



**Convention on the Elimination
of All Forms of Discrimination
against Women**

Distr.: General
12 February 2007

Original: English

**Committee on the Elimination of
Discrimination against Women
Thirty-seventh session**

Summary record of the 757th meeting (Chamber B)

Held at Headquarters, New York, on Tuesday, 16 January 2007, at 10 a.m.

Chairperson: Ms. Gaspard

Contents

Consideration of reports submitted by States parties under article 18 of the
Convention (*continued*)

Combined fourth and fifth periodic reports and sixth periodic report of Poland

This record is subject to correction.

Corrections should be submitted in one of the working languages. They should be set forth in a memorandum and also incorporated in a copy of the record. They should be sent *within one week of the date of this document* to the Chief, Official Records Editing Section, room DC2-750, 2 United Nations Plaza.

Any corrections to the record of the meetings of this session will be consolidated in a single corrigendum, to be issued shortly after the end of the session.



The meeting was called to order at 10.10 a.m.

Consideration of reports submitted by States parties under article 18 of the Convention (continued)

Combined fourth and fifth periodic reports and sixth periodic report of Poland
(CEDAW/C/POL/4-5 and CEDAW/C/POL/6;
CEDAW/C/POL/Q/6 and Add.1)

1. *At the invitation of the Chairperson, the members of the delegation of Poland took places at the Committee table.*

2. **Ms. Kluzi-Rostkowska** (Poland), introducing the State party's combined fourth and fifth periodic reports and sixth periodic report, said that, since becoming a full member of the European Union in 2004, Poland had used earmarked European Union resources to implement gender mainstreaming. In conformity with the Beijing Platform for Action, gender mainstreaming was a horizontal policy of the European Union. In Poland, that policy was coordinated by the Department for Women, Family and Counteracting Discrimination, which had in late 2005 replaced the Office of the Government Plenipotentiary for Equal Status of Women and Men. The Department had been placed in the Ministry of Labour and Social Policy because limitations to women's access to the labour market were a key issue. They adversely affected the family and the birth rate. In the case of older women, the problem was compounded by age. The Department carried out various projects, pursuing the European Social Fund (ESF) goals of occupational integration and reintegration. In particular, the projects aimed at: promoting labour legislation against discrimination; comprehensively diagnosing problems related to women's employment; assessing the social and occupational situation of rural women; facilitating the reconciliation of women's household and occupational roles and challenging related stereotypes through media and awareness-raising campaigns; providing information on flexible working time employment; disseminating basic information and good practices to encourage women to be enterprising in business; combating stereotypes of female workers over 45; gradually bringing women's retirement age into line with men's; facilitating access to continuing vocational training; and creating a social climate conducive to broadening the labour market's accessibility to women.

3. Department specialists participated in various European Commission committees and working groups, such as the Advisory Committee on Equal Opportunities for Women and Men, the High-Level Group on Gender Mainstreaming, the "PROGRESS Community Programme for Employment and Social Solidarity" support committee, the "Community Framework Strategy for Gender Equality" implementation committee, and working groups on implementing the equality directives and the "2007 — European Year of Equal Opportunities for All" initiative. In Poland, that initiative was prepared by the Department in cooperation with NGOs that supported potential victims of discrimination. A representative of the Department sat on the Council of Europe's working group on equality between women and men. Moreover, horizontal legislation was being drafted in accordance with Council Directive 2004/113/EC implementing the principle of equal treatment for women and men regarding access to and supply of goods and services, Council Directive 2000/78/EC establishing a general framework for equal treatment in employment and occupation and Council Directive 2000/43/EC implementing the principle of equal treatment between persons irrespective of racial or ethnic origin. Furthermore, the Department provided legal advice to individuals who felt discriminated against and, in complex cases, intervened on their behalf. It supported NGOs combating discrimination against women and had developed a network of plenipotentiaries for women's and family affairs in individual provinces.

