

# POLAND: EROSION OF HUMAN RIGHTS AND THE RULE OF LAW

## AMNESTY INTERNATIONAL: SUBMISSION TO THE 41<sup>ST</sup> SESSION OF THE UPR WORKING GROUP, NOVEMBER 2022

### SUMMARY

This submission was prepared for the Universal Periodic Review (UPR) of Poland in 2022. In it, Amnesty International evaluates the implementation of recommendations made to Poland in its previous UPR, including freedom of peaceful assembly, asylum law, children's rights, LGBTI rights, women's rights and rule of law.

It also assesses the national human rights framework regarding Poland's international obligations, independence of the judiciary, and the NHRI.

With regard to the human rights situation on the ground, Amnesty International raises concern about discrimination, right to asylum, women's rights, sexual and reproductive rights, freedom of peaceful assembly and freedom of expression.

It ends with a set of recommendations to Poland which, if implemented, would contribute to improving the human rights situation.

## FOLLOW UP TO THE PREVIOUS REVIEW

1. Poland supported 144 of 185 recommendations.<sup>1</sup> Progress was made on advancing the rights of the people with disabilities, including through a new strategy for them and their carers for 2021-2030 that is focused on financial independence and educational inclusivity.
2. Poland noted recommendations essential for human rights protection, including on the right to freedom of peaceful assembly, participation in refugee relocation scheme and asylum-seeking, children's rights, the recognition of civil unions between same-sex persons and on separation of the functions of the Ministry of Justice and the Attorney General.<sup>2</sup> They address crucial problems in Poland: discrimination against LGBTI individuals,<sup>3</sup> restrictions of freedom of peaceful assembly, attacks on the independence of the judiciary<sup>4</sup> and violations of migrants and refugees' rights.

## THE NATIONAL HUMAN RIGHTS FRAMEWORK

3. Poland has still not ratified the International Convention for the Protection of All Persons from Enforced Disappearance.<sup>5</sup> The authorities announced the intention to withdraw from the Convention on preventing and combating violence against women and domestic violence (Istanbul Convention).<sup>6</sup>
4. Poland did not implement the 16 supported recommendations<sup>7</sup> regarding independence of the judiciary, including of the Constitutional Tribunal. The government continued exerting political control over the judiciary, including common courts, the National Council of the Judiciary and the Supreme Court.
5. The Ombudsperson has fulfilled the function of a National Human Rights Institution (NHRI), working in accordance with the Paris Principles and was considered an important recourse for the protection of human rights in the country. It currently has A status according to the oversight body. There have been, however, systematic attacks on the Ombudsperson's independence: annual budget cuts to its office; repeated verbal attacks by officials; and a lawsuit filed against him by the public television channel for his legitimate statements (dismissed in court).<sup>8</sup>
6. At the request of the ruling party, the Constitutional Tribunal ruled against a provision allowing the current Ombudsman to continue perform his duties after the end of his term until a new Ombudsperson is elected. The candidates for an Ombudsperson were rejected five times, compromising the protection of human rights in Poland. The ombudsperson was finally elected after a nine-month delay.<sup>9</sup>

### Independence of the judiciary

7. The July 2017 amendment to the Law on Common Courts empowered the Minister of Justice to appoint and dismiss presidents and vice-presidents of court.<sup>10</sup> In December 2017, the parliament lowered the retirement age of the Supreme Court judges from 70 to 65, which was aimed at terminating the tenure of a large group of them and enabling the selection of new judges in their place.<sup>11</sup> In January 2018, parliament adopted new rules on the composition of the National Council of the Judiciary, which forced the premature termination of the four-year term of the office and politicized the election of new members of the Council.<sup>12</sup>
8. The Disciplinary Chamber of the Supreme Court, created in 2018, includes members elected by the politicized National Council of the Judiciary. In December 2019, an amendment to the law extending and aggravating the disciplinary responsibilities of judges was introduced.<sup>13</sup> The amended disciplinary regime has been used to sanction judges who criticize justice reforms. The Disciplinary Chamber continues to work despite repeated

warnings by the European Commission, orders for interim measures and financial penalties for non-compliance with Court of Justice of the European Union (CJEU) orders.<sup>14</sup>

9. State authorities continue to refer cases to the politically compromised Constitutional Tribunal (CT) to challenge CJEU and European Court of Human Rights (ECtHR) judgments in an attempt to undermine their effects in the country. In October 2021, the CT ruled that Polish law takes primacy over EU law and that some provisions of the EU Treaty are unconstitutional.
10. The functions of Minister of Justice and the Prosecutor General are not separated. The Prosecutor's Office is still under political influence, which has resulted in prosecutors who defend the rule of law facing reprisals simply for conducting their profession. Some prosecutors were given only 48 hours' notice to move to a new post, in some cases hundreds of kilometers away.<sup>15</sup>

## THE HUMAN RIGHTS SITUATION ON THE GROUND

### Discrimination

11. Poland accepted six recommendations to amend the Criminal Code to investigate and prosecute hate crimes on the grounds of age, disability, sexual orientation and gender identity, but has not done so. Similarly, necessary measures to combat discrimination based on race, sex, nationality, ethnicity and religion were not introduced.<sup>16</sup>
12. However, the situation of LGBTI people in Poland has worsened significantly since the last review. A governmental electoral campaign targeting LGBTI people has led to a well-documented increase of homophobia, transphobia and biphobia<sup>17</sup>, especially the introduction of so called "LGBT ideology-free zones" in 94 local government areas by June 2020<sup>18</sup> and repeated targeted and smear attacks, harassment, profiling and policing of human rights defenders (HRDs) advocating for LGBTI rights.<sup>19</sup>
13. Since 2019, the Code of Petty Offenses has been increasingly instrumentalized by the authorities to target and penalize people, particularly LGBTI advocates, restricting their ability to participate in public life and events.
14. On 20 July 2019, Amnesty Poland documented the inadequate police protection provided to the 1000 participants of the Equality March in Białystok, who were violently attacked by 4000 counter protesters throwing firecrackers and cobblestones.<sup>20</sup> Two of the most violent attackers were charged with battery and sentenced to one year's imprisonment and a fine, suspended for three years.
15. Access to human rights education and sexual education is at risk. A proposed amendment to the Education law that sought to ban from schools NGOs (such as Amnesty International) perceived not to follow the ruling party's programme to undermine human rights was vetoed by the President in March 2022. Further work on the amendment is ongoing.<sup>21</sup>

