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HUMAN RIGHTS, IN ACCORDANCE WITH PARAGRAPH 15 (B) OF
RESOLUTION 5/1 OF THE HUMAN RIGHTS COUNCIL

Poland

This report is a compilation of the information contained in the reports of treaty bodies, special procedures, including observations and comments by the State concerned, and other relevant official United Nations documents. It does not contain any opinions, views or suggestions of the Office of the High Commissioner for Human Rights (OHCHR). It follows the structure of the general guidelines adopted by the Human Rights Council. Information included therein has been systematically referenced in endnotes. The periodicity of the review for the first cycle being of four years, most documents are dated after 1 January 2004. In the absence of recent information, the latest available reports and documents have also been taken into consideration, unless outdated. Since this report only compiles official United Nations documents, lack of information or focus on specific issues may be due to non ratification of a treaty, and / or to a low level of interaction or cooperation with international human rights mechanisms.

I. BACKGROUND AND FRAMEWORK

A. Scope of international obligations¹

<i>Core universal human rights treaties</i>	<i>Date of ratification, accession or succession</i>	<i>Declarations /Reservations</i>	<i>Recognition of specific competences of Treaty Bodies</i>
ICESCR ²	18/03/77	No	
ICCPR ³	18/03/77	Yes, art.5(2)(a)	Inter-state complaints (art. 41): YES
ICCPR OP1 ⁴	7/11/91	Yes, art.5(2)(a)	
ICERD ⁵	5/12/68	Yes, art. 17(1) and 18(1)	Individual complaints (art. 14): YES
CAT ⁶	26/07/89	No	Inter-state complaints (art. 21): YES Individual complaints (art. 22): YES Inquiry procedure (art. 20): NO
CAT OP ⁷	14/09/05	No	
CEDAW ⁸	30/07/80	No	
CEDAW OP ⁹	22/03/04	No	Inquiry procedure (art.8 and 9): YES
CRC ¹⁰	07/06/91	Yes, art 7, 24(2)(f), 38,12 to16	
CRC-OPSC ¹¹	04/02/05	No	
CRC- OPAC ¹²	07/04/05	No	
<i>Core treaties to which Poland is not a party: ICCPR OP2</i> ¹³ (signature only, 2000), ICRMW ¹⁴ , CPD ¹⁵ (signature only, 2007), CPD OP ¹⁶ , CED ¹⁷ .			
<i>Other relevant main instruments</i> ¹⁸		<i>Ratification, accession or succession</i>	
Convention on the Prevention and Punishment of the Crime of Genocide		Yes	
Rome Statute of the International Criminal Court		Yes	
Palermo Protocol ¹⁹		Yes	
Refugees and Stateless Persons ²⁰		Yes, except the Convention relating to the status of Stateless Persons and the Convention on the Reduction of Statelessness	
Geneva Conventions and their Protocols ²¹		Yes	
ILO Fundamental Conventions N°29, 105, 87, 98, 100, 111, 138 and 182. ²²		Yes	
UNESCO Convention against Discrimination in Education		Yes	

1. Four treaty bodies welcomed: the ratification or accession by Poland of the two OP-CRC²³; the OP-CEDAW and the OP-CAT²⁴; the Rome Statute of the International Criminal Court²⁵; the United Nations Convention against Transnational Organized Crime, the Palermo Protocol and the Protocol against the Smuggling of Migrants by Land, Sea and Air in 2004²⁶; the adoption of the Convention on Protection of Children and Co-operation in Respect of Intercountry Adoption²⁷; the acceptance of individual complaints procedures under the CEDAW and the ICERD²⁸ as well as the commitment to ratify the ICCPR-OP2²⁹. In 2007, the Committee on the Elimination of Discrimination Against Women (CEDAW)³⁰ recommended that Poland ratify the ICRMW³¹. Furthermore, in 2003, the Committee on the Elimination of Racial Discrimination (CERD) welcomed the withdrawal of reservation to article 22 of the Convention³² and CRC³³ welcomed the information that the process of considering the withdrawal of reservations and declarations was resumed in 2001 by Poland.

In 2006, in its pledges and commitment to the Human Rights Council³⁴, Poland reiterated this latter information.

B. Constitutional and legislative framework

2. In 2002, CRC³⁵ encouraged Poland to take all necessary measures to ensure that its domestic legislation conforms fully with the principles and provisions of the Convention, in particular in the area of juvenile justice, unaccompanied asylum-seekers and sexual exploitation of children. This point was also highlighted by UNHCR³⁶. In 2003, CERD welcomed the direct applicability of the Convention in domestic law³⁷ and, in 2007, the Committee Against Torture³⁸ (CAT) regretted that Poland has not changed its position not to incorporate the CAT into Polish law. CAT³⁹ noted with appreciation the adoption of new laws ensuring better protection of human rights⁴⁰, and in 2002, CESCR⁴¹ welcomed the adoption in 1997 of the Charter of Disabled Persons' Rights.

3. In 2004, the Human Rights Committee⁴² (HR Committee) welcomed Poland's commitment to respect the rights recognized in the Covenant and the recent passage of legislation making provision for complaints against the violation of the right of a party in judicial proceedings to have his or her case examined without undue delay⁴³. In 2007, CEDAW⁴⁴ commended the recent adoption of a number of laws aimed at eliminating discrimination against women and welcomed the amendments to the Labour Code ensuring equal treatment of women and men; the Social Welfare Act of 2004; the Law on Combating Domestic Violence of 2005; and amendments to the Law on Aliens and on Protecting Aliens in the territory of the Republic of Poland to enhance protection for trafficked persons. CAT also noted with appreciation the adoption of the January 2005 law on National and Ethnic Minorities and on Regional Languages⁴⁵ and the Committee on Economic, Social and Cultural Rights⁴⁶ (CESCR) welcomed a series of legislative measures⁴⁷.

