



REPUBLIC OF POLAND  
MINISTRY OF FOREIGN AFFAIRS

**HUMAN RIGHTS COUNCIL  
THIRD CYCLE**

**UNIVERSAL PERIODIC REVIEW  
MID-TERM PROGRESS REPORT BY POLAND**

Recommendation	Status of implementation – December 2019
<p>Ratify the Optional Protocol to the International Covenant on Economic, Social and Cultural Rights (1.Montenegro, 2. Spain Italy, 3.Philippines)</p>	<p>Ratification is not planned at this point. The functioning of the complaint procedure is monitored.</p>
<p>Sign and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (3.Philippines).</p> <p>Conduct further steps towards the ratification of the Optional Protocol to the Convention on the Rights of the Child on a communications procedure (4. Georgia, 5. Andorra, 6. Czechia)</p>	<p>Ratification is not planned at this point. The functioning of the complaint procedure is monitored.</p>
<p>Intensify measures and initiatives to support persons with disabilities and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which was signed in 2013 (7. Mongolia)</p>	<p>Ratification is not planned at this point. The functioning of the complaint procedure is monitored.</p> <p>In recent years, the Government of the Republic of Poland have taken important initiatives benefiting people with disabilities. The new solutions are related to family policy, education, architectural and digital accessibility, and mobility. Solutions supporting the families of people with disabilities, including those raising children with disabilities, are developed. One of the examples is the comprehensive family-support programme 'For life' adopted in December 2016. The programme lays down the framework for the social inclusion of people with disabilities and for the provision of psychological, social and economic support for the families of people with disabilities.</p> <p>A one-off allowance of PLN 4,000 without any income criteria has been introduced. It is targeted at the families of children diagnosed with serious and irreversible impairment or incurable diseases that pose a threat to their life, which began in the prenatal development period or during labour.</p> <p>The social pension has increased in recent years by almost 40%. The pension is for people whose disability began in childhood and who are entirely unable to work. Other</p>

	<p>allowances and benefits that are supposed to cover additional costs arising from disabilities are regularly increased or their scope is extended to cover new groups of beneficiaries.</p> <p>A wide de-institutionalisation of care for people with disabilities is carried out. The network of supported housing is developed to create the conditions for independent, as far as possible, living and maintaining social contacts. An important aspect of the National Housing Programme is the elimination of barriers that prevent people with disabilities from living independent lives. The programme provides for the preferential treatment of families with children with disabilities, it facilitates access to housing and imposes the obligation to build accessible apartments on the public administration.</p> <p>The aim of the ‘Friendly Poland – Access Plus’ programme is to create the environment for independent living for everyone and to increase the quality of life. Appropriate solutions are introduced in such areas as architecture, transport, education, healthcare, digitalisation and services. A special emphasis is put on investments in new technologies that make life easier for people with disabilities. The programme is strictly related to the Act of 19 July 2019 on Ensuring Access for People with Special Needs, whose aim is to improve the living conditions and functioning of citizens with special needs, who are at risk of marginalisation or discrimination on the ground of disability or a decreased level of abilities caused by age or illness.</p> <p>The Act of 4 April 2019 on Digital Accessibility transposes to the Polish legal system Directive (EU) 2016/2102 of the European Parliament and of the Council of 26 October 2016 on the accessibility of the websites and mobile applications of public sector bodies. The Act ensures greater digital accessibility of websites and mobile applications for people with disabilities.</p> <p>Work on the strategy for people with disabilities 2020–2030, which will establish the comprehensive framework of the national policy for people with disabilities, including children with disabilities, taking into account the provisions of the Convention on the Rights of Persons with Disabilities, is almost completed.</p>
<p>Ratify the International Convention on the Protection of the Rights of All Migrant Workers and Members of their Families (8. Albania, Algeria, Angola, Bangladesh, Honduras, Kyrgyzstan, Sri Lanka, 10. Guatemala, 11.Indonesia)</p> <p>Sign and ratify the International Convention on the Protection of the Rights of All Migrants Workers and Members of Their Families (9. Philippines)</p>	<p>No plans to ratify the Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families. However, it should be underscored that the Government of Poland remains committed to migrants’ rights protection.</p>

<p>Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (12. Albania, Iraq)</p> <p>Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and integrate it into national norms (13. Sierra Leone)</p> <p>Finalize the procedure to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (14. Montenegro)</p> <p>Ratify, before the next review cycle, the International Convention for the Protection of All Persons from Enforced Disappearance (15. Czechia)</p>	<p>At present the Government of Poland is analysing the issue of ratification of this convention, it is not possible to indicate the approximate date of the ratification.</p>
<p>Ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (16. Estonia, Slovenia)</p> <p>Sign and ratify the Optional Protocol to the Convention on the Rights of Persons with Disabilities (17. Italy, Philippines)</p> <p>Consider acceding to the Optional Protocol to the Convention on the Rights of Persons with Disabilities (19. Andorra)</p>	<p>Signing and ratifying the Protocol is not planned at this point. The functioning of the complaint procedure is monitored.</p>
<p>Ensure comprehensive implementation of the international human rights instruments ratified during the past several years (24. Ukraine)</p>	<p>Actions are taken to implement the international human rights instruments. Due to the scope of this recommendation, it is impossible to provide a list of actions taken in this regard. Poland provides competent treaty bodies with implementation reports in a regular and timely manner.</p>
<p>Adopt an open, merit-based selection process when selecting national candidates for United Nations treaty body elections (25. United Kingdom of Great Britain and Northern Ireland)</p>	<p>Candidates to UN treaty bodies are nominated within a transparent and merit-based procedure after internal consultations within the MFA and at the inter-ministerial level.</p>
<p>Adopt the measures necessary to give full effect in the domestic legal order to the recommendations made by the Committee on Economic, Social and Cultural Rights (26. Uruguay)</p> <p>Ensure the implementation of all the provisions of the International Covenant on Economic, Social and Cultural Rights, within the national legal system (125. Iraq)</p>	<p>Relevant actions are taken. Due to the scope of this recommendation, it is impossible to provide a list of actions taken to implement the concluding observations of the Committee. Relevant information in this regard will be provided to the Committee on Economic, Social and Cultural Rights in a report that Poland is to submit in October 2021.</p>
<p>Allocate the resources necessary to the Office of the Human Rights Commissioner (27. Timor-Leste)</p> <p>Provide the Office of the Human Rights Commissioner with sufficient financing to</p>	<p>The Commissioner for Human Rights has an adequate annual budget at his disposal to carry out his statutory tasks.</p>

<p>fulfil its obligations (28.Norway)</p> <p>Provide the Office of the Human Rights Commissioner with the means necessary to enable it to carry out its mandate in a full, efficient and independent manner (30.Guatemala)</p>	
<p>Enable the Office of the Human Rights Commissioner to receive and deal with complaints of victims of discrimination (31.Honduras)</p>	<p>The Commissioner for Human Rights is entitled to receive and consider complaints.</p>
<p>Implement the recommendations made by the International Ombudsman Institute on its fact-finding mission to Poland with regard to the Human Rights Commissioner (32. Austria)</p>	<p>Recommendations made by the International Ombudsman Institute are being implemented.</p>
<p>Establish an independent body that is authorized to receive complaints on violence and abuses by the police (33. Russian Federation)</p>	<p>The mechanism has been functioning in Poland since 2010.</p>
<p>Prevent and combat all forms of discrimination (41. Philippines)</p>	<p>The prohibition of discrimination in political, social or economic life on any ground is enshrined in the Polish legal system in the Constitution (Article 32 thereof). The Polish legal system, which should be perceived holistically, ensures the wide protection of the principle of equal treatment at various levels. Civil law, criminal law, labour law, as well as many special statutory laws include guarantees to ensure the protection against violating such prohibition of discrimination.</p> <p>The Government Plenipotentiary for Equal Treatment is responsible for preparations to the next edition of the National Action Programme for Equal Treatment. The document is scheduled to be adopted by the Council of Ministers in Q3 2020.</p>
<p>Strengthen its fight against cases of violence, hate speech and discrimination (42.Bulgaria)</p>	<p>The Criminal Bureau of the General Police Headquarters monitors, both initiated and closed, investigations in this regard. Coordinators have been appointed in Polish General Police Headquarters as well as in each regional Police Headquarters to support fighting against hate crimes. Workshops, briefings and seminars on ‘the issue of fighting against hate crimes’ are organised and attended by police coordinators and the representatives of the Ministry of the Interior and Administration, the Ministry of Justice, the National Public Prosecutor's Office, the Office of the Commissioner for Human Rights, the Internal Security Agency and social organisations active in the area of discrimination issues and the protection of human rights. A guideline for police officers entitled ‘Detection Activities in the Area of Hate-Motivated Crimes’ is being developed.</p> <p>In the Intel Department of the Cybercrime Bureau of General Police Headquarters, there is a 24/7 Contact Point Section to which Internet users may report inappropriate</p>

	<p>on-line content. Contact Point Section has full capabilities of cooperation with private sector and others investigative possibilities implemented in the Cybercrime Bureau such as: Intel Department, Operational Department, Computer Forensic Department. This gives the police full possibilities to bring the offender to court.</p> <p>Each citizen has a right to report a hate speech crime to the public prosecutor's office or the Police. The penalisation of such conduct has been provided for in the Criminal Code. Crimes of this kind are prosecuted <i>ex officio</i>.</p>
<p>Amend its anti-discrimination law in order to ensure that discrimination on any grounds is prohibited in all areas of life (44. Finland)</p> <p>Review its Criminal Code to enhance punishment to combat racially motivated crimes (55. Republic of Korea)</p> <p>Amend its Criminal Code, specifically to make the racial motivation of a crime an aggravating circumstance and to allow for enhanced punishment to combat the occurrence of such acts (56. South Africa)</p> <p>Strengthen the legal framework and implement measures to combat racism and xenophobia and sanction hate crimes, in particular those against migrants in irregular situations (68. Chile)</p> <p>Amend the Criminal Code to provide that crimes motivated by discrimination on the grounds of sexual orientation or gender identity are investigated and prosecuted as hate crimes (72. Belgium)</p> <p>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 (73. Iceland)</p> <p>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 (74. Canada)</p>	<p>The Polish antidiscrimination law treated as a system provides adequate legal protection against discrimination on any grounds.</p>
<p>Strengthen efforts to prevent and combat all forms of discrimination, including by amending relevant legislation and launching awareness-raising campaigns (43. Italy)</p> <p>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 (45. Sweden)</p>	<p>The Government Plenipotentiary for Equal Treatment runs a 2018–2020 project entitled 'Development and implementation of the comprehensive system of gender equality monitoring and the inter-ministerial model of cooperation for gender equality'.</p> <p>The aim of the project is to create a unified system of gender equality monitoring and to implement gender equality policies in government administration entities at the level of voivodships and the central administration.</p> <p>Actions envisaged in the project and the issue of gender discrimination will be</p>

