



NEWS REPORT

Date: 14 July 2010
Expert: Łukasz Bojarski
Title: European Commission referred Poland to the European Court of Justice for incorrect transposition of the Racial Equality Directive 2000/43/EC
Country: Poland
Context
Issue at stake: Lack of full transposition of Racial Equality Directive
Ground of discrimination: Racial/ethnic origin
Source: Legislation, ECJ, political development
Field: Social protection, social advantages, access to goods and services, education, housing, membership in trade unions, employers' bodies and professional organisations

Content

Case: On 4 May 2010 the European Commission referred Poland to the EU Court of Justice for incorrectly implementing EU rules prohibiting discrimination based on racial or ethnic origin (Racial Equality Directive 2000/43/EC; RED).

The Commission pointed out that Poland has not transposed the RED outside the field of employment. There are no specific provisions in Polish legislation that would prohibit discrimination on grounds of racial or ethnic origin with regard to social protection and social advantages, access to goods and services, including housing, membership in trade unions, employers' bodies and professional organisations and access to education.

Similarly, the Polish provisions on protection against victimisation cover only the field of employment and not the other areas within the scope of the Directive.

The deadline for Poland to transpose RED was 1 May 2004.

Internet link source and additional information: (no newspaper links)

Information on 2010 referral at:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/531&format=HTML&aged=0&language=EN&guiLanguage=en>

Information on reasoned opinion issued in January 2010 at:

<http://europa.eu/rapid/pressReleasesAction.do?reference=IP/10/71&format=HTML&aged=0&language=EN&guiLanguage=en>

Information on 2009 referral at:

<http://ec.europa.eu/social/main.jsp?langId=pl&catId=89&newsId=511&furtherNews=yes>

Interview with Minister E. Radziszewska at:

<http://www.polskieradio.pl/trojka/salon/artykul108181.html>