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URBAN POLICY INNOVATIONS IN LOCAL WELFARE IN WARSAW, POLAND

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INTRODUCTION

Number of studies show that mechanisms of functioning of local communities are changing, that the traditional ways are more and more replaced by the new ones. Denters and Rose are asking: is it a move from local government to local governance? These authors claim, that

... beyond the uncertainties relating to the formal powers and fiscal capacities of local government, tendencies toward fragmentation of activity and responsibility also constitute a source of potential uncertainty. In large measure fragmentation is tied to the wave of New Public Management ... This development has taken a variety of forms, including everything from hiving off services and contracting out production to introducing contractmanagement and establishing municipal agencies or companies... (Denters and Rose 2005: 252).

In addition to these developments in the domain of the delivery of goods and services, new responsibilities have forced local governments to develop collaborative relationship with a variety of organizations of a local and regional character - public, private and quasi-private alike (Beck 1992). The traditional model of local democracy

has been based on a general, undifferentiated relations between the community of local citizens and an elected council. ... New relations are characterized by a higher degree of functional differentiation.... many of new participatory channels, moreover target particular groups. The emerging system is characterized by a differentiation of the represented and the complexity of their relations with institutions of local governance (Judge 1999: 121).

The goal of the report is to show to what extent the changes described above in Western Europe take place in Warsaw.

1.1. Warsaw: Historical and Political Background

The social problems of modern Warsaw are strongly associated with its past. The city infrastructure was destroyed in 75% at the end of the Second World War. The number of inhabitants dropped dramatically as a result of the war. Reconstruction of the city took place in the new, communist system. The new authorities decided to rebuild the city quickly. The act on expropriation, liquidation of private property of urban areas and the buildings that survived the war (on the basis of the so-called "Bierut's Decree") meant, in fact, that they were taken over by the state and managed in accordance with the new political, social and economic plans. New urban solutions often lacked any associations with the previous urban design. New residential buildings were constructed by the state and settled according to various schemes: the users often paid nothing or little. After the political transformation, in 1989, an attempt was made to restitute property in the city, which was aimed at returning real estate property to the pre-war owners or their successors, as well as at privatization of new buildings. This resulted in numerous problems, which are now influencing the situation of the city inhabitants and the perspectives for future development of the public and private infrastructure.

In its current form, the City of Warsaw was set up on October 27th, 2002 by the Act of March 15th, 2002 on the Structure of the Capital City of Warsaw. Warsaw is divided into eighteen units - districts of the Capital City of Warsaw, each represented by a district



Mayor, who holds executive power, and the District Council, which is the decision-making body. The President of the City of Warsaw holds executive power and is elected in general direct elections (since 2002). The President is responsible for the city's administration, administers the annual budget and the city's capital works and property, manages the city's day-to-day affairs and represents the city. Departments are one of the basic organizational units of the Capital City of Warsaw Municipal Office and its activities encompass the area of the entire City of Warsaw.

The President executes tasks determined by the Warsaw City Council, which is a legislative and decision-making body. The City Council sets local by-laws, passes budgets and audits their implementation, passes local spatial development plans, names streets and public squares, and decides about the erection of new monuments. The tasks of the Council of the Capital City of Warsaw are specified in Article 18 of the Act on Borough Self-Government and Article 12 of the Act on County Self-Government, as well as in the Structure of the Capital City of Warsaw Act. Among the main tasks of the City Council the most important are: approval of the statute of the City, appointment and dismissal of the treasurer of the city and the City Clerk, approval the city's budget, as well as examination of the report on its execution, granting (or withholding) the vote of approval for the President, and finally approval of the local spatial management plans. Most of the proposals that are brought before the City Council do not proceed there directly. They are first discussed by advisory committees, that also known as Council Committees. The City Council elects from among its members permanent committees and ad hoc committees for special purposes, determining its subject matter and personal composition. These Committees are made up of members of the City Council who specialize in a particular area of policy. In Warsaw there are eighteen of such committees, which usually meet circa twice a month and are mostly open to the public.

