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FAX NO: 212 963 34 63

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UN Division for the Advancement of Women
Two UN Plaza, Room 1216
New York, NY 10017

SIRS,

Please find the enclosed answers on the Questionnaire on the implementation of Beijing Platform of Action by the Government of the Republic of Poland.

Yours sincerely

The material posted here was provided to the Division for the Advancement of Women by the Government in response to the Secretary-General's Questionnaire on Implementation of the Beijing Platform for Action. It has been made available in electronic format from the form received. In cases where it was not possible to reproduce charts and tables supplied, these can be obtained by contacting the Division for the Advancement of Women directly.

Part I

EQUALIZATION OF THE STATUS OF SEXES AND IMPROVEMENT OF WOMEN'S SITUATION IN POLAND – REVIEW OF TENDENCIES

Having approved the Beijing Platform for Action and Declaration, the government of

people “*equal rights, in particular, regarding education, employment and promotion, equal compensation for work of similar value, social security, holding offices, and receiving public honours and decorations*”. The labour code and family welfare code guarantee the same rights for women and men; a woman is entitled to special protection on the grounds of motherhood. The results of public opinion polls demonstrate that the laws concerning the equality of sexes included in the Constitution are – in the opinion of the greater part of society – sufficient (62%) and the way to public positions is open to all people who want to take part in public life and have adequate qualifications.

Polish boys and girls have the same access to schools. More girls than boys attend secondary schools whereas technical schools are chosen more often by the latter. Half of the pupils admitted to day schools of higher education in the school year 1998/99 were female, at universities there were 60 percent of women. Among adults there are more women with higher education than men.

Despite the existing regulations which guarantee the same access to work, identical right of promotion to managing posts and the same earnings for the work of the same value, there is unlawful disproportion between women and men on the job market. The instances of unequal treatment manifest themselves in greater number of women among the unemployed (in February 1999 there were 53,5% of women in this group). Women are more often dismissed from work. Women’s earnings for doing the same work also differ from those of men (in October 1998 the average earnings of men were 24% higher than the average earnings of women). Women – as a rule – find it more difficult than men to get promoted (promotion often depends on the level of competence, sometimes on experience or the degree of employee’s availability – here motherhood is discriminated). Nevertheless the situation in this regard gradually improves as demonstrates the fact, for instance, that more and more women occupy major posts in both private and public sector.

One can observe a number of positive things that point to a better situation of women.

about sex and age of employees. Regulations concerning the list of jobs forbidden to women were modified and as a result its obligatory character was lifted in some cases.

On account of Poland's efforts to join European Union several actions were taken to change Polish labour law in order to adjust it to the regulations of UE law. At the end of 1998 a rule of equal treatment of women and men in social insurance systems was introduced. Despite statutory difference between pension age of women (60 years) and men (65 years), employer cannot dismiss a woman who has reached pension age yet still wants to work, but must employ her on the same basis as a man (it is sanctioned by the jurisdiction of Constitutional Court).

In 1999 women were admitted to military academies for the first time. The number of women who attend police schools is growing.

In order to limit violence against women the Ministry of Justice monitors crimes against family and women and runs courses for – among others – voivodeship family trustees. The Ministry of the Interior and Administration works on reducing women trade. For the last four years the Ministry of Foreign Affairs has co-operated with respective organs in other countries to deal with the problem of sexual abusaroad.

Since 1997 the government programme *Counteracting Violence – Equalizing Chances* has been executed successfully in co-operation with the United Nations Development Programme (UNDP). In October 1998 a new procedure of hcl d intervention was introduced, so called *blue cards*. It serves as a sourcranata on instances and sorts of violence, its reasons, perpetrators and victims. In co-operation with local authorities early crisis intervention centres are estabh thed.

All women have access to health care of competent medical staff during their pregnancy, delivery and after-birth period. The executionan-health projects initiated as a part of the National Health Programme resulted in quick lowering of the rate of infant m(e)(of)ons, p ththmof nj.0w[((10(He)4.8.2(na(He)4saD0.4(e)5.2(a)5.2(.2((n)1.5.2l))lia)4 o1 Twilaw[.00

from the consequences of social and economic transformation. An important thing that should be remembered is the fact that the implementation of the resolutions of the Beijing Platform for Action must take into account specific character of a given country and region as well as

Part III

ACHIEVING GOALS IN THE MOST IMPORTANT AREAS OF THE PLATFORM

Institutional mechanisms of women's promotion

At the governmental level the affairs of women and family, children and young people are in the competence of the Government Plenipotentiary for Family Affairs. The plenipotentiary is appointed by virtue of the decree of the Cabinet and operates in the

Serious actions for women's rights are also taken by numerous non-governmental organizations. Their members participate in programmes against violence, engage in health education and the preparation of the young generation to responsible parenthood and family life, organize courses for unemployed women and others. Some of these organizations took part in the preparation of the project of the law about the equality of sexes.

