

# **Polish Alternative Report for the Committee on the Rights of the Child in Geneva**

to: the government report form the realization of  
the Convention on the Rights of the Child  
(years 1993–1998)

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## **PREPARATION OF THE ALTERNATIVE REPORT**

- **AUTHORS OF THE REPORT: POLISH FORUM FOR CHILD’S RIGHTS**
- **COOPERATION OF STATE INSTITUTIONS AND NON-GOVERMENTAL ORGANISATIONS**

Working from 1995 – when Polish Forum for Child’s Rights was established in Krakow – we take up comprehensive work for children. Eighty eight organizations and member institutions of Forum realize concrete programs – helping children and their families – especially those who are imminent by crisis.

In our work, as Forum we put as **the main aim the withdrawal of the declaration (unfair for Polish children) that Poland attached to ratification of The Convention of Children’s Rights in 1991.** This document refers to shameful tradition, which put children on the margin of social life, on the margin of a family (“*children and fish do not have voice*” – they should not have their opinion). **We want all people to accept subjectiveness of children** – in law, in everyday life and in activity of social service. We are observing that it happens slowly.

**It is the high time to say loudly about the need of agreement for the good of children in Poland. We accumulate the output of Polish NGOs** that are active in all spheres of children’s life. NGOs have taken steps to make children’s matters a priority.

- **Together with local governments**, we constructed the strategy of change and mechanisms of monitoring children’s situation.

- **We have organized 16 national and over 30 regional debates** about children's situation since September 1995. We also form strong lobby of NGOs and the network of over **800 spokesmen of children working in over 180 Polish cities and towns.**
- **We have completed over 800 training hours,** improving operation of social and health service, police, justice service including wardens, teachers, methodologists and many leaders and volunteers, as well as parents.
- During 6 years we **have prepared many studies and publications** based on research, experience from our work with children, experts, representatives of national and local authorities and specialized social service – like UNICEF, UNESCO, UNHCR.
- We aim at tightening the cooperation with Ombudsman and Child Ombudsman, as well as with Helsinki Foundation for Human Rights and many other agencies specializing in protecting human rights.

Polish Forum for Child's Rights organized the conference "Children's matters in Polish social reforms" on 23<sup>rd</sup>-26<sup>th</sup> of September 1999 in Lodz.

Effects of the conference were published. At that time we were pointing out the threats resulting from the health service reform. All of them have confirmed in practice.

**In progress of preparation the NGOs alternative report** took place series of meetings and consultations:

- 11<sup>th</sup> of December 2000 in Krakow – meeting of representatives different Polish regions,
- 5<sup>th</sup>-6<sup>th</sup> of January 2001 in Korzkiew near Krakow – meeting of NGOs represents,
- 10<sup>th</sup> of January 2001 in Opole – meeting of justice experts,
- 12<sup>th</sup> of January 2001 (Wroclaw) – preparing meeting in Wroclaw

Appreciating great transformation in 1993 – 1998 in Poland, including new Constitution, we would like to point to the year 1998 as time of important settlements and in final balance **negative signal for children's policy.**

**Positive result\_of our work** was **International Conference "Support system for children in Poland"** which took place on 24<sup>th</sup>-27<sup>th</sup> of September 1998 from initiative of Polish Forum for Child's Rights in partnership with governmental and parliament institutions. Almost every important society working for children in Poland took part in the conference. **Declaration of will of cooperation for children and the national program of activities for children** was accepted as the result of four-year work.

**Referring to cooperation with the Polish Government** in 1993-98 in process of implementation the Convention of the Rights of the Child as well as preparation the report of realization of the Convention we have to point that **years 1995–1997 were effective and promising till the end of 1998.** Then Minister- Coordinator of Social Reforms handed over authority to **Represent of Government for Family Matters, who refused co-operation in November 1998.** She refused to consult documents concerning family policy and funded chosen right-wing organizations connected with authority.

## 1. GENERAL COMMENTS

The positive relationship between progress in realization "transformation program" and number of opportunities for children and youth is proven <sup>1</sup>. **While in the period of Polish transformation (in reporting period - 1993-98) economical interest instead of children interest is winning. Social reforms** designing since 1997 **have made social activities political and children situation worse** (especially in the field of health protection). It gives the reason to formulate the thesis that **children in Poland are discriminated** – effects of decisions mostly touch children but their interest is not taken into consideration.

Serious problem is not only **poverty**, but first of all a negligence carelessness of the State. This is the defeat of "social solidarity" and responsible State, this is the defeat of auxiliary State.

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<sup>1</sup> "Young people in changing societies" - UNICEF Innocenti Research Centre, Florence, Italy, red. Gaspar Fajth

## 2. SUPPORT SYSTEM FOR CHILDREN IN POLAND

We show clearly that in Poland is:

- **lack of national program of activity for children,**
- **lack of system of monitoring children's situation,**
- **lack of system of improving "service of help for children"**

**It is also lack of coordination the activities for children** (what also admitted the Government in its report – page 19). Polish Government recalled the Representative of Government for Children in November 1997, and in this year pointed the Representative of Government for Family Matters as coordinator for children policy. The Representative recognized this aim as marginal and even stopped executing it.

## 3. COOPERATION OF GOVERNMENT AUTHORITIES AND NON-GOVERNMENTAL ORGANIZATIONS ON CHILDREN'S ISSUES

### ADVANTAGES

**As positive example of cooperation** should be given the appointment of Forum of Cooperation the Representative of Government for Families and Women with NGOs in 1995. Forum has created good system of information exchange and system of social consultation. It turned out very helpful during the debate on the new Constitution of the Republic of Poland in 1996 and 1997.

Common initiatives of Polish Forum for Child's Rights and Ministry of National Education were the series of workshops concerning children's situation and planned national system of cooperation for children, which took place in 1998, before International Conference "Support system for Children in Poland".

Another example of cooperation is the agreement signed on 14<sup>th</sup> of January 1994 by Ministry of Health and Social Policy and Chairman of Committee of Protection Children's Rights. This document contains the authorization of Committee of Protection Children's Rights to watch over obeying children's right to presence of their parents in hospital with them.

### DISADVANTAGES

**Among different problems we point at serious law difficulties in defining NGO.** There was groundless diversity of entities and their entitlements – ex. associations, foundations and other entities - founded under the Concordat for example.

Administration applied discrimination practice – especially in the range of funds distribution. For example, Ministry of National Education refused (on basis the Ministry decision, which content was a secret) commission NGOs any tasks. Even during the flood in 1997 Ministry of National Education did not change the practice. Harmful symptom of discrimination were also political preferences in financing NGOs activities – the preferences change with the Government and touch even the biggest organizations, including scout movement.

## 4. ANALYSIS OF REALIZATION OF RECOMMENDATION FROM THE COMMITTEE OF THE RIGHTS OF THE CHILD TO THE GOVERNMENT REPORT FROM 1995

Poland handed in the first report from realization of the Convention of the Rights of the Child in 1993. It was finally consider on 209 meeting of the Committee of the Rights of the Child on 27<sup>th</sup> of January 1995. the Committee attached to the report many recommendations for Poland. We present our opinion about realization the most important recommendations:

	<i>state of realization</i>	
	<i>state in 1998</i>	<i>state in 2002</i>
amendment 120	In April 1997 the new Constitution of the Republic of	During 1998-2000 there was

<p><b>It was not taken proper measurements preventing and fighting against bad treatment of children at schools and other institutions,</b> Committee is also alarm by <b>great scale of children's abuse and violence in families</b> as well as by insufficient protection in those fields by legislation.</p>	<p>Poland was accepted, which has written down children's rights in Art. 72. The Constitution in Art. 40 forbids using corporal punishment. There still is serious problem of violence in family and institutions (like schools, care centers). It is required the change of awareness and good executive acts.</p>	<p>prepared amendments of: act about education system and act about legal action in juvenile cases. It is too early for assessment. There is resistance of political elite concerning adoption of act about prevention of violence, what is postulate for many months by NGOs, which also give proposals.</p>
<b>SUGGESTIONS – RECOMMENDATIONS</b>		
<p>124 <b>for state authority to strengthen coordination</b> on national and local level to assure closer cooperation with NGOs, to <b>develop comprehensive policy on children's issues</b></p>	<p>In April 1997 the Representative of Government for Children was appointed. In October 1997 new Government eliminated the department and its authority gave the Representative of Government for Family Issues. The Representative initially appointed Department for Children, then eliminated it and stopped coordination of activity for children. Cooperation with the Representative in comprehensive dimension despite repeated proposals from NGOs was not resumed. During 1997-99 the Representative of Government for Cooperation with NGOs was functioned. Also this post was eliminated. Another issue is lasting cooperation with individual ministries, like with Ministry of Labor and Social Policy in the field of surrogate care, with Ministry of Justice in the field of security, with Ministry of Internal Affairs and Administration and Ministry of National Education.</p>	<p>Situation is worse. There is no system of coordination. The role of initiator of the national system of coordination plays now the Child Ombudsman. He presents to the Government and the President suggestions and recommendations. But for realization political decisions are needed, which still are not taken. Children's issues recede into the background in relation to priority of foreign affairs and unemployment problem.</p>
<p>125 <b>making multidiscipline monitoring system</b> Such system should enable to create national policy and fight inequality and traditional prejudice.</p>	<p>Monitoring the children's situation in Poland constantly is problem and mistake of all governments. The effects of this situation are temporary activities, concentrated on spectacular actions, which squeeze out comprehensive solutions. It also concerns the problem of feeding children at schools.</p>	<p>National monitoring system of children's situation still does not exist. Main Statistic Department justifies it by the lack of government order concerning collecting dates about feeding children, their health, violence etc.</p>
<p>126 <b>Budget allocations for putting rights into practice should be assured in maximum,</b> for the sake of children's well-being.</p>	<p>Reforms started in 1998 worsen children's situation even in the range of issues guaranteed previously like prophylaxis, early education, special education. Above all the disproportion between cities and countryside are bigger, what for example decrease educational chances for children in villages.</p>	<p>Example of belittle children's situation is eliminating excess fare for care of handicap children, introduced for saving budget in autumn 2001.</p>
<p>130 The Committee recommends creation periodical programs, <b>workshops about children's rights for professional groups</b></p>	<p>Main work on purpose of making more sensitive and changing of social consciousness is made by NGOs. They do it mainly thanks to non-returnable foreign funds and partly Ministry of National Education funds. Improving qualifications of social services in the field of children's rights meets two barriers: lack of professionals in this field in state institutions and giving very small funds for that. It was because after 1997 another priority was recognized – ex. "pro-families policy" was often and wrongly use as a reason of refusal.</p>	<p>System of promoting children's rights was respected, but system of advocacy for pupils' rights was eliminated, what contributes to series of negative phenomenon. Supporting the dissemination of the Convention of the Rights of the Child by the State is</p>