The Council of the Capital City of Warsaw is composed of 60 members, elected in general direct elections and representing main political parties (PO, PiS, SLD). Council members are elected every four years by residents of the City of Warsaw. The current composition of the Warsaw City Council was elected on November 21st, 2010. The Warsaw City Council of the 6th term (2010-2014) consists of 60 councilors from three committees: Civic Platform (PO, the ruling party at the national level, the centre-rightist party, 33 seats), Law and Justice (PiS, the rightist populist party, 17 seats), Democratic Left Alliance (SLD, the leftist party, which has its roots in post-communist circles, 10 seats). The current President of Warsaw is the representative of the Civic Platform Party (PO). The political situation in the city is changing after each term of office, which exerts strong impact on development of the municipal policy, including the social policy. In years 1998-2002, the Council was ruled by the coalition of PO-SLD. In years 2002-2004, it was the coalition of PiS-PO, and after it fell apart (2004-2006), the city was taken over by PiS and LPR. In years 2006-2010, the Council was taken over by PO on the basis of the programme-based agreement with SLD (LiD). In the present term of office (2010-2014), representatives of PO are the majority in the Council, while SLD and PiS represent the opposition. In some undertakings, PO cooperates with SLD, while the conflict between the two largest parties, PO and PiS, observed in the Polish parliament, is also present here.

Programme differences between individual parties in the City Council of Warsaw have been presented in the annex. These can be presented in short as follows:

 PO - a central-rightist liberal party, at present, as the ruling party, aiming at limiting the municipal budget expenditures and opting for verification of social

¹ http://www.radawarszawy.um.warszawa.pl/english/Strony/WarsawCityCouncil.aspx



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- privileges, often pointing out that social assistance is being used in a dishonest manner. A visibly pro-EU party.
- PiS a rightist, conservative, populist party, opposing PO, opting for increasing of the municipal budget expenditures for the social policy, in particular, for supporting of the traditionally defined family, promoting the national and patriotic values.
- SLD a leftist party, entering temporary coalitions with both PO and PiS, opting for increasing the expenditures and activity of the authorities to support the poorest and the needy, including families in a very broad sense (relationships of partners of the same sex, single parents), it represents liberalism of views. It also supports the EU very strongly.

1.2. Main Sources of Information on Local Welfare discourse

The debate analysis focused on local welfare in Warsaw was based on three main sources of data: protocols and legal acts from the City Council and its commissions; press articles; interviews with City Council members and civil servants, leaders or active employees of organizations and institutions representing WILCO target groups or working on WILCO areas of interest, local journalists, experts and other well informed observers. In case of the first data source two main types of documents were analysed: minutes and protocols of the discussions of the city council in Warsaw, including the specific commissions of the City Council on welfare, housing, family and education, years 2002-2012; relevant resolutions and ordinances discussed in the city council in Warsaw, years 2002-2012.

In addition, analysis included national and local press articles related to childcare, housing, unemployment, immigrants and other welfare issues in Warsaw during the years 2002-2012. The analysis covered articles in "Gazeta Wyborcza" (116 articles in total) and "Rzeczpospolita" (100 articles in total), which are two most important daily newspapers at the national and local level. The former is considered as liberal and more leftist, while the latter represents more conservative and rightist orientation. Apart from that, the analysis covered also 20 articles from "Gazeta Stołeczna" (local daily newspaper connected with "Gazeta Wyborcza", limited to Warsaw and its surroundings), 8 articles from "Życie Warszawy" (local daily newspaper in Warsaw, since 2011 connected with "Rzeczpospolita") and the content of "Mieszkaniec" (local biweekly newspaper distributed in one of the districts of Warsaw, no relevant articles were found). Apart from that, the analysis covered the contents of "Refugee.pl", monthly for refugees and other groups of foreigners in Poland issued by Polish Humanitarian Action, years 2006-2012.

