

From Poland with love

Monthly Newsletter – September

Topic of the month

Running mates

It is less than a month to the regional and local elections in Poland. The campaign runs in a full speed so there is no other topic that could start this issue of the Newsletter.

A short reminder (*more* in the August issue of the Newsletter). Poles will head to the ballot box on October 21. The second round of voting for mayors will be held on November 4. *Politico* named Polish local elections one of six most important European elections to follow in 2019: “What’s at stake: About a year before local elections are set to take place, the ruling Law and Justice (PiS) party pushed through controversial electoral reforms in the lower house of parliament that the opposition says were drafted to help boost PiS’ electoral chances. PiS says the reforms will make the system more transparent. The measures include changing the way State Election Commission members are selected, limiting mayoral terms to two and abolishing postal voting in local elections.”

There are ten parties / party alliances that will compete in the elections to the *sejmiks* (regional assemblies). And they are as follow (with corresponding numbers):

List nr 1: Bezpartyjni Samorządowcy (independent)

List nr 2: Polskie Stronnictwo Ludowe (Polish People’s Party, farmers)

List nr 3: Partia Zieloni (Greens)

List nr 4: Platforma.Nowoczesna Koalicja Obywatelska (Civic Coalition of PO and Nowoczesna)

List nr 5: SLD Lewica Razem (nominally social democrats)

List nr 6: Partii Razem (Together, radical left)

List nr 7: Ruch Narodowy RP (National Movement, radical right)

List nr 8: Kukiz’15 (anti establishment populists)

List nr 9: Wolność w Samorządzie (Freedom in Local Government, libertarian, ultra-conservative)

List nr 10: Prawo i Sprawiedliwość (ruling party)

These parties registered their lists in a least half of the constituencies. And many other committees will run on regional level. On the county and municipality (including city) level there will be mostly local committees competing for seats.

The most important race is obviously between the governing at state level Law and Justice party (PiS) and Civic Coalition of PO and Nowoczesna (KO). The central figure of the PiS's campaign is prime minister Mateusz Morawiecki presented as a professional who knows how to run the country. PiS's slogan is 'We keep our promises'. The ruling party uses all tools accessible to get the votes, all ministers are touring the country supported by TVP, a public broadcaster who does not even try to hide it supports one single party in this race. TVP shows everyday materials on *great results* of the current government and presenting all opponents as radicals without any vision. It points out cons of the opposition leaders without mentioning scandals connected to PiS loyalists.

PM Mateusz Morawiecki lost his first trial taken pursuant to the election code (speedy one) and was forced to apologize to the opponents before the main news magazine on TVP1. The prime minister had told the rally: "We are spending more money in a period of 1-1.5 years on local roads than was spent by the PO-PSL coalition in eight years." PO had brought a lawsuit against him over the statement, made at a gathering of his ruling nationalist Law and Justice party ahead of October local elections.

On the other side three faces of the Civic Coalition are Katarzyna Lubanier, chairwoman of Nowoczesna, Grzegorz Schetyna, leader of PO, joined by Barbara Nowacka, a rising star of the left-wing movement (see the previous issue of the Newsletter). The main focus of the Civic Coalition's campaign is protection of freedom and decentralization in Poland. Nowoczesna with support of Nowacka mobilize women votes that could be crucial in shifting majority.

Campaign of other parties is hardly visible.

The most important battle will be of course in the big cities, with Warsaw being a cherry on the top of the cake. Here Rafał Trzaskowski (KO) competes against Patryk Jaki (PiS). Trzaskowski is a former MEP and deputy minister of foreign affairs, an intellectual with good manners. Jaki is a top fighter of PiS government, deputy minister of justice. Jaki's campaign is very dynamic, focused around promises he makes to all group of voter, leading with the one of 2 new subway lines he wants to build in 10 years. Jaki says he sides with ordinary people against what he describes as an arrogant Civic Platform municipal elite. "Warsaw is ruled today by people who want to say you're inferior," he told a cheering crowd in front of low-rent apartment blocks. "I am not ashamed of these blocks. We are not ashamed of this Warsaw." Trzaskowski says he wants his native Warsaw to remain "open, tolerant and European". Jaki says Trzaskowski is out of touch and that if Catholic Poland goes along with EU plans to distribute asylum-seekers across the bloc it will become Islamised.