	<p>addressed in the project also in the context of age, race, citizenship, ethnic origin, nationality, religion, belief and views, as well as in the context of various areas of social, economic and political life.</p> <p>In 2018, an independent evaluation of the National Action Programme for Equal Treatment for 2013–2016 was carried out as part of the project, and a workshop session for equal treatment coordinators and plenipotentiaries was organised.</p>
<p>Improve further its non-discrimination legislation by criminalizing hate crimes on the grounds of age, disability, sexual orientation and gender identity, while taking the measures necessary to combat discrimination based on race, sex, nationality, ethnicity, religion or any other grounds (46. Brazil)</p> <p>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 (47. Norway)</p>	<p>The Polish antidiscrimination law treated as a system provides adequate legal protection against discrimination on any grounds.</p> <p>The response of the Government of Poland with regard to recommendations number 120.46 and 120.47 should be replaced by: “noted see 120.44”</p>
<p>Harmonize the Act on Equal Treatment with the international human rights instruments ratified by Poland (48. Honduras)</p>	<p>The recommendation has been implemented: the Act of 3 December 2010 on the implementation of some regulations of the European Union regarding equal treatment complies with Poland’s international obligations.</p>
<p>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 (49. Mexico)</p> <p>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 (50. United Kingdom of Great Britain and Northern Ireland)</p>	<p>The prohibition of discrimination in political, social or economic life on any ground is enshrined in the Polish legal system in the Constitution (Article 32 thereof). The Polish legal system ensures the wide protection of the principle of equal treatment at various levels. Civil law, criminal law, labour law, as well as many special statutory laws include guarantees to ensure the protection against violating such prohibition of discrimination.</p>
<p>Redouble efforts to combat racial discrimination, xenophobia and related intolerance (51. Angola)</p> <p>Adopt further measures to address racism and support community tolerance (52. Australia)</p> <p>Highlight in its next report the measures against perpetrators in combating racist crimes (53. Bangladesh)</p> <p>Take measures to reduce the number of crimes committed based on xenophobia</p>	<p>Training sessions designed as workshops are organised for the Police to cover the topic of ensuring security in the ethnically diversified society and equipping the police with legal instruments to fight against racial discrimination, xenophobia and other manifestations of intolerance, including hate speech. One of the adopted legal instruments is the monitoring of initiated and closed investigations in the area in question.</p> <p>An initiative has been taken to ensure effective prosecution of race hate crimes and race cybercrimes. Coordinators for this type of crimes had been appointed in</p>

<p>and racial intolerance (54. Russian Federation)</p> <p>Strengthen and continue the national measures to combat racism, xenophobia and hate crimes (60. Egypt)</p> <p>Strengthen legal and other measures to address bias-motivated crimes and ensure the prompt and effective prosecution of racist and xenophobic hate crimes (62. Islamic Republic of Iran)</p> <p>Continue to strengthen measures to prevent discrimination and hate crimes, especially against migrants, through training and dissemination programmes on obligations and commitments on human rights (69. Indonesia)</p> <p>Strengthen measures aiming at combating discrimination, racism and xenophobia in the country, notably against migrants, asylum seekers and the Roma community (70. Côte d'Ivoire)</p> <p>Combat violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons (71. United States of America)</p>	<p>Cybercrime Bureau of the General Police Headquarters as well as in each regional Police Headquarters.</p> <p>The Government Plenipotentiary for Equal Treatment is responsible for preparations to the next edition of the National Action Programme for Equal Treatment. The document is scheduled to be adopted by the Council of Ministers in Q3 2020.</p> <p>As for Recommendation No. 70 – As the Roma are particularly prone to hate crimes, an important tool to prevent and combat such issues is operational cooperation at the regional level between the Voivodship Chief Officers' Plenipotentiaries for Human Rights and Voivodship Governor's Plenipotentiaries for Ethnic and National Minorities.</p>
<p>Give the appropriate training to the Polish police and other public bodies responsible for victim support services to assist the victims of hate crimes (63. Ireland)</p>	<p>The issues of supporting the victims of hate crimes are raised during training courses for police officers. As part of their training sessions, police officers develop skills related to ensuring a sense of security to the aggrieved person while police officers perform their duties. An important element of the training sessions is to present solutions, methods and techniques applied during interviews and adjusting them to individual needs of the aggrieved person. Additionally, during the modules devoted to psychology, ethics and human rights, police officers are made more sensitive to the question of respecting dignity and showing empathy towards victims. The Police Training Centre organises a specialised course on the prevention of hate crimes and 'Managing hate crime victims'.</p>
<p>Denounce publicly at the highest levels of Government anti-Semitic and other hate speech and acts, and support tolerance awareness-raising and training efforts (57. United States of America)</p> <p>Take an active stance in combating and raising awareness against racism and</p>	<p>The Government Plenipotentiary for Equal Treatment is responsible for preparations to the next edition of the National Action Programme for Equal Treatment. The document is scheduled to be adopted by the Council of Ministers in Q3 2020. In 2017, the Government Plenipotentiary for Equal Treatment issued a statement on incidents of racist and xenophobic nature witnessed during the Independence March held on 11</p>

<p>intolerant political rhetoric and strengthen legal and other measures to address bias-motivated crimes (58.Turkey)</p> <p>Adopt a comprehensive national action plan against racism and adopt clear measures to combat effectively racially motivated violence (61. Botswana)</p>	<p>November 2017. He expressed his objection to such acts and to the use of hateful language - one of the most harmful and socially dangerous forms of discrimination. He emphasised that such conduct was unlawful and needed to be prosecuted.</p> <p>The National Prosecutor's Office continues its work aimed at the effective prosecution of hate crimes and at the protection of victims. The National Prosecutor's Office regularly collects and analyses data on proceedings regarding this type of crimes and reports are elaborated. Proceedings related to hate crimes on the ground of national, ethnic, religious differences are carried out by specifically assigned and specialised prosecutors. In Regional and Circuit Prosecutors' Offices there are consultants and coordinators specialising in such crimes. On 26 February 2014 the General Prosecutor issued the guidelines on preparatory proceedings regarding hate crimes.</p> <p>The National Prosecutor's Office continues its work aimed at combating on-line hate speech effectively. On 29 October 2012, the General Prosecutor issued guidelines on the involvement of a public prosecutor in private prosecution proceedings. The guidelines refer also to the cases of prosecuting on-line hate speech which do not belong to the group of crimes prosecuted ex officio, but are prosecuted based on private prosecution. The guidelines state, in particular, that one of premises for the prosecutor's initiating the ex officio prosecution of such crimes may be objective difficulties in establishing personal data of a perpetrator by the aggrieved person, in particular, if the crime was committed via telephone or Internet.</p>
<p>Ensure the effective enforcement of laws by which any party or organization that encourages or incites racial discrimination is declared illegal (59. Russian Federation)</p>	<p>Pursuant to Article 188 (4) of the Constitution of the Republic of Poland, the examination of the constitutionality of objectives and activities pursued by political parties remains a matter under the remit of the Constitutional Tribunal.</p> <p>Within the National Prosecutor's Office, it is the Bureau for Constitutional Affairs that is responsible for cases concerning the constitutionality of objectives and activities pursued by political parties. The Bureau takes steps based on data obtained from organisational units of the National Prosecutor's Office and based on information received from external parties.</p> <p>The applicable legal regulations and adopted organisational arrangements make it possible to actually eliminate from public life any political parties that instigate racial discrimination. In 2017–2018 no circumstances were identified that could serve as grounds for taking steps to de-legalise any of the political parties existing in Poland on the ground of promoting racism.</p> <p>Natural persons and legal entities may file motions to cause the dissolution by the court</p>

	<p>of any organisation that promotes racism and xenophobia. The motions are processed in accordance with the provisions of the Act of 7 April 1989 – Law on Associations. A motion to dissolve an association may be filed with the court by a supervisory body or a prosecutor.</p> <p>Upon the request of such bodies, the court may reprimand the authorities of the association, repeal any resolution of the association that is unlawful or does not comply with the association’s statute or it may dissolve the association if its activities constitute gross or persistent violation of law or the association’s statute and there is no prospect of reinstating activity that complies with law.</p>
<p>Take additional serious measures to combat xenophobia, hate speech and discrimination based on race, nationality, ethnicity and religion (64. Kyrgyzstan)</p>	<p>A legislative process aimed at introducing an appropriate and adequate system of penalties for such crimes as hate speech, encouraging (inciting) to hate, racial discrimination, religious discrimination, etc. is being improved. This is achieved by collecting various pieces of information and analysing them in order to estimate the scale and gravity of hate crimes, among others in terms of various kind of motivations, types of acts, places where such crimes are committed and personal profiles of suspects.</p>
<p>Develop effective law enforcement tools to monitor and prevent online hate crimes (65. Israel)</p>	<p>The General Police Headquarters (KGP) operates the 24/7 Service Section to which Internet users may report inappropriate on-line content. The monitoring of widely understood hate speech issues is carried out also by cybercrime combating units established in all Voivodship Police Headquarters and in the Capital City Police Headquarters. Coordinators for combating on-line hate crimes were appointed Cybercrime Bureau of the General Police Headquarters.</p> <p>Cybercrime Bureau of the General Police Headquarters started its cooperation with <i>Dyżurnet.pl</i> team. This initiative is aimed at counteracting distribution of illegal and harmful content depicting sexual exploitation of minors, as well as any content of racist and xenophobic character.</p>
<p>Continue to collaborate with sporting associations with a view to promoting tolerance and diversity (66. Algeria)</p>	<p>This recommendation is implemented among others by means of making specific assumptions in the Sport Development Programme for the period up to 2020, Good Governance Code for Polish Sports Federations, and by means of measures undertaken by the Ministry of Sport and Tourism.</p> <p>The Programme of Sport Development is a strategic document outlining the objectives, priorities and directions of interventions in the area of sport. The activities are aimed, on the one hand, at supporting social activities in the field of sport (sport volunteering, local sport initiatives), and on the other hand, at social inclusion through sport for groups usually less involved in sport and recreation (people with disabilities, people in</p>

