**41st Session of the Universal Periodic Review**

**Review of Poland**

15 November 2022

**Statement by Austria**

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

We commend the Government for its efforts in dealing with the humanitarian crisis caused by Russia’s aggression against Ukraine, such as the introduction of the *Act of 12 March 2022 on Assistance to Citizens of Ukraine in Connection with the Armed Conflict in the Territory of that State*, which legalized the stay of Ukrainian refugees in Poland, opened the country’s labour market, and established financial and social support mechanisms for Ukrainian citizens.

Austria remains concerned however that little progress has been made to prevent discrimination and hate crimes on the basis of 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 30 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:

* Abolish provisions allowing for the imposition of disciplinary penalties on judges for their interpretation of law and restore suspended judges;
* Implement all ECHR and CJEU judgments including cases concerning violations of judicial independence;
* Ensure effective access to safe and legal abortion;
* Introduce effective legal protection against hate crimes and hate speech based on sexual orientation and gender identity;

Thank you.