		highly insufficient. We point at necessity to ensure funds on national level for realization long-term and comprehensive programs of workshops.
137 The Committee encourages the State to look for <b>help and international experts' support</b> [...] <b>harmonizing national legislation</b> with the Convention, developing the mechanism of <b>coordination the children's rights monitoring</b> and <b>accepting comprehensive social policy which define children's rights as priority</b> .	Despite of multiple proposals of cooperation from NGOs and Polish Committee of UNICEF the Polish Government has not taken any initiative in that. In 1994 there was a project of national program of activities for children in Ministry of National Education, but it was not a subject of governmental work. As about group of poor children in reporting period 1993-98 we have disregarded any serious program, apart from incidental trial of analyze children's situation - ex. handicapped children (report of Ministry of Health from 1996), children in surrogate care (analysis of Ministry of National Education from 1997-98). International agendas existing in Poland send alike signals which shows difficulties in cooperation with the Government. The priority of the Government is leading pro-families policy, according to declaration turned during ratification of the Convention of the Rights of the Child: " <i>children's rights are realized according to Polish tradition and habits which describe children's place in family and out of it</i> ".	Child' right are not political priority. National strategy for children does not still exist. There is necessity to verify many solutions in the range of social reforms, which has taken part in worsen child's situation in Poland. Polish Forum for Child's Rights protests for many years against Polish declaration to the Convention on the Rights of the Child and strives for withdrawal it. The declaration is a source of justice misunderstanding and cause the questioning some rights written in the Convention.
138 The Committee recommends that according to Art. 44, § 6 of the Convention, <b>the report provided by the State was generally available</b> for public opinion and that publication of the report starts with summary from meetings and final comment accepted by the Committee.	The State report was available by the Representative of Government for Family Issues only for written application of Polish Forum for Child's Rights. The report is little-known. Forum, in its own range, copied and sent the report to many organizations and experts. During preparation of the report – after the expiring date of proving it to the Committee in Geneva – the Representative of Government for Family Issues (responsible for work out of the report) asked some organization for done his job – indicate fortnight time for that. send a letter The offer was so general and period was too short that Polish Forum for Child's Rights has not taken it.	In April 2002 with NGOs initiative took place the Conference in the Sejm. On this conference governmental and non-governmental reports were presented.

## 5. COMMENTS TO THE GOVERNMENT REPORT

Since 1996 **NGOs have signalized need of changes in child's care system** - need of change in the style of work in care centers and need of decentralization this system. We constantly put the thesis that child is also human being, citizen and wise creator – just little, and because of that their need our interest, care and understanding.

**Defective perception of pro-families policy by government after 1997 contributed to disqualification of children.** Child's situation and their problems were seen through prism of family's interest and mainly parent's interest. Extreme example of that was underestimating violence in families (numbering at the end by the Representative of Government for Family Issues), what is the biggest Polish social problem. Ignoring child's harm was explaining by family identity and unity. It is violation against fundamental human rights to protection against inhuman and demeans treatment.

It should be admitted that on the other pole of state policy is **important justice reform**, which fruit was adoption of the new **Constitution** in April 1997. In the Constitution is written progressive system of

human protection, including children. In Art. 40 is written “**no corporal punishment**”. The Constitution is also sign of hope that lot of children in Poland will be better each year.

More work for that is needed:

- Recognize and uncompromising abide by basic principals of the Convention on the Rights of the Child – when law is constructed and when law is applied,
- Build lasting system of cooperation among state organs, local authority, service for helping children and NGOs.

Taking care of children’s lot in Poland, creating prospects for them and chances for better life we **recommend developed through 6 years of our work documents, which could be the base of negotiating national system of help for children in Poland**. We are not going to help anybody out in realization its duties, but we show the field of our cooperation based on social dialog and realization of constitutional rule of auxiliary.

**Keeping great respect, recognition and proud – that tied us with our country: Poland, we would like our dreams and hope for better future to be realized - for citizens well being and in solidarity with other nations, society and international structures.**

## **6. CHILDREN’S PROBLEM AND STATE OF POSTULATES’ REALIZATION**

In 1998 in Poland 10.070.000 children (people under 18) were living.

- under poverty level live 6-7 millions Polish, including 1 million children,
- 200.000 children are under surveillance of Care Courts,
- 90.000 children live only with mother,
- 72.000 children live in care centers,
- around 200 children is foreigner without care

Poland ratified the Convention on the Rights of the Child in 1991 (Acts Register from 1991 No. 120, item 526) – and because of that it has power of utmost importance act.

The High Court (seven judges) in act from 12<sup>th</sup> of June 1992 regard that **The Convention is equal to the Act** and should be use by Courts like Act. It means that each citizen also child can invoke his rights follow the Convention before the State, administration and local authorities. **Moreover European Convention on Protection of Human Rights and Basic Freedom can be independent base for asserting claims before Courts and other state organs**, even if they are beyond law of the country. This is because the State has obligation to care that its law is not contradict to European Convention.

With sorrow should be said that all governments - begins from 1989 from Government of T. Mazowiecki to Government of J. Buzek – belittle children’s problems. If they reacted it was apparent. They never create long-term plan of development children’s policy.

**Political elite still could not reach an agreement for realizing the most important children’s needs:** of love and safety, of respect, of protection against inhuman treatment – like: violence in family, abuse and sexual crimes.

Children still are neglected and forgotten – as the latter take advantage of changes, and first are victims of not wise social experiments.

## **GENERAL PROBLEMS – COMMENTS AND OBSERVATIONS.** **TRANSFORMATION IN POLAND**

As **STAGES OF IMPLEMENTATION OF THE CRC IN POLAND** recognize:

- **Adapting Polish law** to law included in ratified Convention on the Rights of the Child,

- **Comprehensive coordination of activities** by different resorts connected with implementation of the Convention,
- **Leading** on large scale and reliable **informative action** about content and meaning of the Convention and real condition of children's life,
- Systematic and planned **monitoring** of changes in children's situation in the country as about awareness and obeying child's rights in their environment.

On our eyes ensued in 1997 **REVOLUTION OF JUSTICE ORDER**, introduction hard constitutional rules, which are source of good inner law in Poland. The new Constitution gives big chances for improving children's situation and creation of coherent system of protection children's rights. It needs of applying changes which the Constitution introduced.

It is seen **LACK OF COORDINATION ACTIVITIES FOR CHILDREN** (what government also admits), because after elimination the Plenipotentiary of Government for Children in September 1997, coordinator, advisable by Government, does not do this task.

Analyzing many problems and drawing the conclusions we have to admit that **CHILDREN IN POLAND ARE DISCRIMINATED**. Policy last years contradicts international commitments.<sup>2</sup> In period of Polish transformation is visible that the highest costs pay children. Started in 1998 four big social reforms bring negative effects. They caused also family crisis.

Unrealized basic rights contented in the Convention reach other social problems. In 90-ties economic recession appeared what caused – **DIFFICULTIES IN FINDING JOB BY YOUNG PEOPLE** finishing school education. **Worsen quality of education** also undermine prospects for employee. **UNEMPLOYMENT** does not exist till 1989. Now it is serious problem, especially for young people.

Unemployment rate of young people at age 15-24 towards total unemployment rate (**state in 1998**)

	<b>Young people</b>	<b>Total</b>
Poland	23,3 %	10,6 %
18 countries from Central Europe and WNP	29,5 %	14,4 %
15 countries of European Union	21,2 %	10,8 %

Despite of impressive resourcefulness of young people it was expected in 1995 difficulties in keeping successful long-term strategies. A lot of activities of the State were needed in public political sphere, what was neglected in social reforms in 1998. It revenge by dramatic growth of unemployment – especially among graduates in 2001, when **job market broke down**.

## **POLISH OMBUDSMAN ABOUT CHILDREN'S SITUATION IN POLAND**

Children's problems in Poland were subject of many speeches, reports and initiatives of Ombudsman – beginning from the first report in 1994, when as the most important thing pointed at **need of regulation of education's problems and procedures of child's rights protection**.

Important example of those problems was **issue of Polish school** and its functioning in the range of respect children's rights judged by prism of **ombudsman's for pupils' rights activities** (system of advocacy in Polish schools). They were appointed at regional level of education authority. They have unclear status and ineffective mechanism of rights' enforcing what made their job difficult. Local school law, opinion about advocacy and pupils' rights made that pupils' rights have not been respected in many schools. Nobody thought in 1994 that the worst scenario of advocacy idea would realized – that is **structural elimination of institution of ombudsman for pupils' rights** made with administrative reform in 1999 (changes 49 voivodeship for 16).