C. Institutional and human rights structure

4. In 2002 and 2003, CRC, CESCR and CERD⁴⁸ welcomed the establishment in November 2001 of the Government Plenipotentiary for Equal Gender Status with the responsibility for promoting the principle of equality between men and women and combating discrimination based on race, ethnic origin, religion and belief, age and sexual orientation in government legislation and policies. In 2007, CEDAW⁴⁹ expressed concern that its new location in the Department for Women, Family and Counteracting Discrimination at the Ministry of Labour and Social Policy may result in low priority and insufficient focus being given to the specific nature of discrimination against women. It recommended that Poland ensure that necessary visibility and attention is given to it⁵⁰. Also, in 2002, CRC⁵¹ welcomed the establishment in 2000 of the Office of the Ombudsman for Children. Also, the Commissioner for Civil Rights Protection (CCRP), the national human rights institution was established by Act in 1987 and subsequently entrenched the same year in the Constitution. The CCRP was accredited in 1999 with A status, which was renewed in October 2007⁵².

D. Policy measures

5. In 2007, CAT⁵³ noted with appreciation the establishment in 2003 of the National Programme for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance and the National Programme for Crime Victims in February 2006⁵⁴. CEDAW⁵⁵ regretted that insufficient information was provided on results achieved in the implementation of the

National Action Plan for Women for 2003-2005. It however welcomed the National Programme to Combat and Prevent Trafficking in Human Beings for 2005-2006, and the forthcoming programme for 2007-2008⁵⁶. In 2007, CEDAW⁵⁷ invited Poland to adopt a comprehensive national action plan for gender equality with sufficient resources, in consultation with women's non-governmental organizations while in 2002, CESCR⁵⁸ recommended that Poland formulate and implement a comprehensive national plan of action for the promotion and protection of human rights. CEDAW⁵⁹ commended the ongoing implementation of a number of policies and programme aimed at overcoming *de facto* discrimination against women notably through enhancement of women's equal opportunities in the labour market; the National Programme to Counteract Domestic Violence; the European Union Daphne III programme to combat violence against children, young people and women. Also, CAT, CERD, CESCR and CRC⁶⁰ welcomed human rights education measures undertaken by Poland and recommended that further measures are taken to increase public awareness of the provisions of the international instruments and of the possibility of invoking them before the courts.

II. PROMOTION AND PROTECTION OF HUMAN RIGHTS ON THE GROUND

A. Cooperation with human rights mechanisms

1. Cooperation with treaty bodies

<i>Treaty Body</i>	<i>Latest report submitted and considered</i>	<i>Latest concluding observations</i>	<i>Follow-up response</i>	<i>Reporting status</i>
CESCR ⁶¹	2001	12/2002	-	5 th periodic report submitted in 2007
HR Committee ⁶²	2004	11/2004	Yes, 31/08 and 26/10/2006	6 th periodic report due in 2008
CERD ⁶³	2001	03/2003	-	17 th , 18 th and 19 th periodic reports overdue since 2006
CAT ⁶⁴	2004	05/2007	Due in May 2008	6 th periodic report due in 2011
CEDAW ⁶⁵	2004	01/2007		7 th and 8 th periodic reports due in 2008
CRC ⁶⁶	1999	10/2002	-	3 rd and 4 th periodic reports due in 2007
CRC OPSC				Initial report due in 2007
CRC OPAC				Initial report due in 2007

6. On the individual complaints procedure, while the HR Committee⁶⁷ noted the consideration being given by Poland to improving methods for the implementation of the Committee's Views, it observed that no consistent procedure was yet in place and recommended Poland to ensure that all views issued by it under the Optional Protocol are complied with and that appropriate mechanisms are available for this purpose.

2. Cooperation with special procedures

<i>Standing invitation</i>	Yes
<i>Latest visits or mission reports</i>	None
<i>Visits agreed upon in principle</i>	None
<i>Visits requested and not yet agreed upon</i>	None

<i>Follow-up to visits</i>	-
<i>Facilitation/ cooperation during missions</i>	-
<i>Responses to letter of allegations and urgent appeals</i>	Between 01 January 2004 and 31 December 2007, a total of 10 communications (letters of allegations and urgent appeals) were sent to Poland. In addition to communications sent for particular groups, 9 individuals were covered by these communications including two women. Between 01-01-2004 and 31-12-2007, Poland replied to 7 communications which represents 70 percent of replies to communications sent.
<i>Responses to questionnaires on thematic issues</i>	Out of 12 questionnaires sent by the Special Procedures mandate holders ⁶⁸ between 01 January 2004 and 31 December 2007 Poland has responded to two questionnaires within the deadlines ⁶⁹ .

3. Cooperation with the Office of the High Commissioner for Human Rights

7. Poland hosted in 2006 a major international conference on anti-corruption measures, good governance and human rights. Poland is a regular contributor to OHCHR's budget.

B. Implementation of international human rights obligations

1. Equality and non-discrimination

8. In 2007, concerns were expressed by CEDAW⁷⁰ on the lack of a definition of discrimination against women in compliance with article 1 of the Convention. Concern about repeated rejection by the Parliament, most recently in June 2005, of a comprehensive law on gender equality was stressed. CEDAW urged Poland to enact such legislation with an effective monitoring mechanism. The HR Committee⁷¹ regretted that a general non-discrimination provision covering all appropriate grounds had not yet been introduced into national legislation and recommended broadening the scope of Polish's non-discrimination law. In 2003, CERD⁷² reminded Poland of its obligation under article 4 to prohibit all organizations and activities, including those of the mass media, which promote and incite racial discrimination. It suggested strengthening its efforts to implement existing legislation.