Recent polls suggest a close-run race, with around a dozen other candidates far behind Jaki and Trzaskowski (see Trends and Polls).

Politics

EU sues Poland for undermining judicial independence

The legislation, authored by Polish President Andrzej Duda, lowered the retirement age of Supreme Court judges from 70 to 65 years. It followed with the removal of 22 of 72 Supreme Court judges. Also, Małgorzata Gersdorf, the First President of the Supreme Court, is being forced to resign. She

was appointed for a six-year term, ending in 2020, and did not submit a request to have her term prolonged under the new law (see July issue of the Newsletter).

Only five judges got President Andrzej Duda's permission to stay in office after turning 65. Seven other judges seeking to work past retirement age would have to stand down.

The European Commission asked the European Court of Justice (ECJ) to suspend the application of the law until it reaches a verdict to prevent the forced retirement and the appointment of new judges. "The European Commission maintains that the Polish law on the Supreme Court is incompatible with EU law as it undermines the principle of judicial independence, including the irremovability of judges," the Commission said.

The Commission's move comes after it gave the government in Warsaw the first warning in July, asking to reverse the legislation in a hearing of EU affairs ministers, followed up by another step in August, after the Supreme Court referred to the ECJ the preliminary questions about the compliance of the law with EU norms and principles.

"The Commission believes that the continued application of the retirement regime foreseen in the new law would lead to serious and irreparable damage. This is why the Commission will request the court to take interim measures with the aim of first suspending the application of the provisions on the retirement regime," explained Mina Andreeva, European Commission Deputy Chief Spokesperson.

Polish Senate Speaker Stanislaw Karczewski from PiS explained the government had expected the Commission's move but will keep repeating its "strong, legal and essential" arguments. "We have always respected (the ECJ's) verdicts but I am sure the complaint will be rejected," he added.

To obtain a final judgment as soon as possible, "the Commission has decided to request an expedited procedure at the Court of Justice." The requested accelerated procedure implies that the judgment in the main case could be taken in up to six months.

Prime Minister Mateusz Morawiecki paid a visit to Prof. Malgorzata Gersdorf at the Supreme Court, who is at the center of the conflict. Prime minister said it was a "good" meeting. The details of their meeting are not known but some leaks suggest that the government is willing to step back and keep Prof. Gersdorf as the First President until 2020.

Bodnar wins Norwegian Human Rights Award

A Norwegian human rights Rafto Foundation gave its annual prize to Polish lawyer Adam Bodnar and the civil society group he heads for their work defending minority rights and judicial independence in Poland.

"Adam Bodnar has highlighted the crucial role played by independent ombudsman institutions in safeguarding human rights in Poland - and other countries - where such actors and institutions increasingly have come under attack," the foundation said in a statement.

Adam Bodnar is a lawyer, holds PhD degree at University of Warsaw in the field of constitutional law. In 2004-15 Adam Bodnar worked for Helsinki Foundation of Human Rights. He is also an expert in the Agency of Fundamental Rights of European Union. With an approval of 67 non-governmental organizations in 2015 he was notified for the post of Ombudsman by Democratic Left Alliance Parliamentary Club and by independent members of the parliament, and also by Civic Platform Parliamentary Club.

Bodnar has been very active in protecting the rule of law and the Constitution in Poland, and became an official enemy of the PiS government. "I have no doubt that the policy of forcing judges to retire at 65 is not based on merit and real needs," he told Emerging Europe. "From the constitutional point of view different retirement ages for professors at universities, judges at the supreme court or distinguished civil servants are easily justified, because these types of professions are based on maturity and wisdom."

Bodnar as a civil servant cannot accept the \$20,000 prize money so it will be donated to civic rights groups in Poland.

Four past Rafto laureates - Myanmar's Aung San Suu Kyi, East Timor's Jose Ramos-Horta, South Korea's Kim Dae-jung and Iran's Shirin Ebadi — later went on to win the Nobel Peace Prize.

Foreign Affairs

Fort Trump?

The NATO Military Committee meets twice a year at the alliance's headquarters in Brussels, and it also meets in an allied member country once a year. In September it met in Poland.

The Military Committee (MC) is the senior military authority in NATO and the oldest permanent body in NATO after the North Atlantic Council, both having been formed only months after the Alliance came into being. It is the primary source of military advice to the North Atlantic Council and the Nuclear Planning Group, and gives direction to the two Strategic Commanders.