**The biggest children's problem in Poland is violence at home** and state helplessness towards providing protection for children. This problem will be discussing further.

### **6.1. GENERAL MEASURES OF IMPLEMENTATION OF THE CONVENTION (art. 4, 42, 44.6)**

<sup>2</sup> Wolniewicz Lucjan: Speech on International Conference "System of help for children in Poland", Warszawa 24-27.09.1998r.

Acts concerning protection of children's rights in the Constitution were wrongly put in chapter "Freedom and economical, social and cultural rights" (Art. 72). Those rights should be in chapter concerning freedom and personal rights.

<b>problem</b>	<b>Art. CRC</b>	<b>No. of page in the state report</b>	<b>Comments to the government report</b>
Conformity of Polish law to the Convention Primacy of international agreements over acts		13, 17, 34, 97	Common problem in Poland is social beliefs that " <b>law itself and life itself</b> ". This is the effect of misunderstood justice procedure, which upset unambiguous and cohesion of norms. That is when compare the Convention on the Rights of the Child with Polish declaration connected to ratification on 30 <sup>th</sup> of April 1991: " <i>The Republic of Poland thinks that execution of child's rights defining in the Convention, <u>especially rights describes in Art. 12-16</u> is made with respect of Polish habits and tradition concerning the child's place in family and out of it</i> ". This record is not a justice norm but makes difficulties: <ul style="list-style-type: none"> <li>- in defining the justice range of the declaration – as a document,</li> <li>- concerning possibilities of widening interpretation of record "<i>especially</i>" for different articles than just 12-16,</li> <li>- in impossibility of describing positive context of "<i>Polish habits and tradition</i>" (Polish tradition is that children should not have any opinion).            Moreover there are <b>problems in respecting</b> other Convention concerning children like <b>European Convention on the Exercise of Children's Rights</b> on 25/01/96. There are cases that courts rule against child's interest.</li> </ul>
GDP [gross national product] for children	4	3	There is lack of possibilities to show how much of PKB is for children (it is expected to be 2.5%). It cause – in connection with distract of funds to different resorts (ex. problem of violence) ineffective management of funds and impossibility of assessment the efficiency of government's activity.
Negative effects of reforms after 1998		3	Main problems concerning health service and making political the children's issues. 64% Polish think that care about child is worse; just 0.5% is signaling improvement.
Promotion child's rights in Poland	42	19	" <i>Law in Poland make possible and state institutions do not disturb</i> " – this is too little with lack of real activity; there is common critique by NGOs. State services (mainly teachers) see child's rights as source of anarchy. Often relations between rights and duties are wrongly interpreted.
Trainings on the subject of the Convention on the Rights of the Child	42	12	We recognize as too insufficient pointed in report outcome: 15 courses, 12 about child's rights, 328 hours and just 375 trained people (what is minimal percentage of teachers). State activities are insufficient. In report input of NGOs is omitted. Polish Forum for Child's Rights <b>has trained represents of children and mediators</b> in cooperation with AED USAID, Ministry of National Education, Polish Committee of UNICEF and local authorities in period of September 1996 – July 1997. In 1998 program was continued thanks to support of Committee of European Integration in the range of Program "Fiesta 2", and in 1999 and 2000 thanks to Batory Foundation. <u>In 1997 and 1998:</u> <ul style="list-style-type: none"> <li>- <b>12 conferences</b> was organized in which took part <b>1475 people</b>;</li> <li>- represents of Forum took part in <b>57 other conferences</b> and workshops, in which took part <b>3205 people</b>,</li> <li>- there were organized <b>13 forms of training for 251 children's represents from 68 Polish towns, 9 seminars and 9 workshops for pupils and teachers from 81 schools</b></li> <li>- there carried out <b>classes for 190 students</b>;</li> <li>- 101 graduates of training took realization of the contracts – they realized over <b>120 educational forms</b> in the range of human rights,</li> <li>- <b>support system for children in 17 Polish region</b> was worked out</li> </ul>

## 6.2. DEFINITION OF THE CHILD (art. 1)

<i>problem</i>	<i>art. CRC</i>	<i>page number in the government report</i>	<i>comments to the government report</i>
Lack of homogenous united and compact definition of the child	1	1, 40	<p>Problem with child definition leads to many tensions and misunderstandings. Different legal acts define child age in different manner. The same words might have different meanings, e.g. “minor” in the labour law and the act on proceeding in minor cases<sup>3</sup>. There are also different problems with definitions:</p> <ol style="list-style-type: none"> <li>1) Unborn child,</li> <li>2) Legal consulting without parental permission – there exist the age limit but the government tried to question child rights in that dimension,</li> <li>3) Children’s lawsuit rights – guarantee of listening and protecting children-witnesses,</li> <li>4) Penal responsibility.</li> </ol> <p>It is really hard to solve those problems.</p>
The status of unborn children	1	53	<p>In spite of numerous political declarations we have <b>very weak system of prophylaxis</b> – there exist social and health threats when mother could not choose, and leads to early motherhood (e.g. 12 years old mothers).</p> <p>Dissemination of the knowledge about the prophylaxis system will allow to delimit the scale of child-murders and abandoning of children. Rapid regulation of the legal situation of abandoned children and placing them in foster families would prevent children from emotional problems and orphan’s malady.</p> <p>Moreover, the government do not see <b>very poor situation of new-born children</b><sup>4</sup> that are abandoned by mothers that do not resign from their parental rights. The court, generally limit those rights and passes the judgement on children to be placed in institution.</p> <p>Art. 119 § 1 family code regulate those situations but there is no practise of rapid and effective actions with such<sup>5</sup>.</p>
Definition of disabled child	23		<p>In result of misunderstandings in defining disabled children there exist different statistics. According to the resort of health there are 4 millions of disabled children in Poland, but the resort of education told about 3 millions.</p> <p>As a positive achievements we perceive the acceptance of the Charter of Disabled Persons by the Polish Sejm (1 August 1997) – the charter include the definition of disabled person.</p>

## 6.3. GENERAL RULES (art. 2, 3, 6, 12)

<i>problem</i>	<i>art. CRC</i>	<i>page number in the government report</i>	<i>comments to the government report</i>
Equality and non-discrimination principle	2	28	<p>Children are omitted in estimating the social reform results.</p> <p>Examples of discrimination of children regards also:</p> <ul style="list-style-type: none"> <li>- Practices of crisis activities of the government during the flood in 1997 (Roma people discrimination),</li> </ul>

<sup>3</sup> Stadniczenko Leszek – the analysis of children situation in Poland – Opole 2001

<sup>4</sup> The statement of The Polish Ombudsman to Minister of Justice (14.02.2000)

<sup>5</sup> (RPO/282334/98/XI)

			<ul style="list-style-type: none"> <li>- The eviction of families with children,</li> <li>- Deterioration of the accessibility to medical care for children after the reform.</li> </ul>
Well-being and the best interest of the child	3	29, 31, 100	The primacy of well-being of the child exclude the possibility of existing polish declarations to the CRC – declarations can not delimit any of the CRC notions. Many problems result from strengthening the position of the state and at the same time low qualification of the state representatives.
Child in a family	5, 9	29	The right of the child to both parents <sup>6</sup> is broken very often. Violations of the interests of the child also happens when parents divorced (also rights of fathers).
Early childhood	6	43, 44  71	Institutions (houses) for small children were taken over by the Ministry of Education from health service in 1993. But the practical dimension of those changes is very slow, especially regarding the regulations of legal status of children in institutions – it makes the adoption process impossible. Very serious problem occurs when kindergartens are being liquidated, as a part of the policy of saving money by the municipality <sup>7</sup> . In effect we have not got the possibility to expect the realisation of constitutional obligations of the state to small children in care and educational matters. This problems refers especially the rural areas (as it was stated in the government report).

#### **6.4. CIVIL RIGHTS AND FREEDOMS (art. 7, 8, 13, 14, 15, 16, 17, 19, 37(a))**

### **VIOLENCE AND CHILD ABUSE**

In Poland, not numerous data arise that **more than 60% of parents use corporal punishment** as a form of discipline (Czyz,1992). During one year **200 thousands of children** experience violence but only 10% of these cases are registered by the Police. In 1998 there were **21 thousand cases of family members' torments**<sup>8</sup> - it is 2 times more than in 1990. To the Public Prosecutor's Office comes only **2,5 thousands cases**, mostly after the hospitalisation of the child abused.

**4% of polish children have sexual contacts once in year** (it means touching intimate part of the body) with an adult. **8,4% of children where persuaded to watching pornography films and magazines.**

35% of women and 29% of men where sexually abused in their childhood<sup>9</sup>. Almost 17% of women and 9% of men were abused by the family members. More than **10% of asked women and 3% - men they were raped in the childhood**, more of these persons never told about this and did not use medical, psychological or legal help.

In 1999 police statistics indicate **1659 cases of paedophilia** - sexual abuse of children under 15 years. It is estimated that **only 5% of cases of sexual abuse of children are revealed**.

85% of respondents confirm that, one of the most general reason for violence is lack of social reaction when such things happens.

66% of Poles suggest that appropriate institutions very rarely react and cooperate in these cases.

85% of Poles state that, perpetrators should be penalise and cure at the same time.

Meanwhile, in Poland there is lack of institutions that are engaged in therapeutic work with perpetrators.

Only 15% of professionals state that Polish law properly regulate the intervention system for the problem of child abuse and violence.