	poverty, women). Actions to promote tolerance and diversity are included in 'SUPPORTERS TOGETHER Programme of the Ministry of Sport and Tourism' (2018).
Establish awareness campaigns on discrimination against members of the Roma community (67. Timor-Leste)	<p>As far as the Roma are concerned, social inclusion strategies targeted at this group have been conducted in Poland since 2001. Indeed, they serve as a mechanism/tools to create a level-playing field for the Roma community in their access to public services, such as education, housing, healthcare and employment.</p> <p>As part of these strategies, educational activities are carried out, among others, to prevent discrimination (social campaigns, training sessions for teachers, promotion of Roma culture, etc.).</p>
Strengthen the protection of individuals against discrimination, including based on sexual orientation or gender identity, inter alia, by allowing the legal status of same-sex couples, and in that regard pass a law on civil union or registered partnership (76.Czechia)	<p>Preventing and combating all forms of discrimination is an ongoing task of public authorities.</p> <p>Poland has no immediate plans to introduce new regulations on partnerships.</p>
Strengthen efforts to protect lesbian, gay, bisexual, transgender and intersex persons against violence and discrimination, including by including sexual orientation and gender identity in hate speech provisions, by making provisions in law for same-sex civil partnership or marriage, and by making arrangements for the relevant Polish authorities to provide Polish citizens wishing to marry or otherwise register a same-sex relationship abroad with all necessary documentation (77. Ireland)	Polish law defines marriage as a union between a woman and a man. To enter into marriage abroad, Polish citizens are issued certificates to the effect that they are allowed to do so under Polish laws. A document that attests to the lack of obstacles to entering into marriage applies only to a man and a woman because, as indicated above, only persons of different sex may enter into marriage under Polish law.
Consider to increase the level of official development assistance (78. Sierra Leone)	Financial allocations for development cooperation programmes are being increased systematically. Since 2004 the amount of aid provided by Poland has increased sixfold. Polish ODA has been steadily increasing in absolute figures. In Millions of US Dollar: 2015 - 440.89; 2016 - 662.95; 2017 - 679.46; 2018 -766.04; 2019 – 860 (estimation).
Strengthen the oversight of Polish companies operating abroad with regard to any negative impact their activities might have on the enjoyment of human rights, particularly in conflict areas, including situations of foreign occupation, where there are heightened risks of human rights abuses (79. State of Palestine)	On 29 May 2017, the Polish Government adopted the National Action Plan for the Implementation of UN Guiding Principles on Business and Human Rights for 2017–2020', aimed at Poland's full implementation of the guiding principles adopted in 2011 by the UN Human Rights Council. The plan was designed based on three pillars included in the Guiding Principles: (1) the State duty to protect human rights; (2) the corporate responsibility to respect human rights; (3) access to remedy. By the implementation of the UN Guiding Principles, the plan is, first and foremost, supposed to increase the protection of human rights and extend the possibilities of seeking justice if such rights are violated by businesses. The plan included information on the Government's activities related to corporate social responsibility and references to strategic

	documents in this area, which illustrates the conscious policy of the State pursued in order to support business and at the same time to emphasise the need to respect human rights by such businesses.
Review counter-terrorism legislation and ensure that any interference with the right to privacy therein complies with the principles of legality, necessity and proportionality (80. Greece)	Any restrictions of the right to privacy provided for in the Act on Countering Terrorism are necessary to ensure security and public order in the light of current terrorist threats, and therefore they are proportional to the level of threats. As a rule, such measures must be approved by the Public Prosecutor General, while some solutions may only be applied after a relevant order is issued by the Regional Court in Warsaw.
Consider incorporating in its legal order the definition of torture according to international standards (81. Peru)	In spite of the fact that the Polish Penal Code does not contain a separate torture crime, all elements specified in the definition of torture in CAT are penalised in Poland – they meet the statutory definition of various crimes contained in Polish Penal Code. Notwithstanding this, the Ministry of Justice continues analytical works aiming at evaluation of the justified character of introducing the definition of torture to the Polish Penal Code.
Adopt measures to improve detention conditions in Polish prisons (82. Russian Federation)  Make further efforts towards improving the conditions in prisons and complying with relevant international standards (83. Romania)	The Prison Service, constantly and systematically, run projects aimed at improving sanitary and living conditions of prisoners. Such actions involve, first and foremost: separating sanitary annexes in multiple-occupancy dormitory cells, providing hot water in dormitory cells, ensuring two baths per week for prisoners, ensuring nutrition compatible with health and religious or cultural requirements. Additionally, the Prison Service, in pursuit of the humanitarian execution of imprisonment sentences, makes an effort to adjust dormitory pavilions to the needs of people with disabilities, including to eliminate architectural barriers in order to minimise the level of severity of the imprisonment for people with disabilities.
Take into thorough consideration the recommendations of the Venice Commission in the process of elaborating national legislation (84. Ukraine)  Implement the recommendations issued by the Venice Commission and the European Commission with regard to the rule of law (85. Sweden)	The Venice Commission's opinions are taken into account in the process of amending Polish law.
Take measures to protect the independence and impartiality of the judiciary (86. Guatemala)	The Polish constitution and lower rank law provisions fully guarantee the independence of the judiciary.
Ensure reform efforts respect and strengthen judicial independence and improve delivery of justice (87. United States of America)  Implement the recommendations of the Human Rights Committee regarding the	Recognizing the expectations of the Polish nation and the popular demand for reform of the judiciary system, reforms aimed at improving the functioning of justice have been recently launched in Poland. Legislative process is still pending as the strive for full reform of the judiciary system in Poland continues. The Polish constitution and lower

<p>full independence and impartiality of the judiciary (88. Belgium)</p> <p>Take the measures necessary 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 (89. Switzerland);</p> <p>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 and international standards (90. Austria)</p> <p>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 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 (101. Netherlands)</p>	<p>rank law</p> <p>provisions fully guarantee the independence of the judiciary</p>
<p>Respect the integrity and independence of the Constitutional Court (91. Chile)</p> <p>Adopt the measures necessary to protect and preserve the independence of the Constitutional Court and implementation of its judgments (92. Spain)</p> <p>Take immediate measures to restore the independence, integrity and effective functioning of the Constitutional Tribunal and its judges, including by amending pertinent legislation (93.Canada)</p> <p>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 (94.Czechia)</p> <p>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 (95. Denmark)</p>	<p>The Constitutional Tribunal (CT) is an independent institution in Poland. Regulations on its functioning adopted by Parliament in late 2016 are in line with the relevant European standards. These regulations comprehensively govern the CT's operations and take into account many Venice Commission recommendations.</p>
<p>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 (96. France)</p>	<p>The principles referred to in the recommendation are the bedrock of the Polish legal order, and even in the event that the Constitution is amended, they will surely be guaranteed.</p>
<p>Take into account the opinion formulated on 14 October 2016 by the Venice</p>	<p>The Venice Commission's opinion taken into account in the process of amending Polish</p>

Commission of the Council of Europe on the Act on the Constitutional Tribunal (97. Switzerland)	law on the Constitutional Tribunal (CT). Many recommendations of the Venice Commission have been accepted, among them the ones concerning the number of CT judges needed for a full bench and the majority needed to pass a ruling.
Protect the independence of the judiciary; respect the opinions of the Venice Commission, the Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights and the European Commission, especially regarding justice reform; and ensure that the independence of the Constitutional Tribunal and of judicial institutions is maintained (98. Germany)	Polish judicial reforms are in line with relevant European standards. Opinions from international institutions concerning these reforms are taken into account when drawing new legislation.
Review its educational system so that grades obtained in Islamic religion are recorded on school certificates (102. Republic of Korea)	<p>The recommendation was accepted and implemented based on the unchanged law in this regard, i.e. Article 12 of the Act of 7 September 1991 on the System of Education and the Ordinance of the Minister of National Education of 13 April 1992 on the Conditions and Organisation of Religion Education in Public Pre-schools and Schools.</p> <p>Pre-schools and schools have an obligation to arrange religious education and worship lessons (of any denomination) for a group of at least seven pupils of a given class. The grade for the lessons is placed on a pupil's school certificate just after the grade for behaviour.</p>
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 (103. Austria)	On July 2018 The Act on the Institute of National Remembrance was amended in order to ensure the protection of Poland's good name on the one hand and freedom of discussion on the other, by eliminating provisions that raised reservations that they could be used to restrict the freedom of expression on crimes committed during World War II.
Take decisive steps to decrease political control over State-owned media and to ensure independence of private and State-owned media (104.Sweden)	The Government of the Republic of Poland has no influence on the media content disseminated in public media or commercial media. Pursuant to Article 13(1) of the Broadcasting Act, each broadcaster (including public broadcaster) shapes its offer independently and is solely responsible for the content thereof. Public administration bodies are not in the position to influence programming decisions of broadcasters. Additionally, it should be pointed out that the Council of Ministers has no impact on the composition of managerial bodies of public broadcasters. Public media management is chosen by the National Media Council, which is a body entirely independent from the Council of Ministers.
<p>Guarantee freedom and independence of the media and ensure that rules regarding media ownership comply with European Union law (no discrimination and no retroactive legislation) (105. Germany)</p> <p>Ensure that the implementation of its legislation in the field of media respects</p>	The currently applicable legislation, namely the Constitution of the Republic of Poland, the Act on Competition and Consumer Protection, as well as the Broadcasting Act include provisions concerning the protection of media freedom and independence. Moreover, the Broadcasting Act includes a regulation providing for the option of taking steps (withdrawing a license) by a regulatory body, if a specific broadcaster becomes