In Warsaw the Discussions focused on Allied operations, missions and activities, the development of NATO's Military Strategy, Responsiveness, Reinforcement and the NATO Readiness Initiative, as well as the Alliance's ongoing modernization. The Chiefs of Defence received detailed intelligence and operational briefings noting the changes to the security environment and ongoing challenges. They went on to discuss the need for increased cooperation and coordination, especially in areas where a number of institutions are involved.

Poland's Defence Minister Mariusz Błaszczak appealed for more allied states' troops in Poland, according to a report. Błaszczak told the attendees: "[Poland sees] the possibility of boosting the military presence of the allied forces in [NATO's] eastern flank".

During his joint press conference with Chief of the Polish General Staff, Lieutenant General Rajmund Andrzejczak, the Chairman of the NATO Military Committee, Air Chief Marshal Sir Stuart Peach concluded by stating: "For nearly 70 years, NATO has helped to preserve peace and stability in Europe. We continue to stand united in our core collective defense mission. That's why NATO is the most successful – and the most valuable – Alliance in history".

One week earlier, during the meeting with his US counterpart, Donald Trump, President Andrzej Duda officially requested a permanent deployment of US troops to Poland. Duda suggested building a permanent US base in Poland and said he would name it "Fort Trump." Trump said he is considering Poland's request to establish a permanent US base in that country, but added that Poland "would pay the United States", adding that President Duda offered more than \$2 billion to set up a base in Poland.

Read more: https://www.nato.int/cps/en/natohq/events_158427.htm

Economy

Polish Davos

The Polish Economic Forum in Krynica-Zdrój is often dubbed "Poland's Davos," with its wide range of debates on global and - equally important - regional economy.

Once a year, the spa town of Krynica-Zdrój, in southern Poland, by the border with Slovakia, swells with politicians, business people and other decision makers. This year it gathered 4.500 people who participated in 180 panel discussions. Speakers included Prime Minister Mateusz Morawiecki, along with the ministers of culture, family, education, energy, infrastructure, the environment, finance and agriculture. The programme opened with a debate "Between Economy and Politics. In Search of Recipes for Economic Growth", with Deputy Prime Minister Beata Szydło among the panelists. During the inaugural debate, guests raised the subject of the relationship between the economy and the state and the impact of political security on the economic situation. The Ukraine-Russia conflict and its economic consequences could not have been forgotten.

Upcoming local government elections in Poland brought a large group of local government representatives to Krynica, who discussed the challenges of their "small homelands" as part of a separate thematic path – the Regions Forum.

Lithuanian Prime Minister Saulius Skvernelis received the title of the Man of the Year 2017. In addition to the Man of the Year awards, statuettes were awarded in three other categories. The Polish Development Fund became the best company of 2017. The best non-governmental organisation was the Polish Humanitarian Organisation, and the Stanisław Vincenz New Culture, New Europe award was given to maestro Krzysztof Penderecki.

Apple to apple

Polish apple is enjoying the year so far with a record harvest, underlining the success of the apple sector that not only has become the biggest in the European Union but also one of the biggest in the world. Estimates from the World Pear and Apple Association put this year's harvest, buoyed by plentiful sunshine and rain, at 4,48 million tonnes, a 56% increase compared to 2,87 million tonnes in 2017. About 70% of that harvest is destined for export, and about 50% of exported apples are fresh food apples. Poland has already overtaken China in apple exports.

And not many people know that this Polish success story has its roots back in the days of communism. During the rule of the communist party apple growing enjoyed the freedom of being left to its own devices. There were private orchards and they could produce what they wanted especially around the biggest cities. Also Polish scientists and students of apple farming established some special connections with American universities and research institutes contributing to modernization of this branch of agriculture. As a consequence, after the communist the apple industry was able to survive and gave benefit.

Poland's accession to the European Union brought dozens of millions of new consumers of Polish apples all over the continent, strengthening the industry and helping it survive a 2014 Russian embargo on Polish apples that hit the sector hard. The positive fact of the embargo was a cider boom in Poland - out of necessity Polish producers learned how to change some of the embargoed apples into a light alcoholic drink that started to compete with beer, especially within the young Poles.

