



RZECZNIK PRAW OBYWATELSKICH  
(OMBUDSMAN)

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V.542.34.2014.MS



Médiateur européen

19 JAN. 2015

Date d'arrivée

Mrs.  
Emily O'Reilly  
EU Ombudsman

*Dear Emily,*

In response to your letter of 20 October 2014, concerning compliance by the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union "FRONTEX" with human rights during performance of deportation flights, I am presenting the following explanations.

The protection of rights of the foreigners staying on the territory of Poland, including those who are obliged to leave the territory of Poland, is one of my priorities. The employees of my Office visit regularly guarded centres where the apprehended foreigners wait for compulsory execution of decisions obliging them to return to their country of origin. In my speeches addressed to the Minister of Internal Affairs, I have criticized many times the regime prevailing in these institutions and I have appealed for the introduction of a statutory ban on placing families with children in such places. These actions have already brought about results: typically prison rigor of detention institutions has been mitigated, among others, by introducing "the open door principle" and increasing freedom of movement of the apprehended in centres.

In order to be able to look in a complex way at the situation of foreigners obliged to leave Poland, I have also initiated explanatory proceedings concerning performance of deportation flights by the Border Guard. In my speech addressed to the Border Guard Headquarters, I asked, among others, what the organization of such flights looked like in

practice and what the role of the European Agency for the Management of Operational Cooperation at the External Borders of the Member States of the European Union "FRONTEX" was in this respect. I will immediately notify you of determinations made in this matter.

*with kind regards*

*Jens Jørgen*