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COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS

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SUMMARY RECORD OF THE 34th MEETING

Held at the Palais Wilson, Geneva,

on Thursday, 14 November 2002, at 10 a.m.

Chairperson: Ms. BONOAN-DANDAN

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(a)REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (continued)

Fourth periodic report of Poland (continued)

The meeting was called to order at 10.05 a.m.

CONSIDERATION OF REPORTS:

(a)REPORTS SUBMITTED BY STATES PARTIES IN ACCORDANCE WITH ARTICLES 16 AND 17 OF THE COVENANT (agenda item 6) (continued)

Fourth periodic report of Poland (continued) (E/C.12/4/Add.9; E/C.12/Q/POL/2; HRI/CESCR/NONE/2002/6/Add.1 (written replies to the list of issues, prepared by the Government of Poland); HRI/CORE/1/Add.25/Rev.1)

At the invitation of the Chairperson, the members of the delegation of Poland resumed their places at the Committee table.

The CHAIRPERSON welcomed the co-head of the Polish delegation, Ms. Tokarska Biernacik, who had been absent at the previous meeting.

Articles 10 to 12 of the Covenant

Mr. CEAUSU said that he welcomed the substantive information provided by the delegation. However, he regretted that no information had been made available on the current situation of sexual harassment and domestic violence or on measures that had been taken to address those issues, despite the fact that, in its concluding observations on its consideration of the third periodic report of Poland (E/C.12/1/Add.26), the Committee had expressed concern about the increase in domestic violence and the lack of provisions to deal with the sexual harassment of women.

Mr. GRISSA expressed concern that abortion was prohibited except under certain circumstances. The table provided on page 12 of the written replies indicated that there had been a dramatic decline in the number of abortions since 1965. What was the reason for that decline? The number of live births had not increased; on the contrary, the number had declined proportionately. Outlawing abortion did not prevent abortions from taking place; women simply went abroad or to illegal practitioners to seek help and often suffered as a result. He would like to know the State party's definition of the term "miscarriage", as, in his view, the numbers were extraordinarily high. Since Poland was due to join the European Union in the near future, how did it intend to tackle the issue of abortion, which was not only a religious matter, but also involved the right of women to choose?

Ms. BARAHONA RIERA asked what preventive measures had been taken at the legislative and administrative levels to combat domestic violence and to monitor the situation. Had any programmes been introduced to provide assistance to victims? In order to get an idea of the Government's commitment to the issues, it would be interesting to know what percentage of the State budget was

allocated to victim protection.

Further information should be provided about the situation of people residing illegally in Poland, especially in view of the fact that the trade in persons seemed to have increased, leading to a rise in the number of undocumented migrants. Had any programmes been introduced to address the problem? It would be interesting to know whether any measures had been adopted to control prostitution, in particular with regard to involuntary prostitution, since the prostitution of women was not illegal in Poland. Lastly, she would welcome details on any programmes that had been introduced to improve the quality of life of elderly persons and to improve their access to services. Had any funds been allocated specifically for that purpose?

Mr. SADI asked whether it was fair to say that the trafficking in women had reached crisis proportions in Poland. In the Government's view, what were the reasons behind that gross violation of human rights? He regretted that a civilized country such as Poland, where living conditions were improving, should suffer from social evils of that kind. It would be interesting to know to what extent there was a political will to prioritize the problem and whether the Government had taken steps to cooperate with its neighbouring countries in order to stem the tide of trafficking. Although prostitution was not illegal in Poland, it seemed as though an increasing number of women were being forced into it. That reflected very badly on the State party in terms of the level of economic, social and cultural rights that were being enjoyed. He would like to know whether anything was being done to regulate prostitution and to provide protection for adults, as well as children.