This year not everybody is as so happy about the big apple production. Oversupply is driving prices down to a level where they won't cover production costs. Some farmers have decided to just let their apples rot in the orchard. The Polish government had proposed creating a state-owned company to buy the fruit at higher prices. But it does not look like it can become real in the near future. They waved through a takeover of Appol, the country's largest producer of juice concentrate, by a Chinese state-owned firm. Producers say they fear a flood of cheap Chinese juice labelled as a Polish, and therefore EU, product.

Culture

Blockbuster that moves

This might be the most controversial and politically influential Polish film ever. "Kler" ("Clergy") was watched by over one million Poles in the opening weekend. "It scored the best opening of the year and the best opening in Polish cinema history over the last 30 years beating Fifty Shades of Grey (with about 834,500)," the distributor stated. The film had already been labeled controversial long before it arrived in cinemas and tickets in were sold out long before the premiere.

"Kler" recently premiered to a full house at the Polish Film Festival in Gdynia, where it won the public award. (Also, because it was the most applauded film of them all at the Festival the PiS-controlled Polish Radio Gdańsk decided not to give this year its traditional Golden Clapper award for longest applause.)

The movie is a dark drama, with moments of black comedy, about three fictional catholic priests who will booze and mock the church, including one living in a relationship with a woman and another accused of being a paedophile. The film also depicts an archbishop who lives a life of luxury, is well connected in the corridors of power and has a direct influence on Polish national politics.

Wojciech Samorzowski, the movie's director is becoming the most influential moviemaker of the generation in Poland. He studied filmmaking at the Jagiellonian University and the National Film School in Łódź. He started his film career as a video camera operator. He received Polish Academy Award for Best Director for 4 times. His 2004 film, "The Wedding" earned special jury mention at the Karlovy Vary International Film Festival in 2005. His further pieces "Róża", "The Darker House" and

“Dorgówka” were also successful, both with critics and the audience. Smarzowski’s 2016 movie “Wołyń” that tells a story on the Wołyń massacre – the mass murder of Poles by Ukrainians which took place between 1943 and 1944 under Nazi German occupation, became highly controversial on both sides of the border (The screening in Kyiv was cancelled by the Ukrainian Ministry of Foreign Affairs due to concerns related to the “security of the viewers”).

Several leaders of the PiS party, which counts on the church’s backing for electoral support, have spoken out against the film. Jaroslaw Sellin, a deputy culture minister, accused it of fostering "negative stereotypes" and treating the church unfairly. “Wiadomości”, the main news program of the “public” (PiS) broadcaster, called the film "just another attack on the catholic church, brutal and untrue". The harshest words of critics came from Pawel Soloch, the head of the National Security Bureau, a body that advises the Polish president on defense and military issues: “It’s a disgusting propaganda film made along the patterns that Nazi Germans used to make films about Jews.”

“Those who hold the homeland in their heart, who love God and Poland, must clearly say “No” to the destruction of our nation’s values,” said an association of catholic journalists that wants the film to be pulled from almost 500 movie theatres. Some church-related groups pray in front of the movie theaters to stop screenings. There are also municipalities with conservative local authorities, e.g. Ostrołęka, that do not want it in their cinemas at all.

Its release comes as the Catholic Church faces a crisis in many countries owing to charges of children abuse, which the Pope’s chief spokesman has called “a cultural problem” and “very grave sins”.

In January, a court in Poznan ordered the Catholic Church in Poland to pay reparations (one million PLN) and a lifetime pension to a woman who had been sexually abused by a priest as a child. There are no official figures detailing abuse in the Catholic Church in Poland. According to Polish media, 27 Catholic priests were sentenced in the years 2002-2012. The foundation “Nie lękajcie się” ("Do not fear") says that many more sentences were never made public. The foundation is currently helping 300 people who say they were victims of sexual abuse by priests.

"Kler" was shot mainly in churches in the Czech Republic because getting permission to film in Polish churches would have taken too long.

Germany and Poland

Kozlovksa of contention

The Open Dialog Foundation supported Ukrainian activists during the anti-government Euromaidan protests between November 2013 and February 2014. The foundation also helped opposition dissidents in Kazakhstan after the Zhanaozen massacre that was carried out during the violent suppression of Independence Day demonstrations in December 2011. It exposed corruption in Moldova.

