

# **POLAND 2022 HUMAN RIGHTS REPORT**

## **EXECUTIVE SUMMARY**

Poland is a republic with a multiparty democracy. The bicameral parliament consists of an upper house (Senate) and a powerful lower house (Sejm). The president and the Council of Ministers headed by the prime minister share executive power. The Organization for Security and Cooperation in Europe found the July 2020 presidential election was administered professionally despite legal uncertainty during the electoral process due to the outbreak of the COVID-19 pandemic and the rescheduling of the election to a later date. The Organization for Security and Cooperation in Europe noted that there was overall confidence in the administration of the October 2019 parliamentary election.

The police force is a national law enforcement body with regional and municipal units overseen by the Ministry of Interior and Administration. The Border Guard is responsible for border security and combating irregular migration; it reports to the Ministry of Interior and Administration. The Internal Security Agency has responsibility for investigating and combating organized crime, terrorist threats, and proliferation of weapons of mass destruction. The Central Anticorruption Bureau is responsible for combating government, business, and financial corruption and may investigate any matter involving public funds. Civilian authorities maintained effective control over the security forces. There were reports that members of the security forces committed some abuses.

In response to the extraordinary inflow of refugees from Ukraine, on March 12, President Andrzej Duda signed a law on assistance to Ukrainian citizens in connection with armed conflict, a significant step to ensure their rights and access to services were protected in Poland. The new regulations entered into force the same day and were retroactively applied from February 24. The law guaranteed the legality of stay for Ukrainian citizens for up to 18 months, as well as spouses without Ukrainian citizenship, who had entered Poland from Ukraine since the beginning of the Russian invasion. Children born in Poland to Ukrainian women who fled the war were also granted legal status. Poland has been the largest refugee host since the Ukraine crisis began in February; in the first few months of



















































































and limitation of resources to conduct inspections, the NLI is not able to ensure compliance with existing laws. Penalties were commensurate with those for similar crimes and were regularly applied against the violators.

According to trade union representatives, the most common labor rights violations concerned failure to pay wages, delayed payment of wages, and failure to formally register and pay for overtime work. According to the National Labor NLI's 2021 annual report, most wage payment violations occurred in trade and repair services as well as in industrial processing industries and transport and storage services. Seasonal and migrant workers were particularly vulnerable to such violations. The NLI's report did not cover domestic workers because inspectors could only conduct inspections in businesses, not private homes.

Workers in the informal sector are not covered by wage, hour, and occupational safety and health laws and inspections.

**Informal Sector:** The Main Statistical Office's definition of the informal economy included unregistered employment performed without a formal contract or agreement and where wages do not count as contributions to social security or have income taxes deducted. There is no minimum wage for informal work agreements. There were reports of employers withholding wages or underpaying laborers under informal work agreements, particularly Ukrainian migrant workers in the construction and agriculture industries. While the NLI's powers are limited to the formal economy, one of its responsibilities is to inspect legality of employment, which can contribute to limiting work in the informal economy and ensuring employees who are hired in the informal economy are provided with appropriate occupational health and safety conditions. According to trade union representatives, many migrant workers from Ukraine work in the informal economy.