Mr. RIEDEL said that he would like more information about the problem of homelessness. Paragraph 237 of the report (E/C.12/4/Add.9) revealed that, according to social welfare estimates, the number of homeless people in 1998 had stood at about 80,000 (about 0.2 per cent of the population), which compared very favourably with most Western European countries. It was difficult, however, to believe that the figure could be so low. Could the State party indicate the reasons behind the low figure, which would be praiseworthy indeed if it did reflect the real situation? The State party should indicate what funds were allocated from the central and local budgets to improve the situation of homeless people and what measures had been taken since the submission of the report. It would be particularly interesting to know what was being done to cope with the problem of overcrowding in shelters for the homeless, which reached critical levels in the winter months.

The disaggregated statistics provided in table 31 of the report on the number of evictions in the years 1996 to 1998 were very useful and allowed a comparative analysis to be made for each year. However, he would like to know the grounds for eviction. It would also be interesting to know whether the Committee's General Comment No. 7 on forced evictions had inspired the Government when drafting the table. The State party had indicated that a social housing bill had been prepared in 2001; what was the current status of that bill?

Turning to article 12 of the Covenant, he noted that the time gap between the first symptoms of cardiovascular disease and hospitalization was too long, but that was the case in most countries. He would like to know whether any measures were in place to raise awareness of cardiovascular disease and whether any statutory policies had been introduced to improve the situation.

The report also revealed that the largest number of first-time psychiatric patients were admitted to psychiatric inpatient facilities in three regions. He would like to know the ratio of

inpatients to outpatients and what sort of training was provided for professionals working in the field of mental health. Had any new programmes been introduced in that field and what had the results been?

He expressed deep satisfaction with the almost exemplary National Health Programme, which had been implemented on the basis of the World Health Organization's primary health care requirements. It would be interesting to know what concrete steps had been taken to follow up and implement the policy. He would also like to know to what extent General Comment No. 14 on the right to the highest attainable standard of health had been taken into account. What were the State party's views on the national benchmarks that had been set?

Mr. TEXIER said that, although the State party had given some indication of the level of poverty in Poland in reply to question 18 of the list of issues, he was not entirely satisfied with the reply. How many people were actually considered to be living below the poverty line? What measures had been taken to provide them with assistance? It would be interesting to learn whether most persons living below the poverty threshold were unemployed. According to various sources, the country's ethnic minorities, and particularly the Roma, lived in insalubrious conditions and nothing was being done to improve the situation. Could the delegation comment on the matter?

Mr. ATANGANA said that, while he welcomed the information that had been provided in the written replies about the criminal proceedings instituted in cases of illegal abortion, he would like to know how many people had been prosecuted for their involvement in illegal abortions.

Mr. AHMED drew attention to the Committee's concluding observations on its consideration of the State party's third periodic report, in which it had noted that, as a result of the restrictions imposed on abortions, women were resorting to unscrupulous abortionists and risking their health in doing so. The Committee had also expressed concern that family planning services were not provided in the public health care system and that there was a rising incidence of domestic violence and trafficking of young women, an absence of specific regulations on the sexual harassment of women, a lack of shelters for the victims of family violence and an apparent lack of counselling facilities for such victims. He hoped that the Government had taken steps to address those concerns.

In 2000, a Polish non-governmental organization (NGO) had published a report highlighting that the anti-abortion law was much stricter de facto than it was de jure. It revealed that women who were entitled to have a legal abortion for medical reasons were very often denied the procedure and that the accessibility for legal abortion in public hospitals had continually worsened. According to the report, more than 90 per cent of women claiming severe health problems also had a difficult personal situation. It also revealed that women rarely reported rape to the authorities, not believing in a just sentence and afraid of secondary victimization from the justice

system. Without a certificate from the prosecutor's office, a woman could not legally terminate a pregnancy resulting from rape and the number of abortions on grounds of rape was therefore very low. The report went on to state that, because abortion

had moved underground, it was very difficult to estimate the number of illegal abortions. He would welcome the delegation's comments and would like to know what measures had been taken to address those issues.

Mr. CEAUSU said that further information should be provided about the right to adequate housing. According to the report, the number of forced evictions was increasing. The State party should indicate what was being done to re-accommodate those who had been evicted. He would also like to know how many people were evicted as a result of domestic violence or for failure to pay their bills. He wondered whether pensioners and low-income families found it difficult to pay for heating bills in winter and whether they received any financial support from the Government.