4. Regulations designed to combat domestic violence were contained in the 2005 Counteracting Violence in the Family Act, which inter alia provided for evicting perpetrators and banning their contact with the victims or witnesses. In order to curb domestic violence, including violence against women, and provide support for the victims, the Government systematically encouraged inter-agency cooperation, often at the international level. Initiatives launched in recent years had included a national programme for diagnosing domestic violence, raising public awareness of the phenomenon, training staff and developing specific procedures for protecting and assisting the victims (in cooperation with the police, public prosecutors and court-appointed guardians), developing re-education programmes for the victims, ensuring appropriate conditions for questioning children (for instance, in suitable surroundings known as "blue rooms") and exerting influence on the

perpetrators; a programme entitled “Safer together”, which had been developed by the Ministry of the Interior and Administration in order to curb crime and asocial behaviour — notably, domestic violence — through concerted action taken by the police, central and local authorities and other bodies interested in enhancing public order; a national programme currently developed by the Ministry of Justice to ensure that victims of particular types of offences, such as domestic violence or rape, were assisted and treated by the police, judicial authorities, other bodies and physicians according to specific rules of conduct; and activities to be carried out under the European Union programme entitled “Daphne III — Fighting violence against children, young people and women” in the period 2007-2013. The programme addressed physical, sexual and mental violence in the home and in the schools and made provision for support to actual and potential victims. The Government intended to participate in that programme’s annual planning, incorporate Poland’s priorities in the plans, conduct awareness-raising activities, disseminate the results of relevant European Commission research and inform interested local bodies about the possible uses of available European Union resources. As a result of media campaigns, educational measures, institutional assistance to victims and the application of information relay methods (such as the “blue card” procedures), the number of instances of physical and mental violence reported by the victims or other citizens had increased. Police statistics showed that the number of related interventions and arrests was growing steadily. Domestic violence prevention was one of the main statutory tasks of the police.

5. Combating and preventing trafficking in human beings was a priority for the Government. Steps taken in that area included: current preparations for the ratification of the Council of Europe Convention on Action against Trafficking in Human Beings, signed in Warsaw on 16 May 2005; conclusion of a number of bilateral cooperation agreements for combating, preventing and prosecuting organized and other forms of crime, particularly trafficking in and sexually exploiting human beings; police cooperation with Europol and law enforcement units in other European Union countries, and participation in activities undertaken by the Programme for Combating Organized Crime in the States of the Baltic Sea Region, referred to as the Baltcom Task Force; formulation, by an inter-ministerial team set up in 2004

and comprising law enforcement and NGO representatives, of two national programmes, covering respectively the periods 2005-2006 and 2007-2008, for combating and preventing trafficking in human beings; adoption on 22 April 2005 of new legal provisions allowing an alien (victim of human trafficking) to receive a residence visa for the period needed in order to cooperate with law enforcement authorities or to consider such cooperation; development, by the Ministry of the Interior and Administration and the La Strada foundation, of a programme for supporting and protecting human-trafficking victims by providing them with shelter and medical, psychological and legal assistance; and implementation, in June 2005, of a project entitled “IRIS Partnership for Development — Social and Occupational Reintegration of Female Victims of Human Trafficking”, a component of the EQUAL Community Initiative Programme for Poland, 2004-2006. The project, co-financed by ESF, was part of a significant international effort to ensure the victims’ social and occupational reintegration and to raise public awareness of potential dangers, especially to risk groups.

6. The right to health protection and equal access to publicly funded health services was enshrined in article 68 of the Constitution. Specific acts governing health-care administration and financing guaranteed equal access to benefits regardless of gender, age or origin. Since 1991, the population’s state of health had steadily improved and life expectancy had increased. The national health programme for 1996-2005 had included systematic screening for the early detection of breast and cervical cancer and the combined treatment of ovarian cancer. In 2004, the contraception rate among women aged 15-49 had exceeded 65 per cent. Of the 38 contraceptive drugs marketed in 2006, three had been 30-per-cent refundable. Practically all pregnant women received prenatal care. Reported terminations of pregnancy had been prompted by risks to the life or health of the expectant woman, prenatal test results or criminally caused conceptions.

