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Committee on the Elimination of  
Discrimination against Women  
Sixth session

20 March - 10 April 1987

Excerpted from: Supplement No. 38 (A/42/38)

Concluding comments of the Committee on the Elimination of  
Discrimination against Women: Poland

Initial report

305. The Committee considered the initial report of Poland (CEDAW/C/5/Add.31) at its 90th, 95th and 96th meetings, held on 2, 6 and 7 April 1987 (CEDAW/C/SR.90, 95 and 96).
306. The representative of Poland gave a brief summary of the information contained in the report submitted by her Government and highlighted some selected issues of the Convention. She pointed out that the report, which had been completed two years earlier, did not cover the latest developments in areas directly affecting women, for example; the further development of social benefits connected with maternity.
307. The system of social benefits connected with maternity leave had been further developed. The representative explained that legislation on the rights of working women in connection with child birth in force since 1981 had been extended to include paid child-care for a duration of three years. During the leave, for two consecutive years, a mother was entitled to a child-care allowance, which amounted to at least 80 per cent of her regular salary. In the case of disabled and seriously ill children, the duration of leave would be extended by three more years. She pointed out that single mothers received double the allowance that they would have received if they were married. She explained that a major role in the

social security system was being played by the Alimony Fund; the State provided financial support to children and mothers in need, especially when it was not possible to exact alimony payments.

308. The representative referred to a new institution, the Government Office of Plenipotentiary for Women's Affairs, which was established by the Council of Ministers on 1 September 1986 to co-ordinate the implementation of measures designed to ensure equal rights of women and men in all aspects of political, economic, social and cultural life. It also co-ordinated co-operation between Polish institutions and women's organizations and with the United Nations, as a focal point for the implementation of the Forward-looking Strategies for the Advancement of Women. <sup>1/</sup> She also informed the Committee that the Constitutional Tribunal had begun to function on 1 January 1986 and its main task was to ensure that ordinances and other regulatory decisions adopted by the Government were consistent with the Constitution.

309. The representative mentioned that the Constitutional Tribunal has recently ruled on the decision by the Minister of Health and Social Welfare to set 50 per cent quotas on the number of women admitted to medical schools in order to neutralize the "feminization" of the medical profession. She pointed out that, while 87 per cent of pharmacists and 81 per cent of dentists were women, there were very few women in such areas as surgery and nuclear medicine. The Tribunal overruled the decision on the grounds that it was inconsistent with the constitutional principle of equal rights of all citizens, and the practice has been abandoned.

310. Concerning the position of women in the political and social life of Poland, the representative stated that the Parliament of Poland presently has 93 women deputies out of a total of 460 deputies. There is one woman in the Council of State and one at the ministerial level; there are also three female deputy ministers and one female Director-General.

311. She said that in Poland's central administration, women occupied 25 per cent of the managerial posts, in local administration 53 per cent and in co-operatives 47 per cent. She said, however, that the participation of women in political life, in particular with respect to foreign affairs and diplomacy, was not satisfactory.

312. She stated that various surveys were under way to study the social and occupational situation of women and their living conditions. For example, there was a great deal to be done with regard to easing the housekeeping burden of women.

313. Many experts congratulated and thanked the representative of Poland for her statement, which contained valuable additional information. They stated that high standards had been reached both de jure and de facto, although discrimination against women seemed to exist in some cases. Some experts pointed out that the Government had shown interest in further improving the situation of women, thus implementing the Convention. The inclusion of the Nairobi Forward-looking Strategies in the five-year plan of the country was also appreciated. Others thought, however, that it was too early to assess the achievements made in implementing the Convention and that the absence of enough data made it difficult to monitor whether progress had been achieved.

314. It was pointed out that women in Poland had suffered a great deal during the Second World War; since that time, women had played a major role in the efforts that had been made to promote world peace: The excellent infrastructure that had been established for providing services relevant to the problems of women, such as family courts, the Institution on Family Diagnosis and counselling centres was noted.

315. It was asked whether there were any plans to establish an institution such as an ombudsman on equal opportunities, where women could complain or receive legal aid, or whether that was already the task of the Plenipotentiary. It was also asked whether the Constitutional Tribunal dealt with the right of women to belong to trade unions. Appreciation was expressed on the ruling of the Tribunal mentioned by the representative, and experts wanted to know whether there had been other cases of discrimination against women. More information was requested on government measures to combat discrimination and on whether there were any action programmes to implement the Convention. Clarification was also sought on some contradictory statements in the report concerning whether discrimination was a problem in Poland or not.

316. It was pointed out that the Government of Poland had taken steps to cope with the new problem of urbanization and its effect on social life by providing social benefits to working women and by helping them to combine household work and gainful employment. It was said that little emphasis seemed to be placed on the active participation of women in all aspects of society in Poland. An inquiry was made about the actual achievements of the sector of the Polish Workers' Party concerned with women's affairs.

