

**NON.
NO.
NEIN.**

Say No!
Stop
violence
against
women

Violence against women is rooted in women's unequal status in society and that status reflects the unbalanced distribution of social, political and economic power among women and men in society. It is one of the most pervasive human rights violations of our time and a form of discrimination that results in, or is likely to result in, physical, sexual, psychological or economic harm or suffering to women (1). Violence against women undermines women's dignity and integrity and imposes serious harm on families, communities and societies. In the EU, estimates suggest that 1 in 3 women (or 61 million out of 185 million) have experienced physical or sexual violence, or both, since the age of 15 (2).

The full extent of violence against women is difficult to estimate. Violence against women continues to be under-reported and stigmatised, meaning that what actually gets reported is only a fraction of the reality. In Poland, 50 % of the population tend to trust the police, which is significantly lower than in the EU overall (just over 70 %) (3).

In EIGE's Gender Equality Index 2015 it was found that where people tend to have more trust in justice institutions, levels of disclosed violence are higher (4). It is estimated that in Poland, 19 % of women have experienced violence, which is 14 % lower than in the EU overall (5).

The European Institute for Gender Equality has estimated that the cost of intimate partner violence against women in Poland could amount to EUR 8 billion per year. This figure was calculated according to the methodology used in EIGE's 2014 study (6), which Member States can replicate, as done by Estonia in 2016 (7).



What are the facts?

The 2014 European Union Agency for Fundamental Rights survey data results showed that since the age of 15:

- 19% of women in Poland have experienced physical and/or sexual violence and only 28% reported the most serious incident to the police;
- 9% of women in Poland have been stalked;
- 32% of women in Poland have experienced sexual harassment ⁽⁸⁾.

From 2010 to 2012, an estimated 0.1 per 100 000 people in Poland were registered as victims of human trafficking ⁽⁹⁾.



When trust in police is low, victims are less likely to report violence.



Is violence against women a crime in Poland?

Poland has no violence against women law but does criminalise numerous forms of violence.

Poland passed a law in 2005 (amended in 2010) that provided a definition of domestic violence, although domestic violence is not a specific criminal offence in Poland. Acts of domestic violence are punishable under various offences, such as mistreating another person mentally and physically ⁽¹⁰⁾. The act of 2005 also requires the government to prepare and implement a national programme for the prevention of domestic violence ⁽¹¹⁾.

The Polish penal code (Article 197) also criminalises rape: 'whoever by force, illegal threat or deceit subjects another person to sexual intercourse shall be subject to the penalty of the deprivation of liberty for a term of between 2 and 12 years' ⁽¹²⁾.

Poland has no specific law outlawing female genital mutilation (FGM), but cases of FGM could be prosecuted under the general criminal law (Articles 156, 157, 160). The principle of extraterritoriality applies, which means that FGM would be punishable even if committed outside the country ⁽¹³⁾.

What is being done to eliminate violence against women in Poland?

Poland has ratified various international conventions condemning FGM ⁽¹⁴⁾.

The Polish government has published a national action plan (NAP) for domestic violence: national programme for counteracting domestic violence (2014—2020) ⁽¹⁵⁾.

Good practices show the way

A promising practice in Poland is the multi-agency intervention system and procedure for domestic violence called the Blue Cards Procedure.

Originally created by the Polish police, the procedure was extended to other sectors in 2010. The procedure may be initiated by the police, representatives of social assistance institutions, health care workers, teachers, and representatives of local government committees for the prevention of alcohol abuse. The blue card provides a coordinated, multi-agency response for women and children ⁽¹⁶⁾.

In November 2009, the Polish government launched the platform for action against sexual violence, which offered new procedures for the police and medical facilities dealing with victims of sexual violence, and provisions protecting victims' rights.

Poland's government published a new NAP against trafficking in human beings in 2009 (17). The NAP aims to prevent and combat human trafficking and to support and protect victims.

Poland signed the Council of Europe Convention on preventing and combating violence against women and domestic violence (Istanbul Convention) on 18 December 2012 and ratified it on 27 April 2015 (18). The Istanbul Convention is the most far-reaching international treaty to tackle this serious violation of human rights.

How are women and girls protected?

Although women in Poland experiencing domestic or sexual violence do not have access to emergency barring orders, they can access restraining orders and eviction orders once a criminal case is underway (19).

What help is available in Poland?

The National Intervention and Consultation Centre for Victims of Trafficking runs two shelters providing safe accommodation and support. Food and clothing are also supplied. The centre can be reached by telephone (22 628 01 20 or 22 628 99 99) and by email (info@kcik.pl) (20).

For women and children experiencing domestic violence, Poland has one shelter with 26 beds (21).

In 2015 in Poland there were a total of 777 institutions providing assistance to victims of domestic violence, including 500 institutions run by municipalities (communes) and 277 institutions run by the districts (counties). These include counselling points, crisis intervention centres, specialised support centres, support centres and shelters for mothers with children and pregnant women. At the moment there are 35 specialised support centres for victims of domestic violence (the national programme is planning the creation of two more centres). Specialised support centres are financed from the state budget. In general, they provide comprehensive support to all victims of domestic violence (women, men and children) (22).



