



P O L I S H R E P O R T

SOCIAL WATCH

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OVERVIEW

POVERTY AND SOCIAL EXCLUSION IN POLAND

Country Report by the Polish Social Watch Coalition
and the Polish Committee of the European Anti-Poverty Network



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Poverty, exclusion, inequality, discrimination — problems that need addressing in Poland

This document is an appendix to the Polish Social Watch Report 2010 Poverty and Social Exclusion in Poland prepared by Polish Social Watch Coalition and Polish Committee of the European Anti-Poverty Network and published by Kampania Przeciw Homofobii⁷.

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Main message

Poland was the only country in Europe with growth of the real gross domestic product (GDP) in 2009. That advantage was lauded by politicians from the ruling coalition (conservative-liberals with agrarians) who proudly announced it was due to thoughtful actions undertaken by the government. We had a unique GDP growth but there was a decrease in its dynamics, and public debt was recognized as main Polish problem. Several actions were aimed to reduce it in order to avoid exceeding the 3% or 55% of GDP threshold (first one for deficit is devised by EU, and second for public debt is in Polish Constitution). The most controversial one is reform of the 2nd pillar of the new pension system (OFE, Open Pension Funds managed by private firms). These changes might have some consequences for the replacement rates of pensions in the coming decades, but for decreasing the public debt they are important now.

The second issue that dominated the public discourse in 2010 was regarding the catastrophe of the Polish plane with the President of Poland on board, along with many persons who belongs to the nations' political and military elite. There were no survivors and it was a national tragedy. After a few weeks of mourning, new political controversies emerged.

The public debt, as well as the tragedy in Smolensk all dominated public debate. The lot and the rights of the poor and excluded citizens and residents were neglected in government's speeches and media news. It is evident that no one is sure how the slowed pace of the economy and the debt cutting policies will influence the situation of ordinary residents. Similarly, little can be heard about how Poland is doing when it comes to basic human and citizenship rights.

Poland has not yet ratified the already signed international conventions that are fundamental for ensuring basic human rights. These include the Revised European Social Charter and the UN Convention on the Rights of Persons with Disabilities. Simultaneously, the level of poverty and social exclusion is rising due to economic slowdown. In the face of these facts citizens expect vigorous public action, but what we see are non-decisions or cuts in the active social policy funding.

As a result of neglecting the mandatory indexation of the means test thresholds in social assistance even extreme poverty does not guarantee everyone the right to receive cash public assistance

in Poland. The funds for active labor market policy were cut in half in comparison to 2010. In December 2010 the number of unemployed was 1,9 million, if we assume that it would be 2 million in 2011, this leaves a mere 134 PLN (34 EUR) monthly per one unemployed person. It is very difficult or even impossible to achieve any real activation results for so small amount of money.

Polish government failed to respond adequately to problems of poverty and unemployment, but even more obvious is its failure to acknowledge the issue of equal rights. Only after five proceedings against Poland about it's not having implemented to Polish legislative system the common anti-discrimination law (two cases in the Court of Justice of the European Union¹) the project of the new law was finally debated in the Parliament². The project was criticized by the Polish non-governmental organizations brought together in the Coalition for Equal Opportunities and the UN Human Rights Committee. The bill was finally signed into law by the President on the 22nd of December 2010, but not taking under consideration the postulates of the anti-discrimination organizations seems to diminish the act's positive impact.

There is no any serious agency specialized in combating discrimination in Poland. The Government's Plenipotentiary for the Equal Status of Women and Men was supposed to prepare it, but it was not accomplished. The position itself was cancelled in 2005. Three years later the present government created the Representative for Equal Treatment, but without any further tasks linked to establishing a specialized government agency that would have the rights and funds to implement, and authority to enforce anti-discrimination policy and law. Polish "non-discrimination" act which implements the following Directives: 86/613/EEC, 2000/43/EC, 2000/78/EC, 2004/113/EC, 2006/54/EC, has not changed it. What is striking the situation now could be worse than before. Responsibility for anti-discriminatory policy was divided between government's Plenipotentiary and Ombudsman without any clear guidance on cooperation between them.

Little step forward in the area of gender equality has been taken by adopting of the citizen's project of the law concerning gender parity on the election lists. After the changes that have been made to the project in the course of parliamentary work final result is rather disappointing and it seems that new law influence on women's participation in politics will be very moderate if any at all.

¹ Commission against Poland, cases C-341/10 and C-326/09

² Almost three years after deadline for implementation Council Directive 2004/113/EC of 13 December 2004 implementing the principle of equal treatment between men and women in the access to and supply of goods and services

Introduction

For social and anti-discrimination organizations it is obvious that Polish public policy is insufficient and does not solve the problems of poverty, exclusion, inequality and discrimination. It is not only the result of Poland not being the richest country in the world; equally important is the fact that for ruling coalition and the main opposition parties other problems are being of greater importance than those that influence the society at large. Although Poland succeeded in avoiding the economic crisis, the government undertook actions that resulted in deepening existing social problems.

Aristotle underlined that poverty leads to social unrest and crimes. One of the summaries of the philosophers interested in politics is as follows: in order to participate fully in public life, one needed to be in a certain socio-economic position. ...*Two things have always been thought particularly important in this connection: the absence of great inequality and the possession by all of some modicum of wealth*³. Preventing inequality from spreading and being free from poverty are crucial for social cohesion and taking part in social life. They are important for the quality of civil society, democracy and for the raising, restoration and maintenance of the quality of life of all citizens and inhabitants.

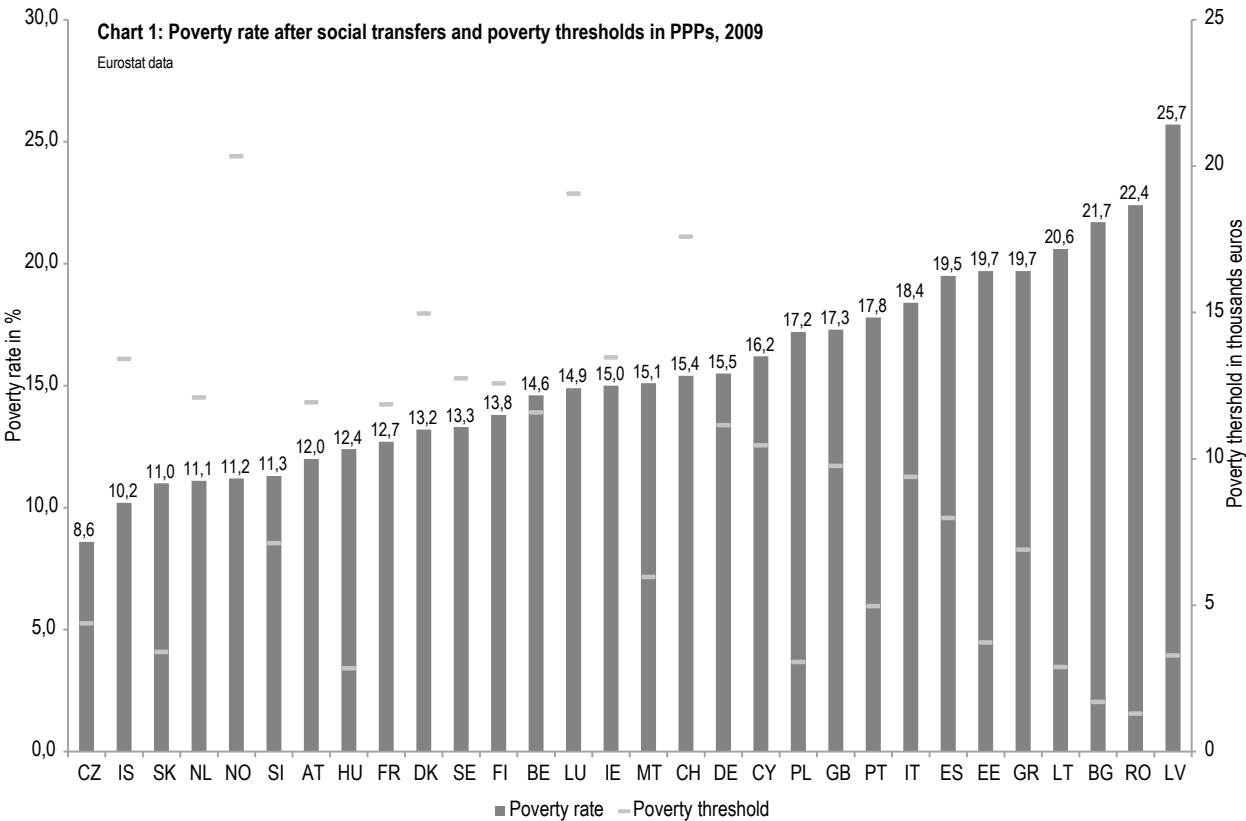
The link between social rights and social policies can be problematic. Modern anti-discrimination policy and social policy, understood through the lenses of indivisible human rights (personal, political, economic, social and cultural), and not paternalistic philanthropy, are answers to previous forms of poverty and social exclusion.

Even a full ratification of all international law regarding human rights does not ensure its proper and effective implementation. Basic rights can be realized in many different ways, and the access to rights, the level of their implementation is not equal in society. Deep socio-economic divisions influence exercising of the basic rights. Public policies based on rights might be under-financed, badly organized and inefficient. Professionals hired by government to provide social services might treat people experiencing poverty and social exclusion with disrespect.

Public policy, including its social aspects, is too often based on stereotypes and myths, and not on real scientific knowledge. The latter is all too frequently associated with economic theories and quantitative data. The modern economics is in crisis – despite the advanced methodology and huge

³ D. King, J. Waldron, Citizenship, Social Citizenship and the Defence of Welfare Provision, British Journal of Political Science, 1988, vo. 18 no 4, p. 425-6, 428.

⁷ Only in Polish: http://www.kph.org.pl/publikacje/raport_sw_2010.pdf



funds for quantitative research, it was not possible to foresee (with some exceptions), nor to prevent the global economic crisis. The indicators concerning society as a whole say little about the real life of poor and excluded citizens and inhabitants of Poland. The GDP seems to be the main goal and a criterion of development. For many influential politicians and experts, reaching the standard of living of the richest countries is the most important goal.

Real scientific knowledge it is not only economics nor the statistical indicators of official market transactions. Designing public policy on incomplete knowledge represented by GDP results in unjust resolutions that are ineffective. Apart from the economics, we should take into account other disciplines that use qualitative research as well. Below we present both quantitative indicators that tell us more about society than GDP, and qualitative data that allow us realize what does it mean to live in poverty today.

Poverty and material deprivation

In the new EU strategy – Europe 2020 – it is assumed that in the context of the goal to reducing poverty and social exclusion three statistical measures are important: relative poverty, multiple deprivation, households that face the problem of unemployment or underemployment.

Over 6 million and 4 hundred thousand inhabitants of Poland are relatively poor. In this case, the poverty level is 60% median of the equivalent income in a given country. Hence the poverty thresholds are different in each country, e.g. based on 2009 calculations: in France – 11 856 euros, in Norway – 20 332 euros, Romania – 1297 euros, Bulgaria – 1697 euros, and in Poland – 3058 euros. The richer the country, the higher the poverty threshold is. Over 5 million and 6 hundred thousand people were faced with severe multiple deprivation (they were not able to meet 4 or more of 9 basic

needs). Poor and materially deprived females and children were more than men or elderly people. The situation of families with more than two children is much worse in comparison with nuclear families. Decreasing trend from 2005 is reversed, relative poverty rate was higher in 2009 than in 2008 (see Table 1).

In comparison with other countries, the relative poverty threshold in Poland is one of the lowest in Europe and the level of relative poverty is a slightly higher than the average for EU27 (16,3%) - see Chart 1.

The poverty of children or elderly people might seem more threatening in comparison to poverty of adults. Children should have a proper environment for development. For different reasons, elderly people cannot ensure for themselves such a level of living as they wished for. If the level of poverty is higher among women than it is among men, then it should

Category								
Measure	total	women	men	<16 (age)	>65 (age)	GD without children	GD with children total	GD with more than 3 children
Relative poverty rate	17.2	17.4	16.9	22.7	14.4	13.3	19.9	37.8
Severe deprivation rate	15.0	15.3	14.6	15.1	17.3	16.7	13.6	21.2
Number of people relatively poor	6435	3377	3058	1423	733	no data	no data	no data
Number of people experiencing severe deprivation	5625	2983	2642	570 ¹⁾	272 ²⁾	no data	no data	no data

Table 1: Relative poverty rate after the social transfers and severe deprivation rate for different categories, rates in %, numbers in thousands, 2009.

Eurostat data

¹⁾ <18, ²⁾ 65 i >65, GD – households

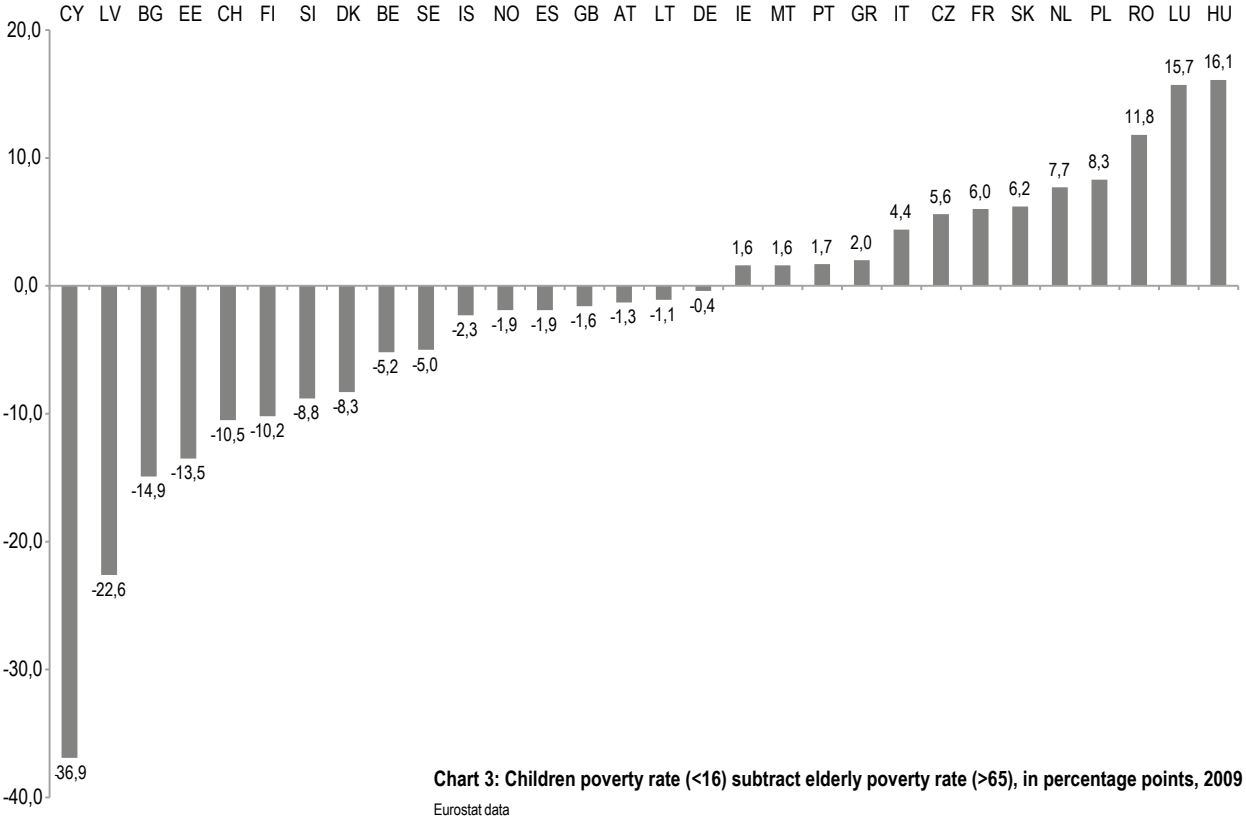
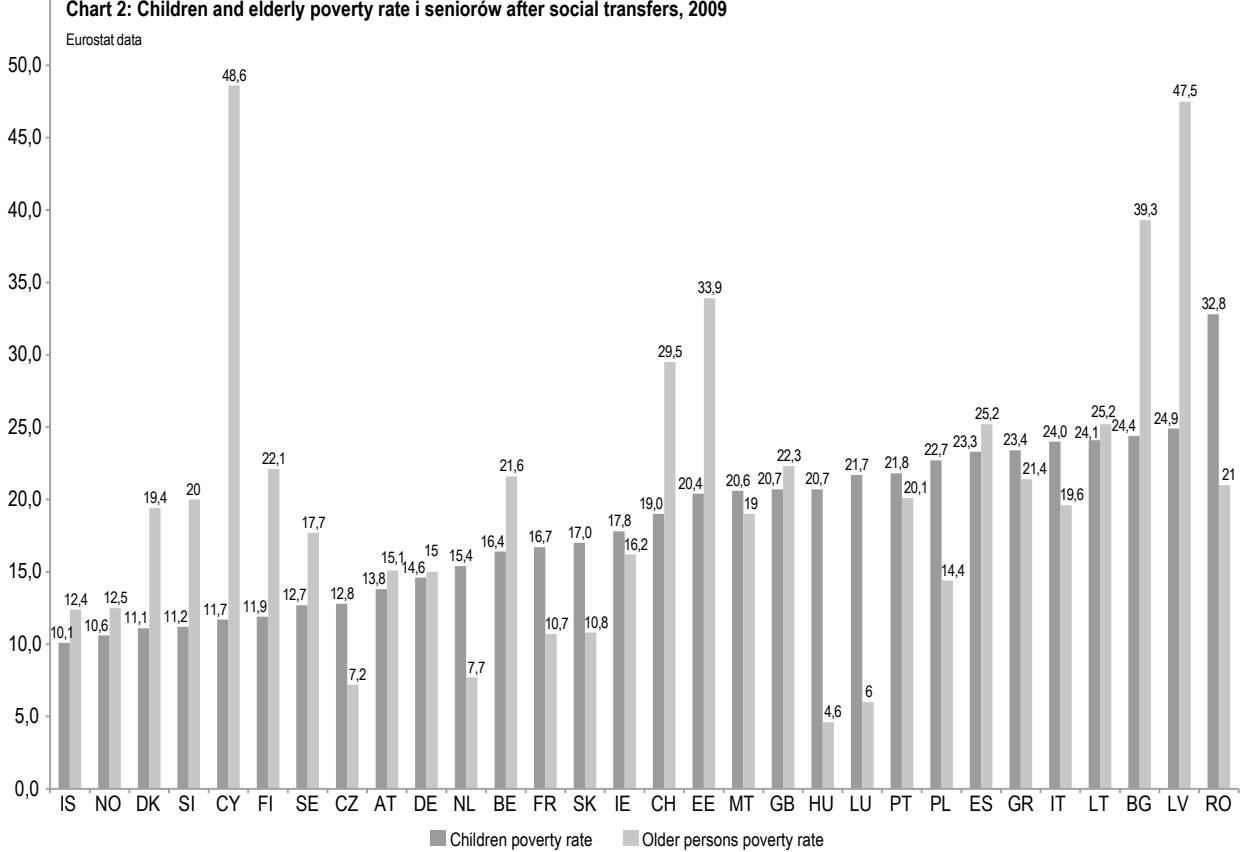