7. The Social Welfare Act of 2004 provided for interdisciplinary activities designed to assist individuals and families to cope with crises. In particular, mothers and pregnant women affected by violence or in other crisis situations could find shelter at crisis-intervention centres. Moreover, the Social Employment Act of 13 June 2003 was aimed at the social and occupational reintegration of socially

excluded persons through centres and clubs set up to that end by regional authorities and NGOs. Some of those clubs were mainly involved in setting up self-assistance groups for rural or small-town women. Childcare, group outings, skill improvement courses and other activities were organized with a view to the social and occupational activation of women. Under the Social Cooperatives Act of 27 April 2006, village and small-town women had been among the first to set up cooperatives. In order to improve, inter alia, the quality of life of women within the social welfare system, the Ministry of Labour and Social Policy was currently conducting: a national programme against domestic violence (adopted by the Council of Ministers on 25 September 2006); a rural socio-therapy programme; two programmes designed to counteract social exclusion (one of which targeted the homeless and potentially homeless); and a programme supporting the development of social cooperatives. Furthermore, in recognition of the need to extend the retirement age for women and men (currently 60 and 65, respectively), the Government had planned for 2007 an information campaign targeting the media, members of parliament, trade unions and women's social, political and religious organizations, and highlighting the advantages of prolonging women's occupational involvement.

8. Significant advances had been made with regard to women's participation in the armed forces. In particular, women were currently admitted to military schools and academies on the basis of the same principles as men. While previously women had been mainly assigned to medical and logistics units, the range of service positions open to them had expanded considerably in 1999. Moreover, a council on women in the armed forces had been set up to advise the Minister of National Defence who, in 2006, had appointed a plenipotentiary to monitor all aspects of women's military service. New legislation on career soldiers, which had taken effect in 2004, stipulated identical recruitment, service, discharge and retirement-age terms for both genders. Furthermore, contrary to stereotypes and as a result of military training identical to that of men, women had in 2003 begun to serve as platoon and company commanders.

9. An anti-discrimination provision introduced in 2005 entitled expectant sportswomen to a stipend, payable in full during pregnancy and subject to a 50-per-cent reduction for six months after childbirth. As a

result, outstanding sportswomen no longer were unavoidably lost to Polish competitive sports upon becoming mothers.

Articles 1 to 6

10. **Ms. Šimonović** welcomed Poland's ratification of the Optional Protocol to the Convention but pointed out that the State party had not yet ratified the amendment to article 20, paragraph 1, of the Convention and asked whether there were any plans in that regard. She wondered why Poland had not submitted any periodic report for 13 years. She regretted that no information had been provided in response to the question whether the Government had cooperated with NGOs in preparing the reports, and she enquired whether the reports had been seen by NGOs and the parliament. In view of the Convention's direct applicability in Poland, she would welcome information regarding ways in which compliance with it was ensured if, for instance, a court decided that established gender-related differences in age limits violated article 11. Lastly, observing that Poland's Labour Code prohibited direct and indirect discrimination, she asked whether the Government planned to comply with the non-discrimination clause contained in article 1 of the Convention and covering all areas, not only employment.

11. **Ms. Zou Xiaqiao** said that she would like to know what had induced the Government to replace the Office of the Government Plenipotentiary for Equal Status of Women and Men with the Department for Women, Family and Counteracting Discrimination and how the Department's scope of action compared with that of the abolished Office. She asked whether the Department focused on employment questions, rather than on a comprehensive view of gender issues and the overall situation of women, and whether it had sufficient authority to be able to influence the Government's formulation of appropriate gender policies. In view of general recommendation No. 6, she would welcome further information regarding the Department's resources, staff and activities.

12. **Ms. Tavares da Silva** noted that a comprehensive gender equality bill had been rejected in 2002 on the puzzling grounds that the proposed legislation ran against established European Community rules, and that no substantive explanation was provided for the failure to consider an analogous bill in 2005. She would welcome details of the positions of both the

Government and the parliament. She also asked what plans the Government had with regard to introducing legislation on discrimination not only in relation to employment but in all areas, including provisions on, inter alia, sexual harassment, temporary special measures, equal opportunities and equality in public life. Referring to the *National Action Plan for Women — Second stage of implementation for the years 2003-2005* and to the Beijing Platform for Action requirement that Governments should adopt action plans to promote gender equality, she asked whether the results achieved during implementation had been assessed and whether a new plan had been or was going to be adopted. Lastly, in view of the gender stereotypes that, according to the reports, were deeply rooted in Polish society, and because of the lack of data regarding any activities (other than some employment-related programmes within the framework of European Union initiatives) undertaken to address those stereotypes and bring about cultural and social change, she would welcome information on any further action that the Government intended to take to counteract stereotypes in all areas, including the media and the schools.