### Right to asylum

16. Since 2015, there have been ongoing reports of pushbacks of asylum-seekers at border crossings, mainly in Terespol. In 2017, cases were brought to the UN Human Rights Committee and the ECtHR alleging that Border Guards did not allow asylum seekers to submit asylum applications and that individuals were repeatedly denied entry to seek international protection, which violates the international obligation of non-refoulement.<sup>22</sup>
17. In August 2021, the crisis on the Polish-Belarusian border worsened, with 32 Afghan asylum seekers pushed back to Belarus by Polish border guards.<sup>23</sup> Despite two interim measures by the ECtHR, Poland failed to provide the group with food, water, shelter, medical assistance and access to lawyers.<sup>24</sup>

18. Thousands of asylum seekers and migrants have tried to cross the border from Belarus to Poland since August 2021, as a result of Belarus' coordinated activities to bring people to the border and compel them to cross.<sup>25</sup>
19. The Polish authorities closed its borders to people attempting to enter the country and ordered them to immediately leave its territory.<sup>26</sup> In October 2021, parliament adopted amendments to the Law on Foreigners and the Law on Granting Protection to Foreigners under which those who "cross the border illegally" must "leave the territory of Poland" and "are banned from re-entry",<sup>27</sup> making it impossible for people who enter irregularly to seek asylum in Poland.
20. On 2 September 2021, the President declared a state of emergency on the border, which prohibited access to the area, including journalists, media workers and NGOs.<sup>28</sup> The November 2021 amendment of the Law on the border protection empowered the Minister of Interior to ban entry to the border area without time limits, impeding any monitoring and reporting.<sup>29</sup> The number of people held in guarded detention centers increased significantly, including families with children.<sup>30</sup>

### Women's rights

21. Despite Poland having accepted 10 recommendations<sup>31</sup> on domestic and gender-based violence, including two recommendations<sup>32</sup> on implementation of the Istanbul Convention, the government announced initial steps to withdraw from the Convention.<sup>33</sup>
22. On 30 July 2020, the Prime Minister requested the CT to verify the Istanbul Convention's compliance with the Polish Constitution.<sup>34</sup> On 20 August 2020, the Prosecutor General supported the withdrawal.<sup>35</sup> Both processes are pending.
23. As the legal definition of domestic violence still does not include economic violence, this issue is not addressed in the systemic efforts to prevent and prosecute domestic violence. It was also not included in the National Programme for Preventing Domestic Violence 2014-2020.<sup>36</sup>
24. The legal definition of rape is not based on consent but on breaking a person's will by force, illegal threat or deceit, meaning that non-consensual intercourse which takes place without the use of threat, deceit or violence is not considered rape.<sup>37</sup> According to established case law, if a survivor failed to resist physically, it is not considered rape.<sup>38</sup>

### Sexual and reproductive rights

25. Since the last review, sexual and reproductive rights have been further limited and consistently attacked, including access to abortion, contraception and comprehensive sexuality education.<sup>39</sup>
26. In reply to a motion from governing party MPs, the Constitutional Tribunal ruled on 22 October 2020 that abortion in cases of severe and fatal fetal impairment was unconstitutional and should not be allowed. This ruling further limits access to abortion in Poland, already heavily restricted, and renders illegal most of the abortion cases in Poland (over 90% of abortions were taking place on this ground).<sup>40</sup>
27. The ruling caused great social unrest and mass protests that were met with police violence. As a result, people in need of abortion have to travel abroad. While the official statistics recorded only around 1000 abortions per year,<sup>41</sup> according to civil society data, more than 30,000 people accessed abortions either by travelling abroad or by ordering abortion medication from outside Poland.<sup>42</sup> Four draft bills in parliament would restrict access to abortion even further.<sup>43</sup>

28. In 2017, Parliament voted to end availability and access to over-the-counter emergency contraception.<sup>44</sup> This, alongside many other restrictions in access to contraception, as well as the lack of access to contraceptive-related information and comprehensive sexuality education, seriously violates human rights and puts people at risk. It has also made Poland the country with the worst access to contraception in Europe.<sup>45</sup>
29. In April 2020, a bill criminalizing the provision of information about sexuality to minors (persons below 18 years old) was discussed in the Parliament and passed through the first hearing.<sup>46</sup>
30. Human rights defenders working on sexual and reproductive rights (SRR) face harassment and persecution from both state and non-state actors opposing the provision of safe and legal abortion services. In March 2021, a bomb threat was sent to numerous NGOs working on women's rights. Women human rights defenders (WHRDs) were targeted by harmful and stigmatizing public smear campaigns - they were labelled as "murderers" and their faces were publicly shown.<sup>47</sup> Dozens of activists are under investigation or prosecuted either for participating in the protests against abortion restrictions or for providing abortion-related information.<sup>48</sup>

### Freedom of peaceful assembly

31. Demonstrations organized by critics of the government and the pro-governmental ones do not enjoy equal access to public spaces, nor are they equally protected by the police.<sup>49</sup>
32. In July 2017, thousands of people in over 100 cities took to the streets to protest against the reform of the judiciary. Police responded with heavy-handed security measures in the area around Parliament and at the Presidential Palace, curtailing the demonstrators' ability to protest within sight and sound of their audience. The Police detained dozens of peaceful protesters, used constant and varied forms of surveillance, also including by asking protesters to provide identification during the protest, as well as threatening them with criminal charges and prosecutions. Many protesters were charged after the protest for breach of peace and violating the law on assembly.<sup>50</sup>
33. LGBTI people organizing Pride parades have faced particular challenges. In October 2021, the Parliament debated a draft law submitted by the non-governmental organization "Stop LGBT" aiming at prohibiting any form of "promotion" of same-sex relationships.<sup>51</sup>
34. In May 2020, during the presidential campaign, police arrested hundreds of peaceful protesters simply for peacefully protesting in the streets and imposed heavy fines. The police especially targeted protesters demanding respect for the independence of the judiciary and those criticizing the lack of support for small companies during the Covid-19 lockdown.<sup>52</sup>
35. In November 2020, the Constitutional Court's ruling on the unconstitutionality of abortion triggered mass demonstrations. The police responded with unnecessary and excessive force against protesters and journalists, including use of batons and pepper spray. The January 2021 publication of the ruling led to further protests. During demonstrations held on 27 January in Warsaw, the police arrested 20 protesters and additionally filed 250 cases alleging administrative offences. The police took the arrested protesters to stations outside Warsaw, which hindered their access to lawyers.<sup>53</sup>

