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## ANNUAL REPORT 1999

### Poland<sup>1</sup>

#### IHF Focus:

Freedom of expression and the media; judicial system and fair trial; accountability for past abuses; lustration law; torture, ill-treatment and misconduct by law enforcement officials; right to privacy; equality before law; women's rights; protection of asylum seekers; human rights defenders.

A survey carried out by the Helsinki Foundation for Human Rights revealed unacceptable working conditions in some Polish courts of law, with direct effect on basic human rights such as the right to fair trial in reasonable time. There was a worrisome tendency to expand the powers of the police and other state agencies to interfere with the privacy of individuals, and police brutality and the lack of accountability raised concern. Other human rights problems included curfews for youths in Warsaw, bans on some radio and television programs, and issues related to women's rights and the protection of refugees.

### Freedom of Expression and the Media

Polish courts intervened in the airing of two films on television, citing breaches of "personal interests" of people, and libel cases continued. Some Polish NGOs expressed their concern that such measures may be perceived as a form of censorship.

- On November 1997 a Warsaw court banned the airing of the documentary "Witajcie w zyciu" ("Welcome into Life") by Henryk Dederka. The documentary criticized the business methods of the Amway distribution company. The court ruled that the documentary had "breached the personal interest" of Amway. The decision triggered an open letter to the president and the parliament, signed by over 50 editors and journalists, stipulating that courts should refrain from issuing such decisions. They said that they regarded the ban as a de facto return to preventive censorship. The newspaper Gazeta Wyborcza later published the transcript of the banned film. The parliament created a subcommittee to examine the case.<sup>2</sup>

- In July 1997 a court in Warsaw banned the broadcast of the film "Miasto z wyrokiem" ("The Town with a Sentence") because, according to the court, it infringed

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The IHF has consultative status with the United Nations and the Council of Europe.

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COOPERATING ORGANIZATIONS:

The European Roma Rights Center – Human Rights Without Frontiers – Mental Disability Advocacy Center

upon the personal interests of Janusz P., former provincial prosecutor of Radom. The film depicted the June 1976 workers' protest in Radom, where demonstrators were battered by police, sentenced for hooliganism and destroying property, and dismissed from work. The film included statements of Janusz P., who said they were used without his consent. The court ordered the film makers to apologize to Janusz P.

Libel cases continued in Polish courts against the paper NIE.

- In April a court in Warsaw found journalist Marek Baranski guilty of libel, because he had accused independent MP Jaroslaw Kaczynski of cooperation with the security services at the beginning of the martial law period in the 1980s. The court ruled that Baranski had published information that he knew was not correct and could, therefore, not enjoy protection for freedom of expression.<sup>3</sup>

- The Supreme Court declared admissible a case between Jerzy Urban, editor-in-chief of the weekly NIE and former spokesperson of the Communist government in the 1980s, and Ryszard Bender, former director of the National Radio and Television Council. In a television program in 1992, Bender had called Urban the "Goebbels of the martial law." The Supreme Court said that the litigation mainly concerned the interpretation of Bender's statement.<sup>4</sup>

- The National Radio and Television Council fined City Radio in Slupsk 15,000 zlotys (US\$4,300) for "professional errors" and failure to submit tapes for investigation. The station, along with radio Vigor, was accused of having incited riots against the police, after a police officer ill-treated a young boy, resulting in the boy's death.<sup>5</sup> As of the end of 1998, their role was under investigation by the Prosecutor's Office in Torun. In April, police confiscated tapes of radio City, on the grounds that the station had incited individuals to set fire to the house of a fiscal debt collector, because he had evicted tenants who had failed to pay their rents. The City radio staff claimed that the confiscation was carried out in a way which solely served the police's need for reprisal for the January incident.<sup>6</sup> Following these developments, the Press Freedom Monitoring Center, an NGO that monitors freedom of speech, organized a meeting for journalists and police officers in order to develop joint policies for the police and media for similar cases in the future.

Judicial System and Fair Trial

In 1998, the Helsinki Foundation for Human Rights in Poland monitored the working conditions in 39 district courts in Poland (13.5 percent), and their influence on some basic civil rights, such as the right to a fair trial in reasonable time. It found that practical, technical, and organizational conditions in district courts were poor, and called for urgent and thorough improvements.

