



HAUT-COMMISSARIAT AUX DROITS DE L'HOMME • OFFICE OF THE HIGH COMMISSIONER FOR HUMAN RIGHTS

PALAIS DES NATIONS • 1211 GENEVA 10, SWITZERLAND

www.ohchr.org • TEL: +41 22 917 9000 • FAX: +41 22 917 9008 • E-MAIL: registry@ohchr.org

12 November 2012.

Excellency,

In my capacity as Special Rapporteur for Follow-up on Concluding Observations of the Human Rights Committee, I have the honour to refer to the examination of the sixth periodic report of Poland at the Committee's 100th session, held in October 2010.

At the end of that session, the Committee's concluding observations were transmitted to your Permanent Mission. You may recall that, in paragraph 26 of the concluding observations, the Committee requested the State party to provide within one year further information on the specific areas of concern identified in paragraphs 10, 12 and 18 of the concluding observations.

Follow-up information on the referred paragraphs was received on 3 April 2012, and was analysed at the 106th session of the Committee. While taking note of the collaboration of the State party, the Committee considered the following:

- With regard to paragraph 10, the Committee took note of the progress made. However, the Committee considered it **necessary to request additional information on:** a) the state of the survey scheduled by the General Prosecution Authority on cases of domestic violence "that were concluded with a dismissal of inquiries"; b) the evaluation, with figures, of the capacity of specialised assistance centres for victims of domestic violence to attend the needs of victims; c) the proportion of cases in which an injunction has been adopted in compliance with the provisions of the 2010 law (under which a perpetrator of domestic violence may be ordered to leave the premises if there are reasons to believe that he or she will again resort to an offense with the use of violence against the victim), and the results of the application of this measure in terms of the prevention of domestic violence.

His Excellency Mr. Remigiusz A. Henczel
Ambassador Extraordinary and Plenipotentiary
Permanent Representative
Chemin de l'Ancienne-Route 15
1218 Grand-Saconnex
Fax: +41 22 710 97 99

- With regard to paragraph 12, the Committee considered that **no new measures have been adopted since the examination of the State party in October 2010. The Committee therefore reiterates its recommendation and requests information on the following issues:** a) the adoption of regulations to prohibit the collective use of the “conscience clause” by the medical profession; b) the review mechanisms available for women who consider to have been affected by duration of the decision making process of the Medical Commission; c) the procedures available and their potential outcome in case of a failure by the Medical Commission to respect the maximum 30 days period to take their decision; d) the measures taken to guarantee that adolescent girls and women without resources can access contraceptives.
- On paragraph 18, the Committee considered that the legislation referred to in the follow-up report was adopted in 2003, and that **none of the services described have been modified since the examination of the State party in October 2010. The Committee therefore decided to request additional information on the following issues:** a) the progress made for the discussion and adoption of the “new law on foreigners” (as referred to page 13 of the State party’s follow-up report), and the main reforms introduced by this project; b) the capacity of translation services, legal assistance services and health services to assist all foreigners needing such services; c) the proportion of foreigners who entered illegally into the State party who have been detained in the last five years.

Therefore, I write to request that the above-mentioned additional information be submitted to the Committee by 15 March 2013. The reply should be sent in a **Word electronic version** to the Secretariat of the Human Rights Committee (Kate Fox (kfox@ohchr.org) and Albane Prophette-Pallasco (aprophette@ohchr.org)).

The Committee looks forward to pursuing its constructive dialogue with the authorities of Poland on the implementation of the Covenant.

Please accept, Excellency, the assurances of my highest consideration.



Christine Chanet
Special Rapporteur for Follow-up on Concluding Observations
Human Rights Committee