Chart 3: Children poverty rate (<16) subtract elderly poverty rate (>65), in percentage points, 2009

Eurostat data

Becoming poor

Gabrysia has worked in bakeries for 27 years – first in state-owned and then in privately-owned ones. She has recently fallen ill. She has an infection in her leg and is not able to walk. She is receiving health and disability related benefits. Next year a committee of physicians will decide about her disability pension. She has to cover huge expenses for her treatment, since she has been visiting a private physician for some time now. The national health service did not result in any positive outcomes, *I have been treated here in our outpatient clinic, by experts, by surgeons, but with no results, because they were giving me prescriptions for fluids. Every other day I had to go there and they were giving me all these fluids. If I had bacteria it would not go away with fluids. I decided to quit, because it didn't help at all.* After spending hundreds of PLN per month on those visits and medications, she has little money left for living. She lacks money for basic living expenses, *Because I have to spend it on medication.* Her sickness has created many negative changes in her life, worsening her situation. She used to grow her own vegetables for food. Now her condition does not allow her to do that and her family members cannot do that for different reasons. The younger children go to school, the older daughter is working and cannot take proper care of the field. Gabrysia does not mention her husband but it is later revealed that he suffers from alcoholism and does not take care of the family. The expenses for her treatment prevented her from buying chickens, therefore, she will not have eggs and poultry. She cannot count on her family's help – her mother has a pension amounting to 600 PLN, she does not keep in touch with her siblings.

(This fragment and the other stories of people experiencing poverty and exclusion are taken from the Polish Social Watch Report 2010 Poverty and Social Exclusion in Poland).

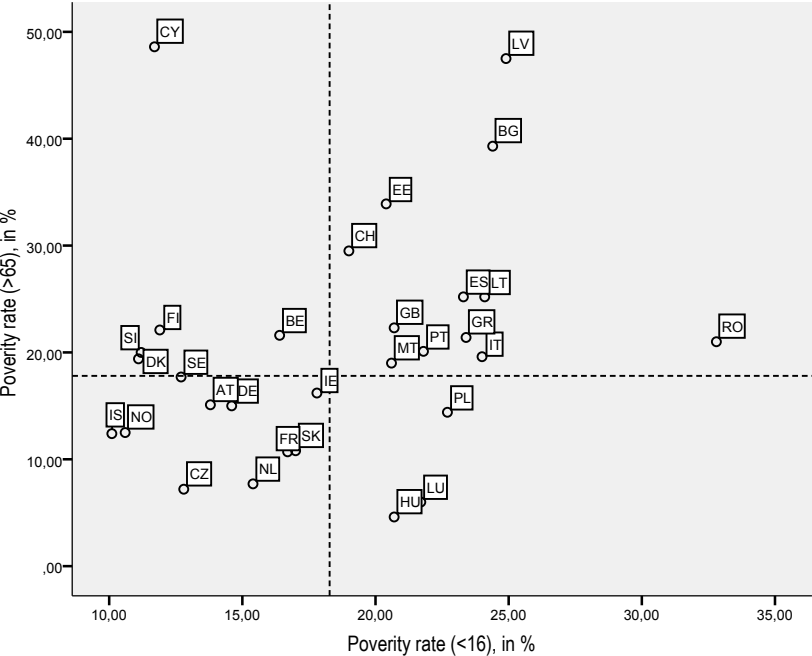


Chart 4: The relative poverty rate for children and elderly, after social transfers, 2009

Eurostat data

Indicator	Unit	1999	2008	2009	2009, OECD included
Unemployment rate	% of labour force	12.8	7.2	8.3	8.3
Unemployment rate among young people	% of youth labour force (15-24)	30.0	17.3	20.7	16.4
The percentage of unemployed for a year and longer	The percentage of total unemployment	34.8	29.0	25.2	23.6
Employment rate	The percentage of the working age population	57.5	59.2	59.3	64.8
Employment rate among women	Percentage of women (15-64)	51.6	52.4	52.8	56.5
The employment rate among older workers	The percentage of the population aged 55-64	32.5	31.6	32.3	54.5
Part-time employment	Percentage of total employment	no data	27.0	26.5	11.6
Non-full time employment	Percentage of total employment	14.0	9.3	8.7	16.2
Average annual work time	Hours per worker	no data	1.969	1.966	1.739
Average annual wage	2008 in US dollars according to purchasing-power parity	15.878	17.812	17.812	no data
Real GDP growth rate	Change in percentage compared to the previous year	4.5	5.0	1.8	-3.3
Increase in employment	Change in percentage compared to the previous year	-3.9	3.7	0.4	-1.8
Increase in real wages	Change in percentage compared to the previous year	6.1	4.3	2.1 ¹⁾	no data

Table 2: The labor market indicators in Poland vs OECD

Source: OECD, http://www.oecd.org/document/24/0,3746,en_2649_33927_43219160_1_1_1_1_00.html

¹⁾ Central Statistical Office (GUS) data concerning an increase in real wage, in 2008 the rate according to the Central Statistical Office was 6%.

also be a reason for concern. In comparison to other countries the level of relative poverty of children in Poland is high, and of the elderly people – low.

In the case of the level of poverty according to age, European countries can be divided into two groups. In the first one, the level of children's poverty is lower than that of elderly, in the second group – quite the contrary. Poland belongs to the second group – children are poorer than elderly people, the biggest difference of these numbers was in Hungary. Poverty levels of elderly people is much higher than poverty of children in Cyprus and Latvia (see [Chart 1](#)).

By comparing the data concerning poverty by age group, noticeable are countries in worse or better situations. Poland belongs to countries with higher than average level of poverty of children and lower than average poverty of the elderly. The situation in the Czech Republic is the most promising – with very low level of poverty for both age groups (see [Charts 2 and 3](#)).

In nearly all of the EU countries, the poverty rates among women are greater than the poverty rates among men. Only in Hungary is the situation different. The highest poverty rates among women are in Latvia, Bulgaria and Romania, while the lowest are in the Czech Republic, Iceland and Netherlands.

Chart 5: Poverty rate among men and women, 2009

Eurostat data

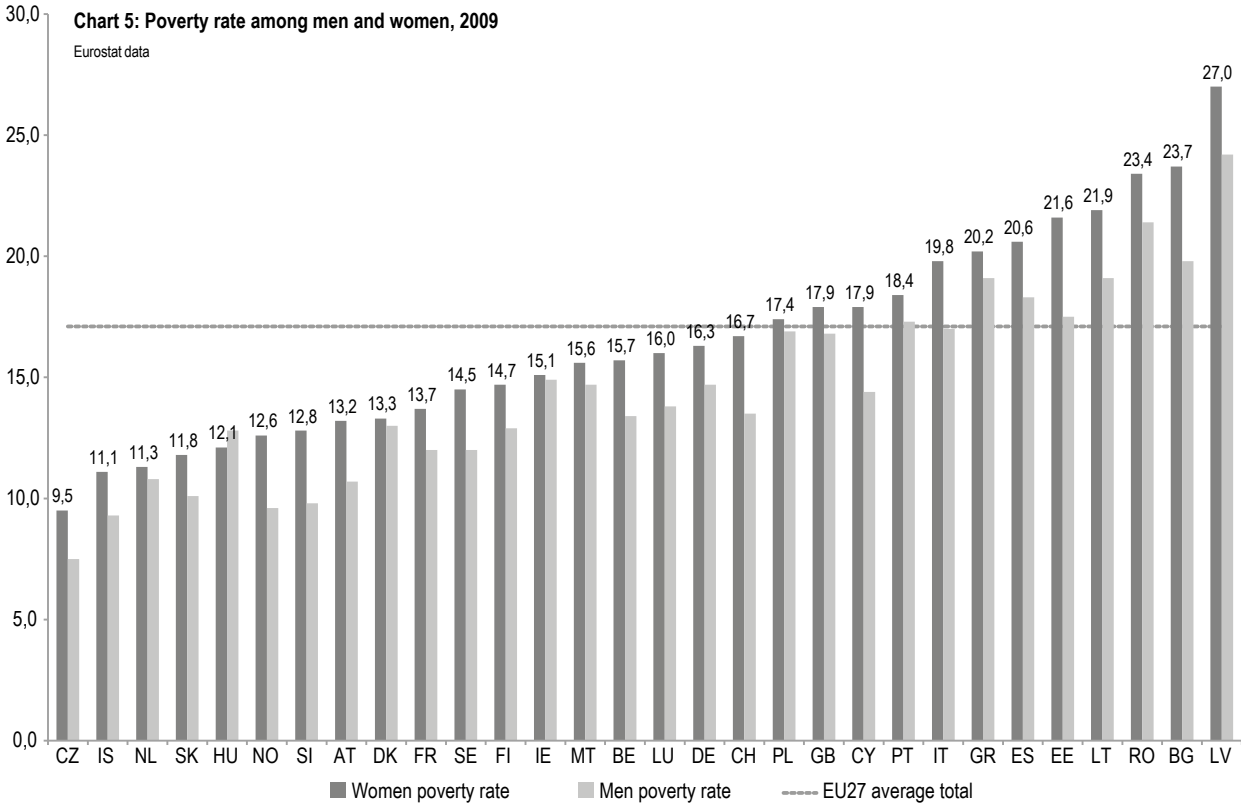
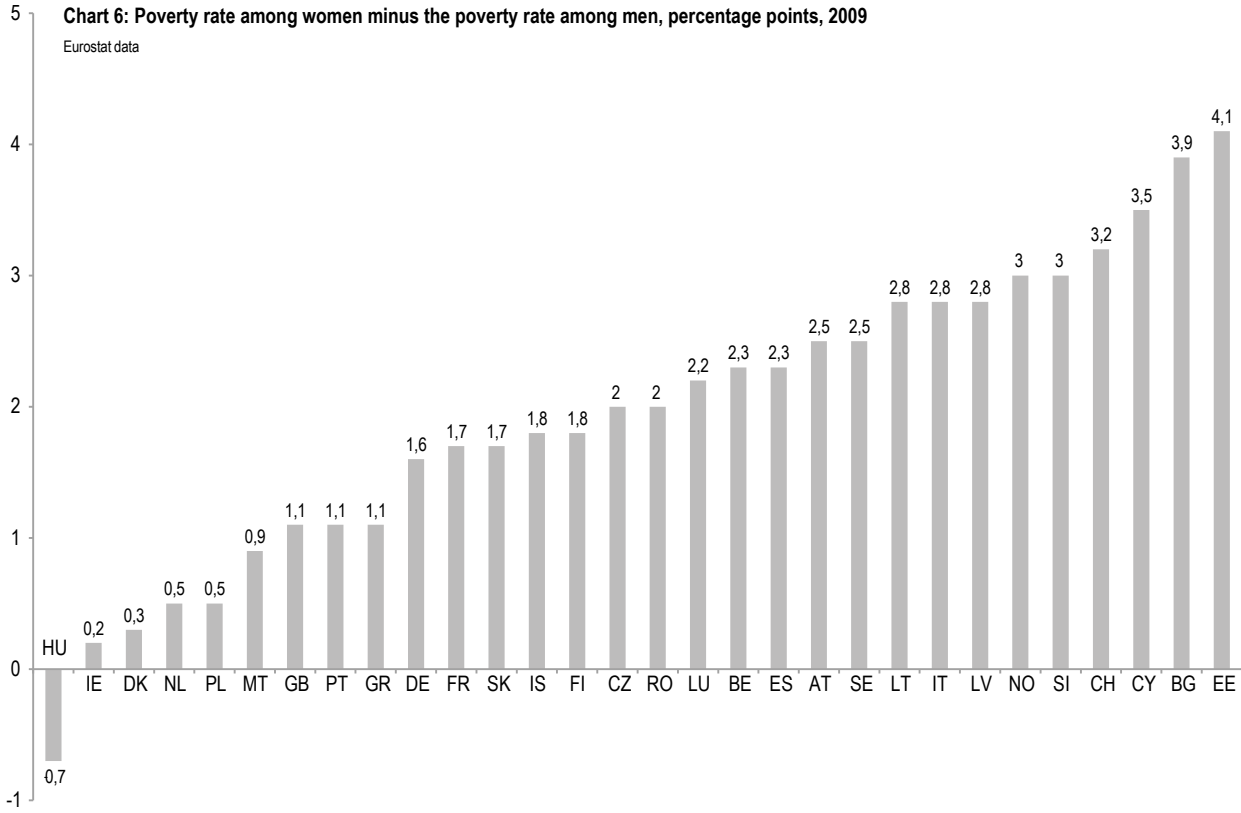
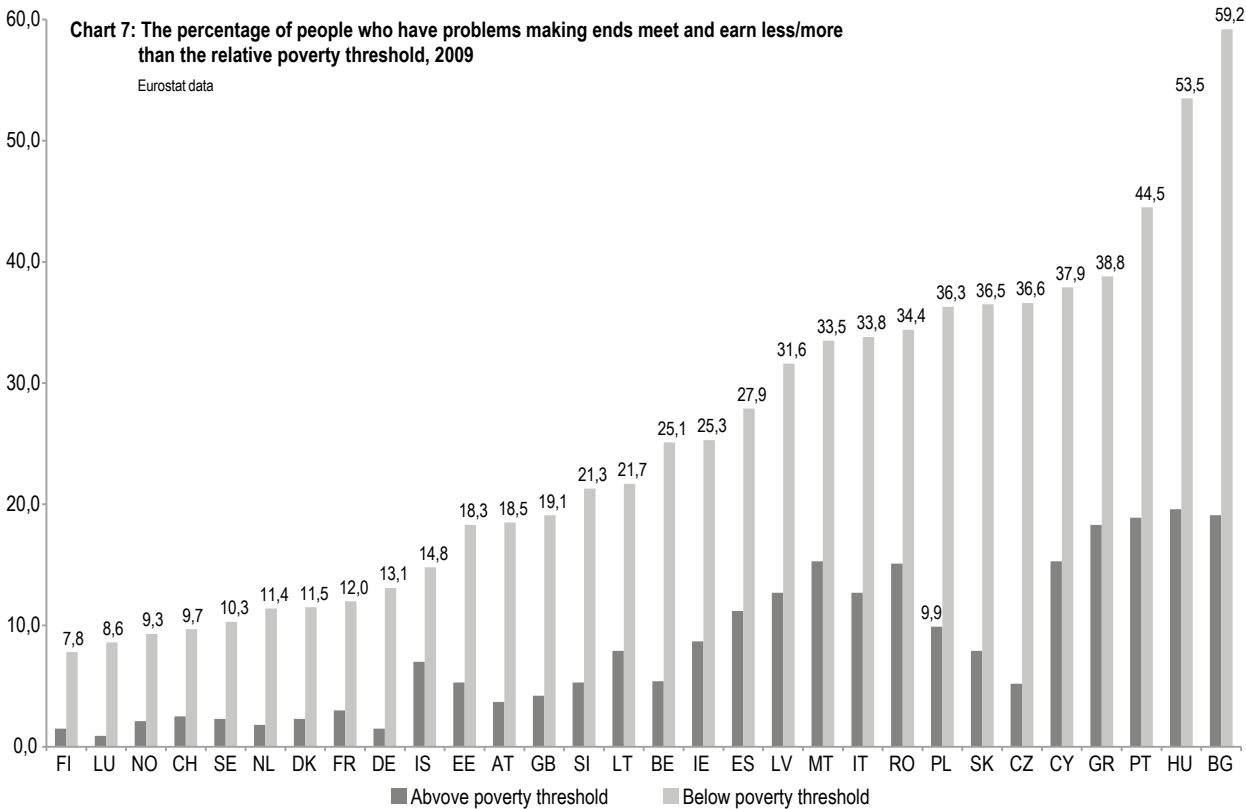