The State party had failed to reply to the Committee's questions on the right to physical and mental health (questions 21 to 24 of the list of issues) and he would welcome some answers. However, some very encouraging information had been provided about the innovative campaign to prevent tobacco and alcohol abuse, which included a ban on advertising those products. Further information should also be provided about the law on national sickness insurance that should have entered into force in 1999. What were the fundamental principles underlying the new legislation?

Mr. WIMER ZAMBRANO said that Poland's legislation on the minimum age for marriage was discriminatory. While men were not allowed to marry without parental consent before they reached the age of 21, girls could get married without consent at the age of 18. Apparently, the age difference was due to the fact that young men had to do military service and it was preferable if they did not have a family to support. He failed to understand that logic; men often had sexual relations before reaching the age of 21 and could become unmarried fathers. The legislation was thus contributing to a violation of the rights of families, mothers and children and was also contrary to common sense. He would like to know whether the State party would consider abolishing compulsory military service for men with family obligations.

Ms. TOKARSKA BIERNACIK (Poland), replying to some questions on articles 6 to 9 pending from the previous meeting and referring to a question about the status of the Covenant in domestic law, said that all ratified international instruments were defined by the Constitution as being a source of law. The Covenant had been published in the Official Journal, which was available to the public, and could be directly invoked in the courts. Court proceedings were often very lengthy, and that was the reason behind many of the complaints filed with the European Court of Human Rights in Strasbourg. Under criminal law, if there was a delay of over 35 days between hearings, the entire procedure had to be started again. It was hoped that new legislation would be drafted in the near future to reduce the length of court proceedings.

On the issue of gender discrimination in the workplace, she said that women continued to earn less than men. Women dominated some sectors of the economy, such as health, education and State administration, most probably because those sectors were financed by the State budget and employees received low salaries. In the private sector, women generally received lower pay than men with the same qualifications in the same post. The Government had successfully managed to halt the growing unemployment rate. A particular achievement had been the introduction of a programme designed to create jobs for new graduates.

Polish law prohibited employers from asking women whether they were pregnant. All potential State employees were subject to medical checkups, but gynaecological examinations were not permissible. If an employer asked a woman if she was pregnant and then refused to employ her, she could press charges and the employer would be required to hire her.

She did not agree that Polish women's employment rights were unprotected. In 2001, around 120 new cases involving the protection of women in the workplace had come before the Labour Court, in addition to some remaining from the previous year. Some of those cases had been settled and others dropped; decisions were expected in 2002 on around 60 cases. Under the Labour Code, the burden fell on the employer to demonstrate that no discrimination had occurred in the workplace. That was a new provision and there were as yet no relevant statistics. Amendments currently under consideration included provisions on sexual harassment in the workplace, which were expected to enter into force in 2003.

Under the former retirement system, women could retire with all benefits at the age of 60, whereas men were required to wait until the age of 65. The pension system had evolved and the amount of benefits received now depended on the number of years of work. When a new system had been introduced to equalize the retirement age for men and women, many labour unions and other groups, misunderstanding the issue, had lobbied to retain an earlier retirement age for women. The Government was continuing its work on pension reform and the retirement age would probably be 62.5 years for both men and women.

Ms. RYBICKA (Poland) said that Polish law was being amended to streamline the procedure for calling a strike. That law provided for improved arbitration services and the establishment of a special arbitration institute. The law denying civil servants the right to join trade unions and form coalitions had been amended and all such restrictions had been removed. The Polish Constitution, on the other hand, prohibited civil servants from striking. It also provided, however, that constitutional law must be in keeping with all ratified international instruments. Under the relevant International Labour Organization (ILO) convention, civil servants were not accorded the right to strike; Poland was therefore complying with international standards.

