



Convention on the Elimination  
of All Forms of Discrimination  
against Women

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COMMITTEE ON THE ELIMINATION OF DISCRIMINATION AGAINST WOMEN

Tenth session

SUMMARY RECORD OF THE 177th MEETING

Held at the Vienna International Centre, Vienna,  
on Thursday, 24 January 1991, at 10 a.m.

Chairperson: Ms. ILIC

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Convention (continued)

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The meeting was called to order at 10.10 a.m.

CONSIDERATION OF REPORTS SUBMITTED BY STATES PARTIES UNDER ARTICLE 18 OF THE CONVENTION (agenda item 5) (continued) (CEDAW/C/CRP.17)

Second and third periodic reports of Poland (CEDAW/C/13/Add.16 and CEDAW/C/18/Add.2)

1. At the invitation of the Chairperson, Mr. Nowak, Ms. Budziszewska, Ms. Włodarczyk-Sowa and Ms. Hajduk-Wykretowicz took places at the Committee table.

2. Mr. NOWAK (Poland), introducing his Government's second and third periodic reports, said that in view of the fundamental changes currently taking place in Poland, his delegation would endeavour to supplement the written reports with updated information and a frank assessment of the situation. By way of a general introduction, he would outline the recent far-reaching changes in the political, economic and social system of Poland, particularly as they affected women. Two of his colleagues on the delegation represented the Office of the Government Plenipotentiary for Women's Affairs, the absence of the Plenipotentiary herself being explained by the fact that the post was currently vacant as a result of the very recent formation of a new Government and the upgrading of the Office to ministerial level, directly responsible to the Prime Minister, in line with the new Government's emphasis on the advancement of women.

3. Polish society was undergoing a transition marked by five basic innovations, namely, the introduction of a market economy and pluralist parliamentary democracy, the move towards a clean environment and low-cost energy, modern technical infrastructure and high technology, and the adjustment of behaviour patterns to the new system, with the introduction, among other things, of competitive attitudes. At such a time, difficulties, which inevitably affected the status of women, were understandably very great and stable trends were not easy to pinpoint. In the circumstances, even recent statistics became rapidly outdated. He requested the Committee to consider with caution two popular misconceptions about the status of women in Poland, the first being that women's issues were being shelved in favour of more urgent tasks. On the contrary, the Prime Minister had firmly pledged to give them immediate and proper attention, although detailed information was not yet available. The second was that the current socio-economic situation of the country had a particularly adverse effect on the status of women. Although there was some truth in that assessment, it was an over-simplification. For example, although the unemployment rate was higher among women than among men, it should be borne in mind that many women now registered as unemployed although they had never worked before, one of the reasons being that they were at present offered unemployment benefits. It should also be remembered that in a more democratic society, men and women alike had new opportunities to take an active part in solving their problems.

4. September 1990 had marked the fourth anniversary of the creation in Poland of a national government structure for the advancement of women, which continued to be the only government machinery for the advancement of women in the countries of Eastern and Central Europe. 1990 had also marked the tenth anniversary of Poland's ratification of the Convention on the Elimination of All Forms of Discrimination against Women. The time had therefore come to review the situation of women in Poland and evaluate measures taken to implement the Government's programme for the improvement of the socio-professional status and living conditions of women, and to devise guidelines for further activities in that field.

(Mr. Nowak)

5. Turning to the legal aspects of the matter, he said that the Polish legal system contained no indication of any discrimination against women within the meaning of article 1 of the Convention. The provisions of Polish legislation applied equally to men and women. Any different provisions applicable to women resulted from an intention to protect them. However, some self-criticism was in order if a fair picture was to be presented. Firstly, a matter requiring attention and improvement was that women and men alike were insufficiently aware of the legislation in force, as a result of which women were not always able to fight for and benefit from their rights. Secondly, legal obligations were not always translated into practice. That applied, in particular, to the equal participation of women in civic and political life at the national and international levels, and women's equal rights to professional advancement and to equal remuneration. No woman had been included in the newly-formed Cabinet, even though many women had been offered deputy ministerial posts. The establishment of the new Office to which he had referred afforded better prospects in that field. Thirdly, there was a feeling that there were deficiencies in the implementation of article 5 of the Convention, resulting from deeply-rooted attitudes and socio-cultural factors. Measures to bring about a change in that situation were planned, as was the improvement of women's welfare, which was deteriorating as a result of the economic crisis. One of the innovative forms of assistance currently being tested to good effect was assistance to single mothers.