9. In 2002, CRC⁷³ noted with concern that the principle of non-discrimination was not adequately implemented with respect to certain vulnerable groups of children, including children of the Roma and other ethnic minorities, children living in institutions, children with disabilities, children of poor families and children with HIV/AIDS. CRC was also concerned about their limited access to adequate health, education and other social services and about reports of racially motivated violence in which police have failed to protect the victims. It recommended that Poland increase its efforts to ensure implementation of existing laws guaranteeing the principle of non-discrimination.

10. In 2007, CEDAW⁷⁴ was concerned about the persistence of deep-rooted prejudice and stereotypical attitudes against women and urged Poland to intensify its efforts to overcome those stereotypes. Both CEDAW⁷⁵ and the HR Committee⁷⁶ were concerned about continued underrepresentation of women in public and political life and in decision-making positions. CEDAW⁷⁷ encouraged Poland to take sustained measures to accelerate women's full and equal participation in elected and appointed positions.

11. The HR Committee in 2004⁷⁸ and CAT in 2007⁷⁹ noted with concern alleged recent manifestations of hate speech and intolerance against homosexuals and lesbians. They

recommended that such discrimination be specifically prohibited in Polish law and that appropriate training be provided to law enforcement and judicial officials in order to sensitize them to the rights of sexual minorities. Furthermore, CESCR⁸⁰ in 2002, CERD⁸¹ in 2003 and CAT⁸² in 2007 were concerned about xenophobic manifestations and acts of violence against certain minorities, in particular Jews and Roma. CERD⁸³ was also concerned about reports of racially motivated harassment and discrimination against persons of African and Asian origin which have not been properly investigated. The three Committees⁸⁴ recommended that Poland intensify its efforts to combat and punish all such cases. CERD⁸⁵ further recommended that law enforcement bodies be given adequate training and instructions on how to address complaints of racially motivated crimes and that similar training be provided to the judiciary.

12. While taking note of the draft Law on National and Ethnic Minorities and on Regional Languages, the HR Committee⁸⁶ in 2004 was concerned that current legislation does not allow linguistic minorities to use their own language when dealing with administrative authorities in areas where their numbers warrant. It thus recommended Poland to ensure that new legislation on minorities is in full compliance with article 27 of the Covenant.

13. The HR Committee⁸⁷ noted with concern that incidents of desecration of Catholic and Jewish cemeteries and acts of anti-Semitism have not always been properly investigated and the perpetrators punished. It recommended Poland to intensify efforts to combat and punish all such incidents. It also recommended that law enforcement bodies and the judiciary be properly trained and instructed on how to address such complaints.

2. Right to life, liberty and security of the person

14. In 2007, CAT⁸⁸ reiterated its concerns about the absence of a specific offence of torture consistent with the Convention and requested the enactment by Poland of a specific offence of torture in its Criminal Code. CAT⁸⁹ was concerned about reports on the excessive use of force by law enforcement officials in May 2004 and the use of penetrating ammunition “by error”. The Committee recommended ensuring prompt, impartial and effective investigations into all complaints or allegations of misconduct. It further asked Poland to try the alleged perpetrators of acts of abuse and adequately compensate the victims in order to eliminate the de facto impunity for law enforcement personnel.

15. In 2005, the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment notified Poland that he had received allegations concerning a young man’s arrest and detention for 48 hours by the police, during which he was reportedly beaten and sustained injuries⁹⁰. In its reply Poland reported that the prosecutor affirmed the dismissal of investigation stating that the police action in the course of the arrest cannot be considered torture or other cruel, inhuman or degrading treatment or punishment⁹¹.

16. On the issue of arbitrary detention in psychiatric institution, an individual communication was sent to the HR Committee (case No.1061/2002) on 19 August 1999⁹² in which it concluded that there had been a violation of article 9 of ICCPR. In 2007⁹³, the Committee decided that the case had been settled when the author had accepted a remedy which was considered as satisfactory.

17. While acknowledging the efforts made by Poland to deal with the issue of overcrowding in prisons, CAT⁹⁴ in 2007 and the HR Committee⁹⁵ in 2004 were concerned that the conditions of detention were still not in conformity with minimum international

standards. The HR Committee recommended that Poland take appropriate measures and that alternative forms of punishment be sought more frequently⁹⁶. CAT⁹⁷ noted with concern the regime and material conditions of detention in transit zones or deportation detention centers and recommended that Poland review these conditions in conformity with minimum international standards. CAT⁹⁸ expressed concern at the length of pre-trial detention, (which can last up to two years), and at the absence in the legislation of a time limit for pre-trial detention upon the commencement of the court proceedings. It recommended that Poland ensure that its pre-trial detention policy meets international standards and is only used as an exceptional measure for a limited period of time. CAT⁹⁹ and the HR Committee¹⁰⁰ recommended that Poland consider using alternative measures in order to reduce the number of persons in pre-trial detention. CAT¹⁰¹ further noted with concern the absence of specific laws regarding the detention of aliens after the deadline for their expulsion and recommended that Poland ensure that the detention of aliens in transit zones is not excessively protracted and that, if the detention were to be extended beyond a few days, the decision be adopted by a court.

18. In 2007, CAT¹⁰² expressed concerns at the persistent allegations of the involvement of Poland in extraordinary renditions in the context of the fight against international terrorism and at allegations regarding the existence in the territory of Poland of secret detention facilities for aliens suspected of terrorist activities. While noting that Poland rejected those allegations, it recommended that Poland apply the non-refoulement guarantee to all detainees in its custody, take all the necessary measures to avoid and prevent the rendition of suspects to States where they might face a real risk of torture and to ensure that suspects have the possibility to challenge decisions of refoulement¹⁰³. CAT¹⁰⁴ also urged Poland to share information about the scope, methodology and conclusions of the enquiry into allegations of the existence in the territory of secret detentions facilities for aliens suspected of terrorist activities conducted by the Polish Parliament.