317. Since the Government itself had accepted that legal guarantees were not enough, the assertion in the report that there was no need for temporary special measures to accelerate de facto equality was questioned. More information was sought on existing legal guarantees.

318. It was asked whether the interdepartmental team monitoring the implementation of social policies on behalf of women and the family continued to pursue its original aims.

319. It was noted that the participation of women in paid employment and in public and political life was important for equality. Women in Poland were not only hampered by the lack of household mechanization, their possibilities for participation also depended on the extent to which their husbands contributed to household work and child rearing. Therefore, information was requested on the distribution of women and men in paid and unpaid work and on the amount of time that was left in reality for women to participate in public and political life.

320. More information was requested on the efforts of the Government to prepare young people for family life. It was asked whether men were being made aware of their roles as fathers and in doing household work. Information was sought on the role and influence of the Roman Catholic Church on the work towards equality between women and men.

321. Clarification of the statement that "special respect" was accorded to women was sought, since in the past such statements meant that certain rights had been withdrawn from women. Concern was also expressed about the emphasis placed on the role of women as mothers. It was also asked whether the attempt to portray a "new

woman" in the media and in schools had been successful and to what extent the portrayal of a "desirable model of the family" in the media had encouraged men to change their behaviour.

322. It was asked whether there was any prostitution in Poland.

323. Information was requested on the extent to which women were represented in political parties and to what extent they were involved in decision-making in Poland. Experts asked whether any measures had been taken to increase women's involvement in political life, whether the political parties dealt with that issue themselves and whether women entered politics through political parties in the usual manner.

324. It was asked how women's organizations worked with ministries, for instance through the Committee on Women's Affairs. It was also asked whether the Office of Plenipotentiary and women's organizations had been working to involve women in politics.

325. More information was requested on the role played by women's organizations and co-operatives and also on their activities in the field of environmental protection and the campaign against prostitution. It was noted that the women's organizations referred to in the report concentrated on social issues rather than on women's participation in political life. It was asked whether there was any pressure from the women's organizations to bring about changes in stereotyping.

326. Statistics were requested on the percentage of women at different government levels as well as in trade unions, and it was asked whether there had been any plans on how to increase the number of women in the higher levels of government administration and trade union management.

327. With reference to the statement in the report that the small number of women representing Poland abroad was of particular concern to women's organizations, it was asked what steps the Government was taking. Another question was whether there was legislation on the integration of women into the Foreign Office and the diplomatic and consular services.

328. It was asked why women were so poorly represented in lower-level secondary schools and whether curricula were identical for girls and boys. Further information was requested on the eradication of illiteracy in Poland. It was felt that, although facilities for the education of women in Poland were increasing, there was a need for additional vocational training. It was also asked why the representation of women in some fields of education was very low while exceedingly high in others.

329. The extent to which women enjoyed the right to work was shown by the fact that the rate of female employment in Poland was impressive, but job segregation still existed. It was pointed out that the high work-force rate for women included many women working on their own farms, thus performing work near or in their own households.

330. Statistics were requested on the proportion of women in high-level jobs, particularly in female-dominated sectors, and about women who had been able to enter new professions.

331. It was asked whether women in Poland were guaranteed in practice equal pay for work of equal value, since it was felt that job segregation created problems in carrying out an objective appraisal of female-dominated jobs. Experts also wanted to know what jobs were not open to women, what professions "needed to be performed by men" and whether there had been any plans to revise Polish protective legislation, as suggested in article 11, paragraph 3, of the Convention. It was also asked whether there were problems of sexual harassment at work.

332. Experts also asked how many women took the full maternity leave, whether women had the right to take leave before childbirth and whether there were any plans to grant fathers the right to paternity leave.

333. Experts asked why there were different retirement ages for women and men, which one expert considered discriminatory, and whether there also were differences in pay received after retirement.

334. It was felt that further efforts would have to be made to increase the number of women occupying positions of responsibility. It was asked whether the Government of Poland or any governmental body had implemented programmes or planned to introduce quotas or other temporary special measures to bring women into technical, governmental and other fields where their employment rates were low. Information was also sought on the special measures that had been implemented by the Government to correct the over-representation of women in professions such as medicine and teaching.

335. A comment was made on article 154 of the Penal Code, which made it a crime to perform abortions. Information was requested on the number of abortions performed each year, on whether a woman who had an abortion performed because she did not want a child would be punished and on the opinion of the public with regard to that issue.

336. It was noted that many women were engaged in agricultural work, which had been identified as a problem, and that women's organizations were trying to solve such problems.

337. With reference to the many Rural Housewife Centres to help women through courses in cooking, etc., experts wanted to know whether there were also institutions to help "modern" husbands by offering such courses.