Chart 6: Poverty rate among women minus the poverty rate among men, percentage points, 2009

Eurostat data





In Poland, the relative poverty rate among women is slightly greater than the EU average (see [Chart 4](#)).

The greatest differences between the poverty rate of men and women are in Bulgaria and Estonia. Hungary is the only country where the poverty rate among women is lower than among men, although the difference is small. In Poland, the poverty rate among women is slightly greater than among men (see [Chart 5](#)).

Coping with poverty

Agnieszka's household consists of two adults and three children, supported by her husband who earns about 1200 PLN month. Difficulties with finding work in the Świętokrzyskie Province has forced him to look for work outside of the province. He currently works in Warsaw and travels home only during the weekends. Agnieszka spends most of her time alone and is responsible for taking care of the children, the house, the field and the livestock. She says she isn't happy about this, but her husband could only earn about 800 zlotys by working in Starachowice. Earlier, he worked in France for one and a half years and visited home twice a year. Agnieszka notices: The money is better, but the losses are also great. Family ties begin to weaken and one feels lonely. Despite better income, they decided that he will return to Poland. Despite this, a constant parting from her husband and spending time with him only two days a week is a heavy burden for Agnieszka. This shows the emotional costs paid by women from families that cope with poverty in this way.

Relative income poverty does not necessarily mean being deprived of basic needs or the inability to make ends meet. People who declare that they have great difficulty making ends meet very often have less income than the relative poverty threshold in comparison with people above it. In Poland, the first group is nearly three times the size of the second group (see [Chart 6](#)).

A similar picture we have when we compare material deprivation with income below and above the relative poverty threshold i.e. more people with income below poverty threshold are experiencing material deprivation than the opposite. In this case however, there are more instances of simultaneous relative poverty and material deprivation. There is also bigger discrepancy between the lack of relative poverty and material deprivation (i.e. more relatively non-poor people are experiencing material deprivation than those non-poor claim that they have great difficulty making ends meet) – see [Chart 7](#).

The costs of housing for poor households is a serious burden and if it exceeds 40% of their disposable income, it is assumed a financial overburden. This happens to 28.3% of the population in Poland. The overburden by housing costs for families with incomes above the poverty threshold happens on a much smaller scale (see [Chart 8](#)).

If we simultaneously look at the deep relative poverty (the poverty threshold is not 60% but 40% of median) and severe material deprivation, it places Poland in the group where these factors are higher than the EU average. Besides Poland, the group includes countries with a much higher level of serious poverty and severe deprivation: Lithuania, Ro-

mania and Bulgaria, as well as countries in similar situations: Greece, Latvia and Portugal. In this group, Poland has a lower level of deep relative poverty and a slightly higher level of deep material deprivation than Portugal and Greece (see [Chart 9](#)).

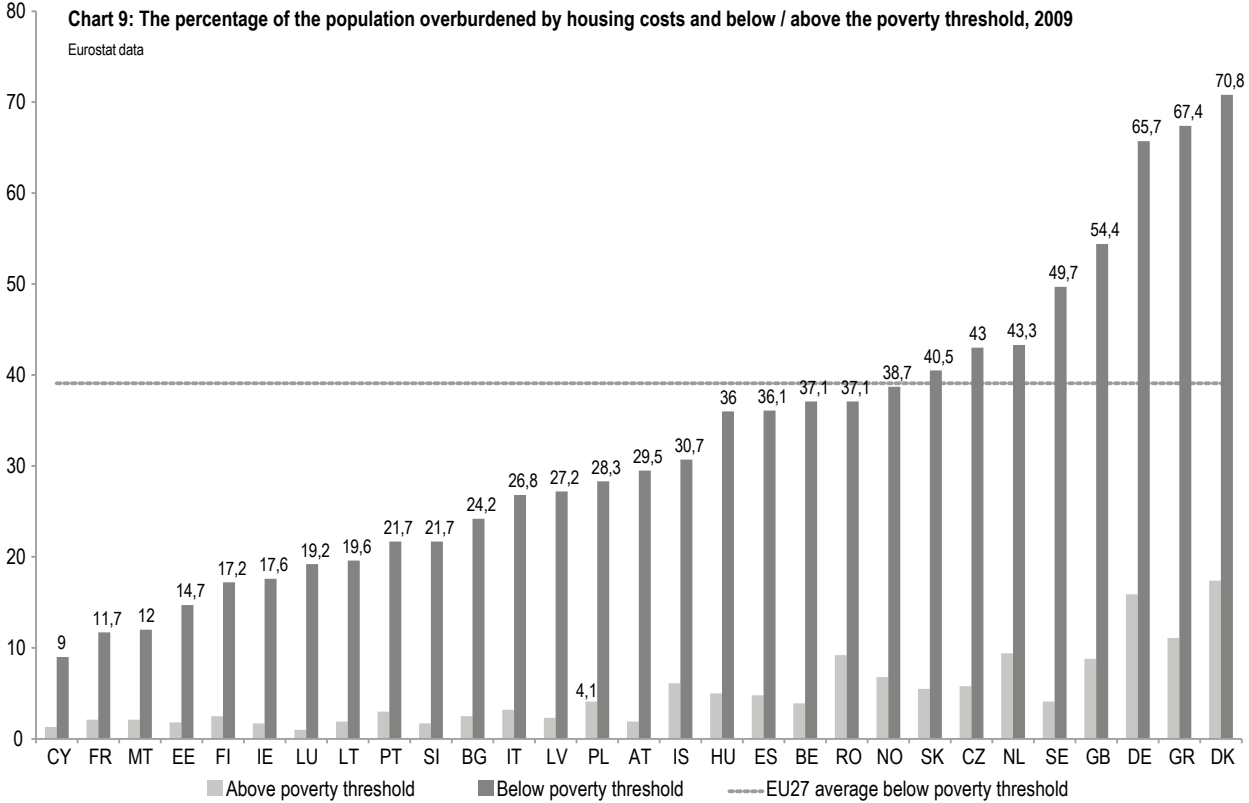
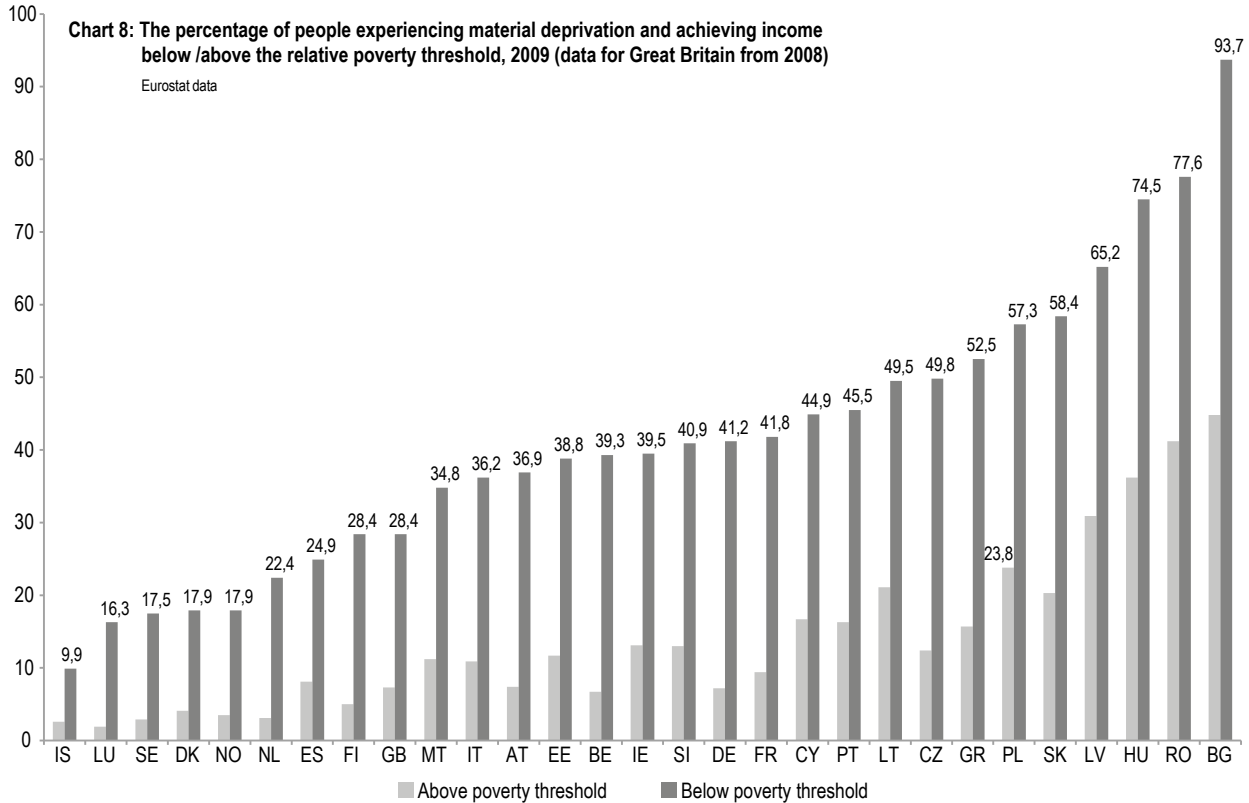
Severe deprivation rate is decreasing from 2005, when it was 33.8%, to 15.0% in 2009. It is obviously very positive trend, but remember that in many other European countries, particularly Scandinavian, this percentage does not exceed 5% (see [Chart 10](#)).

Spatial differentiation of poverty in Poland can be demonstrated by the percentage of those with social assistance benefits entitlements. Among municipalities with that rate over 20% in 2009 (34) most of them (10) was in the Warmińsko-mazurskie province (north-eastern Poland). In that region there were two municipalities where the percentage of social assistance recipients was over 30% - Górowo Iławieckie (47.0%), Barciany (31.8%).

The number of social assistance recipients in Poland is correlated with low urbanization, low economic growth, high percentage of children (<14), high percentage of families with many children, low education level, high percentage of youth not continuing education after lower secondary level (gimnazium), high unemployment rate⁴.

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⁴ Zróżnicowanie przestrzenne pomocy społecznej na tle ubóstwa w Polsce, Seminarium „Ubóstwo w Polsce wybrane problemy”, Główny Urząd Statystyczny, Warszawa 16 luty 2011, last slide: http://www.stat.gov.pl/cps/rde/xbcr/gus/POZ_Prezentacja12lutyPomocSpoleczna.ppt.



Single parenting and handicapped children

A single mother raising a 15-year-old son with Down's Syndrome and a Hirschsprung's disease: *Because of his frequent hospitalization, I had to quit my job. Frequent sick leaves made it impossible for me to return to work. I've been on an attendance benefit since September. The attendance benefit is 420 zlotys, the attendance allowance is 153 zlotys, the family benefit is 64 zlotys and the rehabilitation supplement is 80 zlotys. The received alimony is 250 zlotys. The total is 967 zlotys. This isn't enough to go by and there isn't enough money for rehabilitation. If it wasn't non-governmental organizations, I wouldn't be able to afford a rehabilitation stay or an educational stay for my son. How am I supposed to buy an ointment after he leaves the hospital or other medicines and band-aids? I live with my son and my mother in a housing cooperative apartment. The rent is 310 zlotys, the electricity is 150 zlotys and the water bill is 40 zlotys per person. My retired mother pays the bills. Without my mother, I wouldn't be able to support myself and my child. Because of the high cost of living, the low disability benefits, my financial situation prevents me from finding my own place to live.*

obviously very positive trend, but remember that in many other European countries, particularly Scandinavian, this percentage does not exceed 5%.

Employment, education and poverty

Employment is considered the best protection against poverty. It is also the basis for gaining rights for social insurance benefits to cover loss of income due to social risks. To fulfill well that functions the job must be legal and well-paid, not mention about sufficient level of occupational health and safety or workers democracy and participation. Not always and not all jobs meet those obvious standards.

In 2009, Poland was one of those countries in which the unemployment rate was close to the EU average. A similar situation occurred in terms of long-term unemployment, which may have a more profound influence on people's standard of living (see [Chart 11](#)).

Even full-time work does not protect all employees from relative poverty. In Poland, more than 10% of full-time employees live in poverty – thus referred to as “the working poor”. This result is higher than in many EU countries. Employment protects against poverty, if the real wage is sufficient to meet the needs of all the members of the household. The main concern is whether the wage is sufficient enough to meet those needs. And these may be greater due to the number of people (multiple children), chronic disease or disability (see [Chart 12](#)).

If individuals with a higher level of education and relatively younger experience material deprivation, this means that education has not protected them from poverty. The situation in Poland is three times worse than in the Czech Republic (see [Chart 13](#)).

