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Draft report of the Working Group on the Universal Periodic Review*

Poland

* The annex to the present report is circulated as received.

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Introduction

1. The Working Group on the Universal Periodic Review, established in accordance with Human Rights Council resolution 5/1, held its twenty-seventh session from 1 to 12 May 2017. The review of Poland was held at the 13th meeting on 9 May 2017. The delegation of Poland was headed by Ms. Renata Szczech, Undersecretary of State, Ministry of Foreign Affairs. At its 17th meeting held on 11 May 2017, the Working Group adopted the report on Poland.
2. On 13 February 2017, the Human Rights Council selected the following group of rapporteurs (troika) to facilitate the review of Poland: Hungary, India and Venezuela (Bolivarian Republic of).
3. In accordance with paragraph 15 of the annex to Human Rights Council resolution 5/1 and paragraph 5 of the annex to Council resolution 16/21, the following documents were issued for the review of Poland:
 - (a) A national report submitted/written presentation made in accordance with paragraph 15 (a) (A/HRC/WG.6/27/POL/1);
 - (b) A compilation prepared by the Office of the United Nations High Commissioner for Human Rights (OHCHR) in accordance with paragraph 15 (b) (A/HRC/WG.6/27/POL/2);
 - (c) A summary prepared by OHCHR in accordance with paragraph 15 (c) (A/HRC/WG.6/27/POL/3).
4. A list of questions prepared in advance by Belgium, Czechia, Germany, Mexico, the Netherlands, Norway, Sweden, Slovenia, Spain, Switzerland, the United Kingdom of Great Britain and Northern Ireland, and the United States of America was transmitted to Poland through the troika. These questions are available on the extranet of the UPR.

I. Summary of the proceedings of the review process

A. Presentation by the State under review

5. The Under-secretary of State at the Ministry of Foreign Affairs of Poland stated that Poland, a candidate for the 2020-2022 term of the Human Rights Council, considered human rights to be an issue of utmost importance. Since 2001, Poland had fully cooperated with all United Nations special procedures and continued to extend a standing invitation to visit Poland at their convenience.
6. The national report of Poland had been drafted by the Ministry of Foreign Affairs on the basis of contributions from various governmental agencies responsible for fulfilling human rights-related obligations domestically. In drafting the report, Poland strove to make the entire process as transparent as possible, duly notifying members of parliament of its course, and organising an information meeting with representatives of non-governmental organisations to listen to any comments and concerns. Contributions had also been received from the Ombudsman (Human Rights Commissioner) and the Ombudsman for Children.
7. Since the previous Universal Periodic Review in 2012, Poland had signed and ratified a number of international conventions.
8. The Under-secretary of State indicated that Poland was particularly concerned with protecting children's rights. In 2015, major amendments were made to the Polish Family

and Guardianship Code, elevating the protection of children's subjectivity. These changes had served to eliminate automatic decisions to the effect of limiting parental custody rights of one of the parents under conflict circumstances, such as divorce and separation. Such decisions had been replaced with the child's guaranteed right to both parents. Under such circumstances, decisions to restrict parental custody rights might only be passed as an in extremis measure.

9. Family 500+ programme had been introduced to further improve conditions of raising children, in particular in the most deprived families. This programme had been introduced in 2016, providing for the disbursement of parental monthly benefits of approximately 500 Polish Zloty (PLN) (approximately USD 125) for the second and each consecutive child in the family, household income notwithstanding, and additionally for the first child for families with household income below a certain threshold. Family 500+ programme funds were being provided to 3.8 million children in 2.56 million families. Once the measure had been introduced, the relative poverty threat index had dropped by 4 per cent, and the overall poverty threat in the community of children under 17 had been reduced by one-half.

10. The Under-secretary of State emphasised that Poland also considered protecting vulnerable groups to be of particular importance. These included, inter alia, persons with disabilities. This was the reason why, in December 2016, the Council of Ministers had adopted a resolution concerning the so-called "For Life" programme of comprehensive support for families. The programme assisted families with members with disabilities, especially parents raising children with disabilities. It comprised solutions in the area of assisting pregnant women and their families, early assistance for children and their families, as well as support, rehabilitation, and residential aid. Work was in progress to draft a 2017-2030 Strategy for Disabled Persons. The purpose was to provide comprehensive support to persons with disabilities at every stage of life.

11. She stated that Poland had successfully implemented a number of recommendations submitted during the 2012 Universal Periodic Review Second Cycle.

12. She thanked all the states that had submitted advance questions and responded to some of them.

13. With regards to the questions raised by Mexico and the United Kingdom of Great Britain and Northern Ireland on securing women's rights, she stated that, between 2013 and 2016, Poland had implemented the National Programme of Activities for Equal Treatment. This was a comprehensive governmental strategy comprising action to support persons discriminated against or threatened with discrimination. A considerable number of initiatives within the programme aimed to improve the wellbeing of women and tackle the problems they faced. A decision had already been made to continue the Programme in the years to come. The draft of the new edition ought to be finalised in autumn of 2017.

14. Concerning the issue of criminalising gender identity-, sexual orientation-, and disability-related hate speech mentioned in the Swedish question, she assured that, in the Polish legal system, courts, when determining the type and level of penalty, were always obliged to take into account the perpetrator's motivation. Pursuant to Article 53 § 2 of the Criminal Code, this included gender identity, sexual orientation and disabilities.

15. She further elaborated that Article 53 was applicable to all acts criminalised under the Code, such as causing bodily harm or defamation. The provision in question was of a general nature and did not limit the type of motivation that had to be taken into account by the courts. Further provisions were stated in Article 212 of the Code, which criminalized the slander of a person or a group of persons in relation to conduct or traits that might discredit him/her/them in the face of public opinion, or result in a loss of confidence

necessary to engage in certain activities. This provision was also applicable to slander on the grounds of gender identity, sexual orientation and disabilities.

16. She also mentioned the issue of so-called secret CIA prisons notifying that numerous request for international legal assistance had been filed in case and plenipotentiaries of victims had been provided with access to case files, although the status of a part of ongoing investigation is classified. They take part in selected proceedings and exercise their rights of the injured persons (victims). In addition, the Polish authorities are actively seeking to obtain appropriate diplomatic assurances from the US authorities for both of the applicants.

17. With regards to the question raised by Switzerland concerning media freedom, she stated that the National Media Council Law of 22 June 2016 appointed the National Media Council as an authority responsible for supervising public media activities. The Law altered the form of managing public media, excluding any influence of the governmental administration over the media or their activities. Under this Law, the management boards and supervisory councils of all public radio and television companies and of the Polish Press Agency were to be appointed by the National Media Council. The Council consisted of five members: three appointed by the Sejm (Lower House of Parliament), and two by the President of the Republic of Poland from among candidates proposed by the opposition. Upon initiating its activities, the Council had held open and transparent competitions to select Presidents of the Polish TV and Polish Radio.

18. The Under-secretary of State then turned to the questions raised by the United States of America on the criminalization of the use of the phrase “Polish Death Camps”, as well as a law for the compensation for private property to individuals. On the the criminalization of “Polish Death Camps”, she stated that the proposed law contained the following disclaimer: “A perpetrator of the illicit act (...) shall not commit a crime if that act was committed within the framework of his or her artistic or scientific activity”. Freedom of research and artistic activity was thus explicitly protected in the proposed law. Moreover, criminalization would apply only to claims that were strictly “contrary to historical facts”.