It was welcomed by Polish government until 2016 when Lyudmila Kozlovksa and Bartosz Kramek, leaders of the organization, supported anti-PiS demonstrations in Poland. On social media they called for civil disobedience, strikes, and anti-government protests. Immediately after that the Ministry of Foreign Affairs had the Open Dialogue’s finances reviewed, and attempted to invoke a court ruling that would have established a board of trustees (thus replacing the existing board of directors).

Kozlovka and Kramek became a public enemy in PiS-controlled media. They were described as foreign agents, allegedly with close ties to Hungarian-American billionaire George Soros and dubious oligarchs in Eastern Europe.

Summer this year when Kozlovska, Ukrainian citizen, applied for permanent residency in Poland — and thus within the European Union — Polish authorities rejected her application and had her deported and subsequently banned from all 26 countries in the Schengen Zone. The Poland's ABW security service claimed that its counterintelligence department had "serious doubts" about the financing of her foundation. The agency declined to reveal further details of the accusations but added that there could be "legal repercussions."

After her visa was denied in Poland she turned to the German embassy in Kyiv, which — despite the ban — issued her with an entry permit. This was immediately commented as “an unfriendly gesture” by Polish Foreign Ministry.

But the biggest scandal was connected to the fact that Kozlovska was invited as speaker to a conference in Bundestag. She was listened by a dozen of German MPs. They could hear Kozlovska saying that “the Polish democracy is heading for a fall” and disproving the supposition that the Open Dialogue Foundation she presides is financed by Russians, calling it a fake news. It was labeled as provocation by PiS politicians. And one of the commentators of PiS-controlled TVP compared her invitation to German parliament with a declaration of war on Poland: "The core of the Molotov-Ribbentrop Pact remains relevant".

Deputy FM Andrzej Papierz has requested explanation from the German ambassador in Poland Rolf Nickel regarding the granting of German temporary visa to Kozlovska. Mr Papierz informed the ambassador that Poland deems Germany's action “unjustified.” But German politicians from both sides of the political spectrum defended Kozlovska.

Polls & trends

Cool Praga

Warsaw's Praga was name one of ten Europe's coolest neighborhoods by The Independent.

“During the Second World War, most of Warsaw's city centre was destroyed, but Praga, across the river, escaped largely unscathed. Wander its streets and you'll find leafy courtyards hidden behind crumbling apartment blocks and bunkers in the middle of tree-lined avenues. Recently, Warsaw's creative types have started opening coffee shops in these abandoned courtyards and brightening up dilapidated buildings with colorful murals. A must-see is the Neon Museum, which has the world's largest collection of Cold War-era neon. You'll find it at the Soho Factory, a cluster of warehouses turned into galleries and restaurants.”

Support for the parties

Millword Brown for “Fakty TVN”, 17.09.2018

PiS (ECR)	38%
PO (EPP)	21%

Nowoczesna (ALDE)	7%
SLD (S&D)	5%
Wolność (EFDD)	5%
Kukiz'15	4%
PSL (EPP)	4%
Razem	4%

Poles and summer holidays

Races in biggest cities

Dobra Opinia for "Polska. The Times"

Warsaw

R. Trzaskowski (PO-N)	36,5%
P. Jaki (PiS)	32,1%
J. Śpiewak (left, green)	6,1%
J. Wojciechowicz	5,3%
A. Rozenek (SLD)	5,1%
J. Korwin-Mikke (W)	3,6%
J. Glusman (left)	2,0%
J. Stefaniak (PSL)	1,6%
M. Jakubiak (K'15)	1,4%

Second round:

R. Trzaskowski (PO-N)	66%
P. Jaki (PiS)	34%

Kraków

J. Majchrowski (PO-N)	34%
M. Wassermann (PiS)	33%
Ł. Gibała	21%

Łódź

H. Zdanowska (PO-N)	59%
W. Buda (PiS)	24%

Poznań

J. Jaśkowiak (PO-N)	42%
T. Zysk (PiS)	24%
T. Lewandowski (SLD)	14%

Wrocław

J. Sutryk (PO-N)	44%
M. Stachowiak-R. (PiS)	23%

Gdańsk

J. Wałęsa (PO-N)	34%
P. Adamowicz (ex-PO)	24%
K. Płażyński (PiS)	24%

Białystok

T. Truskolaski (PO-N)	48,6%
J. Żalek (PiS)	25,6%
T. Arłukowicz (K'15)	8,4%
W. Koronkiweicz (SLD)	3,2%

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.