6. The periodic reports submitted to the Committee were published and widely distributed in Poland, and the third report had been submitted as an official document to the National Conference on Women's Issues held in December 1990 at the initiative of the Polish Parliament and attended by representatives of women's organizations, women's sections of trades unions, scientists and journalists. The contents and conclusions of the report had been endorsed by the Conference. The Government of Poland was deeply committed to the reporting process, which helped to popularize the non-discrimination cause.

7. In general terms, the Government attached great importance to the protection of human rights. Poland had accepted the compulsory jurisdiction of the International Court of Justice and would soon accede to the Optional Protocol to the International Covenant on Civil and Political Rights. It had also accepted the competence of the Human Rights Committee under article 41 of that Covenant. The Government was preparing to become a party to the European Convention on Human Rights and intended to develop further the human dimension of the Conference on Security and Co-operation in Europe. Poland was also considering becoming a party to the 1951 Convention relating to the Status of Refugees. Stressing the Government's commitment to the advancement of women, he assured the Committee that its comments and questions were closely scrutinized and would certainly influence government programmes and strategies and so contribute to the welfare of women in Poland.

8. Ms. BUDZISZEWSKA (Poland) said that she would now reply to the questions contained in annex V to document CEDAW/C/CRP.17.

#### General questions

9. In reply to question 1, she drew attention to the forthcoming appointment of a new Government Plenipotentiary for Women's Affairs, and went on to outline recent social policy measures introduced by the Government. The government programme to

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protect the economically most vulnerable groups consisted, *inter alia*, in safeguarding the level of food consumption by introducing coupons for staple foods and extending the network of free canteens, mainly for the poor and elderly; maintaining the ratio between the average pension and the average wage; reorganizing the system of social assistance by making use of and co-ordinating State and social funds and stimulating non-budgetary sources of financing; introducing labour legislation to protect dismissed employees, securing funds for training and retraining and creating new jobs; and providing for the partial reimbursement of the higher cost of rents and heating.

10. Aware as it was that women were one of the most vulnerable groups of society, the new Government Plenipotentiary for Women's Affairs would identify government goals and strategy in improving the living conditions and ensuring the socio-professional advancement of women, taking into account and drawing upon past achievements. Four principal goals had so far been identified. The first was to provide various forms of legal and material assistance to unemployed women and single mothers. The promotion of legal awareness was considered extremely important, since women in Poland were often unaware of their rights and unaccustomed to fighting for them. The second goal was to protect the social rights that had been acquired in the past in the field of employment, maternity, social insurance and social benefits. It was the role of the Plenipotentiary to help protect acquired rights that might not be guaranteed in a market economy. An example had been the involvement of the Plenipotentiary in the preparation of the draft Employment Act, as a result of which women's maternity benefits in the event of the liquidation of an enterprise had been maintained. The third goal was to ensure that the newly-adopted legislation did not lead to any infringement of the equal rights of women in a market economy context. Problems included the failure of some private enterprises to feel bound by the legal provisions in force, and also a certain apathy among women who, finding themselves in higher paid jobs, did not speak out for the rights to which they were entitled. The promotion of legal awareness among women and the prevention of discrimination against them in the workplace should be the task not only of the Government but also of women's trade unions and the mass media, with which liaison and co-operation must be established. The Government, for its part, was planning the establishment of a centre for information and legal guidance for women. The fourth goal was to promote and encourage wider participation by women in political life. The entire population had benefited from the democratization process, with the establishment of over 150 political organizations and movements to date. Over 20 women's organizations had been created, as against only three under the previous system. Women were now free to join and establish any organization of their choice. It could be observed, however, that Polish women were politically less active than women in other countries, partly because rights in the field of labour law and social protection had previously been granted automatically by the State.