19. Similar provisions already existed in the same law and penalized denial of German-Nazi crimes. In this case, freedom of expression was already constricted to a certain extent, for the sake of combating Holocaust denial. This would be extended to also encompass ascribing responsibility for the German-Nazi crimes to Polish Nation or State. However, these amendments were still proposals, not yet law, and as such, might be subject to change.

20. On restitution of private property, she noted that, despite no existing specific law on the subject, property restitution had been underway in Poland for well over two decades. As far as private property was concerned, the existing legal system in Poland made it perfectly clear that any legal or natural person or their heir was entitled to recover pre-war property unlawfully seized by either the Nazi German or the Soviet occupation authorities, or by the post-war communist regime. Claimants might proceed through court and administrative procedures. There was ample legal basis in the Polish system of law that enabled owners or their heirs to claim nationalized property. Most importantly, but not exclusively, those legal acts were: the Civil Code, the Code of Administrative Procedure, and the Law on management of property.

21. She also added that, following the mentioned court and administrative procedures, damages for unlawful takeover of property were paid out of the Reprivatisation Fund administered by the Minister of Development. Since 2001, from the date the Reprivatisation Fund was set up, until October 2016, it had paid out damages totalling PLN 2.3 billion to 4,792 natural and 77 legal persons. This sum included damages paid to persons claiming enterprises to whom their property had not been returned in kind.

22. The Under-secretary of State concluded by reiterating that the delegation of Poland looked forward to a fruitful dialogue with all and would listen to their comments and recommendations and try to respond to all of them.

B. Interactive dialogue and responses by the State under review

23. During the interactive dialogue, 72 delegations made statements. Recommendations made during the dialogue are to be found in section II of the present report.

24. Serbia encouraged Poland to continue with advancing the human rights infrastructure and to devote particular attention to strengthening independent and oversight institutions. It noted that fighting all forms of slavery remained a challenge.

25. Sierra Leone commended Poland for updating its national legislation on the rights of migrants and human trafficking and encouraged it to address the rights of Roma peoples and asylum seekers.

26. Latvia noted the concerns regarding the lack of adequate protection mechanisms for victims of domestic violence. It asked about measures envisaged to ensure independent broadcasting of the public television and radio services.

27. South Africa welcomed legislating a total ban on corporal punishment and the ratification of the Convention on the Rights of Persons with Disabilities and the Optional Protocol to the Convention on the Rights of the Child.

28. Spain commended the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence. It encouraged Poland to continue ratifying international human rights treaties.

29. Sri Lanka encouraged Poland to establish a multi-stakeholder institution against discrimination. It also requested Poland to share experiences and challenges in increasing conviction rates on the human trafficking cases.

30. The State of Palestine welcomed the steps taken with regard to business and human rights, including the work on a draft national plan on the UN Guidelines implementation on business and human rights.

31. Sweden recognized the decrease in poverty levels, due to a new child benefit programme to reduce poverty among children and their families, together with increased minimum salaries, and a programme to promote affordable housing.

32. Switzerland took note with satisfaction of the ratification of several instruments and the introduction of measures aiming at financially supporting families with children, hence contributing to reducing poverty.

33. Timor-Leste commended the actions of Poland towards including civil society in the UPR process, in particular, the appointment of the Government Plenipotentiary for Civic Society, and amending the Criminal Code to define and penalize human trafficking.

34. Turkey welcomed the efforts undertaken through humanitarian aid programmes for refugees and inquired about measures to remedy the situation of children belonging to religious minorities not being offered classes in their own religion.

35. Ukraine commended the priorities outlined in the national report of Poland, in particular those related to work against racial discrimination and xenophobia at various levels of the Government and society.

36. The United Kingdom of Great Britain and Northern Ireland acknowledged Poland's efforts in the areas of women's rights, modern slavery, violence against children, access to justice, police misconduct and rights of persons with disabilities.
37. The United States of America remained deeply concerned about judicial independence. It urged Poland to fully respect principles of judicial independence, checks and balances, and the separation of powers between branches of government.
38. Uruguay encouraged Poland to ratify the International Convention for the Protection of All Persons from Enforced Disappearance, including recognition of its committee. It welcomed measures to combat violence against women and Poland's reporting records under treaty bodies.
39. Albania commended the continuing commitment aiming to put in place an effective cooperation mechanism within the public administration with respect to the principle of equal treatment.
40. Algeria congratulated Poland for the progress made, including in the context of the National Action Programme for Equal Treatment and in enhancing the rights of persons with disabilities.
41. Andorra welcomed the signature of the Optional Protocol to the Convention on the Rights of the Child and the measures taken by the Ombudsman for the Rights of the Child to promote and protect children's rights.
42. Angola noted the ratification of human rights instruments and congratulated the efforts to respect the rights of women through the implementation of the National Action Programme for Equal Treatment.
43. Argentina congratulated Poland for the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights and took note of the part of the national report devoted to the fight against racism.
44. Armenia commended the steps taken to combat hate crime and incitement to hatred, in particular, defining liability for incitement or public glorification of extermination of a national, ethnic, racial and religious group.
45. Australia was concerned that women in Poland face difficulties in accessing safe and legal abortion. It was also concerned about rising hate speech and hate crimes, including incidents against immigrants.
46. Austria commended Poland's ratification of the Council of Europe Convention on preventing and combating violence against women and domestic violence, but remained concerned about the lack of effective legislation against discrimination and hate crimes.
47. Bangladesh appreciated initiatives to combat discrimination against women and sexual exploitation of children, and to enhance women's participation in political and public life, and commended institutional changes in relation to the equality of treatment.
48. Belarus appreciated the improvement of the methodology to identify the victims of human trafficking but shared the concern of UNHCR regarding a sharp increase in xenophobic and discriminatory attitudes towards asylum seekers.
49. Belgium acknowledged the positive measures taken to implement previous recommendations, while noting a room for progress. It mentioned concerns raised within the International Holocaust Remembrance Alliance regarding a draft law concerning the memory of the Holocaust.

50. Bosnia and Herzegovina noted the activities regarding to children rights, including the ratification of the Council of Europe Convention on the Protection of Children against Sexual Exploitation and Sexual Abuse.

51. Botswana appreciated Poland's ratification of several international conventions, however, was concerned about the continued prevalence of racial discrimination, targeting persons of African, Arab or Asian descent, including refugees and asylum seekers.

52. Brazil was concerned about the counter-terrorism law that might affect the right to privacy. It welcomed the efforts towards poverty reduction among children and inquired about re-establishment of an institution to prevent racial discrimination and xenophobia.

53. The delegation of Poland emphasized that the Polish law observed the separation of powers and the independence of the judiciary. The National Judicial Council was not part of the judiciary and did not deal with individual cases. Furthermore, it was not a disciplinary body and did not decide on any accountability or sanctions against judges. It was a body that proposed to the President the candidates for judges. The draft law on the National Council of Judiciary did not change the power of the Council.

54. Poland had the Ombudsman for Children's Rights, which was a constitutional body. Poland had a unique act of Parliament on the treatment of children. Criminal penalties were not applied to them, and family courts might use only measures to influence their behaviours. As for corporal punishment, Poland had amended the Family and Guardianship Code in 2012 to exclude it within the family.

