



Permanent Mission  
of the Republic of Poland  
to the United Nations Office  
at Geneva

4200/31-3/2019

The Permanent Mission of the Republic of Poland to the United Nations Office at Geneva presents its compliments to the Office of the UN High Commissioner for Human Rights and with reference to the call for inputs by the Special Rapporteur on Violence against Women, its Causes and Consequences has the honour to transmit to the Office of the High Commissioner for Human Rights the input of the Ministry of the Interior and Administration of the Republic of Poland.

The Permanent Mission of the Republic of Poland to the United Nations Office at Geneva avails itself of this opportunity to renew to the Office of the UN High Commissioner for Human Rights the assurances of its highest consideration.



Geneva, 8 March 2019

**Office of the UN High Commissioner for Human Rights  
Geneva**



Warsaw, 6 March 2019

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**Ministry  
of Foreign Affairs**  
Department of the United  
Nations and Human Rights

## **Input of the Republic of Poland to the report prepared by of the Special Rapporteur on Violence against Women, its Causes and Consequences to the Human Rights Council**

### **Input of the Ministry of the Interior and Administration of the Republic of Poland**

Violence against women and girls is closely linked to the broadly understood phenomenon of domestic violence. This comprises, among others, physical, sexual, psychological and economic abuse. Countering and preventing domestic abuse, including violence against women and girls, has a comprehensive nature, involving the legislative and executive power, combined administration, local self-government administration, as well as civic society.

It is worth remembering that violence against women can be unrelated to family ties. Usually, it is women who fall victim to sexual crimes, including human trafficking with the purpose of organised provision of sex services. Countering violence against girls requires responding to different issues, such as behaviour after running away from home or foster home, sex tourism, offering sexual intercourse in exchange for material goods, etc. Other behaviour, including self-harm among girls, or peer violence are another matter.

It should be noted that the challenges in the area of violence against women and girls that many entities face can differ significantly. The police is faced with the challenge of effectively investigating crimes against women and girls and providing effective preventive solutions.

Considering violence against women in its legal aspect, it should be noted that Polish law does not regulate acts of violence that target only women. It does, however, define the term of domestic violence. Prohibited acts that fall under domestic violence are regulated by the provisions of Chapter XXVI of the Criminal Code: "Offences against the Family and Guardianship."

Furthermore, the Act on Combating Family Violence and the Act on Protection and Assistance for Aggrieved Party and Witness are applied to counteracting the crimes mentioned above. Also, the police uses the Police Procedure when dealing with a person who experienced sexual violence.

These procedures were implemented as part of initiatives by the Government Plenipotentiary for Equal Treatment as well as the National Equal Treatment Action Programme for 2013-2016 adopted in December 2013. The procedure was aimed at improving the legislation and its application in terms of countering sexual violence, and was designed to bolster protection of violence victims. The procedure was developed by the Feminoteka foundation in cooperation with the Office of the Government Plenipotentiary for Equal Treatment and was consulted with public administration representatives, including the police, the General Prosecutor's Office and experts representing the

social sector. The document contains a set of instructions on how to proceed when dealing with sexual violence victims.

In 2018, there were 159,297 cases of domestic violence across Poland. Similarly to previous years, the most frequent type of violence was psychological abuse (75,555 cases), followed by physical abuse (57,580). Compared to 2017, the number of cases of violence fell by 6,473.

In 2018, 73,153 Blue Card – A forms were filled across the country, 59,829 out of which initiated proceedings, while the number of further cases of violence during an ongoing procedure in 2018 was 13,324.

The disproportion in the number of the Blue Card – A forms filled in urban (41,636) and rural (31,517) areas was 10,119.

In 2018, the number of Blue Card – A forms, as well as the number of forms initiating proceedings fell by 2,509 and 2,151 respectively. The number of repeated cases of family violence during an ongoing procedure fell by 358.

The most forms were filled out in the Lublin garrison (7,259). It was also the region with the highest increase compared to the previous year (by 1,281). The fewest forms were filled in the Opole garrison (1,742). The biggest drop in forms was in the Warmia-Masuria garrison (by 1,319).

In 2018, there were also fewer people who were suspected of experiencing domestic violence (4,396 fewer). Among those suspected of experiencing domestic violence women dominated (65,057 persons, 73.82 percent of the total number), followed by minors (12,404 persons, 14.07 percent) and men (10,672 persons, 12.11 percent).

Among the persons who were suspected of inflicting domestic violence (73,654 persons), men were the biggest group – 67,306 persons (91.38 percent of the total number), followed by women – 6,045 persons (8.21 percent of the total number) and minors – 303 persons (0.41 percent).

In 2018, 16,915 persons suspected of using domestic violence were arrested, most of whom were men (16,305). There were 579 women and 31 minors who were arrested, 27 out of whom were boys, while four were girls. Out of all suspected domestic abusers in 2018, 22.97 percent were arrested on suspicion of domestic abuse.