11. Referring to question 2, she said that the most serious difficulties encountered in the transition from a centrally-planned economy to a market economy had arisen in the State and co-operative socialized sector of the economy, in which 5.5 million women were employed; that figure represented 46 per cent of total employment in that sector. The ending of State subsidies to enterprises, higher production costs and prices, closer control of wage increases to prevent inflation, the liquidation of enterprises and unemployment had brought about a decline in family incomes and the demand for consumer goods.

12. As at 31 December 1990 over 1 million persons had been registered as unemployed, representing about 8.3 per cent of total employment in the national



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economy (excluding individual agriculture) and 1.6 per cent of the economically active population. Women accounted for nearly 51 per cent of the unemployed. However, the increase in unemployment rates had dropped from 23.1 per cent in July 1990 to 3.4 per cent in December 1990. The deteriorating economic situation of families affected women more than men because of women's traditional role in the home. Moreover, increases in fees for pre-school education had prompted a growing number of women to leave their employment to take care of their children. The Government was giving careful attention to the problems of women and the labour market. It was found that women were less competitive for a variety of reasons, including interruptions in employment, the double burden of home and work, and also the introduction of unemployment benefits, although that situation would no doubt change in the near future with the granting of unemployment benefits only to those who had been unemployed for the previous six months after prior employment. Another reason for women's unemployment was the structure of education for girls, which was less skill-oriented than that provided for boys and led women into administrative jobs which were the first to suffer cutbacks in a market economy.

13. In reply to question 3, she said that the Government's programme to improve the social, professional and living conditions of women had succeeded in establishing a basis for co-operation between the central and local authorities and women's groups in organizing activities to improve women's living conditions. The programme had also done much to improve women's working conditions, particularly in industry, although the situation of women in private enterprises was not yet clear. In addition, the number of kindergartens and nurseries had been increased, and health protection for women had been improved, particularly in the fields of health screening and protection of pregnant women. Industrial health services had been strengthened, particularly in industries such as the textile industry, which employed mainly women. However, the programme had encountered difficulties in its attempt to improve the social and professional status of women. Few women took part in decision-making, particularly at the highest levels, and the number of women deputies to the Polish Parliament had decreased. The Government was currently monitoring patterns of women's participation in political life. Finally, as in many other countries, it had proved very difficult to modify people's traditional social and cultural behaviour patterns and eliminate prejudices and stereotypes.

14. With regard to question 4, she explained that several new political and social organizations had been established for women, including the Democratic Union of Women and the Union of Ordinary Polish Women. Regional women's sections of the Solidarity trade union had been set up in September 1990. Women's groups had organized a Conference on "Women in contemporary Poland" in December 1990 in order to gather up-to-date information on the situation of women in the current climate of change and to propose ways of helping women and their families to adapt to the new economic, social and political conditions. Participants in the Conference had requested that the Office of the Government Plenipotentiary for Women's Affairs should be given higher status, and it had been decided to establish an independent commission for women and the family in the Polish Parliament.

15. As for question 5, up-to-date unemployment statistics for women in Poland would be included in the third periodic report. It might, however, be of interest to the Committee that, as at 31 July 1990, there had been nine unemployed men for each vacancy for a male worker, whereas in December 1990 there had been

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40 unemployed women for each vacancy for a woman. In January and February 1991 the overall unemployment figure was expected to decline by 200,000 - of whom half were women - owing to the exclusion from the unemployment figures of persons who had been unemployed for more than six months.

16. Ms. NIKOLAEVA said that the new Polish Government was clearly intending to change society radically and wondered whether it would abandon all the values that the old society had stood for. Specifically, as the report gave few details of the programme of action for the improvement of the social, professional and living conditions of women mentioned on page 11 of the report, she asked whether that programme had been implemented and, if so, with what results. What other measures did the Government intend to take to protect women during the current economic crisis? After all, they had lost many of the safeguards they had enjoyed under the old social order.

17. She also noted that, according to page 7 of the report, wages in some occupations were lower than before because they had been feminized. Were those lower wages paid only to women, or also to the men who still did those jobs?