### Freedom of expression

36. People deemed to be critical of the state, including certain judges, prosecutors, journalists, and HRDs, especially women, LGBTI and environmental activists, have been targeted with harassment, strategic lawsuits against public participation (SLAPPs), disciplinary proceedings, slander, smear campaigns and threats, all exacerbated by the failure of the authorities to launch proper investigations into such incidents.<sup>54</sup>

37. Three activists charged in 2019 with “offending religious beliefs” for possessing and distributing posters and stickers depicting the Virgin Mary with an LGBTI rainbow halo were acquitted in January 2022 by the Płock Regional Court.<sup>55</sup>
38. In November 2021, the Warsaw District Court found journalist Ewa Siedlecka guilty of criminal defamation for articles she wrote in 2019 and sentenced her to a fine. Siedlecka exposed the actions of the then deputy justice minister, whom she alleged was targeting judges who opposed reforms in a way that undermined the independence of the judiciary.<sup>56</sup>
39. Public television (TVP) put in question its independence after supporting the ruling party’s hateful narrative and being highly critical towards the opposition and minorities, mainly migrants and LGBTI community.<sup>57</sup>

## **RECOMMENDATIONS FOR ACTION BY THE STATE UNDER REVIEW**

### **Amnesty International calls on the government of Poland to:**

#### **International Law**

40. Ratify the Convention for the Protection of All Persons from Enforced Disappearance.

#### **Independence of judiciary**

41. End the harassment of judges and prosecutors critical to the judicial reforms and defending the rule of law.

#### **Human Rights Defenders**

42. End the harassment of activists for offending religious beliefs and cease any further misuse of this term.
43. Stop instrumentalizing petty offences and criminal proceedings against activists and peaceful protesters.
44. Ensure prompt, thorough, independent and impartial investigations into threats and attacks against human rights defenders.

#### **Discrimination**

45. As previously recommended,<sup>58</sup> amend the Criminal Code to provide that crimes motivated by discrimination on the grounds of sexual orientation or gender identity are investigated and prosecuted as hate crimes.
46. Fully implement the Istanbul Convention on preventing and combating violence against women and domestic violence, especially in terms of consent-based rape laws and definition of economic violence.

#### **Women’s rights**

47. Amend the legal definition of rape in the Criminal Code to non-consensual intercourse.
48. Amend the current definition of domestic violence to include economic violence.

#### **Sexual and reproductive rights**

49. Ensure legal, timely and effective access to both safe abortion and contraception to all people who need it, in line with international human rights law and standards. To this end, decriminalize all aspects of abortion and refrain from criminalizing the provision of other sexual and reproductive health services and information, 59 and identify and remove any access barriers.

50. Refrain from criminalizing comprehensive sexuality education (CSE) and ensure its provision to all children and adolescents both in and outside of school, in line with international law and standards.

#### **Right to asylum**

51. End pushbacks and collective expulsions of asylum seekers, migrants and refugees.
52. Ensure access to territory to those seeking protection and individual assessment of all asylum claims.
53. Lift the ban on media, humanitarian and other civil society organization accessing the restricted area in order to provide assistance.

#### **Freedom of expression**

54. End the harassment and intimidation of individuals perceived as critical of the government's policies, including journalists, human rights defenders, judges and prosecutors.
55. Decriminalize defamation and ensure it is treated as a matter of civil litigation.
56. Ensure the independence and editorial freedom of the public broadcasting service to allow for a broad range of opinions to be voiced.

#### **Freedom of peaceful assembly**

57. Ensure that Pride parades are not arbitrarily banned and guarantee that LGBTI people can exercise their right to freedom of peaceful assembly without fear of reprisals.
58. Ensure that all demonstrations enjoy equal access to public spaces and that all individuals are equally protected by the police.
59. Ensure that any restriction on public assemblies is necessary and proportionate to a legitimate aim. Decisions to ban a demonstration should only be the last resort after a thorough assessment where no less restrictive means could achieve the desired aim.
60. Adequately train law enforcement officials in the adequate policing assemblies, including on international standards on the use of force.
61. Ensure that law enforcement officials refrain from arresting and harassing protesters solely for participating in a peaceful assembly.
62. Immediately release all individuals detained solely for exercising their right to peaceful assembly and drop all charges against them.

## **ANNEX 1**

### **KEY AMNESTY INTERNATIONAL DOCUMENTS FOR FURTHER REFERENCE**

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## ANNEX 2

### MATRIX OF RECOMMENDATIONS FROM THE PREVIOUS CYCLE, WITH COMMENTS ON PROGRESS

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<b>Theme: A12 Acceptance of international norms</b>			
120.24 Ensure comprehensive implementation of the international human rights instruments ratified during the past several years (Ukraine); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms <b>Affected persons:</b> - general	<b>Not implemented</b> – compliance with human rights obligations has declined in many areas, particularly regarding the obligations to respect, protect and fulfill women's rights, fair trial, rights of minorities, protection of HRDs, freedom of assemblies and freedom of speech, migrants and refugees' rights
120.12 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Albania) (Iraq); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons	<b>Not implemented</b>
120.13 Ratify the International Convention for the Protection of All Persons from Enforced Disappearance and integrate it into national norms (Sierra Leone); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons	<b>Not implemented</b>
120.14 Finalize the procedure to ratify the International Convention for the Protection of All Persons from Enforced Disappearance (Montenegro); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons	<b>Not implemented</b>
120.15 Ratify, before the next review cycle, the International Convention for the Protection of All Persons from Enforced Disappearance (Czechia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A12 Acceptance of international norms D32 Enforced disappearances <b>Affected persons:</b> - disappeared persons	<b>Not implemented</b>
<b>Theme: A44 Structure of the national human rights machinery</b>			
120.33 Establish an independent body that is authorized to receive complaints on violence and abuses by the police (Russian Federation); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A44 Structure of the national human rights machinery S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b>
<b>Theme: A45 National Human Rights Institution (NHRI)</b>			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.27 Allocate the resources necessary to the Office of the Human Rights Commissioner (Timor-Leste); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> - continued reduction of the budget of the Ombudsman's Office,
120.28 Provide the Office of the Human Rights Commissioner with sufficient financing to fulfil its obligations (Norway); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> - continued reduction of the budget of the Ombudsman's Office
120.29 Provide the Office of the Human Rights Commissioner with all the support necessary for it to exercise effectively its mandate (Serbia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> - independence of the Office has been attacked - unlawful termination of the Ombudsman's term of office and removal of Prof. Adam Bodnar from his post; lawsuits filed against the Ombudsman by public television (SLAPP)
120.30 Provide the Office of the Human Rights Commissioner with the means necessary to enable it to carry out its mandate in a full, efficient and independent manner (Guatemala); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> - independence of the Office attacked through - unlawful termination of the Ombudsman's term of office and removal of Prof. Adam Bodnar from his post; lawsuits filed against the Ombudsman by public television (SLAPP)
120.31 Enable the Office of the Human Rights Commissioner to receive and deal with complaints of victims of discrimination (Honduras); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Partially Implemented</b> - as regards the scope of official mandate, but the execution of the mandate is hindered in practice
120.32 Implement the recommendations made by the International Ombudsman Institute on its fact-finding mission to Poland with regard to the Human Rights Commissioner (Austria); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	A45 National Human Rights Institution (NHRI) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b>
<b>Theme: B31 Equality &amp; non-discrimination</b>			
120.72 Amend the Criminal Code to provide that crimes motivated by discrimination on the grounds of sexual orientation or gender identity are investigated and prosecuted as hate crimes (Belgium); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality <b>Affected persons:</b> - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	<b>Not implemented</b>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.73 Amend the Penal Code to provide that crimes motivated by discrimination on any grounds, gender identity and expression and sexual orientation, are investigated and prosecuted as hate crimes (Iceland); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality <b>Affected persons:</b> - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented
120.74 Amend the Penal Code to ensure that lesbian, gay, bisexual, transgender and intersex persons are fully protected against discrimination, hate speech and hate crimes based on sexual orientation and gender identity (Canada); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality <b>Affected persons:</b> - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	Not implemented
120.48 Harmonize the Act on Equal Treatment with the international human rights instruments ratified by Poland (Honduras); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A12 Acceptance of international norms S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women - children - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - lesbian, gay, bisexual, transgender and intersex persons (LGBTI) - persons with disabilities - refugees & asylum seekers - non-citizens - older persons	Not implemented