55. Freedom of expression was guaranteed in the Constitution and that the European Court of Human Rights did not identify violations of freedom of expression as systemic problems in Poland. The Government relied on the 2006 judgement of the Constitutional Tribunal that had invoked, inter alia, Article 17 of the International Covenant on Civil and Political Rights and stated that the criminal accountability for defamation was an indispensable measure for the protection of honour and good name of other people.

56. The Government had taken extensive steps to improve the lengthy court proceedings, including the introduction of a so-called "managerial manner of court management", training of judges, and reforms of the court procedures and the Act on the complaints against undue delay of court proceedings.

57. Concerning the protection granted to vulnerable groups under the Polish law, such as LGBTI persons and persons with disabilities, the delegation highlighted that anti-discrimination provisions in the Polish law should be considered as a system. Relevant provisions in the Civil Code guaranteed broad protection of personal goods. There were provisions to protect these groups in the Criminal Code and other regulations, as well as the Act of implementing certain EU legislation on equal treatment.

58. As for the steps taken to the development of civil society, the delegation informed that the establishment of the office of the Government Plenipotentiary for Civil Society was in progress. There were a number of civic dialogue channels at national, regional and local levels.

59. The Ministry of Interior and Administration collected data on hate crimes cases against LGBT persons. In 2015, the new hate crimes recording system was introduced. It referred to all the hate crimes investigations led by the police and included the investigations of the crimes motivated by sexual orientation or gender identity. As for anti-Muslim and anti-Semitic hate speech, the delegation stressed that the Government condemned all such incidents. All cases of hate speech consisting a crime were subjected to criminal liability according to the Criminal Code and subjected to the criminal proceedings.

60. Regarding the right of a same-sex couple to register their relationship, the delegation underlined that, according to the Constitution and family law, such relationships could not be entertained in the territory of Poland. The regulation on marital relationship record did not allow registering civil partnerships.

61. Concerning non-refoulement, the delegation noted that every foreigner declaring at the border his/her will of entry without fulfilling the conditions of entry as stated in the Schengen Border Code was subject to an individual assessment on whether s/he was entitled to international protection.

62. Regarding protection of the right to privacy in the context of secret surveillance and anti-terrorist legislation, the delegation informed that the Police Act – adopted in compliance with the Constitutional Tribunal’s judgement – improved procedural standards of conducting secret surveillance and introduced a new control mechanism for data retention, whereby supervision was conducted by independent courts. As for the Anti-Terrorism Act, the right to privacy was guaranteed through the supervision by the Prosecutor General and to a certain extent – by independent courts.

63. Concerning accessibility to abortions, the delegation clarified that the Act on Family Planning, Protection of the Human Foetus, and Conditions of Admissibility of Abortion set specifically conditions under which abortion was possible as well as its timeframe. Individuals covered by social security were eligible for free-of-charge abortion in medical establishments listed as providing guaranteed services. The Act on the Rights of Patients and the Commissioner for Patients’ Rights protected the right of women, who had been refused an abortion under the circumstances laid down in the Act, to raise objections to the decision of a doctor. Contraceptives were available. Some of them were reimbursed by the State. As for the conscience clause, according to the Act on Professions of Doctor and Dentist, a doctor may refrain from providing certain health care service if it was contrary to his conscience, however it does not infringe the patient’s right to obtain this health care service.

64. There were 777 institutions providing assistance to the victims of domestic violence. Additionally, there were 612 call centres. Domestic violence policies were implemented through a programme covering the period 2014-2020.

65. Poland was working on Strategies for Persons with Disabilities, covering all areas of the Convention on the Rights of Persons with Disabilities, with emphasis on health, education, accessibility and employment.

66. Concerning the situation of women in the labour market, the delegation stressed that there was equality of treatment, in line with EU standards. The difference between wages of men and women in Poland was among the lowest in the European Union, and the gap was being further reduced.

67. As for the merge of functions of the Prosecutor General and the Minister of Justice, the delegation stated that Poland chose to merge the two functions in conformity with the acceptable international standards. Furthermore, despite this merge, the 2016 Law on Prosecution explicitly provided for the independence of the prosecution services.

68. At the moment, there was no obstacle for the Constitutional Tribunal to carry out its duties. The acts adopted and initiated by Parliament at the end of 2016 were in line with the European standards for functioning of the constitutional court. These laws regulated matters related to the system and functioning of the Constitutional Tribunal, taking into account a number of recommendations issued by the Venice Commission.

69. Bulgaria appreciated that further work was under consideration to enhance mass media plurality and broaden access to different media for freedom of expression and the media as key principles in the Constitution.

70. Canada urged Poland to take further measures to enhance the scope of protection of lesbian, gay, bisexual, transgender and intersex persons and to prevent acts of discrimination.
71. Chile welcomed measures, including legislative reforms, to combat gender violence, however, was concerned about the implementation of the reforms to the Constitutional Court and increase in xenophobia, racism and discrimination.
72. China noted that some children in rural areas did not have equal access to high-quality education and that Poland still faced challenges in guaranteeing the rights of women and national minorities.
73. Côte d'Ivoire urged Poland to further strengthen its legal framework to ensure the full enjoyment of human rights in the country, notably for minorities, migrants and asylum seekers.
74. Croatia commended the improvement of criminal legislation, in relation with sexual offences and protection of child victims. It welcomed the appointment of the equal treatment coordinators and the adoption of the Programme of Roma Integration.
75. Cyprus welcomed the measures undertaken to enhance the protection of the rights of minority groups and encouraged Poland to continue its efforts to eliminate domestic violence and combat racism, xenophobia and hate crimes.
76. Czechia welcomed the ratification of the Second Optional Protocol to the International Covenant on Civil and Political Rights and the signature of two other international human rights instruments.
77. Denmark attached importance to the successful completion of Poland's dialogue with the European Commission within the Rule of Law Procedures and the concerns raised by the Venice Commission and the Council of Europe on the rule of law.
78. Egypt commended the legislative amendments to fight violence against women, the reduction in the wage gap between men and women, and the efforts to protect and support women.
79. Estonia encouraged Poland to continue its work to eliminate the use of corporal punishment in various places, consider further actions to prevent and eliminate violence against women, and ensure favourable legislation towards women's rights.
80. Finland encouraged Poland to take steps towards a positive progress regarding combating discrimination, ensuring full participation of civil society, and to strengthen the rights of all individuals, including minorities.
81. France welcomed the ratification of the Second Optional Protocol to the ICCPR and of the Council of Europe Convention on preventing and combating violence against women and domestic violence.
82. Georgia appreciated the ratification of various international treaties and measures to improve prison conditions. It welcomed the submission of a mid-term implementation report and encouraged Poland to continue this practice.
83. Germany welcomed Poland's accession to several international human rights instruments, however, remained concerned about controversial legislation regarding the judicial system as well as the media.
84. Greece welcomed, inter alia, the appointment of equal treatment coordinators in each ministry and in the Prime Minister's Chancellery, and the establishment of a national prevention system against torture.