338. It was noted that divorce was not granted if it adversely affected the interests of the children. In that connection, experts asked how much consideration was given to the interests of the parents and especially to the interests of the woman or whether she was totally subjugated to the interests of the children. It was noted that the number of divorces in Poland was very small, and therefore an explanation of that phenomenon was requested. It was asked whether mutual affection between the spouses was considered and what happened to the couple when divorce had been refused.

339. It was noted that single parents were mentioned only once in the report; in that context, experts wanted to know what the Government and women's organizations were doing to ensure acceptance and equal treatment of single parents.

340. The establishment of the Alimony Fund and the family courts was welcomed. It was asked whether the Alimony Fund was not "abused" by husbands. More information was requested on the operation of the family courts and on how payments were made in case of a divorce. Another question was raised on the differences in the minimum age for marriage between women and men, and experts asked whether it would be possible to raise the age also for women to 21 to achieve equality.

341. It was asked how provisions regarding the equality of spouses in choosing a family name operated in practice and how many women exercised the right to retain their own name.

342. In replying to the questions and comments made by the members of the Committee, the representative of Poland stated that although Polish legislation complied in all respects with the principle of equal rights between women and men, in certain cases practice deviated from the spirit and the letter of the law. Efforts were being made by the Government and by women's organizations to achieve full de facto equality. Owing to the need for strengthening centrally programmed action, the Government Office of Plenipotentiary for Women's Affairs had been set up to integrate the functions of all quasi-governmental bodies for the advancement of women. The Office of Plenipotentiary would monitor research studies undertaken by the Main Statistical Office on the working and living conditions of women in Poland and on their participation in political, economic, social and cultural life. A special data bank was to be established on the social and occupational situation of women.

343. The main task of the Office of Plenipotentiary was to co-ordinate measures designed to enhance the status of women, to ensure equality of rights between women and men in all aspects of political, economic, social and cultural life and to undertake activities aimed at bettering their living conditions and facilitating the performance of their manifold roles in society and in the family.

344. She explained that, in establishing the Office of Plenipotentiary, the Council of Ministers had also specified a Programme of Action to improve the socio-occupational status and living conditions of women, consisting of 22 areas of activity scheduled for implementation during the years 1987 to 1990.

345. The Council of Ministers had requested central and regional administrative bodies to elaborate detailed plans of activities in favour of women.

346. With regard to "temporary special measures", she stated that all measures and decisions undertaken so far in respect of women were of a permanent and not of a temporary character.

347. The representative stated that Poland had for many years been making efforts to eliminate existing shortcomings, particularly with regard to the participation of women in the decision-making process. Although some progress had been made, efforts would continue to be made to enhance the participation of women in the socio-economic development of the country as well as their level of education and professional qualifications.

348. In response to questions on the percentage of women in political parties, trade unions and administrative bodies, the representative presented statistics. In 1984, women constituted 26.9 per cent of the Polish United Workers Party, 26.0 per cent of the United Peasant Party and 32.4 per cent of the Democratic

Party. In 1983, 15.2 per cent of the members of the Central Committee of the Polish United Workers Party and 16.2 per cent of the Central Commission of Intra-Party Control were women. She noted that there were 134 branch-oriented independent trade unions within the All-Poland Trade Unions Agreement; women occupied 48 per cent of the administrative posts in that Agreement, and in the Council, women constituted 9 per cent and in the Executive Committee, 8.3 per cent. Some unions were dominated by women; in the light industry and food-processing industries unions, women made up 75 and 60 per cent, respectively, of the membership. She stated that nine of the branch trade unions were chaired by women and that 15 per cent of the 1,480 delegates to the Congress of trade unions were women. According to recent statistics on women in central, regional and municipal administrative bodies, women occupied 32.9 per cent of posts in central administration and 5 to 6 per cent of posts of ministers, deputy ministers, voivods and mayors of the largest cities. The low representation of women at all governmental levels continued to be a matter of concern.

349. The representative said that setting quotas in the higher levels of Government and trade unions was not part of the Government's policy. Women had to undertake activities to improve their level of representation. With regard to quotas for women in Parliament, she said that regulations on elections to the Sejm of the Polish People's Republic, in force since May 1985, granted the right to propose candidates to women's associations, among others.

350. The representative said that the establishment of a post of spokesman for civic rights had been initiated by the Patriotic Movement for National Rebirth and discussions were currently under way.

351. The representative stated that the members of the Constitutional Tribunal were elected by the Sejm, and its main task was to ensure that legal and other regulations of leading and central organs of the State were in compliance with the Constitution. Its five verdicts on non-compliance with the constitution were subject to review by the Parliament and were binding.

