

Item 6 Consideration of the Universal Periodic Review Reports – POLAND

Joint statement by the Action Canada



Thank you Mr. President,

This statement is made on behalf of the Sexual Rights Initiative.

During the 27th session of the UPR as many as six states (France, Australia, Sweden, Norway, Iceland, Canada) recommended that Poland guarantees access to safe and legal abortion. Iceland and the Netherlands recommended full and effective implementation of the European Court of Human Right judgments on the issue of women and girls' access to sexual and reproductive health-care and services.

We welcome these recommendations made to the Polish Government and stress that we are disappointed that Poland decided to respond by selectively choosing to highlight information that presents itself as a State that faultlessly realizes the right to legal abortion, contraception, and sexuality education. The reality and practical execution of sexual and reproductive rights in Poland is very different from the one presented by the representatives of the Polish Government.

Regarding access to abortion, the Polish Government referred to the possibility to obtain the service free of charge in three cases as stated in the act on family planning, human embryo protection and conditions of permissibility of abortion. What the State has failed to mention, however, is the fact that in practice Polish hospitals and doctors do not comply with the law. Many doctors successfully prolong the medical and bureaucratic procedures in connection with termination of pregnancy in order to exceed the deadline to perform a legal abortion. Doctors also refuse to perform procedures claiming their right to conscientious objection. This refusal to care without timely referral to another service provider is clearly overused by doctors and is in use in entire hospitals in Poland. It is also used to deny prescriptions for contraceptives or referrals to prenatal testing.

Accessing a legal abortion in Poland has become almost impossible – there are entire parts of the country that fail to meet women's need in this regard, such as the Podkarpackie Voivodeship. The Polish State fails to recognize the numbers of abortion that are performed in illegal and thus unsafe setting. The official numbers issued by the Ministry of Health refer to a population of almost 39 million and in 2016 there were only 1098 reported legal abortions. This is clearly an underestimation of the reality.

We call on the state of Poland to fully and effectively implement the recommendations received during the 3rd cycle of the Universal Periodic Review process and comply with its obligations under international law.

I thank you.