18. Mr. NOWAK (Poland) pointed out that Poland had been the first Eastern European country to change its political system and that the new Government had had not only to tackle problems that had remained concealed under the previous system, but also to combat the negative political attitudes that women still nurtured. However, that did not mean it denied the achievements of the old system. Above all, it was anxious to protect women - one of the most vulnerable groups - during the transition to a new society. He would provide details of the specific measures proposed by his Government at a later stage.

19. Ms. LAIYOU-ANTONIOU noted that although the Polish Government acknowledged the contribution made by women to the new society, it was important to remember that, in many cases, a revolution had the effect of marginalizing women. Care must be taken to prevent that.

20. She was concerned that women in Poland were obviously still perceived as bearing the main responsibility for the upbringing of children and all household chores, and hoped that the new Government's policies would help to make women more economically independent and encourage men to assume more responsibility for the care of their children. She also noted that the greater freedom of movement now enjoyed by Polish citizens had resulted in a considerable emigration movement, and felt that women who emigrated to other countries might encounter exploitation in low-paid domestic work, problems in finding health and education services for themselves and their children, racism and many other difficulties. How did the Polish Government deal with problems encountered by Polish emigrants?

21. Mr. NOWAK (Poland) said that in 1989 14,000 men and 12,000 women had emigrated from Poland. However, many of the women were temporary emigrants who intended to return to Poland eventually, so that they encountered fewer problems of, for example, access to health and education services than permanent emigrants. Poland participated in international efforts to improve the situation of migrant workers, although he admitted that the Government could do more.

22. Ms. ALFONSIN DE FASAN said that, in many respects, the situation in Poland was similar to that in her own country, Argentina, with its rampant inflation and strict wage freeze. The key to any improvement in the position of women was economic independence, and she wondered what the Government was doing to expand child-care facilities so that mothers could go out to work. Were there any attempts to encourage informal child-minding, where one mother looked after another's children along with her own? It might also be possible in a market economy to promote types of work which a mother could do while keeping her children with her.

23. Mr. NOWAK (Poland) said that the Office of the Government Plenipotentiary for Women's Affairs had made full use of the experience gained by other countries in similar situations, including Spain and countries in Latin America. He would present more details about unemployment among women and child-care facilities at a later stage.

24. Ms. BUDZISZEWSKA (Poland) agreed that international co-operation on women's issues was very valuable. The Office of the Government Plenipotentiary for Women's Affairs had contacted other national women's bureaux in order to share their experiences and had recently, for instance, received information from Canada on ways of promoting women's economic independence. It was clearly not enough merely to subsidize women's business projects; women must also be shown how to become independent and establish a business, and then given loans in the early stages. Poland already had credit banks that helped unemployed persons of both sexes to set up their own businesses, and a proposal had been made to set up a bank exclusively for women. Polish women's organizations did their best to provide training and legal advice for would-be entrepreneurs, but no one in Poland had very much experience in that field; for that reason the information provided by other countries was especially important.

25. Ms. ABAKA observed that Poland's education system seemed to discriminate against those who left school with a general secondary education. Did the Government intend to reform the education system in order to improve that group's access to employment?

26. Mr. NOWAK (Poland) said that the Government certainly intended to undertake a radical reform of education, but had not yet decided whether to reorganize the State system or authorize the creation of an alternative private system which would compete with State schools and universities.

27. Ms. AOUIJ said that the changes in Polish society appeared to be taking place at the expense of women. There were fewer women politicians and decision-makers than before, and female unemployment and discrimination against women seemed to be on the increase. She hoped that the situation of women would improve as the new social order became consolidated. She would welcome further specific details of the ways in which the Polish Government and women's organizations helped women to help themselves, since the situation described in the report gave her considerable cause for concern.

28. Ms. CORTI asked whether the Polish Government had taken due account of the problems that arose during the transitional period because of the contradiction between a dependency culture in which women, who constituted the majority of the Polish population, were effectively ignored, and an economic and social environment in which they could fulfil their potential.

29. Ms. FENGER-MÖLLER asked what the Government was doing to encourage Polish women's awareness of their rights. It appeared from the documentation provided that women were not prominent in political life, and that women's organizations enjoyed little influence. She wondered how that imbalance could be reconciled with the objective of building a democratic society.