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>120.43 Strengthen efforts to prevent and combat all forms of discrimination, including by amending relevant legislation and launching awareness-raising campaigns (Italy);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A41 Constitutional and legislative framework A54 Awareness raising and dissemination S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- children</li> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- older persons</li> </ul>	<p><b>Not implemented</b> - ongoing regression</p>
<p>120.45 Take steps to ensure the acceptance and the general public knowledge of the existing law on anti-discrimination and to increase the practical use of the law (Sweden);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination B32 Racial discrimination F12 Discrimination against women F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A41 Constitutional and legislative framework A54 Awareness raising and dissemination S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- children</li> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- persons with disabilities</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- older persons</li> </ul>	<p><b>Not implemented</b> - ongoing regression</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>120.44 Amend its anti-discrimination law in order to ensure that discrimination on any grounds is prohibited in all areas of life (Finland);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination            B32 Racial discrimination            F12 Discrimination against women            F31 Children: definition; general principles; protection            F41 Persons with disabilities: definition, general principles            G1 Members of minorities            G4 Migrants            G5 Refugees &amp; asylum seekers            G8 Non-citizens            A41 Constitutional and legislative framework            S05 SDG 5 - gender equality and women's empowerment            S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- children</li> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- older persons</li> </ul>	Not implemented
<p>120.47 Amend the Penal Code to provide that crimes motivated by discrimination on any grounds, including disability, gender identity and expression and sexual orientation, are included in the Code and therefore can be investigated and prosecuted as hate crimes (Norway);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination            B32 Racial discrimination            F12 Discrimination against women            F31 Children: definition; general principles; protection            F41 Persons with disabilities: definition, general principles            G1 Members of minorities            G4 Migrants            G5 Refugees &amp; asylum seekers            G8 Non-citizens            A41 Constitutional and legislative framework            S05 SDG 5 - gender equality and women's empowerment            S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- children</li> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- persons with disabilities</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- older persons</li> </ul>	Not implemented

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>120.46 Improve further its non-discrimination legislation by criminalizing hate crimes on the grounds of age, disability, sexual orientation and gender identity, while taking the measures necessary to combat discrimination based on race, sex, nationality, ethnicity, religion or any other grounds (Brazil);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination            B32 Racial discrimination            F12 Discrimination against women            F31 Children: definition; general principles; protection            F41 Persons with disabilities: definition, general principles            G1 Members of minorities            G4 Migrants            G5 Refugees &amp; asylum seekers            G8 Non-citizens            D42 Freedom of thought, conscience and religion            A41 Constitutional and legislative framework            D6 Rights related to name, identity, nationality            S05 SDG 5 - gender equality and women's empowerment            S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- children</li> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- persons with disabilities</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- older persons</li> </ul>	<p><b>Not implemented</b></p>
<p>120.41 Prevent and combat all forms of discrimination (Philippines);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination            B32 Racial discrimination            F12 Discrimination against women            F31 Children: definition; general principles; protection            F41 Persons with disabilities: definition, general principles            G1 Members of minorities            G4 Migrants            G5 Refugees &amp; asylum seekers            G8 Non-citizens            S05 SDG 5 - gender equality and women's empowerment            S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- children</li> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- persons with disabilities</li> <li>- refugees &amp; asylum seekers</li> <li>- vulnerable persons/groups</li> <li>- non-citizens</li> <li>- older persons</li> </ul>	<p><b>Not implemented</b> - with well-documented harmful actions from the authorities deliberately targeting specific minority groups (LGBTI, women, migrants).</p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>120.42 Strengthen its fight against cases of violence, hate speech and discrimination (Bulgaria);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination B32 Racial discrimination F12 Discrimination against women G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- women</li> <li>- children</li> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- persons with disabilities</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- older persons</li> </ul>	<p><b>Not implemented</b>, further regression</p>
<p>120.63 Give the appropriate training to the Polish police and other public bodies responsible for victim support services to assist the victims of hate crimes (Ireland);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination B32 Racial discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A53 Professional training in human rights S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- lesbian, gay, bisexual, transgender and intersex persons (LGBTI)</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- law enforcement / police officials</li> <li>- public officials</li> </ul>	<p><b>N/A</b></p>
<p>120.65 Develop effective law enforcement tools to monitor and prevent online hate crimes (Israel);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B31 Equality &amp; non-discrimination B32 Racial discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens D42 Freedom of thought, conscience and religion A53 Professional training in human rights S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> <li>- law enforcement / police officials</li> </ul>	<p><b>Not implemented</b></p>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.185 Investigate thoroughly all acts of vandalism against graves and monuments of Soviet soldiers who perished in the fight against Nazi Germany and bring the perpetrators to justice (Russian Federation). <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination G8 Non-citizens B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality <b>Affected persons:</b> - general - non-citizens	N/A
120.71 Combat violence and discrimination against lesbian, gay, bisexual, transgender and intersex persons (United States of America); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B31 Equality & non-discrimination S10 SDG 10 - inequality <b>Affected persons:</b> - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	<b>Not implemented</b> further regress. Discriminatory actions and LGBTI-phobic violence rather supported than prevented by the government.
<b>Theme: B32 Racial discrimination</b>			
120.61 Adopt a comprehensive national action plan against racism and adopt clear measures to combat effectively racially motivated violence (Botswana); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination A46 National Plans of Action on Human Rights (or specific areas) B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	N/A
120.67 Establish awareness campaigns on discrimination against members of the Roma community (Timor-Leste); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities A54 Awareness raising and dissemination S10 SDG 10 - inequality <b>Affected persons:</b> - minorities/ racial, ethnic, linguistic, religious or descent-based groups	N/A
120.68 Strengthen the legal framework and implement measures to combat racism and xenophobia and sanction hate crimes, in particular those against migrants in irregular situations (Chile); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens A41 Constitutional and legislative framework B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	<b>Not implemented</b>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>120.58 Take an active stance in combating and raising awareness against racism and intolerant political rhetoric and strengthen legal and other measures to address bias-motivated crimes (Turkey);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	<b>Not implemented</b> - further regress
<p>120.59 Ensure the effective enforcement of laws by which any party or organization that encourages or incites racial discrimination is declared illegal (Russian Federation);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	Not fully
<p>120.57 Denounce publicly at the highest levels of Government anti-Semitic and other hate speech and acts, and support tolerance awareness-raising and training efforts (United States of America);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A54 Awareness raising and dissemination A53 Professional training in human rights A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	Not implemented
<p>120.69 Continue to strengthen measures to prevent discrimination and hate crimes, especially against migrants, through training and dissemination programmes on obligations and commitments on human rights (Indonesia);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A54 Awareness raising and dissemination S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	<b>Not implemented</b> , further regress