19. While CAT¹⁰⁵ acknowledged the progress made by Poland in decreasing the number of cases of abuse of conscripts in the army, it remains concerned at the large number of cases that continue to be reported. It recommended that Poland eradicate hazing in the armed forces, continue implementing measures of prevention, ensure prompt, impartial and effective investigation and prosecution of such abuses and report publicly on the results of any such prosecutions. CAT further recommended that Poland guarantee the rehabilitation of victims, including appropriate medical and psychological assistance.

20. On the issue of domestic violence, CEDAW¹⁰⁶ in 2007 expressed concerns about the remaining gaps in the 2005 Law on Combating Domestic Violence and the perception of domestic violence as a gender-neutral phenomenon. In 2002, CESCR¹⁰⁷ expressed concerns about the high number of reported cases of domestic violence and both CEDAW¹⁰⁸ and the HR Committee¹⁰⁹ were concerned about insufficient services for victims, including immediate eviction of the perpetrator, free legal aid and the number of shelters available and about inadequate training for law enforcement officers. CEDAW, the HR Committee and CESCR¹¹⁰ recommended that law enforcement officers be properly trained and that appropriate measures be taken to address domestic violence cases. In 2007, CEDAW¹¹¹ further recommended that Poland conduct awareness-raising campaigns to combat violence against women and undertake research on the root causes of such violence. In 2002, CRC¹¹² was concerned that child abuse and violence in the home and in schools remain a problem in Poland. CRC was further concerned that corporal punishment is widely practised in the home, in schools and other institutions, such as prisons, and in alternative care contexts. The CRC asked Poland to

expressly prohibit corporal punishment and carry out public education campaigns in that regard. Also, in 2007, CAT¹¹³ and CEDAW¹¹⁴ were concerned about the absence of a definition of trafficking in human beings in Polish Penal Code. In 2002, CESCR¹¹⁵ was also concerned about the rising incidence of trafficking in women for the purpose of sexual exploitation and recommended that Poland take effective measures to combat trafficking in women, inter alia, by ensuring that those responsible are prosecuted. In 2002, CRC¹¹⁶ was also concerned that Poland continues to be a country of origin, destination and transit for children trafficked for sexual exploitation and recommended that it develop a national plan of action on commercial sexual exploitation of children and ensure protection, access to appropriate recovery, reintegration programmes and services for victims.

3. Administration of justice and the rule of law

21. In 2007, concerns were expressed by CAT¹¹⁷ regarding restrictions that might be imposed on fundamental legal safeguards for persons detained by the police and recommended Poland to ensure the respect of such safeguards, particularly the right to access a lawyer and to consult with him/her in private, from the very outset of the detention, including during the stages of the preliminary investigation. In 2004, the HR Committee¹¹⁸ regretted the lack of an appropriate system of legal aid. CAT¹¹⁹ also regretted the delay in submitting the draft law on access to free legal aid to the Parliament and recommended that Poland expedite it.

22. In 2002, CRC¹²⁰ was concerned that there is no clear minimum age of criminal responsibility and that, in some cases, children as young as 10 years of age can be sentenced to educational measures. CRC recommended that Poland establish 13 years as the minimum age for criminal responsibility in all cases below which children cannot be sentenced to either correctional or educational measures. CRC¹²¹ was also concerned at the large number of juveniles spending extensive periods of time in emergency blocks either as a pre-trial detention measure or as punishment for their actions in the juvenile reform centres. In addition, it was concerned that not all juvenile detention centres guarantee the child's right to maintain contact with his or her family or provide adequate living standards. It thus recommended that Poland ensure the full implementation of juvenile justice standards; enforce the regulations allowing a maximum stay of three months in emergency blocks; use deprivation of liberty only as a measure of last resort and protect the rights of children deprived of their liberty, including those pertaining to conditions of detention.

4. Right to privacy, marriage and family life

23. Concerns were raised in 2002 by CRC¹²² about the large number of children living in institutions, a significant proportion of whom are "social" rather than natural orphans. It recommended that Poland ensure periodic review of placement of children in institutions.

5. Freedom of expression, association and peaceful assembly

24. In 2006, the Special Rapporteur on the promotion and protection of the right to freedom of opinion and expression has sent communications regarding alleged arbitrary arrest, prolonged pre-trial detention and lengthy judicial proceedings against journalists. He referred to cases where criminal proceedings have been kept pending, journalistic materials were sealed and court appeals were dismissed as groundless¹²³. In one instance a journalist was charged for assaulting a police officer, a crime that carries up to 10 years imprisonment

based on the evidence provided by a police officer the journalist claimed not to recognize¹²⁴. Furthermore, the Special Representative of the Secretary General (SRSG) on the situation of human rights defenders¹²⁵ inquired about the steps taken for the implementation of the Declaration on human rights defenders and expressed her continued concern about the reported harassment of human rights defenders campaigning for equality and against discrimination based on perceived sexual orientation¹²⁶. The SRSG¹²⁷ has also expressed concern about bans imposed by officials on marches organized by women's rights organisations, and lesbian, gay, bisexual and transgender organizations. The SRSG noted that the police roughly handled some of the protestors, and arrested and interrogated over 65 persons in one instance.

25. In 2007, the Special Rapporteur on the right to education and the SRSG on the situation of human rights defenders¹²⁸ also sent a joint communication concerning the dismissal of the director of a training centre by the Minister for Education. Concerns were expressed that this dismissal may represent a form of punishment for his role in the publication and dissemination of a Council of Europe handbook that promotes universal human rights and respect for diversity. Poland replied that the contents of the manual were not suitable for teaching and that it was contradictory to the Constitution of Poland, which defines marriage as a "union of a man and a woman". In another case¹²⁹, the SRSG sent an urgent communication concerning threats and acts of intimidation against a member of the Campaign against Homophobia.

