

**Priority question for written answer P-002301/2021  
to the Commission**

Rule 138

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Subject: Attack on the independence of the Polish Commissioner for Human Rights

On 15 April 2021, the Polish Constitutional Tribunal declared Article 3(6) of the Act on the Commissioner for Human Rights unconstitutional, which stated that until the new commissioner is appointed, the previous Commissioner will stay in office. The regulation was consistent with international standards and was similar to regulations in force in several European jurisdictions. It guaranteed the uninterrupted protection of human rights and equal treatment, which the commissioner assures as the Ombudsman and the Equality Body.

In the light of the above and considering the unlawful composition of the Polish Constitutional Tribunal, the decision can only be seen as a political attack on the independence of the commissioner. It violates the rule of law principle, the Venice Principles and Commission Recommendation (EU) 2018/951 on standards for equality bodies. It will have significant adverse consequences on the fundamental rights of all people living in Poland.

1. In an interview of 9 March 2021, Vice-President Věra Jourová stated that the Commission had addressed a letter to the Polish authorities on the issue of the commissioner's independence. Why did the Commission not follow up on the unsatisfactory response?
2. What other steps is it now planning to take in that regard?
3. What measures will it take to prevent further breaches of the rule of law in Poland?