13. **Ms. Chutikul** said that, if the Department actually focused on employment, she would like to know what agency was responsible for gender issues as a whole and whether gender mainstreaming was under the jurisdiction of the Under-Secretary of State. Noting that a high-level coordinating body was necessary for a comprehensive implementation of the Convention, she asked whether an inter-ministerial, intersectoral and interdisciplinary agency, comprising civil society and NGO representatives, existed or could be set up. She would also welcome information on the way national action plans, particularly the plan for 2007-2008, were drawn up and on the bodies involved in that procedure. She asked whether any result or impact indicators relating to gender issues were implemented in individual ministries and, if so, how they were coordinated. She was curious to know whether comprehensive gender-disaggregated statistical data were compiled, analysed and used for monitoring, evaluation and policy formulation at the national and local levels.

14. **Ms. Kluzi-Rostkowska** (Poland) said that the area of competence of the Department for Women, Family and Counteracting Discrimination comprised all the responsibilities of the former Office of the

Government Plenipotentiary for Equal Status of Women and Men, including the management of all related European Union programmes and resources, and, in addition, addressed family issues and all forms of discrimination. Contrary to initial doubts, the new structure was highly effective because that Department, which she headed in her capacity as Deputy Minister of Labour, could follow up on a number of issues discussed by parliament and thereby have a major impact on legislation, whereas a plenipotentiary's role in parliament was limited to giving opinions. Employment-related initiatives in favour of women were not the only activities of the Department but, in view of Poland's extremely high unemployment rate, played a key role.

15. Referring to existing legislation, she noted that the Constitution and, even before recent or current amendments, the Labour Code contained adequate provisions against discrimination. For instance, in cases of allegedly illegal dismissal, such as after maternity leave, the burden of proof fell on the employer. There was, however, a huge discrepancy between legal stipulations and reality because women in the labour market did not know how to defend themselves effectively. Accordingly, the Department focused on changing the prevailing mindset through a variety of training activities, educational programmes and media campaigns.

16. Having the same retirement age for men and women would, on the one hand, significantly benefit women by entitling them to higher pensions. On the other hand, many women in Poland were against the measure because women, although accounting for two thirds of persons with a higher education and three quarters of postgraduate students, tended to have shorter careers than men as a result of family duties. Also, many women ran into difficulties when seeking employment after the age of 45 and might be compelled to live on welfare benefits for five to ten years before pensionable age. Nevertheless, especially in view of a decrease in unemployment in 2005, the Government was considering an adjustment of the retirement age for women to 65 years so that it would match that of men. A discussion was currently taking place in Poland on that subject.

17. There was ongoing research on the situation of women in different areas and a series of surveys was being organized. Based on large samples of respondents, such research was a valuable policy

guide. The “2007 — European Year of Equal Opportunities for All” initiative of the European Union provided an opportunity with regard to combating discrimination, an area where, for maximum effectiveness, the Department fully cooperated with NGOs, which were often more knowledgeable and efficient than Government units. She worked with NGOs on a permanent basis. For instance, being responsible for the Government’s family policy, she was currently drawing up, in that area, a preliminary programme on which she planned to seek the opinions of NGOs.

18. **Ms. Banackowska-Luszcz** (Poland) explained that, under the Polish legal system, the procedure for preparing periodic reports comprised inter-ministerial consultations and cabinet discussions. No consultations with NGOs were provided for because NGOs prepared their own report, which they did not discuss with the ministries. The Department had not received any question regarding consultations with NGOs.

19. **Ms. Maiolo** wished to know what specific measures, over and above conferences and seminars on the matter, the Government had taken and planned to take in order to eliminate gender stereotypes and to change the image of women in, for instance, the media.

20. **Ms. Begum**, citing information provided by Poland in reports, responses and statements, asked how effective the 2005 Counteracting Violence in the Family Act could be when, especially in rural areas and small towns, cases of cruelty were never reported but were tolerated in the name of privacy, out of shame or because of financial dependence on the perpetrators; or when the police found it difficult to act because the victims of violence failed to file a complaint. She also asked how it was possible to protect women from repeated domestic violence when the Act failed to authorize police to issue a restraining order for immediate eviction of a perpetrator who often became violent upon returning home in a drunken state in the evening. Moreover, she asked whether there had been any assessment of the impact of the blue-card system on domestic violence and what measures had been taken to increase the number of shelters, which were too few or non-existent. She requested information on the availability of legal assistance in relation to court proceedings and of psychological and social counselling for the victims. Lastly, she asked what steps had been taken to raise public awareness of violence against women and medical help for the

victims, including forensic examination, which was required by the police and the public prosecutor and was available free of charge.