In terms of a typical set of labor market indicators compared with the data for the OECD, in 2009, the situation in Poland appeared much worse in terms of unemployment among young people and long-term unemployment, as well as the employment of the older workers and women. In terms of

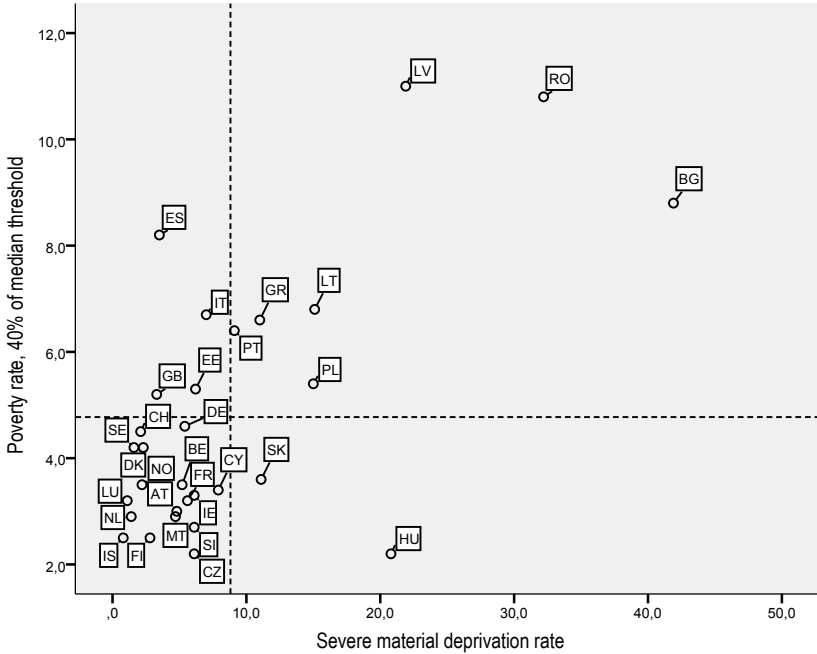


Chart 10: The rate of deep relative poverty and the rate of severe material deprivation, 2009

Eurostat data

real wage, despite growth in 2009, there was a visible decrease in its dynamics: from 6% (from 2008 to 2007 according to GUS) to 2.1% (from 2009 to 2008) – see [Table 2](#).

Wage is crucial for the quality of life for families. In Poland, the share of low wages (below two-thirds of the median) is relatively high compared to other countries. It is a few percentage points higher than in the Czech Republic and twice as high as in Finland (see [Chart 14](#)).

Low wages may be responsible for problems with making accommodation and utility service (gas, water and electricity bills) payments; as well as with paying off incurred loans (including both interests and arrears). Consequently, as the debt rises, so does the risk of insolvency, eviction and, in extreme cases, homelessness. With respect to arrears on utility bills, the situation in Poland is worse than in many other European countries, especially when it comes to poor, single-parent families. In such households, the rate of debt is more than four times higher when compared to countries like Denmark.

Inequalities

In the debate on the social cohesion of nations, great importance is attributed to the level of inequality. The more socially and economically polarized the society (a large number of poor, low-paid, uneducated, who occupy unstable and subordinate jobs; and a large number of affluent, well-paid, well-educated – managers or capitalist), the greater the probability that social groups will separate, the existing social bonds will be broken and an open conflict will erupt, with some more or less radical politicians fanning the flame.

In the 20th century, much was done so as to avoid socio-economic polarization. For instance,

governments have laid foundations for a welfare state, in which basic education and health care are free for most people. What is more, both workplace democracy and tripartite social dialogue, as well as the social protection system, trigger an increase in real wages and provide income in case of some common social risks (e.g. unemployment, illness, old age). However, when it comes to implementing the ideals of a welfare state, some countries are less efficient than others. The divisions are recreated in new forms under new conditions and in new dimensions, which is reflected in such issues as, for example, the digital divide or the gated and guarded residential estates. The traditional sources of social division and polarization, which stem from the various national and ethnic identities, are still present today.

Inequality of income distribution is the easiest to measure. According to one of its indicators, the Gini coefficient, Poland was ranked slightly above the EU average in 2009, which is 10 coefficient's points and 18 countries away from the most income-equal countries (Slovenia, Norway) – see [Chart 16](#).

The ratio between the level of income inequality and severe material deprivation is positive and statistically significant. For Poland, both the indices are higher than the EU average (see [Chart 17](#)).

In today's society, the promotion of equal opportunities to obtain affluence and high positions comes as a popular slogan. If children obtain an education or socio-economic status similar to the one of their parents, we are dealing with low-level intergenerational mobility. It proves the thesis according to which the policy of equal opportunities is failing. Education constitutes its main instrument – every next generation obtains higher and better

Chart 11: The unemployment and long-term unemployment rate, 2009

Eurostat data

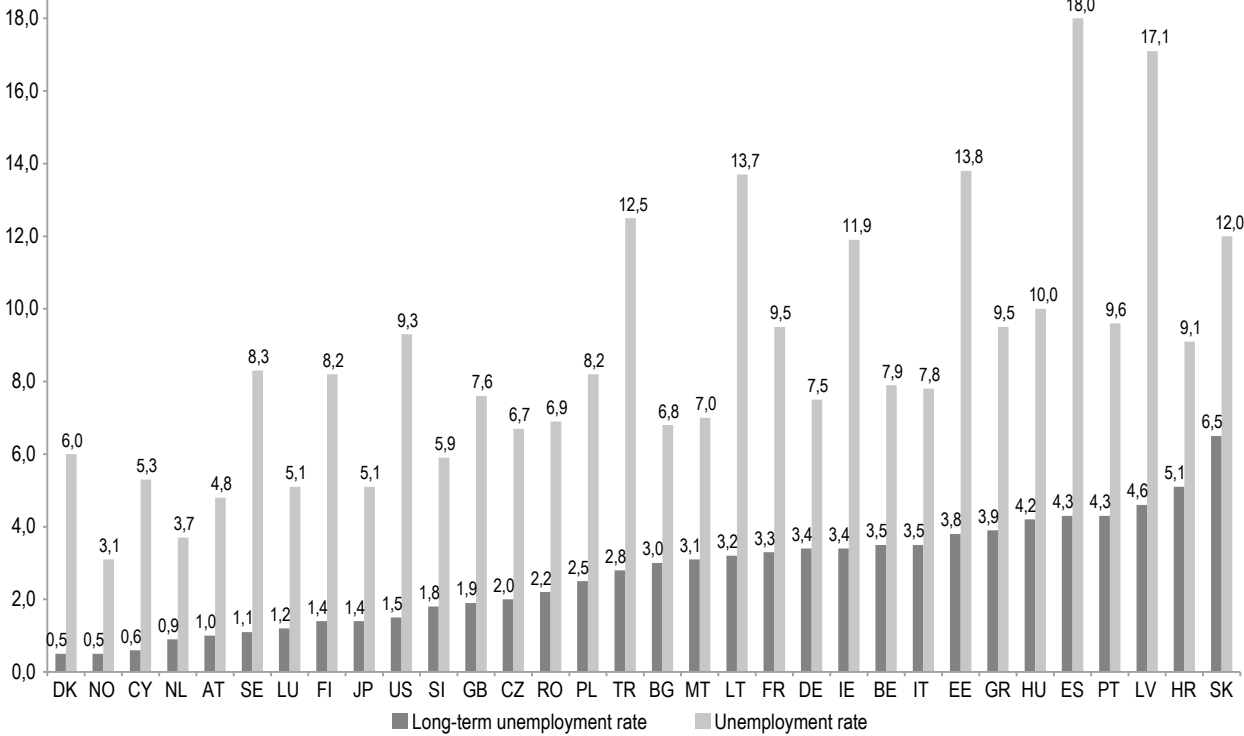
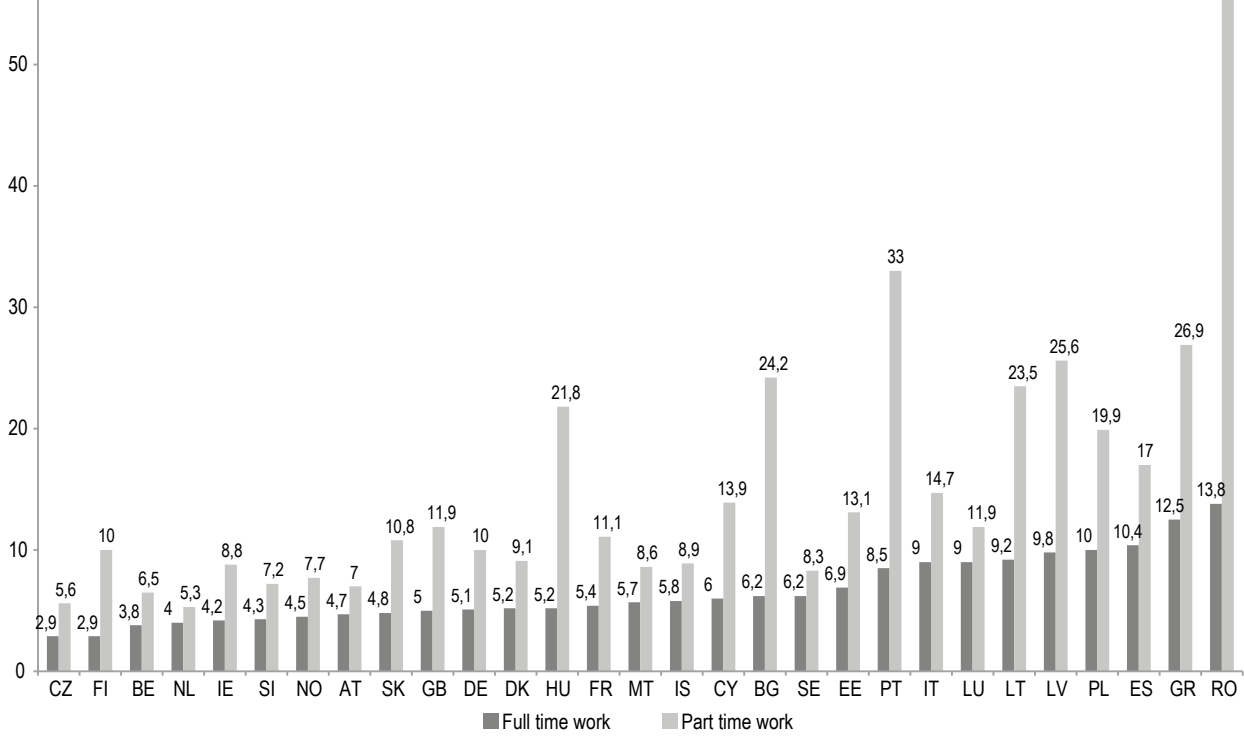
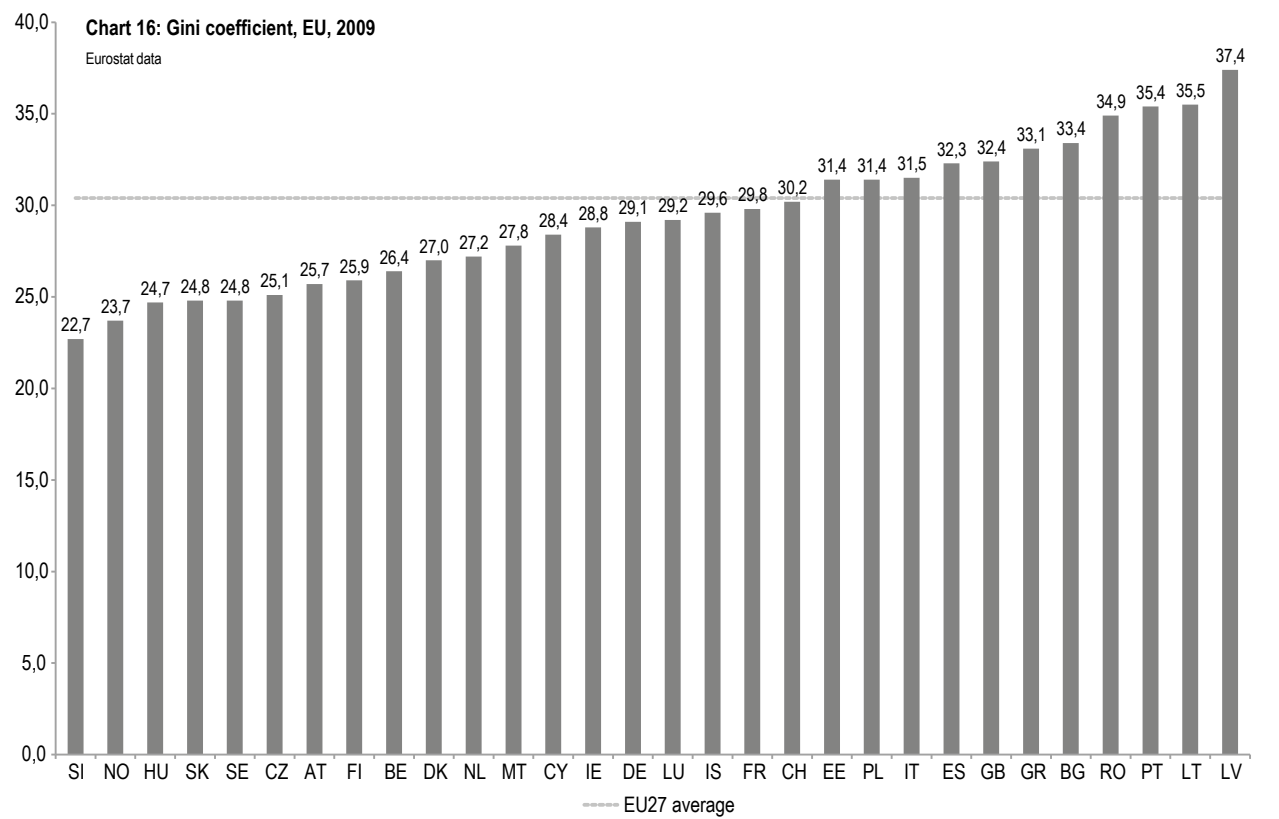
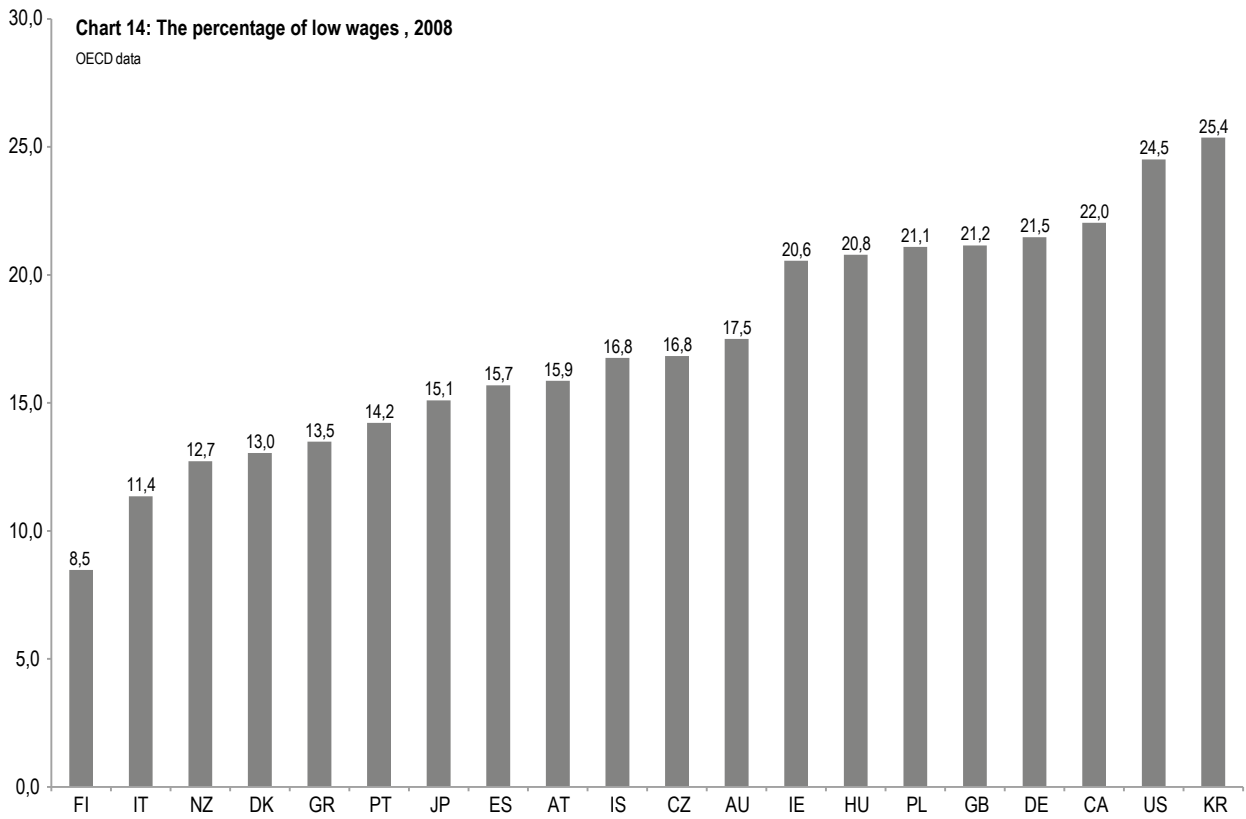
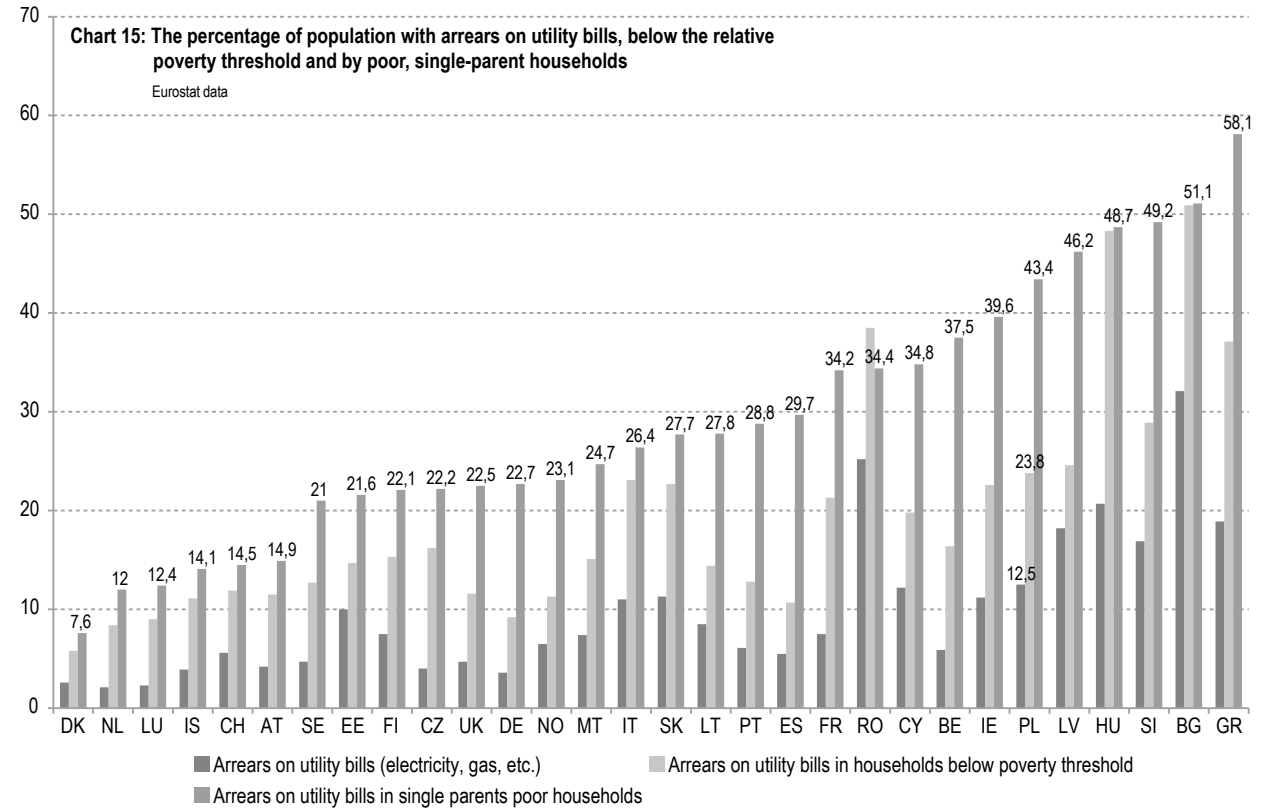
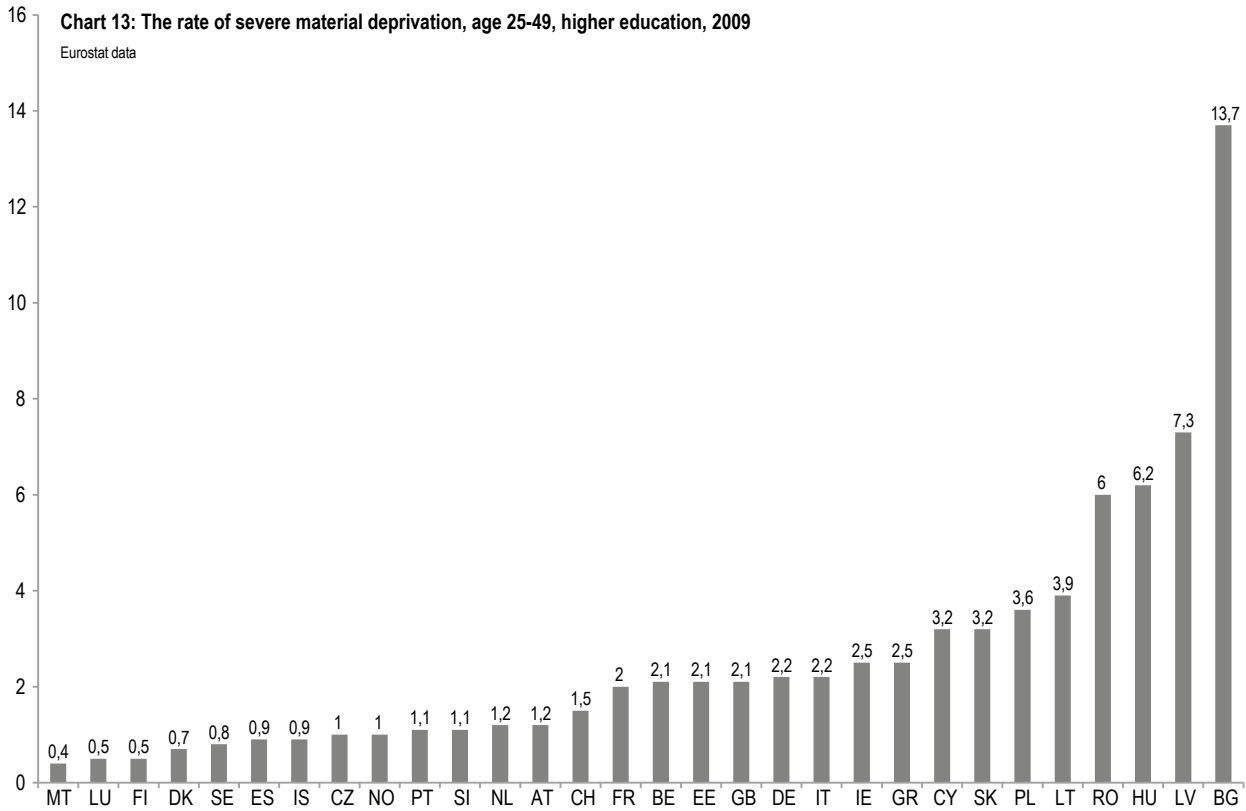


