Warsaw, 31.08.2020

**Information on activities or other good practices undertaken by the Polish authorities**

**to mitigate the negative impact of the pandemic on the enjoyment of human rights**

Replying to the OHCHR’s note ref. OHCHR/TESRPRD/DESIB/HRESIS dated on 14 August 2020 and concerning the statement to be provided during the Human Rights Council at its forty-fifth session by the High Commissioner, focusing on the role of human rights in shaping the response to the pandemic and on human rights good practices to mitigate the human rights impact of COVID-19, Poland wishes to inform the Office on its good practices adopted with regard to the following areas:

**Foster care institutions.** On April 1 this year, the instructions on the organization of work in the conditions of the COVID-19 epidemic, addressed to foster care entities, were handed over to voivodes. In addition, in order to ensure adequate safety of children in foster care, legislative changes were introduced to ease the requirements for standards in institutional foster care, and the assessment of the situation of children in foster care was made more flexible. The above changes entered into force on April 18 this year.

**Childcare institutions for children under the age of 3**. The functioning of forms of care for children up to the age of 3 was gradually suspended due to the coronavirus pandemic from March 11, 2020. From May 6 this year, institutions for the care of children under the age of 3 could resume their activity, and they were obliged to follow the anti-epidemic guidelines issued by the Chief Sanitary Inspector and the minister responsible for family matters.

**Measures with regard to functioning of the social security system and measures taken to compensate or mitigate the possible negative impact of this crisis**:

1. An additional care allowance (a benefit separate from the standard care allowance on cash benefits from social insurance in case of sickness and maternity) for persons who had to take care of their children due to the COVID-19 pandemic (for example, due to the closure of schools, kindergartens);
2. Extension of the right to family benefits, allowances for caregivers and benefits from the maintenance fund – due on the basis of decisions issued for a specified period under the Act of 27 August 1997 *on vocational and social rehabilitation and employment of disabled persons*, and on the basis of timely judgments on incapacity for work and inability to exist independently;
3. Consideration of a reduction in salary due to employment or other gainful work (or a reduction in non-agricultural business income) due to COVID-19 counteraction as a circumstance considered to be a loss of income – when determining entitlement to family benefits and maintenance fund benefits;
4. Change of the income criterion entitling to benefits from the Maintenance Fund (e. g. from October 1, 2020, the income criterion for entitlement to benefits from the maintenance fund will be PLN 900 compared to PLN 800 in the period from October 1, 2019 to September 30, 2020);
5. Solidarity supplement – granted to persons who were employed under an employment contract and with whom the employment contract was, after March 15, 2020, terminated (or terminated at the end of the period for which it was concluded). The condition for obtaining the right to the solidarity supplement is the period of being subject to social insurance in 2020 due to the employment relationship for at least 60 days. The solidarity supplement is due for a period no longer than from June 1, 2020 to August 31, 2020, in the amount of PLN 1,400 per calendar month;
6. A package of solutions has been developed to protect the Polish state and citizens against the crisis caused by the coronavirus pandemic. These solutions concern, among others, the protection of workplaces and the safety of employees.

**Functioning of social assistance institutions during the COVID-19 crisis.** Legal changes have been introduced, including:

1. the possibility of receiving a subsidy for the day-to-day operation of community self-help houses, despite the suspension of their activities;
2. facilitating investigation process of people requesting help (with the use of telephone conversation, necessary documents obtained from other institutions etc.);
3. extension of the right to benefits despite the expiry of the validity of the disability certificate;
4. the possibility of submitting an application and conducting proceedings to agree an individual integration program by means of electronic communication, without the need to appear in person at the *powiat* (county) family assistance center;
5. the possibility of granting food aid, under the European Fund for Aid to the Most Needy, to foreigners in need of assistance, quarantined or isolation at home due to suspected infection or contagious disease, legally residing in the territory of the Republic of Poland, provided that the foreigner meets the criteria for qualifying for assistance under the Food Aid Operational Program 2014-2020 under separate regulations.

As part of the update of the guidelines concerning activities implemented under the Food Aid Operational Program 2014-2020, the following changes were introduced:

1. employees of social welfare centers may qualify people to be provided with food assistance by phone or via electronic means of communication,
2. in the case of homeless people, help may be delivered to their places of stay, both in institutions (night shelters, shelters, hospices) and in other places,
3. social welfare centers were involved in helping to provide food aid, especially for the elderly, persons with disabilities, lonely persons and those whose health condition does not allow them to meet their basic needs on their own,
4. persons entitled to food aid in the form of a meal may receive their aid as take-away meals or in the form of food packages, in the event of a temporary suspension of the activities of the organizations providing meals,
5. the help for the homeless has been increased, as appropriate,
6. part of the funds may be allocated to the purchase of personal protective equipment for partner organizations.

**Education.** Bearing in mind the higher-order goods, such as public health and the protection of the health and life of citizens, special solutions have been adopted in the education system in the provisions on organization of the educational process, which are proportional and adequate to the scope, size and duration of the COVID-19 pandemic. On 11 March, 2020 the operation of schools and other indicated in the ordinance of the education system units, i.e. the conduct of teaching, educational and care activities in the previous traditional, stationary manner was suspended. At the same time, the Ministry of National Education prepared appropriate legal regulations that made it possible to carry out didactic and educational tasks with the use of distance learning methods and techniques. The above solutions ensured the students the possibility of continuing education, i.e. they enable the exercise of the right to education, in particular on the basis of distance learning.

As part of the "Remote school" programs and "Remote school +", the government allocated PLN 367 million to local governments for the purchase of equipment for students and teachers for distance learning. A total of 4,836 local governments received support. Co-financing related to the purchase of computers and laptops, as well as software, hardware insurance, mobile Internet access or other reasonable expenses related to remote learning (e.g. accessories). Further funds, in the amount of PLN 130 million, are intended to support children covered by foster care (including the purchase of computers, software, audiovisual equipment, personal protective equipment and disinfectants for children). Throughout Poland, over 72.5 thousand children are placed in foster care, including over 16.7 thousand children in institutions and over 55.5 thousand children in family custody.

**Children’s summer recreation**. The Ministry of National Education, Chief Sanitary Inspectorate and the Ministry of Health have prepared detailed sanitary guidelines for organizers of children's and youth recreation. The guidelines contain requirements and procedures for the preparation of rest, including the organization of food for participants, accommodation or equipment with personal protective equipment, etc., and the procedure for dealing with suspected coronavirus infection among participants, staff and other leisure workers.

The Territorial Defense Forces (Territorial Defense Forces) launched a special support hotline for organizers of holidays for children and youth. Seven days a week, from 8:00 a.m. to 8:00 p.m., detailed information is provided on the rules, legal conditions and the possibility of support by the Polish Army. The Territorial Defense Forces assistance consists in training on safety rules for the staff of holiday centres. If necessary, soldiers can also provide medical assistance, undertake sanitary and hygienic and anti-epidemic tasks (such as decontamination of the rooms and equipment), or provide necessary logistical and psychological support to the holiday centres.

**Digital services**. Poland ensured that applications for mobile devices introduced for use in Poland for health diagnostics and tracking the spread of SARS-CoV-02 were compliant with the applicable national and international law on personal data protection. It was also necessary to ensure the possibility of universal and effective distance education via the Internet in the country in order to counter digital exclusion in this regard.