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|  |  | CRPD/C/POL/Q/1 | |
|  | **Advance Unedited Version** | | Distr.: General  8 March 2018  Original: English  English, Russian and Spanish only |

**Committee on the Rights of Persons with Disabilities**

List of issues in relation to the initial report of Poland[[1]](#footnote-2)\*

A. Purpose and general obligations (arts. 1–4)

1. Please inform about policy measures and legislation enacted to promote the rights of persons with disabilities following the ratification of the Convention. In this regard, please also specify the extent to which the Convention has been promoted and mainstreamed across the government, all regions, counties and municipalities and relevant sectors, including education, employment, health and justice, and the resources allocated to its implementation.
2. Please indicate whether any steps have been taken towards rectifying the current omissions in the translation of the Convention. Please also indicate whether the State party intends to include organisations of persons with disabilities in this exercise.
3. Please indicate the steps taken towards aligning the definition and mechanisms of determination of disability with the purpose (art. 1) and principles (art. 3) of the Convention?
4. Please inform about the degree and impact of consultations with organisations of persons with disabilities by the Government Plenipotentiary for Disabled People and other authorities. In this regard, please also indicate the extent to which organizations of persons with disabilities are involved in the design of new laws and strategies in order to ensure that legislation complies with the Convention, as well as in the monitoring and reporting about the implementation of the Sustainable Development Goals?
5. Please inform about the training of relevant professionals working with persons with disabilities on the rights enshrined in the Convention.
6. Please inform on any steps taken towards eliminating derogatory terminology from all laws, policies and government discourse.
7. Please indicate whether any timeline has been established to lift the current reservations to the Convention, as well as to adopt the Optional Protocol to the Convention.

B. Specific rights

Equality and non-discrimination (art. 5)

1. Please inform about any steps taken towards elaborating and adopting comprehensive anti-discrimination legislation which prohibits discrimination against persons with disabilities in all settings, by both public and private actors, and which also covers intersectional discrimination.
2. Please elaborate on the mechanisms in place for persons with disabilities to complain about discrimination and whether and to which extent access to free and accessible legal aid is provided. Please provide comprehensive data on complaints of discrimination by persons with disabilities, which have been brought before court, including the alleged violation, and the outcomes of these cases.
3. Please provide information on any measures taken and envisaged to combat the intersectional discrimination faced by LGBTI persons with disabilities. Please also indicate whether the State party has the intention to prohibit so-called “conversion therapies”.

Women with disabilities (art. 6)

1. Please inform about implementation of the recommendation by the CEDAW (see CEDAW/C/POL/CO/7-8, para. 25 (b)) to adopt a comprehensive strategy to prevent and eliminate all forms of violence against women, including women with disabilities. In this regard, please also indicate any measures taken to encourage women and girls with disabilities to report violence, including sexual violence, and to eliminate impunity for violence against women and girls with disabilities.
2. Please inform about specific legislation, policies, programmes and strategies to ensure the implementation of the rights of women and girls with disabilities, and foster their empowerment.
3. Please inform about the extent to which women and girls with disabilities are mainstreamed into gender equality and other related policies and legislation, and to which extent women and girls with disabilities are mainstreamed into disability rights policies and legislation.

Children with disabilities (art. 7)

1. Please inform about the measures to deinstitutionalize children and ensure their access to community care, as well as to prevent additional cases of institutionalisation.

Awareness-raising (art. 8)

1. Please provide specific information on measures taken, including in collaboration with the education sector and the media to promote a positive image of persons with disabilities and to eradicate misconceptions and stereotypes against persons with disabilities. Please also clarify whether hate speech against persons with disabilities is fully prohibited.

Accessibility (art. 9)

1. Please provide detailed information on (a) the legislative framework regarding accessibility through universal design, including penalties for its denial, and (b) implementation of the relevant legislation and mainstreaming universal design and reasonable accommodation across all sectors.
2. Please inform about the legislative framework regarding sign language and assistive technologies and its implementation.
3. Please inform on the accessibility of the websites of public institutions as well as ATMs.
4. Please provide updated information on whether the Public Procurement Law imposes any obligations with regard to the accessibility of buildings and environments.

Situations of risk and humanitarian emergencies (art. 11)

1. Please specify the extent to which evacuation plans for emergencies take into consideration specific types of impairments, including visual, hearing, intellectual, psychosocial and physical disabilities.

Equal recognition before the law (art. 12)

1. Please indicate any steps taken towards taking the necessary legislative amendments to (a) ensure full restoration of legal capacity of persons with disabilities; (b) prohibiting any intervention by the State or family members before court to request a person’s “incapacitation”; and (c) developing, fully implementing and adequately resourcing a system of supported decision-making mechanisms that is in line with the Convention.

Access to justice (art. 13)

1. Please elaborate on the availability of procedural accommodation and the resources allocated to it.
2. Please provide information on any training provided to judges, prosecutors, lawyers and law enforcement personnel on the Convention.

