



REPUBLIC OF POLAND
Human Rights Defender

Irena LIPOWICZ

Warsaw, 5th September 2011

RPO- R-072-118/2011

00-090 Warsaw
Al. Solidarności 77

Phone: +48 22 635 42 46
Fax: +48 22 635 92 02

Mrs Anne Gaspard
Executive Director
EQUINET AISBL
European Network of Equality Bodies
138 rue Royale
B-1000 Brussels
Belgium

Dear Mrs Gaspard,

I would like to kindly inform you that since the beginning of 2011 the Human Rights Defender (Ombudsman) in Poland enjoys new responsibilities. The Act of 3rd December, 2010 *on the implementation of some regulations of European Union regarding equal treatment* entrusted the Human Rights Defender the performance of tasks related to the implementation of the principle of equal treatment. This Act introduced changes to the Act of 15th July, 1987 *on the Human Rights Defender*, in order to implement the directives of European Communities, which require all Member States to set up an independent equality body, i.e.:

- 1) directive of the Council 2000/43/EC of 29th June 2000, implementing the principle of equal treatment of persons irrespective of racial or ethnic origin (OJ EC L 180 of 19.07.2000, p. 22; OJ EU Polish Special Issue, chapter 20, vol. 1, p. 23),
- 2) directive of the Council 2004/113/EC of 13th December 2004, implementing the principle of equal treatment between men and women in the access to and supply of goods and services (OJ EU L 373 of 21.12.2004, p. 37),
- 3) directive 2006/54/EC of the European Parliament and the Council of 5th July 2006 on the implementation of the principle of equal opportunities and equal treatment of men and women in matters of employment and occupation (recast) (OJ EU L 204 of 26.07.2006, p. 23).

According to the law, the Defender takes actions provided for in the Act *on the Human Rights Defender* having acquired information pointing to the violation of human and citizen rights and freedoms, including the principle of equal treatment. The scope of responsibilities of the Defender, regarding the implementation of the principle of equal treatment, comprises also:

- 1) analysis, monitoring of and support for equal treatment of all persons,

- 2) execution of autonomous studies and research concerning discrimination,
- 3) development and issue of independent reports and issue of recommendations regarding problems related to discrimination.

The Defender should annually provide to the Parliament of the Republic of Poland information on the conducted activities in the field of equal treatment and the results of them, information on the observance of the principle of equal treatment in the Republic of Poland and conclusions and recommendations concerning actions, that should be taken in order to ensure observance of the principle of equal treatment.

To this end, the Defender shall control very wide range of public bodies, but also cooperate with associations, civic movements, other voluntary unions and foundations and with foreign and international bodies and organisations, operating in the scope of equal treatment.

Therefore I request formal membership of Equinet AISBL/INFPA – European Network of Equality Bodies, enjoying the full rights that members of Equinet are entitled to and respecting the obligations that membership brings with it, including adhering to Equinet statutes.

Please, find enclosed, above mentioned Acts, describing the Human Rights Defender mandate.

with my best regards

Jean Jipson