Ms. SZEMPLINSKA (Poland) said that, under existing legislation, children under 15 years of age were permitted to do light work. Amendments were being formulated to change that age to 16 and to provide a definition of light work. The basic objective of Polish child-employment legislation was to protect children from work. Children under 16 could not engage in regular employment, but they could work in cultural, sports and artistic clubs and centres.

The CHAIRPERSON said that the Committee would like to know what measures the Government was taking to address the problem of working children between the ages of 13 and 15.

Ms. SZEMPLINSKA (Poland) said that young people of that age generally worked because they wanted pocket money. A more serious issue was that of children in rural areas

working on family farms. Farm work by children was part of the history and tradition of rural life and prohibiting such activity was beyond the scope of the Government. It was, however, taking measures to sensitize rural parents to the risks and dangers of child labour.

Ms. TOKARSKA BIERNACIK (Poland) said that migrant workers enjoyed the same rights as Polish workers. Illegal workers were, however, another matter. They were not well protected under Polish law because their status was difficult to define. Many individuals from other countries, such as Ukraine and Belarus, came to Poland seeking work. In general, the Polish population understood that the situation in those neighbouring countries was difficult and sympathized with the plight of those workers.

There had been no increase in domestic violence in Poland. Traditionally, the police and prosecutors had considered that domestic violence did not call for legal intervention. The Government had launched a broad media campaign, with the assistance of NGOs, to inform the public that domestic violence was wrong and unlawful, that it should not be seen as shameful and that it must be exposed and stopped. As a result, many cases had been reported. She regretted that no specific statistical data was available. The increase in reported cases of domestic violence indicated a new and healthier attitude. In 2001, the Government had established a commission on the equal status of men and women, which dealt with all aspects of the gender issue and was preparing a special report on domestic violence.

Ms. KAPILEWICZ (Poland) said that the problems of prostitution and of trafficking in women transcended frontiers and therefore must be handled transnationally and internationally. Poland was both a host country and a target country. The vulnerability of Polish women to prostitution had economic and social causes: most women who engaged in prostitution came from poor or broken families. In addition, many women from Bulgaria, Ukraine and Russia came to Poland to engage in prostitution. There had been an increase in the level of prostitution in the late 1990s.

In pursuing persons involved in trafficking, the Polish police cooperated with Interpol. A few dozen cases of trafficking in Polish and foreign women came before the courts each year. As yet, there was no unified strategy for dealing with the problem. New legislation was currently being drafted and the ratification procedure had begun for the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children, Supplementing the United Nations Convention against Transnational Organized Crime.

Parliament was drafting a law to establish a procedure for holding remote hearings, which would allow women to testify in their homes after meeting with a trafficker. A witness protection programme had also been initiated to protect foreign witnesses. The Government provided substantial funding to combat the traffic in persons, with considerable assistance from NGOs involved in helping women victims of violence and trafficking. A handbook for women was being prepared, one chapter of which would be devoted to the traffic in women, and a national programme to combat the traffic in persons was currently being finalized.

Ms. TOKARSKA BIERNACIK (Poland) said that prostitution per se was not illegal in Poland. On the premise that women were victims of prostitution, the Polish Penal Code penalized only persons who stood to gain from the prostitution of others. That was similar to arrangements in place in other European countries. Consequently, the courts had handed down many decisions against persons benefiting from prostitution. In addition, the falsification and forging of documents was punishable by up to five years' imprisonment.

Rape and the sexual abuse of children were also severely punished.

Ms. KAPILEWICZ (Poland), referring to prostitution, said that the National Programme for Women aimed at informing the population that women were not merchandise to be bought and sold. In general, it was designed to improve the economic position of women so that they would be less susceptible to the invitations of pimps and traffickers.