Courts had too few rooms for conducting trials and for the deliberation of judges and witnesses. The secretariats were badly equipped because of lacking funds. Detention facilities were often overcrowded, sanitary conditions were substandard, and air conditioning was insufficient. 7

Poor working conditions were one reason for extended court proceedings, particularly in Warsaw. While a criminal case took, on average, five months in district courts and eight months in provincial courts elsewhere in Poland, in Warsaw they lasted almost 28 and 21 months, respectively.<sup>8</sup>

On 30 October two rulings of the European Court of Human Rights in Strasbourg confirmed the poor operation of the Polish judiciary. The Court found that overextended judicial proceedings violated article 6 of the ECHR.<sup>9</sup>

Long proceedings also violated the rights of individuals who sought redress for having been punished for their activities related to Poland's independence. In March, the Helsinki Foundation for Human Rights sent a letter to the president of the Court of Appeal in Warsaw, expressing concern about the extremely long time it took the Warsaw Provincial Court to recognize the invalidity of such sentences. In 1996, such a case lasted an average 74.7 months and in 1997 an average of 106 months.<sup>10</sup>

In the course of 1998, Polish deputies took several initiatives to postpone the entering into force of the new penal code, aggravate punishments for criminals,<sup>11</sup> and reintroduce the death penalty. All of the initiatives were rejected. The new penal code no longer includes the death penalty.

### Accountability for Past Abuses

In September the parliament decided to reform and rename the Main Commission for the Investigation of Crimes against the Polish Nation to Institute of National Remembrance, and gave its officers the powers of a prosecutor. Now, individuals can be granted access to the files of the Communist era security services under strict

conditions.<sup>12</sup> The law also introduced criminal responsibility for denying Communist and Nazi crimes.<sup>13</sup>

Polish courts continued to deal with crimes committed during the Communist era. The National Memory Institute initiated 1,112 proceedings and 693 cases were closed between June 1991 and June 1998. Seventy-five individuals had already faced trial, and 20 defendants had been sentenced.<sup>14</sup>

- In March 1998 the military court in Warsaw sentenced 75-year-old Wincenty Romanowski to 18 months in prison, demotion, and stripped him of the Virtuti Militari medal. Romanowski was an officer of the former Military Information Center. He was sentenced for torturing a soldier of the Home Army (Armia Krajowa), Jerzy Smoniewski, in the 1940s. The court stated that the methods employed by the Military Information Center did not differ from those of the Gestapo.<sup>15</sup>

- In mid-June a trial began against seven individuals accused of being involved in the December 1970 death of 44 people who demonstrated against price hikes in Gdansk, Gdynia, Szczecin, and Elblag. The militia dissolved the demonstrations with force. Among the defendants were former Deputy Minister S. Kociolek and former military and police commanders. The accused pleaded not guilty, citing, among other things, "orders coming from Warsaw."<sup>16</sup> The provincial court in Gdansk excluded the cases of five defendants for consideration in separate proceedings, because of the poor health of many of the accused, the same reason the trial had been postponed many times since its opening in April 1995.<sup>17</sup>

- In July the Appeals Court in Wroclaw handed down a controversial ruling in a case of former police officers, whom a court in Katowice had acquitted in 1997. The officers faced charges of murdering three demonstrators in Lubin in 1982. The Court decided that the officers were guilty only of "accidental killing," and cited the 1984 law of amnesty. However, critics have noted that the amnesty law cannot be applied to persons charged with the above-mentioned offenses. The victims' relatives appealed the case.<sup>18</sup>

In October the Supreme Court decided to reconsider the case of 22 former police officers accused of causing the deaths of nine miners who protested in the "Wujek" mine against the introduction of the marital law in December 1981. In November 1997, eleven of them were acquitted. The rest were found guilty of endangering lives and causing grave bodily injury. The Supreme Court cited procedural errors.

Lustration Law

The 1997 lustration law<sup>19</sup> was not enforced in Poland, although it formally came into force in August 1997. The law required top state officials, including the president, judges, prosecutors, and members of parliament, as well as candidates for these posts, to publicly state whether they had worked in the former Communist security services, or had collaborated with them between 1944 and 1990. Giving false statements would exclude the person from governmental posts for ten years. The main reason for the failure to apply the law was the fact that provincial judges had failed to nominate a sufficient number of judges to the Lustration Court, which would have the task of verifying statements, by referring to Interior and Defense Ministry archives.