<p>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 (106. Switzerland)</p>	<p>dominant in the area of mass media communication for a specific market within the meaning of the regulations on the protection of competition and consumers.</p> <p>Currently, no legislative work is being carried out to create any comprehensive regulations to prevent excessive concentration of capital in the media sector. Therefore, the recommendation should be considered implemented.</p> <p>The Ministry of Culture and National Heritage (MKiDN) acknowledges the need to take into consideration the judgment of the Constitutional Court of 13 December 2016, which declared the unconstitutionality of the exclusion of the National Broadcasting Council (KRRiT) from the procedure of appointing and dismissing members of management boards and supervisory boards of public broadcasters. In view of the above, the Ministry of Culture and National Heritage will prepare a draft of the act that would implement the recommendations of the Constitutional Court.</p>
<p>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 (108. Mexico)</p>	<p>Legal regulations adopted in 2015 do not restrict freedom or plurality of media. The regulations temporarily equipped the Minister of State Treasury with rights to appoint and dismiss public media management. The minister had no rights, however, to influence the programming offer of public media. It should be emphasised that the regulations granting such competences to the Ministry of State Treasury were repealed by the Act on the National Media Council. Pursuant to the aforementioned Act, competences to appoint and dismiss public media management were granted to the National Media Council, which is independent of government administration bodies. Additionally, the Act guarantees that the National Media Council must include among its members the representatives of major opposition parties. In this regard, the recommendation should be considered implemented.</p>
<p>Guarantee freedom of expression and assembly, including by civil society organizations, notably in the context of public gatherings (109. France)</p>	<p>The freedom of expression and assembly is guaranteed under the Constitution of the Republic of Poland. Detailed issues connected with organizing assemblies are provided for in the Law on Assemblies of 24 July 2015.</p>
<p>Ensure a legal and financial framework that allows non-governmental organizations to operate (111. Norway)</p> <p>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 (112. Austria)</p> <p>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</p>	<p>In 2017, the Government of the Republic of Poland introduced institutional and legal changes aimed at supporting the development of civil society. The changes consisted in creating:</p> <ul style="list-style-type: none"> <li>– the Public Benefit Committee, the composition and coordinating role of which is supposed to strengthen cooperation between governmental administration and non-governmental organisations and to foster actions aimed at improving the environment for the non-governmental sector in Poland;</li> </ul>

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 (113. Finland)

- The National Freedom Institute – Centre for Civil Society Development, being a specialised executive agency responsible for the implementation of civil society development programmes and measures for supporting a civil community in Poland.

An essential change was the modification of the status of the body responsible for matters of civil society and the emphasis put on the wide spectrum of NGOs’ activities, far exceeding the remit of the minister of social insurance.

NGOs in Poland have various financing options to fund their activities at their disposal. They may, for instance, obtain a special status of a public benefit organisation that enables them to receive 1% of tax from natural persons. Apart from continuing the Civic Initiatives Fund subsidy programme, the Council of Ministers adopted new programmes to support civic society development in 2018. These are: Civil Society Organisations Development Programme for 2018–2030, Solidarity Corp – Long-term Volunteering Support and Development Programme for 2018–2030, Scouting Organisation Support and Development Government Programme for 2018–2030.

In accordance with the provisions of the Act on Public Benefit Activities and Volunteering, any public funds earmarked to financing public benefit organisations and their institutional development are allocated through open calls for proposals that ensure equal access for all entities and clear selection criteria.

Take further steps to combat human trafficking (114. Armenia)

Fighting human trafficking, namely organised illegal migration, is one of the basic tasks of the Polish Border Guard. Actions in this area are taken also by the Police.

On 1 May 2017, the provisions of the new Act on Foreigners entered into force, introducing numerous regulations on managing human trafficking victims. First and foremost, the so-called ‘reflection period’, in which the Border Guard issues appropriate certificates for foreigners to confirm an alleged human trafficking victim status, was regulated.

Also since 1 May 2014, the Border Guard has been entitled to identify, prevent and detect the crimes of human trafficking and slavery and to prosecute their perpetrators without the need to prove concurrence with cross-border crimes.

In connection with projects of strategic character, the Border Guard takes part, among a number of other entities, in the projects of the National Action Plan against Human Trafficking (approved regularly by the President of the Council of Ministers and

	<p>coordinated by the Ministry of the Interior and Administration).</p> <p>Additionally, the Border Guard takes numerous activities aimed at counteracting human trafficking. Such activities are oriented mainly towards increasing the qualifications of the Border Guard officers and prevention measures consisting in the participation in training sessions/conferences/workshops for cooperating institutions and the society (young people).</p>
Ensure the effective implementation of the National Action Plan against Human Trafficking for the period 2016-2018 (115. Cyprus)	Poland implemented its National Action Plan against Human Trafficking for 2016–2018. The report was published on the website of the Ministry of the Interior and Administration.
Continue the national efforts in the framework of the new National Action Plan against Human Trafficking to prevent and combat human trafficking and ensure the rehabilitation of victims (116. Egypt)	Poland implemented its National Action Plan against Human Trafficking for 2019–2021(NAP). It was accepted on 13 May 2019 by the Team for Counteracting Human Trafficking supervised by the Minister of the Interior and Administration. One of the main tasks carried out as part of the National Action Plan is to ensure support for human trafficking victims through the National Consulting and Intervention Centre for victims of human trafficking.
Consider introducing procedures for the identification of persons vulnerable to trafficking, strengthen the prosecution of perpetrators of human trafficking and further support the rehabilitation of victims (117. Serbia)	Human trafficking victim identification procedures and procedures on managing such victims are included in Ordinance No. 14 of the Commander in Chief of the Police dated 22 September 2016 on the selected tasks related to detecting human trafficking conducted by the Police and the algorithm of identification and proceeding with minor victims of human trafficking, addressed to the officers of the Police and the Border Guards. The National Action Plan against Human Trafficking for 2019–2021 provides for a new algorithm for proceeding with persons of age.
Reinforce the work already under way to tackle modern forms of slavery, by strengthening efforts to obstruct criminal networks and identifying victims of human trafficking (118. United Kingdom of Great Britain and Northern Ireland)	<p>The recommendation is implemented through intensified operational and exploratory activities carried out by the Central Bureau of Investigation and criminal divisions of the Police, as well as through international cooperation and information exchange.</p> <p>Poland is a partner in the Priority Action Plan for Poland project of 2015 (specified in the deliverables of 2017 as Poland-UK Modern Slavery Joint Action Plan). The Poland-UK Task Force on combating human trafficking at the British Embassy in Warsaw is responsible for activities specified by the above plan.</p>
Continue to develop national mechanisms to combat trafficking in human beings, including by conducting a thorough investigation into reports of cases of human	See Recommendation No. 116.

<p>trafficking and by establishing a legal framework for the protection of child victims of human trafficking (119. Belarus)</p> <p>Pay attention to prevention and protection measures that address the particular vulnerability of children to trafficking (120. Islamic Republic of Iran)</p> <p>Strengthen actions to combat human trafficking, with an emphasis on prevention and protection measures that address the particular vulnerability of children to trafficking (121. Georgia)</p>	<p>Poland takes part in intergovernmental consultations on migration, asylum and refugees (IGC) and workshops on the issue of human trafficking and separated and unaccompanied children. As part of the European Migration Network, an advisory group gathering experts of various ministries and environments has been created to develop good practices in the area of protecting best interest of the child, including to ensure safety and minimise human trafficking risks.</p> <p>Additionally, the amendment of the Act of 24 November 2017 amending the Act on Foreigners and certain other acts introduces a provision that enables the Border Guard to place a child in custody immediately after an unaccompanied minor is at the Border Guard's disposal and after the Border Guard receives a statement expressing his or her intent to apply for asylum. Thanks to the provision, a procedure concerning a child is shorter and it is possible to appoint a guardian much sooner, which serves as another measure to protect such child.</p>
<p>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 (122. Germany)</p> <p>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 (123. Brazil)</p>	<p>By means of the Act of 14 December 2018 on Personal Data Protection Processed in Connection with Preventing and Combating Crime, Poland implemented to the Polish legal system the provisions of Directive (EU) 2016/680 of the European Parliament and of the Council of 27 April 2016 on the protection of natural persons with regard to the processing of personal data by competent authorities for the purposes of the prevention, investigation, detection or prosecution of criminal offences or the execution of criminal penalties, and on the free movement of such data, and repealing Council Framework Decision 2008/977/JHA.</p> <p>The Act specifies, among others, the rules and conditions of the protection of personal data processed by competent authorities to identify, prevent, detect and combat prohibited acts, including threats to security and public order, and to execute pre-trial detention, criminal penalties, penalties for the breach of order and means of coercion resulting in deprivation of liberty.</p>
<p>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 (124. Holy See)</p>	<p>It should be pointed out that healthcare in the pre-natal period is an important element of the healthcare system. The earliest possible coverage with healthcare services of pregnant women is essential for the further course of their pregnancies and the child's health. For this reason in Poland women in pregnancy, labour and post-partum period are subject to special protection ensured by national legislation (including the Constitution of the Republic of Poland), as well as international agreements ratified by Poland.</p> <p>Having regard to the need to provide pregnant women and their families with special</p>