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
<p>120.66 Continue to collaborate with sporting associations with a view to promoting tolerance and diversity (Algeria);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens A61 Cooperation with civil society S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	<p><b>Not implemented</b> further regress</p>
<p>120.62 Strengthen legal and other measures to address bias-motivated crimes and ensure the prompt and effective prosecution of racist and xenophobic hate crimes (Islamic Republic of Iran);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens B51 Right to an effective remedy B52 Impunity S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	Not implemented
<p>120.55 Review its Criminal Code to enhance punishment to combat racially motivated crimes (Republic of Korea);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	Not implemented
<p>120.56 Amend its Criminal Code, specifically to make the racial motivation of a crime an aggravating circumstance and to allow for enhanced punishment to combat the occurrence of such acts (South Africa);</p> <p><b>Source of position:</b> A/HRC/36/14/Add.1</p>	Supported	<p>B32 Racial discrimination B31 Equality &amp; non-discrimination G1 Members of minorities G4 Migrants G5 Refugees &amp; asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy A41 Constitutional and legislative framework S10 SDG 10 - inequality</p> <p><b>Affected persons:</b></p> <ul style="list-style-type: none"> <li>- migrants</li> <li>- minorities/ racial, ethnic, linguistic, religious or descent-based groups</li> <li>- refugees &amp; asylum seekers</li> <li>- non-citizens</li> </ul>	Not implemented

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.53 Highlight in its next report the measures against perpetrators in combating racist crimes (Bangladesh); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	No comment – next report not yet available
120.54 Take measures to reduce the number of crimes committed based on xenophobia and racial intolerance (Russian Federation); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens B52 Impunity B51 Right to an effective remedy S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	<b>Not implemented</b> further regress
120.64 Take additional serious measures to combat xenophobia, hate speech and discrimination based on race, nationality, ethnicity and religion (Kyrgyzstan); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens D42 Freedom of thought, conscience and religion S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	<b>Not implemented</b> further regress
120.51 Redouble efforts to combat racial discrimination, xenophobia and related intolerance (Angola); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	<b>N/A</b>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.52 Adopt further measures to address racism and support community tolerance (Australia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	<b>Not implemented</b> further regress
120.60 Strengthen and continue the national measures to combat racism, xenophobia and hate crimes (Egypt); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	<b>Not implemented</b> further regress
120.70 Strengthen measures aiming at combating discrimination, racism and xenophobia in the country, notably against migrants, asylum seekers and the Roma community (Côte d'Ivoire); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	B32 Racial discrimination B31 Equality & non-discrimination G1 Members of minorities G4 Migrants G5 Refugees & asylum seekers G8 Non-citizens S10 SDG 10 - inequality <b>Affected persons:</b> - migrants - minorities/ racial, ethnic, linguistic, religious or descent-based groups - refugees & asylum seekers - non-citizens	<b>Not implemented</b> further regress
<b>Theme: D25 Prohibition of torture and cruel, inhuman or degrading treatment</b>			
120.81 Consider incorporating in its legal order the definition of torture according to international standards (Peru); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D25 Prohibition of torture and cruel, inhuman or degrading treatment A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	Not implement
<b>Theme: D29 Domestic violence</b>			
120.153 Provide adequate and stable funding for legal, psychological and medical assistance and shelter for victims of domestic violence (Denmark); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D29 Domestic violence D21 Right to life A63 Budget and resources (for human rights implementation) B53 Support to victims and witnesses S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>N/A</b>

