

CHECK AGAINST DELIVERY

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DURING THE SESSION OF THE COMMITTEE ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
DEDICATED TO EXAMINATION OF POLAND'S 5TH REPORT ON IMPLEMENTATION OF THE
INTERNATIONAL COVENANT ON ECONOMIC, SOCIAL AND CULTURAL RIGHTS
GENEVA, 6 NOVEMBER 2009

Mr. Chairman,
Distinguished Members of the Committee,
Ladies and Gentelman,

On behalf of the Polish Delegation, I would like to express my gratitude for the possibility to ~~present and to discuss issues, which are extremely important for our country, and which are~~ essential to our identity, as well as to the globalized world.

Especially today, when we all have to face the financial crises, and to closely monitor its social and cultural consequences social human rights have become especially important.

Therefore it is with great hope that I look forward to the dialogue with the distinguished Committee on various aspects of Poland's implementation of the International Covenant on Economic, Social and Cultural Rights.

In 2007, Poland submitted its periodic Covenant implementation report, covering the years 1999-2006. Our replies to additional queries by the Committee were submitted in July 2009. Our delegation, today, includes representatives of government ministries responsible for the implementation of the Covenant.

We will be glad to provide the Committee with any further explanations.

In my introductory remarks, I would like to focus on the challenges Poland currently faces in the area of social human rights implementation, and on our efforts to respond to those challenges.

1. We are glad that in the opinion of international institutions supervising application of international agreements, Poland is perceived as undertaking the appropriate measures to implement social human rights within the framework of the UN, the Council of Europe, and the International Labour Organisation.

In 2008, Poland underwent the Universal Periodic Review. In effect, the UN Human Rights Council recognised the progress made by our country in the area of human rights.

Naturally, The Council, also, pointed to the problematic areas requiring particular attention, also in the social sphere.

Polish Government has appreciated the opinion of the Council, and has taken actions to address those problems, as reflected in our replies to additional queries posed by the Committee.

2. During the period covered by the report, Poland joined the European Union. This year we have celebrated the fifth anniversary of our EU membership. Its positive impact is clearly visible. Accelerated GDP growth, modernization of government administration, heavy investments in infrastructure projects and in human capital development—just to name a few examples. For individual citizens, Poland's EU membership translates into a higher standard of living, lower risk of unemployment, greater opportunities for education and professional development, and even for seeking a better life elsewhere in the Union. Contribution of the European Social Fund and the structural funds to the country's ability to finance activating employment measures and support for business activity has been considerable. Poland's participation in the Community open method of coordination in the area of employment and social policy has helped to modernize and increase effectiveness of the respective national policies. All that has tremendously enhanced the realization of the economic, social, and cultural rights of Polish citizens.

3. Since 2003, the situation in the labour market has been improving. Household budget surveys show steady improvement of the financial situation of Polish families since 2004. The share of spending on foodstuffs has been decreasing, while spending on leisure and furnishings are increasing.

The Government which came into office after the 2007 elections put forth a four-pillar program. The first pillar—prosperity-building; that is accelerating GDP growth, mainly through increased labor force participation, higher employment rates, macroeconomic

stability, the adoption of the euro, reducing the deficit of public finances, increasing productivity, improving transportation infrastructure, increased availability and accessibility of the Internet, increased investment, and growing human capital through modernizing of Poland's educational and research sectors.

The second pillar—development: boosting entrepreneurship, tax reductions, and releasing the growth potential of the various regions of Poland.

The third pillar—security: addresses the respective needs of individuals, families and the nation. It helps young people in their entry into the labor market and in seeking independence. It aims at developing effective social protection system (activating people over their lifecourse), and an improved health care system. It strives to help Poland to achieve greater energy security, and to develop a 'green' economy. Furthermore, it seeks to establish effective safeguards against crises and other emergencies.

Finally, the fourth pillar—citizenship. It deals with enhanced participation of citizens in public life. It also will address increasing citizens' trust in public institutions, increasing the role of NGOs in public life, and efficiency of the state in effectively delivering the goods and services that citizens must rely on the state to either provide or to help individuals themselves secure.