30. Mr. NOWAK (Poland) said he agreed with the views expressed by the two previous speakers. At the same time, he wished to point out that the Polish Government was fully aware of the problems involved in integrating women into the country's political and economic life.

31. Ms. BUDZISZEWSKA (Poland) said that the incorporation of the Office of the Government Plenipotentiary for Women's Affairs into the Prime Minister's Office would help in giving prominence to issues affecting women. It was also hoped that a centre for promoting women's awareness of their legal rights would be established in the near future, with regional branches. A further positive development was the establishment of "Women's Forum", which met twice yearly with the aim of fostering contacts between the various women's organizations active in Poland.

## Article 2

32. Ms. BUDZISZEWSKA (Poland), replying to question 1, said that the Government Plenipotentiary for Women's Affairs would have more opportunity to influence government decisions affecting women. At ministerial level, she would also have legislative initiative, and the staff of the existing Office would be expanded. The new Office would comprise three independent divisions, each responsible for a different sphere of activity. The upgrading and expansion of the Office of the Government Plenipotentiary for Women's Affairs was supported by the Prime Minister, Parliament and all women's organizations.

33. In answer to question 2, she explained that the Convention on the Elimination of All Forms of Discrimination against Women had been widely disseminated and that its text was available to all enterprises and women's organizations. Further dissemination of the text of the Convention had been arranged at the second meeting of the women's forum organized in April 1990 by the Government Plenipotentiary for Women's Affairs. Her Government's third periodic report had been transmitted to Parliament and to the women's organizations.

34. Referring to question 3, she stated that the Ombudsman continued to play a significant role in protecting citizens' rights, including the rights of women. The Ombudsman, who reported to Parliament and not to the Government, was not intended to act as a substitute for government authorities or institutions.

35. In reply to question 4, she said that men and women had equal access to the courts with a view to the enforcement of their rights, but that the Penal Code did not contain any specific provisions concerning discrimination on grounds of sex.

## Article 3

36. She explained that changes in the social, political and economic situation would undoubtedly affect the status of women, and new legal provisions would have to be adopted to safeguard women's rights, and particularly the right to work, the protection of mother and child and social benefits. It was premature to refer to constitutional changes, since the draft texts of the new constitution had been submitted to Parliament, but none had as yet been adopted in final form.



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Article 4

37. In reply to questions 1 and 2, she said that Polish legislation in force contained special measures aimed at permanently equalizing the status of men and women. However, no temporary special measures had yet been adopted to overcome inequalities between men and women in respect of wages, job-placement and promotion. In the field of wages, the Government had established uniform job evaluation principles, which - if correctly applied - should contribute to the elimination of differences between the wages of men and women employed at comparable levels.

38. Experience in market-economy countries indicated that women were particularly disadvantaged by discrimination. Women's organizations and groups were seeking to preserve the responsibility of the State in the field of women's rights. They were also calling for the amendment of regulations in the spheres where women might be particularly in danger and considered that women's right to work, job-placement, and promotion should be given particular attention, and special emphasis accorded to single mothers and large families.

Article 5

39. In answer to question 1, she said that the mass media typically represented working women as having a large family and domestic responsibilities, endeavouring to overcome the difficulties caused by the current economic situation in Poland. On the occasion of International Women's Day in 1990, Polish television had presented a series of programmes that illustrated the subordinate role played by women in society and the family.

40. Replying to question 2, she said that Polish radio and television programmes were endeavouring to promote a new model of the family based on the principle of partnership and the division of household duties among all members of the family.

41. On question 3, she noted that the response to the programmes broadcast so far had been positive, and hoped that the Advisory Council for Television and Radio, which was now being established, would take the views of the public into account.

42. With regard to question 4, she said that domestic violence and drunkenness were both considered as problems that had a bearing on the equal status of women. For that reason, violence was regarded as a flagrant infringement of the law and the principles of co-existence within the family and therefore as a crime. Both women and the family were entitled to protection under the Penal Code, and domestic violence was punishable by imprisonment. Acts committed under the influence of alcohol against women were treated as violence (article 184 of the Penal Code). A 1980 law on the prevention of drunkenness stated that drunkenness within the family might be subject to external intervention, and had established a system of preventive measures for the medical treatment of alcoholics. Medical committees could request the courts to arrange for compulsory medical treatment of alcoholics in special health centres.

