



## European network of legal experts in gender equality and non-discrimination

### FLASH REPORT

<b>Country:</b>	Poland
<b>Title:</b>	Budgetary Law for 2019 entails further cuts in the budget of the Commissioner for Human Rights (Ombud)
<b>Date:</b>	16 February 2019
<b>Expert:</b>	Eleonora Zielińska
<b>Context</b>	
<b>Issue at stake:</b>	Cuts in budget for the Commissioner for Human Rights
<b>Ground of discrimination:</b>	All grounds
<b>Source:</b>	Legal development
<b>Field of application:</b>	Other
<b>Applicable law:</b>	Draft Budgetary Act of 2019. Parliamentary print No 2864 <sup>1</sup>

### Content

**Law development:** On 16 January 2019, the lower chamber of Parliament passed the Budgetary Law for 2019. The Office of the Commissioner for Human Rights (RPO) has once again received less money for its activities than required. The Office of the RPO was designated as equality body, pursuant to Article 18 of the Anti-discrimination law of 3 December 2010 (Unified text: OJ 2016, Item 1219). The budget cuts regarding this office thereby undermine the infrastructures responsible for, amongst others, the elimination of discrimination.

**Key points of analysis:** The RPO applied for a budget for the year 2019 amounting to EUR 11.2 Million (PLN 48.1 Million). Such amount was included in the draft budgetary act for the upcoming year. Compared to 2018, this sum was larger by about EUR 2 Million (PLN 8.6 Million). Additional resources are needed amongst others to carry out the tasks arising from the Presidential Amendment to the Act on the Supreme Court (of 8 December 2017 JoL 2018 Item 5), which granted the Commissioner for Human Rights the competence to lodge so-called extraordinary complaints (the office has already received more than 2 400 requests for such submissions) or for the operation of the National Mechanism for the Prevention of Torture, whose task is to counteract torture and inhuman treatment. In the 2019 budget, there is a slight increase compared to the 2018 budget, but the overall amount is still by approx. EUR 1.6 Million (PLN 7.2 Million) lower than requested.

### **Internet link source:**

<https://konkret24.tvn24.pl/polityka,112/budzet-rzecznika-praw-obywatelskich-mniejszy-choc-wiekszy,889707.html>;  
<https://www.rpo.gov.pl/en/content/parliamentary-committee-justice-issued-negative-opinion-chr%E2%80%99s-draft-budget-2018>;

<sup>1</sup> <http://www.sejm.gov.pl/sejm8.nsf/PrzebiegProc.xsp?nr=2864>. The legislation procedure is still going on but must finish by the end of January. In order to become binding, the draft should be adopted by the Senate (higher chamber of the Parliament) and signed by the President. However, amendments of the draft regarding the Commissioner's budget are to be expected.

<https://www.rpo.gov.pl/pl/content/poslowie-komisji-za-obnizeniem-budzetu-rpo>, all sources accessed 19 January 2019.