85. Guatemala was concerned about reports of the lack of consistency in the actions of the border police and lack of mechanisms to identify vulnerable persons.
86. Haiti welcomed the success of Poland's policies and programmes regarding improving women's rights, reducing poverty levels, the ratification of the Convention on the Rights of Persons with Disabilities, and combatting human trafficking.
87. The Holy See noted the initiatives to reduce the wage gap between man and women, to enhance the protection of women, and to provide assistance to children for their equitable access to quality health care and education.
88. Honduras welcomed legislative measures to protect human rights and efforts to allocate the necessary funds to OHCHR. It noted, however, that Poland should continue harmonizing the legal framework with the international treaties.
89. Hungary welcomed the new laws relating to citizenship adopted to reduce statelessness and took positive note of the measures taken to promote the protection of the Roma community.
90. Iceland regretted that LGBTI people were still not sufficiently protected under national law and was also concerned about the difficulties faced by women in accessing safe abortion and the related law before Parliament.
91. Indonesia welcomed the implementation of the National Action Programme for Equal Treatment and the adoption of the new National Action Plan to Combat Human Trafficking and the new Foreigners Act.
92. The delegation of Poland indicated that the National Action Plan against Human Trafficking 2016-2018 provided a series of activities to improve the identification of victims of human trafficking. Poland also had a system of social assistance, support, and care for victims of human trafficking. The 2007 amendment to the Act on Social Assistance expanded the group of beneficiaries to third country nationals, who legalized their stay in Poland by the fact of having been granted the status of victim of trafficking in human beings.
93. Children of migrants in an irregular situation and children of asylum seekers have access to education, both in open and closed centres. Poland also put an emphasis to the alternatives to detention. However, while using detention, Poland did its best to improve the conditions in detention centres using European funds. For example, bars from all the windows of these detention centres are being taken away so that they would not have a layout of the prison. For the integration of asylum seekers, Polish language lessons and lessons on the Polish culture are provided.
94. Support for families in difficulties was provided through the system of measures to help them re-establish their ability to take care of their child. It was governed by the 2011 Act on Support for Family and Alternative Care. There was a range of services provided in cash to support family income. Through the programme Family 500+, extreme poverty of children had gone from 12 per cent to 0.7 per cent, and relative poverty from 28 per cent to 10 per cent. There was also a programme to support families with persons with disabilities, in particular, children with disabilities.
95. Concerning marital rape, the delegation stated that, under the Polish legislation, every single incident of rape was punishable. Criminal responsibility was triggered irrespective of any relationship between the perpetrator and the victim. The relevant provisions of the Criminal Code applied with no exception to marital rapes. The gender of the victim or the perpetrator had no bearing on the criminal responsibility and in prosecuting those who were guilty of the crimes.

96. The Ministry of Justice was analysing the possibility of ratification of the International Convention for the Protection of All Persons from Enforced Disappearance and implementing the definition of torture into domestic criminal law. Furthermore, the Convention against Torture, and Other Cruel, Inhuman or Degrading Treatment or Punishment was part of the Polish legal system. Therefore, although there was no definition of torture in the Polish law, all acts that fell under the Convention were criminalized.

97. The National Programme of Action for Equal Treatment 2013-2016 was being evaluated, and there was an idea to develop a new one. The Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance had been dissolved in 2016, however, the obligation to prevent and fight against racism, discrimination and xenophobia rested with other public bodies.

98. Concerning education on human sexuality, the delegation stated that, according to the Act on Family Planning, Protection of the Human Foetus, and Conditions of Admissibility of Abortion, the principles of responsible parenthood, value of family, life in the pre-natal phase, and the methods and means of conscious procreation was primarily addressed in the school subject called "Education for family life". These issues were also included in other school subjects, such as nature, biology, and physical education.

99. The Islamic Republic of Iran expressed concerns about discrimination and difficulties faced by Roma in different sectors, such as employment and education, and hate speech on the internet against Muslim community.

100. Iraq commended the appointment of equal treatment coordinators in each ministry and in the Prime Minister's Chancellery, as well as the appointment of the Government Plenipotentiary for Civic Society.

101. Ireland was pleased to note that Polish law prohibited discrimination in political, social and economic life, and that the Labour Code prohibited any discrimination in employment, including on grounds of sexual orientation.

102. Israel noted the contribution of the National Action Programme for Equal Treatment and the work of the special Government Plenipotentiary to fight against hate crimes.

103. Italy commended Poland for its actions to, inter alia, prevent torture, improve pre-trial detention and conditions in prisons, promote children's rights and equal treatment, and prevent domestic violence.

104. Kyrgyzstan welcomed the policy to promote and protect the rights of women and children, however, regretted the abolition of the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance.

105. Slovenia expressed its concern regarding the weak response in combatting discrimination and violence on grounds of the sexual orientation and gender identity and encouraged Poland to broaden the anti-discrimination legislation.

106. Libya commended the adoption of the National Action Plan against Human Trafficking, continuous efforts to eliminate hate crimes and incitement to hatred, and improvement of the situation of persons with disabilities.

107. Mexico welcomed the strengthening of the legal framework related to freedom of expression and the progress related to eliminate discrimination, including the establishment of a monitoring team and training activities.

108. Mongolia noted the constructive cooperation with the special procedures and commended the comprehensive measures aimed at preventing torture, improving the conditions in prison, and enhancing the efficiency of the judicial system.

109. Montenegro called on Poland to enhance activities to eliminate using corporal punishment in schools, youth centres and alternative-care facilities, as reported by the Committee on the Rights of the Child.
110. The Netherlands welcomed the rejection of the draft amendments to the Act on Family Planning and the Penal Code in October 2016. It emphasized the importance of consultations with the Venice Commission for the independence of the judiciary.
111. Norway recognized Poland's efforts to fight discrimination. It also reminded Poland that an independent civil society was an important part of democratic societies.
112. Pakistan acknowledged steps taken for ensuring equal treatment and fighting discrimination and hate crimes, including the appointment of equal treatment coordinators in each ministry and the project "Migrants against Hate crimes: How to enforce your rights".
113. Peru appreciated Poland's collaboration with the special procedures, decrease in the cases of preventive detention, and the efforts to achieve equality among men and women, which should be reinforced.
114. The Philippines lauded the improvements in women's rights, particularly with the introduction of prosecution ex officio of sexual offences, such as rape or making one to submit to another sexual act by coercion.
115. The Republic of Korea appreciated the appointment of equal treatment coordinators in each level of government and the effectiveness of the new Foreigners Act. It also recognized the appointment of the Government Plenipotentiary for Civic Society.
116. The Republic of Moldova welcomed the appointment of the Government Plenipotentiary for Civic Society, the implementation of the National Action Programmes for Equal Treatment and the appointment of equal treatment coordinators in public institutions.
117. Romania expressed its appreciation for the legislative and organizational measures to improve the conditions in prisons and noted that special attention had been paid to women's rights and gender equality.
118. The Russian Federation expressed concern about the violations of Poland's international obligations regarding the protection of cultural rights and countering racism, as well as the elimination of a human rights task force in the Ministry of Internal Affairs.
119. The Under-secretary of State thanked all the delegations that had participated in the interactive dialogue and assured that Poland would analyse all the recommendations with a maximum of attention. She also indicated that Poland had signed and ratified a number of international human rights instruments since the 2nd review and that fully implementing them remained priorities of Poland. In conclusion, she stated that the historical experience of the country that had gone a long way from the socialism to democracy and free market economy served to confirm the fact that the highest human rights standards were and had to remain the answer of democracy. She assured that Poland would be working to guarantee that its national norms in the field of human rights would conform to most rigorous international standards.