Chart 12: The percentage of poor people who work full or part-time, 2009

Eurostat data





education than the previous one, and consequently climbs up the social ladder.

Every few years since 2000, the international PISA assessment (in which the reading, mathematical and science literacy skills are investigated) is administered to 15-year-olds in Poland. The indicator which points to the relation between children's academic results and the parents' education (or a more complex combination of some socio-economic characteristics) measures the egalitarian potential of both the Polish schools and the country's whole socio-educational system. If children of parents with a high level of education get higher scores in the basic knowledge and skills tests than children from a low-education background, and if this relation is a prominent one, we are dealing with a situation opposite to the 'equal opportunities' ideal. Since 2000, the situation in Poland has first visibly improved, and then deteriorated. The 2009 indicator was higher than in 2000.

Until now, the least investigated area was the inequality in health care. It is common knowledge that the differences in health of people living in rich and poor countries can be vast if we apply a general health indicator, such as infant mortality rate or life expectancy rate (e.g. the difference between Poland and Pakistan is in the first case 6 to 71 per 1000 infants, and in the second one 76 to 67 years⁵). Similar differences are present within individual countries, both in the spatial and social dimension. It means that people from poorer regions, towns or districts and of lower socio-economic status obtain worse health results when compared to those who live in better conditions and hold higher positions within a society (see **Chart 18**).

When investigating infant mortality rates for 2008, we discover that, for example, the rate for Olawa District amounted to 14.65 per 1000 live births, while the same indicator for Piotrków Trybunalski District amounted to just 0.98⁶. In Warsaw itself, the gap in life expectancy of women from the two various districts, Praga and Wilanów, amounted to more than 10 years (76,8 to 87,5 years, respectively). In the case of men, the gap widened to more than 16 years (65,7 to 82,2 years)⁷. When comparing some of Poland's biggest cities in the area of infant mortality, Gdańsk performed better than Warsaw, and Warsaw better than Bydgoszcz (see **Chart 19**).

If those who define their health status as bad or very bad are divided according to the income quintile share ratio (the households' gross income is ranked in ascending order and then divided into five equal segments – the quintiles, each quintile representing 20% of all households), it is observable that there is a massive gap between the richest 20% and the poorest 20%. In Poland, almost twice as many people from the first quintile defined their health status as bad or very bad when compared to those from the fifth quintile (see **Chart 20**).

In case of the self-defined bad and very bad health status, there is also a gap between the em-

⁵ World Bank data: <http://data.worldbank.org/indicator>

⁶ Data from <http://www.mojapolis.pl>.

⁷ Stan zdrowia mieszkańców Warszawy w latach 1999 – 2008, Urząd Miasta St. Warszawy Biuro Polityki Zdrowotnej, Warszawa, styczeń 2011, p. 5: http://www.um.warszawa.pl/sites/default/files/attach/aktualnosci/raport_zdrowie.pdf

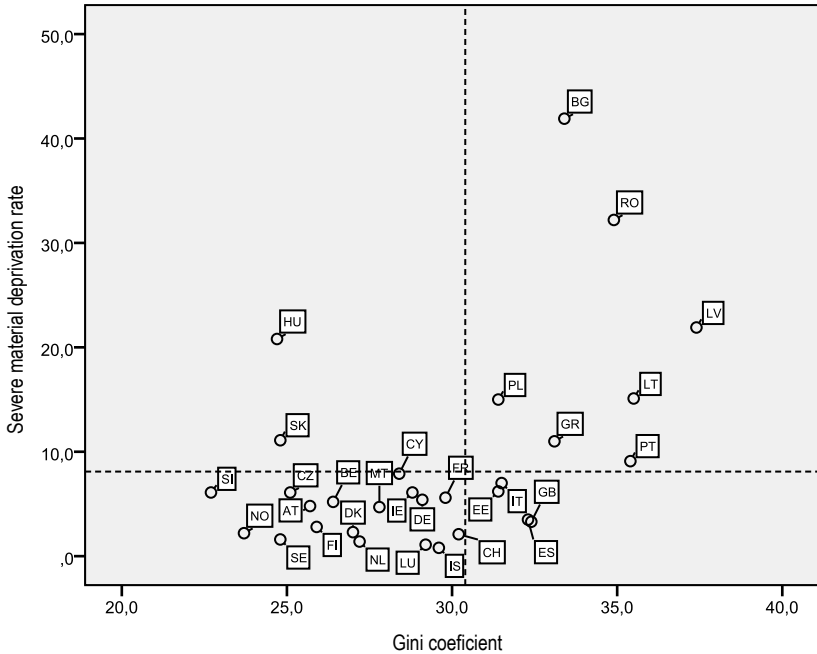


Chart 17: Inequality (the Gini coefficient) and the severe material deprivation rate, 2009

Eurostat data

Housing

We used to live at Dąbrowski Street, it was my father's apartment. Later, we got a council flat at Bema Street; it was damp. The mold was overwhelming. We're overdue with rent, because we hardly paid since we had to spend money on essentials and the children. Debt was divided into installments, but each installment was 500 zlotys. I can't afford that. [...] In Konradowie we squatted in an empty building. We started living there because we knew that one day we would move to Dąbrowski Street. [...] But we couldn't live there: it was one small room, there was no gas, there was a stove, no bathroom, really bad conditions. [...] there was no heating because it was an attic. Living there was horrible, but we didn't want to make it work since we knew we were going to move. [...] Later, we moved to my father's apartment. And then our second and third children were born. The apartment was overpopulated, but my father paid for it; it was his apartment. My mother inherited this apartment from her mother, my father lived with my mother, but he didn't register there, so that I could live on Dąbrowski Street. I was registered there since I was born, so we lived here.

ployed and unemployed. Similarly to the previous case, the difference is twofold, and rather moderate when compared to other countries (see **Chart 21**).

Discrimination

Poverty and material deprivation do not have to be, and usually aren't directly linked to the issue of discrimination. It is far more typical to display discriminatory notions and opinions that are embedded in different premises. For instance, in the Treaty of Lisbon it is stated as follows: *In defining and implementing its policies and activities, the Union shall aim to combat discrimination based on sex, ra-*

*cial or ethnic origin, religion or belief, disability, age or sexual orientation*⁸.

However, the examples of poor people being mistreated by the rich or powerful can be identified both in the public discourse (e.g. in the stereotypes about the unemployed, the residents of social homes and the clients of social assistance services) and in the behavior of either civil servants (e.g. stripping parents of their parental rights mainly due to their poverty; looking down upon them, treating them with disrespect) or private individuals (in extreme cases physically abusing the homeless or even setting them on fire⁹). In the English language, this occurrence has already earned its name, 'povertyism,' and is described as *ranging from 'subtle differences in treatment by service providers and the general public to the failure to provide basic necessities, such as adequate income and shelter, that are regarded as fundamental human rights by the world community*¹⁰.

The reasons for such mistreatment, which might be unknowing, are rooted in the deep conviction that the poor are morally inferior and socially useless, if not harmful and with criminal record. One might come across the opinion that the clients of social assistance services have a demanding attitude and other flaws, e.g. *The unemployed are characterized by apathy, frustration, demanding attitude, and the lack of motivation and aspiration*¹¹

⁸ Consolidated version of the Treaty on the Functioning of the European Union, article 10: <http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=OJ:C:2008:115:0047:0199:EN:PDF>

⁹ At least two cases were reported by media in Polish cities: Łębork in 2009 and Lublin in 2010.

¹⁰ D. Killeen, Is poverty in the UK a denial of people's human rights? Joseph Rowntree Foundation, January 2008: <http://www.jrf.org.uk/sites/files/jrf/2183.pdf>.

¹¹ Web announcement in Polish Ośrodek Pomocy Społecznej w Starym Sączu aktywnie wspiera bezrobotnych, web page of the

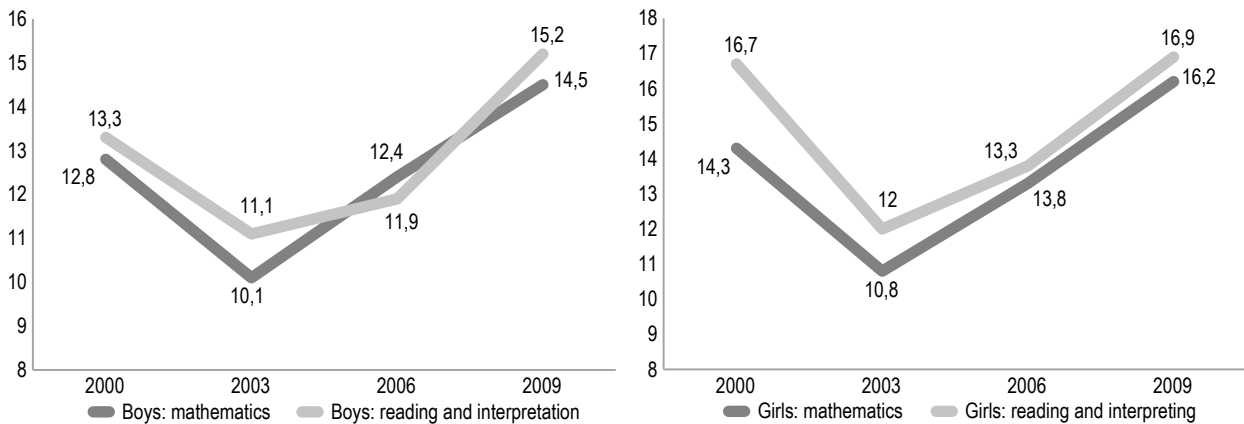


Chart 18: The relation between the level of education of parents and the results obtained by children from the PISA assessment tests

Source: The 2009 PISA assessment results in Poland, the OECD Program for International Student Assessment PISA, the Ministry of National Education, 2009, p. 84

or *Those who receive social assistance (especially a long-term one) are characterized by resistance to change; reluctance to action; demanding attitude; inability to cooperate; lack of perseverance, self-agency and sense of duty*¹². It is difficult not to read the above-cited statements in the context of negative stereotypes and negative moral judgments.