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.156 Proceed with the implementation of the programme entitled "Prevention of Domestic Violence and Violence on the Grounds of Gender" (Israel); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D29 Domestic violence D21 Right to life D28 Gender-based violence F12 Discrimination against women A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>Not implemented – regression in the implementation of the programme</b>
120.154 Continue its good efforts to address violence against women and domestic violence, including by increasing support for victims of domestic violence (Latvia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D29 Domestic violence D21 Right to life F13 Violence against women B53 Support to victims and witnesses <b>Affected persons:</b> - women	<b>Partially implemented:</b> some legal changes but regression in support of victims
120.151 Work to address the issue of domestic violence in Poland and ensure support for victims (Australia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D29 Domestic violence F13 Violence against women D21 Right to life B53 Support to victims and witnesses S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>Partially implemented:</b> some legal changes but regression in support of victims
120.152 Organize a national campaign to raise awareness on the specific needs of women victims of domestic violence and gender-based violence (Croatia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D29 Domestic violence F13 Violence against women D21 Right to life D28 Gender-based violence A54 Awareness raising and dissemination B53 Support to victims and witnesses S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>Not implemented</b>
120.155 Provide adequate and stable funding for care centres and shelters for women and children victims of domestic violence (Chile); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D29 Domestic violence F13 Violence against women F31 Children: definition; general principles; protection B53 Support to victims and witnesses A63 Budget and resources (for human rights implementation) S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women - children	<b>Not implemented</b> , further regression
<b>Theme: D43 Freedom of opinion and expression</b>			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.103 Reconsider, with regard to concerns raised by the International Holocaust Remembrance Alliance, legislation that restricts open and honest scientific research and that can serve to intimidate researchers (Austria); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b>
120.105 Guarantee freedom and independence of the media and ensure that rules regarding media ownership comply with European Union law (no discrimination and no retroactive legislation) (Germany); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media	<b>Not implemented</b> - Further regression
120.106 Ensure that the implementation of its legislation in the field of media respects the independence and pluralism of the media, by, inter alia, applying the decision of the Constitutional Tribunal of 13 December 2016, which aims at restoring the competences of the National Broadcasting Council (Switzerland); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media	<b>Not implemented</b> - Further regression
120.109 Guarantee freedom of expression and assembly, including by civil society organizations, notably in the context of public gatherings (France); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression D44 Right to peaceful assembly S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> - Further regression
120.104 Take decisive steps to decrease political control over State-owned media and to ensure independence of private and State-owned media (Sweden); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media	<b>Not implemented</b> - Further regression
120.107 Promote the right of access to information by protecting the freedom of press and the use of mass communication (Holy See); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D43 Freedom of opinion and expression S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media	<b>Not implemented</b> - Further regression
<b>Theme: D45 Freedom of association</b>			
120.112 Ensure a transparent and enabling environment for non-governmental organisations that allows them to benefit from available support and contribute to the development of a vibrant civil society (Austria); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D45 Freedom of association A61 Cooperation with civil society S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> – the space for NGO has been deliberately reduced, especially those working in area of human rights education and sexual education

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.113 Take concrete steps to enhance the broad and full participation of civil society in all political and societal life, by ensuring transparent distribution of NGO funding and by safeguarding that the freedoms of expression and association can, in line with the International Covenant on Civil and Political Rights, be exercised in practice, including by taking further steps to ensure prompt investigations of physical attacks and/or threats against civil society actors (Finland); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D45 Freedom of association D43 Freedom of opinion and expression A61 Cooperation with civil society D1 Civil & political rights - general measures of implementation B51 Right to an effective remedy B52 Impunity S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> , the new institution has been established with clear preference for pro-government organizations, there have been threats against Womens' and LGBTI NGO not properly investigated
120.111 Ensure a legal and financial framework that allows non-governmental organizations to operate (Norway); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D45 Freedom of association S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b>
<b>Theme: D51 Administration of justice &amp; fair trial</b>			
120.88 Implement the recommendations of the Human Rights Committee regarding the full independence and impartiality of the judiciary (Belgium); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A23 Follow-up to treaty bodies S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> , further regression
120.84 Take into thorough consideration the recommendations of the Venice Commission in the process of elaborating national legislation (Ukraine); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b>
120.85 Implement the recommendations issued by the Venice Commission and the European Commission with regard to the rule of law (Sweden); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	Not implemented
120.97 Take into account the opinion formulated on 14 October 2016 by the Venice Commission of the Council of Europe on the Act on the Constitutional Tribunal (Switzerland); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	Not implemented

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.98 Protect the independence of the judiciary; respect the opinions of the Venice Commission, the Organization for Security and Cooperation in Europe Office for Democratic Institutions and Human Rights and the European Commission, especially regarding justice reform; and ensure that the independence of the Constitutional Tribunal and of judicial institutions is maintained (Germany); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> , further regression
120.90 Uphold the independence of the judiciary, including by maintaining the procedures of nominations and promotions of judges by decisions of the judiciary in accordance with the Polish Constitution and international standards (Austria); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> , further regression
120.91 Respect the integrity and independence of the Constitutional Court (Chile); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> , further regression
120.92 Adopt the measures necessary to protect and preserve the independence of the Constitutional Court and implementation of its judgments (Spain); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> , further regression
120.93 Take immediate measures to restore the independence, integrity and effective functioning of the Constitutional Tribunal and its judges, including by amending pertinent legislation (Canada); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> , further regression
120.94 Ensure the independent functioning and decision-making of the Constitutional Court free from any political interference as a fundamental pillar of democracy, rule of law and human rights protection (Czechia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented</b> , further regression

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.95 Ensure the independence of the judiciary in order to safeguard the rule of law by taking immediate steps to ensure that the Constitutional Tribunal is able to deliver effective constitutional reviews (Denmark); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b> further regression
120.96 Guarantee, including within the draft constitutional reform announced on 3 May 2017, fundamental freedoms and the independence, integrity and efficiency of the justice system, in particular concerning the execution of the constitutional review (France); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b> further regression
120.101 Ensure that any reform of the justice system takes place only after careful consultation with the representatives of the legal professions, and that it is in line with international standards of judicial independence described by, for example, the International Covenant on Civil and Political Rights, the Basic Principles on the Independence of the Judiciary and the advisory bodies to the Council of Europe, particularly the Venice Commission and the Consultative Council of European Judges (Netherlands); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial D1 Civil & political rights - general measures of implementation A28 Cooperation with other international mechanisms and institutions S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b> further regression
120.86 Take measures to protect the independence and impartiality of the judiciary (Guatemala); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b> further regression
120.87 Ensure reform efforts respect and strengthen judicial independence and improve delivery of justice (United States of America); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b> further regression
120.89 Take the measures necessary in the context of the judicial reform and the reform of the national judicial council to guarantee the separation of powers and the independence of the judicial system (Switzerland); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b> further regression
<b>Theme: E43 Access to sexual and reproductive health and services</b>			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.133 Ensure that safe legal abortions are available and accessible in practice, in keeping with the 1993 Act on Family Planning and consistent with Poland's obligations under articles 12 and 16 of the Convention on the Elimination of All Forms of Discrimination against Women (Canada); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A12 Acceptance of international norms S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> , further regression
120.134 Implement fully and effectively the judgments of the European Court of Human Rights on access to abortion (Iceland); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A29 Cooperation with regional mechanisms S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> - further regression
120.135 Implement fully and effectively the judgments of the European Court of Human Rights in the case of RR v. Poland and P&S v. Poland on the issue of women and girls' access to sexual and reproductive health-care and services (Netherlands); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A29 Cooperation with regional mechanisms S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> , further regression
120.131 Ensure that women can have access to lawful abortions by creating clear, legally binding regulations for the implementation of the 1993 Family Planning Act (Norway); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A41 Constitutional and legislative framework S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> , further regression
120.132 Ensure that safe and legal abortions are accessible in practice by creating clear, legally binding regulations for the implementation of the 1993 Act on Family Planning (Iceland); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women A41 Constitutional and legislative framework S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> , further regression