II. Conclusions and/or recommendations**

120. The following recommendations will be examined by Poland which will provide responses in due time, but no later than the thirty-sixth session of the Human Rights Council in September 2017:

120.1. **Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Montenegro) (Spain);**

120.2. **Sign and ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (Italy) (Philippines);**

120.3. **Sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Philippines);**

120.4. **Conduct further steps towards the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Georgia);**

120.5. **Continue its efforts to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Andorra);**

120.6. **Ratify, before the next UPR cycle, the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (Czechia);**

120.7. **Intensify its measures and initiatives to support the persons with disabilities and to ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which was signed in 2013 (Mongolia);**

120.8. **Ratify the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (Albania) (Algeria) (Angola) (Bangladesh) (Honduras) (Kyrgyzstan) (Sri Lanka);**

120.9. **Sign and ratify the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (Philippines);**

120.10. **Promptly ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Guatemala);**

120.11. **Consider ways forward for the ratification of the International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families (Indonesia);**

120.12. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Albania) (Iraq);**

120.13. **Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and integrate it into national norms (Sierra Leone);**

120.14. **Finalize the procedure of ratifying the International Convention for the Protection of All Persons from Enforced Disappearance (Montenegro);**

120.15. **Ratify, before the next UPR cycle, the International Convention for the Protection of All Persons from Enforced Disappearance (Czechia);**

** The conclusions and recommendations have not been edited.

- 120.16. **Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Estonia) (Slovenia);**
- 120.17. **Sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Italy) (Philippines);**
- 120.18. **Promptly ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Guatemala);**
- 120.19. **Consider acceding to the Optional Protocol to the Convention on the Rights of Persons with Disabilities (Andorra);**
- 120.20. **Consider acceding to the Convention relating to the Status of Stateless Persons (Bulgaria);**
- 120.21. **Accede to the 1954 Convention relating to the Status of Stateless Persons and the 1961 Convention on the Reduction of Statelessness (Australia) (Côte d'Ivoire);**
- 120.22. **Accede to and fully implement the 1954 and 1961 Statelessness Conventions in order to secure the basic rights of stateless persons and introduce a formal statelessness determination procedure (Hungary);**
- 120.23. **Promptly ratify the ILO Convention no. 169 concerning Indigenous and Tribal Peoples in Independent Countries (Guatemala);**
- 120.24. **Ensure comprehensive implementation of the international human rights instruments ratified during last several years (Ukraine);**
- 120.25. **Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (United Kingdom of Great Britain and Northern Ireland);**
- 120.26. **Adopt the necessary measures to give full effect, into the domestic legal order, to the recommendations made by the Committee on Economic, Social and Cultural Rights (Uruguay);**
- 120.27. **Allocate the necessary resources to the Office of the Commissioner for Human Rights (Timor-Leste);**
- 120.28. **Provide the Human Rights Commissioner's office with sufficient financing to fulfil its obligations (Norway);**
- 120.29. **Provide all necessary support for the effective exercise of the mandate of the Office of the Commissioner for Human Rights in Poland (Serbia);**
- 120.30. **Provide the Office of the Commissioner for Human Rights with the necessary means to enable it to carry out its mandate in a full, efficient and independent manner (Guatemala);**
- 120.31. **Enable the Office of the Commissioner for Human Rights to receive and deal with complaints of victims of discrimination (Honduras);**
- 120.32. **Implement the recommendations made by the International Ombudsman Institute's Fact Finding Mission to Poland with regard to Poland's Commissioner for Human Rights (Austria);**
- 120.33. **Establish an independent body, which is authorised to receive complaints on violence and abuses by the police (Russian Federation);**

- 120.34. Reinforce institutional and administrative measures, including the reestablishment of the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance (Mexico);
- 120.35. Consider the reestablishment of the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance (Peru);
- 120.36. Reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, dissolved in April 2016 (Chile);
- 120.37. Reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, or establish an alternative multi-stakeholder institution with the objective of further preventing discrimination and intolerance (Greece);
- 120.38. Reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance or create an alternative multi-stakeholder institution with the objective of preventing discrimination and intolerance, in all its aspects (Sierra Leone);
- 120.39. Consider either reinstating the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, or establishing an alternative multi-stakeholder institution with the objective of preventing discrimination and intolerance (Albania);
- 120.40. As a follow-up to recommendations 90.45, 90.46, 90.47, 90.48, 90.49, 90.57 and 90.60 from the second cycle, reinstate the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance, with a view of also addressing racism in sport to demonstrate the authorities' seriousness in combatting such prejudices, in full consultation with key stakeholders (Haiti);
- 120.41. Prevent and combat all forms of discrimination (Philippines);
- 120.42. Strengthen its fight against cases of violence, hate speech and discrimination (Bulgaria);
- 120.43. Strengthen efforts to prevent and combat all forms of discrimination, also by amending relevant legislation and launching awareness-raising campaigns (Italy);
- 120.44. Amend its anti-discrimination law in order to ensure that discrimination on any grounds is prohibited in all areas of life (Finland);
- 120.45. Take steps to ensure the acceptance and the general public knowledge of the existing law on anti-discrimination and to increase the practical use of the law (Sweden);
- 120.46. Improve further its non-discrimination legislation by criminalizing hate crimes on the grounds of age, disability, sexual orientation and gender identity, while taking the necessary measures to combat discrimination based on race, sex, nationality, ethnicity, religion or any other grounds (Brazil);
- 120.47. Amend the penal code to provide that crimes motivated by discrimination on any grounds, including disability, gender identity and expression and sexual orientation, are included in the code and therefore can be investigated and prosecuted as hate crimes (Norway);
- 120.48. Harmonize the Act on Equal Treatment with the international human rights instruments ratified by Poland (Honduras);

- 120.49. **Amend the Act on Equal Treatment in order to prohibit discrimination, in a comprehensive manner, including on the basis of sexual orientation and gender identity, in all areas and sectors, in particular, taking into account access to education, health, social protection and housing (Mexico);**
- 120.50. **Extend its anti-discrimination laws and hate crime legislation, to ensure equal treatment and broad protection for all from discrimination, regardless of sexual orientation and gender identity (United Kingdom of Great Britain and Northern Ireland);**
- 120.51. **Redouble efforts to combat racial discrimination, xenophobia and related intolerance (Angola);**
- 120.52. **Adopt further measures to address racism and support community tolerance (Australia);**
- 120.53. **Highlight in the next report the measures against perpetrators in combatting racist crimes (Bangladesh);**
- 120.54. **Take measures to reduce numbers of crimes committed based on xenophobia and racial intolerance (Russian Federation);**
- 120.55. **Review its Criminal Code to enhance punishment to combat crimes based on racial motivation (Republic of Korea);**
- 120.56. **Amend its criminal code, specifically making racial motivation of a crime an aggravating circumstance and allowing for enhanced punishment to combat occurrence of such acts (South Africa);**
- 120.57. **Publicly denounce anti-Semitic and other hate speech and acts at the highest levels of government, as well as support tolerance awareness-raising and training efforts (United States of America);**
- 120.58. **Take an active stance in combatting and raising awareness against racism and intolerant political rhetoric and strengthen legal and other measures to address bias-motivated crimes (Turkey);**
- 120.59. **Ensure effective enforcement of laws under which any party or organisation that encourages racial discrimination or incites to it is declared illegal (Russian Federation);**
- 120.60. **Strengthen and continue the national measures to combat racism, xenophobia, and hate crimes (Egypt);**
- 120.61. **Adopt a comprehensive national action plan against racism and adopt clear measures to effectively combat racially motivated violence (Botswana);**
- 120.62. **Strengthen legal and other measures to address bias-motivated crimes and prompt and effective prosecution of racist and xenophobic hate crimes (Islamic Republic of Iran);**
- 120.63. **Give the appropriate training to the Polish police and other public bodies responsible for victim support services to assist the victims of hate crimes (Ireland);**
- 120.64. **Take additional serious measures to combat xenophobia, hate speech and discrimination based on race, nationality, ethnicity and religion (Kyrgyzstan);**

