



**Universal Periodic Review
13th Session (2012)**

Joint Statement

Situation on the Rights of the Child in Poland

Submitted by:

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NGO in consultative status with ECOSOC**

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A. INTRODUCTION

1. The following report is an *individual submission* of the above mentioned organization. Taking note of the significant advances achieved by Poland to improve the citizens' quality of life and guarantee the full enjoyment of their rights, this report seeks to focus on the major issues affecting children living in urban zones, specifically in Lodz and Warszawa. A special attention is brought to the situation of children of illegal migrants. Each section of the report conveys recommendations to the Government of Poland.

2. This report is a result of an intensive consultation process that took place over the course of four months. Ascribing to a methodology of empirical investigation, the data and information reflect the field experience of 428 operators, including professors, professional educators, volunteers and other actors involved in the formal and informal education of children and youth in the age range of 4-18 years. An open-ended questionnaire was sent to collect all pertinent information, considering the report that resulted from 1st cycle of the Universal Periodic Review. All information concerned the period from April 2008 to September 2011.

3. **IIMA** is an international NGO in special consultative status with the Economic and Social Council. IIMA is present in 95 countries where it provides education to children and adolescents, particularly the most disadvantaged and vulnerable.

B. BIRTH REGISTRATION

4. With much satisfaction, we affirm the progress realized in this respect thanks to the close collaboration among civil society and State institutions. As a result, legislative and implementation measures were undertaken to ensure the registration at birth. However, we note with concern that children of illegal migrants still remain unregistered. This hampers their exercise of fundamental rights, including the right to health and the right to education.

5. *IIMA recommends Poland to:*

- a) *continue its efforts to assure birth registration of all children, including those of illegal migrants;*
- b) *carry out, through the media, awareness raising campaign to promote civil knowledge of the birth registration obligation and the procedure to complete it.*

C. VULNERABLE GROUPS AND NON-DISCRIMINATION

6. Illegal migrants, mainly Roma and Albanian, are among the most vulnerable groups in Poland. In particular, their children, who are left alone while the parents are at work, spend most part of the day begging on the streets, where they are also exposed to violence, including sexual abuse. As noted above, these children are often unregistered at birth, which hinders them from attending school. Their exclusion from the educational system not only negatively affects their right to education, but also their right to health. In fact, in Poland, children of illegal migrants have access to free health services only if enrolled at school. Otherwise, like all other migrants, they have a right

to free health care only in life threatening situations. Consequently, these children suffer from serious discrimination in the exercise of their fundamental rights.

7. Consequently, IIMA recommends Poland to:

- a) adopt preventative measures to combat discrimination de facto and de jure by guaranteeing all the basic services to children of illegal migrants;*
- b) put in action sensitization campaigns through mass communication and educational structures, with the goal of promoting understanding of migration issues.*

D. THE RIGHT TO EDUCATION

8. While recognizing the progress in school attendance through several measures undertaken by the government, we note that several sections of the population still have low school attendance rates. Among them, we highlight children belonging to families living in difficult situations, as well as young boys and girls with drug and alcohol addictions.

9. With special regard to children of illegal migrant parents, we recognize that national legislation allows them to attend school. Nevertheless, we remain concerned because, *de facto*, the majority of these children is excluded from education.

10. Regarding free primary education, we highlight that, at present, teaching materials represent an extra cost for families. Furthermore, the high price of such materials is not affordable for middle-income families.

11. Accordingly, IIMA recommends Poland to:

- a) adopt all necessary measures to guarantee full access to education for all children, especially those belonging to the most vulnerable groups;*
- b) guarantee free primary education by reducing excessive costs for teaching materials;*
- c) provide a specific assistance to children belonging to families living in difficult situation, as well as drug and alcohol addicted children in order to encourage them to attend school.*
- d) promote awareness campaigns so that parents understand the importance of their children's completion of compulsory education (until 15 years of age);*

E. THE RIGHT TO HEALTH

12. *Access to health services.* IIMA expresses deep concern for the general exclusion of illegal migrants from any free health care service, except for life threatening situations. Equally, we remain concerned over the fact that free health care is provided only to children who are enrolled at school.

13. *Alcohol and drug addictions.* Children and adolescents in Poland are deeply involved in alcohol and drug consumption. The average age at which children acquire addictive habits is 14

years of age. We stress with concern that the phenomenon of drug and alcohol addictions among youth is increasing.

14. Consequently, IIMA recommends Poland to:

- a) guarantee the free health care also for the most disadvantaged groups, including illegal migrants and their children;***
- b) provide drug and alcohol addicted youth with medical and psychological assistance in order to face this serious problem;***
- c) adopt preventive measures, among which awareness raising campaigns through media, to combat drug and alcohol addictions among youth.***

F. VIOLENCE AGAINST CHILDREN

15. While recognizing the efforts undertaken by the government to sensitize Polish society in this regard, we report episodes of violence against children still occurring mainly at home. The domestic violence is very common, but not exclusive, in cases of parents with drug and alcohol addictions.

16. Furthermore, we acknowledge the efforts made by the government together with national NGOs and civil society in order to envisage effective measures for rehabilitation of the victims of such abuses. Indeed, mere legislative measures are not sufficient to effectively address this issue. Therefore, we encourage the government to accelerate such initiatives in order to ensure adequate assistance to the victims.

17. IIMA urge the government of Poland to:

- a) take effective and comprehensive measures to eradicate violence against children, especially at home;***
- b) adopt preventive measures, including awareness raising campaigns to discourage violence against children;***
- c) continue its efforts aimed at ensuring free adequate assistance, including psychological support, to children victims of violence and abuse.***

G. SEXUAL EXPLOITATION

18. IIMA notes that the phenomenon of sexual exploitation in Poland mainly involves children of illegal migrants. As noted above, these children live abandoned to themselves, mostly on the streets where they are easily exposed to abuse or enrolled in sexual trade. Moreover, their recruitment for such activities is favored by the “illegal status” of their families, who fear to address public authorities for denunciation. Among the victims of sexual exploitation, young girls from age 10 to 17 are particularly affected. Yet, cases concerning even younger victims have been reported. Furthermore, we highlight also cases of pedophilia and sexual abuse through internet.

19. *In this regard, we urge the Polish government to:*

- a. take appropriate measures to eradicate sexual exploitation and prosecute and impose appropriate sanctions on any perpetrator of the alleged violations.***