

ADVANCE QUESTIONS TO POLAND

DENMARK

- The use of lengthy pre-trial detention in Poland has been the subject of a number of rulings from the European Court of Human Rights in Strasbourg. What measures will the Polish Government take to improve the application of pre-trial detention?
- The Commissioner of Human Rights as well as human rights organisations point to problems with overcrowding of prisons in Poland. What measures will the Polish Government take to improve the conditions in the prisons?

FINLAND

- We acknowledge that the Government of Poland has made commitments to protect children from violence, including by implementing the National Program against Domestic Violence, adopted by the Council of Ministers in September 2006 and the European Union Daphne III programme to combat violence against children, young people and women as well as by carrying out a national campaign under the theme of "Childhood Under Protection".¹
- With regard to the United Nations study on violence against children², which states that "no violence against children is justifiable; all violence against children is preventable", we would appreciate to receive further information on legislative, administrative and other measures taken to implement the Study's overarching and setting-specific recommendations in Poland. In particular, we would greatly appreciate if the Government of Poland could share with us good practices to prevent and respond to violence against children³.

ITALY

- In 2007, CAT noted with appreciation the ongoing efforts by Poland to reform its legislation, policies and procedures in order to ensure better protection of human rights. In this respect, Italy would like to draw attention to the decision of 2005 by the Chief Commander of Police, who established posts of Human Rights Advisers at central (Police Headquarter) and local (Police Voivodship Office) level. Could you elaborate more on the experience of this network of Human Rights Advisers in Police centers?
- The Polish national report describes a Government programme that, when fully implemented, should give the prison system a total of 88.000 places, with more

¹ Concluding comments adopted by the Committee on the Elimination of Discrimination against Women (CEDAW/C/POL/CO/6, paragraph 6) and the national report for the universal periodic review submitted by the Government of Poland, pages 12-13.

² Report of the independent expert for the United Nations study on violence against children (A/61/299).

³ Report (which provides information on the dissemination of the United Nations study on violence against children and on progress made in the initial phase of follow-up to the study) of the independent expert for the United Nations study on violence against children (A/62/209, see footnote 9).

average space available per inmate. Other measures have been undertaken to create the possibility of convicts serving their sentences outside penitentiaries, under a system of electronic surveillance. Could you provide more information on this programme and other initiatives undertaken to improve life conditions in prisons?

NETHERLANDS

- What is the precise procedure for the selection of judges? How is their independence guaranteed?
- What is the current status of the "lustration-process" in Poland? How does the Polish government ensure that the human rights of all individuals are protected in this process?

SWEDEN

- Civil society organizations have reported continued discrimination against homosexual, lesbian, bisexual, transgender and transsexual persons in Poland, as well as shortcomings on the part of the state in dealing with such offenses. In its national report to the 2008 Universal Periodic Review, the government of Poland referred to legislation the government is preparing to present to parliament on anti-discrimination, including with regard to sexual orientation, as well to training programmes for judicial staff. Could the government of Poland elaborate on these and other measures it is taking to ensure full equality before the law of individuals regardless of sexual orientation?
- In its general comment no. 8 (2006), the Committee on the Rights of the Child recommended all states to prohibit all forms of corporal punishment against children, stating the punishment “directly conflicts with the equal and inalienable rights of children to respect for their human dignity and physical integrity,” in contravention of the Convention on the Rights of the Child. There is no unequivocal legal prohibition in Poland of corporal punishment of children. In its national report to the 2008 Universal Periodic Review, the government of Poland noted some of the measures it is taking to address the continuing occurrence of violence against children. What measures is the government of the Poland taking to ensure the sufficient legal protection of the freedom of children from physical or mental violence, injury or abuse, neglect or negligent treatment, maltreatment or exploitation in accordance with the said Convention?

UNITED KINGDOM OF GREAT BRITAIN AND NORTHERN IRELAND

- Could you please elaborate further on the role civil society in Poland played in the elaboration of your national report for this process?
- How, and by when, will the Polish government introduce equality legislation to widen participation and progression in the labour market, including for disabled people and women?

- Could you tell us on how Poland plans to increase awareness of, and respect for, non-Polish minorities and their languages, including Roma communities?
- Could the Polish government please outline its approach to reducing legal bureaucracy which are slowing down reforms and the introduction of new legislation?
- Could you please elaborate further on the existence of a national human rights institution in Poland, and if it is in conformity with the Paris Principles?
