

HUMAN RIGHTS IN POLAND

ASSOCIATION FOR LEGAL INTERVENTION

UPR Info Pre-sessions

Situation in Poland



- Immigration detention in Poland
- Respect for the principle of non-refoulement at the Polish borders

Situation in Poland – Immigration Detention

- Previous recommendations made by:
 - A. Kyrgyzstan and Argentina (end immigration detention of children);
 - B. Uruguay (guarantee access to education for irregular migrants)

- New developments:
 - Children remain being detained for immigration detention purposes
 - Insufficient access to education in detention centres
 - Worsening, inhuman and degrading conditions in Polish detention centres

Recommendations – Immigration Detention

- Prohibit detention of all children, both accompanied and unaccompanied, and ensure that this prohibition is respected in practice.
- Ensure that immigration detention is implemented in humane and appropriate conditions, in particular by guaranteeing that detainees:
 - have sufficient personal space
 - have access to: adequate health care, legal advice, information and assistance, adequate food, outdoor spaces as well as means of communication with the outside world.
- Guarantee that victims of violence are not placed in detention.

Situation in Poland – Non-refoulement at the borders

- Previous recommendation made by:
 - A. Greece (respect the principle of non-refoulement)
 - B. Belarus (respect international obligations concerning asylum seekers)
- New developments:
 - Hindered access to asylum and territory for asylum seekers since 2015
 - Humanitarian crisis at the Polish-Belarusian border since August 2021
 - New Polish law disrespects the principle of non-refoulement

Recommendations – Non-refoulement at the borders

Respect the principle of non-refoulement in law and practice, in particular by:

- ceasing pushbacks at the Polish border,
- immediately initiating asylum proceedings upon asylum seekers' request,
- investigating the officers' brutality at the border,
- repealing national legislation disrespecting the principle of non-refoulement.

Thank you

From all the members of our coalition:

- Association for Legal Intervention (Poland)
- Lambda Warsaw (Poland)
- Birmingham City University (United Kingdom)
- Global Detention Project