



Reference: **TIGO IOR 10/2025.6388**

*To the attn. of:*

**Donald Tusk**

Prime Minister of Poland

***Cc: Ambassador Agnieszka Bartol***

Acting Permanent Representative of Poland to the European Union

Dear Prime Minister Tusk,

## **AMNESTY INTERNATIONAL RECOMMENDATIONS TO THE POLISH PRESIDENCY OF THE COUNCIL OF THE EUROPEAN UNION**

Poland assumes the Presidency of the Council of the European Union (EU) at a critical moment, and Amnesty International calls on you to ensure that human rights are at the forefront of your mandate.

Poland's Presidency comes at a time of increased challenges in Europe and beyond: Russia's ongoing invasion and occupation of Ukraine, Israel's ongoing genocide against Palestinians in occupied Gaza and developments in the Syrian conflict, including continued attacks by Israel and Türkiye, and the fragile ceasefire in Lebanon, the ongoing conflict within Sudan, fresh challenges in the transatlantic relationship with the USA, mounting geopolitical tensions, increasing challenges to the international human rights system and those seeking to defend human rights. Against this background, the European Union's global leadership on human rights will be more critical than ever.

Our months-long investigation into Israel's conduct in Gaza concluded that Israel is committing genocide. We found that Israel has committed three acts prohibited by the Genocide Convention, killings, causing serious bodily or mental harm and deliberately inflicting on Palestinians in Gaza conditions of life calculated to bring about their physical destruction, and that Israel committed these acts with the specific intent to physically destroy Palestinians in Gaza. The mere fact that Palestinians in Gaza are at risk of genocide, as determined by the International Court of Justice (ICJ), triggers obligations on all EU member states to take all measures to prevent genocide and to refrain from aiding genocide. While some EU member states have shown determination to abide by international law, others continue to flaunt it. The responses by certain EU member states to the International Criminal Court (ICC) arrest warrants against Israeli leaders further demonstrated the double standards of several EU member states. The Polish Presidency must now determine a course to address these double standards, or risk irreparable damage to the credibility of the EU's stated human rights commitments and to international law itself.

In many parts of the EU, we continue to witness backsliding on the rule of law, a sweeping pattern of systematic attacks and restrictions undermining civil society space, peaceful protest, increasing acts and policies fuelled by racism, and a growing anti-gender movement. At the same time, proposals currently under consideration on migration and asylum, particularly regarding the externalisation of asylum or return procedures to third countries, present serious risk to the EU's commitment on rule of law, threatening globally recognised asylum and reception standards. We call

on the Polish Presidency to take an evidence-based, legally sound and sustainable approach to migration policy, and lead the EU and its member states towards a more coherent, sustainable, humane and effective set of policy responses.

When it comes to technology and human rights, it is crucial for the EU to implement its legislation in a manner that provides strong fundamental rights protections against potential harms induced by Artificial Intelligence (AI), and for the EU and its member states to address protection gaps to tackle challenges posed by the misuse of technology such as highly invasive spyware, recommender systems and addictive design, data protection, and hold Big Tech companies accountable.

Amnesty International urges you to:

- **Lead the EU and its member states to uphold human rights and the rule of law and strengthen EU support to civil society and human rights defenders (HRDs) within the Union.** The Polish Presidency should ensure progress on ongoing proceedings under Article 7(1) of the Treaty on European Union (TEU) and conditionality of funding; support the adoption of a comprehensive strategy to protect civil society and HRDs within the EU; take action to support racial and gender justice; and uphold the right to protest.
- **Put human rights at the centre of EU foreign policy** in response to new and ongoing conflicts and escalating human rights violations worldwide. The Polish Presidency should lead the EU and its member states toward a foreign policy that centres on human rights and remains consistently committed to justice and accountability, by:
  - **Prioritizing respect for human rights and international humanitarian law in EU policy towards third countries and regions**, including Ukraine, Israel and the Occupied Palestinian Territory, Syria, Lebanon, Iran, Sudan, Georgia, Serbia, China, India, Venezuela and Cuba; and refrain from sidelining accountability for serious human rights violations in efforts to cooperate with third countries on migration, trade, energy security, digital and other global challenges.
  - **Boosting collaboration in defence of the international human rights system and the universality of human rights** by supporting the ICC and the ICJ and ensuring strict adherence to their decisions and judgments and protecting them from reprisals, as well as by actively forging truly global partnerships and coalitions, at multilateral fora and beyond.
  - **Strengthening EU and member state support to Human Rights Defenders (HRDs)** through the adoption of annual Foreign Affairs Council Conclusions on HRDs.<sup>1</sup> These Conclusions should provide a strategic vision outlining how the EU and its member states will support HRDs globally in light of the increasing challenges to their work, mainstream HRD concerns across the EU's different policy areas and strengthen the EU's crisis response and contingency planning capabilities. The Polish Presidency has a key opportunity to lead the EU and its member states toward a more coherent, coordinated and predictable visa policy for HRDs.
- **Lead on effective and sustainable asylum and migration policies centred on solidarity and human rights.** The EU and its member states should implement the EU Pact on Migration and Asylum in a way that protects human rights and upholds refugee protection. A number of recent discussions on the offshore processing of asylum, or the establishment of 'return hubs' at either EU or national level, risk diverting attention from longstanding issues in European asylum and migration systems, and proving a costly, ineffective, and dangerous experiment. As the Presidency of the Council, Poland should uphold a 'do no harm' approach on migration and asylum, take an evidence-based, legally sound and sustainable approach to migration policies, and advocate for any future legislative proposals to be grounded in solid human rights impact assessments and close consultations with civil society and other stakeholders. Lastly, as Presidency of the Council, Poland ought to lead by example in advancing a principled, proportionate and rights-compliant asylum and border policy, including at its border with Belarus and in situations of so-called 'instrumentalisation', that respects both EU and international law.
- **Lead on an EU-wide ban on highly invasive spyware, effective implementation of EU standards to tackle the negative impact of Artificial Intelligence (AI) and technology on human rights, and on holding Big Tech**

---

<sup>1</sup> See also Amnesty International, *Defending Defenders? An Assessment of EU Action on Human Rights Defenders*, 25 September 2019, <https://www.amnesty.org/en/documents/ior60/0995/2019/en/>

**companies accountable.** The Polish Presidency should encourage EU member states to immediately put in place a moratorium on the sale, transfer, and use of spyware technologies, as well as a ban on the most highly invasive types of spyware; to effectively enforce the EU's AI Regulation to uphold human rights, including through supporting prohibitions on facial recognition and other biometric surveillance and rights-violating AI systems; to ensure an effective implementation of EU standards and support initiatives to curb the human rights harms caused by recommender systems, addictive design, violation of data protection, and ultimately hold Big Tech companies accountable, in line with the EU's Corporate Sustainability Due Diligence Directive.

Please find enclosed with this letter an annex providing further analysis and recommendations to the Polish Presidency.

We look forward to working closely with you during the Presidency and beyond. We stand ready to provide any further information required.

Thank you in advance for your action to deliver on the EU's human rights commitments at this crucial time.

Yours sincerely,



Eve Geddie

Director  
European Institutions Office  
Amnesty International



Anna Błaszczak-Banasiak

Director  
Amnesty International Poland