26. Following a communication sent by the SRSG¹³⁰ on the situation of human rights defenders together with the Special Rapporteur on contemporary forms of racism concerning the Krakow March for Tolerance, a peaceful march organized by the Campaign against Homophobia, Poland reported that the high court decisions banning the marches were quashed in appeal proceedings.

6. Right to work and to just and favourable condition of work

27. CESCR, the HR Committee and CEDAW¹³¹ noted that the Labour Code has now been amended to include a non-discrimination clause relating to employment and to provide definitions for direct and indirect discrimination.

28. In 2002, CESCR¹³² expressed concern at the high level of unemployment that particularly affects rural areas as a result of the restructuring of the public sector in the field of agriculture. In 2007, CEDAW¹³³ commended Poland on the adoption of a number of policies and programmes aimed at overcoming *de facto* discrimination against women and enhancing women's equal opportunities in the labour market, but remained concerned about the situation of women in the labour market. Both CEDAW¹³⁴ and CESCR¹³⁵ were concerned about different retirement ages for men and women, which in practice result in lower pensions for women. CEDAW¹³⁶ was also concerned about women's higher unemployment rates as compared to that of men and the concentration of women in low-paying sectors of public employment. CESCR in 2002, the HR Committee in 2004 and CEDAW in 2007 were also concerned about the disparities in remuneration between men and women and recommended that Poland ensure equal treatment of men and women at all levels of public service¹³⁷. They also urged it to strengthen its efforts aimed at ensuring equal opportunities and equal conditions of work for women and men in the labour market¹³⁸.

7. Right to social security and to an adequate standard of living

29. In 2002, CESCR¹³⁹ expressed concern that the minimum wage in Poland is insufficient to provide a worker and his/her family with a decent standard of living. It recommended that Poland regularly evaluate and adjust the minimum wage on the basis of the cost of living. While noting measures taken to improve the conditions of the Roma community, CRC¹⁴⁰ in 2002 and the HR Committee¹⁴¹ in 2004 expressed concerns that Roma continue to suffer prejudice and discrimination, in particular with regard to access to health services, social assistance, education and employment. CESCR¹⁴² urged Poland to adopt a comprehensive programme to address the obstacles to the advancement of the Romani population, including measures to ensure effective remedy for cases of discrimination against Roma in employment, housing and health care.

30. In 2007, CEDAW¹⁴³ expressed concern that, as a result of the restructuring of the health sector, there has been a decrease in the number of clinics and health services available to women, in particular in rural areas. Also, in 2002, CESCR¹⁴⁴ was concerned that family planning services are not provided in the public health-care system and that women have no access to affordable contraception. Furthermore, deep concerns were expressed by both CESCR¹⁴⁵ in 2002 and the HR Committee¹⁴⁶ in 2004 on the restrictive abortion laws which have resulted in a large number of women risking their life and health by resorting to clandestine abortionists. The HR Committee¹⁴⁷ was further concerned about the unavailability of abortion in practice even when the law permits it, for example in cases of pregnancy resulting from rape, and by the lack of information on the use of the conscientious objection clause by medical practitioners who refuse to carry out legal abortions. It further regretted the lack of information on the extent of illegal abortions and their consequences for the women concerned. Both CEDAW¹⁴⁸ in 2007 and CESCR¹⁴⁹ in 2002 urged Poland to take concrete measures to enhance women's access to health care, in particular to sexual and reproductive health services. CEDAW, the HR Committee and CESCR¹⁵⁰ requested Poland to strengthen measures aimed at the prevention of unwanted pregnancies, including by making a comprehensive range of contraceptives widely available at an affordable price and by increasing knowledge and awareness about different methods of family planning. The HR Committee¹⁵¹ also recommended Poland to liberalize its legislation and practice on abortion.

31. The UN-Habitat noted that the Act on financial support to families purchasing their own flat is being implemented in order to satisfy the growing housing needs of families. Problems of the homeless and people with the lowest income are addressed by solutions proposed in the Act on the financial support of housing for the poorest (continuation of the pilot programme 2004-2006) and the related Programme for counteracting social exclusion of the homeless and people at risk of homelessness¹⁵². The Programme for the Roma Community in Poland (2003-2014) aims at improving the situation of the Roma community which includes investments devoted to infrastructure for Roma estates and housings. Progress remains relatively slow and does not fully satisfy existing needs¹⁵³. UN-Habitat also noted that inadequate housing conditions affect about 6.5 million Poles (out of 38 million) and that there is rapid growth in real estate costs: land and housing is becoming less affordable for the average citizen. Also, limited access to credit for middle and low income households and an insufficient stock of social housing are also a problem. According to UN-Habitat there are also poor living conditions in some settlements occupied by ethnic and national minorities who live in low quality dwellings that are often overcrowded and deprived of basic facilities as well as illegally erected buildings that are physically isolated. It also noted that there are a growing number of homeless people¹⁵⁴.

8. Right to education and to participate in the cultural life of the community

32. In 2002, CERD¹⁵⁵ noted efforts to meet the specific educational needs of Roma children, but was concerned that in some cases these efforts have led to segregated classes having a lower standard of education than the Polish counterparts. In 2002, CESCR¹⁵⁶ also expressed concerns at the high dropout rates among Romani students and in 2002, CRC¹⁵⁷ did so regarding Romani children's right to education. CERD¹⁵⁸, CESCR¹⁵⁹ and CRC¹⁶⁰ recommended that Poland: design new programmes to integrate Roma children into schools; combat the low school attendance and high dropout rates among Romani students; recruit more teachers and teaching assistants from the Roma minority; include pre-school programmes for Romani children to learn the primary language of schooling in their communities; and that curriculum resources be developed for all schools which include Romani history and culture in order to promote understanding, tolerance and respect of Roma in Polish society. CRC¹⁶¹ also remained concerned about the increasing disparities in access to education, the material condition of schools and the quality of education between rural and urban areas. It recommended that Poland ensure equal opportunities for all. CRC¹⁶² was also concerned by the issue of children with disabilities and recommended that Poland develop a time-bound plan for reducing the number of children with disabilities living in institutions and integrating them into mainstream education.

