THE EUROPEAN OMBUDSMAN

P. NIKIFOROS DIAMANDOUROS

Dr Janusz Kochanowski
Commissioner for Civil Rights Protection
Republic of Poland
Al. Solidarności 77
00-090 VARSOVIE
POLOGNE

Strasbourg,   0 3 SEP. 2008

Dear Dr. Kochanowski,

Further to my letter of 15 July 2008, I would like to thank you again for having sent me a copy of the Polish Ombudsman's Bulletin, which includes a draft legislative proposal for the General Provisions of Administrative Law in Poland, resulting from a project which you have organised.

I would also like to thank you for the kind invitation that you sent me on 18 August 2008 to attend a special public presentation of the project on 9 September 2008 in Warsaw.

I have now had the opportunity to become acquainted with the project and the contents of the draft legislative proposal. I note, with great interest and appreciation, that the team of experts who drafted the proposal took full account of the principles contained in the European Code of Good Administrative Behaviour.

There can no doubt, in my view, that the eventual enactment of a law regulating the fundamental principles of the behaviour of administrative bodies in Poland would be of great benefit to both citizens and the administration, by clarifying their respective rights and duties, as well as the principles that should govern the administrative process.
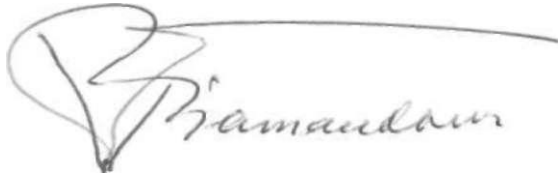
The Polish experience of drafting such a law could also, in my view, provide useful inspiration for the eventual enactment of a law on good administration for the European institutions, which the entry into force of the Lisbon Treaty would greatly facilitate by adding a new Article 298 to what would become the Treaty on the Functioning of the Union.

As regards the event on 9 September 2008 in Warsaw, I only received your letter of 18 August on my return from summer vacation on 1 September. I very much regret that it is not possible for me to re-arrange my autumn schedule at short notice and that I will therefore be unable to participate.

In conclusion, I would like to congratulate you on the initiative you have taken and wish you success in advancing this important project.

Yours sincerely,

P. Nikiforos DIAMANDOUROS