- 120.65. **Develop effective law enforcement tools to monitor and prevent online hate crimes (Israel);**
- 120.66. **Continue collaborating with the sport associations with a view to promoting tolerance and diversity (Algeria);**
- 120.67. **Establish awareness campaigns against the discrimination towards members of the Roma community (Timor-Leste);**
- 120.68. **Strengthen the legal framework and implement measures to combat racism and xenophobia, sanctioning hate crimes, in particular those against migrants in irregular situation (Chile);**
- 120.69. **Continue strengthening measures to prevent discrimination and hate crimes, especially against migrants through trainings and dissemination programmes on obligations and commitments on human rights (Indonesia);**
- 120.70. **Strengthen measures aiming at combatting discrimination, racism and xenophobia in the country, notably against migrants, asylum seekers and the Roma community (Côte d'Ivoire);**
- 120.71. **Combat violence and discrimination against LGBTI persons (United States of America);**
- 120.72. **Amend the Criminal Code to provide that crimes motivated by discrimination on grounds of sexual orientation or gender identity are investigated and prosecuted as hate crimes (Belgium);**
- 120.73. **Amend the Penal Code to provide that crimes motivated by discrimination on any grounds, gender identity and expression and sexual orientation, are investigated and prosecuted as hate crimes (Iceland);**
- 120.74. **Amend the Penal Code to ensure that lesbian, gay, bisexual, transgender, and intersex persons are fully protected against discrimination, hate speech, and hate crimes based on sexual orientation and gender identity (Canada);**
- 120.75. **Recognise civil unions between same-sex persons (Spain);**
- 120.76. **Strengthen protection of individuals against discrimination, including based on sexual orientation or gender identity, *inter alia*, through allowing the legal status of same-sex couples and, in this regard, pass a law on civil union or registered partnership (Czechia);**
- 120.77. **Strengthen efforts to protect LGBTI persons against violence and discrimination, including through the inclusion of sexual orientation and gender identity in hate speech provisions, making provision in law for same-sex civil partnership or marriage; and further making arrangements for provision to Polish citizens wishing to marry or otherwise register a same-sex relationship abroad of all necessary documentation by the relevant Polish authorities (Ireland);**
- 120.78. **Consider increasing the level of the Official Development Assistance (Sierra Leone);**
- 120.79. **Strengthen oversight over Polish companies operating abroad with regard to any negative impact of their activities on the enjoyment of human rights, particularly in conflict areas, which includes situations of foreign occupation, where there are heightened risks of human rights abuses (State of Palestine);**

- 120.80. Review the counter-terrorism legislation and ensure that any interference with the right to privacy therein complied with the principles of legality, necessity and proportionality (Greece);
- 120.81. Consider incorporating the definition of torture according to the international standards in its legal order (Peru);
- 120.82. Adopt measures to improve detention conditions in Polish prisons (Russian Federation);
- 120.83. Make further efforts towards improving the conditions in prisons and complying with relevant international standards (Romania);
- 120.84. Take into thorough consideration the recommendations of the Venice commission in the process of elaboration of national legislation (Ukraine);
- 120.85. Implement the recommendations issued by the Venice Commission and the European Commission with regard to the Rule of Law (Sweden);
- 120.86. Take measures to protect the independence and impartiality of the judiciary (Guatemala);
- 120.87. Ensure reform efforts respect and strengthen judicial independence and improve delivery of justice (United States of America);
- 120.88. Implement the recommendations of the Human Rights Committee regarding the full independence and impartiality of the judiciary (Belgium);
- 120.89. Take necessary measures, in the context of the judicial reform and the reform of the national judicial council, to guarantee the separation of powers and the independence of the judicial system (Switzerland);
- 120.90. Uphold the independence of the judiciary, including by maintaining the procedures of nominations and promotions of judges by decisions of the judiciary in accordance with the Polish constitution as well as international standards (Austria);
- 120.91. Respect the integrity and independence of the Constitutional Court (Chile);
- 120.92. Adopt the necessary measures to protect and preserve the independence of the Constitutional Court as well as implementation of its judgements (Spain);
- 120.93. Take immediate measures to restore the independence, integrity, and effective functioning of the Constitutional Tribunal and its judges, including by amending pertinent legislation (Canada);
- 120.94. Ensure the independent functioning and decision-making of the Constitutional Court free from any political interference as a fundamental pillar of democracy, rule of law and human rights protection (Czechia);
- 120.95. Ensure the independence of the judiciary in order to safeguard the rule of law by taking immediate steps to ensure that the Constitutional Tribunal is able to deliver effective constitutional reviews (Denmark);
- 120.96. Guarantee, including within the draft constitutional reform announced on 3 May 2017, fundamental freedoms and the independence, integrity and efficiency of the justice system, in particular concerning the execution of the constitutional review (France);

- 120.97. Take into account the opinion formulated on 14 October 2016 by the Venice Commission of the Council of Europe on the Act of the Constitutional Tribunal (Switzerland);
- 120.98. Protect the independence of the judiciary. Respect the opinions of the Venice Commission, the OSCE office for Democratic Institutions and Human Rights and the EU Commission, especially regarding justice reform. Ensure that the independence of the Constitutional Tribunal and of judicial institutions is maintained (Germany);
- 120.99. Review and reform the Prosecution Office with a view of clearly separating the function of the Minister of Justice and Prosecutor General, in full consultation with key stakeholders (Haiti);
- 120.100. Restructure the Office of the Attorney General in order to separate functions of the Ministry of Justice and the Attorney General with a view to further guaranteeing the independence of the Attorney General (Spain);
- 120.101. Ensure that any reform of the justice system takes place only after careful consultation with the representatives of the legal professions, and that it is in line with international standards of judicial independence described by, for example, the International Covenant on Civil and Political Rights, the United Nations Basic Principles on the Independence of the Judiciary and the advisory bodies to the Council of Europe, particularly the Venice Commission and the Consultative Council of European Judges (Netherlands);
- 120.102. Review its educational system so that grades obtained in Islamic religion are recorded on school certificates (Republic of Korea);
- 120.103. Reconsider, with regard to concerns raised by the International Holocaust Remembrance Alliance, legislation that restricts open and honest scientific research and that can serve to intimidate researchers (Austria);
- 120.104. Take decisive steps to decrease political control over state owned media and to ensure independence of private as well as state owned media (Sweden);
- 120.105. Guarantee freedom and independence of the media. Ensure that rules regarding media ownership comply with European Union law (no discrimination and no retroactive legislation) (Germany);
- 120.106. Ensure that the implementation of its legislation in the field of media respects the independence and pluralism of the media, by, inter alia, applying the decision of the Constitutional Tribunal of 13 December 2016 which aims at restoring the competences of the National Broadcasting Council (Switzerland);
- 120.107. Promote the right of access to information by protecting the freedom of press and the use of mass communication (Holy See);
- 120.108. Guarantee the full right to freedom of expression, through amendments to laws adopted from 2015 that limit the independence of the media, undermine trust on its impartiality and, in anti-terrorism cases, could violate privacy (Mexico);
- 120.109. Guarantee freedom of expression and assembly, including by civil society organizations, notably in the context of public gatherings (France);
- 120.110. Repeal the restrictive amendments on the Law on Assemblies to restore full freedom of peaceful assembly, in keeping with Poland's international obligations (Canada);