III. ACHIEVEMENTS, BEST PRACTICES, CHALLENGES AND CONSTRAINTS

33. In 2007, CAT¹⁶³ commended Poland for its contributions to the United Nations Voluntary Fund for the Victims of Torture between the years 1999 and 2005 and encouraged its continued contribution. It also noted with appreciation the ongoing efforts at the State level to reform its legislation, policies and procedures in order to ensure better protection of human rights¹⁶⁴. In 2002, CESCR¹⁶⁵ commended the ongoing process to bring legislation in harmony with the Covenant and specific measures taken in order to ensure the enjoyment of economic, social and cultural rights. CESCR however noted the difficulties encountered by Poland in implementing the rights provided for in the Covenant which arose from the process of transition to a market-oriented economy¹⁶⁶ which, as noted by CRC¹⁶⁷ led to regional disparities and increased poverty, thereby negatively affecting the welfare and living standards of vulnerable families with children.

IV. KEY NATIONAL PRIORITIES, INITIATIVES AND COMMITMENTS

34. In 2004, the HR Committee¹⁶⁸ asked Poland to provide, additional information on the assessment of the situation and the implementation of the Committee's recommendations regarding abortion law, family planning regulations and the Roma Community. Poland provided extensive information in October 2005 on all above mentioned areas¹⁶⁹ and explained concrete measures taken to implement the Committee's concluding observations. In a letter dated July 2006, the Special Rapporteur for Follow-up on Concluding Observations¹⁷⁰ welcomed the co-operation shown by Poland and decided that no further action was required. In 2007, CAT¹⁷¹ requested Poland to provide information on its response on the administration of justice and fair trial, training, trafficking and hazing in the armed forces.

V. CAPACITY BUILDING AND TECHNICAL ASSISTANCE

35. UN Habitat informed of capacity-building programmes and activities in Poland¹⁷².

Notes

1/ The status of ratifications of instruments listed in the chart may be found in Multilateral Treaties Deposited with the Secretary-General : Status as at 31 December 2006, ST/LEG/SER.E.25; complemented by the official website of the United Nations Treaty Collection database, Office of Legal Affairs, <http://untreaty.un.org/>.

2/ International Covenant on Economic, Social and Cultural Rights.

3/ International Covenant on Civil and Political Rights.

4/ First Optional Protocol to the International Covenant on Civil and Political Rights.

5/ International Convention on the Elimination of All Forms of Racial Discrimination.

6/ Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

7/ Optional Protocol to the Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment.

8/ Convention on the Elimination of All Forms of Discrimination against Women.

9/ Optional Protocol to the Convention on the Elimination of All Forms of Discrimination against Women.

10/ Convention on the Rights of the Child.

11/ Optional Protocol to the Convention on the Rights of the Child on the sale of children, child prostitution and child pornography.

12/ Optional Protocol to the Convention on the Rights of the Child on the involvement of children in armed conflict.

13/ Optional Protocols to International Covenant on Civil and Political Rights.

14/ International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

15/ Convention on the Rights of Persons with Disabilities.

16/ Optional Protocol on the Convention on the Rights of Persons with Disabilities.

17/ International Convention for the Protection of All Persons from Enforced Disappearances.

^{18/} Information relating to other relevant international human rights instruments, including regional instruments may be found in the pledges and commitments undertaken by Poland before the Human Rights Council, as contained in the Note Verbale sent by the Permanent Mission of Poland to the President of the General Assembly, dated on 5 April 2006.

^{19/} Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.

^{20/} Include 1951 Convention relating to the Status of Refugees and its 1967 Protocol, 1954 Convention relating to the status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.

^{21/} These Conventions and Protocols are: Convention (I) for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field; Convention (II) for the Amelioration of the Condition of Wounded, Sick

and Shipwrecked Members of Armed Forces at Sea; Convention (III) relative to the Treatment of Prisoners of War; Convention (IV) relative to the Protection of Civilian Persons in Time of War; Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of International Armed Conflicts (Protocol I); Protocol Additional to the Geneva Conventions of 12 August 1949, and relating to the Protection of Victims of Non-International Armed Conflicts (Protocol II); Protocol additional to the Geneva Conventions of 12 August 1949, and relating to the Adoption of an Additional Distinctive Emblem (Protocol III). Source: Switzerland, Federal department of foreign affairs, <http://www.eda.admin.ch/eda/fr/home/topics/intla/intrea/chdep/warvic.html>.

^{22/} International Labour Organization Convention N° 29 concerning Forced or Compulsory Labour and Convention; Convention N°105 concerning the Abolition of Forced Labour, Convention N°87 concerning Freedom of Association and Protection of the Right to Organise; Convention N°98 concerning the Application of the Principles of the Right to Organise and to Bargain Collectively; Convention N°100 concerning Equal Remuneration for Men and Women Workers for Work of Equal Value; Convention N°111 concerning Discrimination in Respect of Employment and Occupation; Convention N°138 concerning Minimum Age for Admission to Employment; Convention N°182 concerning the Prohibition and Immediate Action for the Elimination of the Worst Forms of Child Labour.

^{23/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.4.

^{24/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.4.

^{25/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.4.

^{26/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.4.

^{27/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.4.

^{28/} CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.4 and CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.4.

^{29/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 4 November 2004, para.6.