**Governmental report** from the realisation of CRC in Poland (1993-98 years), according to the most important problem as child abuse is refers only in few words and in the manner that it is not a big

<sup>6</sup> Research from the Ministry of Internal Affairs and Administration

<sup>7</sup> Kaminska Krystyna – research and opinions of the Polish Committee of OMEP

<sup>8</sup> Data from the Police

<sup>9</sup> Polish Sexuological Associations 1991r.

problem (pages 37 and 50). Meanwhile, **we are talking about fundamental rights** – protection against inhuman and maltreatment – problem very severe and important. Violence has important consequences in adults life – violence is inherited.

Against violence and sexual abuse of children it is necessary to<sup>10</sup>:

- Create national and local system of monitoring the problem,
- Rationalise the system of registering cases of sexual abuse,
- Create the cooperation system between professional services,
- Improve the system of collecting data and evidences,
- Guarantee for children to be interviewed only one time and without presence of perpetrators,
- Create the system of working with perpetrators,
- Launch the appropriate regulations to protect victims.

As positive aspects we observe:

- Very active and long lasting role of National Agency for Resolving Alcoholic Problems ( this Agency assists to the Polish Network of interventions points “Blue Line” and offers financial help to important local initiatives - also in the initiatives against violence and abuse problems,
- Starting, since 1993, the diagnosis of the battered child syndrome in hospitals<sup>11</sup>,
- Statement in Polish Constitution from April 1997 that “corporal punishment is forbidden”<sup>12</sup>,
- Starting the program against family violence “Blue Card” in October 1998 with the Police,
- Launching, in 1998 the legal obligation to create local intervention centres (the realisation of that low need some time),
- Announcement by the Ministry of Justice – 29 October 1999 – the Polish Charter of the Rights of Victim.

## **PROBLEMS OF YOUNG PEOPLE**

We observe very strong lack of confidence to democratic institution and frustration caused by slower and more painful transformation process within young people.

**In 1989-1998** the number of offences has increased – the number of offences committed by 14-17 aged people is higher than these committed by people between 18 and 24. **The number of offences that are registered** which were committed by minors in last years **is 4 times higher** and still is growing – this is the highest index between 12 countries in Central-Eastern Europe.

We observe less respect to law and also changes in the character of crimes – the number of Offences with violence is increasing.

In the report prepared by UNICEF we could find other tendencies:

- Lack of information about crimes,
- Growing number of young recidivist,
- High number of criminals under 14 years,
- Increasing number of girls who are accused of committing crimes,
- New sorts of offences, e.g. drug crimes.

All information regarding changes in numbers of offences committed by children should be gathered in the Integrated System of Police Information – system that should be created.

## **6.5. FAMILY ENVIRONMENT AND ALTERNATIVE CARE (art. 5, 9, 10, 11, 18, 20, 21, 25, 27.4),**

### **PRO-FAMILY POLICY**

**57% of polish population express the view that the state is responsible for living conditions of families that bring up children.** They expect that the state will assure appropriate conditions for independent life of families and will satisfy their needs.

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<sup>10</sup> Mercier Michele “Research on the proposals for children sexually abused in Central European countries” – Nobody’s Children Foundation 2000

<sup>11</sup> Data of the Institute of National Hygiene

<sup>12</sup> Polish Constitution – art. 40

In 1990-1997, the dominative form of help from the polish government were **disbursement in money**. The policy for family were kind of a balance between searching and save money in the budget and the necessity of satisfying the most urgent needs. In result, subsidies become unreachable for part of families that require immediate help. Social help is for those who are importunate and self-confident, those who are in critical situation and do not demonstrate initiatives because of fears or bureaucracy can not get any money. Sometimes, in social service office more important are papers, documents than real need and result.

In April 1991, the Council of Ministers through the resolution appointed the Plenipotentiary of the Government for Women and Children and until 1995 this function was organised or reorganised. On 10 June 1997, the government accepted the complex programme of the family policy. In November 1997 instead of the Plenipotentiary of the Government for Women and Children, the government enacted the Plenipotentiary for Family Issues. To prepare a strategic plan and to improve the functioning of polish family they create Interdepartmental Team for Pro-Family Policy. This team prepared the Report on Demography Conditions and the Quality of Functioning of Family – the report with ideological statements – which criticised activities against home violence that its “*create negative portrait of polish man*” and “*propagate the model of womanhood oriented for a carrier*” etc. This report became the basis for the document called “**Pro-Family Policy of the State**”, the document was founded on the vision of morally health society. Elements of the Policy:

- encouraging families to numerous children, and women to motherhood and bringing up children,
- prohibition of contraceptives, abortion and sexual education,
- legal limitation of accessibility of divorces,
- protection of the autonomy of the family through recognising violence as private matter and perceiving child rights as harmful.

**Polish society and non-governmental organisations<sup>13</sup> very critically estimate the state policy for family**, generally by reason of:

- faulty interpretation and estimation of problems – e.g. decreasing number of births and marriages,
- faulty priorities – e.g. an idea of financing by the state “viagra” medicine and pass over in silence the problem of poverty,
- refusal of cooperation with NGOs on this issue (apart from few chosen).

### **CHILDREN WITHOUT FAMILY ENVIRONMENT**

**36 thousands of children in Poland that are victims of violence and totally neglect.**

**In different institutions there are 80 thousands of children and next 12 thousands are waiting for place.**

Between children under 14 years in 1997, every fifth child was poor.

84% of children that are growing up in children’ house never visited a freeing in the city.

Since 1991 till 1998 the number of children in children’ house systematically grown. In 1998 there were:

- **in 356 children’ homes** there were **17.645 children** – between them only **610 orphans**; and **34% of the whole number came to institution because of poverty** in the family; the average cost of living in the institution stand for 2.200 zlotys,
- **in 150 family houses** there were 1300 of children – the average cost of living stands for 1.300 zlotys,
- **in foster families** there were 45 thousands of children (living costs: 500 zlotys).

According to the polish Ombudsman [RPO] reports, in 1994 in institutions for children many of child rights was not respected, especially: right to information about themselves and their rights, protection against maltreatment, right to gathering, to explain themselves in matters affecting them. Pupils of those institutions are passive and not ready to independent life, thinking and act.

RPO argued that children’ houses should be replaced be foster families and adoption. State policy should follow the changes in institutions.

Observing the increasing number of international adoptions and trafficking of children RPO in 1994 argued for elaborating rules to cooperate and exchanging information on the subject between resort of

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<sup>13</sup> research on the public opinion on family policy - CBOS, September 1996.

education and justice. In that case, as positive thing (in 1993-1998) we have to remark is the order in the competence between government institutions made after the ratification of the Convention on the protection of children and cooperation in international adoption (1995).

Disadvantages of the polish system for child protection:

- lack of the network of guidance for families and young people,
- lack of the evaluation of activities in rehabilitation and socialising centres for children,
- poor utilisation of preliminary schools and their educational role and pro-family policy,
- treating social help as financial institution only
- tendency to placing children in institution and in other forms of care, including social help houses and psychiatric hospitals<sup>14</sup>.

In Poland, in the area of children care there are very active non-governmental organisations and professional institutions of foster care – lobby group – which, in 1995 organised first national debate on the subject of reforming system of institution for children. In 1999 the lobby group prepare the complex document on legal regulations in the pocket of social reforms (so called “**fifth reform**”) and bring the “issue of foster care and children institution” from educational system to social help – the resort co-ordinated by the Ministry of Labour and Social Policy. Disadvantages of this system are being corrected. Nevertheless, the problem still remains because of e.g. differences between standards of institution for children in different regions of Poland (their prosperity) – this is a really weakness of the system – and not equal financial help for children in institution and in foster families (family forms of care).

<i>problem</i>	<i>art. CRC</i>	<i>page number in the government report</i>	<i>comments to the government report</i>
Rights and parental responsibility	5	38, 40 school obligation: 39, 73	Rights and parental responsibility can not be impair without marked reason. Therefore, we estimate negatively actions like “Malolat” (mentioned before). This actions set free parents from the responsibility on children when they are out at nights. As a result of subjective treatment of rights and parental responsibilities there are problems with realisation of so called: school obligation by children – they are punished for adults’ problems; and lack of protection of children’ best interest (art. 95 family code).
Decreasing number of birth and marriages Pro-family policy	6	31, 44 (crisis)	The government manage faulty policy for family – it result in: hiding sexual issues, promotion and glorification of numerous families, frightening children that masturbation leads to illness, using new means of intimate hygienic and contraceptives <sup>15</sup> .
Family reunification. Refugees	10	86	Consents to temporary stay in Poland issue by Ministry of Justice and Internal Affairs only for one parent prejudice child’ right to both parents <sup>16</sup> .
Children without family environment	20	3, 43, 44, 51	We observe <b>increasing tendency of divorces</b> – in 1995 – 38.115, in 1998 – 45.230. Divorces in marriages with children: in 1995 – 26.496, and in 1998 – 30.104. One of the solutions could be including mediations into the family and care code. There is also a need to regulate the status of children abandoned by their parents <sup>17</sup> .
Children in institutions (complete care)	20	41	34% of children are placed in institution because of poverty of their parents or mother. The system replace parents in their functions and obligations, this situation leads to pathology.
Foster families	20	42, 43, 44	We observe non equal treating of foster families (low material status of 90% of those families) and national institution (e.g. children houses).