	<p>care, including in particular women whose pregnancies are at risk or in case of obstetric failures, as well as children diagnosed with a severe and irreversible impairment or incurable disease that threatens their life (begun in the prenatal period or during labour), the Act of 4 November 2016 on Supporting Pregnant Women and Families ‘For Life’ was adopted and the Comprehensive Programme for Family Support ‘For Life’ was adopted pursuant to the Act.</p> <p>Access to prenatal testing that allows for confirming or excluding defects or diseases of the foetus is ensured in Poland. Healthcare for pregnant woman and prenatal care for foetuses is carried out also through health policy programmes run by the Ministry of Health. One of them is the ‘Programme for Comprehensive Diagnostics and Intrauterine Therapy to Prevent Consequences and Complications of Developmental Defects and Diseases of the Unborn Child as an element improving the health condition of unborn child and new-borns for 2018–2020’.</p> <p>The family policy is one of the main areas of the government’s activity. The Family 500+ Programme adopted in 2016 supports the execution of procreation plans and encourage a decision to have a bigger family thanks to reducing a financial burden related to raising children.</p> <p>The programme is a basic instrument to support families in raising children and exists in parallel to other family benefits. As part of the programme, the child-raising benefit of PLN 500 is paid monthly for each child until the child turns 18. From 1 July 2019, the child-raising benefit is universal and paid for each child under the age of 18, no matter what the family’s income is.</p>
<p>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 that regard ensure the justiciability of those rights (126.South Africa)</p>	<p>Actions to implement the Covenant are taken. Due to the scope of this recommendation, it is impossible to provide a list of actions taken to implement the conventions. Relevant information in this regard will be provided to the Committee on Economic, Social And Cultural Rights in a report that Poland is to submit in October 2021.</p> <p>It is ensured that rights enshrined in the Covenant may be sought before court. Article 91(1) of the Constitution of the Republic of Poland states that the ratified international convention, after being published in the Journal of Laws, is a part of national legal order and is applied directly, unless its application is contingent upon a statutory act.</p>
<p>Strengthen policies to counter the phenomenon of homelessness, especially among children, and put an end to it (127.Libya)</p>	<p>A survey to estimate the number of homeless people is carried out every 2 years. During the survey held at night of 13 and 14 February 2019, 30,330 homeless people were identified, of which 992 were children (3.3%). The vast majority of them (946</p>

	<p>children) were accompanied by their parents in sheltering institutions, mainly facilities for mothers and children, as well as shelters for homeless people and crisis intervention centres.</p> <p>Families with children have priority access to social accommodation provided by the commune. Parents with children in a crisis situation may receive assistance and support in the crisis intervention centre where they can stay for 3 months. During this period, the commune should make effort to arrange social housing for homeless parents with children. Homeless families can also stay at homes for mothers with children and pregnant women (where fathers are also allowed). Parents with children can found shelter at crisis intervention desks with 24/7 accommodation.</p> <p>Another programme is the programme of the Ministry of Family, Labour and Social Policy ‘Combat Homelessness. Support Programme for Homeless People’, which complements basic statutory duties of commune self-governments in the area of counteracting homelessness and supports the functioning of institutions and entities active in the area of social welfare.</p>
<p>Ensure the full implementation of women’s rights, in particular in relation to effective access to sexual and reproductive health and rights (128. France)</p> <p>Ensure the protection of the right of women to have access to abortions and for women (and couples) to decide freely and responsibly the number, spacing and timing of their children (129.Australia)</p> <p>Ensure that women are given the medical and professional services necessary to exercise their legal right to terminate a pregnancy, and ascertain that women have the right to decide over their own bodies (130. Sweden)</p> <p>Ensure that women can have access to lawful abortions by creating clear, legally binding regulations for the implementation of the 1993 Family Planning Act (131.Norway)</p> <p>Ensure that safe and legal abortions are accessible in practice by creating clear, legally binding regulations for the implementation of the 1993 Act on Family Planning (132. Iceland)</p> <p>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</p>	<p>The circumstances in which pregnancy may be terminated are specified in Poland by the provisions of the Act of 7 January 1993 on Family Planning, Protection of Human Foetus and Conditions under which Pregnancy May be Terminated. Pursuant to Article 4a(1) of the Act, pregnancy may be terminated exclusively by a doctor if:</p> <ol style="list-style-type: none"> <li>1) pregnancy is a threat for the life or health of the pregnant women;</li> <li>2) prenatal testing or other medical premises indicate high likelihood of severe and irreversible damage of the foetus or incurable disease threatening the foetus’s life;</li> <li>3) it may be reasonably suspected that pregnancy has been caused by a prohibited act.</li> </ol> <p>The occurrence of the circumstances specified in point 1 and 2 is ascertained by another doctor than the one terminating pregnancy, unless pregnancy threatens the women’s life directly, while the circumstance specified in point 3 must be ascertained by a public prosecutor.</p> <p>As for the access to services in the area considered, the Act of 7 January 1993 on Family Planning, Protection of Human Foetus and Conditions under which Pregnancy May be Terminated states in Article 4b that ‘persons covered by social insurance and persons entitled to free healthcare under separate provisions are entitled to terminate pregnancy free of charge in healthcare entities’.</p>

<p>Forms of Discrimination against Women (133. Canada)</p>	<p>The list of guaranteed services related to pregnancy termination is specified in Appendix No. 1 to the Ordinance of the Minister of 22 November 2013 on Guaranteed Services in the Area of Hospital Treatment.</p> <p>Additionally, it should be stated that in the light of applicable regulations, including in particular the Ordinance of the Minister of Health of 8 September 2015 on General Terms and Conditions of Contracts on the Provision of Healthcare Services, all healthcare facilities (hospitals) that entered into agreements with the National Health Fund have an obligation to provide services specified in the ordinance, to the full scope and in accordance with applicable law. An effective remedy, among others for women who were refused the termination of pregnancy (in the circumstances provided for in the Act of 7 January 1993 on Family Planning, Protection of Human Foetus and Conditions under which Pregnancy May be Terminated), is the patient's right to oppose an opinion or medical certificate.</p>
<p>Implement fully and effectively the judgments of the European Court of Human Rights on access to abortion (134. Iceland)</p> <p>Implement fully and effectively the judgments of the European Court of Human Rights in the case of <i>RR v. Poland</i> and <i>P&amp;S v. Poland</i> on the issue of women and girls' access to sexual and reproductive health-care and services (135. Netherlands)</p>	<p>The basic general measure introduced to the Polish legal system to execute the <i>Tysic v. Poland</i> judgment is the aforementioned patient's right to oppose the doctor's opinion or medical certificate. It is an effective remedy, among others for women who were refused the termination of pregnancy (in the circumstances provided for in the Act of 7 January 1993 on Family Planning, Protection of Human Foetus and Conditions under which Pregnancy May be Terminated). The right to oppose the doctor's opinion or medical certificate is also a solution aimed at executing the judgment delivered in the case of <i>R.R. V. Poland</i> and <i>P.S. v. Poland</i> (as the cases in question were heard before it was introduced). Apart from the remedy mentioned above, a patient who encounters difficulties in access to pregnancy termination may seek help from the Commissioner for Human Rights and enforce her right through the Commissioner.</p> <p>Additionally, since November 2018, the Patient Information Helpline has been operating in the entire country, in all Voivodship Branches of the National Health Fund, with one common phone number for the National Health Fund and the Office of Patient Ombudsman. '800 190 590' is the previous number of the free-of-charge national helpline operated by the Office of Patient Ombudsman. The new single number for the entire country replaces more than ten numbers existing earlier for various branches of the National Health Fund. It guarantees quick, comprehensive and transparent information on the functioning of the healthcare system in Poland.</p>
<p>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</p>	<p>Sexual education is the area permanently present in the process of general education offered at Polish schools. The scope of teaching content for sexual education is defined by the ordinances of the Minister for National Education both for primary school and</p>

<p>services, including to safe and legal abortions (136. Slovenia)</p>	<p>for secondary schools. The educational objectives and teaching content in the area of sexual education are included in the current core curriculum and cover a wide selection of topics, and for this reason they are included in various educational areas and schools subjects (such as emotional sphere of child development, nature, biology, physical education, education for family life). Special requirements included in the core curriculum for specific educational levels are adjusted to the age, capacities and cognitive needs of learners.</p>
<p>Take further steps for the elimination of discrimination against women (137. Republic of Moldova)</p> <p>Continue its efforts to put in place improved solutions and legislation aimed at eliminating all forms of discrimination against women (138. Cyprus)</p> <p>Undertake further governmental initiatives and projects aimed at comprehensively combating discrimination against women (139. Romania)</p> <p>Continue its efforts to promote gender equality by focusing on the implementation of the National Action Programme for Equal Treatment (140. Pakistan)</p>	<p>See response to Recommendations 41 and 43.</p> <p>Legal solutions in the area of equal treatment in employment and work are in line with relevant EU regulations. Measures aimed at providing equal opportunities to women and men on the labour market are currently focused on supporting work-life balance.</p> <p>To enable the employers to verify whether they pay the equal remuneration for the equal job, the Ministry of Family prepared an 'Equal pay' computer application that helps to easily estimate differences in remunerations of employees, taking into account their sex, age, education and other selected characteristics.</p> <p>The actions of the Government are focused on promoting solutions which facilitate work-life balance, supporting families financially, promoting active fatherhood, promoting entrepreneurship and economic independence of women, as well as increasing the number of childcare facilities for children under the age of 3.</p> <p>An indispensable condition of parents' and caretakers' ability to combine professional life and family life is access to childcare facilities. Tools to boost the development of care institutions for the youngest children are the Act on Childcare for Children under the Age of 3 dated 2011, whose amendment of 2017 introduced additional solutions facilitating the provision of childcare in various forms, as well as the Ministry's Programme for the Development of Childcare for Children under the Age of 3 'MALUCH+' [TODDLER+].</p>
<p>Take further effective measures to combat violence against women (141. China)</p> <p>Continue its efforts to prevent and eliminate all forms of violence against women (142. Timor-Leste)</p> <p>Intensify its actions to combat violence against women and counter discrimination against women (143. Sri Lanka)</p>	<p>The creation of a system for fighting against violence started in Poland on 2005 with the adoption of the Act on Counteracting Violence within the Family. One of the most important provisions of the Act are the provisions aimed at protecting people who experience violence by means of preventing perpetrators from using a common apartment or by means of prohibiting contacts or issuing restraining orders. Corrective and educational programmes for the perpetrators are also carried out.</p> <p>In accordance with the Act, persons experiencing violence within the family are</p>

