

# Compilation on Poland

## Report of the Office of the United Nations High Commissioner for Human Rights

### I. Scope of international obligations and cooperation with international human rights mechanisms and bodies<sup>i</sup>

#### 1. International human rights treaties<sup>ii</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
<i>Ratification, accession or succession</i>	ICERD (1968)	ICCPR-OP 2 (2014)	ICRMW
	ICESCR (1977)	CRPD (2012)	ICPPED (signature only, 2013)
	ICCPR (1977)	ICPPED (signature only, 2013)	
	CEDAW (1980)		
	CAT (1989)		
	OP-CAT (2005)		
	CRC (1991)		
	OP-CRC-AC (2005) OP-CRC-SC (2005)		
<i>Reservations and/or declarations</i>	ICERD, (general declaration; reservations, art. 17 (1) and art. 18 (1), 1968/ Withdrawal of reservation, art. 22, 1997)	CRC (Withdrawal of reservations, arts. 7 and 38, 2013)	
	ICCPR-OP 1 (Reservation, art. 5 (2) (a), 1991)	OP-CRC-AC (Modification of declaration, art. 3 (2): 18 years for obligatory and voluntary recruitment, 2013)	
	CEDAW (Withdrawal of reservation, art. 29 (1), 1997)	CRPD (Reservations, art. 23 (1)(a) and (b) and art. 25 (a), 2012/Interpretative declaration, art. 12, 2012)	
	CAT (Reservation, art. 20 and art. 30 (1), 1989)		
	CRC (Declarations, arts. 12 to 16, art. 24 (2) (f), 1991)		
	OP-CRC-AC (Declaration, art. 3 (2): 18 years for obligatory recruitment, 17 years for voluntary recruitment, 2005)		
<i>Complaints procedures, inquiries and urgent action<sup>iii</sup></i>	ICERD, art. 14 (1998)	OP-CRC-IC (signature only, 2013)	OP-ICESCR
	ICCPR, art. 41 (1990)	ICPPED	CAT, art. 20
	ICCPR-OP 1 (1991)	ICPPED (signature only, 2013)	OP-CRC-IC

<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified/not accepted</i>
OP-CEDAW, art. 8 (2003)		(signature only, 2013)
CAT, arts. 21 and 22 (1993)		ICRMW OP-CRPD ICPPED (signature only, 2013)

## 2. Other main relevant international instruments<sup>iv</sup>

	<i>Status during previous cycle</i>	<i>Action after review</i>	<i>Not ratified</i>
<i>Ratification, accession or succession</i>	Convention on the Prevention and Punishment of the Crime of Genocide	--	--
	Rome Statute of the International Criminal Court	--	--
	Palermo Protocol <sup>v</sup>	--	--
	Conventions on refugees <sup>vi</sup>	--	Conventions on statelessness <sup>vii</sup>
	Geneva Conventions of 12 August 1949 and Additional Protocols I and II and III <sup>viii</sup>	--	--
	ILO fundamental conventions <sup>ix</sup>	--	--
	--	--	ILO Conventions Nos. 169 and 189 <sup>x</sup>
	Convention against Discrimination in Education	--	--

## II. Cooperation with human rights mechanisms

### A. Cooperation with treaty bodies

#### 1. Reporting status

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
<i>Committee on the Elimination of Racial Discrimination</i>	August 2009	2012	February 2013	Combined twenty-second to twenty-fourth reports due in 2018
<i>Committee on Economic, Social and Cultural Rights</i>	November 2009	2015	October 2016	Seventh periodic report due 2021

<i>Treaty body</i>	<i>Concluding observations included in previous review</i>	<i>Latest report submitted since previous review</i>	<i>Latest concluding observations</i>	<i>Reporting status</i>
<i>Human Rights Committee</i>	October 2010	2015	October 2016	Eighth periodic report due 2021
<i>Committee on the Elimination of Discrimination against Women</i>	--	2012	November 2014	Ninth report due in 2018
<i>Committee against Torture</i>	--	2012	November 2013	Seventh report due 2017
<i>Committee on the Rights of the Child</i>	October 2009 (to OP-CRC-AC and OP-CRC-SC)	2012	October 2015	Combined fifth to sixth reports due in 2020
<i>Committee on the Rights of Persons with Disabilities</i>	--	2014	--	Initial report pending consideration