<sup>14</sup> Cases from the records of “Children Letters to the World” Foundation

<sup>15</sup> “Worst children” – weekly magazine “Polityka”

<sup>16</sup> Speech by Senator Mrs. Dr Maria Lopatkowa

<sup>17</sup> RPO/328428/99/XI - 14 February 2000- (Information 2/2000, page 12)

			Help in the sum of 40% of yearly salary (approximately 500 zlotys) for foster families it is too less, when in children houses the living costs of one child stands for 1800-2400 zlotys.
Problems of foreigners and refugees in Poland	22	40	<p>We observe deficiencies in the realisation of the CRC regarding foreigners that are living in Poland.</p> <p>The human fortunate depends on the officials<sup>18</sup>. Immigrants in procedure are defenceless that result in practice of brutal practice of separating children from one parent<sup>19</sup>.</p> <p>The scale of the problem of children-foreigners that are in Poland is a rising issue. Issues that require regulation:</p> <ul style="list-style-type: none"> <li>- matter of constitution of guardians for those children,</li> <li>- appropriate arrangements of refugee camps and help for children,</li> <li>- creation of the records and data base of foreign children to assure them good care and help.</li> </ul> <p>The polish functionaries do not use scientific methods in defining child age – social services and disbursements depends on the child age<sup>20</sup>.</p>

## 6.6. BASIS OF HEALTH AND WELFARE (art. 18, 23, 24, 26, 27)

### HEALTH (SANITARY) PROBLEMS

In 1998, resign form the reasonability for prophylactic and treatment of children. **Parents and so called “family doctors” (as the guardians of the system”<sup>21</sup> took over the full moral responsibility for children’s health.** Meanwhile, the market conditions, financial barriers of the unwell fund (in polish “kasy chorych”) and political aspect of medical reform result in deterioration of children’s health and their feeding situation<sup>22</sup>. All of those menaces were confirmed by the Paediatric Association leded by Prof. Januszewicz from the Centre of the Health of a Child, and also by the Department of Medical Services of the Ministry of Health and Social Care.<sup>23</sup>

- 1) Destabilisation of medical research, prophylaxis interventions and inoculations. **In Poland there are regions that medical research and inoculations of children decreased** from almost 100% (in 1980) **to 60% nowadays!**
- 2) In 1995 year – 61,9% of children between 6 and 7 years have stature defects<sup>24</sup>. Actually, statistics shows that 80% of polish children might have stature defects.
- 3) Through the liquidation of medical cabinets in school and the posts of school nurses led to the very poor realisation of the right to medical care. MEN finds that medical care should be realised by parents – in practise not every parents could take care of their children in the manner they required (families in poverty, dysfunctional families, etc.)

The early diagnosis and complex rehabilitation of children become limited. Few centres for disabled children were liquidated because of the statements in the act on public finances from 1999.

Wrong interpretation of the postulate of freedom and autonomy of the family led to the harm of the all children’s population. We will observe results in some years time.

<sup>18</sup> weekly magazine “Newsweek” - 16.09.2001

<sup>19</sup> cases from the experience of Human Rights Helsinki Foundation and materials form prof. A.Sicinski – member of the European Commission against Racism and Intolerance.

<sup>20</sup> Report “Separated Children” 2001

<sup>21</sup> Trainee materials form the Committee of Child Rights Protection, 1999

<sup>22</sup> it was confirmed by: the Mother and Child Institute, Centre of the Health of a Child and doctor from all over the country,

<sup>23</sup> statement at the conference “Children issues in polish social reforms”

<sup>24</sup> A stand point of participant of the conference “System of social help for children. Health protection and prophylactic”. Lanckorona - 28.12.1995-1.01.1996

The UNICEF report<sup>25</sup> present the picture of young generation in Poland and the menace of children's health in rural areas. Young people generally feel less healthy than ten years ago and they do not have equal access to medical care and information.

The stress and depressions lead to the growing number of suicides attempts. **More children smoke cigarettes – research from the period 1993-94 shows that 10% of boys and 22% of girls regularly smoked cigarettes and in 1998 the appropriate figures were: 18% and 29%.**

We observe also the increasing number of children that used to drink alcohol. Since 1995 we observe also cases of using drugs (marihuana and also hard drugs) in high schools (approximately 10% of students).

Next problem regards the sexual life and reproductive health; **the growing number of maladies that are carried through sexual contacts.** The Medical service should be more oriented for young people through the information system, hygienic education, "aid network", advice, etc. It is one of the measure of prevention from HIV.

## **SOCIAL PROBLEMS**

In Poland poverty sphere (**half of the poor people are children**<sup>26</sup>) and disproportion between cities and countryside drastically widen. Worsening of life condition of Polish families evokes emotional tension state, what impinge on bringing up process. Gross domestic product was 6.1 thousands USD on person in countryside in 1997 in Poland and was lower 1.2 thousands USD than average and almost 2.8 thousands USD than in cities. **"We have "two countries": urban belonging to developed world and country which are much more backward. Strengthening such division is important factor destabilizing process of state development and functioning Polish democratic institution. It can also destabilize process of integration with European Union"**<sup>27</sup>.

**Poverty of families in villages** is the reason of unsatisfaction of food needs, proper clothing and compiled school books for children. Financial problems are the oftenest reason of family conflicts. It happens that also it is the reason for drinking alcohol. Many families are searching additional source of money (just 8% are passive).

**Social policy of the country is often constructed for realizing aims-interests significant group ruling of the country**<sup>28</sup>. The example is an aspiration of the government for giving single benefit for families with many children (it was to be instrument of realization pro-family policy). Criteria of such benefit should be state of unsatisfaction of children's needs in the family, not number of children. Poverty, sickness, resourceless touched families regardless of their number.

**There is no state comprehensive program of help for "street children"** in Poland. There are specialized agendas, busy with selected subjects like PARPA, Office for Drugs' Takers. But Ministry of Labor and Social Policy even in 1998 was belittling problem – recognizing it as not important and composed. Problem is with Rome children, prostitute children, children escaping from home, children not realizing school duty (1966 children in 1998), children working on the street – about 3.9% (begging, small robberies, washing car's gasses). NGOs estimates<sup>29</sup>, that problem of children living on the street concerning 1% of children, 5.1% of children play truant and 11.4% spend most of time on the street. Children who are not going to school often are leading to care centers from which they escape. Moreover in care centers there is lack of places – in Warsaw about 400 and in Katowice – 600.

<b>problem</b>	<b>art. CRC</b>	<b>Page number in the government report</b>	<b>comments to the government report</b>
Handicapped children	23	45, 60, 63	Towards handicapped children there are lower standards of services, especially in special education centers – what extreme

<sup>25</sup> "Young people in changing societies" - UNICEF Innocenti Research Centre, Florence, Italy, red. Gaspar Fajth.

<sup>26</sup> data of Main Statistic Office

<sup>27</sup> report of UNDP Program about social development "Poland 2000: Countryside development"

<sup>28</sup> Halina Górecka, Magdalena Górecka "Child rights protection in the international law and its realisation in Poland", Krakow-Olsztyn 2001

<sup>29</sup> Pleta Jaroslaw - report for Foundation for Poland concerning street children - 1997

			example is lack of dentist care. Serious problem of handicapped children needing help of someone is depriving their parents rights to early retirement – retirement act from 17 <sup>th</sup> December 1998
Integration	23	57-60	Special education was omitted in education reform projected in 1998. For great engagement and property of organizations of handicapped children's parents and special educators overlap failure system (rules and mode) <sup>30</sup> - Classifying children to suitable forms of education, - Education of handicapped children.
National Fund of Handicapped People's Rehabilitation PFRON	23	3, 31	PFRON recognize as priority buying position for handicapped adults (what is effect of failure law). Political and administrative lobbying is prevailing, what cause wastefulness and low effectiveness of the handicapper's problems solution. One of cause foregoing problems is lack of objective (by competition) rules of PFRON authorities' election. Diagnosis and comprehensive handicapped children's rehabilitation are financed vestigial in scale of PFRON's funds. <sup>31</sup> There is also lack of clear procedure of awarding and spending funds for handicapped children. The effect of that is lack of stability in funding centers leaded by NGOs and serving handicapped children (despite, what Ministry of Health says, NGOs' centers are cheaper and more effective).
Comprehensive rehabilitation of children	23	54, 56, 57	Work taken in autumn 1998 on act about comprehensive rehabilitation of handicapped children was failure. One of case was elimination of Ministry-Coordinator of Social Reforms' Office.
Professional preparation and job of the handicapped	23.3	21-22	In Poland there is obsolete system of special professional education. It prevents pupils entrance for open labor market <sup>32</sup>
Health care	24	61, 62	Already in 1995 NGOs pointed at need of: prophylaxis, psychological-therapeutic help and monitoring of children's feeding and health system. In 1998 system of research, prophylaxis treatment and immunization was destabilized <sup>33</sup> . There is lack of comprehensive program of children's prophylaxis. In register of medical service (in system of health insurance) there was no rehabilitation services for children in 1998 <sup>34</sup> In 1994 Ombudsman showed need of guarantee for children in hospitals care of their nearest people (according to "European Card on Child's Rights in Hospital"). In 1998 in health service's reform gained space for hotels for mothers in Children's Wards in hospitals, that they can be with their children day and night <sup>35</sup> . But problem still exist – parents signal difficulties, including high fee for staying in hospital.
Begging, street children (children living or working on the street)	27	39	In 1998 the Government belittled problem of begging and street children. As serious should be pointed: - Lack of work with Roma children and families, respected different habits and culture, - Lack of help activities for children dislodged from education (not realizing school duties properly),

<sup>30</sup> Report of Minister of Health and Social Policy from 1996

<sup>31</sup> Staniszezewska Grazyna – Chairman of Sejm Commission of Education – on the Conference in Sejm: "For equality of chances for handicapped children and youth – 2nd April 2001

<sup>32</sup> postulats from International Conference "Support System for Children In Poland" – Warszawa, 24th-27th of September 1998