Poland has no women's helpline but does have two general helplines for survivors of family violence:

Blue Line (22 668 70 00)

National emergency service (801 12 00 02) (23)



Endnotes

- (¹) Council of Europe (2011). *Council of Europe Convention on preventing and combating violence against women and domestic violence, and its explanatory report*. Council of Europe Treaty Series No 10. Available at: <https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210>
- (²) European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg.
- (³) European Commission (2016). *Eurobarometer*. Available at: <http://ec.europa.eu/COMMFrontOffice/PublicOpinion/index.cfm/Chart/getChart/themeki/18/groupKy/88>
- (⁴) European Institute for Gender Equality (2013). *Gender Equality Index — Report*. Available at: <http://eige.europa.eu/sites/default/files/documents/Gender-Equality-Index-Report.pdf>
- (⁵) Ibid. The level of disclosed violence in the EU overall is 33 %.
- (⁶) European Institute for Gender Equality (2014). *Estimating the costs of gender-based violence in the European Union — Report*. Publications Office of the European Union, Luxembourg. Available at: <http://eige.europa.eu/sites/default/files/documents/MH0414745EN2.pdf>
- (⁷) *The cost of domestic violence in Estonia*. Available at: https://www.sm.ee/sites/default/files/content-editors/Sotsiaal/Norra/vagivalla_hind.pdf
- (⁸) European Union Agency for Fundamental Rights (2014). *Violence against women: an EU-wide survey — Main results*, Publications Office of the European Union, Luxembourg.
- (⁹) Eurostat (2015). *Trafficking in human beings*, Publications Office of the European Union, Luxembourg, p. 23. Available at: https://ec.europa.eu/anti-trafficking/sites/antitrafficking/files/eurostat_report_on_trafficking_in_human_beings_-_2015_edition.pdf
- (¹⁰) Article 207 of the criminal code.
- (¹¹) [http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/510023/IPOL_IDA\(2015\)510023_EN.pdf](http://www.europarl.europa.eu/RegData/etudes/IDAN/2015/510023/IPOL_IDA(2015)510023_EN.pdf), p. 19-20.
- (¹²) European Women's Lobby (2013). *EWL barometer on rape in the EU 2013*, p. 58. Available at: http://eurogender.eige.europa.eu/sites/default/files/ewl_barometre_final_11092013%20%281%29.pdf
- (¹³) http://eige.europa.eu/sites/default/files/documents/current_situation_and_trends_of_female_genital_mutilation_in_poland_en.pdf
- (¹⁴) Ibid.
- (¹⁵) http://ms.gov.pl/Data/Files/_public/ppwr/krajowy_program/krajowy-program-przeciwdzialania-przemocy-w-rodzinie-nalata-2014-2020.pdf
- (¹⁶) Council of Europe (2016). *Implementing a comprehensive and co-ordinated approach — An assessment of Poland's response to prevent and combat gender-based violence*. Available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168064ecd8>
- (¹⁷) Report prepared by the Government *Plenipotentiary for Equal Treatment* presented at the Parliament session on 18-19 September 2011.
- (¹⁸) https://www.coe.int/en/web/conventions/full-list/-/conventions/treaty/210/signatures?p_auth=j0WpqY2l
- (¹⁹) Council of Europe (2016). *Implementing a comprehensive and co-ordinated approach — An assessment of Poland's response to prevent and combat gender-based violence*. Available at: <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=090000168064ecd8>
- (²⁰) Ministry of the Interior and Administration (2013). *Funds for assistance to victims of human trafficking*, Press release. Available at: <http://www.mswia.gov.pl/en/news/878,Funds-for-assistance-to-victims-of-human-trafficking.html?search=5826>
- (²¹) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe*, pp. 28-92. Available at: http://fileserver.wave-network.org/researchreports/WAVE_Report_2015.pdf
- It should be pointed out, however, that Poland has 34 state-run domestic violence shelters. These do not provide a service exclusively to women; some accommodate men and run programmes for perpetrators on the women's shelter premises.
- (²²) Information provided by the Ministry of Family, Labour and Social Policy.
- (²³) WAVE (2015). *WAVE report on the role of specialist women's support services in Europe*, p. 106. Available at: http://fileserver.wave-network.org/researchreports/WAVE_Report_2015.pdf
- The national programme for counteracting domestic violence includes the creation of a 24 hour, free of charge helpline for survivors of domestic violence, including gender-based violence (in 2017).

European Institute for Gender Equality

The European Institute for Gender Equality (EIGE) is the EU knowledge centre on gender equality. EIGE supports policymakers and all relevant institutions in their efforts to make equality between women and men a reality for all Europeans by providing them with specific expertise and comparable and reliable data on gender equality in Europe.



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