

**Statement of civil society organisations on the takeover of the office
of the Ombudsman by the parliamentary majority**

As representatives of civil society organisations, we object to the hostile takeover of the office of Ombudsman by the ruling parliamentary majority. We do not accept the de facto settlement of our rights and freedoms by Julia Przyłębska's politically dependent tribunal, the disregard of the fundamental principles of fair trial, including the independence and impartiality of judges, in its work.

The view taken yesterday by the tribunal is yet another example of the appropriation of the state by the party in power, the undermining of the foundations of democracy and the circumvention of the provisions of the Constitution in accordance with the principle: "when I am dead the deluge may come for aught I care".

The provisions of the Constitution of the Republic of Poland do not preclude the continuation of the Ombudsman's mission until a successor has been elected. On the contrary, the values enshrined in the preamble to the Constitution and its constitutional principles, such as continuity in the functioning of public authorities, civic trust in the state, as well as the concern that the fundamental rights and freedoms of citizens should not be breached, require that this office be held independently by a person who has previously been granted a democratic mandate until a successor is elected.

The opposite standard adopted by Julia Przyłębska's tribunal means that we are all losing our protector. The people who will be most affected by this change are those for whom the Office of the Ombudsman has been the main refuge and advocate of their rights in recent years. Therefore, the people who will be most affected by this change are those who are at risk of exclusion for various reasons: people from smaller towns, the elderly, people with disabilities, people in crisis of homelessness, people belonging to minorities, especially sexual minorities, and people in detention centres. The Ombudsman's Office received more than 72,000 requests for protection in individual

cases in 2020 alone. In the light of recent events, Poland will also lose an important centre for speaking up for women's rights.

As a civic society, we are also losing an important centre for social debate, a place where forgotten or ignored problems are raised, and where new ideas and solutions are forged. It is one of the last areas where people with different views could meet and respectfully seek common solutions to the problems they encounter.

The tribunal's decision also poses a direct threat to several hundred people working in the Ombudsman's Office. There is a risk of purges, an attack on their independence and behaviour, which is known from other institutions taken over in a similar way. We stand together in these difficult times with everyone working in the Ombudsman's Office. We would like to thank them all, as well as the outgoing Ombudsman, for their hard work in upholding human rights in Poland.

We simultaneously demand that the election of a new Ombudsman takes place in accordance with the provisions of the Constitution. We consider any attempt to bypass the Sejm and the Senate when appointing an acting Ombudsman to be a circumvention of the provisions of the Constitution.

We ask the international community to monitor the actions of the ruling parliamentary majority in this regard.

List of signatures of the organisations:

Akcja Demokracja [Democracy Campaign]

The Wiktor Osiatyński Archive

Fundacja Ośrodek Kontroli Obywatelskiej OKO
[OKO Centre for Civic Control Foundation]

Centre for Social Initiatives in Gliwice

Social Initiatives Development Centre CRIS

Roman Czernecki Educational Foundation

Federation for Women and Family Planning

The Donors Forum in Poland

Forum Unia Młodych [Youth Union Forum]

Fundacja "Przestrzeń dla Edukacji" [Space for
Education Foundation]

360! Foundation

Fundacja Aktywności Lokalnej [Local Activity
Foundation]

Autonomy Foundation

Fundacja Bęc Zmiana [Bęc Zmiana
Foundation]