## 2. Responses to specific follow-up requests by treaty bodies

<b>Concluding observations</b>			
<i>Treaty body</i>	<i>Due in</i>	<i>Subject matter</i>	<i>Submitted in</i>
<i>Committee on the Elimination of Racial Discrimination</i>	2014	Human Rights Defender; Hate discourse and crimes; Situation of the Roma community. <sup>xi</sup>	2015. <sup>xv</sup> Further information requested in next periodic report. <sup>xvi</sup>
<i>HR Committee</i>	2011	Domestic violence; access to reproductive health; detention of foreigners. <sup>xii</sup>	2012. <sup>xvii</sup> Follow-up dialogue ongoing. <sup>xviii</sup>
<i>Committee on the Elimination of Discrimination against Women</i>	2016	Strengthening the Government Plenipotentiary for Equal Treatment; amend the Electoral Act and adopt temporary special measures. <sup>xiii</sup>	--
<i>Committee against Torture</i>	2014	Legal safeguards; investigations into reports of torture or ill-treatment; prosecuting suspects and sanctioning perpetrators of torture or ill-treatment; remedies and redress; protection for asylum seekers. <sup>xiv</sup>	2014. <sup>xix</sup> Further information requested. <sup>xx</sup>

## B. Cooperation with special procedures<sup>xxi</sup>

	<i>Status during previous cycle</i>	<i>Current status</i>
<i>Standing invitation</i>	Yes	Yes
<i>Visits undertaken</i>	Visit of the Special Rapporteur on the right to health (5 to 11 May 2009);	Special Rapporteur on the right to food (18 to 25 April

	<i>Status during previous cycle</i>	<i>Current status</i>
	Special Rapporteur on trafficking in persons (24 to 29 May 2009), <sup>xxii</sup>	2016 <sup>xxiv</sup>
	Special Rapporteur on toxic waste (25 to 31 May 2009) <sup>xxiii</sup>	
<i>Visits agreed to in principle</i>	None	
<i>Visits requested</i>	None	
<i>Responses to letters of allegation and urgent appeals</i>	During the period under review, 2 communications were sent. The Government replied to 1 communication.	

### C. Status of national human rights institutions<sup>xxv</sup>

<i>National human rights institution</i>	<i>Status during previous cycle</i>	<i>Status during present cycle</i> <sup>xxvi</sup>
Office of the Commissioner for Human Rights	A (2007)	A (2007) <sup>xxvii</sup>

<sup>i</sup> Unless indicated otherwise, the status of ratification of instruments listed in the table may be found on the official website of the United Nations Treaty Collection database, Office of Legal Affairs of the United Nations Secretariat, <http://treaties.un.org/>. Please also refer to the United Nations compilation on Poland from the previous cycle (A/HRC/WG.6/13/POL/2).

<sup>ii</sup> The following abbreviations have been used in the universal periodic review document:

ICERD	International Convention on the Elimination of All Forms of Racial Discrimination
ICESCR	International Covenant on Economic, Social and Cultural Rights
OP-ICESCR	Optional Protocol to ICESCR
ICCPR	International Covenant on Civil and Political Rights
ICCPR-OP 1	Optional Protocol to ICCPR
ICCPR-OP 2	Second Optional Protocol to ICCPR, aiming at the abolition of the death penalty
CEDAW	Convention on the Elimination of All Forms of Discrimination against Women
OP-CEDAW	Optional Protocol to CEDAW
CAT	Convention against Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment
OP-CAT	Optional Protocol to CAT
CRC	Convention on the Rights of the Child
OP-CRC-AC	Optional Protocol to CRC on the involvement of children in armed conflict
OP-CRC-SC	Optional Protocol to CRC on the sale of children, child prostitution and child pornography
OP-CRC-IC	Optional Protocol to CRC on a communications procedure
ICRMW	International Convention on the Protection of the Rights of All Migrant Workers and Members of Their Families
CRPD	Convention on the Rights of Persons with Disabilities
OP-CRPD	Optional Protocol to CRPD
ICPPED	International Convention for the Protection of All Persons from Enforced Disappearance

<sup>iii</sup> Individual complaints: ICCPR-OP 1, art. 1; OP-CEDAW, art. 1; OP-CRPD, art. 1; OP-ICESCR, art. 1; OP-CRC-IC, art. 5; ICERD, art. 14; CAT, art. 22; ICRMW, art. 77; and ICPPED, art. 31. Inquiry procedure: OP-CEDAW, art. 8; CAT, art. 20; ICPPED, art. 33; OP-CRPD, art. 6; OP-ICESCR, art. 11; and OP-CRC-IC, art. 13. Inter-State complaints: ICCPR, art. 41; ICRMW, art. 76; ICPPED, art. 32; CAT, art. 21; OP-ICESCR, art. 10; and OP-CRC-IC, art. 12. Urgent action: ICPPED, art. 30.

