



**REPUBLIC OF POLAND
MINISTRY OF LABOR AND SOCIAL POLICY**

**OPENING STATEMENT OF THE CHAIRMAN OF THE POLISH DELEGATION
MR. RADOSŁAW MLECZKO, UNDERSECRETARY OF STATE,
AT THE SESSION OF THE UN COMMITTEE ON THE RIGHTS OF THE CHILD
CONSIDERING POLAND'S III-IV REPORT ON THE IMPLEMENTATION OF THE CONVENTION
ON THE RIGHTS OF THE CHILD
GENEVA, SWITZERLAND, SEPTEMBER 18, 2015**

Mr. Chairman,
Distinguished Members of the Committee,

It is my great honor and distinct privilege to be able to present the position of the Government of the Republic of Poland in our dialogue with the High Committee. The Polish Delegation, which includes representatives of a whole range of relevant government departments, is ready to entertain any questions and inquiries you might have.

The year 2012 was marked by commemorations of the 70th anniversary of the death of Janusz Korczak—one of the forefathers of children's rights as human rights. Korczak's ideas laid the foundation for the future Convention on the Rights of the Child.

The crowning event of those Korczak Year commemorations was the Warsaw International Congress on the Rights of the Child, organized by the Polish Ombudsman for Children. It adopted the Warsaw Declaration which—drawing on Korczak's legacy—called on the adults to make sure that the rights of every child are fully respected, including the right to live free from violence, neglect and other degrading treatment. The Polish Government fully subscribes to those objectives as a matter of policy priority.

Distinguished Committee Members,

The cornerstone of Poland's children policy is the conviction that the family constitutes the most appropriate environment for the upbringing of children. It is up to the parents to determine their child's best interest and to guide it, while giving regard to the child's wishes and views. In this respect the mission of the Government is to support families in their tasks, primarily by alleviating the respective financial and organizational burdens of child-rearing, as well as by offering counseling services.

In recent years the Government has undertaken a variety of measures to foster such areas of children policy as child-care, family support, health-care, health education, and combating violence within the family. It is Government's priority to ensure that decisions concerning children are taken with respect for their views and feelings. Better guarantees of respect of child's views in decision-making concerning the child have been instituted.

Poland's unswerving commitment to the cause of children's rights has been demonstrated by the ratification of the UN Convention on the Rights of Persons with Disabilities and the Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse. In 2013 Poland withdrew its reservations to Articles 7 and 38 of the Convention on the Rights of the Child and amended its interpretative declaration to the Optional Protocol thereto on the involvement of children in armed conflict.

The Ombudsman for Children plays an important role in monitoring government's activities and policies toward children, as well as in initiating new projects. The powers of that Office have been enhanced over the recent

years, particularly in the area of litigation. I would like to specifically highlight the Ombudsman's activities in child rights education, and in defending children's rights before the courts of law. The Ombudsman has been very active in combating violence against children, in protection of the rights of children placed in foster care, as well as in propagating respect for the dignity of children and for their opinions.

Public funding for the Office of the Ombudsman for Children has been steadily increasing over the recent years, allowing for the appropriate discharge of its functions.

Mr. Chairman,
Distinguished Committee Members,

The Polish Government fully recognizes the primacy of family as the most appropriate environment for the upbringing of children. A number of measures have been introduced recently to support families in their functions. Paid parental leave is essential in letting families care for their children in this unique time at the beginning of their lives. In 2012 parental leave was extended from 26 to 52 weeks - one of the longest in the European Union.

I would also like to highlight key new developments in family benefits:

- Since 2014, financial support has been increased for parents of children with disabilities who provide personally care to them.
- From 2016, under the "złoty for złoty" scheme, financial support to families will decrease proportionally depending on their income.
- From 2016, parents not eligible for maternity benefit, will receive a parental allowance for 12 months from the birth of their child.

A Large Family Card was introduced in 2014. The Card entitles multi-child families to numerous discounts in a variety of institutions, sport and cultural centers, public transportation and participating businesses. Already seventy-eight hundred businesses and institutions have joined the programme. Over 1 million Cards have been issued. As this unique programme generates a great deal of interest, we hope it will expand in the future.

A 2011 law on the care for children up to 3 years of age has cut the red tape in establishing child care facilities, while securing adequate quality standards of services. It envisages multiple forms of early child care, well suited to communities large and small, urban and rural. A “Toddler” Government Program offers incentives to set up various kinds of child care centers.

Distinguished Committee Members,

Families in distress require special attention and support. The 2011 Act on support of families and the system of foster care has introduced measures helping such families. Help is provided in cooperation with institutions of faith, nongovernmental organizations and community groups. The growing number of family assistants, introduced under that legislation, helps reintegrate and reunite crisis-stricken families.