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.136 Expand the scope of the compulsory course on family life education to provide a comprehensive and age-appropriate education on sexual and reproductive health and rights and to ensure unimpeded access to sexual and reproductive health services, including to safe and legal abortions (Slovenia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women E44 Health awareness raising, access to information S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - general	<b>Not implemented</b> , sexuality education in danger of criminalization
120.128 Ensure the full implementation of women's rights, in particular in relation to effective access to sexual and reproductive health and rights (France); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> , further regression
120.129 Ensure the protection of the right of women to have access to abortions and for women (and couples) to decide freely and responsibly the number, spacing and timing of their children (Australia); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> , further regression
120.130 Ensure that women are given the medical and professional services necessary to exercise their legal right to terminate a pregnancy, and ascertain that women have the right to decide over their own bodies (Sweden); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	E43 Access to sexual and reproductive health and services E41 Right to health - General F12 Discrimination against women S03 SDG 3 - health S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> , further regression
<b>Theme: F12 Discrimination against women</b>			
120.138 Continue its efforts to put in place improved solutions and legislation aimed at eliminating all forms of discrimination against women (Cyprus); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F12 Discrimination against women A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b>
120.140 Continue its efforts to promote gender equality by focusing on the implementation of the National Action Programme for Equal Treatment (Pakistan); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F12 Discrimination against women A46 National Plans of Action on Human Rights (or specific areas) S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b>
120.137 Take further steps for the elimination of discrimination against women (Republic of Moldova); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented</b> ,

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.139 Undertake further governmental initiatives and projects aimed at comprehensively combating discrimination against women (Romania); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F12 Discrimination against women S05 SDG 5 - gender equality and women's empowerment <b>Affected persons:</b> - women	<b>Not implemented.</b>
<b>Theme: F13 Violence against women</b>			
120.146 Harmonize its national legislation with the provisions of the Istanbul Convention (Bosnia and Herzegovina); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework A29 Cooperation with regional mechanisms S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>Partially implemented</b>
120.147 Harmonize its national legislation with the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Turkey); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework A29 Cooperation with regional mechanisms S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>Partially implemented</b>
120.150 Amend the Criminal Code to criminalize domestic violence clearly and implement a comprehensive strategy to eliminate all forms of violence against women (Sierra Leone); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	f <b>Partially implemented</b>
120.149 Strengthen the elimination of all forms of violence against women by criminalizing domestic violence and marital rape (Belgium); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A41 Constitutional and legislative framework S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>Partially implemented</b>
120.148 Continue its efforts to combat violence, including violence against women, and adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (State of Palestine); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life A42 Institutions & policies - General S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	<b>Not implemented.</b> further regression

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.141 Take further effective measures to combat violence against women (China); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	Partially implemented
120.142 Continue its efforts to prevent and eliminate all forms of violence against women (Timor-Leste); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	Partially implemented
120.144 Adopt a comprehensive strategy aimed at preventing and eliminating all forms of violence against women (Republic of Moldova); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	Not implemented
120.157 Strengthen the protection of migrant women from gender-based violence (Islamic Republic of Iran); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D28 Gender-based violence D21 Right to life G4 Migrants S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women - migrants	Not implemented.
120.145 Continue its efforts to eliminate violence against women, including domestic violence (Philippines); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women D29 Domestic violence D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	Partially implemented
120.158 Adopt measures to protect women's rights, including by strengthening of laws against sexual violence and ensuring the equal participation of women in political and public affairs (Botswana); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women F12 Discrimination against women D21 Right to life A41 Constitutional and legislative framework F14 Participation of women in political and public life S05 SDG 5 - gender equality and women's empowerment S10 SDG 10 - inequality <b>Affected persons:</b> - women	Sexual violence – not implemented

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.143 Intensify its actions to combat violence against women and counter discrimination against women (Sri Lanka); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	F13 Violence against women F12 Discrimination against women D21 Right to life S05 SDG 5 - gender equality and women's empowerment S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - women	Partially implemented
<b>Theme: G5 Refugees &amp; asylum seekers</b>			
120.180 Take measures towards respecting fully the principle of non-refoulement when it comes to a foreigner's refugee status (Greece); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers D25 Prohibition of torture and cruel, inhuman or degrading treatment D31 Liberty and security - general S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - refugees & asylum seekers	Not implemented, further regression
120.183 Take measures to guarantee full access to education and health care for the most vulnerable persons, including refugees and asylum seekers (Holy See); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers E41 Right to health - General E51 Right to education - General S03 SDG 3 - health S04 SDG 4 - education <b>Affected persons:</b> - refugees & asylum seekers - vulnerable persons/groups	Not implemented
120.177 Increase attention to the integration process for refugees (Islamic Republic of Iran); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers S10 SDG 10 - inequality <b>Affected persons:</b> - refugees & asylum seekers	Not implemented
120.179 Consider issues related to the access of asylum seekers, taking into account obligations under the international treaties (Belarus); <b>Source of position:</b> A/HRC/36/14/Add.1	Supported	G5 Refugees & asylum seekers S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - refugees & asylum seekers	Not implemented
<b>Theme: A12 Acceptance of international norms</b>			
120.7 Intensify measures and initiatives to support persons with disabilities and ratify the Optional Protocol to the Convention on the Rights of the Child on a communications procedure, which was signed in 2013 (Mongolia); <b>Source of position:</b> A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	A12 Acceptance of international norms F31 Children: definition; general principles; protection F41 Persons with disabilities: definition, general principles <b>Affected persons:</b> - children - persons with disabilities	Not implemented
<b>Theme: B8 Human rights &amp; counter-terrorism</b>			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.80 Review counter-terrorism legislation and ensure that any interference with the right to privacy therein complies with the principles of legality, necessity and proportionality (Greece); <b>Source of position:</b> A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	B8 Human rights & counter-terrorism D46 Right to private life, privacy A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b>
<b>Theme: D43 Freedom of opinion and expression</b>			
120.108 Guarantee the full right to freedom of expression, through amendments to laws adopted from 2015 that limit the independence of the media, undermine trust on its impartiality and, in anti-terrorism cases, could violate privacy (Mexico); <b>Source of position:</b> A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	D43 Freedom of opinion and expression A41 Constitutional and legislative framework B8 Human rights & counter-terrorism D46 Right to private life, privacy S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - media	<b>Not implemented</b> , further regression
<b>Theme: D46 Right to private life, privacy</b>			
120.123 Review its procedures, practices and legislation to ensure that any interference with the right to privacy is consistent with international human rights standards, especially with the principles of legality, necessity and proportionality (Brazil); <b>Source of position:</b> A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	D46 Right to private life, privacy A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> ,
120.122 Ensure that regulations pertaining to the right to privacy are in line with the principles of legality, necessity and proportionality. Establish an independent and effective oversight mechanism (Germany); <b>Source of position:</b> A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	D46 Right to private life, privacy S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented</b> ,
<b>Theme: G5 Refugees &amp; asylum seekers</b>			
120.181 Prepare a draft amendment to the Foreigners Act prohibiting the detention of families with minors and unaccompanied minors for the purposes of return and asylum proceedings (Kyrgyzstan); <b>Source of position:</b> A/HRC/36/14/Add.1 & Annex to A/HRC/36/Add.1	Supported/Noted	G5 Refugees & asylum seekers D26 Conditions of detention F31 Children: definition; general principles; protection F32 Children: family environment and alternative care A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - children - refugees & asylum seekers	<b>Not implemented</b> ,
<b>Theme: B31 Equality &amp; non-discrimination</b>			