^{30/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.37.

^{31/} International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families.

^{32/} CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.4.

^{33/} CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.9 and 10.

^{34/} Pledges and commitments undertaken by Poland before the Human Rights Council, as contained in the Note Verbal sent by the Permanent Mission of Poland to the President of the General Assembly, dated on 5 April 2006, page 4.

^{35/} CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, para.12.

^{36/} UNHCR UPR submission, November 2007. CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, para.12.

^{37/} CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.7.

^{38/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.6.

^{39/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.5 (a) and (b).

^{40/} Namely the Law of June 2003 Granting Protection to Aliens on the Territory of Poland and the law of January 2005 on National and Ethnic Minorities and on Regional Languages. CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.5 (a) and (b).

^{41/} CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.10.

^{42/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.3.

^{43/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.4.

^{44/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.5.

^{45/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.5 (a) and (b).

^{46/} CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.4, para.6, para.7, para.8, para.10 and para.11.

^{47/} CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.4, para.6, para.7, para.8, para.10 and para.11, welcomed the harmonization of Poland's legislation with the provisions of the Convention; the National Strategy for Employment Growth and Human Resources Development for the years 2000-2006 to address the unemployment issue; the recent amendments to the Labour Code banning all kind of discriminations and guarantee equal remuneration for work; the recent juvenile work; the adoption in 1997 of the Charter of Disabled Persons' Rights as well as the entry into force in 1998 of the Act on Vocational and Social Rehabilitation and Employment of Persons with Disabilities of 27 August 1997 and the initiatives undertaken to reduce alcohol consumption and tobacco smoking in the country.

^{48/} CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, para.7; CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.5; CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.6.

^{49/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.10.

^{50/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.11.

^{51/} CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, para.4.

^{52/} A list of NHRIs with ICC accreditation status is included as an annex in the forthcoming SG report on national institutions for the promotion and protection of human rights (A/HRC/7/69) and the SG report on the process currently utilized by the ICC to accredit NHRIs in compliance with the Paris Principles and ensure that the process is strengthened with appropriate periodic review and on ways and means of enhancing participation of NHRIs in the work of the Human Rights Council (A/HRC/7/70).

^{53/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.5 (d).

^{54/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.5 (f).

^{55/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 2 February 2007, paras.12 and 13.

^{56/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.6.

^{57/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.12 and 13.

^{58/} CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.34.

^{59/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.6.

^{60/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.15; CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.14; CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.33 and 56; CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.23 and 24.

61/ Committee on Economic, Social and Cultural Rights.

62/ Human Rights Committee.

63/ Committee on the Elimination of Discrimination against Women.

64/ Committee against Torture.

65/ Committee on the Elimination of Discrimination Against Women

66/ Committee on the Rights of the Child.

^{67/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.7.

^{68/} - Special Rapporteur on the right to education (A/HRC/4/29): Questionnaire on the right to education of persons with disabilities Report of the Special Rapporteur on the right to education, the right to education of persons with disabilities sent in 2006)

- Special Rapporteur on the human rights of migrants (A/HRC/4/24): Questionnaire on the human rights of migrants on border control and measures to reduce/address irregular migration; expulsion; conditions for admission/stay; rights of migrants; and the protection of migrants sent on 8 and 9 September 2006

- Special Rapporteur on trafficking in persons, especially in women and children (A/HRC/4/23): Questionnaire on Forced marriages in the context of trafficking in persons, especially women and children Report of the Special Rapporteur on the human rights aspects of the victims of trafficking in persons, especially women and children sent on 26 July 2006.

- Special Representative on human rights defenders (E/CN.4/2006/95/Add.5): Questionnaire aimed at identifying the main areas of progress and the remaining challenges that need to be addressed in relation to the implementation of the Declaration on the Right and Responsibility of Individuals, Groups and Organs of Society to Promote and Protect Universally Recognised Human Rights and Fundamental Freedoms sent in June 2005.

- Special Rapporteur on the situation of human rights and fundamental freedoms of indigenous people (A/HRC/6/15): Questionnaire on the human rights of indigenous peoples sent in August 2007

- Special Rapporteur on trafficking in persons, especially in women and children (E/CN.4/2006/62) and the Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2006/67) : Joint questionnaire on demand for commercial sexual exploitation and trafficking and demand for sexual services deriving from exploitation sent on 25 and 26 July 2005.

- Special Rapporteur on the right to education (E/CN.4/2006/45): Questionnaire on girl's right to education sent in 2005.

- Working Group on the use of mercenaries as a means of violating human rights (A/61/341): Questionnaire on Mercenaries sent in mid-November 2005.

-Special Rapporteur on the sale of children, child prostitution and child pornography (A/HRC/4/31): Questionnaire on the Sale of Children's organs sent on July 2006.

- Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2005/78): Questionnaire on Child pornography on the Internet sent on 30 July 2004.

- Special Rapporteur on the sale of children, child prostitution and child pornography (E/CN.4/2004/9): Questionnaire on the Prevention of child sexual exploitation sent on 29 July 2003.

-Special Representative of the Secretary-General on the issue of human rights and transnational corporations and other business enterprise (A/HRC/4/35/Add.3) : Questionnaire to identify policies and practices by which states regulate, adjudicate and otherwise influence corporate actions.

^{69/} Special Rapporteur on the right to education: questionnaire on the right to education of persons with disabilities (A/HRC/4/29,para.47) and Special Rapporteur on the sale of children, child prostitution and child pornography: questionnaire on Child pornography on the Internet (E/CN.4/2005/78, para.4).

^{70/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.5, 8 and 9.

^{71/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.16.

^{72/} CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.8.

^{73/} CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.27 and 28.

^{74/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.16 and 17.

^{75/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.14.

^{76/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.10.

^{77/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.15.