4. The above plan has been spelled out in the National Development Strategy 2007-2015, and in several government programs and strategies. Concerning the social sphere, the main object of the Strategy is to improve the quality of life in Poland. This objective is to be achieved, among others means, by increasing employment rates and improving the quality of jobs. Thus, **labour market policy** concentrates on encouraging increased labor force participation, particularly among women, parents, the elderly, and persons with disabilities.

Population ageing will heavily impact the labor market as well as the social security system in Poland. Government policy so far has focused on providing the elderly with income and health care services, and on supporting the family in its protective functions. However, a new approach to problems of the elderly is required due, on one hand, to changes in the number and structure of the elderly population and different degrees of general and occupational activity in this group, and—on the other hand—to decreasing capacity of families to provide the

elderly with care. To that end, in October 2008, the Government adopted the program entitled "Solidarity across generations. Measures intended to stimulate labor force participation of people aged 50+" whose main objective is to boost the employment rate among the elderly. This objective, however, is not the only one. Prolonging occupational activity, apart from generating income, is of utmost importance to sustaining social relationships, and preventing their atrophy through the risks of social exclusion. This is a social objective of crucial importance for the Polish Government. **Starting in 2007, active family policy** has constituted an important element of social policy. Its short-term objective is to improve the financial situation, and thus the quality of life of families, especially those with numerous children. The long-term objective is to reverse low birth rates in Poland.

Measures currently introduced and aimed at facilitating reconciliation of parental and professional roles, supplement those which have been presented already in our periodic implementation report and in our replies to the Committee's additional questions. The so-called *family package*¹, which entered into force on January 1, 2009, facilitates reconciliation of a career with private life, thus making it easier to decide on having children. The package provides for, among others:

- Extending the duration of maternity leave;
- Introducing additional discretionary maternity leave in 2010;
- Introducing paternity leave in 2010;
- The option to combine additional maternity leave with work;
- Gradually increasing the basis for calculating the social insurance contribution for people on child care leaves;
- Equalization of the rights of adoptive parents with those of the biological parents.

Other measures are targeted at lifting the barriers that prevent families from having children, and they consist in offering a wide range of child care services. As a part of the *family package*, regulations of businesses have been amended with a view of enlisting their cooperation in the provision of child care services to their employee. Work is also underway on developing child care solutions that would address the diversified needs of different parts of society. Introducing minimum requirements for child care centers will also result in better quality of their services.

¹ The Act amending the Labour Code and certain other acts.

In the recent years, significant changes have been introduced to the care system for children deprived of parental care. The works will be completed in 2011, by introducing regulations providing for different forms of care for children in this category. Universal access to family-based forms of foster care will be guaranteed, as well as to professional foster care. Standards for educational care facilities will be improved, and they will be supplemented with guarantees of intensive work with biological parents of children at risk of being placed, or already placed, in foster care. Family assistants at local level will be appointed, whose task will be to implement preventive measures, work with families in crisis, and provide support to families at risk of parental ineptitude.

Combating **violence in the family** has also been a priority in governmental policy. Detailed information on the issue was included in our report and in the subsequent replies to Committee questions.

I also wish to mention that Poland is an active participant of UN and Council of Europe campaigns against violence toward women and domestic violence. Currently, Poland partakes in the UN campaign "United in Combating Violence against Women" launched in 2008.

As to the issue of **equal treatment and nondiscrimination**, appropriate laws were put in place already in the 1990s and at the turn of the 21st century. An act implementing EU legislation on equal treatment in the area of education, work, access to labor market institutions, joining and working for trade unions and NGOs, social security, health care, and access to publicly offered services will complete the system of norms protecting against discrimination. Drafting of a bill is still in progress.

I would like to report to you on further progress Poland has made in the area of **equal treatment regardless of national or ethnic origin**. Under the Act of January 6, 2005 on national and ethnic minorities and on the regional language, public authorities are mandated to take steps to protect, preserve and develop the identity of ethnic minorities, as well as to preserve and develop the recognized regional language. The act significantly extends the power of minority representatives on minority matters. Special credit goes here to the Joint Commission of the Government and National and Ethnic Minorities as an effective venue for presenting national and ethnic minority concerns and of commenting on the respective

government policies and legislative initiatives. Furthermore, a wide range of actions have been taken to sensitize public administration officials to the needs of national, ethnic and language minorities in Poland and their particular sensibilities.

