

**CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES
UNDER ARTICLE 19 OF THE CONVENTION**

Concluding observations of the Committee against Torture
(Extracts for follow-up of CAT/C/POL/CO/7)

POLAND

(...)

C. Principal subjects of concern and recommendations

(...)

Police brutality

(...)

20. The State party should:

(a) **Ensure that all allegations of torture and ill-treatment by law enforcement officials and all deaths in custody are investigated promptly, effectively and impartially by mechanisms that are structurally and operationally independent, with no institutional or hierarchical connection between the investigators and the alleged perpetrators; and ensure that perpetrators, if found guilty, are punished in a manner that is commensurate with the gravity of their acts;**

(...)

Commissioner for Human Rights and the national preventive mechanism

(...)

24. The State party should:

(a) **Allocate the amount of financial resources requested by the Office of the Commissioner for Human Rights to enable it to discharge its mandate, and significantly increase the resources provided to the national preventive mechanism in order to enable it to function effectively, hire the necessary specialized staff and fully implement its mandate in accordance with the Optional Protocol to the Convention, including to ensure follow-up to its visits to places of deprivation of liberty. In this connection, the Committee draws the State party's attention to the guidelines on national preventive mechanisms developed by the Subcommittee on Prevention of Torture and Other Cruel, Inhuman or Degrading Treatment or Punishment (CAT/OP/12/5), according to which States parties should provide their national preventive mechanisms with the necessary resources to operate effectively, ensure that they enjoy complete**

financial and operational autonomy when carrying out their functions and ensure the impartiality and independence of their members;

(...)

(c) Ensure the independence, security and ability to function of the Commissioner for Human Rights so that he or she can fully discharge his or her constitutional mandate, in keeping with international standards.

(...)

Conditions of detention in police detention units and prison facilities

(...)

30. The State party should:

(...)

(e) Ensure the clinical independence of medical staff in prisons and transfer responsibility for them to the Ministry of Health; hire additional qualified medical and psychiatric personnel and psychologists; enable the referral of inmates requiring specialized medical care to outside medical facilities without delays for administrative reasons or because of a lack of prison staff to escort them;

(...)

Follow-up procedure

39. The Committee requests the State party to provide, by 9 August 2020, information on follow-up to the Committee's recommendations on ensuring the independence, security and ability to function of the Commissioner for Human Rights, the prevention and prosecution of police brutality and the clinical independence of medical personnel, and on improving the medical care provided to prisoners (see paras. 24 (a) and (c), 20 (a) and 30 (e) above). In that context, the State party is invited to inform the Committee about its plans for implementing, within the coming reporting period, some or all of the remaining recommendations in the concluding observations.

(...)