<p>Adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (144. Republic of Moldova)</p> <p>Continue its efforts to eliminate violence against women, including domestic violence (145. Philippines)</p> <p>Continue its efforts to combat violence, including violence against women, and adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (148. State of Palestine)</p> <p>Work to address the issue of domestic violence in Poland and ensure support for victims (151. Australia)</p> <p>Organize a national campaign to raise awareness on the specific needs of women victims of domestic violence and gender-based violence (152. Croatia)</p> <p>Continue its good efforts to address violence against women and domestic violence, including by increasing support for victims of domestic violence (154. Latvia)</p> <p>Proceed with the implementation of the programme entitled “Prevention of Domestic Violence and Violence on the Grounds of Gender” (156. Israel)</p> <p>Strengthen the protection of migrant women from gender-based violence (157. Islamic Republic of Iran)</p>	<p>provided medical, psychological, legal, social, professional and family assistance and counselling free of charge and they are offered safe shelter in a specialised centre. Assistance in such circumstances is always provided individually based on the ‘Blue Card’ procedure and covers interdisciplinary support from various local service providers.</p> <p>Awareness-raising campaigns on violence within the family are regularly organised by the Ministry of Family, Labour and Social Policy, the Ministry of Justice, as well as by voivodships, districts and communes.</p> <p>The Police is obliged by the legislator to ensure safety to people who experience violence, including violence within the family. The Police uses the ‘Practical Guide for Police Officers – Estimation of risks related to individual violence within the family cases’. Since 2015 the ‘Procedure of Proceeding by the Police with a Person who Experienced Sexual Violence’ developed by the representatives of NGOs and the Government’s Plenipotentiary for Equal Treatment has been in place. The procedure aims to improve the Police’s actions and prevent secondary victimisation of sexual crime victims.</p> <p>Pursuant to Article 13(4)(1) and (6) of the Act of 13 June 2003 on Granting Protection to Foreigners within the Territory of the Republic of Poland, gender-based violence, including sexual violence, is a type of persecution within the meaning of the Convention Relating to the Status of Refugees done in Geneva on 28 July 1951, while migrating women at risk of such persecution may be granted refugee status on the ground of membership of a particular social group. Polish law follows the provisions of Articles 60–61 of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence.</p>
<p>Harmonize its national legislation with the provisions of the Istanbul Convention (146. Bosnia and Herzegovina)</p> <p>Harmonize its national legislation with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (147. Turkey)</p>	<p>The existing national provisions are in line with the provisions of the Convention.</p> <p>Even though economic violence is not defined in the Act on Counteracting Violence within the Family, if such violence occurs, the same actions are taken as in case of other forms of domestic violence, namely free counselling (legal, psychological or social) is provided.</p> <p>Actions arising from the Act on Counteracting Violence within the Family cover also people who are not in formal relationships (such as cohabitee), but who live together.</p> <p>As for people who are not related by blood or affinity and who do not live together, if violence from, for instance, ex-partner is suspected, they may seek help under the</p>

	generally applicable legal regulations, such as criminal law.
<p>Strengthen the elimination of all forms of violence against women by criminalizing domestic violence and marital rape (149. Belgium)</p> <p>Amend the Criminal Code to criminalize domestic violence clearly and implement a comprehensive strategy to eliminate all forms of violence against women (150. Sierra Leone)</p>	<p>The Polish Penal Code provides for a broad catalogue of offenses that give grounds for a comprehensive reaction and prosecution of all forms of violence that may occur between co-residents, e.g. mistreatment - art. 207 of the Criminal Code, bodily injury art. 156 of the Criminal Code and art. 157 of the Penal Code, unlawful threat - art. 190 of the Criminal Code, stalking - art. 190a of the Penal Code, forcing to specific behaviour - art. 191 of the Penal Code. The crime of raping (art. 197 § 1 of the Criminal Code) occurs when there has been no effective permission of the person authorized to conduct a certain behaviour (for sexual intercourse or other sexual activity). The features of this crime do not include the nature of the relationship between the perpetrator and the victim. When assessing whether a rape has occurred, it is not important whether these persons are married or not. However, the Penal Code provides for a qualified form of the crime of rape when the victim is ascendant, descendant, adopted, adopter, brother or sister (art. 197 § 3 point 3 of the Criminal Code). Domestic violence is clearly penalized in the penal code, which is even condemned by the systematics of the Polish penal code. For example, penalisation of mistreatment is provided for in art. 207 of the Penal Code, which is in chapter XXVI "Crimes against the family and care". To strengthen the protection of victims of this type of violence, in 2017 art. 207 of the Penal Code was amended by adding art. 207 § 1 a of the Penal Code (crime of bullying a person who is helpless because of their age or health). Legislative measures taken under criminal law and civil law (including the purpose of which is to introduce solutions enabling rapid isolation of a person using violence from victims of violence in the event of their joint residence) and the activity of the Justice Fund are elements of the strategy to combat domestic violence.</p>
<p>Provide adequate and stable funding for legal, psychological and medical assistance and shelter for victims of domestic violence (153. Denmark)</p> <p>Provide adequate and stable funding for care centres and shelters for women and children victims of domestic violence (155. Chile)</p>	<p>At the level of communes and districts, there is a support system for people experiencing violence within the family, which works through consultation desks, community-level or district-level support centres, houses for mothers with minor children and pregnant women, or crisis intervention centres.</p> <p>The Government of the Republic of Poland receives no reliable information indicating that any person has been refused help for reasons of insufficient facilities or that a person could not seek for help due to excessive distance to travel.</p> <p>In 2018 the facilities for supporting victims of the violence within the family included 856 units: 559 institutions operated by communes and 297 operated by districts.</p>

	<p>Helplines for violence victims existed at the local (612) and national (3) level, including the 24/7 national helpline launched in 2017.</p> <p>Actions aimed at preventing and combating violence are carried out within the National Programme for Counteracting Violence within the Family for 2014–2020, which is an adjusted extension of the Programme for 2012–2016.</p>
<p>Adopt measures to protect women’s rights, including by strengthening of laws against sexual violence and ensuring the equal participation of women in political and public affairs (158. Botswana)</p>	<ol style="list-style-type: none"> <li>1. On 13 June 2019, stricter criminal sanctions were introduced for the following crimes: <ul style="list-style-type: none"> <li>• rape (Article 197 § 1 of the Criminal Code – imprisonment from 2 to 15 years) and aggravated rape (Article 197 § 3 of the Criminal Code – imprisonment from 3 to 20 years), including rape against a minor below 15 years old (Article 197 § 3a of the Criminal Code – imprisonment from 5 to 30 years),</li> <li>• sexual intercourse with a minor below 15 (Article 200 § 1 of the Criminal Code – imprisonment from 2 to 15 years), producing, copying, importing, storing, possessing, distributing or presenting pornographic content showing a minor (Article 202 § 3 of the Criminal Code – imprisonment from 2 to 15 years),</li> <li>• cause another person to engage in prostitution by violence, unlawful threat or deception (Article 203 § 2 of the Criminal Code – imprisonment from 2 to 15 years),</li> </ul> </li> <li>2. In Article 197 § 3b of the Criminal Code a new type of aggravated rape was introduced, subject to imprisonment of 8 to 30 years, covering rapes against minors below the age of 15 committed against the minor who at the moment of such act remains dependant on the perpetrator, in particular when the minor is under the perpetrator’s custody or guardianship, or if a critical position of the minor is taken advantage of,;</li> <li>3. in Article 200 § 2 and § 4 of the Criminal Code – new types of aggravated sexual exploitation of minors under the age of 7 were introduced (sexual intercourse – imprisonment from 3 to 20 years; other sexual activity – imprisonment from 2 to 15 years);</li> <li>4. Article 200 § 8 of the Criminal Code – as for the aggravating circumstances taken into account while deciding on the sentence for the sexual crime of exploiting a minor, codified in Article 200 § 1-6 of the Criminal Code, the</li> </ol>

	<p>legislators introduced a crime against a minor who at the moment of the crime remains dependant on the perpetrator, in particular when the minor is under the perpetrator's custody or guardianship, or if a critical position of the minor is taken advantage of; in such circumstances, the court orders the imprisonment for the crime assigned to the perpetrator, applying at least a double minimum imprisonment period envisaged for such crime.</p> <p>Pursuant to Article 183a §6 of the Labour Code, sexual harassment is any unaccepted conduct of sexual character or related to an employee's sex, the aim or result of which is the violation of dignity or degradation or humiliation of such employee. Such conduct may consist of physical, verbal and non-verbal elements. The employer is liable for sexual harassment to the extent in which the employer has committed sexual harassment or failed to prevent it. Also, an employee acting on behalf of or representing the employer or an employee acting in the vertical relationship to the employee who is a victim of sexual harassment may be liable for sexual harassment. A person who experienced sexual harassment may seek legal protection before the court, relying on the labour law, criminal law or civil law.</p>
<p>Continue to promote the participation of women in public and political life of the country (159. Bosnia and Herzegovina)</p>	<p>Another important aspect of gender equality is supporting civic and political activity of women. As a result of the 2019 election to the Sejm in Poland women obtained 132 mandates (7 more than in 2015). There are 13 women in the Senate (in 2015 also 13).</p> <p>Poland carries out an EU project entitled 'Equal opportunities in business 2014–2020 – a practical tool to execute the principle of gender balance in business undertakings', whose main aim is to promote women presence at decision-making positions in business.</p>
<p>Take appropriate measures to strengthen the implementation of the 2011 Act on Support for Family and Alternative Care Systems (160. Pakistan)</p>	<p>The Act of 8 June 2011 on Supporting Family and the System of Foster Care is to strengthen the process of de-institutionalising foster care.</p> <p>A child stays with a foster family until it is possible for such child to return to his family or, if legally possible, until he is placed with the adoptive family.</p> <p>The process of transforming foster care into a system based on family-resembling forms of care is being carried out. The rate of children under foster care decreased from 0.99% (2012) to 0.87% (2018), while the rate of children under institutionalised care within those under foster care, in general, dropped from 26.1% (2012) to 23.6% (2018).</p> <p>In 2018, a tool to verify the progress of de-institutionalisation of foster care in districts has been developed (a set of indicators, charts and algorithms), which enables sharing</p>