43. In response to question 5, she explained that certain television and radio programmes were designed to assist women who were victims of violence and to change the patterns of behaviour that led to violence, and in particular violence induced by alcohol abuse.

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#### Article 6

44. In reply to the question raised under article 6, she said that, while prostitution was not unknown in Poland, recent sociological studies indicated that it was not the result of economic necessity: research had shown that prostitutes were often well educated, and that some were graduates of higher educational establishments. The problem might well become worse in the future if there was a very high rate of unemployment among women. Should that occur, the Government would take appropriate measures.

#### Article 7

45. She noted that one of the objectives of the Government's programme for the advancement of women was to increase the representation of women in public life. To that end, the Office of the Government Plenipotentiary for Women's Affairs had carried out studies to determine the proportion of women managerial staff in the State administration in May 1990. The findings had not proved satisfactory, and the Government was aware that the problem should be tackled as a matter of priority. While some women's organizations had demanded the introduction of a quota system in the electoral system and public service, affirmative action programmes had not so far proved effective, and were regarded with suspicion by the public at large. She also noted that any improvement in the representation of women in political life in Poland could not be easily achieved until the country's economic situation improved.

#### Article 8

46. Ms. HAJDUK-WYKRETOWICZ (Poland) said that restructuring was now under way within the Ministry for Foreign Affairs with the aim of bringing new people into the foreign service to reflect political changes in Poland. Recruitment was by competitive examination and there were no barriers based on sex. Some of the 2,000 candidates who had expressed interest in joining the foreign service had failed to qualify on account of age or linguistic shortcomings, and after a three-stage competition, only 76 candidates had qualified, 11 of whom had been women. Women could qualify for promotion in the Ministry, through open competition, to higher executive posts such as those of director, vice-director and head of section. Of a total Ministry staff of 703, of whom 263 were women, the professional category accounted for 372, 46 of whom were women, the general services for 120, 105 of whom were women, and the support staff (maintenance, communications services, etc.) for 351, 112 of whom were women. Of the 105 persons in the executive grade three were women; however, none of the 18 directors were women, only one of the 29 vice-directors was a woman and there were only two women heads of section out of a total of 58.

47. Of the 927 diplomatic and consular officers posted abroad 37 were women, including one ambassador and 18 with diplomatic status. The number of women working in international organizations and members of delegations to international conferences was also too low. However, efforts to promote women to higher positions in the diplomatic service had achieved results, and in recent months, 24 women had been appointed to diplomatic posts overseas; one had been appointed director of the Polish Cultural Institute in Germany. Training and career development opportunities in the Ministry were equally available to men and women.

48. Mr. NOWAK (Poland) added that the low proportion of women in the Ministry of Foreign Affairs was partly due to the legacy of a system obsessed by problems of secrecy and security which did not allow unmarried women to take up posts abroad particularly in non-socialist countries, and which did not permit husbands to accompany wives unless they, too, were in the foreign service. It would take some time before that situation could be changed.

#### Article 10

49. Ms. HAJDUK-WYKRETOWICZ (Poland) said that there were no legal barriers to women's advancement to managerial posts, as Poland's third periodic report clearly indicated. In practice, however, women's participation in the decision-making processes was disproportionate to their educational and employment levels for the reasons given in paragraphs 67-74 of the report, and because political activity was a *sine qua non* for such participation. Given the small number of women in political parties, trades unions and associations, therefore, their absence in the forefront of politics was hardly surprising. Even in Solidarity women had simply been active supporters of their male leaders so that they did not form part of the leadership, the National Women's Section of Solidarity having been established only in February 1990, with regional sections having been set up in the autumn of the same year. Sociological studies carried out by independent experts from Solidarity circles had confirmed that women were fully aware of their feeble participation in the country's political life, and in their view, it was the result not only of their dual burden and traditionally greater responsibilities in the home, but also of the lack of strong women's organizations in which they could acquire skills and political education.

