

*Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography*

Madame Chairperson, Distinguished Members of the Committee,

It is my honour and privilege to address again today the Committee report on the implementation by Government of the Republic of Poland of the provisions of the both Optional Protocols *Optional Protocol to the Convention on the Rights of the Child, starting with the Protocol on the involvement of children in armed conflict.*

The preponderance of the crimes addressed in the Protocol, the complexity of the process of detection, methods of acquisition and collecting evidence, a specific code of practice with victims and perpetrators, the fact of international crime groups acting in a highly organized manner show that combating trafficking in children and child prostitution and pornography necessitates the adoption of comprehensive solutions. They must aim at detecting and effectively combating this type of crime. Therefore, numerous public institutions, both at national and local levels, take adequate activities. Furthermore, special structures for combating trafficking in human beings have been appointed within Polish law enforcement bodies.

Apart from the Central Combat Team for Trafficking in Human Beings established in September 2006 in the Criminal Department of the Criminal Bureau of the Central Police Headquarters and teams of 2-5 permanently employed persons in 16 provincial headquarters and the metropolitan headquarters, at the same time additional coordinators and their deputies (13 coordinators and 12 deputies) – officers from operational and prosecution divisions – have been appointed in all departments of the National Border Guard Headquarters.

In June 2008 a Team for ongoing monitoring and coordination of the Border Guard's activities of preventing and combating crimes of trafficking in human beings was established at the National Border Guard Headquarters.

At the National Public Prosecutor's Office a coordinator for trafficking in human beings was appointed. Permanent coordinators were appointed at the appellate public prosecutor's offices. Their task is to provide other prosecutors with assistance in complicated proceedings concerning trafficking in human beings. Issues of trafficking in persons are discussed during trainings for judges, prosecutors, police offices and officers of the Border Guard. Furthermore, the National Prosecuting Authority has adopted guidelines for prosecutors who run and monitor proceedings related to trafficking in human beings. These guidelines relate in particular to the treatment of victims of such crimes as well as to the treatment of children – victims of trafficking in human beings. These guidelines were submitted to subordinate prosecuting authorities.

In April 2009 the National Intervention and Consultancy Centre for Victims of Trafficking was inaugurated. It offers help for victims of trafficking, both Polish nationals and foreign citizens. The National Centre was set up within the framework of *the National Action Plan against Trafficking in Human Beings for the years 2009-2010*.

*The National Action Plan against Trafficking in Human Beings for the years 2009-2010* includes an awareness-raising campaign targeted at schoolchildren. The campaign will make use of the Council of Europe's comic strip called "You're Not for Sale" in the Polish language and will include a leaflet designed for this purpose together with instruction materials for educators. The campaign involves training on the trafficking in human beings for educators who will later conduct meetings with young people at schools. The meetings will also be conducted by police officers and other involved entities; specialised training sessions for social services employees, in particular personnel of emergency centres within the framework of trafficking victims identification, emergency intervention and principles of cooperation with other institutions (*permanent tasks*) and for special education centres employees (*new task*).

Pursuant to the decision of the Government Plenipotentiary for Equal Treatment of 11 September 2008, a Team for the Prevention of the Discrimination Against Minors in Electronic Media was established.

The main tasks of the Team include preparing proposals for necessary changes in Polish law, leading to the protection of minors; preparing assumptions for educational campaign projects; issuing opinions on identified cases of discrimination against minors due to their exposure to harmful content in electronic media.

The Team has contributed to the adoption of two very substantial codes of best practice, the aim of which is to increase the protection of children in the mass media.

An "Agreement for Child Safety on the Internet" was adopted in 2009. Its signatories the Internet service suppliers and portal owners in Poland and NGOs engaged in the protection of children against access to illegal information and behaviour on the Internet, Also this year the "Best Practices Code" was adopted by the Association of Producers and Suppliers of Entertainment Software.

Following a request of the Government Plenipotentiary for Equal Treatment, the priority of the teaching supervision service in the coming school year 2009/2010 is to be the prevention of the discrimination against students and teachers in cyberspace, and consequently taking specific measures at school level for the improvement of student safety, as defined in the action plan. The performance of such measures will have to be reported by schools to the local education

authorities. An important issue targeted by the Team is that of changes in the basic curriculum, which include the subject of the children's safe use of the computer and the Internet.

Furthermore, new amendments were introduced into the Criminal Code at the close of 2008. They increase the protection of the child against sexual abuse:

Among others, Article 202 § section 4b was added to the Criminal Code, which stipulates as follows: "Who makes, disseminates, propagates, stores or possesses pornographic material presenting images (produced or processed) of a minor participating in sexual intercourse shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to two years."

The draft definition of trafficking in human beings referred to in the replies to the list of issues was last week approved by the Council of Ministers and will be submitted in Parliament.

In order to enhance the efficacy of persecution of the crimes addressed in the Protocol, within the National Prosecuting Authority there is a coordinator for combating crimes of sexual abuse of children. Analogous positions were set up at the level of provincial Prosecuting Authorities. Furthermore, a prosecutor has been designated within the National Prosecuting Authority to take care of combating cyber crime.

Human rights issues, invariably a focus of attention of the Government of the Republic of Poland, are part of the school curriculum of general education and are taught in primary schools, as part of history lessons and education for social life, in secondary schools as part of the subject *European education* and at the level of high school as part of the subject *social science*.

It is my deep satisfaction that this year Poland as the first state of the Council of Europe has issued its own language version of the *COMPASITO – Kompasik* handbook of the Council of Europe. It is a textbook for teachers helping them to address human rights issues in educating children. *Kompasik* continues the well-known handbook titled *Kompas*.

There are a number of initiatives addressed at the general public meant to sensitise the public to the scale of the crimes of trafficking in children, child prostitution and child pornography. The major actions of this kind are awareness-raising campaigns run by state institutions and NGOs: "Child on Line", "Stop Peadophiles", "Safer Internet Day". In addition, in Poland there are hotlines such as: *helpline.org.pl* and *dyzur.net*. They are contact points both for children and adults. They are used, for instance, when there is a need to obtain emergency help or when one wants to signal the discovery of child abuse images in the Internet.

Furthermore, in order to prevent and combat the relevant crimes, cooperation of public authorities and NGOs and financial institutions is increasingly stronger. There are a number of initiatives (the National Coalition for the Safer Internet, Polish Network Against Commercial Sexual Exploitation of Children, Consultation Committee with the Safer Internet programme in Poland) which prove that only concerted efforts of both public authority, private sector and actors of civil society allow an efficient prevention of this kind of crime.

Presenting to the distinguished Committee Reports on the implementation by Government of the Republic of Poland of the provisions of the *Optional Protocol to the Convention on the Rights of the Child on the Sale of Children, Child Prostitution and Child Pornography* I want to assure you that the delegation of the Polish Government remains at your disposal and shall take every effort to provide you with comprehensive information to clarify any possible doubts arising from the Reports.

Thank you for your attention.