The lack of lustration courts made it impossible to verify rumors about involvement of high-ranking officials in activities of former security services, an issue which caused conflicts between politicians and the media.

- In May a conflict emerged between journalists and Prime Minister Jerzy Buzek, who was asked if any of his ministers had cooperated with Communist special services, or if anyone had made untrue statements to this end. Buzek answered that it was impossible to publish such information, because it is top secret, and refused to reconsider the possible resignation of some members of his cabinet who had been accused of collaboration. <sup>20</sup>

In May 1998 the Parliamentary Committee for Justice and Administration decided that the Appeals Court in Warsaw should operate as the Lustration Court. It also rejected the president's proposition to restrict the range of cooperation with Communist era security services to activities directed against the Catholic Church and opposition. Moreover, it turned down a proposal that intelligence and counter intelligence service be excluded from lustration.<sup>21</sup>

In June the parliament amended the lustration law, creating the office of the "Spokesperson of Public Interest." The spokesperson's task would be to examine the veracity of lustration statements made by persons applying for high governmental posts. Advocates would be required to give lustration statements. Public interrogation of witnesses would be held before the Lustration Court, and all members of parliament would have the right to initiate lustration proceeding on suspicion of false statements.<sup>22</sup>

In July President Aleksander Kwasniewski challenged the amendments in the

Constitutional Court on the grounds that the spokesperson, not an independent lustration court as originally decided, would make preliminary decisions on the veracity of lustration statements.<sup>23</sup> The president's lawyer also criticized the fact that the spokesperson's activities were not under any supervision, and that parliamentarians were entitled to initiate lustration proceedings without, at the same time, giving the accused appropriate means of defense.<sup>24</sup>

The Constitutional Court ruled that the law was in accordance with the Constitution. The Warsaw Court of Appeal started dealing with lustration cases in January 1999.<sup>25</sup> In early in February 1999, the Lustration Court held its first session. In March, the Official Gazette contained statements of persons who admitted having served or collaborated with the Communist state security agencies.

#### Torture, Ill-Treatment and Misconduct by Law Enforcement Officials

The report of the 1996 visit of the European Committee on Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) to Poland was published in September 1998. The CPT noted that significant improvements had taken place in recent years in police treatment of individuals held in custody. A notorious exception was the District Police Command at Warsaw Praga Polnoc, the only station where several individuals had reportedly been ill-treated (e.g. beaten with truncheons and kicked) by police officers during interrogations. The CPT also received complaints of ill-treatment of juveniles who had attempted to escape from the juvenile detention center in Swidnica.

The CPT criticized the holding of individuals beyond the 48-hour legal detention before filing charges. In addition, it noted that individuals had insufficient access to forensic examinations by a physician of their own choosing, or such access was delayed.

The CPT recommended that aliens held in deportation centers be granted the right to at least one-hour daily, open-air exercise and be given something to read. Moreover, the CPT considered holding individuals, who were denied entry to Poland, in one large room in the transit area at Warsaw international airport to constitute inhuman treatment. They were not provided mattresses to sleep on, access to telephones, or the possibility of outdoor exercise.

While no allegations of torture or inhumane treatment of prisoners were received

from prisons, the CPT pointed out that medical care of convicts was insufficient. It recommended, among other things, stopping the practice of segregating HIV-positive prisoners, and introducing therapeutic activities in the Wrocław Psychiatric Hospital for Remand Prisoners.<sup>26</sup>

The Helsinki Committee in Poland continued to record cases of police brutality.

- In January the police in Slupsk ill-treated supporters of a local basketball team, who were returning home after a game. Police officer Dariusz W. hit 13-year-old Przemyslaw Czaja, who attempted to escape from the police, several times on the back of the head with a baton. The boy died on the spot. The police officer was first charged with accidental killing, later with killing. Dariusz W. will face trial as a civilian, because he applied for retirement after 16 years of police service,<sup>27</sup> and disciplinary proceedings against him were suspended. Another officer, Robert K., who was sitting in a police vehicle during the incident, was accused of not assisting the victim and failing to call an ambulance. The Independent Self-Governing Trade Union of Policemen appointed a legal counsel for both defendants.<sup>28</sup> A local radio station was under investigation on charges of having incited riots against the police after word spread about the youth's death. It was also charged with making public the private address of the police officer who had killed the boy, and placing the officer's family in serious danger.<sup>29</sup> In February 1999, the trial started before the District Court in Koszalin.

