

electoral process; and agreements with various churches and the Jewish community recognizing ownership of property appropriated by the state after the Second World War.

The principal subjects of concern identified by the Committee were: the absence of specific legislative measures to enforce some of the provisions in the Convention; occurrence of several serious acts of violence arising from racial discrimination, particularly against Jews and Roma minorities; insufficiencies in the legal framework related to declaring illegal and prohibiting non-political groups and associations that disseminate ideas based on racial superiority or hatred; insufficient protections from racial discrimination particularly in the areas of housing and employment; and, lack of access to education in their own language for children belonging to minority groups.

The Committee recommended that the government:

- ▶ clarify in its next report the status of the Convention in relation to domestic law and provide examples of court decisions, if any, arising from application of the provisions of the Convention;
- ▶ take all measures required to prohibit non-political groups and associations that disseminate ideas based on racial superiority or hatred, incitement to racial discrimination and acts of violence or incitement to such acts against any race or group of persons;
- ▶ compile more precise information on minorities and include that data in the next report;
- ▶ take measures more fully to guarantee economic, social and cultural rights for minority groups, including the rights to housing and employment;
- ▶ adopt a comprehensive programme of action to promote and protect the rights of the Roma population;
- ▶ increase efforts to give children belonging to minorities fuller access to education in their own languages;
- ▶ take appropriate measures to meet the specific educational needs of Roma children; and,
- ▶ include in the next report detailed information on prosecutions for acts of racial discrimination.

Discrimination against Women

Signed: 29 May 1980; ratified: 30 July 1980.

Poland's fourth periodic report was due 3 September 1994.

Torture

Signed: 13 January 1986; ratified: 26 July 1989.

Poland's third periodic report is due 24 August 1998.

Rights of the Child

Signed: 26 January 1990; ratified: 7 June 1991.

Poland's second periodic report is due 7 July 1998.

THEMATIC REPORTS

Extrajudicial, summary or arbitrary execution, Special Rapporteur on: (E/CN.4/1997/60/Add.1, para. 399)

The report notes that in October 1996 the Parliament rejected a draft law aimed at lifting the moratorium on death penalty executions which has been in force since July 1995.

Freedom of opinion and expression, Special Rapporteur on: (E/CN.4/1997/31, Section II)

The report notes that the government has invited the Special Rapporteur to visit Poland.

Torture, Special Rapporteur on: (E/CN.4/1997/7, Section III; E/CN.4/1997/7/Add.1, paras. 392-393)

The two cases referred to the government involved allegations of police brutality. In the first, an investigation was conducted by the District Prosecutor's Office which concluded that the accusations against the police officers were unfounded. In the second case, the government responded that the person involved had been stopped for a speeding violation and become abusive towards the police officer who then used force. A medical doctor examined the man before he was taken to the police detention room and found nothing to substantiate the allegations of ill-treatment.

Sale of children, child prostitution, child pornography, Special Rapporteur on the: (E/CN.4/1997/95, para. 56, 57)

Referring to women and girls trafficked from Russia, Ukraine and Belarus, the reports notes that some remain in prostitution in Poland. The report also refers to trafficking in boys that includes large numbers of Polish boys.

Violence against women, Special Rapporteur on: (E/CN.4/1997/47, paras. 2, Section III.A, Section IV.B)

In the section dealing with rape and sexual violence against women and sentencing practices, the report notes that in Poland, although national legislation prescribes a penalty of one to ten years' imprisonment for rape, in practice: over 50 per cent of those convicted of rape are sentenced to one to two years' imprisonment; 30 per cent are sentenced to two to five years; and a mere 21 per cent are sentenced to a prison term of over 5 years. Furthermore, 30 per cent of all sentences are suspended. The report also notes that, even though Polish law treats rape as a crime against personal freedom, both the police and the judiciary generally minimize the significance of the crime by blaming the victim. The report states that such discriminatory attitudes of the judiciary compelled the Supreme Court of Poland, in 1979, to issue a directive calling on the lower courts to apply the letter of the law. In comments on trafficking in women and forced prostitution, the report notes that in Poland there are legal proscriptions on leaving the country without permission or valid documents, with the result that undocumented migrant women are subjected to punishment both in the destination country and their home countries upon return.

The Special Rapporteur on violence against women visited Poland from 24 May to 1 June 1996. The main focus of the visit was to study in depth the issue of trafficking and forced prostitution of women as one aspect of violence against women. The report of the visit (E/CN.4/1997/47/Add.1) gives information on the general political background in Poland and the position of women in Polish society. Commentary is also provided on the socio-economic factors that contribute to trafficking, the structure of trafficking and forced prostitution, recruitment methods, the international and national legal frameworks, the police and judiciary, countries of destination, rehabilitation, health, institutions