Ms. TOKARSKA BIERNACIK (Poland) said the Government understood that the Family Planning, Protection of the Human Foetus and Permissible Conditions for Aborting Act was highly controversial and that a large proportion of Polish society disagreed with its provisions. It intended to deal with that situation soon and preferred to open a dialogue rather than to be confrontational. There had been a recent drop in the number of abortions, but no concurrent rise in the number of births, a surprising and unexplained phenomenon. One significant problem in Poland was that doctors did not want to perform abortions for reasons of religion and conscience. It had been observed that the police and the courts had begun to institute proceedings against persons violating that Act. In one notorious case, police had burst in on an abortion procedure and attempted to prevent it from going forward: the woman had sued and won and the police and police authority involved had been heavily penalized. Before the Act could be amended, the population must come to understand that its provisions were harmful to women.

Mr. SZCZERBAN (Poland) said that the Government was aware of the sensitive issue of abortion, to which reference had been made in the Committee the day before. The current legislation took a compromise position between those in favour of abortion and those who advocated the protection of embryos. The current low birth rate was unrelated to the number of abortions, but was a demographic phenomenon common to many European countries today. Not many cases involving illegal abortions or malpractice had been brought to court and it was not known to what extent available figures reflected the actual situation.

He noted that the European Union, to which Poland would soon accede, did not impose its law on member States, which were sovereign to decide on such matters. But accession would serve as an incentive for Poland to reconsider its abortion legislation.

Ms. TOKARSKA BIERNACIK (Poland), replying to a question by Ms. Barahona Riera, said that the financial situation of the elderly in Poland was relatively good. In recent years, retirement pensions had been rising faster than salaries and the financial situation of retired people was thus satisfactory. Poland took part in all United Nations programmes relating to the elderly. The real problem facing that age group was social exclusion. In today's rapidly changing world, the elderly quickly lost touch and that led to

isolation. Old people needed to be encouraged to play an active part in society, passing their knowledge and experience on to the young. The Government was preparing a special programme to deal with the problems of the elderly and it was working with European Union member States on social inclusion efforts targeting that population group.

Mr. STRUMINSKI (Poland), noting that the Committee had expressed surprise at the low overall official figure for homeless persons, which had stood at 80,000 in 1998, explained that many homeless persons did not receive any assistance and thus were not included in those statistics. The real figure was not much higher, however, and homelessness was not seen as a major problem in Poland. A number of legal instruments protected the homeless as well as persons in a difficult financial situation. The housing allowance, in effect since 1994, had been increased and currently stood at 155 zlotys, or about US\$ 40, which might not seem like much, but that amount went a long way in Poland. Large numbers of persons received the housing allowance.

As to the question of forced evictions, recent data for 2001 showed that that many more court orders for evictions had been issued than the actual number of evictions carried out. About 2,000 persons had been evicted from social housing units in 2001 and 95 per cent of evictions had concerned tenants who had been able to afford the rent, but had not paid it for years. Families that were truly unable to pay the rent received assistance; eviction in such cases was a last resort. There were no evictions during the winter months.

Ms. WYRWICKA (Poland), replying to a question on poverty, said that 9.5 per cent of the population was below the subsistence level. There were more rural than urban poor. All persons below the subsistence level had access to social assistance. The Government also sought to encourage such persons to take the initiative to seek employment and otherwise improve their situation. The policy was similar to that applied in the case of the homeless. A number of NGOs were active in providing assistance to such persons by organizing shelters and hostels and supporting the efforts of the local authorities, which were responsible for caring for those groups. Persons who were homeless by choice received minimum assistance, whereas there was a broad range of incentives for those who wanted to become active members of society again.

Mr. SZCZERBAN (Poland), replying to a question by Mr. Riedel on cardiovascular emergencies, said that, before the new government programme, Poland had had a high mortality rate for cardiovascular disease, especially among young males. Too much time had elapsed between diagnosis and referral to a specialized hospital unit. A number of such units had since been established, but the process was only at its beginning and he had no data yet to show an improved cardiovascular mortality rate, although recent reports suggested that it had improved. With regard to mental health, he said that there had been a shift away from in-house towards outpatient care; there again, he did not have any figures, but he estimated that, for every patient treated in hospital, 30 received outpatient care. As part of Poland's reform of its public health system, primary health-care practitioners were given training to deal with psychiatric problems. The Government was also promoting the institution of the family doctor. Unfortunately, general practitioners continued to be unfamiliar with the family problems of their patients. New curricula at medical universities focused more heavily on that aspect. Family doctors must be aware that responding to social problems was part of their duties. The recent reform emphasized primary health care and set four future priority areas: oncology, the health of mother and child, cardiovascular disease and public health and curative medicine.