In 2018, there were 43,182 persons suspected of domestic violence while under the influence of alcohol, which amounted to 58.63 percent of the total number of domestic abuse suspects.

In 2018, the Prevention Office of the National Police Headquarters organized two seminars for coordinators from the provincial (Capital City) police headquarters dealing with counteracting domestic violence and for police school lecturers, who teach about this subject.

The first seminar took place in April 2018 and aimed to develop and agree on the final version of the draft of the Security policy for the police manual personal files “Domestic violence.” It also discussed the supervision of subordinate Police units in terms of the Blue Cards procedure.

The training also covered:

- The analysis of topics concerning the implementation of the Blue Cards Procedure by the organizational units of the police at a national level in 2017;

- Ways of reacting and proceeding under the “Moc – TAK, Przemoc – NIE!” Programme in matters relating to domestic abuse, in which the perpetrator or the victim is a police officer or a police employee;
- Practical information for police officers on the procedure to follow after learning about a suspected domestic abuse incident.

During another seminar organized in December 2018, the representatives of the Nationwide Emergency Service for Victims of Domestic Violence "Blue Line" of the Polish Psychological Association's Institute of Health Psychology conducted a training session titled "Safe Person Academy." The project was co-financed by the Justice Fund. The training's curriculum covered issues related to counteracting crimes against four age groups (children, youth, adults and seniors), with particular focus on cybercrime and current phenomena, such as grooming, cyberbullying, sexting, stalking, fraud during product demonstrations, etc. After the training, the participants received "Safe Person Academy" programme trainer certificates, confirming their competencies to conduct educational meetings on crime prevention, with particular focus on cyberbullying, for instance, as part of local professional training. Along with their certificates, the participants also received training materials necessary to teach the curriculum.

During a meeting with coordinators for counteracting domestic violence, the representatives of the Ministry of Justice presented the key priorities of the "Justice" area implemented under the 2014-2021 Norwegian Financial Mechanism and discussed cooperation between institutions under the "justice chain" and related actions by the Ministry of Justice.

One of the priorities of the "Justice" Programme is counteracting domestic and gender-based violence. The "justice chain" is planned to cover the following areas: training sessions for individuals and institutions dealing with counteracting and combating domestic violence; the protection and support for domestic violence victims; effective and integrated response systems, including the police, the justice system, the healthcare service and service agencies. There are also plans for enhanced preventive action aimed at early diagnosis of violence, as well as pilot projects to be implemented locally. Bilateral activities at an international level are also foreseen, with the purpose of exchanging experiences and best practices between countries with regard to combating domestic violence. The meeting also explored action plans to be implemented by the Ministry of Justice as part of the Programme under the Norway grants, for example, in terms of interrogations of children, including necessary training for persons involved in the proceedings (judges, prosecutors, social workers, psychologists, police officers), specifying standards of such interrogations, as well as creating the so-called "friendly interview rooms" in prosecutor's offices.

It is worth noting that in 2018 the 11th edition of the "Police officer that helped me" nationwide competition took place on the initiative of the Nationwide Emergency Service for Victims of Domestic Violence "Blue Line" of the Institute of Health Psychology. The idea behind the competition is to honour police officers who exhibit exceptional professionalism, empathy and skill when helping persons affected by domestic violence. The organizers received over a hundred forms nominating 87 police officers for the award.

While performing its tasks related to counteracting domestic violence in 2018, the Prevention Office of the National Police Headquarters took part in international initiatives. Its representatives

participated in a project in Lithuania that consisted in exchanging experiences between the police and non-police entities with regard to limiting the phenomenon of secondary victimization, and developing tools for individual assessment and identification of risk factors of secondary victimization among crime victims. Furthermore, the meeting took stock of the activities undertaken so far under the initiative, presented the achievements of Lithuanian police force in this field and discussed projects planned for 2018-2019.

### **Input of the Ministry of Justice of the Republic of Poland**

The Ministry of Justice of the Republic of Poland does not see any elements in the mandate of the Special Rapporteur that would require change or reinforcement. In the opinion of the Ministry of Justice, her compliance with the powers that are already granted to her is sufficient for the implementation of the objectives listed in her letter dated 1 February 2019. It needs to be emphasized that the Ministry of Justice does not raise any objections regarding the manner in which the Special Rapporteur should carry out her mandate.

Referring to the issue of the main challenges in combating the phenomenon of violence against women, in the opinion of the Ministry of Justice they include, among others, the correct identification of the root cause of a problem at the national level as well as subsequent proper response of the competent State institutions in a given field, aimed at reducing and, in the long term, eliminating the problem. The Ministry of Justice of the Republic of Poland takes this kind of actions.