50. The Ministry had started to organize seminars in order to change that situation and to prepare women to play a more active part in public life. In 1990, the Plenipotentiary for Women's Affairs had succeeded in establishing "Women's Forum" as a permanent body, one of whose main tasks was to encourage women to play a more prominent role in politics and to encourage women's organizations to propose women candidates for elections. The latter role was particularly important given that parliamentary elections would most probably be held in Poland in the spring of 1991. It was widely hoped that such mechanisms as social contacts, participation in campaigns, lobbying and membership of clubs hitherto used only by male politicians, would now become accessible to women.

#### Article 11

51. Ms. BUDZISZEWSKA (Poland), replying to question 1, and supplementing the information on unemployment contained in paragraphs 93 to 103 of Poland's third periodic report, said that under the new Minister for Labour and Social Policy, the unemployment problem should be given priority consideration. In his view, although public works could and should be organized to alleviate unemployment, it was even more important to retrain workers, make loans available to enable them to start their own businesses, and provide vocational guidance. Such facilities would be available to men and women on an equal footing.

52. The Government Plenipotentiary for Women's Affairs intended to establish a programme for women in regions particularly affected by unemployment; the answers given to the general questions were also relevant in that connection.

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53. As far as questions 2, 3 and 4 were concerned, and as a supplement to the detailed information on the protection of women's work contained in paragraphs 104 to 107 of Poland's third periodic report, she noted that certain categories of workers, including pregnant women and women on child-care and maternity leave, enjoyed special protection when employed by enterprises in liquidation. In particular, they retained their rights to maternity benefits even though their employment might be terminated. The provisions of Polish legislation concerning such termination were not in line with the ILO Maternity Protection Convention of 1952, but they would remain in force only during the restructuring of the economy and in the mean time the Government Plenipotentiary for Women's Affairs was planning amendments to strengthen the legal protection of women.

54. As far as question 5 was concerned, some detailed information had been given in reply to the general questions and was also included in the report. Current economic and social changes had had both positive and negative effects on women. One of the positive effects had been that women were now offered greater opportunities to participate in the country's social and political life. On the negative side, because of the high level of unemployment and the fact that women's educational profiles were not adjusted to the needs of a market economy, they were less competitive in the market than their male counterparts. The Government was well aware of those problems and recognized the need for a solution.

55. Ms. SCHÖPP-SCHILLING suggested that decisive progress towards equality could be achieved by abolishing the male/female classification of jobs, thereby encouraging younger women to apply for jobs now classified as male.

56. Ms. BUDZISZEWSKA (Poland) agreed that Polish society had to be educated in that regard. However, the list of jobs which, according to ILO Conventions, were unsuitable for women on the grounds of health was a long one, although it was reviewed periodically. Furthermore, women's education tended to be general rather than specialized, which left them unskilled and unqualified for many jobs. Training was one way of changing the situation, and in that regard major changes were being introduced in the educational system, and some specialized courses were already being offered in secondary schools.

57. Turning to questions 6 and 11, she stated that surveys carried out by the Central Statistical Office indicated that on average women earned less than men, the difference being 30 per cent in 1988 and 21 per cent in 1989. The improvement in 1989 was partly the result of applying the uniform job evaluation principles laid down by the Council of Ministers in 1987 and 1988, as referred to in paragraphs 108-110 of Poland's third periodic report. The Polish text of the complex legal Acts containing those principles could be made available. Job evaluation was usually based on an analysis and appraisal of work in accordance with established criteria. A number of points were assigned to the various tasks associated with each post in an enterprise, and workers were paid according to the number of points to which they were entitled. The system applied equally to men and women.

58. Surveys carried out by the Central Statistical Office had also indicated three reasons why women received proportionately lower wages than men: first of all, job evaluation principles had not been universally applied, in part because the system was difficult to understand and put into practice. In addition, enterprises in Poland had been given considerable independence as far as wage policies were



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concerned and were not obliged to apply the recommended job evaluation principles. Secondly, the statistics relating to wages for comparable work, compiled by the Central Statistical Office did not differentiate between men and women. Furthermore, women were not employed in the highly-paid jobs such as mining or at the top ministerial levels. Thirdly, women were less available on the labour market than men on account of their dual burden: women doctors, for example, were less available for overtime than their male counterparts.