21. **Ms. Chutikul**, commending Poland’s work in relation to trafficking in human beings, asked for additional information on, inter alia, the content and implementation of Poland’s anti-trafficking bilateral arrangements, such as the 2001 agreement with the Czech Republic, and any obstacles encountered during their implementation. She asked whether the national plan of action against trafficking in human beings for 2007 and beyond was sufficiently comprehensive to cover police action, prosecution, prevention, protection, repatriation and, especially, recovery and reintegration. She wished to know what forms of assistance were available to Polish victims of trafficking returning from abroad, how many such women used the services offered and how many were re-victimized. Noting that Poland did not have any specific law addressing trafficking in human beings but used related provisions and could refer to the definition of trafficking formulated in the Protocol to Prevent, Suppress and Punish Trafficking in Persons (the Palermo Protocol), she wondered whether that situation might pose problems in respect of identification of victims or raise interpretation questions, particularly for law enforcement agencies.

22. **Ms. Šimonović** confirmed that the question of consultations with NGOs was raised in document CEDAW/C/POL/Q/6. The issue would be reflected in the concluding comments. The Committee recommended that States parties should transmit those comments to the parliament along with the reports in order to raise the visibility of the Convention and, in the interest of transparency, should hold consultations with NGOs as part of the report preparation process. With reference to the Counteracting Violence in the Family Act, she asked for statistics on the annual number of women murdered in connection with domestic violence. Noting that restraining orders could not be issued by the police, she asked what happened in the case of a domestic violence emergency requiring immediate removal of the perpetrator from the home. She would welcome information on the number of shelters for victims of domestic violence, the availability of such shelters in the various regions and whether the shelters were run by the Government or by NGOs, and she would appreciate an assessment of the shelter situation as a whole. Moreover, she wished to

know whether Poland would participate in the Council of Europe campaign to combat violence against women in 2007 and 2008 or had opted to focus on its own national programmes against domestic violence for 2005-2006 and 2007-2008. Further information regarding those two programmes and specific measures for the protection of women from domestic violence would be appreciated.

23. **Ms. Kluzi-Rostkowska** (Poland) said that gender stereotypes consisted mainly in perceptions of the woman as the person responsible for household tasks and of the man as the wage earner; they did not entail the idea that women were inferior to men or that men had a right to mistreat women. In order to change society's view of the woman's role, it was necessary to provide equal opportunities for men and women in the labour market, give prominence to women in professional contexts and convince society as a whole that women were as effective in the workplace as men. The objective sought was a situation where women would reconcile occupational and family roles and men would participate in family life and raising children. Although the advertising industry had a fondness for presenting women as sex objects or housewives, women in commercial advertisements were nevertheless increasingly being shown in professional contexts. In that connection, European Union funds and special programmes designed to enhance the image of the working woman were valuable. When it came to domestic violence, rural women were worse off because in rural areas the husband traditionally dominated the family, women were frequently unaware of the availability of long-term assistance, and police intervention was less frequent than in urban areas. NGOs could play a particularly valuable role in rural areas.

24. The value of the blue-card system could be illustrated in connection with violence against children, which the Department also addressed. It was useful to learn, for instance, from the police, the social guardian, the teacher and the family physician, respectively, that a given household had required a number of interventions, was receiving welfare benefits, or had a child who was experiencing problems at school or had suffered a physical injury. The sharing of information made for prompt and effective action. The assistance process varied among institutions and was not always smooth, but women's awareness of their ability to react was gradually being raised. The findings of a broad-

based survey on perceptions of women within the State machinery were expected in several months. It was also crucial to address gender issues at the level of the local authorities, which were encouraged to make full use of gender budgets.