When it comes to the issue of discrimination in general, the majority of Poles remain unaware of their rights as victims of discrimination or harassment. While 63% of Finns and 43% of Britons claimed to know about their legal rights in that case, in Poland it was only 24% of population, with the EU average of 33%. With regard to the lack of knowledge about their rights as victims of discrimination, Poles, in tandem with Greeks, occupy the third place. The question where to go in case of being victim of discrimination and harassment was answered 'I don't know' by 21% of Poles. The percentage of such answers was higher only in case of Portugal and it amounted to 28%¹³ (see **Chart 22**).

The levels of acceptance to certain categories of people being chosen to occupy the highest elective posts in the country prove the presence of some discriminative views in society. In certain categories of acceptance, Poles had some of the best results in Europe (different religion, age above 75 years), or results at least above the EU average (disability). However, in one area the results remained below the EU average, namely in case of different sexual orientation. When investigating Poland's results, one may observe that the acceptance to the highest elective posts being occupied by women, the disabled, or people of different faith is relatively high (the average of more than eight points), while in the other categories (different sexual orientation, nationality and old age) it remains low (five to six points on average) – see **Table 3**.

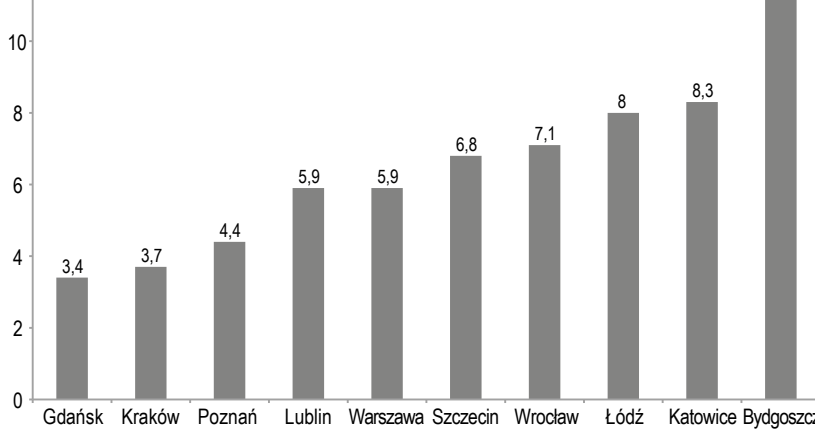
Municipality Stary Sącz: <http://www.stary.sacz.pl>

¹² It is from European Social Fund project description, project title Aktywizacja Zawodowo-Społeczna Beneficjentów MGOPS Czersk (Occupational and social activation of social assistance recipients in the municipality of Czersk): http://projektczersk.pl/?page_id=2

¹³ Discrimination in the EU in 2009, Special Eurobarometer 317 / Wave 71.2, 2009, p. 35, 40.

Chart 19: Infant mortality rates in some of Poland's cities per 1000 live births, 2009

Source: data from *State of health of the citizens of Warsaw in years 1999-2008*, Warsaw City Hall, the Bureau for Health Policy, Warsaw, January 2011, p. 17



	Level of acceptance on 1-10 scale (average)					
	Poland	Minimum		Maximum		THE UE AVERAGE
		Value	Country	Value	Country	
Woman	9.1	7.6	PT	9.6	LT	8.5
Disabled	8.5	4.7	MK	8.8	SE	7.4
Different sexual orientation (gay, lesbian)	6.1	3.2	BG	8.7	SE	6.5
Different religion	8.1	3.7	CY	8.1	PL	6.5
Different ethnic background	6.2	3.5	CY	8	SE	6.2
Older than 75 years	5.9	2.8	D-E	5.9	PL	4.8

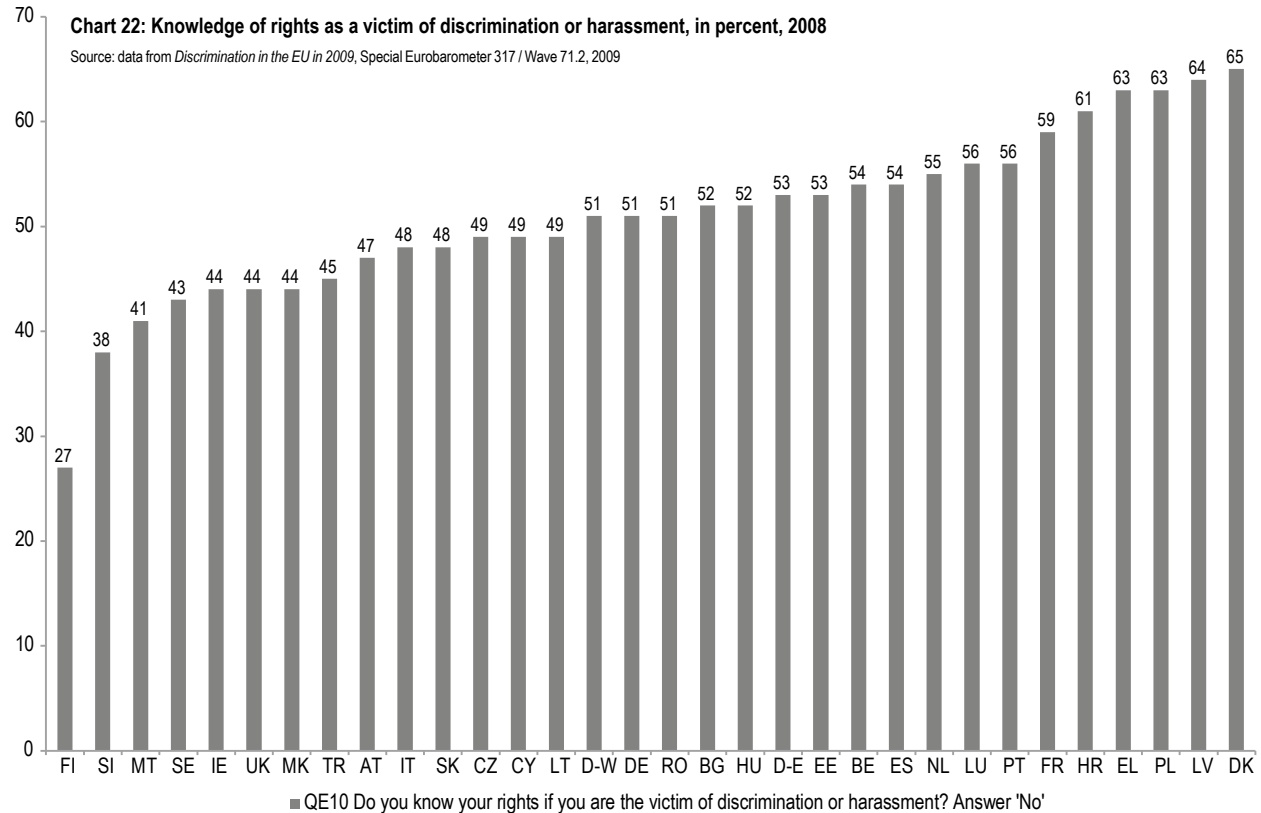
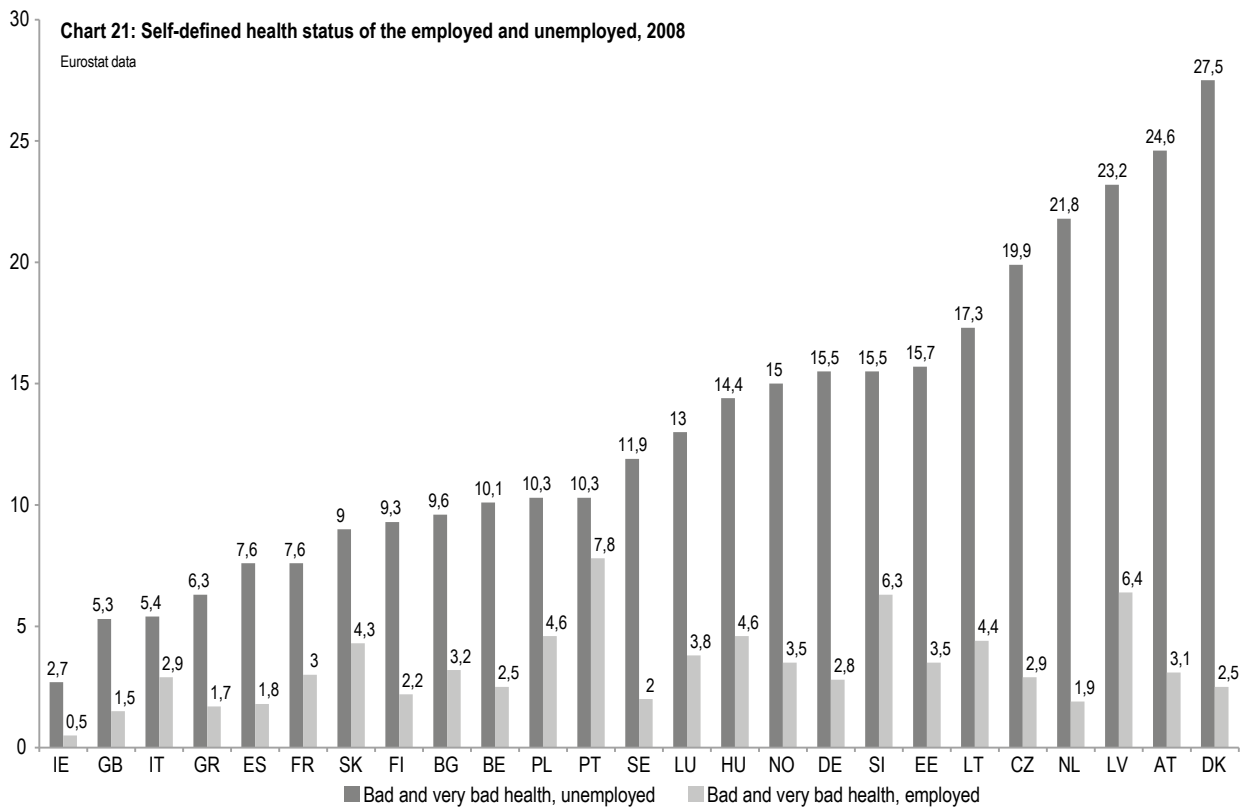
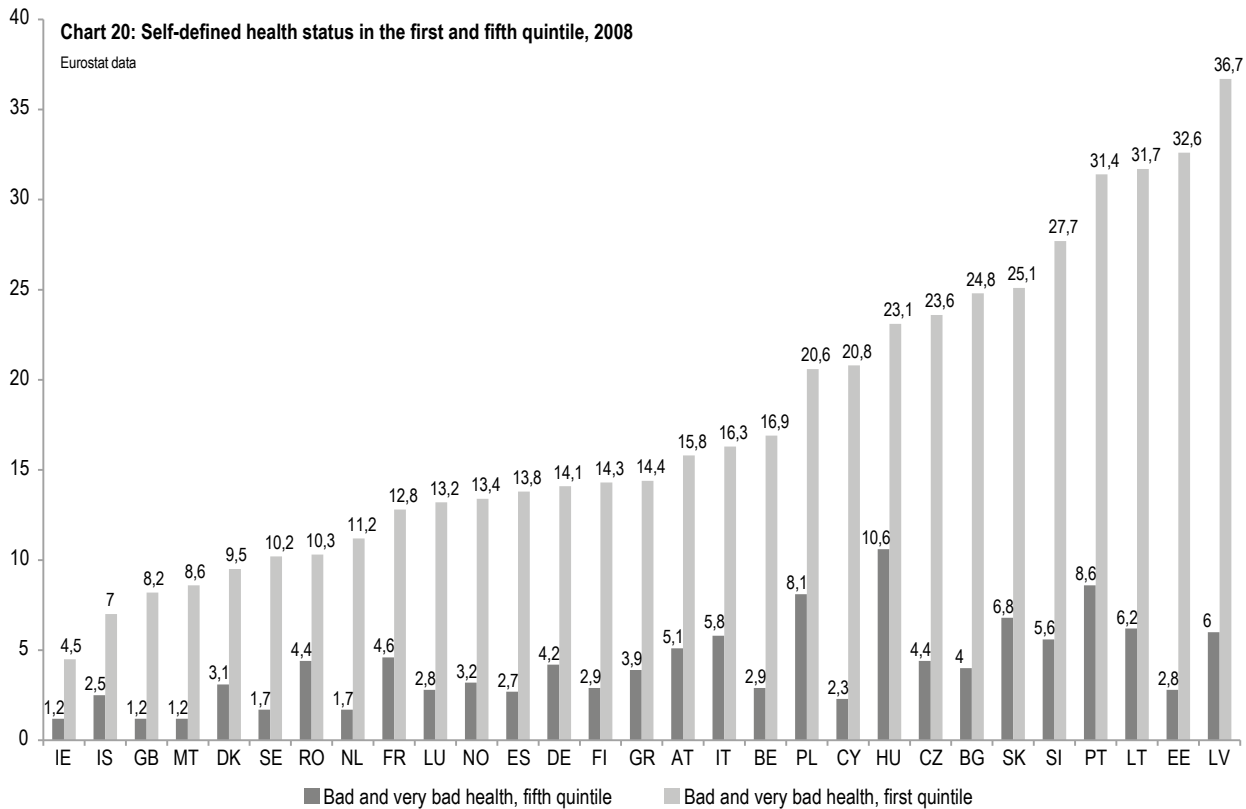
Table 3: Acceptance level for a given category of people on the highest political positions in the country, 2008

Source: data from Discrimination in the EU in 2009, Special Eurobarometer 317/Wave 71.2., 2009

In comparison with the EU average, a lower percentage of Polish respondents answered that they were personally discriminated or witnessed discrimination. The opposite trend was true in regards to "no" and "I don't know" responses (**Table 4**).

The Romani

Taking into consideration specific groups that are exceptionally impoverished and excluded in Poland, it is necessary to turn our attention to the situation of the Romani. This group is not only more impoverished in comparison with Poles, but is also



discriminated because of its poverty and ethnic and cultural distinctness. Among the ten groups that faced discrimination in the EU countries, discrimination against the Romani ranked highest in the Czech Republic (64%). Followed by the Africans in Malta (63%), Romani in Hungary (62%), and, in fourth place, the Romani in Poland (59%). Poland turned out to be even worse when taking into account the number of discriminatory incidents per person from a given group. Italy ranked highest (9.29 incidents per one respondent from North Africa), followed by Poland (6.81 incidents per one Romani respondent)¹⁴.