WOMEN'S RIGHTS AS HUMAN RIGHTS

A legal basis for the observance of the principle of equal treatment of women and men are the laws included in the Constitution of the Polish Republic which has been in force since Autumn 1997. The provisions of Article 32 state:

1. *All people shall be equal before the law. All persons shall have the right to equal treatment by public authorities.*
2. *No one shall be discriminated against in political, social or economic life for any reason whatsoever.*

According to Article 33:

1. *Men and women shall have equal rights in family, political, social and economic life in the Republic of Poland.*
2. *Men and women shall have equal rights, in particular, regarding education, employment and promotion, and shall have the right to equal compensation for work of similar value, to social security, to hold offices, and to receive public honours and decorations.*

Another legal act which includes the guarantees of the equal status of women and men is the Labour Code modified in February 1996.

According to Article 11²: *Employees have equal rights by virtue of equally fulfilling the same duties: it concerns in particular the equal treatment of men and women in the sphere of work.*

Article 11³ says: *Any discrimination in labour relations, especially on account of sex, age, disability, race, nationality, convictions, particularly political or religious, and union membership – is forbidden.*

A wide and detailed range of actions for women's welfare and their equal participation in various spheres of life is included in the document entitled *National Programme of Activities for Women - first stage of implementation by 2000*. The resolutions of the

Programme are the record of activities carried out in Poland in the context of the instructions of the *Beijing Platform for Action and Declaration*. The document was approved by the Cabinet in April 1997. The implementation of the resolutions included in the document is the responsibility of respective ministries (according to fields of activity), governmental organs of local administration of various levels and central offices and other state institutions. The coordination of the implementation is assigned to the Government Plenipotentiary for Family Affairs.

The necessity of taking actions to equalize the rights of women results also from the resolutions of international and regional legal acts ratified by Poland. These are, among others: the Political Rights of Women Convention, the Elimination of All Forms of Discrimination of Women Convention, the Convention Number 100 of International Labour Organization concerning the discrimination in employment and work (from the year 1958), the Convention of Children's Rights. The following legal acts are also worth mentioning: European Social Charter, the European Convention of Human Rights and Fundamental Freedoms Protection.

WOMEN VERSUS POWER AND DECISION MAKING

The participation of women in the structures of power and the process of decision making, included as one of the strategic goals in the National Programme of Activities for Women, is growing, though still fewer women than men decide to involve fully in political and social life.

Among members of Parliament there are 13% of women and among Senators – 12% (during the previous term of office the participation of women in Lower and Upper Chamber of Parliament was the same, namely: 13%). In the group of the managers and state officials of higher rank there are 25% of women.

In the new 17-members government there are three women. Almost half of vice-ministers and secretaries of state are women as well. In the Prime Minister's Office out of 27 directors of departments 12 are women. In the group of the managers and state officials of higher rank women occupy one fourth of all posts.

There are 17% of women among the members of the existing political parties. In social associations one third are women. In economic associations their participation is 15%, in scientific organizations – 29%, in labour unions – 35%. Almost half of the members of

social and cultural as well as tourist associations are women and in educational organizations - two thirds.

Discussions are under way about the possibilities of increasing the participation of women in political and social life.

EDUCATION

Article 70 of the constitution dated 2 April 1997 guarantees all people equal right to education. According to this law public schools are free of charge, the access to them is general and equal.

The enclosed table presents in percent the participation of women and men in education of various levels in the school-year 1997/1998.

Table 1. Pupils and students in the school-year 1997/1998 by sex

Levels and types of schools	Percentage of women	Percentage of men
Kindergartens	48,8	51,2
Primary schools, including:	48,7	51,3
- schools for disabled children	37,8	62,2
Secondary schools	66,1	33,9
Technical schools, including:	44,6	55,4
- schools of lower level	35,7	64,3
- schools of higher level	47,7	52,3
- schools of post-secondary level	75,3	24,7
Specialistic schools, including:	41,0	59,0
- artistic schools of first degree	61,6	38,4
Schools of higher education (day students)	53,4	46,6

Source: Yearbook 1998

Figures included in the enclosed table show that women and men have equal access to education in schools of various levels and types. Among the students of secondary and post-secondary schools there are more women than men and more than half of the university students are women as well. The comparison of these figures with those of the school-year

1995/96 proves that the participation of women attending schools of higher education increased from 53,4% to 56,6%.