Recommendation	Position	Full list of themes	Amnesty International's assessment/comments on level of implementation
120.75 Recognize civil unions between same-sex persons (Spain); <b>Source of position:</b> A/HRC/36/14/Add.1	Noted	B31 Equality & non-discrimination D46 Right to private life, privacy D8 Rights related to marriage & family S10 SDG 10 - inequality <b>Affected persons:</b> - lesbian, gay, bisexual, transgender and intersex persons (LGBTI)	<b>Not implemented.</b>
<b>Theme: D44 Right to peaceful assembly</b>			
120.110 Repeal the restrictive amendments on the Law on Assemblies to restore full freedom of peaceful assembly, in keeping with Poland's international obligations (Canada); <b>Source of position:</b> A/HRC/36/14/Add.1	Noted	D44 Right to peaceful assembly A41 Constitutional and legislative framework S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - general	<b>Not implemented.</b>
<b>Theme: D51 Administration of justice &amp; fair trial</b>			
120.99 Review and reform the Prosecution Office with a view to separating clearly the function of the Minister of Justice and Prosecutor General, in full consultation with key stakeholders (Haiti); <b>Source of position:</b> A/HRC/36/14/Add.1	Noted	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b>
120.100 Restructure the Office of the Attorney General in order to separate the functions of the Ministry of Justice and the Attorney General with a view to further guaranteeing the independence of the Attorney General (Spain); <b>Source of position:</b> A/HRC/36/14/Add.1	Noted	D51 Administration of justice & fair trial S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - judges, lawyers and prosecutors	<b>Not implemented.</b>
<b>Theme: G5 Refugees &amp; asylum seekers</b>			
120.178 Consider participating in further burden sharing programmes, such as the European Union refugee relocation scheme and the refugee quota system (Turkey); <b>Source of position:</b> A/HRC/36/14/Add.1	Noted	G5 Refugees & asylum seekers A29 Cooperation with regional mechanisms S17 SDG 17 - partnerships <b>Affected persons:</b> - refugees & asylum seekers	<b>Not implemented.</b>
120.182 Take urgent measures in order that asylum-seeking children are not deprived of their liberty (Argentina); <b>Source of position:</b> A/HRC/36/14/Add.1	Noted	G5 Refugees & asylum seekers F31 Children: definition; general principles; protection D31 Liberty and security - general S16 SDG 16 - peace, justice and strong institutions <b>Affected persons:</b> - children - refugees & asylum seekers	<b>Not implemented.</b>

- <sup>1</sup> A/HRC/36/14/Add.1, Recommendations: 120.64-5 (Kyrgyzstan, Israel)
- <sup>2</sup> A/HRC/36/14/Add.1, Recommendations: 120.75 (Spain); 120.178 (Turkey); 120.99-100 (Haiti, Spain); 120.110 (Canada); 120.182 (Argentina).
- <sup>3</sup> In 2018-2021 ILGA's Annual Reports Poland placed last or next to last among EU countries regarding equality of the LGBTI people.
- <sup>4</sup> Both the CJEU and the ECtHR have repeatedly denounced the impact of judicial reforms. They found Poland's Constitutional Tribunal and the Supreme Court's Disciplinary Chamber incompatible with minimum standards that would guarantee judicial independence. In May 2021, in *Xero Flor v Poland*, the ECtHR held that the actions of the legislature and the executive amounted to unlawful external influence in the election of three judges of the Constitutional Tribunal in 2015. In July 2021, in *Reczkowicz v Poland*, the ECtHR held that the Disciplinary Chamber was not an independent tribunal as irregularities in the appointment of its judges severely compromised its legitimacy.
- <sup>5</sup> A/HRC/36/14/Add.1, Recommendations 120.12-15 (Albania, Iraq, Sierra Leone, Montenegro, Czechia).
- <sup>6</sup> Rzeczpospolita, *Minister rodziny Marlena Małag: Przygotowujemy się do wypowiedzenia konwencji stambulskiej*, 17 July 2020, <https://www.rp.pl/polityka/art616191-minister-rodziny-marlena-malag-przygotowujemy-sie-do-wypowiedzenia-konwencji-stambulskiej>
- <sup>7</sup> A/HRC/36/14/Add.1, Recommendations 120.84-98 (Ukraine, Sweden, Guatemala, United States of America, Belgium, Switzerland, Austria, Chile, Spain, Canada, Czechia, Denmark, France, Switzerland, Germany); 120.101 (Netherlands);
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- <sup>12</sup> Ustawa z dnia 8 grudnia 2017 r. o Sądzie Najwyższym, Dz.U. 2018 poz. 5, <https://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20180000005/T/D20180005L.pdf>
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