In the CBOS (Public Opinion Research Center) survey of attitudes towards different nationalities the Romani have taken first place as the most disliked group. Since 1994 this percentage has decreased from 75% to 47%¹⁵. Another survey compared the attitudes of Poles, Czechs, Slovaks, and Hungarians towards the Romani. 42% of the Polish respondents agreed with the following statement: *Disposition towards committing crimes and offences lies in the nature of the Romani*. Another statement, The Romani should be granted more help and support than others, was accepted by only 11% of Polish respondents¹⁶. Although the attitudes of other

¹⁴ EU-MIDIS European Union Minorities and Discrimination Survey Main Results Report, European Union Agency for Fundamental Rights, 2009, p. 9: http://www.fra.europa.eu/fraWebsite/attachments/eumidis_mainreport_conference-edition_en_.pdf

¹⁵ Stosunek Polaków do innych narodów, Komunikat CBOS BS/12/2010, Warszawa, styczeń 2010 p. 4: http://www.cbos.pl/SPISKOM.POL/2010/K_012_10.PDF

¹⁶ Postawy wobec Romów w Polsce, Czechach, na Węgrzech i

	Nationality	Gender	Sexual orientation	Age	Religion	Disability	Another reason	No	I don't know
The discriminated									
EU 27	3	3	1	6	1	2	3	83	1
PL	0	1	1	4	1	1	2	87	4
The witnesses									
EU 27	12	5	6	8	5	6	3	72	2
PL	4	3	5	8	3	3	2	78	3

Table 4: An answer to the question on being discriminated or witnessing discrimination or harassment for several fundamental reasons, in %

Source: Discrimination in the EU in 2009, Special Eurobarometer 317/Wave 71.2, 2009, shortened QE3 and QE4 tables

nations towards the Romani were much worse, this is hardly a consolation. At the end of January 2011 the media reported that Romani were not allowed to enter some restaurants and clubs in Poznań¹⁷. In the aforementioned comparative study, 16% of the Poles strongly or rather agree with the following statement: *It would be good if there were places into which the Romani would not be allowed*. 31% of Poles only rather disagreed with that¹⁸. This overt discriminating opinion was not strongly rejected by the majority of Poles, which enabled the restaurant

and club owners in Poznań to start and continue their practice.

Women

The feminization of poverty hypothesis states that women are at greater risk of poverty than men. What makes this hypothesis credible is the fact that both the majority of single-parent families are women with children and the majority of senior aged groups are comprised of women. If single-parent families and the elderly are more exposed to poverty because they have fewer chances of finding well-paid employment, it follows that it is women who are more exposed to poverty. To find an empirical confirmation of this hypothesis in Poland we just have to compare the relative poverty rate with the severe material deprivation of women and men (as shown above, in both cases it is slightly higher for women).

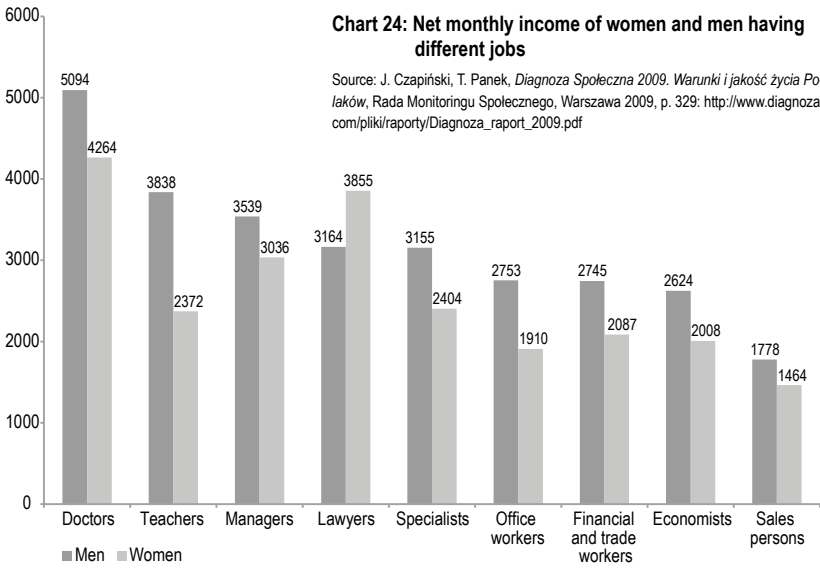
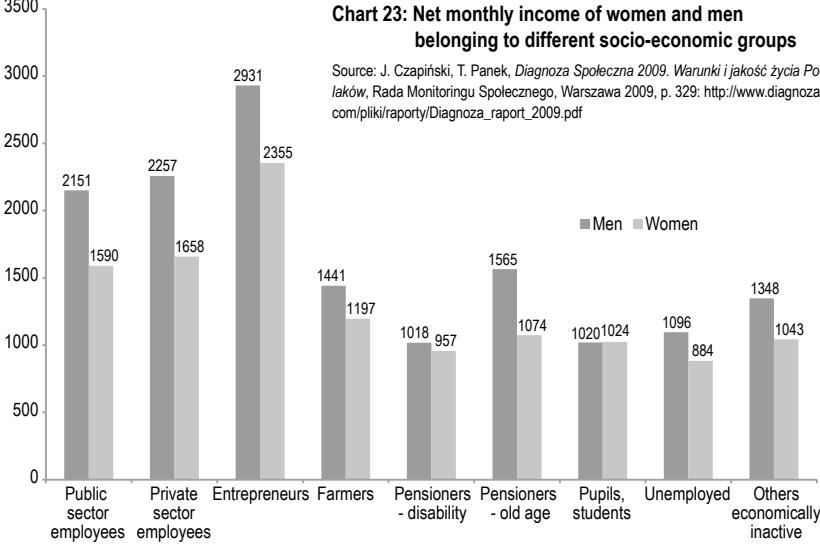
Gender is one of the traditional reasons for the unequal treatment of women and men, and this situation is reflected in the job market, where women are paid less than men even if they hold the same positions. Taking all this into consideration, the problems of poverty and discrimination concerning this group are closely connected.

Across almost every socio-economic and professional group men have a higher net monthly income than women. This situation can be explained by the influence of gender on decisions concerning the level of wages and benefits (see **Charts 23 and 24**).

Despite the evidence that such discrimination takes place, women are not aware of it. The percentage of women and men who felt discriminated was the same (1.8%), a fact that was confirmed by the same study¹⁹. In the European survey 2% of Polish respondents admitted having experienced gender discrimination concerning the access to education and 6% witnessed such incidents. In the field of employment those percentages were 2% and 8% respectively; in political life, 1% and 5%; in the access to health care, 2% and 4%; in the society in general, 3% and 9%²⁰.

In other study (Mazowieckie Province, data concerning female inhabitants of cities), the answers to a general question on discrimination of women ("Do you think that women in Poland are discriminated, i.e., generally speaking, they have worse opportunities in life than men, or not?") provided by women were the following: "Definitely yes" (27%), "Rather yes" (30%), "Rather not" (26%), and "Definitely not" (9%)²¹. Discrimination was personally experienced or witnessed once, several or many times by 29% of the female respondents. They have mentioned the following forms of discrimination: lower income, less chances of being promoted, discrimination connected with pregnancy and childcare. Additionally, more than 10% pointed out mobbing and harassment at work as well as preferring men to women by employers without any reason²².

When asked if they have personally experienced one of the following situations: request by firms that the future employee (the woman) provide a certificate stating that she is not pregnant or signs a declaration that she is temporarily going to refrain from getting pregnant (8%); refusing to employ her because of her gender (8%); job offers available only for men (24%). 16% of the female respondents experienced that kind of discriminatory practices²³. Other instances of discrimination taken into consideration were connected with dismissing women once they have come back to work after maternity



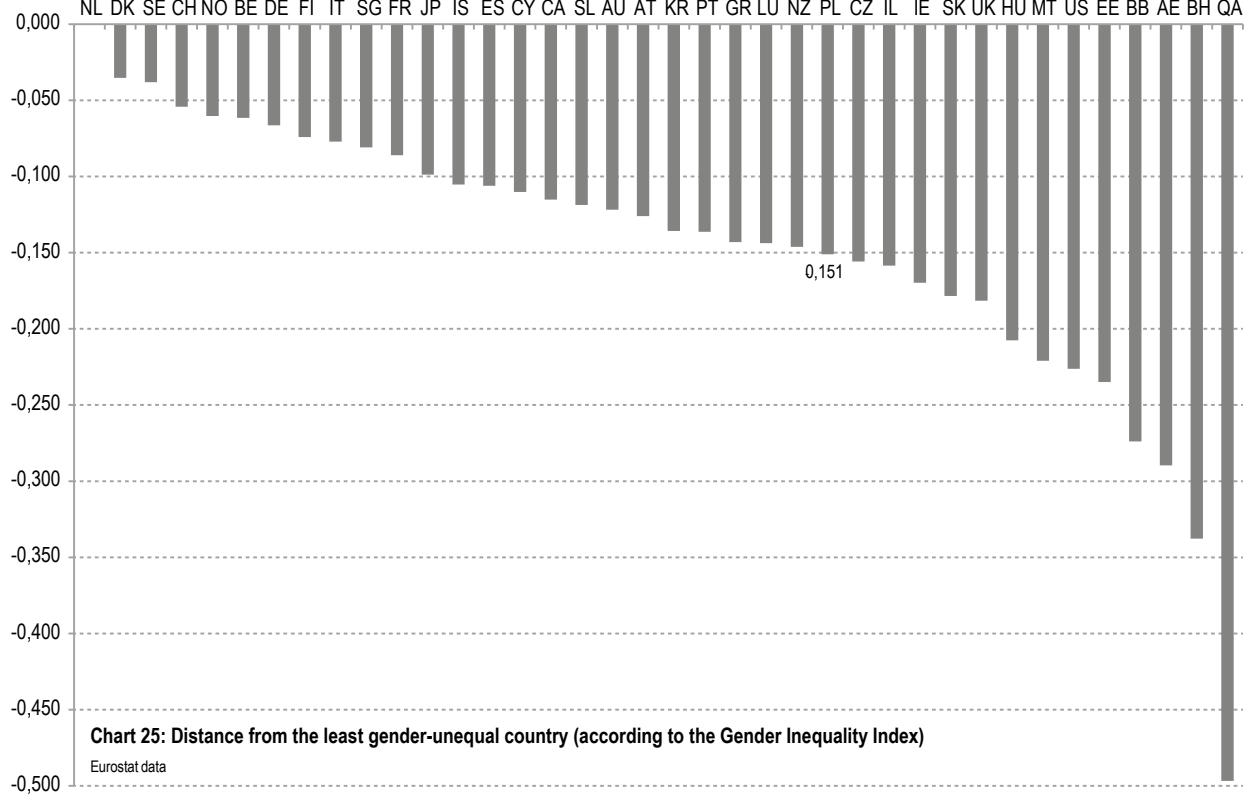
or parental leave. This forms of discrimination was personally experienced by 2% and 3% of the female respondents respectively, whereas 26% and 30% admitted that such incidents took place in their families or among their friends.

The conclusion was that *The scale of discrimination connected with pregnancy and motherhood – taking into consideration both direct and indirect experiences of the female respondents – is high*²⁴. 10% of the female respondents either experienced and/or knew about the instances of harassment at work²⁵. The perception of discrimination and experiencing discrimination by women was lower in rural areas than in the towns and cities.

The Human Development Report 2010 includes the estimated Gender Inequality Index. It is comprised of five indicators in three fields: reproductive health (perinatal mortality rate of mothers, giving birth by teenagers), participation in the job

market (professional activity index), empowerment (parliament membership, secondary or higher education). There was a difference of 151 points between Poland and the Netherlands – the least gender-unequal country in the world, which placed Poland slightly above the average. What is more, it was less behind the Netherlands than the Arab countries such as Bahrain or Qatar. Of further interest is that Poland scored higher than both Great Britain and the United States. However, Poland remains far behind all the Scandinavian countries (see **Chart 25**).

The restrictive anti-abortion law in Poland constitutes a constant reason for concern. The Human Rights Committee of the United Nations expressed its concerns regarding this situation. According to the Committee, Poland should 1) *urgently review the effects of the restrictive anti-abortion law on women*; 2) *conduct research into and provide statistics on the use of illegal abortions*; 3) *introduce regulations to prohibit the improper use and perfor-*



mance of the 'conscience clause' by the medical profession; 4) *drastically reduce medical commissions' response deadline in cases related to abortions*; 5) *strengthen measures aimed at the prevention of unwanted pregnancies, by, inter alia, making a comprehensive range of contraceptives widely available at an affordable price and including them on the list of subsidized medicines*²⁶.

Sexual orientation

Having a different sexual orientation than the dominant norm is often met with aversion in Polish society: 64% of respondents would refuse gay and lesbian organizations the right to public manifestations; the same percentage is opposed to public displays of their relationship by homosexual couples; 44% of respondents think that there are jobs that gays should not perform; and 36% of respondents apply the same rule to lesbians (mainly professions connected with children and medical care). Lack of acceptance of any form of legalization of homosexual relationships is expressed by 47% of respondents; the lack of acceptance of child adoption by 89%. Only in one case the percentage of consenting answers was slightly higher (42% to 37%) – it concerned the right to have sex in intimate relationships. What is striking 37% of the respondents would refuse the homosexual couples this right²⁷.

²⁶ Human Rights Committee, 100th session, Geneva, 11–29 October 2010, Consideration of reports submitted by States parties under article 40 of the Covenant, Concluding observations of the Human Rights Committee, Poland: <http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR-C-POL-CO-6.doc>

²⁷ Postawy wobec gejów i lesbijek, BS/95/2010, CBOS, Warszawa, lipiec

Judging from the number of claims presented to barristers and solicitors of Kampania Przeciw Homofobii (Campaign against Homophobia) from the "Monitoring of Discrimination of Gays and Lesbians" project, it may be concluded that this specific sexual orientation may expose inhabitants of Poland to problems and incidents of discrimination. The family law cases have been connected with divorce proceedings, with attempts to limit or restrict parental authority due to a parent's sexual orientation, possibility of adopting a child by a homosexual, and the possibility of raising a child by the biological parent together with a homosexual partner. The second group of cases has been connected with the infringement of personal interests, insult, or assault and battery due to sexual orientation and identity of the victim (in this case, an increase of the number of such incidents was noted). As far as employment is concerned, there was an intervention concerning dismissing a woman who revealed her sexual orientation to her superiors. There were also cases concerning refusing to draw blood by the blood donation stations, as well as refusing to issue a marital status certificate to the Polish citizens who wanted to contract a civil partnership or marriage abroad with a person of the same sex by the Registrar's Office²⁸. The European Commission has expressed interest in this last case.

The United Nations Human Rights Committee's apprehension proves that the situation of homosex-

2010: http://www.cbos.pl/SPISKOM.POL/2010/K_095_10.PDF
²⁸ M. Zima red., *Tęczowe rodziny w Polsce. Prawo a rodziny lesbijskie i gejowskie*, Kampania Przeciwko Homofobii, Warszawa 2010, p. 100-101: http://www.kph.org.pl/publikacje/raport2010_teczowe_rodziny.pdf

uals in Poland is worsening. The cause for concern was the *growing number of occurrences of hate speech and intolerance of homosexual, bisexual and transsexual people since 2005, as well as the increasing number of cases connected with sexual orientation reported to the Ombudsman*²⁹. The Committee disapproved of the fact that there are no articles in the Polish Criminal Code recognizing hate speech and acts of hatred based of different sexual orientation or sexual identity to be crimes.

The Government Plenipotentiary for Equal Treatment, Elżbieta Radziszewska's statements should also be regarded as alarming. The Plenipotentiary's task is to prevent discrimination on the grounds of, among other things, sexual orientation. Her statements prove that she cannot see any problem with discriminatory practices, which might be used by religious organizations when employing teachers³⁰. On a popular TV programme, the Plenipotentiary pointed out the different sexual orientation of another guest speaker, who presented a different viewpoint³¹.

²⁹ Human Rights Committee, 100th session, Geneva, 11–29 October 2010, Consideration of reports submitted by States parties under article 40 of the Covenant, Concluding observations of the Human Rights Committee, Poland: <http://www2.ohchr.org/english/bodies/hrc/docs/co/CCPR-C-POL-CO-6.doc>

³⁰ Interview in Gość Niedzielny, question: Declared lesbian is not employed in catholic school on the ground of her sexual orientation. Does the school will be sued to court? and answer: Of course not!... Catholic or other religious schools have their own values and principles and they have a right to refuse her: [http://goscniedzielny.wiara.pl/wydruk.php?grupa=6&art=1284311298&dzi=1104781054&katg=](http://goscniedzielny.wiara.pl/wydruk.php?grupa=6&art=1284311298&dzi=1104781054&katg=plejada.pl/24,37628,wideo,,201852,elzbieta_radziszewska_dys-)

³¹ Statement in the show Dzień Dobry TVN: http://dziendobrytvn.plejada.pl/24,37628,wideo,,201852,elzbieta_radziszewska_dys-

Persons with Disabilities

If one agrees that the data on the higher risk of poverty and exclusion, a lower employment rate and a higher unemployment rate are proper indicators of direct or indirect discrimination in economic terms, persons with disabilities are one of the largest groups in Poland faced with this problem. If one adds the institutionalization of children and young people with learning disabilities in social welfare housing, as well as the challenges faced by blind people, such as that of freely exercising their voting rights, our assessment of Poland's achievements should be moderate at best.