<sup>33</sup> Januszewicz Pawel – main peadiatrician in Poland 2000

<sup>34</sup> postulates from International Conference "Support System for Children In Poland" – Warszawa, 24th-27th of September 1998

<sup>35</sup> "Effects of changes In health protection system" informative-training materials of Committee of Child's Rights Protection from 1999

			<ul style="list-style-type: none"> <li>- Small number of hostels for children in crisis,</li> <li>- Lack of institutions' for children coordination system.</li> </ul>
Social help	27	68	<p>There is lack of quality indicators concerning necessity of putting children in total care centers, as well as effectiveness of socializing and rehabilitation operations. Cheaper and more effectiveness could be system of benefits for family. While benefits are unattainable for many people/families (look in chapter 6.5). Often handling charges are equal to benefit, ex. in Slupsk 10 zł, in Starachowice 49,40 zł<sup>36</sup>.</p> <p>System of training social workers is weak. According to research in 2001 just 15% workers of Poviast (Administrative District) Help Center had needed qualifications to serve duties.</p> <p>Social help's problem is also division for districts. It causes sometimes refusal of help for people in dramatic situation – concerning also violence.</p>
Feeding children	27	70	<p>The Government has not ordered Main Statistic Department of monitoring undernourished children. There is lack of objective quantitative and qualitative data in this range. Moreover sometimes work with families is more needed, not only helping them out.</p> <p>Feeding of children is</p> <ul style="list-style-type: none"> <li>- From fund collecting by NGOs, ex. Polish Humanitarian Action,</li> <li>- And also from state aimed budget reserve (page 9), not from planned policy.</li> </ul> <p>The effects are chaotic (not based on diagnosis) activities on purpose of problem solution, not finished by measurable effects.</p>

## **6.7 EDUCATION. CULTURAL ACTIVITIES AND LESURE TIME (art. 28, 29, 31)**

There is a strong relation between changes in number of persons attending education and National Gross Product. **Countries - by introducing limitations in educational systems in reaction to economical problems - lever their long-term chances to find new ways of development – because they lost the opportunity to invest in their future workers and leaders. For young people, who didn't use the possibilities for gaining education, it would be very hard in coming years to re-establish this lost foundation.**

**The level of attending school education in Poland is 99,96%**, including children released from school duty – 0,17%. The UNICEF Report<sup>37</sup> on situation in Poland remarks that in a field of education **there are more possibilities, but connected with bigger inequality in access to educational offers** and with cases of deprivation of these possibilities. Especially there is an out-of-proportion high percentage of young people of poor families, with ethnical minority background and physically handicapped in group of people leaving school education early or not attending school at all.

In 1999 one of **each ten families decided not to buy necessary handbooks for children**, one of each nine families is not paying their parental committee fees, **one of each five gave up any sort of courses outside school.**

The number of people starting education on high school and technical school level is decreasing. Reasons for this are increasing costs of education: formal fees, informal costs of individual courses, prices of handbooks.

**In Poland since many years there is a permanent process of transformation of educational system**, but results are more visible in an area of education than in an area of upbringing. There is a lack of programs that would efficiently present models for teacher-pupil partner relations – guaranteeing respect for pupil's dignity and unrestricted progress, and suitable work conditions for teacher.

<sup>36</sup> "Children in difficult situations", report of the Institute of Labour and Social Matters – nr 10, 1996

<sup>37</sup> "Young people in changing societies" - UNICEF Innocenti Research Centre, Florence, Italy, red. Gaspar Fajth

From Czestochowa Pedagogical College's many years of survey in educational facilities comes a conclusion **that actual social situation creates danger for democratisation process in school and for observation of pupil's rights**<sup>38</sup>:

- 1) Fast and proper diagnosis of pupil's physical and psychological development, proper medical and pedagogical care and assistance for levelling any irregularities in pupil's development are not easily accessible.
- 2) The level of prestige for a teacher-mentor is decreasing.
- 3) The commercialisation of extra school education and activities is increasing; the sphere of cultural activities within the reach of society keeps getting narrower all the time because of pauperisation, high prices of books and periodicals, expensive tickets to the cinema and theatre and so on. Also the decapitalisation of educational-cultural institutions is advancing.
- 4) Lack of tolerance for national and ethnical minorities is also sometimes a problem.

From examined group of 450 pupils **85% pointed out overloaded school programs, 87% remarked that the content of these programs is delivered in a very formal way**<sup>39</sup>. During the lessons the discontent of a teacher is often showed by stigmatising students and making fun of these who are unable (due to many different reasons) to cope with their tasks.

Problems in school are:

- 1) not big enough individualisation of teaching, methods of the early diagnosis of pupils are not widely known;
- 2) formal treatment of this part of a teacher work that is connected with upbringing of children (often it is limited to documentation), very weak contacts with families of pupils;
- 3) lack of elaborated methods of getting in contact with and influencing informal groups and subcultures active in the school;
- 4) preference for passive ways of teaching, active methods are not highly valued, educational and didactical activities are limited to the terrain of the school;
- 5) on-going changes in mentality and surroundings of children and their parents are not taken into account by the teachers;
- 6) excessively<sup>40</sup> strict and exaggerated demands on realisation of centrally imposed school programs.

Answering to the question: *"What is the way of addressing children by the teachers?"* more than a half of students emphasised **unfriendly attitude towards less talented students** that was taking away their dignity. Students punctuated also lack of simple kindness and ability to see a pupil as a human being. **Impersonal treating of students is the prevailing habit**: "they read out numbers from the class register." It is clear to see from the survey that school fears are deepened by different types of punishment: i.e. pulling by the ears, striking hands with a ruler. 33% of surveyed children were victims or witnesses of such actions. **In school only obligations of students are talked about**, not a word is spoken about their rights. That's the reason for antipathy to school, distrust towards teachers, lack of faith in their goodwill growing among pupils.

Among these problems it is worth noting that there are also some good points:

- 1) young people put much more weight and meaning on education;
- 2) number of people attending higher levels of education is increasing;
- 3) proportion of women attending higher education is growing.

On the initiative of World Health Organisation there are organised in Poland "health-promoting schools".

In 2001 new initiative was created: so-called **"Education for progress"** – definition of education's problems in Poland and also declaration of Polish Government to introduce changes into the system: "Main barrier in the way of creating new educational policy is common – even among politicians – lack of awareness of the fact that decisions taken in this field are resulting in all other fields of social life in

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<sup>38</sup> Halina Górecka, Magdalena Górecka "Child rights protection in the international law and its realisation in Poland", Krakow-Olsztyn 2001

<sup>39</sup> Halina Górecka, Magdalena Górecka "Child rights protection in the international law and its realisation in Poland", Krakow-Olsztyn 2001

<sup>40</sup> D.Marzec, "Compliance of students rights in school of Czestochowa voivodeship, (in) Child Rights, Krakow 1993, s. 243

long-term. In organisation of education the departmental way of thinking is predominant.” The depository for this document is Polish Ombudsman.

### **LEASURE TIME ACTIVITIES AND ACCESS TO CULTURAL INSTITUTIONS**

There is an uniformity of views on financial barriers, taking shape of fees for courses provided by educational and cultural institutions. These barriers diminish the choice of spare time activities and possibilities for rest accessible to children. Special meaning must be attached to the lack of organisation of free time for children staying in the hospitals.<sup>41</sup>

<i>problem</i>	<i>art. CRC</i>	<i>page number in the government report</i>	<i>comments to the government report</i>
Realisation of a school duty	28	7	In 1998 in Poland 1966 children did not realise their school duty. Strong objection must be expressed against the competence (written down in the law) of school superintendents to release handicapped children from their school duty – as a negation of constitutional right to education (art. 70). There are also problems with: a) transportation children to schools; b) children not attending lessons because of family issues; c) Roma children, often deprived of elementary conditions to learn. Separate problems are: access to kindergartens and children’s right for pre-school education (so-called “0” class). Since the amendment of the Educational System Law (21.07.1995) introduced possibility of charging fees for kindergarten, the level of these fees in many cases made attendance of this stage of early education harder for children.
Education	28	72	The biggest problem of Polish educational system is inequality in access to education. Children from rural and mountainous regions and eastern, north-eastern borderlands are in the hardest situation. “We expect the introduction of rational educational policy, important part of which should be expedition of at least 5% of National Gross Product to the purposes of education. We express conviction that fundamental challenge for educational reforms is three-sided subjectivity of students, parents and teachers, with regard to integration of handicapped people’s circle” <sup>42</sup> .
Quality of education	28.3		In Poland there is a problem of functional illiteracy – incompetence to read with understanding. It affects 25% of children in their 15th year of age <sup>43</sup> . The cause of this problem is (among others) an excessive expansion of electronic media and low quality of teaching in Polish schools.
Students’ advocacy system	28		We express great sadness on the liquidation of students’ advocacy system on the “voivodeship” level. The government explained this decision by “the relegation of tasks in this field to inspectors in the school superintendent’s offices” <sup>44</sup> . In practice the system of monitoring the observance of children’s rights in schools was winded up, which resulted in growing level of tensions and conflicts in schools, and also larger helplessness of educational supervision structures in cases of emerging conflicts. At the moment it is seems to be desirable to create a network of mediators in educational supervision structures on the level of “voivodeship” – they could play an important role during conflicts inside schools.
Sport	31	84-85	Government provided large resources for children’s sport activities, but the effectiveness of spending these funds was not really high, on which the medical examinations of children can provide enough

<sup>41</sup> according to the research at the Szczecin University

<sup>42</sup> Resolution of the Polish Educational Conference – Krakow, Zegocina, 15-17 October 2000

<sup>43</sup> Kwiecinski Zbigniew Torun University - researches

<sup>44</sup> Dzierzgowska Irena – Vice Minister of Education, statement in Sejm – January 2000

			evidence. Only after 1999 territorial self-government started the promotion of sport activity, i.e. by funding students sport clubs (UKS). The problem remains with the data flagrancy on financial resources and the means of spending them, and also constant monitoring of children and teenagers participation in sport activity.
Leisure time, children's right to rest	31	79-81	Authors of governmental report admit that fees for attending courses in educational and cultural facilities are a barrier which diminishes access to the variety of spare time activities for children. Children do not find any reasonable proposition for spending their spare time – facing schools closed for afternoons and lack of access to cultural institutions. That's the way the problem with drugs and creation of criminal groups is expanding, especially in large urban neighbourhoods. Each year means for summer holidays of children and teenagers, provided by governmental and self-governmental authorities are reduced. This situation is unacceptable because of the lack of interest for children in this period, threats faced by children and dangerous situations caused by youngsters without any care or sensible offer to organise their free time.