Ms. TOKARSKA BIERNACIK (Poland), referring to the question about the age of marriage without parental consent, which was 21 for men, but only 18 for women, said that the rationale behind that discrepancy was that marriages should be sustainable. Women at 18 were more mature than men, who should thus have to wait a little longer so as to be certain that, when they said "yes", they really meant it. The Polish lawmakers did not consider the age discrepancy to be discriminatory. As to military service, only men were required to serve. If a man was the family's sole breadwinner, he could apply for an exemption. If the exemption was refused and he was drafted, his family received special allowances.

Mr. RIEDEL, referring to the reply to his question on cardiovascular disease, said that comparative data were still needed. What steps had actually been taken and what difficulties encountered? Without such information, the Committee could not evaluate the current situation.

During the coming week, the Committee would hold a day of general discussion and might produce a general comment on the right to water from the perspective of article 11 of the Covenant and the right to an adequate standard of living. He noted that 97.5 per cent of city dwellers in Poland had access to running water, whereas in rural areas that figure was only 88 per cent. What was being done to close that gap?

#### Articles 13 to 15 of the Covenant

Mr. GRISSA said that the report contained nothing about school drop-outs. He asked the Polish delegation to provide relevant data. Were the figures higher for boys than for girls and did they differ in urban and rural settings? According to a UNESCO report, between 5 and 6 per cent of all eight-year-old children in Poland were not enrolled in primary school. Where were those children? Were they working? Were they in the street? The Committee also had information on teachers' salaries, which were not increasing as fast as in other employment sectors. Teachers thus had to take on second jobs, such as teaching in private schools, to make ends meet. Did that not have an adverse impact on the quality of their teaching in public schools? He also requested information on education for Romany children.

Mr. THAPALIA noted that, according to the 1997 concluding observations of the Committee on the Elimination of Racial Discrimination, children belonging to minority groups did not always have access to education in their own language.

The European Roma Rights Centre asserted that Romany children were segregated into so-called "Roma classes" or classes for the mentally disabled. Romany children were frequently subject to discrimination at school and the authorities had not taken appropriate measures to combat low attendance and high drop-out rates among Romany school-age children. In that connection, he asked what the attendance and drop-out rates for Romany children were and also inquired about human rights training courses for teachers, as well as for the police and members of the judicial profession.

Mr. KOLOSOV said that, according to the legislation enacted in 1991, all citizens, including children, had equal rights to education. He asked whether migrant children enjoyed that right. He also wished to know whether any progress had been made in introducing sex education into school curricula and whether any problems had arisen in that regard.

Mr. WIMER ZAMBRANO said that he would like to know how the allegedly good relationship between the number of university students and the labour market could be reconciled with an unemployment rate put at 17.4 per cent. He would also like to have details of government relations with private universities, in matters such as funding and sponsorship.

Ms. BARAHONA RIERA asked whether the reforms being introduced relating to health and family planning included sex education in schools, which might be a controversial subject given the country's strong religious tradition. She would also appreciate details of budget allocations in such areas.

Mr. MARCHAN ROMERO noted from the report that legislation for administrative reform, which was to have entered into force on 1 January 1999, would affect the scope of, *inter alia*, the administration of cultural institutions. He wondered how effective the reforms had been, whether the participation of citizens had been enhanced and whether there was effective coordination of activities, including the building of theatres and other cultural facilities.

Mr. MARTYNOV said that he would like to know the Government's contribution to education, as a percentage of GDP, including the allocations to primary public schools from January 1996 to date. The Constitution guaranteed free tertiary education; in view, however, of the growing share of private education, he would welcome details of the cost to students in that area and of any State budget assistance.