352. The representative stated that certain stereotypes and behaviour connected with long-standing traditions, customs and mentality still existed in Poland. Recent investigations proved that women spent five hours a day on household duties while men spent two hours. Women had four hours a day for leisure while men had five hours. She also reported that only 15 per cent of men did housework, 25 per cent did the shopping and 28 per cent cooked meals. She said that younger men, however, were taking on more household duties.

353. Concerning the meaning of "special respect" accorded to women in Poland, she said that women in Poland had traditionally and continued to be highly regarded because of the important roles they had played throughout Polish history, not only within families but also in the struggle for independence and maintaining national identity.

354. The representative said that prostitution existed in big cities and ports. Professional prostitution, however, no longer existed because the problem of poverty had been eliminated.

355. Measures had already been taken on the integration of women into diplomatic and consular services. In 1986, women occupied 34 per cent of the posts at the Ministry of Foreign Affairs, although only three were at high levels, and 58 women

were employed in diplomatic and consular posts abroad, including 24 with diplomatic status, among them one ambassador.

356. The representative explained that the high percentage of girls in post-secondary schools derived from the fact that the majority of girls chose general secondary schools, which did not prepare them for a concrete profession. Girls tended to continue their vocational education in post-secondary schools in such fields as secretarial work, economic and commercial activity, linguistics, draughtsmanship, dental techniques, nursery care or medical rehabilitation, while boys tended towards vocational training in engineering industries, building construction and other jobs requiring physical strength. The representative said that the problem of illiteracy no longer existed.

357. Women and men received equal pay for work of equal value. Professions in such fields as education, health care services and textiles, where about 80 per cent of workers and employees were women, were less well paid.

358. She said that in Poland it was prohibited to employ women in jobs that were particularly onerous and hazardous to their health, and there were no plans to change regulations in that regard. She also stated that the problems of sexual harassment in the work place did not exist in Poland.

359. With reference to the legal age for marriages, the representative stated that for many years the age limit of 18 years was the same for women and men. The man's age had been increased to 21 years because the majority of men between 18 and 21 years were in the military services.

360. The representative explained that the law of 1956 allowed women to obtain abortion for medical, social or legal reasons. Juveniles, however, must have the approval of their parents or a decision by the court. She further stated that widely disseminated methods to prevent pregnancy had caused a decrease in the number of abortions. In 1962, about 200,000 abortions had been registered in Poland compared to 135,564 in 1985; however, not all cases had been registered. She also explained that the Catholic Church in Poland was opposed to abortion.

361. With regard to the functioning of family courts, the representative stated that they had become a durable institution in the Polish legal system.

362. With regard to the concern expressed about the same judge dealing with matters of a family, she said that while ruling on a specific case, the judge should use all relevant information.

363. With respect to the questions concerning divorce, she stated that the court might delay a final decision, especially when children were involved. Focus on children did not mean that the interests of women were not taken into consideration.

364. On the issue of the "Alimony Fund", she stated that a responsible father would acknowledge his responsibilities. The State had found it difficult to execute payments from irresponsible fathers, however, and only 50 per cent of such payments were regained. She stressed that the main priority was to ensure that mothers bringing up children alone had regular financial support.

365. The representative explained that spouses were entitled to choose a family name, but that, unless the woman was eminent in a professional, scientific or



artistic field, they generally agreed to adopt the husband's name. She also explained that recently a considerable number of women had kept their name and added the name of the husband. Women who had names of historical origin did not change them. In some cases, both spouses kept their names and commonly decided about the name of their children.

366. The representative of Poland was thanked for her replies and for the offer to provide more information later; the presentation would provide useful guidelines for developing countries. The large and varied body of information the representative of Poland had submitted was considered to be very useful, particularly the sociological data, which showed the attitude of the women themselves to their work and to the changing social climate. It was asked whether there had been any research to indicate that women were interested in jobs that were closed to them by law. It had been shown that "protective" legislation only excluded women from highly competitive jobs and did not protect them from health hazards in traditionally female areas of work, such as the health services and catering. It was suggested that the next report could include details of any changes in protective legislation. Reference was made to the principle of equal pay for work of equal value, and it was asked whether there had been any attempt to compare jobs usually done by men with those usually done by women, since jobs involving physical labour were usually better paid, and the physical effort involved in many female-dominated jobs was often not acknowledged. It was asked whether any studies had been carried out in that area.

367. Concern was expressed that the lower retirement age for women meant that a woman had to withdraw from paid employment and return to her main priority in the society, such as household and family affairs. That attitude was an indirect obstacle to women's active participation in society.

368. Replying to the point raised by experts, the representative of Poland said that the list of professions closed to women was not considered to be an attempt at job segregation, but reflected the Government's special concern for women's health. She would report the Committee's comments to the Office of Plenipotentiary for Women's Affairs.

369. The Chairperson thanked the representative of Poland for the frank and informative report submitted by her Government and for the replies given to questions posed by the experts.