<sup>iv</sup> 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 dated April 2006 sent by the Permanent Mission of Poland to the United Nations addressed to the President of the

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- General Assembly. See at <file:///F:/27th%20session%20updated/Poland/UPR%202nd%20cycle%20documents/Compilation.pdf>.
- v Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, supplementing the United Nations Convention against Transnational Organized Crime.
- vi 1951 Convention relating to the Status of Refugees and its 1967 Protocol.
- vii 1954 Convention relating to the Status of Stateless Persons and 1961 Convention on the Reduction of Statelessness.
- viii Geneva Convention for the Amelioration of the Condition of the Wounded and Sick in Armed Forces in the Field (First Convention); Geneva Convention for the Amelioration of the Condition of Wounded, Sick and Shipwrecked Members of Armed Forces at Sea (Second Convention); Geneva Convention relative to the Treatment of Prisoners of War (Third Convention); Geneva Convention relative to the Protection of Civilian Persons in Time of War (Fourth Convention); 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). For the official status of ratifications, see International Committee of the Red Cross, [www.icrc.org/IHL](http://www.icrc.org/IHL).
- ix International Labour Organization (ILO) Forced Labour Convention, 1930 (No. 29); Freedom of Association and Protection of the Right to Organise Convention, 1948 (No. 87); Right to Organise and Collective Bargaining Convention, 1949 (No. 98); Equal Remuneration Convention, 1951 (No. 100); Abolition of Forced Labour Convention, 1957 (No. 105); Discrimination (Employment and Occupation) Convention, 1958 (No. 111); Minimum Age Convention, 1973 (No. 138); Worst Forms of Child Labour Convention, 1999 (No. 182).
- x ILO Indigenous and Tribal Peoples Convention, 1989 (No. 169), and Domestic Workers Convention, 2011 (No. 189).
- xi CERD/C/POL/CO/20-21, para. 20.
- xii CCPR/C/POL/CO/6, para. 26.
- xiii CEDAW/C/POL/CO/7-8, para. 49.
- xiv CAT/C/POL/CO/5-6, para. 29.
- xv CERD/C/POL/CO/20-21/Add.1.
- xvi Letter from CERD to Deputy Permanent Representative of Poland to the United Nations Office Geneva, dated 28 August 2015, available from [http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/POL/INT\\_CERD\\_FUL\\_POL\\_21645\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/POL/INT_CERD_FUL_POL_21645_E.pdf) (accessed on 22 August 2016).
- xvii A/69/40 (Vol. I), page 337.
- xviii A/69/40 (Vol. I), pages 336 – 337 and Letter of the HR Committee to the Permanent Representative of Poland, dated 12 November 2012, available from [http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/POL/INT\\_CCPR\\_FUL\\_POL\\_12235\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CCPR/Shared%20Documents/POL/INT_CCPR_FUL_POL_12235_E.pdf) (accessed 22 August 2016).
- xix CAT/C/POL/CO/5-6/Add.1.
- xx Letter of the CAT to the Permanent Representative of Poland, dated 29 August 2016, available from [http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/POL/INT\\_CAT\\_FUL\\_POL\\_25021\\_E.pdf](http://tbinternet.ohchr.org/Treaties/CAT/Shared%20Documents/POL/INT_CAT_FUL_POL_25021_E.pdf).
- xxi For the titles of special procedure mandate holders, see <http://www.ohchr.org/EN/HRBodies/SP/Pages/Welcompage.aspx>.
- xxii A/HRC/14/32/Add.3.
- xxiii A/HRC/18/31/Add.2.
- xxiv A/HRC/34/48/Add.1.
- xxv According to article 5 of the rules of procedure of the Global Alliance of National Human Rights Institutions (GANHRI), the classifications for accreditation used by the Sub-Committee are: A: voting member (fully in compliance with each of the Paris Principles); B: non-voting member (not fully in compliance with each of the Paris Principles or insufficient information provided to make a determination); and C: no status (not in compliance with the Paris Principles).

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<sup>xxvi</sup> The list of national human rights institutions with accreditation status granted by the Global Alliance of National Human Rights Institutions (GANHRI), accessed at: <http://www.ohchr.org/Documents/Countries/NHRI/ChartStatusNHRIs.pdf>.

<sup>xxvii</sup> See relevant Sub-Committee on Accreditation (SCA) report.

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