## **6.8 SPECIAL MEASURES FOR PROTECTION (art. 22, 30, 32, 33, 34, 35, 37, 38, 39, 40)**

### **SUPPORT SYSTEMS FOR CHILDREN**

Mirosława Katna acting as a governmental Plenipotentiary on issues of Children was realising 4 governmental programs for children in the period of April-September 1997. New government liquidated this office despite earlier promises of not destroying (after elections in 1997) any existing structures.

**Mrs. Katna before leaving her post transmitted to Prime Minister J. Buzek a report on progress of work for children and a proposition to co-operate on continuation of these works.** Unfortunately there was no response.

In 1997 Ombudsman Prof. Tadeusz Zielinski submitted to five ministries a proposition of actions on creation of a system for helping children, among them wrongly treated children. This intention was accepted but then contemporary governmental Plenipotentiary on issues of Children rejected the idea.

There is a growing concern on the problem of violence in Poland (see Chapter 6.4). It is important to skilfully work on this issue, taking as a rule that upbringing of a child is a matter of parental care, the role of a state (and self-government) is to provide safety for their citizens, i.e. by preventive actions, helping the family in fulfilling her functions.

### **JUDICIAL SYSTEM FOR MINORS**

We see dysfunctionality of family courts. In jurisdiction there is a primary role of institutional care for children. In courts the lack of knowledge and observance of procedural rights of a child is perceivable, in spite of ratification of European Convention on the Exercise of Children's Rights by Poland.

### **CHILD OMBUDSMAN**

There was a delay in realisation of constitutional obligation to elect Child Ombudsman. The Parliament ignored opinions of NGOs during the legislative process of creating an act on Child Ombudsman. First project (submitted by the governmental Plenipotentiary on issues of Children in December 1997) was a scandal: it proposed that children would not be allowed to lodge a complaint to the Ombudsman. On the 21<sup>st</sup> of November 1999 Parliament passed a bill on Child Ombudsman, in which it subordinated the interest of a child to the interests of parents and guardians. On the 26<sup>th</sup> of January 2000 the President signed this bill.

In June 2000 dr Marek Piechowiak was sworn as a first Polish Child Ombudsman. Unfortunately he resigned after only three months, giving as a reason lack of conditions to work. In this situation in the fall of 2000 Parliament elected new Child Ombudsman – Mr. Pawel Jaros, MP and judge – designated

to this post by the Agreement of Polish Christian Democrats. On the 1<sup>st</sup> of June 2001 Ombudsman opened with pomp and circumstances his office on 17 Sniadeckich street.

## PROBLEMS OF NATIONAL AND ETHNICAL MINORITIES

Only 20% of Roma children attend school on a regular basis<sup>45</sup>. Roma people think of a school as a typical place for different discriminatory actions: “anti-Roma tendency of a school is typical for a whole country”. Children only sporadically study at home – only 4,7% of Roma children have proper conditions to do that. During a survey ¾ of Roma people didn’t understand the term “learning place, secluded spot for studying” used in the questionnaire. But Roma people notice the problem with getting higher levels of education by their children. The fact of stopping education of their children at some point they explain by low level of their own knowledge and a lack of possibilities “to get higher”. 81,1% of Roma people are not able to foresee the future of their children after quitting a school. But they can see positive aspects of democratisation of a state and they try to exact their rights – which were not accessible to them by now.

## THREATS AND ADDICTIONS (selected problems)

### **DRUG ADDICTION**

21% of young people in the age of 13-15 years (24% in cities, 19 in villages) admit having used stupeficient substances; a research in the city of Lodz pointed out that as many as 35% of pupils had contact with drugs. In 1998 medical facilities received 221 persons under 15<sup>th</sup> year of age and 1130 persons in the age of 16-19 years. The most commonly used drugs in schools are: cannabis (84%)<sup>46</sup>, amphetamine, LSD and opiates. The most widespread drugs are: marihuana, hashish, substances for inhalation, pills, amphetamine.

### **CHILD'S PROSTITUTION**

In Poland there is still a lack of data on this issue – but it is acknowledged the problem is a real one. Help and assistance for young prostitutes is provided in Warsaw by “La Strada” Foundation. In January 2001 Polish Ombudsman came out with a question to the Minister of Justice regarding the possibility of legalising brothels in Poland – which would help in collecting the necessary knowledge on the scale of the problem of prostitution and also in creating legal tools to combat child’s prostitution.

### **NEW RELIGIOUS MOVEMENTS AND SECTS**

Concern is rising on the issue of the so-called religious movements, which are sometimes surpassing a freedom of conscience and religion, by becoming sects – then they start to act against the best interest of a child, his health, family cords, development possibilities or even life. Polish state created and is supporting proper protection structures in this field.

### **CHILD LABOUR**

A problem that is calling for attention is an issue of using children as workers. It is typical especially for rural regions, where children are working above their abilities at the farms, which is treated as a normal way by their parents. The problem was first elaborated by MP Katarzyna Piekarska, who – taking as a basis the results of surveys – undertook initiatives to stop these practices.

<i>problem</i>	<i>art. CRC</i>	<i>page number in the government report</i>	<i>comments to the government report</i>
Telephone guidance, emergency lines	24, 28, 40	87	Conclusion that telephone guidance is a archaic type of assistance is lacking any basis in facts. Experiences of school advocates for students’ and children’s rights and Committee for Protection of the Rights of a Child deny such opinions. Network “Blue Line” (against

<sup>45</sup> Gerlich Marian Grzegorz “Roma people on Roma children education” – report for the Ministry of National Education

<sup>46</sup> according to research in high schools

			violence) registered 7 thousand phone calls, 2/3 of which came from victims of a violence and 500 of which came from children.
Problems of national and ethnical minorities	30	98	The governmental report is dealing with a problem of children from ethnical and national minorities in an over-simplified manner, concentrating mainly on educational issues (in this field there are also many failures visible). In Poland the discrimination of Roma people is present, it was noticeable during the procedures of assisting and helping people affected by the flood in 1997. There were cases when Roma were denied some services they were authorised to get. Authorities don't show enough initiative to regulate status of Roma villages and their grounds (especially in Podhale and in the valley of Dunajec). We perceive a need to support the associations of minorities and to help them, but not by the relieving them of finding the solutions for their problems.
Threats of drug addiction	33	95-96	The priority of prophylactics for addictions is not set high enough. It should be punctuated that tasks in this field (similar situation with homelessness) are almost in 100% covered by the NGOs. This tendency is a result of many reasons, among others: problems at home, a lack of acceptance for the institution of the school – 16% of children/youngsters, “teachers are not just” – 28% of children/youngsters. Also 13% of children/youngsters think teachers are hostile.
Pornography	34	97	A problem of pornography is a political one in Poland – politicians try to limit pornography by the means of legal prohibition. Many researches show this method is ineffective. The role of people working directly with children is belittled. In this case the social mutual understanding and co-operation on the protection of children against negative influences of media and pornography is particularly needed. The state must be a partner in initiating models of educational and didactical actions.
Sexual abuse	34	88, 89, 90 (see Chapter 6.4)	There is a necessity of educating adults in the field of recognising the problem, intervention and help in critical situation. A system of specialised institutions is needed, which was not yet created. Also a training for teachers, doctors and judges in this matter is necessary – to protect the victims of sexual abuse
Trafficking of children	35	49	“La Strada” Foundation and Foundation “A child” have data confirming trafficking of children in Poland. There are also cases of kidnapping children by their parents. Cases of trafficking before 1995 were related to institutions organised by the state, the catholic church and physical persons who were collaborating with organised crime structures outside Poland. Children were sold directly after birth (transactions with mother before the birth) or after the obtainment of rights – by the directors of care facilities – mainly to Sweden, the Netherlands and France.
Procedural rights of a child. Abuse of children	37	19, 26, 32 (administrative code) 94, 95	The protection of children – victims of abuse – is weak. Hearings outside the court and without the presence of a persecutor are very rare. There is a lack of a system of children's rights spokesmen – from the European Convention on the Exercise of Children's Rights, ratified by Poland in November 1997. There is also a lack of system of therapy for perpetrator.
Children in conflict with the law (juvenile delinquency, responsibility for criminal deeds)	37	90, 91 (see Chapter 6.4)	Analysing the problem of juvenile delinquency and their responsibility for criminal deeds visible are such problems: <ol style="list-style-type: none"> <li>1) perpetrators' impunity;</li> <li>2) lack of prophylactic system (prevention) and support for group of higher risk;</li> <li>3) threat of relapse.</li> </ol> Mediation in criminal cases was incorrectly introduced into Polish legal system in 1998, this incorrectness manifests by evident errors in conducted mediations, in effect by avoiding this institution in courts. Registered mediators are not adequately qualified (about 80% of them). Important problem is also the fact that in such facilities as emergency care units, orphanages, educational-pedagogical units (with higher

			salaries of a personnel) there is no therapeutical or socialising work done <sup>47</sup> . Children/youngsters in 50% came back to these units, and the scale of relapse is about 20% higher than in the case of children/youngsters affected by the therapeutical-pedagogical training in daily care units.
Emergency Care Units and Police Children's Room	37	45,51,52	Emergency Care Units structure needs elementary changes, i.e. separating victims from perpetrators – by separating intervention in critical situations units; diminishing the number of children/youngsters in units; training of personnel to raise their qualifications; introducing monitoring system to control the use of direct force.