The access of women to schools of various types increased as well. In 1999 for the first time women began studies at the Military Technical Academy. Gradual increase in the participation of women among the students of police schools can also be noticed.

Difficult situation on the job market demands constant adaptation to changing requirements of the job market. Unemployed women actively take part in various kinds of courses and training. In the years 1995-98 the number of unemployed people attending various kinds of courses almost doubled. In 1995 82,1 thousand people were trained, in 1998 – 141,4 thousand and that amounted to 7,3% of all the unemployed. There were nearly 60% of women among the participants of these courses. Having acquired adequate qualifications they got employment consistent with their new qualifications.

One of the strategic goals included in the National Programme of Activities for Women is *the social education about equal rights and equal opportunities for women and men*. With regard to the process of achieving this goal the following facts must be underlined.

The media more and more often discuss the topic of equal rights of women and equal

Article 65 states:

1. *Everybody is guaranteed the freedom to choose and carry on profession and to choose the place of work.*
5. *Public authorities' have a policy aiming at full, productive employment through the execution of unemployment reduction programmes and that includes the organization and support of counselling services and job training as well as public works and intervention actions.*

According to the other above-mentioned resolutions, all employees have equal rights by virtue of equally fulfilling the same duties. It concerns in particular the equal treatment of men and women. The discrimination in labour relations, especially on account of sex, age, disability, race, nationality, convictions, particularly political or religious, and union membership – is forbidden.

In spite of the enacted law, however, there is unlawful inequality in earnings of women and men, resulting mainly from the differences in the structure of employment according to the sectors of economy. More women than men work in non-production sphere where earnings are usually lower than in production sector.

The instances of unequal treatment of women and men on the job market manifest themselves, among others, in the fact that there are more women than men among the unemployed although more women than men have higher education. Women are also discriminated because of motherhood: employers often ask young women about their marital status and the prospect of having babies.

A positive thing is that in the group of the youngest employees (with the experience up to 4 years) there is no disproportion in the level of average earnings of women and men: both groups get about 80% of average earnings.

The percentage of women employed in the education sector is almost three times and a half higher than the analogous percentage of men (16,3% of women and 4,9% of men). In the sector of health service the predominance of women is even bigger (19,6% of all the employed are women and 3,7% - men).

Slightly less women than men hold managing posts (4,2% of women and 5,4% of men).

Among positive actions to eliminate inequality in employment and remuneration depending on sexes, the following ones must be emphasized:

- training unemployed people, mainly women;

- increasing the number of women engaged in running small and medium companies (at the present moment about one third of all private companies are owned by women);
- introduction of ban on putting in job advertisements the requirements concerning the sex of a sought for employee;
- creation of the possibility of referring to Labour Court in the situation of illegal discrimination; in case of the breach of regulations the court may adjudge damages to an employee. The rights of employee can also be defended by labour unions, the National Inspection of Labour or the Civil Rights Spokesman.

Within the “Social Policy” Negotiation Team there was created the Working Group for the Equal Treatment of Men and Women Issues. In the context of the prospect of Poland’s joining the European Union and the necessity of adjusting the Polish law to the UE law, it will be necessary to define more precisely the notion of indirect discrimination and to introduce it to respective laws. Moreover, concrete sanctions for employers that discriminate employees must be specified in the law. This will help victims to seek justice.

It is difficult, however, to establish explicit criteria of the evaluation of work’s value and of the comparability of various kinds of work.

People differ in opinions on the notified instances of sexual molestation at work. Besides, there is no objective principle for judging such instances and subjective approach makes it impossible to really find out if in the given situation the instance of sexual molestation took place or not.