59. Ms. BUSTELO GARCIA DEL REAL wondered whether it was now the general view that, in the current economic climate, women should stay at home and not take jobs away from men. That view had been expressed publicly in Spain at various levels. In addition, women had become locked into a vicious circle: because of their lack of qualifications they had been less able to find work, and at the same time pressure had been brought to bear on employers not to employ women when men were available. If that situation was developing in Poland, was the Ministry aware of the seriousness of the problem?

60. Ms. BUDZISZEWSKA (Poland) agreed that that view did prevail in certain quarters and was one of the most difficult problems faced by the present Government.

61. Ms. LAIOU-ANTONIOU asked whether Polish legislation had been brought into line with ILO Convention No. 103, and in particular its article 6 which prohibited employers from serving dismissal notices on women on account of maternity leave.

62. Ms. BUDZISZEWSKA (Poland) replied that although Poland's legislation would have to be brought into line with Convention No. 103, women could not expect special protection if their maternity leave coincided with the liquidation of an enterprise, when they did face dismissal; ILO should perhaps organize discussions on that issue. Poland had already granted women the same social security rights during maternity as other workers.

63. She added that during Poland's long period under martial law, its relations with ILO had been suspended and consequently no convention had been ratified. In the year which had elapsed since that time, a special committee had been established within the Ministry of Labour to examine international conventions and bring Polish legislation into line with them, with a view to subsequent ratification.

64. Turning to question 7, she explained that women had the right to appeal to the labour and social security court if they felt that their level of pay was due to discrimination.

65. As far as question 8 was concerned, and as paragraph 23 of Poland's third periodic report indicated, in 1988 7.6 per cent of women workers had been employed on a part-time basis; that figure included 61.3 per cent of all pensioners. In 1989, the proportion of pensioners employed on a part-time basis had fallen to 57 per cent owing to the greater numbers of women of non-pensionable age taking part-time employment. Almost 58 per cent of part-time women workers had been employed in non-material production. Flexible working hours were not applied in practice, but in view of the constant demands of women's organizations and groups, the new Government would undoubtedly facilitate their introduction.

(Ms. Budziszewska)

66. On question 9, she indicated that the situation of both men and women was difficult because the average old age pension amounted to 48-53 per cent of the average wage. In August 1989, a system had been introduced in Poland providing for the annual adjustment of wages and pensions to cost of living increases during the preceding 12-month period. Subsequently, because of the economic crisis, new regulations had been introduced which provided for adjustments on a quarterly basis: wages were increased in line with the cost of living increase in the preceding quarter, while pensions were adjusted in line with those wage increases. To enable pensioners to increase their incomes, obstacles to their employment had been lifted. Pensions were suspended where pensioners took on full-time employment, but not if they only worked part time.

67. In 1989, pensioners had accounted for 70 per cent of the total number of part-time workers in the socialized economy, representing approximately 12 per cent of the total number of pensioners. Approximately 7 per cent of all women pensioners worked part time, accounting for approximately 45 per cent of the total number of pensioners employed on a part-time basis. The situation of women of pensionable age did not differ from that of men because current legal provisions applied equally to both sexes. However, in response to the demands of women's organizations and groups, the Government Plenipotentiary for Women's Affairs intended to study the living standards of women of pensionable age.

68. Referring to question 10, she explained that nurseries and kindergartens were widely available in Poland. There had been a 0.6 per cent increase in the number of kindergarten places in 1989 as compared with 1988, although the number of children attending kindergartens had decreased during the same period by 1 per cent. The situation of children in the three to seven age group was a matter of some concern to the Ministry of Education, since it appeared that the most important reason for the decline in the number of children attending kindergarten was the increase in fees due to the restructuring of the economy and lack of clear principles governing the financing of kindergartens which had previously been heavily subsidized. It was to be hoped that those principles would soon be clarified, particularly in view of the general availability of kindergarten places for all children under the education act currently being drafted.

The meeting rose at 1 p.m.