Liberty and security of the person (art. 14)

1. Please indicate whether reasonable accommodation for all persons with disabilities is ensured at places of detention.
2. Please inform about the numbers of persons with disabilities who are permanently placed in any type of institution without their consent. Furthermore, please inform about the measures taken to ensure their reintegration into their families and communities. Please also indicate whether the Act on Mental Health Protection still allows for the admission of persons with disabilities to psychiatric hospitals without their consent.

Freedom from torture or cruel, inhuman or degrading treatment or punishment (art. 15)

1. According to information before the Committee, a significant number of persons with psychosocial disabilities are placed into prison for a certain amount of time based on impairment, before they are placed into a psychiatric hospital. Please comment on this information and indicate any measures to discontinue both such placements.

Freedom from exploitation, violence and abuse (art. 16)

1. Please elaborate on (a) any independent monitoring mechanisms regarding violence against persons with disabilities; (b) which monitoring and intervention possibilities such mechanisms have; and (c) their funding.
2. Please inform about the possibilities, including the existence of sealed complaint boxes for persons with disabilities who are living in institutions to report about violence.
3. Please provide statistical information on sentences pronounced for violence towards persons with disabilities.

Protecting the integrity of the person (art. 17)

1. Please provide updated information on whether legislative provisions allowing for medical intervention without informed consent with regard to persons with psychosocial disabilities have been fully repealed?

Living independently and being included in the community (art. 19)

1. Please inform about the number of persons with disabilities in residential institutions disaggregated by impairment, sex, ethnicity and age.
2. Please inform about any steps taken and plans to effectively deinstitutionalize all persons with disabilities currently living in institutions, and ensure their independent life in the community, including the provision of adequate and quality personal assistance.

Personal mobility (art. 20)

1. Please indicate how accessibility to quality mobility aids is ensured for persons with disabilities?

Freedom of expression and opinion, and access to information (art. 21)

1. Please inform about the use and dissemination of Easy-Read formats across all sectors of life.

Respect for home and the family (art. 23)

1. Please inform about any steps taken towards repealing legislation, which denies to persons with disabilities, in particular persons with psychosocial and/or intellectual disabilities, the right to enter into marriage, and to exercise family and parental rights.
2. Please inform about specific measures to provide support to parents with disabilities including with psychosocial disabilities.
3. Please inform about any steps taken towards legislative amendments to ensure that the parent caring for a child who received disability allowance is allowed to exercise a profession.

Education (art. 24)

1. Please elaborate on any strategy and action plan to ensure transition from special education to inclusive education of learners with disabilities.
2. Please inform about the number and ratio of blind and deaf children and children with intellectual, psychosocial and physical disabilities in special schools, special classes and mainstream classes in mainstream schools, and children who receive home schooling.
3. Please inform about the number and ratio of students with disabilities in vocational education and higher education schools.

Health (art. 25)

1. Please specify the measures to ensure the accessibility of health services including transportation of persons with disabilities in rural areas, and safeguards to ensure that all medical procedures on persons with disabilities are always carried out with their full and informed consent and that health and medical personnel is trained on a human rights approach to disability.
2. Please indicate the safeguards in place to ensure full access to sexual and reproductive rights by women and girls with disabilities.

Habilitation and rehabilitation (art. 26)

1. Please inform about the extent to which the legislative framework on habilitation and rehabilitation and its implementation is in compliance with the human rights model of disability?

Work and employment (art. 27)

1. Please provide the Committee with comprehensive data on the employment of persons with disabilities, disaggregated by sex, ethnicity, age, levels of qualification, type of employment, public or private sector employment, segregated or inclusive work environment and level of salary.
2. Please inform about specific incentives and measures to facilitate the employment of persons with disabilities in the open labour market.

Adequate standard of living and social protection (art. 28)

1. Please provide comprehensive data on persons with disabilities who are at risk of poverty. Please also specify the policies and measures to eradicate poverty and improve the standard of living of persons with disabilities;
2. Please specify any measures designed to ensure access by persons with disabilities to public housing programmes.

Participation in political and public (art. 29)

1. Please provide updated information about the accessibility of voting procedures and facilities and opportunities to vote independently for all persons with disabilities, including those with psychosocial and/or intellectual disabilities.

C. Special obligations

Statistics and data collection (art. 31)

1. Please indicate any measures to develop the collection and analysis of disaggregated data on disability in line with the Convention

International cooperation (art. 32)

1. Please inform about the use of European Union Structural Funds for the deinstitutionalisation of persons with disabilities when providing them with independent living in the community.
2. Please provide information on the measures taken to ensure that persons with disabilities, through their respective organizations, participate at all stages of international cooperation development programmes, particularly in the implementation of the 2030 Agenda for Sustainable Development and the Sustainable Development Goals. National implementation and monitoring (art. 33)
3. Please inform about the authority and mandate of the Human Rights Defender as an independent monitoring mechanism for the implementation of the Convention, including allocated resources, diverse and skilled human resources and the involvement of organisations of persons with disabilities therein.

1. \* As adopted during the ninth pre sessional working group of the Committee (12-16 March 2018) [↑](#footnote-ref-2)