When asked about the occurrence of discrimination against persons with disabilities in Poland, 47% of Polish respondents answered that it is very or rather widespread. However, the opposite opinion was also popular (44%) (see **Chart 26**).

There were 1% of respondents experienced discrimination based on their disability, whereas 3 % of respondents were its witnesses. It was slightly less (in the first case) and much less (in the second case) than the averages in the EU-27, which are 2% and 6% respectively³².

In the 4th quarter of 2009, the rate of activity in the labour market of people with a certified disability at an economically active age was 24.5%, whereas in the case of non-disabled people at the same age the rate was 75.8%. There were over 1 million and 589 hundred thousand people with a certified disability at an economically active age who were unemployed and did not look for a job, whereas there were 5 million 263 hundred thousand able-bodied people at the same age. At that time, there were approximately ten times fewer people with disabilities than non-disabled people (2,1 to 21,7 million); however, there were only slightly over three times fewer economically inactive people with disabilities than non-disabled people³³ (see **Chart 27**).

In the context of equal rights to work (let alone the quality of work), such an enormous disproportion in the economic activity of persons with disabilities and the non-disabled is a matter of utmost concern. It is especially the case if, at the same time, the risk of severe poverty (subsistence minimum as poverty threshold) of those who are recipients of disability pensions is higher than for all other groups, excluding social assistance recipients (the severe poverty rate of disability pensioners was 11.2% in 2009). Taking into account the statutory and relative poverty thresholds, the poverty rate of pensioners with disabilities (14.7% and 27.7% respectively) is lower also than the poverty rate of farmers³⁴.

Persons with disabilities may have difficulty in exercising their individual and political rights, if no steps are taken to create means of transport and

kryminuje_homoseksualistow.aktualnosci_detal.html

³² Discrimination in the EU in 2009, Special Eurobarometer 317 / Wave 71.2, 2009, tables QE3 i QE4: http://ec.europa.eu/public_opinion/archives/ebs/ebs_317_en.pdf

³³ Labor Force Survey 3rd quarter of 2010, Central Statistical Office, tables 1a i 1b: [http://www.niepelnosprawni.gov.pl/download/\(I5iane7hW5Wxx6KZclDWz5Wzip-nj9GhaZSbntyU6Dfjpin5iZnuayVZawdszlPMPF3dLagsris-LlfcPzNLjmJPVhpiYzr3FlaamUpekHZVrsZha71\)/files/dane_z_bael_zd_iii_kw_2010_23.12.10.xls](http://www.niepelnosprawni.gov.pl/download/(I5iane7hW5Wxx6KZclDWz5Wzip-nj9GhaZSbntyU6Dfjpin5iZnuayVZawdszlPMPF3dLagsris-LlfcPzNLjmJPVhpiYzr3FlaamUpekHZVrsZha71)/files/dane_z_bael_zd_iii_kw_2010_23.12.10.xls)

³⁴ Ubóstwo w Polsce, Główny Urząd Statystyczny, Warszawa 2010: http://www.stat.gov.pl/cps/rde/xbcr/gus/PUBL_wz_ubostwo_w_polsce-broszura.pdf

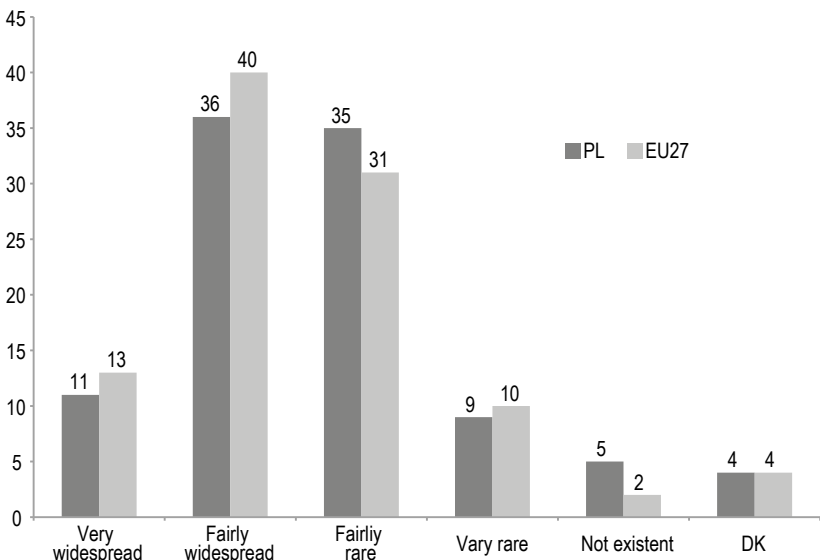


Chart 26: Opinions on the occurrence of discrimination against disabled people in Poland and the average of opinions in the EU-27

Source: data from *Discrimination in the EU in 2009*, Special Eurobarometer 317 / Wave 71.2, 2009

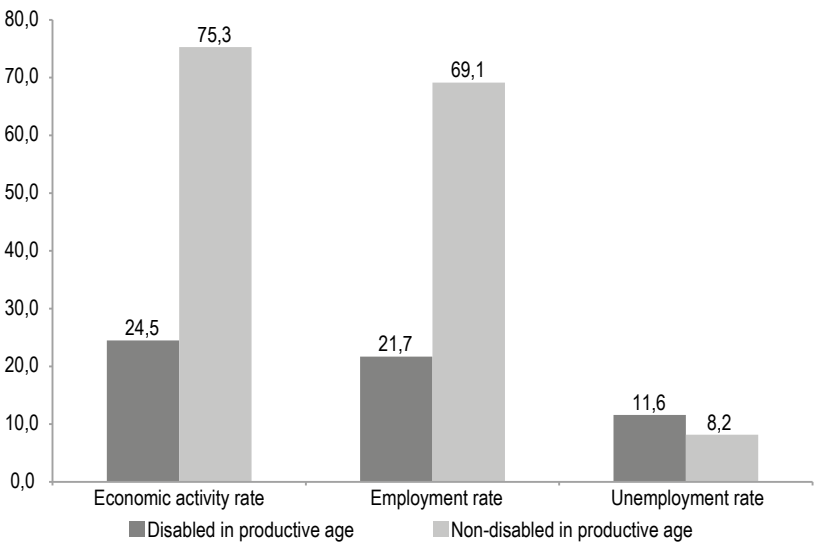


Chart 27: Disabled and able-bodied people at an economically productive age by their economic status, by percentage, 4th quarter of 2009

Source: BAEL (Labor Force Survey), Central Statistical Office, 3rd quarter of 2010, Table 1a and 1b

public buildings available to them, and to prepare adequate materials and devices. In recent years, there have been well-known cases of maladjustments of Polish polling stations and election procedures to the needs of the disabled: *At some polling stations, there are ramps, but the gates in front of them are closed. The commission members are likely to break the law and take the ballot papers out of the polling stations. Otherwise the voters who use wheelchairs would not vote at all. At another polling station, a blind person votes only for the mayor of Warsaw. Why?*³⁵ For a couple of years,

³⁵ Elections to three-level local government councils and not only for mayors, W. Karpieszuk, Członkowie komisji łamali prawo: dla dobra wyborców (Members of electoral commission broke the

it has been known that persons with visual impairments are not guaranteed proper conditions to vote by secret ballot. This resulted in lodging election protests after the European Parliamentary election in 2009. The Polish Ombudsman voiced his opinion on the issue, supporting the view of blind persons. The Supreme Court recognized the election however and indicated that *the question of election procedures which enable blind persons to vote can only be presented by demand to the legislator*³⁶.

law: in the interests of voters), Gazeta.pl Warszawa, 22.11.2010, http://warszawa.gazeta.pl/warszawa/1,34889,8697355,Czlonkow_ie_komisji_lamali_prawo_dla_dobra_wyborcow.html

³⁶ Uchwała Sądu Najwyższego z dnia 26 sierpnia 2009 r., w sprawie wyborów do Parlamentu Europejskiego przeprowadzonych w dniu

Foreigners

The category of 'foreigner' itself is considerably diverse. Newcomers from different EU member countries and non-EU member countries can come to Poland via many different channels, stay here or leave, or come here to work occasionally. They can form more or less tight groups and integrate with Poles or not, either adopting local values and culture or rejecting them. At the same time, the Poles' attitudes toward different nationalities are also very diverse: some nationalities are more or less liked, in the aggregate, whereas others are disliked. These attitudes may lead to positive or negative behaviors towards foreigners in different contexts. Foreigners themselves may have different attitudes toward Poland and the Poles, which might be the result of second-hand opinions, cultural differences and individual experience.

Due to its complexity, the issue is problematic for systematic research. One can only refer to the cases which have been reported to the organizations that offer legal help to foreigners in various situations, or make reference to the research that involves sending fictitious replies to job advertisements, using candidates' names which suggest foreign nationality (discrimination tests).

On the basis of its experience the Stowarzyszenie Interwencji Prawnej (Association for Legal Intervention) states that *there have been cases in which foreigners' rights were violated by using discriminatory practices and that such cases are not incidental*³⁷. Three types of discriminatory practices have been identified:

- regulations which indirectly discriminate foreigners;
- discriminatory practices – improper discriminatory action taken by government offices;
- the Poles' discriminatory behavior, which proves aversion to foreigners, sometimes on the part of the public officials.

The following examples present discriminatory cases³⁸.

In 2009, Mrs. Zora informed the Association for Legal Intervention about the rejection of her application for a council flat. In response to her application, the Mayor of Pruszków (a town near Warsaw) explained that there is no possibility of providing

7 czerwca 2009 r., Sygn. akt III SW 48/09: http://www.sn.pl/orzecznictwo/uzasadnienia/ipusisp/III_SW_0048_09.pdf

³⁷ W. Klaus red. Sąsiedzi czy intruzi – o dyskryminacji cudzoziemców w Polsce, Stowarzyszenie Interwencji Prawnej, Instytut Spraw Publicznych, Warszawa 2010, p. 119: <http://www.isp.org.pl/uploads/pdf/1454281981.pdf>

³⁸ Cases from W. Klaus red. Sąsiedzi czy intruzi – o dyskryminacji cudzoziemców w Polsce, Stowarzyszenie Interwencji Prawnej, Instytut Spraw Publicznych, Warszawa 2010: <http://www.isp.org.pl/uploads/pdf/1454281981.pdf>

help to Mrs. Zora as, according to the resolution adopted by the Town Council in Pruszków, only permanent residents of Pruszków are allowed to apply for council flats. Mrs. Zora's financial and health situation was very difficult: the circumstances compelled her to receive welfare benefits because she became physically impaired due to a road accident. Moreover, she lived with her elderly mother, who was physically disabled and required permanent care, and two under-aged children.

In Nigeria, Mr. Kodima received his Certified Copy of an Entry of Birth, which he later submitted at a Registry Office in Poland, together with its certified translation. With no justification, the Registrar denied authenticity of the document. The registrar suggested that the document should be certified to be a true copy of the Entry of Birth by a Polish Consul in Nigeria, or that the foreigner should apply to the court to exempt him from presenting the document. In another Registry Office, another registrar presided over the wedding on the basis of the same document, with no obstacles.

In 2010, Mr. Konstanin's fiancée reported her case to the Association. The foreigner was detained in a Registry Office during the procedure of acknowledging his child, born of his relationship with the Polish woman, and later deported from Poland, although it is highly likely that he will receive permission to reside legally.

In 2008, Mr. and Mrs. K., who tried to obtain the status of refugees, reported to the Association for Legal Intervention to ask the organization to intervene on their children's behalf: Zarema and Zaira. The family came to Poland in September; thus, the daughters were enrolled in a school after the entrance exam, which defines their education level and directs them to an appropriate class. For the entire time the girls attended the school, they were not offered any pedagogic assistance or help in studying. Moreover, no additional Polish classes were organized for them, even though they could not speak Polish. During classes, their only activity was rewriting texts from Polish textbooks. They obtained low results in the lower-secondary school final examination, so their applications were rejected at the secondary technical tourist school in W. one they wanted to attend.

A Russian citizen, Mr. Andryi, was beaten and robbed. The perpetrators called him names and used derogatory remarks because of his nationality. The man went to a police station to report the offence. At first, the police officers did not even want to receive the notification or interview the aggrieved party. Instead, they suggested that he should file a suit for damages. When they finally agreed to receive the notification, they did not want to take into account the fact that Mr. Andryi was insulted due to his nationality.

Research based on discrimination tests requires preparation and controlling for many problems, such as writing convincing fictitious replies to job advertisements in a way that the replies are similar but at the same time different enough, so that the recruitment office workers do not find them suspicious. Initial results of the pilot report conducted in Poland in 2010 include the following. One could notice differences in treatment of the Poles and foreigners in the labor market in Poland. The research suggests that employers prefer candidates who have Polish citizenship. However, the range and frequency of these differences should be tested in further research³⁹.

Another source of information on discrimination (mainly against foreigners) on racist or xenophobic grounds might be the statistics presented by the Polish National Prosecutor's Office, The number of crimes committed on racist grounds was higher in 2009 than in the previous years. In 2009, 124 new criminal proceedings were instituted and 42 proceedings from the earlier period were continued⁴⁰. A disquieting tendency is that in 2009 in 30 out of 166 cases charges were brought in 54 cases, which is fewer than in 2008, in terms of the number of cases and the criminals involved. Moreover, there was an increase in the number of cases dismissed because the perpetrators were not found. As many as 42 out of 146 cases brought to an end in 2009 were dismissed because the perpetrators were not found⁴¹.

³⁹ K. Wysieńska, Nguyen, Serhij, czy Piotr? Pilotażowe badanie audytowe dyskryminacji cudzoziemców w rekrutacji, in: W. Klaus red. Sąsiedzi czy intruzi – o dyskryminacji cudzoziemców w Polsce, Stowarzyszenie Interwencji Prawnej, Instytut Spraw Publicznych, Warszawa 2010, p. 358: <http://www.isp.org.pl/uploads/pdf/1454281981.pdf>

⁴⁰ K. Wysieńska, Nguyen, Serhij, czy Piotr? Pilotażowe badanie audytowe dyskryminacji cudzoziemców w rekrutacji, in: W. Klaus red. Sąsiedzi czy intruzi – o dyskryminacji cudzoziemców w Polsce, Stowarzyszenie Interwencji Prawnej, Instytut Spraw Publicznych, Warszawa 2010, p. 358: <http://www.isp.org.pl/uploads/pdf/1454281981.pdf>

⁴¹ Wyciąg ze sprawozdania dotyczącego spraw prowadzonych w 2009r... op. cit. p. 3: http://www.pk.gov.pl/upload_doc/000001413.doc

Countries Codes in the Charts and Tables:

<i>Code</i>	<i>Country</i>	<i>Code</i>	<i>Country</i>	<i>Code</i>	<i>Country</i>	<i>Code</i>	<i>Country</i>
AE	United Arab Emirates	DK	Denmark	IS	Iceland	PT	Portugal
AT	Austria	D-W	West Germany	IT	Italy	QA	Qatar
BB	Barbados	EE	Estonia	JP	Japan	RO	Romania
BE	Belgium	ES	Spain	LT	Lithuania	SE	Sweden
BG	Bulgaria	FI	Finland	LU	Luxembourg	SG	Singapore
BH	Bahrain	FR	France	LV	Latvia	SI	Slovenia
CA	Canada	GB	United Kingdom	MK	Macedonia	SK	Slovakia
CY	Cyprus	GR	Greece	MT	Malta	TR	Turkey
CZ	Czech Republic	HU	Hungary	NL	Netherlands	US	USA
DE	Germany	IE	Ireland	NO	Norway		
D-E	East Germany	IL	Israel	PL	Poland		

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