WOMEN AND HEALTH

Strategic goals included in the National Programme of Activities for Women were formulated as follows:

- *creating conditions conducive to improvement of women’s health and of proper high-quality medical care at all stages of their lives, taking into account their different social roles;*
- *improvement of the situation concerning safe working conditions of women, particularly those working at the countryside;*
- *engagement of women in health promotion programmes.*

The Ministry of Health carries out activities whi1.7fs 0(a)4.E 9(e)5(in a)4.9(c)-5.1(c)5(o)1.ceoaThv

Among many executed government programmes a very important one is the programme entitled “*Perfecting of care over mother and child*” with its most important constituent part which is the programme called “*The improvement of perinatal care in Poland*”. Its main aims are:

1. *reduction of infant mortality to the level lower than 10 deaths per 1000 live births till the year 2000* (this was achieved as early as the year 1998 when the rate lowered to 9,5 per mille);
- 2.

Programme to improve health in the sphere of women's reproduction, including in particular health services and counselling for women about family planning.

In the first quarter of 1998 the execution of the programme called "*Promotion of the health of mother and child with special focus on family planning*" was completed. The programme was financed with the government's means and the funds of the United Nations Development Programme (UNDP).

A long-term aim of the programme was the improvement of the health of mother and child as well as the reduction of the number of unplanned pregnancies through the improvement of the standard of health services concerning reproduction and of the services in the sphere of family planning such as information, education and communication. A short-term aim was to improve by the end of 1997 the standard of health services concerning reproduction as well as the standard of family planning and health.

The Ministry of Health continues also to carry out other health policy programmes, including the prevention of disease and the improvement of the effectiveness in treating illnesses which occur most often. These are, among others: the National Programme of Heart

intervention against violence in family, called “blue cards”, was introduced as well as help for the victims of violence who in most cases are women. Polish Telecommunication Company created special, free of charge counselling phone numbers and the phone numbers for the victims of violence and sexual molestation.

The staff of reformatories and community homes are obliged to ensure for women staying there, among other things, proper care, safety, protection against all kinds of physical or psychical violence, respect as well as health services and social and psychological care – also during pregnancy and after delivery. Pregnant girls, during delivery and after, are provided with health services, help in preparing to responsible fulfilment of their role as mothers and with counselling about family law. Respective reformatory and therapeutic programmes associated with the problem of violence, especially in family, were worked out.

Serious actions to eliminate violence were taken as a part of the programme *Counteracting Violence – Equalizing Chances*, executed in cooperation with the Office of the United Nations Development Programme.

“striving for a full and equal participation of women in mass media”;

and the second:

“promoting of the rule of gender equality and supporting the balanced participation and honest presentation of women in mass media”.

In Poland, as everywhere else, steady progress in the domain of information techniques creates the opportunities for the promotion of women. More and more women choose professions in information sector but still only few of them hold managing posts there.

Media present women who are active in various spheres of life: their life goals and ways of achieving them, personal and professional accomplishments and failures. As often, however, they show violence against women, their humiliation and pornography. In advertisements and business information women appear mainly as consumers.

More and more women have access to the latest news placed in the Internet.

COOPERATION OF STATE ADMINISTRATION WITH NON-GOVERNMENTAL ORGANIZATIONS

At the national level the government co-operates also with non-governmental organizations in taking actions to realize the principle of sexes' equal rights and to improve the situation of women. In clause 298 of chapter V of the Beijing Platform and Declaration non-governmental organizations are encouraged *“to contribute to shaping and implementation (...) of national plans of action”.*

In the National Programme of Activities for Women the strategic goal associated with the co-operation of state administration with non-governmental organizations is *“creating an effective mechanism of the co-operation between the state administration and non-governmental organizations and acting for the equal rights of women and men at the national, regional and local level”.*

Direction tasks, besides *“establishing the partnership co-operation of the network of public institutions with non-governmental organizations in improving the situation of women on national and environmental scale”*, include *“the creation of mechanisms of giving substantial and financial aid to non-governmental organizations that act to realize the principle of the equality of sexes and their opportunities and of publicizing these organizations' programmes and accomplishments”.*

As to the implementation of these resolutions, the following elements must be emphasised:

- participation of the representatives of the Government Plenipotentiary for Family Affairs Office in meetings and conferences organized by non-governmental organizations, devoted to women's problems;
- financial support – coming from the Office budget – for the actions of non-governmental organizations oriented on, among others, the preparation of unemployed women to taking up work through adequate professional training as well as teaching them the skill of looking for job, of appropriate presentation of their qualifications and of preparation to fulfilling professional duties; and on helping single mothers to find jobs and stand on their own feet;
- involving women's non-governmental organizations in the implementation of the government programme *Counteracting Violence – Equalizing Chances* executed on behalf of the government by the Government Plenipotentiary for Family Affairs in co-operation with United Nations Development Programme.