25. **Ms. Wencel** (Poland), referring to trafficking in human beings, said that a number of Criminal Code provisions punished that crime, along with abduction and coerced prostitution. Lack of a precise definition of the crime had created interpretation difficulties in many European States. The Palermo Protocol, which was binding on Poland, had dispelled those uncertainties by providing a comprehensive definition which was directly applicable. The need to introduce the definition in question had been identified in, inter alia, analyses commissioned from the Institute of Forensic Research by the Ministry of Justice. Assessing the effectiveness of legislation and adopting additional criminal provisions were key tasks under the new national programme for combating and preventing human trafficking. The programme included consideration of the need to define human trafficking in the Criminal Code. Under earlier national programmes, prosecutors and judges had received general information and specific recommendations. In the period 2004-2006, special training sessions on victim and witness examination methods had been attended by 26 judges and 36 prosecutors. The national programme for 2005-2006 had included the preparation of a special human-trafficking manual for judges and prosecutors.

26. New provisions on domestic violence authorized the courts to order the perpetrator to leave the home and refrain from contacting the victim or other people concerned. Police supervision was possible after such an eviction. Eviction was of particular interest to victims not eligible for transfer to social accommodation facilities or otherwise unable to avoid the perpetrator's presence at home. Under the legislation on compensation, victims of some intra-family crimes could claim compensation for legal or medical fees. A draft amendment to the Criminal Code would entitle victims to further financial assistance from a special fund for victims. Measures taken in relation to assistance for victims of crimes included: the establishment of a countrywide network of local comprehensive assistance centres housed in existing family counselling units cooperating with the judicial authorities (that project was currently being

implemented in three areas on a pilot basis); the introduction of the victim custodian, a new institution; the issuance of special guidelines for prosecutors regarding early contacts with victims of rape or domestic violence; a victim's charter specifying, as part of cooperation with NGOs, a victim's rights vis-à-vis the various authorities and institutions concerned (the charter had also been distributed to all prosecutors and police units); and the participation of the Ministry of Justice in awareness-raising events related to crime victims.

27. Lastly, statistical data were compiled on the number of cases prosecuted (including cases terminated, indictments and judgements); female victims of crimes (rape, sexual exploitation, sexual harassment and domestic violence); cases of equal-treatment violations; and cases of trafficking in human beings. The data in question (kept by the Ministry of Justice) and the police data formed a comprehensive basis for the national criminal records file. The Government would certainly consider establishing a statistical category for women murdered in connection with domestic violence, should the Committee deem that necessary.

28. **Ms. Furgala** (Poland) said that the blue-card procedure, introduced in the police forces in 1998, streamlined in 2002 and improved on an ongoing basis, instructed police officers regarding steps to be taken and details to be entered in the system. Use of the procedure had been the object of considerable training, including basic training provided to 18,000 police officers since 2000 and specialized training for about 8,500 police officers since 2003. In 2004, the Police Commander had set up a network of plenipotentiaries for human rights in regional police offices and police schools throughout the country. By monitoring police activities in terms of human rights protection, identifying training needs in that area and cooperating with human rights protection institutions, those plenipotentiaries contributed, along with the "Safer together" programme, to continuously ameliorate the blue-card procedure.

29. **Ms. Stoma** (Poland) said that there were shelters for human-trafficking victims, single mothers and pregnant women. Before a change in the statistical classification of shelters for single mothers and pregnant women on 1 January 2005, there had been 11 such units, eight of which were run by NGOs. Since 2004, the number of people reporting to those centres

had increased by a factor of nine. Single-mother and pregnant-woman shelters were also assistance centres. After the Counteracting Violence in the Family Act had taken effect on 21 November 2005, two specialized support centres for family violence victims had been established in each province. Those centres, 32 in total, provided intervention services and various forms of assistance. Moreover, a protection programme supported a network of shelters (numbering 385 in 2005). In 2005, 382 and 583 persons had used the services of emergency centres operating, respectively, at the county level and in municipalities. As a last resort, women could — but so far did not — seek refuge in centres for the homeless, which also functioned as emergency centres. In municipalities, the number of night shelters and centres for the homeless, 193 in 2004, had grown significantly, and the number of places in such establishments had increased from 6,600 in 2004 to 7,700 in 2005. At the level of counties, the number of such establishments had increased from 293 in 2004 to 425 in 2005. Yet the number of persons availing themselves of those facilities had decreased from 21,000 in 2004 to fewer than 20,000 in 2005.

