

Joint Statement in Support of the Polish Commissioner for Human Rights

We, the undersigned organisations, reiterate our strong support to the Office of the Polish Commissioner for Human Rights (RPO) in its work to promote and protect human rights and equality in Poland in an independent and effective manner.

The Polish Commissioner for Human Rights, Dr Adam Bodnar, is currently facing severe backlash from some politicians and segments of the media for speaking up on behalf of the National Prevention Mechanism (NPM) on an [individual case](#).

The Polish Commissioner for Human Rights has received serious threats and been subjected to hate speech, including through online smear campaigns, for publicly defending the universal right to a fair trial and the prohibition from inhumane and degrading treatment.

The work of the RPO in this case falls squarely within its mandate as an NHRI and must be protected. Moreover, the RPO was designated the task of NPM under the [Optional Protocol to the Convention against Torture and other Cruel, Inhuman or Degrading Treatment or Punishment \(OPCAT\)](#) by the parliament, through amending the Law of 15 July 1987 on the RPO.

Under the [UN Paris Principles](#), adopted by the UN General Assembly, NHRIs must be granted a broad mandate to promote and protect human rights. This includes the ability to take a position on current events related to human rights, including through public speeches. Furthermore, as Poland has ratified the OPCAT, the RPO has a direct duty to “make recommendations to the relevant authorities with the aim of improving the treatment and the conditions of the persons deprived of their liberty” (Art. 19 b).

The [UN General Assembly](#) and the [UN Human Rights Council](#) have consistently emphasised that “national human rights institutions and their respective members and staff should not face any form of reprisal or intimidation, (...) as a result of activities undertaken in accordance with their respective mandates, including when taking up individual cases or when reporting on serious or systematic violations in their countries”.

According to the [Venice Principles](#), States shall not only refrain from taking any action aiming at or resulting in the suppression of the Ombudsman Institution or in any hurdles to its effective functioning, but shall also “effectively protect it from any such threats”.

Recommendations

We call upon all organs of the Republic of Poland to act in line with their State's long-standing international commitments by applying their powers to protect the RPO, including its staff.

We also reiterate the [Joint Statement](#) of the Council of Europe, ENNHRI, ODIHR and UN OHCHR in support of the Polish Human Rights Commissioner, released in March 2016. On that occasion, the parties expressed that "there is a broad consensus which recognises the benefits of Poland having an institution of this standing, which enjoys independence and functional immunity and which is therefore able to act impartially to safeguard the rights of individuals".

In November 2017, the RPO was re-accredited with A-status, as being in full compliance with the Paris Principles. The RPO has been operating with a strong commitment to independence in a very adverse environment. Poland should be very proud of having such an independent institution safeguarding human rights and equality for everybody.

We stand in solidarity with the Polish Commissioner for Human Rights and his office. A strong, effective and independent NHRI, in compliance with the Paris Principles, is a key element for the promotion and protection of human rights and equality in Poland and in Europe.

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ENNHRI, Equinet, GANHRI, IOI, OHCHR Europe

ENNHRI, the European Network of National Human Rights Institutions, brings together all 44 European NHRIs to enhance the promotion and protection of human rights in the region.

Equinet, the European Network of Equality Bodies, brings together 49 organisations from 36 European countries, which are empowered to counteract discrimination as national equality bodies across a range of grounds.

GANHRI, the Global Alliance of National Human Rights Institutions, provides leadership in protecting and advancing human rights worldwide through NHRIs. It is made up of regional networks of NHRIs from Africa, Americas, Asia-Pacific and Europe, representing 112 NHRIs.

IOI, the International Ombudsman Institute is the global organisation for the cooperation of more than 190 independent Ombudsman institutions from more than 100 countries worldwide.

OHCHR Europe, the Regional Office for Europe is one of the 70+ field presences of the UN Human Rights Office (OHCHR) around the world working to advance the protection and promotion of human rights for all.

The RPO is mandated as an NHRI, National Equality Body, Ombudsman and NPM. It is a member of ENNHRI, Equinet, GANHRI and the IOI.