Ms. TOKARSKA BIERNACIK (Poland) said that one of the Government's measures to tackle growing unemployment since 1998 was a special programme aimed at graduates entering the labour market. The "first job" programme included job training, advice and information, including concessionary loans to assist self-employment, as well as subsidies and other incentives to employers to take on graduates. The results, and the general market situation, were encouraging and gave grounds for hope that unemployment would fall next year.

Although sex education featured in school curricula, there was room for improvement, particularly with regard to family planning, a matter on which the Government Plenipotentiary for Equal Gender Status was taking steps to provide broader information, as a matter of priority. With regard to health reform, the first step must be to ensure observance of existing legislation.

Mr. STRUMINSKI (Poland) said that, in general, access to clean water was no problem in Poland. Data for 2000 had shown that some 92 per cent of urban dwellers were connected to the national water supply. The monitoring of water features in general had increased by 6 per cent, and water pollution levels had been reduced by 17 per cent.

Ms. GORZELANA GALAZKA (Poland) said that the Act on the education system contained a special section on the education of national ethnic minorities, which was being amended to comply with recognized international standards. Public education at all levels included facilities for teaching the language and culture of the various national minorities. Over 600 schools were involved in such teaching, covering German, Lithuanian, Slovak and Ukrainian; in addition, lessons in Ruthenian and Kashubian were given in a number of schools and in Greek in one school. The number of schools for national minorities was growing and the curricula recognized the right of such children to speak in their own language, while promoting their integration into the general education system. Only if the number of pupils was very small were they taught in special classes; seven was regarded as the threshold number. Such children did not necessarily have to make long journeys to a special school; they were taught even in remote areas if their numbers so warranted. The education authorities collaborated with ethnic advisers in matters such as the provision of teaching materials. Although the arrangements were generally expensive, the Government had decided that such facilities should be free of charge. A day's classroom time was divided roughly equally between teaching in Polish and in the minority language. Since September 2002, pupils of national minorities could take matriculation examinations in their own language; schools providing the facilities received a subsidy 20 per cent higher than that to the ordinary public schools.

The case of Roma children presented a special problem. The country's Roma population, numbering some 30,000, was divided into four main groups, each speaking a different language. The provision of special education for them therefore gave rise to difficulties, but the situation was certainly not one of discrimination. With regard to the drop-out rate, the latest data made available by the Ministry of National Education showed that, of almost 3,000 Roma pupils, just short of 900 had failed to attend school. Figures were of course difficult to compile because of the Roma community's migratory habits. Another feature of Roma lifestyle was that parents often saw no need for children's education and were especially reluctant to let girls attend school. Since the language they spoke was rarely Polish, special Polish language classes, aimed chiefly at those aged 6 to 8 years, had to be provided. Such measures, which included Roma teaching assistants, could not fairly be deemed segregation or discrimination.

Ms. TOKARSKA BIERNACIK (Poland) said that university education was free in the public sector and, in the private sector, received a 50 per cent government subsidy. Since Poland's transition to a market economy, some 250 private universities had been established, all requiring accreditation by the authorities. The free public sector was subject to an entrance examination. Those who failed could pay privately, of course, but the situation was being carefully monitored, since those wishing for higher education were increasing in number and families seemed ever more ready to make sacrifices for that purpose. With regard to salaries, teachers were paid according to the same scales as other public officials.

Her delegation greatly appreciated the Committee's careful consideration of Poland's fourth periodic report. It recognized that the task had not been easy because the main period covered, 1995-1998, had been a difficult one economically, socially and politically. Her delegation sincerely wanted to reply to all the points raised and would provide information relating to those hitherto unanswered. It hoped that the statistical data requested could be submitted the next day. Lastly, she assured the Committee that topics such as sex education, although clearly controversial, were being given priority consideration.

The CHAIRPERSON thanked the Polish delegation for presenting the report and replying to the Committee's questions and comments. The Committee looked forward to receiving further information and its concluding observations would be made available on the last day of its current session.

The meeting rose at 1 p.m.