30. **Ms. Furgala** (Poland), referring to the rights of the police with regard to arresting or detaining the perpetrator of an act of domestic violence, said that 48-hour preventive detention was possible in cases involving immediate danger to a person or to that person's health or property, was possible. Under provisions concerning alcoholism, a person under the influence of alcohol could be detained for 24 hours.

31. **Ms. Kluzi-Rostkowska** (Poland) stated that, although periodic report preparation in Poland had so far not included NGO participation, she considered consultations with NGOs to be a very good idea that she would immediately propose. She hoped that NGOs and parliamentary committees would be consulted regarding all subsequent reports.

32. **Ms. Begum** asked what type of legal assistance the Government provided to victims of violence.

33. **Ms. Gumede Shelton** wished to ask two sets of follow-up questions. First, stressing the importance of the role of NGOs in combating stereotypes, she asked whether there was cooperation between the Government and any NGOs that specifically addressed that issue; in what manner the Department worked with them; whether those NGOs received financial support;

whether the cooperation was monitored, evaluated and based on accountability; what type of NGOs were supported; and on what basis NGOs were selected for receiving support. Second, referring to the 2005-2006 and 2007-2008 national programmes against human trafficking, she enquired as to programme content and asked where the inter-ministerial team had been set up and to which body it reported, with which bodies it worked, how its effectiveness was evaluated and what were its relations with the parliament and the Government.

34. **Ms. Šimonović**, following up on the question regarding shelters and noting that shelters were available for pregnant women and single mothers, asked why there were shelters specifically for those groups and what facilities existed for other victims who needed shelter.

35. **Ms. Kluzi-Rostkowska** (Poland), referring to cooperation with NGOs, said that calls for projects in specific areas were open to all interested organizations, projects were submitted and processed on a competitive basis and a jury selected the winners to be awarded subsidies or grants.

36. **Ms. Idzi** (Poland) said that the Minister of National Education and Sport, the Polish Olympic Committee and the Polish Association of Women's Sports cooperated closely with NGOs to promote and highlight the success of women in sports as an effective means of combating gender stereotypes. Maternity support for sportswomen under the relevant legislation was an essential contribution to that effort.

37. **Ms. Petroff** (Poland), referring to gender stereotypes in the media, said that the situation was not as bad as perceived. An August 2005 survey had revealed that twice as many women wrote for the press or were newspaper editors-in-chief and main subjects of articles as men. On television, women in soap operas were increasingly portrayed as professionals and 43 per cent of the women shown exercised a high-profile profession, while men were increasingly portrayed as blue-collar workers. In commercials, although 63 per cent of women appeared as housewives, they were appearing increasingly in non-housewife roles. In April 2004, a code of ethics had been distributed to advertising agencies with a view to the exclusion from advertisements of all gender-, race- and religion-related discrimination. The media were independent, but the Government exercised some

influence over them through the Council for Media Ethics and the National Council for Radio and Television, and it monitored broadcasts for discrimination against women.

38. **Ms. Furgala** (Poland) explained that, after joining the European Union, Poland had become a transit country for human trafficking and as a result all activities potentially linked to that crime were closely monitored. The measures earlier described, including cooperation with the Czech Republic and other countries, should be seen in that context. The Prime Minister had appointed a team for preventing and combating trafficking in persons. The team, headed by an Under-Secretary of State in the Ministry of the Interior and Administration, comprised Government officials, prosecutors and members of the judiciary and was supported by a task force, composed of representatives from all bodies concerned, which met twice a month. The programmes drawn up by the team included comprehensive activities. The 2007-2008 programme addressed a relatively new phenomenon, forced labour and trafficking in children. Abundant documentation was available on measures against human trafficking.

39. **Ms. Wencel** (Poland), referring to the draft amendment to the Criminal Code entitling victims of domestic violence to financial assistance, added that the amendment targeted the poorest people and covered court expenses and legal document costs in cases involving criminal, administrative, labour, family and welfare law. Counselling centres would be created and operated by NGOs selected on a competitive basis.

40. **Ms. Stoma** (Poland), referring to the issue of shelters, said that 138 emergency centres were available for assistance to victims of domestic violence who were not single mothers.