- 120.111. Ensure a legal and financial framework that allows non-governmental organizations to operate (Norway);
- 120.112. Ensure a transparent and enabling environment for non-governmental organisations that allows them to benefit from available support and contribute to the development of a vibrant civil society (Austria);
- 120.113. Take concrete steps to enhance the broad and full participation of civil society in all political and societal life, by ensuring transparent distribution of NGO funding and by safeguarding that the freedoms of expression and association can, in line with the International Covenant on Civil and Political Rights, be exercised in practice, including by taking further steps to ensure prompt investigations of physical attacks and/or threats against civil society actors (Finland);
- 120.114. Take further steps to combat human trafficking (Armenia);
- 120.115. Ensure the effective implementation of the National Action Plan against Human Trafficking for the period 2016-2018 (Cyprus);
- 120.116. Continue the national efforts in the framework of the new National Action Plan against Human Trafficking to ensure preventing and combating human trafficking and rehabilitation of victims (Egypt);
- 120.117. Consider introducing procedures for the identification of persons vulnerable to trafficking, strengthen prosecution of human trafficking and further support the rehabilitation of victims (Serbia);
- 120.118. Reinforce the work already underway to tackle modern slavery, through the strengthening of efforts to obstruct criminal networks and identify victims of human trafficking (United Kingdom of Great Britain and Northern Ireland);
- 120.119. Continue developing national mechanisms to combat trafficking in human beings, including conducting thorough investigation of reports on cases of human trafficking and establishing legal framework for the protection of child-victims of human trafficking (Belarus);
- 120.120. Pay attention to the prevention and protection measures addressing the particular vulnerability of children to trafficking (Islamic Republic of Iran);
- 120.121. Strengthen actions to combat human trafficking, with emphasis on the prevention and protection measures addressing the particular vulnerability of children to trafficking (Georgia);
- 120.122. Ensure that regulations pertaining to the right to privacy are in line with the principles of legality, necessity and proportionality. Establish an independent and effective oversight mechanism (Germany);
- 120.123. Review its procedures, practices and legislation to ensure that any interference with the right to privacy is consistent with international human rights standards, especially with the principles of legality, necessity and proportionality (Brazil);
- 120.124. Continue to protect the natural family and marriage, formed by a husband and a wife, as the fundamental unity of society, as well as the unborn (Holy See);

- 120.125. Ensure the implementation of all the provisions of the International Covenant on Economic, Social and Cultural Rights, within the national legal system (Iraq);
- 120.126. Ensure that all provisions of the International Covenant on Economic, Social and Cultural Rights are given full effect in its domestic legal order and in this regard to ensure the justiciability of these rights (South Africa);
- 120.127. Strengthen policies to counter the phenomenon of homelessness, especially among children, and put an end to it (Libya);
- 120.128. Ensure the full implementation of women's rights, in particular in relation to effective access to sexual and reproductive health and rights (France);
- 120.129. Ensure protection of the right of women to access abortion and for women (and couples) to decide freely and responsibly the number, spacing and timing of their children (Australia);
- 120.130. Ensure that women are provided the necessary medical and professional service to exercise their legal right to termination of pregnancy, and ascertain that women have the right to decide over their own bodies (Sweden);
- 120.131. Ensure that women can access lawful abortion by creating clear, legally binding regulations for the implementation of the 1993 Family Planning Act (Norway);
- 120.132. Ensure that safe and legal abortion can be accessed in practice by creating clear, legally binding regulations for the implementation of the 1993 Act of Family Planning (Iceland);
- 120.133. Ensure that safe legal abortions are available and accessible in practice, in keeping with the 1993 Act on Family Planning and consistent with Poland's obligations under Articles 12 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (Canada);
- 120.134. Fully and effectively implement the judgements of the European Court of Human Rights on access to abortion (Iceland);
- 120.135. Fully and effectively implement the European Court of Human Rights judgments in the case of *RR v. Poland* and *P&S v. Poland* on the issue of women and girls' access to sexual and reproductive health care and services (Netherlands);
- 120.136. Expand the scope of the compulsory course on family life education, to provide a comprehensive and age-appropriate education on sexual and reproductive health and rights and to ensure unimpeded access to sexual and reproductive health services, including to safe and legal abortions (Slovenia);
- 120.137. Take further steps for the elimination of discrimination against women (Republic of Moldova);
- 120.138. Continue its efforts to put in place improved solutions and legislation aimed at eliminating all forms of discrimination against women (Cyprus);
- 120.139. Undertake further governmental initiatives and projects aimed at comprehensively combatting discrimination against women (Romania);

- 120.140. **Continue its efforts for promoting gender equality by focusing on the implementation of the National Action Programme for Equal Treatment (Pakistan);**
- 120.141. **Take further effective measures to combat violence against women (China);**
- 120.142. **Continue its efforts to prevent and eliminate all forms of violence against women (Timor-Leste);**
- 120.143. **Intensify its actions to combat violence against women and to counter discrimination against women (Sri Lanka);**
- 120.144. **Adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (Republic of Moldova);**
- 120.145. **Continue its efforts to eliminate violence against women, including domestic violence (Philippines);**
- 120.146. **Harmonise its national legislation with the provisions of the Istanbul Convention (Bosnia and Herzegovina);**
- 120.147. **Harmonise its national legislation with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Turkey);**
- 120.148. **Continue its efforts in combating violence, including violence against women, and adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (State of Palestine);**
- 120.149. **Strengthen the elimination of all forms of violence against women by criminalizing domestic violence and marital rape (Belgium);**
- 120.150. **Amend the Criminal Code to clearly criminalize domestic violence and implement a comprehensive strategy to eliminate all forms of violence against women (Sierra Leone);**
- 120.151. **Work to address the issue of domestic violence in Poland and also ensure support for victims (Australia);**
- 120.152. **Organise a national campaign in order to raise awareness on the specific needs of women victims of domestic violence and gender based violence (Croatia);**
- 120.153. **Provide adequate and stable funding for legal, psychological and medical assistance and shelter for victims of domestic violence (Denmark);**
- 120.154. **Continue its good efforts to address violence against women and domestic violence, including by increasing support for victims of domestic violence (Latvia);**
- 120.155. **Provide adequate and stable funding for care centres and shelters for women and children victims of domestic violence (Chile);**
- 120.156. **Proceed with the implementation of the programme titled “Prevention of Domestic Violence and Violence on Grounds of Gender” (Israel);**
- 120.157. **Strengthen the protection of migrant women from gender-based violence (Islamic Republic of Iran);**