	<p>good practices among foster care providers.</p> <p>Actions financed from the European Social Fund: training and improving skills of candidates for foster families, people running foster family houses, directors of educational and corrective facilities; legal, family and psychological counselling; therapy and specialised support for children and foster parents; support groups; assistance of foster family coordinators – all of these support the strengthening of family-resembling forms of foster care.</p> <p>The Strategy for De-Institutionalisation currently developed in the Ministry of Health will support, among others, transformation in the area of foster care.</p>
<p>Ensure that all cases of sexual abuse of children are investigated and perpetrators prosecuted, and that victims are adequately compensated and rehabilitated (162. South Africa)</p>	<p>In the Act of 23 March 2017 amending the Criminal Code, the Act on Proceedings in the Cases of Minors and the Code of Criminal Proceedings, measures aimed at protecting children against violence and other forms of maltreatment were strengthened. More severe penalty ranges were introduced for physical or psychological abuse over a person who is vulnerable due to his or her age. Besides, in case of obtaining information on punishable preparation or attempt or commitment of a sexual crime against a minor, there is a legal obligation to report this fact.</p> <p>Any case in which it is suspected that children were exploited as human trafficking victims or minors were exploited in paedophilia or child pornography is analysed in detail so that the most effective operational and procedural actions may be taken.</p>
<p>Continue to reinforce actions aimed at the protection of children against violence and other forms of maltreatment (161. Bosnia and Herzegovina)</p> <p>Take steps to ensure the acceptance and general public knowledge of the existing measures for the legal protection of children, in particular with regard to children with disabilities (163. Sweden)</p>	<p>Actions to protect children from harm are provided for in the Act on Counteracting Violence within the Family and the National Programme for Counteracting Violence within the Family for 2014–2020. A child who is a victim of such a violence is offered help in a form of psychological, medical, legal, social, and crisis intervention support, as well as safe shelter in a specialised support centre for violence within the family victims, as well as a free medical statement confirming causes and types of injuries related to the use of violence. Additionally, the court may prohibit the perpetrator to contact the victim or issue a barring order and force the perpetrator to leave the apartment. The Act provides for the possibility of taking away a child in case of an immediate threat to the child’s life or health due to violence within the family.</p> <p>Within the National Programme for Counteracting Violence within the Family, local self-governments carry out the programmes of promoting correct child-raising methods, addressed to the families prone to violence within the family. Additionally, as part of family counselling and counselling for risk groups, such as pregnant girls, steps are taken to strengthen the parents’ competences in the area of care-taking and child-</p>

	<p>raising.</p> <p>Media campaigns promote non-violent child-raising methods and provide information on the protection and support measures offered to people experiencing violence, interventions taken against violence perpetrators, as well as the banning of corporal punishment.</p> <p><i>Children with disabilities - See Recommendation No. 7.</i></p>
<p>Continue to improve the situation of persons with disabilities, including by accelerating the preparation of relevant strategies for 2017-2030, and start implementing them (164. Libya)</p> <p>Accelerate the implementation of the Strategy for People with Disabilities for the period 2017-2030 to strengthen the task force on the support system for people with disabilities, their families and caretakers (165. Indonesia)</p>	<p>Work on the Strategy for People with Disabilities in 2019–2030, which establishes the comprehensive framework of the national policy for people with disabilities, including children with disabilities, covering the provisions of the Convention on the Rights of Persons with Disabilities, is almost completed.</p> <p>The aim of the Strategy is to ensure social and professional inclusion of people with disabilities. The Strategy will be carried out through various programmes and actions in the domain of specific public policies, such as health, education, social insurance and labour. The Strategy also provides for supra-sectoral and inter-sectoral activities, such as ensuring universal access to public space and initiatives aimed at raising social awareness.</p> <p>The priority in drafting the Strategy is to include the opinions of people with disabilities, their families and organisations representing them. Already at the stage of preparation of its assumptions, back in 2018, NGOs working for the benefit of people with disabilities were consulted.</p>
<p>Continue its policies and measures for the promotion and protection of the rights of the national minorities (166. Armenia)</p>	<p>One of the Ministry of the Interior and Administration’s responsibilities is to allocate annual subsidies for the performance of tasks aimed at protecting, maintaining and developing cultural identity of national and ethnic minorities, as well as preserving and developing regional languages. In 2018, subsidies were granted, for instance, for the publication entitled ‘Rights of the German minority on Poland’ which can be seen as promoting and protecting the rights of national minorities. In 2019, national and ethnic minorities were provided for the performance of 466 tasks.</p>
<p>Guarantee the rights of education, health, housing and employment of Roma and other ethnic minorities (167. China)</p> <p>Strengthen the policies and programmes aimed at giving the Roma population equal opportunities in the access to services (168. Peru)</p> <p>Continue its efforts to better assist children of Roma origin to have access to</p>	<p>The Roma, so as other national and ethnic minorities in Poland, have rights to education, healthcare, housing and employment ensured by the Constitution of the Republic of Poland and other legal acts. The situation of national and ethnic minorities is no different from the situation of the society in general. The only exception is the Roma.</p> <p>The Roma are the only national minority in Poland that is at risk of social exclusion, and</p>

<p>quality education and therefore advance the integration of Roma (169. Hungary)</p>	<p>for this reason programmes are implemented to support them in the area of education, housing, health protection and labour market. The tasks have been carried out through programmes such as: 'The Pilot Governmental Programme for Roma Society in Małopolskie Voivodship for 2001–2003', 'Programme for Roma Community in Poland in 2004–2013', and now it is 'Programme of Roma Integration for 2014–2020'.</p> <p>The aforementioned Programmes have been and are financed from the State budgets and a designated special-purpose reserve is arranged for the integration of Roma.</p> <p>Children and young people from the Roma ethnic minority have statutorily guaranteed access to education on equal terms with other learners subject to education obligation. The authorities responsible for schools in Poland (being the local government units) receive an educational subsidy for each Roma student attending school increased by 150%. Since 2004, the system of scholarship has been in place, which is an important tool to ensure equal educational opportunities for learners of Roma origin. The scholarship system covers three levels of education: the first one for particularly gifted learners of primary schools, the second one for secondary schools' learners and the third one for university students. This is an instrument of preventing the drop-out of Roma students from the educational system.</p>
<p>Strengthen efforts to provide preschool education for Roma children as a prerequisite for their equal access to further education without discrimination (170. Croatia)</p>	<p>In the governmental 'Programme of Roma integration in Poland for 2014–2020', an increased focus on pre-school education has been witnessed. Step by step, the number of projects related to pre-school education is increasing. As part of the Integration Programme, any expenses incurred by Roma families and related to children's presence at pre-schools may be reimbursed. If placement in a public pre-school cannot be ensured, it may happen that education in a private pre-school is funded.</p>
<p>Adopt concrete measures to strengthen the protection of migrants, refugees and asylum seekers (171. Guatemala)</p>	<p>The situation of irregular foreigners is regulated by the Act of 12 December 2013 on Foreigners. The Act treats all foreigners equally, irrespective of their race, religion, gender, etc.</p> <p>An example of a protective measure related to legal migration is a solution introduced by means of the amendment of Article 299(6) of the Act on Foreigners, which entered into force on 12 February 2018. In order to protect foreigners who apply for the legalisation of their stay in the territory of the Republic of Poland more fully, a solution was introduced to the effect that a foreigner who is served a decision discontinuing the temporary residence permit procedure, permanent permit procedure, EU long-term residence permit procedure or a decision refusing the extension of a national Visa or Schengen visa is obliged to leave the territory of the Republic of Poland within 30 days</p>

	<p>after the date on which the decision became final or after the date of serving the final decision if such decision was issued by a higher instance body. Additionally, pursuant to the same amendment, the currently applicable legal order envisages that a foreigner who has been denied entry but was not transferred to a third country for health reasons, but completed treatment, has 7 days to leave after completing treatment.</p> <p>Having regard to the special needs of foreigners subject to a return procedure who, due to their health condition or psychological and physical condition, cannot be placed in a guarded facility or are released from such facility for the aforementioned reasons, a new solution was introduced to the Act on Foreigners in 2018 to ensure such people the right to social welfare, healthcare and psychological support services (so-called institutional support). The system in question is under implementation.</p> <p>The provisions of the Act of 13 June 2003 on Granting Protection to Foreigners within the Territory of the Republic of Poland, in turn, safeguard those rights of persons seeking international protection and refugees which arise from international law and EU law, as far as granting international protection to foreigners within the territory of the Republic of Poland is concerned.</p>
<p>Take urgent measures to investigate and sanction acts of discrimination against migrants, refugees and minorities, in particular by ensuring the protection necessary to those who report acts of discrimination (173. Argentina)</p>	<p>The matters of prosecuting the acts of discrimination against migrants, refugees and minorities are covered by the actions taken by the National Public Prosecutor's Office to fight against racism, intolerance, and prejudice-motivated crimes. The actions in question are described in detail in the section covering the implementation of Recommendation No. 58 and 61.</p>
<p>Adopt the measures necessary to combat de facto and de jure discrimination against migrants in irregular situations (172. Uruguay)</p> <p>Guarantee the appropriate treatment of migrants in irregular situations and waiting for deportation from the country, including access to legal remedies (174. Russian Federation)</p>	<p>Foreigners awaiting a return decision enjoy all necessary safeguards. First and foremost, it should be pointed out that since 1 May 2014, a new Act on Foreigners has been in force. Article 317(1) of the Act provides for the possibility of applying measures alternative to placing a foreigner in a guarded facility. The alternative measures available include: an obligation to report to the Border Guard's unit in specific time intervals, an obligation to pay bail, an obligation to reside in a designated place, and an obligation to deposit a travel document.</p> <p>The foreigner's stay in the guarded facility is subject to continuous monitoring, including by a "return assistant" appointed for each foreigner to supervise the course of administrative procedures and a "social assistant" who monitors the foreigner's behaviour and mood. Wherever the foreigner's stay in the facility is considered groundless for any reason, the foreigner should be released immediately.</p> <p>The supervision over the lawfulness and rightness of the foreigners' stay in guarded</p>

