

## **The Polish Government's position on the Report of the conference of INGOs of the Council of Europe on the "Visit by the Conference of INGOs to Warsaw - June 2016"**

1. Polish non-governmental sector is very rich and vibrant and offers the assessment of the government's policies from many angles. However, the authors of the report chose to present a very skewed picture by repeatedly missing the full variety of opinions. Ill-informed statements are presented as facts and used to either directly discredit or indirectly insinuate malevolent action of the Polish government. There is no evidence in the report that any serious legal and data analysis was conducted to formulate accusations of deliberate withdrawal of funding or introduction of new laws and 'centralization' of the new institutions, to name some. Such unfounded statements are harmful not only to the international image of Poland but even more importantly, due to the lack of professional analysis and objective reporting, create an unhealthy/unconducive working environment for Polish NGOs.
2. We would like to draw your attention to the fact that both registers (National Court Register and REGON) and the research carried out by, among others, Central Statistical Office and the Klon/Jawor Association indicate a steady increase in the number of NGOs in Poland. As of 2015 there were 153 342 NGOs registered in REGON and 111 711 according to National Court Register. Those who prefer a more informal actions have full freedom of association in informal groups, i.e. the co-operative.
3. Furthermore, non-governmental organizations have the freedom of access to public financial resources provided by the administration for the implementation of public tasks, and these grants are one of the main sources of funding of NGOs in Poland. Their amount compared to other sources is significant and in 2015 it reached more than 3.6 billion PLN.
4. It should be emphasized that the Government of Poland does not conduct any campaign to weaken the non-governmental organizations. Moreover, there are additional options for non-governmental organizations to expand their fields of activity and to raise funds for their current activity (e.g. the mechanism of 1% of income tax donation), as well as promote their socially useful activity (e.g. free airtime in the public media for the public benefit organizations).
5. There is also no justification of the reported allegations of violations of the right to participate in public life and the right of association, as well as of discrimination against non-governmental organizations.
6. Concerns regarding the alleged decrease of importance of the Council on Public Benefit Activities also are not confirmed. In fact, since the beginning of its existence, the Council continues to be an important advisory body to the minister responsible for social security, who continuously uses its expertise. The cooperation with non-governmental organizations is the government's priority, as evidenced by the government's plans concerning the establishment of the Council directly at the Chancellery of the Prime Minister.
7. The recommendations generally addressed to the public authorities are not legitimate, where the said authorities are called upon to immediately cease any campaigns aimed at weakening non-government organizations, simply because such campaigns are not conducted at the central level. We would like to inquire what is the basis for the formulation of the request to the public authorities to suspend all activities aimed at cutting non-governmental organizations off from public funds? We would like to reiterate that no such activities are carried out at the central level.
8. We appreciate that the need for ensuring transparent official procedures for granting funds and safeguarding a level playing field in that respect for all NGOs is underlined in the report's conclusions and recommendations, as these principles are respected by the incumbent

government, while they were not standard practice in previous years, which should be particularly emphasised by the authors of the report.

9. The generally commendable conclusion that the number of non-governmental organizations active in the area of human rights should not be reduced is presented in an unclear context, as the authors did not provide examples of failures in this regard, in order to present it as a recommendation for Polish public authorities. Could you please provide explanation in what way is the number of such organizations being reduced? Who and how hinders their operation? We regret that the final version of the report does not contain detailed and precise clarifications of these issues.

10. The Government of the Republic of Poland notes with regret that the report from the visit of the Conference of INGOs of the Council of Europe to Warsaw in June 2016 is factually incorrect in many instances and the arguments are presented in a biased way, without providing verified data or information sources of strong allegations. We are concerned that such an important subject as the civil society has not been treated with the highest carefulness/attention and integrity.

26 January 2017