The **educational system** has been undergoing a comprehensive reform for a number of years now. Its main aims have been adjusting school curricula to the needs of the labor market and ensuring equal access to the education system. Great strides have been made already in curricular reform. Thus, curricula now focus on developing key competences in the fast developing economy of today, such as command of foreign languages, scientific competence, including IT skills, social and civic competence, creativity, and entrepreneurship. However, work continues to ensure that students are adequately prepared for their future careers in the workforce.

As to the equal access to the educational system, particular attention is paid to children from underprivileged backgrounds, those with special educational needs and with disabilities. Autonomy of individual schools and their grass-root initiatives are encouraged as the best way of satisfying student needs and aspirations in diverse local contexts. Headstart support for such children takes various forms, e.g., provision of school supplies and income support through social grants. To ensure equal access to education for all children, availability of kindergarten facilities is being increased, especially in rural areas. As that form of care and education should be provided reasonably close to the child's residence, kindergarten education centers and branch sections of bigger kindergartens are being set up in localities.

Health care reforms, which started in 1999, have continued. Our Government has resolved to tackle the chronic indebtedness of Polish health care providers, especially hospitals. In April 2009, the Government adopted a 3-year program of "Support to local authorities in stabilizing health care system," whereby hospitals may choose incorporation [to become corporations] in exchange for repayment of their debts. Corporation status will allow them to provide medical services also on a commercial basis.

Furthermore, in August 2009, a "basket" of guaranteed medical procedures and services was introduced, its object being greater transparency of public financing of healthcare.

5. As the global economic crisis set in, Poland's hitherto high GDP growth rate slowed down to 4.8% in 2008, as compared with 6.7% in 2007. Registered unemployment rose to 10.8% in August 2009, as against 9.1% in the previous year.

Although Poland's economic situation is difficult, nevertheless the economy did not slip into a recession, as was the case elsewhere. We have managed to keep our budget deficit in check in 2009. To tackle the economic slowdown, already in November 2008, the Government adopted a "Stability and Growth Plan: Strengthening the Polish Economy in Times of the World's Financial Crisis." Its aim is to ensure stability of public finances, while creating conditions for further economic growth through encouraging higher consumer spending and business investment. Measures improving flexibility of the labor market and conducive to workforce retention have been adopted. They will remain in force for the next two years. It needs to be stressed that consensus as to the key elements of our "Stability and Growth Plan" was reached through social dialogue in the Tripartite Commission for Social and Economic Issues. New employment subsidies have been introduced to stave off mass layoffs. Furthermore, to possibly minimize the scale of unavoidable redundancies, employers have been mandated to cooperate with local labor offices in offering the affected workers the most effective forms of assistance. On top of that, government aid in making mortgage payments has been extended to the qualified laid-off workers to help them avoid foreclosures.

The anti-crisis package which I have just highlighted, seems to have helped the economy. In 2009 Poland is expected to post a 1% GDP growth. Yet, the Government projects, that even with those measures in place, the current world crisis will continue to have an impact on Poland also in 2010. Quite possibly, to a greater extent than this year. Tax revenue will decline precipitating the need for more government borrowing. In 2010 the national budget deficit will be considerably higher than in 2009. Given that, any significant growth in social spending will be rather unlikely. The enjoyment of certain social rights, such as the right to work, the right to an adequate standard of living, and the right to take part in cultural life, may be negatively impacted. The Government will have to direct support and provide protection to those particularly hard hit by the economic crisis.

Yet, it goes without saying, the predicament we are currently finding ourselves in, does not absolve the Government from its obligations under the Covenant. Especially, that the Covenant provides for such contingencies in that the realization of social human rights is linked to the ability of the state party to muster available resources. In fact, as resources are

always scarce, and, at times, even scarcer than before, making political choices as to their allocation is necessary and setbacks in the enjoyment of social rights are unavoidable. The Polish Government is, however, fully committed to the obligation it has assumed under Article 2 section 1 of the Covenant to take steps, to the maximum of its available resources, with a view to achieving progressively the full realization of the rights recognized therein.

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Again, I would like to assure this Distinguished Committee of our readiness to provide you to the best of our ability with any further information you may require pertaining to the Covenant. I also wish to state that the opinions expressed by this Committee will be given serious consideration and treated as valuable advice in formulating employment and social policies resulting in the fullest possible enjoyment of social human rights in our country.

Thank you very much for your attention.