Articles 7 to 9

41. **Ms. Arocha Domínguez**, after observing that the reports lacked up-to-date information on some points, such as women's participation in political life since 2002, noted that between 2001 and 2005, according to Inter-Parliamentary Union (IPU) data, the situation in the lower house had stagnated at a 20-per-cent rate of women's participation, while in the upper house or senate that rate had decreased from 30 to 23 per cent. She asked whether any analysis had been drawn up to explain that regression, which had occurred despite the

reported training courses, measures taken in cooperation with various organizations and workshops designed to encourage women to participate in political life. Lastly, she wished to know what specific measures had been taken to increase the number of female judges in higher courts, where women accounted for only 8 per cent of the justices, in stark contrast to lower courts, where the rate was 60 per cent. She would welcome information on the current situation regarding women's occupation of high-level civil service posts at the central, regional, provincial and district levels.

42. **Ms. Zou Xiaoqiao** asked what specific measures had been taken, in line with article 4 of the Convention and the Committee's specific recommendations, to speed up the rate of women's political participation. Referring to the *National Action Plan for Women — Second stage of implementation for the years 2003-2005*, mentioned in document CEDAW/C/POL/6, she wished to know what body monitored the plan's implementation; whether the plan had been evaluated and, if so, what were the findings; what experience had been gained from the plan; what goals, if any, had not been attained; and whether another action plan, based on the evaluation in question, would be drawn up with a view to attaining those goals or raising the rate of women's participation in decision-making.

43. **Ms. Maiolo**, referring to the increase in the number of women in parliament as a result of the application of a 30-per-cent quota to the 2001 electoral lists, asked why that increase had not been reflected in the rate of participation of women in the Government. She also enquired whether the national action plan for women contained any provisions for quotas in that regard.

44. **The Chairperson**, speaking as a member of the Committee, requested updated data on the presence of women in the local assemblies.

45. **Ms. Kluzi-Rostkowska** (Poland) said that detailed statistical data, as requested, would be transmitted to the Committee in writing. Although there had been a slight decrease in the number of female members of parliament, the situation with regard to the participation of women in public life was constantly improving as a result of the quota system and because women were increasingly inclined to stand for office at the local government level. Yet training was necessary for candidates for posts at all government levels, mainly to boost women's self-

confidence. Where women acceded to power at the local level, they kept it for years. A popular female writer had launched a women's party that had attracted widespread interest, indicative of actual and potential progress regarding women's participation in politics. Although mainly composed of men, the Government included some high-ranking female members; for example, the Deputy Prime Minister, who was also Minister of Finance, was a woman. In relation to the number of women judges, Poland compared favourably with other States.

46. **Ms. Zou Xiaoqiao** asked whether special temporary measures would be taken to improve women's participation in decision-making and enquired as to the Government's attitude towards the quota system for boosting women's participation in public life.

47. **Ms. Tavares da Silva**, reacting to the statement that the decrease in the number of women senators was not serious, stressed that an almost 10-per-cent decline in that rate was significant and asked what measures had been taken to redress the situation.

48. **Ms. Gumede Shelton** asked what had caused the striking difference between the rates of female judges in the lower and higher courts.

49. **Ms. Belmihoub-Zerdani**, referring to the participation of women in politics and decision-making, asked what the Government had done to combat stereotypes and give women a better chance to be elected. She wished to know whether political parties were subsidized; if so, whether they were subject to withdrawal of subsidies if they failed to provide sufficient support to their women candidates; what electoral system had been chosen; and what conclusions had been drawn with regard to that system subsequent to the decline in the number of women senators.

50. **Ms. Kluzi-Rostkowska** (Poland) said that currently, of 460 lower-house members and 100 senators, 94 and 13, respectively were women, while the Government included four women ministers and 17 women deputy ministers. Gender parity in political life was desirable but required time. The Government could not impose its own mindset on society. Personally, she did not favour quotas because they were a potentially detrimental shortcut. Where women were propelled to power without being adequately prepared, it was a recipe for failure, and such setbacks would fortify the

opponents of women's advancement. Rather, women should be progressively offered more opportunities, training and encouragement to enter public life as they became ready to do so and as society became convinced that women's participation in public life was beneficial to all. Moreover, some hard facts must be faced: Poland, subject to the same processes and developments as some neighbouring countries, was confronted with a declining birth rate. If that trend was not halted, it would pose serious problems in 15 years' time.

The meeting rose at 1 p.m.