- In May two sisters, 19 and 20 years old, alleged that they were raped in a police hotel in Warsaw. The police had caught them selling small items at a railway station in Warsaw without a proper license. The officers fined them, and threatened to file a case with the penal administrative board. The young women went with the officers to "settle the case" and get "proper medical care" for one of them, who was mentally unstable, but were instead raped several times by the officers. Criminal proceedings were initiated against both officers.<sup>30</sup> In a police newspaper issued by the Chief Command of the Police, the officers claimed that the young women had wanted to have sex with them.<sup>31</sup>

- In May Zbigniew N., former commander of the police in the town of Lomazy, was sentenced to fifteen years in prison for homicide. In January 1997, he shot Robert J. dead while interrogating him at the police station in Lomazy. Zbigniew N. was under the influence of alcohol, and wanted to force Robert J. to plead guilty of an offense which he said he had not committed.<sup>32</sup>

- Ill-treatment of recruits (fala) by senior conscripts or officers remained a concern in Poland.

- In August a trial against four recruits of the military unit in Gizycko (Northeastern Poland) opened. They were accused of torturing a younger fellow-soldier. In May, after having finished his guard-duty, 20-year-old Jacek K. shot himself. Before his death, he called his father, saying that he "could no longer stand it" in the army. According to the Prosecutor's Office, Jacek K. had been ill-treated and humiliated by senior soldiers days before his death. The court found that it could not be proven that the suicide was a direct result of ill-treatment.<sup>33</sup>

This trial was only one of many fala-cases pending in military courts in Poland. Former parliamentarian R. Nowak submitted several proposals to the Ministry of Defense to abolish this "tradition," with little success apart from a ministerial denunciation of fala.

Another problem concerning the military was the continuing recruitment of slightly mentally handicapped young men, whose recruitment had been approved by the medical recruitment board.

## Right to Privacy

According to the Helsinki Committee in Poland, there was a clear tendency of increased interference in individuals' privacy. In addition to the police, the State Security Office, Military Information Service, customs inspectors, fiscal control agencies, and others were allowed to use various operational techniques such as tapping phones and monitoring correspondence.

In July the Ministry of the Interior presented a draft amendment to the 1990 Police Act. It proposed that police rights to use surveillance techniques be increased during pre-trial investigation. According to the ministry, this should be done to speed up the process of receiving permission to use such techniques, which have to be approved by the minister of the interior (the procedure lasts about a month). The draft stipulates that the approval to use monitoring methods is to be granted by a district court upon the request of a public prosecutor. According to Vice Minister K. Budnik, such techniques would be used only in cases of serious crimes, such as trafficking in drugs, people, weapons, and radioactive materials, serious forgery, manufacture of and trafficking in explosives, and corruption of public officials. He said tapping is the



"only way to reveal corruption and submit satisfactory evidence to the court."<sup>34</sup> As of early 1999, the draft had not been passed.

The border guards also applied for the right to use tapping and other secret techniques, in order to prevent "the most dangerous crimes and illegal immigration."<sup>35</sup> In addition, the Ministry of the Interior expressed its wish to be given the right to seize property gathered as a result of a crime (including property transferred to the family of the accused).

According to the General Inspector for Data Protection, Ewa Kulesza,<sup>36</sup> the agencies whose powers would be expanded were not ready to execute the draft law. She said that, during the first months of enforcement of the 1997 Law on the Protection of Personal Data, 63 individuals filed a complaints. In one case, an inspector filed charges of illegal transmission of information on the criminal record of an employee at the request of the employer. In another, an inspector filed a complaint after authorities had submitted information on Iraqi asylum seekers to the embassy of Iraq,<sup>37</sup> and healthcare institutions had supplied private insurance companies with information about the health conditions of their clients.<sup>38</sup>

## Equality Before Law

In the beginning of April, the head of Warsaw province, Maciej Gielecki, issued a regulation to prevent juveniles from staying out in the streets and other public areas in Warsaw and the Warsaw province between 11 p.m. and 6 a.m. in summer, unless they were accompanied by an adult. The ombudsman criticized the regulation, saying that the head of the province had no right to decide when juveniles stay outdoors. This statement was supported by the Supreme Administrative Court, which ruled that the regulation contradicted article 22 (1) of the 1990 law on local state administration bodies, under which it had been issued.<sup>40</sup>

The Warsaw regulation was preceded by the "Teenager" action, launched in October 1997. At that time, authorities were allowed to carry out identity checks of teenagers, who were not accompanied by adults, in public places during the night, and bring them home or place them in institutions for juveniles. This action was clearly denounced by the Helsinki Committee for Human Rights in Poland as an illegal act.