## 7. YOUTH PEOPLES POSTULATES

### CHILDREN LETTERS TO THE CITIZENS OF THE WORLD<sup>48</sup>

National campaign "Children Letters to the Citizens of the World" was organised by the Foundation "Children Letters to the World". The intention of the campaign was to recognise children's needs and to allow children to get at the most important persons in the world – to citizens of the World. The Foundation expect that children will write to every person they want to and present their needs and expectations. And we expect to get an answer for questions: what about children dream, what are their needs and wishes?

The most important value of such project is to give children the possibility to influence the reality.

The biggest parts of letters were addressed to the President of Poland, ministers and politicians. Children wrote about support to those persons, and also stated mistakes and faults, suggested solutions. It shows high social awareness of children, good knowledge about economical and political issues and changes in Poland and also the participation in parents political discussions. Many interesting letters was sent to Pope and Mother Therese from Calcutta. They were full of love, respect and request for prayer. Children presented their families and places where they live also family problems, lack of time for children, etc. Disabled children wrote about barriers and architectonic problems on streets. Also asked for help, medicines, operations for them and for family.

Children argued **against violence and hatred, nuclear tests, poverty and hunger**. They asked for stopping crimes, fights and murders in Bosnia and Herzegovina, Jerusalem. They appeal to the President of USA to end worldwide conflicts.

Children are very sensitive for other people's pain and problems and that is why they try to intervene when human rights are broken, especially children's rights to happiness, safety and good life.

Next subject that children are really interested in **regards ecology and environmental problems**. They would like to help animals that are homeless, used in experiments, in the industry, badly treated, etc. They appeal for not polluting the earth, not littering streets, not smoking in public places and protect parks, forests and green grass.

The **problem of offences** is also really important for children, especially offences of minors, the drug habit, alcoholism. They have their own solutions. They stands up for children in need, abused, ill and poor children. Thy argued against injustice, lack of money for medicines, hospitals, children's houses, etc.

**The financial problems of parents** also attract children's attention. They observe the need to rise salaries and pensions, lover prices, taxes and delimit the unemployment rate. Many children worry about financials problems of schools and they ask for help. They dream about sports fields, swimming pools, school buses, longer holidays and shorter lessons...

<sup>47</sup> Pleta Jaroslaw – report for the Foundation for Poland regarding street children - 1997

<sup>48</sup> Sliwa Ewa – Academy of Pedagogics in Krakow – letters received by "Children Letters to the World" Foundation in 1995

**Children pay attention to the poor Third World countries** and the need to help them to reduce hunger. They appeal for development of science and culture, protection of monuments, repatriation of Poles from Russia. They underline the importance of human rights. They wish Poland to be happy country, where people are safe and free and do not hurt mutually.

But there **were also very happy, sunny, funny letters that told about dreams, fancy, school life, friends**, etc. Children wrote to pop and film stars, singers, sportsmen, to editorial office of children and youth magazines.

The organisers send those letters to all persons to whom they were directed and children get a lot of responses from e.g. Mother Therese, President of Poland, ministers and other famous persons). All letters were very kind, warm and very serious. Unfortunately many letters stayed without any response.

### **YOUNG PEOPLE'S AGENDA 2001**

In January 2001 **the Foundation "Children Letters to the World"** invited schools in Poland, youth organisations and other NGOs to the project "Young people's Agenda 2001" – **writing letters to Poland**. Foundation asked young Poles to express themselves on all important issues, to propose solutions how to resolved social problems, to tell about their dreams and expectations, etc. Many interesting letters came to organisers. Next part of the project was the cycle of seminars, workshops and conferences all over the country with authors of those letters, young leaders and youths from high schools and students. We invite for those meeting also politicians, experts on child rights issues, representatives of international organisations and other important persons (also from another countries: from USA – Dr Cynthia Price Cohen form International Child Rights Institute, from UK – representatives from Save the Children Alliance.

## **Young people's postulates – discussed with foreign guests:**

### **OUR POSTULATES REGARDING EDUCATION**

1. *We propose education of adults about discrimination, tolerance and integration..*
2. *We would like educational institutions to change their character and became institutions that promote integration.*
  - a. *Free education.*
  - b. *Helping to became creative and open-minded.*
  - c. *Easy access to Internet, media and culture.*
  - d. *Stable system of grants for poor students.*
  - e. *Schools without architectonic barriers.*
  - f. *Construction of educational programmes that teach how to live in the society.*
  - g. *Active role and participation of children and young people in constructing educational programmes.*
  - h. *Teachers should have good psychological background.*
  - i. *More trainings of social abilities (resolving conflicts, auto presentation and mediations).*
3. *More games and education through games.*
4. *Cancellation of taxes for paper.*
5. *More intercultural exchanges, meetings, festivals and projects (open for everyone)*
6. *Free medical and pedagogical care in schools – school of equal chances..*
7. *Better access to information.*
8. *Young generation has right to objection against adult's world.*

### **SOCIAL PROBLEMS AND OUR PARTICIPATION IN SOCIAL LIFE**

*Social problems.*

1. *Adequate salary for work.*
2. *Equal treatment in medical care .*

*Our participation in social life.*

1. *We think that young generation in Poland is discriminated.*
2. *Easier creation of youth organisations.*
3. *Reduce the level of electoral age.*
4. *Real freedom of expression.*

### **OUR MEDIA POSTULATES**

- *Educational and informative programmes – 1/ with our participation, 2/ about us, 3/ realised by young people with only help from adults*
- *Appropriate time of emission of those programmes.*
- *More educational magazines for young persons.*
- *Media have to teach.*
  - *We would like media to present our real image.*
- *Let us speak loudly about our problems in media.*

## **8. POSTULATES OF NON-GOVERNMENTAL ORGANIZATIONS**

As people sensitive for children's needs **we appeal for agreement over any political divisions, different aspirations of adults, over stereotypes and prejudices.**

**We present the pocket of proposals, postulates and recommendations** – as a part of Polish White Paper on Children's Issues, before UN Special Session for Children:

- Well-ordered system of changes and proposals prepared during conferences in 1995-2001
- Papers on children's problems prepared by experts on child rights

**Wskazujemy potrzebe opracowania narodowej strategii dzialan na rzecz dzieci z uwzglednieniem dorobku polskich organizacji pozarządowych, a w szczególności pakietu postulatów odbytych dotychczas krajowych i międzynarodowych konferencji:**

We underline the need to prepare **national strategy of actions for children**, including the achievements of NGOs and also:

- 1) **Create the stable system of monitoring children situation in Poland,**
- 2) **Underline the priority of early childhood,**
- 3) **Turn form the faulty pro-family policy to social policy and equal chances** for all children and effective help for children,
- 4) **Education for development,** necessity of non resort thinking about education,
- 5) **Action against exclusion and discrimination of children** in difficult and crisis situations, especially in institutions,

**We are willing to cooperate with Child Ombudsman as a consultative body.**

### **PROPOSALS OF QUESTIONS TO THE POLISH GOVERNMENT**

- 1) When (if yes) Poland would like to resign from reservations and declarations to the CRC?
- 2) How, the government will launch new educational system that equalise educational chances?
- 3) What the government would like to do to oppose the liquidation of kindergarten?
- 4) What kind of actions and initiatives will be proposed and realised to secure citizens from discrimination and social exclusion? How to help families in unemployment and poverty?
- 5) What kind of the stable basis of the dialog with NGOs government would like to introduce, and how to support them in their activities – as the rule of subsidiarity states? How to promote the idea of including children and young participation in democratic society?
- 6) What, the polish government is going to do for creating “the service for helping children” and opposing violence against children and all forms of child abuse?
- 7) How to made the prevention of juvenile offenders system more effective, with regard to international standards?
- 8) What kind of social influences the government would like to launch to change social attitude toward violence?
- 9) What kind of active directions in labour policy the government would like to create for perspectives for young people on the labour market?
- 10) How to assure the right of children to express themselves on issues important for them?

## **ABBREVIATIONS USED IN THE REPORT**

GUS – Główny Urząd Statystyczny (General Statistical Office)

MEN – Ministerstwo Edukacji Narodowej (Ministry of National Education)

MPiPS – Ministerstwo Pracy i Polityki Społecznej (Ministry of Labour and Social Policy)

MSWiA - Ministerstwo Spraw Wewnętrznych i Administracji (Ministry of Internal Affairs)

PFRON – Państwowy Fundusz Rehabilitacji Osób Niepełnosprawnych (National Fund of the Rehabilitation of Disabled People)

PKB – produkt krajowy brutto (gross national product)

RP – Rzeczpospolita Polska (Republic of Poland)

RPO – Rzecznik Praw Obywatelskich (RPO) (Ombudsman)

kro – kodeks rodzinny i opiekuńczy (kro) (family and protective code)

upn – ustawa o postępowaniu w sprawach nieletnich (act of the proceedings in juvenile cases)