

Speech by the Commissioner for Civil Rights Protection at the conference entitled “The challenges of the present facing human rights and liberties”.

Kiev 12-14 April 2008

At the beginning, I would like to express my great joy at the opportunity of participating in this conference. I am deeply honoured that I can appear at this conference, which commemorates the 10th anniversary of the establishment of the office of Ombudsman in Ukraine, and which occurs at the same time as the 60th anniversary of the acceptance of the Universal Declaration of Human Rights.

For me, there is also a symbolic significance in the fact that this year we in Poland are celebrating the 20th anniversary of the establishment of the office of Ombudsman, which in our country is called the Commissioner for Civil Rights Protection. This event constituted another breach in the legal doctrine of a Socialist state and was one of the symptoms of the many changes in Europe which led in effect to the independence of Ukraine and Poland and to the situation in which we can today freely demand the observance of civil rights and liberties in both our countries.

I am also uncommonly pleased by the fact that the office of Ombudsman in Ukraine is currently held by Ms Nina Karpachova, with whom our cooperation is developing in an exemplary way.

Cooperation between Ombudsmen is a good example of the good and fruitful neighbourly cooperation between our countries, which are characterised by relations of a special and strategic nature. The community of historical experiences, the cultural closeness, the multiplicity of mutual interests – these are all factors which are continuously bringing our countries closer together and making cooperation a priority task. I am honoured that I have the possibility of being part of this undertaking by fulfilling the mission of Commissioner for Civil Rights Protection.

It is precisely for this reason, when talking about the challenges that face the protection of human rights, that I would like to concentrate on the issues that particularly link Poland and Ukraine and which constitute the subject of the interest of the Ukrainian Parliament's Commissioner for Human Rights and the Polish Commissioner for Civil Rights Protection.

A great problem with which the members of our societies have to cope is economic migration. Many Poles and many Ukrainians are leaving their places of residence and are looking in other countries for better and sometimes even quite simply decent wages. Shortly after being elected by the Polish Parliament for my five-year term, I became interested in the problem facing hundreds of thousands of Poles who had emigrated, temporarily or permanently, for economic reasons. It very often happened that the fundamental rights of these migrants were being violated, e.g. the right to remuneration for labour, the right to justice etc. Many people, in particular those not knowing the language of the country in which they had taken up employment, fell victim to crimes, for instance the terrible example of imprisonment in the so-called labour camps in Southern Europe. The problem was also the frequent inactivity of the local security services, law enforcement authorities and justice departments. After making several attempts at intervention, I realised that these migrants are in practice deprived of their civil rights. The local Ombudsmen often could not take care of these migrants, while the competences of the Polish Ombudsman did not reach beyond the borders of his country. I am convinced that all of you here assembled were faced in your work with such problems. Much seems to indicate that in the nearest few years economic migration from Ukraine, Poland and many other countries will not cease – the processes of globalisation will have an impact on the growth of people's mobility. That is why the protection of the rights of these people seems to me to be one of the most important tasks facing the institution of the Ombudsman and at the same time an uncommonly important area for mutual work, aid and exchange of experiences.

The second challenge, and at the same time a field in which cooperation between Ombudsmen, particularly those of Ukraine and Poland, is becoming essential, is the rights of people crossing borders. Particularly in the context of the expansion of the Schengen area, the situation at the crossings at the area's borders is becoming ever more difficult, not to say dramatic. Despite the efforts of the Polish and Ukrainian authorities, the situation of drivers crossing our borders leaves much to be desired, particularly where this concerns the humanitarian situation – about which we had the possibility to become particularly convinced during the protest by Polish customs officers a few months ago. I hope that the recently signed agreement about the so-called local border traffic will make it easier for the citizens of our countries to move freely and to conduct business and will cause an improvement in the conditions in which the border is crossed.

The third challenge facing us is the rights of national minorities. In Ukraine there is a large Polish minority and in Poland a Ukrainian one, which today constitutes the third biggest national minority in our country. It is precisely the issue of the rights of minorities that is a sensitive field in which violations often occur. Mutual aid, exchange of experiences and the organisation of mutual undertakings are the best way to ensure that national minorities are guaranteed the desired level of protection for their rights.

Finally, please allow me once again to thank you for the possibility of participation in this important event and to wish everyone here present that the cooperation of Ombudsmen will lead in every country to a growth in respect for civil rights and liberties.

English translation © Tadeusz Z. Wolański