## Women's Rights

In July, Poland submitted its periodic report on the implementation of the International Covenant on Economic, Social and Cultural Rights, ratified by Poland in 1977. Apart from the government's report,<sup>42</sup> the Federation for Women and Family Planning (an NGO promoting the women's rights) presented its own report. The UN Committee for Economic, Social and Cultural Affairs expressed its concern about the social and economic outcome of the limited right to abortion. It also criticized the government for insufficient family planning service and a lack of contraceptives available at affordable prices. It considered the lack of shelters for victims of domestic violence in one third of all Polish provinces "an obvious negligence."<sup>43</sup>

## Protection of Asylum Seekers

The General Inspector for Personal Data Protection, Ewa Kulesza, intervened in two cases of violations of the rights of asylum seekers, after Polish authorities had given data concerning Iraqi and Sri Lankan asylum seekers to the Warsaw embassies of those countries. She stressed that data concerning asylum seekers is "sensitive," and subject to particular protection because, on their possible return to their country of origin, many face the danger of being punished simply for having sought asylum abroad.<sup>44</sup>

Another case which drew public attention was that of the Belarussian businessman Aleksander Pupiejko, who had sought asylum in Poland. In June, the Provincial Court in Warsaw rejected the request of the Belarussian Prosecutor's Office for his extradition, on grounds of false pretences. Pupiejko, arrested in December 1997, claimed that the accusations of the Belarussian government were solely an action of reprisal, because he had refused to sponsor President Aleksander Lukashenka's electoral campaign. Belarussian intellectuals, writers, and publicists supported Pupiejko, and offered to testify for him. The court found extradition inadmissible, and stated in its judgment that Pupiejko should be treated as a political refugee with asylum in Poland, and, accordingly, could not be deported to the country of his origin.<sup>45</sup>

## Human Rights Defenders

In November, Talib Yakubov, a human rights activist from Uzbekistan was battered by "unknown assailants" in Warsaw. Yakubov participated in the OSCE Implementation Meeting on Human Dimension Issues. The police refused to grant him protection. The IHF sent a letter to Prime Minister Jerzy Buzek, criticizing the police's failure to protect Yakubov, and urging a prompt investigation on the inactivity of the police. The IHF suspected that the assailants had connections with the Uzbek secret service. Helsinki Foundation for Human Rights provided Yakubov with legal assistance.

#### FOOTNOTES:

1. Based on Human Rights in Poland (January-November 1998), report by the Helsinki Foundation for Human Rights and the Helsinki Committee in Poland for the IHF. Compiled by Andrzej Kremplewski.
2. J. Zakowski, "Witajcie w zyciu" (Welcome into Life), *Gazeta Wyborcza* (hereinafter: GW), No. 101, 30 April - 1 May 1998, p.1, 19-23; "Bez sadowej cenzury" (Without Court Censorship), GW, No. 105, 6 May 1998, p.5; "Zgodnie przeciw cenzurze" (Together against Censorship), GW, No. 94, 22 April 1998, p.4.
3. "Pytanie o wyrok" (Asking for Sentence), GW, No. 93, 21 April 1998, p. 2.
4. "Goebbels skasowany" (Goebbels Reconsidered), GW, No. 99, 28 April 1998, p.2.
5. See Torture, Ill-treatment and Misconduct by Police Officers.
6. R. Daszczyński, "Doniesienie na radio" (The Report on the Radio), GW, No. 10, 13 January 1998, p.5; K. Nalecz, "Policja w City" (Police in the City), GW, No. 98, 27 April 1998, p.3.
7. L. Bojarski, J. Swaton, *Warunki pracy sadow rejonowych. Raport z monitoringu* (District Courts' Working Conditions. A Monitoring Report), Warsaw, Helsinki Foundation for Human Rights [1998]; E. Siedlecka, "Sprawiedliwosc nasza zapyziala" (Our Foppish Justice), GW, No. 122, 7-8 November 1998, p.4.
8. A. Siemaszko, "Dostep do sadu a przewleklosc postepowania: z perspektywy polskiej" (Access to Courts and the Length of Proceedings: A Polish Perspective, an unpublished paper presented at the Third International Conference for Human Rights, Warsaw, October 1998, p.4.
9. Cases filed by Sz. Styranowski and A. Podbielski. M. A. Nowicki, "Sprawy polskie. Nie tylko przewleklosc" (Polish Cases. Not Only the Length of Proceedings). *Rzeczpospolita*, No. 261, 6 November 1998, p.16.
10. Letter of 16 March 1998 from the Helsinki Committee in Poland from to the Court of Appeals in Warsaw.
11. "Liberalne i zle" (Liberal and Bad), GW, No. 167, 18-19 July 1998, p.2;