- 120.158. Adopt measures to protect women's rights, including through strengthening of laws against sexual violence as well as ensuring equal participation of women in political and public affairs (Botswana);
- 120.159. Continue to promote the participation of women in public and political life of the country (Bosnia and Herzegovina);
- 120.160. Take appropriate measures to strengthen the implementation of 2011 Act on Support for Family and Alternative Care Systems (Pakistan);
- 120.161. Continue to reinforce actions aimed at protection of children against violence and other forms of maltreatment (Bosnia and Herzegovina);
- 120.162. Ensure that all cases of sexual abuse of children are investigated and prosecuted and that victims are adequately compensated and rehabilitated (South Africa);
- 120.163. Take steps to ensure the acceptance and the general public knowledge of the existing measures for the legal protection of children, in particular with regard to children with disabilities (Sweden);
- 120.164. Continue to improve the situation of persons with disabilities, including accelerating the preparation of relevant strategies for 2017-2030, and start implementing them (Libya);
- 120.165. Accelerate the implementation of the Strategy for People with Disabilities for the period of 2017-2030, in order to strengthen the task force on the support system for people with disabilities, their families and caretakers (Indonesia);
- 120.166. Continue its policies and measures for the promotion and protection of the rights of the national minorities (Armenia);
- 120.167. Guarantee the rights of education, health, housing and employment of Roma and other ethnic minorities (China);
- 120.168. Strengthen the policies and programmes aimed at levelling opportunities for the Roma population in the access to services (Peru);
- 120.169. Continue its efforts to better assist children of Roma origin to have access to quality education and therefore advance the integration of Roma (Hungary);
- 120.170. Strengthen efforts to provide pre-school education for Roma children as a prerequisite for their equal access to further education without discrimination (Croatia);
- 120.171. Adopt concrete measures to strengthen protection of migrants, refugees and asylum seekers (Guatemala);
- 120.172. Adopt the necessary measures to combat de facto and de jure discrimination against migrants in irregular situation (Uruguay);
- 120.173. Take urgent measures to investigate and sanction acts of discrimination against migrants, refugees and minorities, in particular through ensuring the necessary protection to those who report acts of discrimination (Argentina);
- 120.174. Guarantee appropriate treatment to migrants in irregular situation, waiting for deportation from the country, including access to legal remedies (Russian Federation);

- 120.175. Continue to make efforts to protect migrant workers from all forms of exploitation and abuse, in particular North Korean workers in Poland, by improving their working condition in accordance with relevant international standards (Republic of Korea);
- 120.176. Guarantee basic services to the children of migrants in irregular situation, in particular in the area of education and health (Uruguay);
- 120.177. Increase attention to the integration process for refugees (Islamic Republic of Iran);
- 120.178. Consider participation in further burden sharing programmes such as the European Union's refugee relocations scheme and the refugee quota system (Turkey);
- 120.179. Consider issues related to the access of asylum seekers, taking into account obligations under the international treaties (Belarus);
- 120.180. Take measures towards fully respecting the principle of non-refoulement when it comes to a foreigner's refugee status (Greece);
- 120.181. Prepare a draft amendment to the Foreigners Act prohibiting detention of families with minors and unaccompanied minors for the purposes of both return and asylum proceedings (Kyrgyzstan);
- 120.182. Take urgent measures in order that asylum seeking children are not deprived of their liberty (Argentina);
- 120.183. Take measures to guarantee full access to education and health care for the most vulnerable persons, including refugees and asylum seekers (Holy See);
- 120.184. Continue its efforts to ensure due commemoration of the Holocaust (Israel);
- 120.185. Investigate thoroughly all acts of vandalism against graves and monuments of Soviet soldiers who perished in the fight against Nazi Germany and bring the perpetrators to justice (Russian Federation).
121. All conclusions and/or recommendations contained in the present report reflect the position of the submitting State(s) and/or the State under review. They should not be construed as endorsed by the Working Group as a whole.

Annex

Composition of the delegation

The delegation of Poland was headed by H .E. Ms. Renata Szczech, Undersecretary of State, Ministry of Foreign Affairs, and composed of the following members:

- **H.E. Mr Piotr STACHANCZYK**, Ambassador, Permanent Representative of the Republic of Poland to the United Nations Office and other International Organizations at Geneva, **Deputy Head of the Delegation**;
- **Mr Wojciech KACZMARCZYK**, Director of the Civil Society Department, Chancellery of the Prime Minister;
- **Mr Krzysztof MASLO**, Director of the Department of International Cooperation and Human Rights, Ministry of Justice;
- **Ms Anna WIDARSKA**, Director of Mother and Child Department, Ministry of Health;
- **Mr Michał ZON**, Director of the Legal Department, Central Board of Prison Service;
- **Mr Mariusz CICHOMSKI**, Deputy Director of the Public Order Department, Ministry of the Interior and Administration;
- **Mr Maciej JANCZAK**, Deputy Director of the United Nations and Human Rights Department, Ministry of Foreign Affairs;
- **Mr Adam KNYCH**, Deputy Director of the Analysis and Migration Policy Department, Ministry of the Interior and Administration;
- **Mr Piotr RYCHLIK**, Deputy Director, Legal and Treaty Department, Ministry of Foreign Affairs;
- **Mr Jerzy BAURSKI**, Deputy Permanent Representative of the Republic of Poland to the United Nations Office and other International Organizations at Geneva;
- **Ms Magdalena LUBELSKA**, Head of Section, Bureau of the Head of the Office for Foreigners;
- **Ms Daria WOŁOSIUK**, Head of Human Rights Section, Department of the United Nations and Human Rights, Ministry of Foreign Affairs;
- **Ms Agnieszka KARPINSKA**, First Counsellor, Permanent Mission of the Republic of Poland to the UN Office at Geneva;
- **Mr Paweł JAROS**, Judge, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
- **Mr Paweł KACZOR**, Judge, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
- **Mr Przemysław DOMAGALA**, Judge, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
- **Ms Beata SOBIERAJ-SKONIECZNA**, Prosecutor, Prosecution General;
- **Mr Zbigniew WIERZBOWSKI**, Prosecutor, Prosecution General;
- **Mr Jacek LAZAROWICZ**, Prosecutor, Prosecution General;

- **Ms Anna BLASZCZYK**, Minister's Counsellor, Mother and Child Department, Ministry of Health;
 - **Ms Wirginia PREJS-IDCZAK**, Minister's Counsellor, Analysis and Migration Policy Department, Ministry of the Interior and Administration;
 - **Ms Wiesława KOSTRZEWA-ZORBAS**, Counsellor of the Chief of Chancellery of the Prime Minister;
 - **Ms Iwona PRZYBYŁOWICZ**, Border Guard Captain, Counsellor in the Board for Foreigners, National Border Guard Headquarters;
 - **Mr Krzysztof LASZKIEWICZ**, Plenipotentiary of the National Police Headquarters for protection of human rights, National Police Headquarters;
 - **Mr Wojciech DEPTULA**, Chief Specialist, Department of International Cooperation and Human Rights, Ministry of Justice;
 - **Ms Joanna MACIEJEWSKA**, Chief Specialist, Department of International Cooperation, Ministry of Family, Labour and Social Policy;
 - **Ms Małgorzata SKORKA**, Chief Specialist, Department of Strategy and International Cooperation, Ministry of National Education;
 - **Ms Maria KRAINSKA**, Senior Specialist, Department of the United Nations and Human Rights, Ministry of Foreign Affairs;
 - **Mr Krzysztof PIOTROWICZ**, Attaché, Department of the United Nations and Human Rights, Ministry of Foreign Affairs;
 - **Ms Katarzyna DZICZKOWSKA**, Intern, Permanent Mission of the Republic of Poland to the UN Office at Geneva;
 - **Ms Katarzyna GORSKA-LAZARZ**, Interpreter;
 - **Mr Mateusz CYGNAROWSKI**, Interpreter.
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