**RANKING of the Office of Human Rights Defender 2014**

**On the occasion of International Day of Human Rights (10 December), the Human Rights Defender prepared a ranking of problems which constitute the largest threat from the point of view of observance of human and civil rights in our country.** He indicated also a list of cases in which a clear progress was recorded or positive changes were announced.

1. **The most important group of problems in Poland resulting in threat to observance of human rights still comprises the lack of effective legal regulations and administration activities in the event of extreme poverty, social exclusion and homelessness, the phenomena which still afflict substantial social circles** (it results from, among others, the obstacles in creating social premises resources in the communes as well as the programs guiding out from homelessness);
2. **Difficulties in access to health care services financed from the public funds are no less than they had been, the system is still ineffective and hardly friendly for the patients** (problems with access to the specialist doctors; no efficient method of settling the services above the agreed limit; not pursuing of the National Program of Mental Health Protection; no effective system solutions concerning assistance and treatment of alcohol addicts);
3. **Persisting are the problems related to the functioning of the judiciary** (tardiness of the courts; convicting and keeping in prisons of the intellectually disabled; no sufficient compensation for the crime victims;not using mediation, which raises the costs and reduces the chances for mitigation of the level of conflicts);
4. **Support system of the state and local government authorities for the weakest people in the local environment – in spite of attempts to reform it – does not meet the needs in overcoming of the difficult life situations** (department approach to health and social aid services persists; actions are dispersed and ineffective, especially with regard to the people with disabilities, mentally ill, elderly as well as the guardians and families of such people);
5. **Low level of law making system** (poor quality of the acts; no social, rather than just legal assessment of the regulation's effects; complicated character and opaqueness of the tax law system; no uniform standards of publishing the rulings of the court; Persisting are the backlogs in performing the sentences of the European Tribunal of Human Rights and in ratification of the international agreements essential for security of the rights of individuals);
6. **No effective law mechanisms and actions of the state protecting elderly or clumsy people against dishonest practices of the commercial companies, banks and so-called shadow banking systems** (the number of people who feel cheated by the sales representatives during the presentation or at direct sale is growing; there is no easily accessible lists of public warnings against such activities);

1. **New hazards resulting from the lack of sufficient protection of privacy and personal data, especially in the sphere of electronic communication** (no assessment of the regulation's effects in terms of their effect on privacy of people; intense monitoring of individual's activities and data transmission on the Internet; no legal regulation on vision monitoring; expanding genetic databases without the legal basis);

1. **No effective solutions with regard to the problems related to reprivatisation,** in spite of growing sense of harm both on the part of former real estate owners and local governments or present tenants and users; no statutory solutions of a particularly difficult situation of tenants of former plant apartments;
2. **In spite of statutory changes, ineffectiveness of legal regulations concerning safety of mass events and gatherings of public remains** (controversies related to the use of coercive means to keep order during street demonstrations; helplessness in respect of recurring stadium brawls as well as insufficient effectiveness of the proceedings concerning incidents on racial, national or ideological background) **;**
3. **Lower than expected effectiveness of the means of protection against discrimination and domestic violence** (no free legal assistance as well as the possibility to use some process-related facilitations; no "safe mediation" after court rulings ; not using of the means allowing isolation of the perpetrator; no sufficient possibilities to claim the compensation in cases concerning discrimination);

The above problems are obviously only some of many threats included in the list. It is also not possible to absolutely state, which of them is more urgent to solve. This is the selection resulting from analysis of thousands of complaints incoming to the Office of the Human Rights Defender and assessment of the changes in our country from the point of view of the mission of the Ombudsman. Many of these problems have been signalled for years, appropriate actions are also taken, within the Defender's competences. However, important effects in a longer run may be brought about only by proper state policy, activity of the local governments and determination of civil society. Therefore, the ranking is created and announced to the public as a list of challenges we must face today.

Particular gratitude should be given to the Senate of the Republic of Poland which, at the request of the Office of Human Rights Defender, started to deal with issuing overdue departmental regulations to the acts adopted by the Parliament long time ago. Advanced in a similar mode are also the actions of the Senate on a socially important project of the Act on the state compensation.

The Office of the Human Rights Defender tries to notice each effort, action or declaration leading to solution of the most important problems of the citizens. For this reason, the Office indicates this year the following events and the areas where the positive changes are visible.

1. **Unblocking senior and intergenerational policy, especially at the local level** (examples of good practices of assisting the seniors as well as disabled, e.g. in Stargard Szczeciński, Gdynia; it is also worth noticing the adoption of the Act on reverse mortgage important for the senior citizens);

1. **Development of family-friendly policy of the state** (the Act on Large Family Card; numerous initiatives of the local authorities in this area; increasing role of family companies **);**
2. **Increase in effectiveness of the activities limiting the scale of unemployment, especially among the young people** (reform of employment agencies, support for the starting businesses, vouchers for young, refund of the premiums under employment of the young unemployed, deduction of contributions of mandate contracts, flexible working hours, limitation of temporary employment agreements);
3. **The adoption by the Parliament of the Act on petitions**, which gives every citizen the possibility to submit a petition to be obligatorily examined by the competent office within the statutory time limit.
4. **Large hopes raise from the declarations of the new government** **on paying greater attention to the social issues** (announcement of construction of free legal assistance for people in a difficult financial situation; creating daily care homes, e.g. for people with Alzheimer's or Parkinson's disease as well as providing better access to cultural facilities for poor people).