"Referendum w sprawie zaostrzenia" (Referendum on Restrictions), GW, No.175, 22 July 1998, p.5.

12. J. Jachowicz, "Schizofrenia tajnosci. Rozmowa z profesorem Andrzejem Paczkowskim (Schizophrenia of Secrecy. Interview with Prof. A. Paczkowski), GW, No. 61, 13 March 1998, p.6.

13. "Gdzie bedziemy ogladac swoje teczki" (Where Are We Going to Look Through our Dossiers), GW, No. 129, 3 June 1998, p.4; "Jak z Krakowa do Kielc. Kilometry pamieci narodowe" (As far as from Krakow to Kielce. Kilometers of National Memory), GW, No. 136, 12 June 1998, p.9; "Kazdemu jego teczke"(Everybody Gets His/Her Dossier), GW, No. 223, 23 September 1998, p.4; "Kto zajrzy do swojej teczki" (Who Has Access to His/Her Dossier), GW, No. 238, 10-11 October 1998, p.5.

14. Information from the spokesman of the Institute of National Remembrance, November 1998.

15. P. Wronski, "Obiecalem to sobie we Wronkach. Rozmowa z Jerzym Smoniewskim" (I Promised it to Myself in Wronki Prison). Interview with Jerzy Smoniewski), GW, No. 78, 18 March 1998, p.4.

16. K. Wojcik, M. Gorlikowski, "Nie przyznaja sie do winy" (They Plead Not Guilty), GW, No. 261, 6 November 1998, p.6.

17. M. Gorlikowski, "Siedmiu oskarzonych. Grudzien '70 wreszcie w sadzie" (The Seven Accused. December '70 in the Court at Last), GW, No. 139, 16 June 1998, p.1 and 4.

18. K. Lubieniecka, "Wyrok za Lublin" (The Sentence for Lublin). GW, No. 154, 3 July 1998, p.1, 4; "Sad: dlaczego amnestia" (Court: Why Amnesty), GW, No. 155, 4-5 July 1998, p.4; K Lubieniecka, "Lublin w apelacji" (Lublin in Appeal), GW, No. 204 (1 September 1998).

19. The Law on Disclosing the Work or Service in State Security Services or Cooperation with Such Services in the Years 1944-1990 of Persons Performing Public Functions (Journal of Laws No.70, item 443).

20. "Wtorek z agentem" (Tuesday with an Agent), GW, No. 111, 13 May 1998, p.1; "Pisalem prawde" (I Wrote the Truth), GW, No. 112, 14 May 1998, p.3; "Nie ma powodu do odwolania" (No Reason to Appeal), GW, No. 114, 16-17 May 1998, p.1.

21. "Lustracja w komisjach" (Lustration in Committees), GW, No. 117, 20 May 1998, p.6.

22. D. Wielowiejska, "W rekach specprokuratora" (In the Hands of Specialized Prosecutor), GW, No. 130, 4 June 1998, p.1 and 3; "Lustracja z brakiem" (Lustration with a Gap), GW, No. 142, 19 June 1998, p.7.

