



Permanent Mission
of the Republic of Poland
to the United Nations Office
at Geneva

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The Permanent Mission of the Republic of Poland to the United Nations Office at Geneva presents its compliments to the Office of the UN High Commissioner for Human Rights and has the honour to transmit to the Special Rapporteur on the independence of judges and lawyers, the Special Rapporteur on the situation of human rights defenders, and the Special Rapporteur in the field of cultural rights the response from the Government of the Republic of Poland to the joint communication of 3 June 2021 (AL POL 4/2021).

The Permanent Mission of the Republic of Poland to the United Nations Office at Geneva avails itself of this opportunity to renew to the Office of the UN High Commissioner for Human Rights the assurances of its highest consideration



Geneva, 26 July 2021

**Office of the UN High Commissioner for Human Rights
Secretariat of the UN Human Rights Council
Geneva**

Reply of the Government of Poland to the joint communication from Special Procedure concerning the selection process of the next Commissioner for Human Rights and the future of the Office of the Commissioner for Human Rights (ref. AL POL 4/2021)

The Government of the Republic of Poland fully respects the liberty of the Special Procedures mandate holders to express their views and analyses concerning matters remaining within their mandates and would like to inform that on the 21st of July 2021, the Senate of the Republic of Poland gave its consent to the decision taken by the Sejm of the Republic of Poland on the 8th of July 2021 appointing Professor Marcin Wiącek as Commissioner of Human Rights. Following this decision, Professor Wiącek took an oath before the Sejm on the 23rd of July 2021 and formally began his 5-year tenure as the Commissioner of Human Rights of the Republic of Poland.

It needs to be underlined that in extraordinary case when the post of Commissioner for Human Rights is vacant for whatsoever reason, including the expiration of one's mandate, one of the Deputies of the Commissioner for Human Rights performs duties as Acting Commissioner until the procedure of appointing new Commissioner is successfully finalized. This ensures uninterrupted continuity of work and individual matters which were or would have been addressed to the Commissioner during such vacancy are recognized as valid and are due to be properly processed by the Acting Commissioner and the Commissioner's Office.

The Government of the Republic of Poland continuously and fully recognizes and respects independence of the Commissioner for Human Rights, which is enshrined in the Constitution of the Republic of Poland (Article 210). The Government of the Republic of Poland is not engaged in any capacity nor at any stage in the procedure of appointing the Commissioner for Human Rights. The Government of the Republic of Poland also does not influence performance of Commissioners' duties.