

36th session of the Human Rights Council

Universal Periodic Review

Poland

22 September 2017

Statement delivered by.....

Parafuje:

Min. J. Dziędziczak

Mr. President,

Excellences,

Distinguished Members and Observers of the Human Rights Council

Ladies and Gentlemen,

It is a great honor for me to address this Council on the occasion of the consideration and adoption of our national report.

It is a pleasure for Poland to be among the first countries participating in the third cycle of the Universal Periodic Review. Poland highly values the UPR process and considers it to be one of the most important Human Rights accomplishments to date. As we are taking part in the mechanism for the third time, we have had the chance to observe with satisfaction its development as well as its rooting in international human rights agenda.

Ladies and Gentlemen,

I would like to express my gratitude to all stakeholders taking part in the process of the UPR of Poland: Office of the High Commissioner for Human Rights, UN treaty bodies, representatives of delegations taking part in the interactive dialogue during the review of Poland, international and national non-governmental organisations. Thank you for your engagement, your reports, questions and recommendations. We would also like to thank the Troika, namely Hungary, Venezuela and India for their hard work during the Polish review and their successful attempt to facilitate the process of the UPR.

It is important to underline that the preparation of the report as well as participation in the review in May this year was a complex organisational challenge which required participation of many governmental actors. At this point, we would also like to thank the Polish non-governmental organisations which decided to meet with us and share their remarks, views, and concerns regarding the governmental report.

Ladies and Gentlemen,

Poland considers the UPR mechanism not only as a step in fulfilling international recommendations in the area of human rights, but also in the context of Polish candidacy to the Human Rights Council for the 2020-2022 term. We are making every effort to fulfil our human rights obligations. We believe that the Universal Periodic Review allows for a general overview of the human rights situation in the country but also gives the opportunity for improvement in the areas which require corrections.

More than 80 states participated in the review of Poland during 27th session of the UPR working group in May this year. We received 185 recommendations. In response Poland marked 21 recommendations as noted/ not accepted and 10 as partially accepted. To 10 recommendations we could not give our definitive position. The remaining recommendations (144), that is a large majority, were accepted by Poland.

Poland is party to the vast majority of human rights treaties. During the last UPR reporting period 2012- 2017 we signed and ratified a number of Conventions including Convention on the Rights of Persons with Disabilities and Lanzarote Convention which aims at protecting children. The recommendations that did not enjoy our support concerned i.a. ratification of certain Conventions including: Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families; 1954 and 1961 Statelessness Conventions; the ILO Convention no. 169 concerning Indigenous and Tribal Peoples in Independent Countries. Although our government has no immediate plans to accede to these international treaties we remain committed to protection of rights of all persons on the basis of our international obligations.

Some of the delegations raised the issue of recent changes to the Polish legislation. I would like to elaborate on our position towards some of them. Firstly, we received the recommendation to reestablish the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance. We would like to assure you, that although our government does not have such plans, the responsibilities of the former Council are fulfilled in the scope of the existing institutional framework, which is tasked with preventing racial discrimination, xenophobia and intolerance. Secondly, some of the countries recommended us to separate the function of the Prosecutor General and the Minister of Justice. Although currently we do not plan to separate these two functions our position is that the existing law guarantees the independence of prosecutors. Finally, we would like to assure you that all amendments of the Polish law comply with our Constitution and international human rights provisions.

Ladies and Gentlemen,

I would like to go back to the questions of children's rights and also elaborate on the elimination of poverty among children in Poland as it is one of the main priorities of our government. We have lately introduced a number of actions and policies in order to protect children's rights. We have amended Polish Family and Guardianship Code in order to guarantee better protection of children in case of divorce or separation of parents. We have introduced The *Family 500+* programme providing for the disbursement of child benefit, resulting in a considerable reduction of poverty levels as well as a decline in the number of persons collecting social welfare benefits. The Polish government has also adopted a resolution concerning so-called *For Life* programme with the aim of assisting families with disabled family members, especially parents raising disabled children. We make every effort to promote and protect the rights of all children including children of foreign nationalities in Poland. With this in mind a *Ordinance of the Minister of National Education of September 9th 2016 concerning the education of foreign nationals and of Polish citizens formerly educated by schools forming part of education systems of other states* was drafted. The ordinance makes it possible to accommodate children arriving from abroad, foreign nationals without any or sufficient command of the Polish language included, in regular classes attended by their Polish peers. As we find the problem of human trafficking very alarming, particularly when it relates to minors, the *Algorithm of Identifying and Proceedings with Minors – Human Trafficking Victims for Police and Border Guard Officers* was drafted and issued to the Police and Border Guard in 2015.

Moreover, we are aware that poverty affects many vulnerable groups: children, disabled people, but also elderly people. Therefore we are currently working on the programme that would financially support retired people, so that they could enjoy their life in comfort and dignity.

We are making every effort in order to reach disadvantaged groups in our society as to improve the quality of their life and protect their human rights.
