**27th Session of the UPR Working Group**

**Review of Poland**

9 May 2017

**Statement by AUSTRIA**

Thank you, Mr. President.

Austria welcomes H.E. ..... and the delegation of Poland to the UPR and thanks them for their presentation.

We commend the Government for its efforts and steps taken in the implementation of certain recommendations made by Austria during its last review such as the ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence. We trust in Poland’s continued commitment with regard to the obligations of the Convention.

Austria remains concerned however that little progress has been made to prevent discrimination and hate crimes on the basis of ethnicity, religion, disability, gender identity and sexual orientation and therefore repeats its call for strong and effective anti-discrimination and hate speech legislation.

Poland has made tremendous achievements in the area of democracy and the rule of law since the end of communism some 25 years ago. These important achievements must not be compromised through measures that can harm the division of powers, the independence of the judiciary, the rule of law and media pluralism.

Austria therefore offers the following recommendations:

* uphold the independence of the judiciary, including from undue influence by other actors and by maintaining the procedures of nominations and promotions of judges by decisions of the judiciary in accordance with the Polish constitution as well as international standards.
* implement the recommendations made by the International Ombudsman Institute’s Fact Finding Mission to Poland with regard to the Human Rights Commissioner, inter alia by ensuring sufficient means – both in terms of finances and staff – in order to allow the Human Rights Commissioner to fulfil his constitutional duties.
* ensure a transparent and enabling environment for non-governmental organisations that allows them to benefit from available support, including state support, for the fulfilment of their legitimate aims and contribute to the development of a vibrant civil society.
* with regard to concerns raised by the International Holocaust Remembrance Alliance reconsider legislation in Poland that restricts open and honest scientific research and that can serve to intimidate researchers.