

ADVANCE QUESTIONS TO POLAND (FIRST BATCH)

BELGIUM

- The Committee against Torture and the Human Rights Committee have expressed their concern about clandestine abortions, which might put the lives and health of women at risk. How is Poland planning to ensure the implementation of the 1993 Act on Family Planning and to make sure that women have access to safe and legal abortion?
- What measures is the Government of Poland taking to ensure full implementation of the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) and to offer an effective compensation to the victims of domestic violence? Does the Government of Poland intend to criminalize domestic violence and marital rape?
- Which steps is the Government of Poland taking to implement the recommendations of the Human Rights Committee concerning the independence and impartiality of the judiciary?
- What kind of safeguards have been put in place to secure the autonomy, impartiality and independence from political interference of the prosecution services after the merge of the functions of Prosecutor General and Minister of Justice?

MEXICO

- What measures have been taken in order to review article 212 of the Penal Code, which criminalizes defamation? What has been the impact of these measures on ensuring the full exercise of the right to freedom of expression?
- What progress has been made towards the development and implementation of a national plan or programme that promotes the full and equal enjoyment of all human rights by women?
- Is Poland considering to accede to the Convention for the Protection of the Rights of All Migrant Workers and Members of Their Families? If not, what are the major obstacles in this regard?

NETHERLANDS

- Women's rights: Will Poland fully implement the European Courts of Human Rights judgments in the cases of P&S v. Poland and RR v. Poland?
- Hate crime: How is the Polish Government responding to specific support and protection needs of victims of hate crime and how much public funding is available to support services trained to respond to specific protection needs of victims of racist or anti-LGBT violence?
- Rule of Law: What will be the influence of the current judicial reform on the legal protection of Human Rights and the guarantees for the conformity of national legislation with

international treaties and commitments, in the context of the recommendations issued to Poland by the Venice Commission in March and October 2016?

NORWAY

- The European Commission on Racism and Intolerance (ECRI) has noted, based on a report by the EU Fundamental Rights Agency, that the “the situation of LGBT persons in Poland compares unfavorably with the European average». ECRI has recommended that in order to be able to remedy this situation, the Polish authorities should “conduct surveys and collect data on LGBT persons in Poland and on the discrimination and intolerance of which they are victims». How is Poland progressing in following up on this recommendation?
- The Committee of Ministers of the Council of Europe has, in the follow-up of the Al-Nashiri-case of the European Court of Human Rights (28761/11), repeatedly called on Poland to ensure concrete progress in the domestic investigations following the establishment of CIA-facilities in Poland and a secret rendition program, which exposed people to torture, ill-treatment and the possibility of a “flagrant denial of justice”, as well as in the case of Mr Al-Nashiri, a real risk that he could be subjected to the death penalty. What concrete measures are being undertaken to ensure that the Polish officials that have been involved in enabling these human rights violations will be brought to justice?
- The European Court of Human Rights have through its case-law established that length of proceedings, both in civil and criminal cases, as well as before administrative courts have been a systemic problem in Poland. What measures have been taken by Poland to remedy this situation?
- The Council of Europe Commissioner of Human Rights, Nils Muižnieks, expressed in his report after his visit to Poland in February 2016 concern for restrictive abortion laws, and stressed the importance that the access to safe and legal abortion is fully implemented in practice. What is Poland currently doing to ensure that women, of all ages, have access to safe and legal abortions?
- Media Freedom and the Right to Expression are very pertinent and important topics in our societies. What measures is Poland taking to ensure free and independent media outlets?

SWEDEN

- Could the Government of Poland please elaborate on why it has not included sexual orientation and disabilities among the listed criteria in the law on anti-discrimination in other areas than the labour market? Why has Poland not listed gender identity as a criterion for discrimination? And why has it not included gender identity, sexual orientation and disabilities among the listed criteria for hate crimes in the criminal code?
- What could the Government of Poland do more to provide women the necessary medical and professional service in order for them to exercise their legal right to termination of pregnancy, and to ensure that women have the right to decide over their own bodies?

- What measures does the Government of Poland plan to take to ensure that schools provide compulsory sexuality education that is comprehensive and based on scientific evidence?
- How does the Government of Poland plan to strengthen consultations with the civil society in legislative procedures and evaluate legal proposals in the light of comments thereby acquired?