I would like to underscore that under the Polish law, children may be placed in foster care solely upon prior determination that their best interests so require and after all forms of support for their families have been exhausted. In all placement decisions the opinions of affected children must be duly considered. Better guarantees of respect of child’s views in decision making concerning the child have been instituted.

Positive outcomes of those measures have been observed. For instance, the number of children in institutionalized care has decreased.

Mr. Chairman,
Distinguished Committee Members,

We are devoted to combating all forms of violence.

Violence against children as well as corporal punishment have been penalised for many years. In 2010 Poland also penalized physical disciplining of children.

The Ministry of Labor and Social Policy regularly surveys violence against children and social attitudes in regard to violence within families.

The 2014 survey indicates that 6% of children may experience violence within the family. Social attitudes in that regard do evolve. In 2014, the number of adult respondents who admitted to committing at least one form of violence against children was 50% lower than in 2008. A positive change of attitudes was registered in regard to the respondents' reactions to incidents of violence against children and reporting such incidents to the authorities. The results of the Ministry's survey are consistent with those of an earlier survey by the Nobody's Children Foundation.

We think, those positive survey results reflect the effectiveness of government action. Of course, the situation is not perfect and incidents of violence against children, regrettably, still do occur. That is why, over the recent years, work with families where violence occurs has been intensified. Support for children-victims has been made readily available at the level of municipalities and counties. In 2015 a program "Monitoring the Lives of Children in Distress—Social Workers Standard of Practice" was introduced. Its main objective is

violence prevention. It involves putting in place early warning and monitoring systems of children in danger of violence.

Mr. Chairman,
Distinguished Committee Members,

The Government has undertaken to strengthen the protection of children against sexual abuse and sexual exploitation.

Since 2014 incidents of rape have been prosecuted *ex officio*. Poland has implemented the relevant provisions of the 2007 Council of Europe Convention on the Protection of Children Against Sexual Exploitation and Sexual Abuse and the EU Directive on combating the sexual abuse and sexual exploitation of children and child pornography. The Polish law complies with the 2001 Council of Europe Convention on Cybercrime and the EU Council Framework Decision on combating the sexual abuse and sexual exploitation of children and child pornography.

Poland fully cooperates with the law-enforcement authorities of other countries in combating child pornography on the Internet. The most recent example is the adoption in 2013 of a Policy on the Protection of Cyberspace of the Republic of Poland.

The Polish law offers ever improving protections for children-participants in criminal proceedings. In cases involving criminal violence, criminal threats, violations of personal freedom, sexual freedom and good morals, as well as in cases involving crimes against the family, children may be interrogated only once and solely in a child-friendly environment, with child psychologist in attendance.

Regulations concerning the placement of children in police detention centers have been amended. Conditions have been specified when detained juveniles must be immediately released into the care of their parents.

Distinguished Committee Members,

The OECD teaching and learning survey (PISA) shows that Polish students rank among the best in the world. That testifies to the overall high quality of Poland's education system, which has undergone profound reforms.

Equality of school education opportunities is very much predicated on accessible quality preschool education. Government policies encourage the establishment of preschool education facilities in local communities. Parent co-pay for overtime stay of children in kindergartens has been capped at the affordable 25 US cents per hour. Since 2011 preschool education for 5-year-olds has been mandatory. Since the beginning of the 2015 school year municipalities must place in a kindergarten every 4-year-old whose parents so wish.

However, I would like to inform the High Committee that these decisions were taken in the context of profound social and political debate and are still a subject of public discussion.

Children with disabilities have guaranteed access to all types of schools, according to their individual needs and skills. Programs supporting early child development -from birth to school age - have been put in place.

Distinguished Committee Members,

As for health, government programs focus on prevention, especially of child obesity and diabetes. We have also implemented the National Program for the

Combating of Cancer which is, *inter alia*, directed at better cancer diagnostics and treatment of children.

Another national health priority is perinatal care. That is why perinatal mortality has been drastically reduced.

Vigorous actions have been undertaken to increase the availability of pediatricians and child psychiatrists, as well as to improve the accessibility of hospitals for parents who wish to stay with their children during the treatment.

Mr. Chairman,
Distinguished Committee Members,

I have highlighted to you just the key actions of the Polish Government in regard to child rights protection, undertaken over the recent years. More detailed information will be presented to you by my colleagues during the present dialogue. Once again, I wish to express our readiness to entertain any questions and inquiries you might have in regard to Poland's implementation of the Convention on the Rights of the Child.

Rights and needs of the child are in the heart of our policy. That is why our today's dialogue and the possibility to exchange our views and experiences is so important.

Thank you very much for your attention!