	<p>facilities and detention centres for foreigners is carried out by a penitentiary judge of the regional court having jurisdiction over the place where the guarded facility for foreigners is situated. This supervision is subject to further review and assessment, in particular in terms of living conditions experienced by foreigners, healthcare services provided, as well as in terms of respecting the rights of detainees. Inspection reports sent to the General Headquarters of the Border Guard after visits to guarded centres do not reveal any irregularities. The living conditions of foreigners in guarded centres are also monitored by the National Preventive Mechanism and by non-governmental organisations.</p>
<p>Continue to make efforts to protect migrant workers from all forms of exploitation and abuse, in particular those from the Democratic People's Republic of Korea, by improving their working condition in accordance with relevant international standards (175. Republic of Korea)</p>	<p>In recent years, the National Labour Inspectorate carried out inspections regularly to examine whether the rights of the citizens of the North Korea working in Poland had not been violated. In response to signals on potential irregularities, the frequency of inspections was increased. The inspections did not confirm that any work performed by the citizens of the Democratic People's Republic of Korea (DPRK) satisfied the conditions of forced labour.</p> <p>The Polish law fully guarantees the rights of foreign employees, by stating, among others, that in case of the exploitation of a foreigner by the employer, the employer is liable. Additionally, the Polish legislation provides for protective solutions aimed at securing the interests of foreigners working within the territory of the Republic of Poland. An obligation of the entity entrusting work to enter into a written agreement with a foreigner and to present its translation into a language the foreigner understand is one of them.</p> <p>As for the employees from the DPRK, it should be pointed out that since 2016 Poland has not been issuing work visas for the citizens of the country anymore. Additionally, Poland satisfied the obligation from the UN Security Council resolution 2017 concerning sanctions imposed on the DPRK, which led formally to the termination of work performed by the DPRK's citizens within the territory of the Republic of Poland.</p>
<p>Guarantee basic services to the children of migrants in irregular situations, in particular in the areas of education and health (176. Uruguay)</p>	<p>Guarded centres for foreigners cooperate with schools. Lessons are arranged by merging classes under separate regulations applicable to the area of education. Besides, in each guarded centre for foreigners where children may stay officers and employees of educational sections organise voluntary compensatory classes for children.</p> <p>Additionally, foreigners staying in guarded centres for foreigners have access to healthcare services financed from the State budget.</p> <p>In accordance with the Act of 12 December 2013 on Foreigners, a foreigner admitted to</p>

	<p>the guarded centre for foreigners is medically examined immediately and made subject to sanitary procedures, if necessary. Consultations with psychologists are available if a relevant referral is made by a doctor, if a social worker or a return guardian deem it necessary or at the request of a foreigner. The right to healthcare services financed from public funds is also enjoyed by children under 18 who have been granted a refugee status, subsidiary protection or a temporary residence permit in the Republic of Poland.</p> <p>People without social insurance, including the citizens of third countries who reside in the territory of the Republic of Poland, are entitled to free healthcare services (funded from public funds) related to the treatment of addiction from alcohol, illegal drugs and narcotic drugs. In case of emergency risk to one's health or life, they are also entitled to free medical services provided by emergency response teams, as provided for by the Act on State Medical Emergency Services.</p> <p>Additionally, year 2018 witnessed the introduction to the guarded centres for foreigners of the 'We Protect Children in Guarded Centres' policy aimed at preventing and counteracting harm inflicted on children in such facilities. As part of the common project of the Border Guard and 'Dajemy Dzieciom Siłę' Foundation, intervention procedures were developed and implemented in case of disclosing any cases of harm to children, including when a child is harmed by other members of the family (domestic violence).</p>
<p>Increase attention to the integration process for refugees (177. Islamic Republic of Iran)</p>	<p>A foreigner granted a refugee status or subsidiary protection is granted assistance to support their social integration for no longer than 12 months. The procedure and terms of the assistance are defined in the Act of 12 March 2004 on Social Welfare.</p> <p>The integration assistance is awarded at the foreigner's request filed through a district family support centre to the head of the district competent over the place of residence of the foreigner. The integration programme is defined in an agreement entered into by and between the foreigner and the district family support centre. The assistance includes: cash allowance for subsistence, in particular to cover expenses such as food, clothing, shoes, personal care and housing fees; costs of learning Polish; payment of health insurance contributions; social work; specialised counselling, including legal counselling, psychological counselling and family counselling; provision of information and support in contacts with other institutions, in particular labour market institutions, local environment and NGOs.</p>
<p>Consider issues related to the access of asylum seekers, taking into account</p>	<p>Access to refugee procedures is ensured. Changes introduced to the Act of 13 June</p>

<p>obligations under the international treaties (179. Belarus)</p>	<p>2003 on Granting Protection to Foreigners within the Territory of the Republic of Poland, concerning, among others, the indication of an authority responsible for accepting a request for international protection, made the refugee procedures much more accessible. Since 13 November 2015, any head of the Border Guard's facility of unit has been a competent authority.</p> <p>The changes in question introduced also the possibility of submitting a written declaration of intent to submit an application when the foreigner cannot appear at the Border Guard's premises in person. This applies, among others, to the elderly, single mothers or people in hospitals. Importantly, a person who submitted such declaration is subject to protection against return.</p> <p>It should be emphasised that the amendment introduced a rule under which foreigners at border checkpoints, in guarded facilities and detention centres for foreigners must be provided with information, in a language that they understand, on the possibility of applying for international protection and using an interpreter/a translator for this purpose.</p>
<p>Take measures towards respecting fully the principle of non-refoulement when it comes to a foreigner's refugee status (180. Greece)</p>	<p>In the current legal <i>status quo</i>, a national of a third country who has been granted a refugee status may be obliged to return only in the circumstances referred to in Article 32(1) or Article 33(2) of the Convention Relating to the Status of Refugees done in Geneva on 28 July 1951. Even then, however, in return proceedings, the competent authority must <i>ex officio</i> consider granting the foreigner a residence permit for humanitarian reasons or tolerated stay.</p> <p>The non-refoulement principle is expressed by Article 28(2)(2) of the Act on Foreigners, which stipulates that a foreigner must not be denied entry even if the conditions of entry are not satisfied if such foreigner lodges an application for international protection or declares his or her intent to lodge such application. The provision is in line with Article 14(1) of Regulation (EU) 2016/399 of the European Parliament and of the Council of 9 March 2016 on a Union Code on the rules governing the movement of persons across borders (Schengen Borders Code)</p> <p>The border control is divided into two stages – the first line border control and the second line border control. Individual interviews with foreigners at the second line border control are carried out while applying solutions to ensure adequate degree of privacy during such conversations. Only if the statements made by the foreigner suggest economic motivations or other motivations not indicative of seeking protection, and the declaration of the intent to apply for international protection cannot be derived</p>

	<p>from the foreigner's statements, the Border Guard decides to refuse entry to the territory of the Republic of Poland.</p>
<p>Prepare a draft amendment to the Foreigners Act prohibiting the detention of families with minors and unaccompanied minors for the purposes of return and asylum proceedings (181. Kyrgyzstan)</p> <p>Take urgent measures in order that asylum-seeking children are not deprived of their liberty (182. Argentina)</p>	<p>Unaccompanied minors subject to a return procedure are usually placed in care institutions or with foster families. Only in exceptional circumstances, if a case relates to a minor who is at least 15 years old, the court may decide to place such minor in the guarded centre. However, absolute prohibition of placing minors, including families with children, in guarded centres is not foreseen in Poland. Such ban could contribute to the increased flow of migration of a specific category of foreigners, namely families with children. It should be emphasised that the prevailing rule is to ensure that the stay of children (including families with children) in such centres be as short as possible. The Border Guard makes an effort to ensure that the stay of a minor in a guarded centre is characterised by as low degree of severity as possible and that conditions in such centres are child friendly.</p> <p>Guarded centres where a family with children are placed ensure access to education to satisfy the education obligation. Educational teams have been appointed and these are responsible, among others, for organising and holding cultural activities and educational activities, as well as compensatory classes for children in need. Each foreigner, including an unaccompanied minor, has a social assistant assigned. Moreover, unaccompanied minors applying for international protection cannot be placed in guarded centres, but only in foster care.</p>
<p>Take measures to guarantee full access to education and health care for the most vulnerable persons, including refugees and asylum seekers (183. Holy See)</p>	<ol style="list-style-type: none"> <li>1. The rights to use healthcare services financed from public funds are defined in the provisions of Article 2 and 3 of the Act of 27 August 2004 on Healthcare Services Financed from Public Funds. Refugees and persons granted subsidiary protection are entitled to healthcare services financed from public funds. As for foreigners applying for international protection, the issue of access to healthcare services is regulated by the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland.</li> <li>2. Conditions of taking up education by foreigners in Polish schools are regulated by the provisions of: <ul style="list-style-type: none"> <li>- Article 165 and 166 of the Act of 14 December 2016 – Educational Law and the Ordinance of the Minister of National Education of 23 August 2017 on the Education of Non-Citizens and of Polish Citizens Previously Educated in the Schools of Foreign Educational Systems – in reference to pre-school and schools functioning under the new educational system</li> </ul> </li> </ol>

	<p>and</p> <p>- Article 363 of the Act of 14 December 2016 – Provisions Introducing Educational Law and the Ordinance of the Minister of National Education of 23 August 2017 amending the Ordinance on the Education of Non-Citizens and of Polish Citizens Previously Educated in the Schools of Foreign Educational Systems – in reference to lower-secondary schools and upper secondary schools until education in such schools is finished.</p> <p>As far as foreigners applying for international protection are concerned, see section on foreigners staying in guarded centres – as in point 176.</p>
<p>Continue its efforts to ensure due commemoration of the Holocaust (184. Israel)</p>	<p>The topic of the Holocaust in its historical, literary and biographical dimension, is often touched upon in publications issued by the Jewish national minority, co-financed from the State's budget (within the subsidy of the Ministry of the Interior and Administration earmarked for the completion of tasks aimed at protecting, maintaining and developing cultural identity of national and ethnic minorities, as well as preserving and developing regional languages). The State also finances the events related to commemorating the Holocaust (for instance, the annual commemoration of the Warsaw Ghetto Uprising).</p> <p>Under the Resolution of the Sejm of the Republic of Poland, 2 August has been proclaimed the Roma and Sinti Genocide Remembrance Day. The commemorations of the Roma and Sinti genocide are held each year, among others, within the premises of the former German Nazi Extermination Camps: Auschwitz-Birkenau, Treblinka, Chełmno upon Ner, as well as in Bełżec and Ułęż.</p> <p>The International Roma Caravan Memorial, which follows the route of the memorial sites of the Roma martyrology from the period of the Second World War, has been organised near Tarnów since 1996.</p>
<p>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 (185. Russian Federation)</p>	<p>Any act of vandalism against graves or monuments of Soviet soldiers who died fighting against Nazi Germans, whether disclosed or reported, is analysed in detail so that the most effective detection and procedural actions are taken.</p>