preserve Polish culture and history. It was established in 1801 by Princess Izabela Czartoryska, at a time when Poland was under the influence of Austria, Prussia, and Russia, following the 1795 partitioned. It also encompasses notable works by Rembrandt, Luca Giordano, and Peter Brueghel the Younger, but the collection's most prized artwork is doubtlessly Leonardo da Vinci's *Lady With an Ermine*.

The Foundation was created only in 1990s when the reborn Polish democratic republic wanted to give back the collection nationalized by the communists to the descendants of the family who had owned it. It was a fluke for the prince Adam Karol Czartoryski who unexpectedly for himself became a guardian of this extraordinary treasure (even more so having in mind that the prince does not live in Poland and hardly speaks any Polish).

In 2016 in order to enable the purchase by the state, the foundation had to change its statute, as the collection was otherwise “nontransferable and indivisible.” All of the foundation’s board members resigned in protest when they were excluded from the talks regarding the purchase agreement. It was a clear signal to the public opinion that something could have been going wrong with the deal.

But today we know much more about this transaction. Princess Tamara Czartoryska, daughter of the prince Adam Karol Czartoryski, informed about a conflict between her and her father and his new wife. Tamar Czartoryska described her father and her step-mother as people who hate Polish people and wanted to use the great collection only for their private purposes. Recently they have created a new foundation in Liechtenstein, and transferred all €100 million there. They opposed any charity activities in Poland and it looks like they sold the “nontransferable and indivisible” simply to live a more luxurious life. Tamara Czartoryska has instructed lawyers to challenge his decision to liquidate the Czartoryski Foundation, which was set up by one of her ancestors during the 19th century. She also claims she has already blocked an attempt to send the money to a private account in Cyprus.

Nowadays the image of the aristocratic family is damaged and many people in Poland ask themselves questions: If this collection was really “nontransferable and indivisible”, why was it sold? Is it possible that the money that the government paid to the foundation will serve for private purposes of the family? Did Minister Gliński know about all these plans?

(More on the collection: <http://mnk.pl/exhibitions/the-treasures-the-princes-czartoryski-collection>)

Germany and Poland

Polonicus Awards

Polonicus is the highest award of the European Polish minority. Standing for building international dialogue, movement of unity and promoting the Poles in Europe and the whole world. The first ceremony of handing the statuette took place on the 2nd of May 2009 during the festival at the cross of three borders – Belgium, Netherlands and Germany, called Dreiländereck, near Aachen. Since 2010, the prize is handed at the annual ceremony organized on the day of the European Day of Polish minority.

In 2018, during the 10th edition gala of the Awards the statuettes went to:

- Rita Süßmuth, former MP and Federal Minister of Family Affairs, Senior Citizens, Women and Youth under Chancellor Helmut Kohl, long standing president of the Deutsch-Polnische Gesellschaft Bundesverband and president of the German Polish Institute in Darmstadt, for her contribution into Polish-German dialogue in the context of European Integration,
- Benedykt and Róża Frąckiewicz, conductor and first soloist of the Benedictus Choir in Wuppertal, for organizing Polish cultural life in Germany and stimulating the tradition of Polish choirs in Germany,

- Jerzy Owsiak, organizer of the Wielka Orkiestra Świątecznej Pomocy, the biggest Polish charity event, for his outstanding engagement in development of civic society,

- Donald Tusk, former Poland's Prime Minister, for everything he has done in his political career.

Polls & trends

Support for political parties:

Polster for "Super Express", 01.05.2018

PiS (ECR)	38%
PO-N (EPP-ALDE)	35%
Kukiz'15	8%
SLD (S&D)	6%
PSL (EPP)	5%
Wolność	5%

Support for Warsaw mayor candidates:

Millward Brown for 300polityka.pl, April 2018

Rafał Trzaskowski (PO-N)	37%
Patryk Jaki (PiS)	23%
Ryszard Kalisz (SLD)	11%
Jan Śpiewak	5%
Adrian Zandberg (Razem)	5%

...if there was a second round:

Rafał Trzaskowski (PO-N)	60%
Patryk Jaki (PiS)	34%

Is PiS changing Poland for better or worse?

IPSOS for oko.press, April 2018

For better	47%
For worse	33%
Is not changing at all	15%

Among those who earn less than €320 a month

For better	54%
For worse	23%
Is not changing at all	19%

About the author



Milosz Hodun

Expert at the Nowoczesna party. PhD, formerly a part-time teacher at Reykjavik University School of Law. His main areas of interest are comparative constitutional law and federalism. Board member of Projekt: Polska Association. Until September 2015, he worked as an expert within "Presidential Experts' Programme" at the Chancellery of the President of the Republic of Poland.