^{78/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.18

^{79/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.18 and CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.20.

^{80/} CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, paras.13 and 35.

^{81/} CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.10.

^{82/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.20.

^{83/} CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.10.

^{84/} CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.35; CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 25 July 2007, para.20 and CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.10.

^{85/} CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.10.

^{86/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.20.

^{87/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.19.

^{88/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.6.

^{89/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, §14.

^{90/} See report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment as contained in document E/CN.4/2005/62/Add.1, dated on 30 March 2005, para.1348.

^{91/} See report of the Special Rapporteur on torture and other cruel, inhuman or degrading treatment or punishment as contained in document E/CN.4/2005/62/Add.1, dated on 30 March 2005, para.1349

^{92/} Human Rights Committee, views, communication n°1061/2002, CCPR/84/D/1061/2002, adopted on 4 August 2005.

^{93/} Human Rights Committee, Progress report of the Special Rapporteur for follow-up on Views CCPR/C/89/R.5, paras.1 and 14.

^{94/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.17.

^{95/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.12.

^{96/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.12.

^{97/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.13.

^{98/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.7.

^{99/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.7.

^{100/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.13.

^{101/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.12.

^{102/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.11.

^{103/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, paras.11 and 16.

^{104/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.16.

^{105/} CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.19.

^{106/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.18.

^{107/} CDESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.25.

^{108/} CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.18.

^{109/} Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.11.

¹¹⁰/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.18 and 19; Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, §69; CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.47.

¹¹¹/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.18 and 19.

¹¹²/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.34 and 35.

¹¹³/ CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.5(c).

¹¹⁴/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.20 and 21.

¹¹⁵/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, paras.24 and 46.

¹¹⁶/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.48 and 49.

¹¹⁷/ CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.8.

¹¹⁸/ Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.14.

¹¹⁹/ CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.10.

¹²⁰/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.25 and 26.

¹²¹/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.50 and 51.

¹²²/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.36 and 37.

¹²³/ Special Rapporteur on the right to freedom of opinion and expression, E/CN.4/2006/55/Add.1, pages 273-275.

¹²⁴/ Special Rapporteur on the right to freedom of opinion and expression, E/CN.4/2006/55/Add.1, para.822

¹²⁵/ Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.5, para.1357.

¹²⁶/ Special Representative of the Secretary-General on the situation of human rights defenders, A/HRC/4/37/Add.1, pages 243-247.

¹²⁷/ Special Representative of the Secretary-General on the situation of human rights defenders, E/CN.4/2006/95/Add.5, para.1356

¹²⁸/ Special Representative of the Secretary-General on the situation of human rights defenders, A/HRC/4/37/Add.1, pages 243-247

¹²⁹/ Special Representative of the Secretary-General on the situation of human rights defenders, A/HRC/4/37/Add.1, pages 243-247.

¹³⁰/ Special Representative of the Secretary-General on the situation of human rights defenders, A/HRC/4/37/Add.1, pages 243.

¹³¹/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.7; Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.16; CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 2 February 2007, para.5.

¹³²/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.16.

¹³³/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.5, 6 and 22.

¹³⁴/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.22 and 23.

¹³⁵/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, paras.19 and 41.

¹³⁶/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.22 and 23.

¹³⁷/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.22; Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.10; CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.39.

¹³⁸/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, paras.22 and 23; Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.10; CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, paras.17 and 39.

¹³⁹/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, paras.20 and 42.

¹⁴⁰/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, para.52.

¹⁴¹/ Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.17.

¹⁴²/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.36.

¹⁴³/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.24.

¹⁴⁴/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.28.

¹⁴⁵/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.29

¹⁴⁶/ Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.8.

¹⁴⁷/ Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.8.

¹⁴⁸/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.25.

¹⁴⁹/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.50.

¹⁵⁰/ CEDAW Committee, Concluding observations, CEDAW/C/POL/CO/6, adopted on 16 January 2007, para.25; Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.9; CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, paras.28 and 50.

¹⁵¹/ Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.8.

¹⁵²/ See UN-Habitat submission to the UPR on Poland, December 2007.

¹⁵³/ See UN-Habitat submission to the UPR on Poland, December 2007.

¹⁵⁴/ See UN-Habitat submission to the UPR on Poland, December 2007.

¹⁵⁵/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.13.

¹⁵⁶/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.14.

¹⁵⁷/ Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.52.

¹⁵⁸/ CERD Committee, Concluding observations, CERD/C/62/CO/6, adopted on 21 March 2003, para.13.

¹⁵⁹/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.36.

¹⁶⁰/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, para.53.

¹⁶¹/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.44 and 45.

¹⁶²/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, paras.40 and 41.

¹⁶³/ CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.22.

¹⁶⁴/ CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.5.

¹⁶⁵/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, paras.3 and 4.

¹⁶⁶/ CESCR Committee, Concluding observations, E/C.12/1/Add.82, adopted on 29 November 2002, para.12.

¹⁶⁷/ CRC Committee, Concluding observations, CRC/C/15/Add.194, adopted on 4 October 2002, para.8.

¹⁶⁸/ Human Rights Committee, Concluding observations, CCPR/CO/82/POL, adopted on 2 December 2004, para.22.

¹⁶⁹/ Response by Poland as contained in document CCPR/CO/82/POL/Add.1 dated 27 October 2005.

¹⁷⁰/ Letter dated on 6 July 2006 sent to the Government of Poland by the Special Rapporteur on the follow-up to concluding observations to the Human Rights Committee.

¹⁷¹/ CAT Committee, Concluding observations, CAT/C/POL/CO/4, adopted on 15 May 2007, para.27. The CAT Committee referred to recommendations contained in paragraphs 8, 9, 15, 18 and 19 of its concluding observations.

¹⁷²/ See UN-Habitat submissions to the UPR on Poland.