23. J. Widacki, "Lustracja po raz kolejny" (Lustration Once Again), Tygodnik Powszechny, No. 31, 2 August 1998, p.3.

24. "Lustracja do Trybunalu" (Lustration to Constitutional Court), GW, No. 165, 16 July 1998, p.3.
25. "Lustracja 1998" (Lustration 1998), GW, No. 249, October 1998, p.4.
26. For details, see: Report to the Polish Government on the Visit to Poland by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment, CPT. Strasbourg, Council of Europe, 24 September 1998 CPT/Inf (98) 13.
27. According to the Police Act (1990), a police officer in Poland may retire after 15 years of service.
28. K. Nalecz, "Podejrzany policjant, oskarżony cywil" (Policeman Suspect, Civilian, Accused), GW, No. 144, 22 June 1998; G. Szaro, "Oskarżeni policjanci," (Policemen Accused), GW, No. 136, 12 June 1998.
29. K. Nalecz, R. Daszczyński and C. Lazarewicz, "Palka czy słup" (A Baton or a Pillar), GW, No. 10, 13 January 1998; G. Szaro, "Odmówił pomocy?" (Did He Refuse to Help?), GW, No. 61, 13 March 1998.
30. J. Blikowska and M. Kozubal, "Pokój numer cztery" (Room No. 4), Gazeta Stołeczna, No. 119, 22 May 1998; J. Blikowska and M. Kozubal, "Prawo do odmowy" (Right to Refuse), Gazeta Stołeczna, No. 112, 23-24 May 1998.
31. J. Paciorkowski, "Rowni wobec prawa. Policjanci gwałca?" (Equal Before Law. Policemen rape?), Gazeta Policyjna, No. 25, 28 June 1998, s.4.
32. J. Pleszczyński, "Przesłuchany na śmierć" (Interrogated to Death), GW No. 99, 28 April 1998. For details of the case, see: IHF Annual Report 1998.
33. "Prosiłem go, wstrzymaj falę. Proces w Olsztynie" (I Asked Him to Stop the Fala. The trial in Olsztyn), GW, No. 195, 21 August 1998, p.4.
34. J. Jachowicz, "Przejrzyć gangstera. Nowe uprawnienia policji w projekcie MSWiA" (To See Through a Gangster. New Rights of the Police Proposed by the Ministry of the Interior), GW, No.176, 29 July 1998 p. 5.
35. J. Jachowicz, "Straz Graniczna jak policja. Rozmowa z ppłk. Markiem Bienkowskim, szefem Straży Granicznej" (Border Guard Like the Police. Interview with Colonel Marek Bienkowski, Head of the Border Guard), GW, No. 193, 19 August 1998.
36. Apointed in accordance to the Act on Protection of Personal Data of 19 August 1997.
37. See Protection of Asylum Seekers.
38. "Ustawa niepojęta"(Inconceivable Law), GW, No. 259, 4 November 1998, p.6; "Wrażliwe zdrowie. Ochrona danych osobowych" (Sensitive Health. Protection of Personal Data), GW, No. 260, 5 November 1998, p.6.
39. "Zakaz nielegalny?" (Illegal Ban?), Gazeta Stołeczna, No. 113, 15 May 1998, p.1; K. Burnetko: "Malolat" w defensywie?" (Teenager on the Defensive?), Tygodnik

Powszechny, No. 19, 10 May 1998), p.3.

40. "Nieletni na ulicach bez opieki dorosłych. Uzasadnienie wyroku Naczelnego Sadu Administracyjnego"(Juveniles on Streets Without Adults' Company. Grounds of the Supreme Administrative Court's Judgment), Rzeczpospolita, No. 199, 26 August 1998, p.16.

41. See IHF Annual Report 1998.

42. Implementation of the International Covenant on Economic, Social and Cultural Rights. Written Statement Submitted by the Federation for Women and Family Planned Parenthood Federation, a Non-Governmental Organization with General Consultative Status, 14 April 1998. Economic and Social Council E/C.12/1998/NGO/2.

43. "Dbajmy o kobiety. Komitet ONZ chwali i gani Polaków" (Let's Care for Women. The UN Committee Prides and Tells off the Poles), GW, No. 152, 1 July 1998, p.4.

44. I. Pur Rahmana, "Niegospinna Polska. Uchodźcy i my" (Inhospitable Poland. Refugees and Us), GW, No. 260, 5 November 1998, p.6.

45. Jachowicz, "Pupiejko jako azylant" (Pupiejko as Asylum Seeker), GW, No. 128, 12 June 1998, p.4.