Bronisław Geremek Foundation

Entrepreneurship and Innovation Centre 50+
Foundation

Chustka Foundation
 Silent Rainbow Foundation
 ClientEarth Prawnicy dla Ziemi Foundation
 Foundation for Poland
 Goodwill Foundation
 Fundacja Domu Baudouina [Baudouin Foundation]
 The "Iustitia" Foundation for Legal Education
 Ecological Foundation "Green Action"
 Civil Development Forum (FOR Foundation)
 Responsible Business Forum Foundation
 Frank Bold Foundation
 Fundacja Głuchych Zacisze [Zacisze Foundation for the Deaf]
 The Stefan Batory Foundation
 Jagoda Foundation
 Liberal Culture Foundation
 Znak Foundation for Christian Culture
 Liberte! Foundation
 Fundacja Machina Zmian [Machine of Change Foundation]
 Lubartów Civic City Foundation
 Mundus Cantat Foundation
 WE Patients Foundation
 Foundation for Pupils' Rights
 STER Foundation for Equality and Emancipation
 Fundacja na rzecz Wolnomyślicieli [Foundation for Free Thinkers]
 Fundacja Najpierw Mieszkanie Polska [First Flat Poland Foundation]
 Fundacja Nowe Centrum [New Centre Foundation]
 KARTA Centre Foundation
 Panoptikon Foundation
 Parent Project Muscular Dystrophy Foundation
 Patria Foundation
 Full of Life Foundation
 Fundacja Pole Dialogu [Area of Dialogue Foundation]
 Auxilium Foundation for People with Disabilities, Children and Youth
 Fundacja Pomorskie Centrum Psychotraumatologii [Pomeranian Psychotraumatology Centre Foundation]
 Przemijanie Foundation
 Res Publica Foundation
 Childbirth with Dignity Foundation
 Rokoko Foundation
 Independence of the Kitchen Foundation
 Heart of the City Foundation
 Shipyard Foundation
 School with Class Foundation
 Trzeci.org Foundation
 Foundation Towards Dialogue
 Faith and Rainbow Foundation
 Freedom from Religion Foundation
 WWF Poland Foundation
 Snow Mountain Community Fund
 Greenpeace Poland
 Ponton Group
 The Helsinki Foundation for Human Rights
 Inicjatywa obywatelska "Chcemy całego życia!" ["We want a full life" Civic Initiative]
 Institute of Public Affairs
 Janów Association for Assistance HUMANUS
 Kalisz Urban Initiative
 Campaign Against Homophobia

Committee for the Defence of Democracy
 Cracow Institute of Criminal Law Foundation
 Stanisław Brzozowski Association Political Critique
 International Institute of Civil Society
 Mussszelka
 Citizens of Culture
 Wielkopolska Branch of Foster Parenthood Association
 National Federation of Polish NGOs
 All-Poland Women's Strike
 "Open Republic" Association against Anti-Semitism and Xenophobia
 Robert Schuman Foundation
 Polish Institute for Human Rights and Business
 Polish Tourist and Sightseeing Society, Żyrardów Branch
 Consultative Council to the All-Poland Women's Strike
 Citizens' Network Watchdog Poland
 Siedlce Association of Helping People with Alzheimer's Disease
 Amnesty International
 Spring without Barriers Association
 Stowarzyszenie Cała Naprzód [Full Steam Ahead Association]
 Stowarzyszenie Dialog Społeczny [Social Dialogue Association]
 Homo Faber Association
 The Professor Zbigniew Hołda Association
 Association for Legal Intervention
 Klon/Jawor Association
 Women in Film Association
 Better World Association
 Association of Young Scientists
 Tolerado Society for LGBT People
 Our Imaginarium Association
 NOMADA Association for Multicultural Society Integration
 Stowarzyszenie Oświata Polska [Polish Education Association]
 Stowarzyszenie Plac Solidarności [Solidarity Square Association]
 Stowarzyszenie RAZEM DLA KONARZEWA [TOGETHER FOR KONARZEW Association]
 Association for the Development of the Kaliska Municipality
 Śmiałowice Village Development Association
 Stowarzyszenie SZERSZE HORYZONTY [Wider Horizons Association]
 Stowarzyszenie TAK Trójmiejska Akcja Kobięca [Tricity Women's Campaign Association]
 Tarnowska Rospuda Association
 Multicultural Kraków Association
 Stowarzyszenie Wspólne Wójtowo [Common Wójtowo Association]
 Zachodniopomorskie Smaki Association
 Stowarzyszenie Zielone Dzieci [Green Children Association]
 The Świętokrzyskie Centre for Social and Cultural Initiatives
 Towarzystwo Dziennikarskie [Journalists' Society]
 Zalewska Land Lovers Society
 Towarzystwo Muzyczne Ziemi Proszowickiej [Musical Society of the Proszowice Land]
 Great Coalition for Equality and Choice
 Free Courts
 Czulent Jewish Association