The third data source constituted the interviews with City Council members from different political parties and commissions as well as with civil servants working in units or departments responsible for different fields of welfare policy. When choosing our respondents we took care of including representatives of all three political groups, although the majority of commissions' chairmen are from the ruling party. The report is based also on the interviews with the organizations and institutions, which represent one of three WILCO target groups or specify in WILCO areas of interest. Apart from that, we included the opinions of well informed observers, such as local journalists and experts on local welfare (for detailed information on the respondents please see the list of sources at the end of this document).

2. HOUSING

In Warsaw, we can distinguish three main debate topics concerning housing:



- Negative effects of reprivatisation and "Bierut's Decree";
- Access to social and communal housing;
- Lack of city's long-term and coherent housing policy and ineffective management of communal resources.

Main conflicts in here happen between the City Council, tenants represented by the Defence Committee of Tenants, and private tenement house owners. Another conflict is visible in the City Council between ruling party and the opposition. Below, we describe those three topics in greater detail.

2.1. Negative Effects of Reprivatisation and "Bierut's Decree"

One of the major important factors influencing the housing policy in Warsaw is the "Bierut's Decree" and its long-lasting effects. To efficiently rebuild Warsaw in the aftermath of the war, the authorities issued a legal act, which allowed for the ownership of the land within the city's administrative limits of 1939 to be taken over by the municipality, with ownership of the buildings to remain in the hands of their existing owners. Houses were at various dates taken under the so-called "state management of housing matters", introduced in 1946 and were subsequently made subject to the "special lease scheme", introduced in 1974 and the system of "controlled rent". Since the introduction of the Act of June 21st, 2001 on the protection of the rights of tenants, housing resources of municipalities and on amendments to the Civil Code (Act on protection of the rights of tenants, housing resources of the commune an amendment of the Civil Code, "the 2001 Act") the lease of flats in the privately owned houses has been governed by the provisions of that law, particularly with respect to rent increases, termination of leases, maintenance and repairs and succession to leases.

The Bierut's Decree was issued in 1945 and has remained in effect continuing to constitute the basis for determining former owners' rights. As the result of the political changes after 1989, former owners have gained opportunities of getting their properties back or receiving compensation from the city. Number of owners has decided to enter into court disputes using available legal measures and, with increasing frequency, win suits for the return of real property or for compensation. City as well as state budget has to guarantee the funds to compensate property owners' according to the current value of the building. This means that the big part of city budget is spent on compensations, adding to existing deficit.

Effects of Bierut's Decree are also visible in case of communal housing belonging to the city, because around one fourth of the city housing resources are located in the buildings that may be subject to reprivatisation. This means that the city prefers to withhold bigger investments in those buildings letting them fall into even bigger disrepair. Particularly difficult is the situation in Praga Północ - according to one of the council members,

...the municipal resources are very poor, mostly from the 19th and early 20th century, many buildings are subject to claims. Therefore, according to the act on public finances and proper management of finances, the city is not able to invest in these buildings. All we can do is the current repairs, just to make sure they do not fall apart. The door gets broken - we fix it, and if the door falls apart, we will replace it; the staircase can be painted, but it cannot be renovated. Thus, it is all decaying slowly, in fact.

² http://www.wbj.pl/article-42930-property-law.html



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Reprivatisation process also creates tensions between tenants and private tenement house owners. When former owners or their descendants regain their lost property the situation of the tenants usually change for worse, because private owner raises the rent. Many of the residents of these tenement houses are old people, who receive small pensions or welfare clients who can't afford rent rates introduced by the private owners. Reprivatisation of buildings with communal housing generates the biggest conflicts, because some private owners, after regaining their property try to exchange low rent paying clients of welfare system for income generating ones. Different methods of discouraging or getting rid of former inhabitants were described by the media.

In Warsaw, there are two organizations that deal with protection of tenant rights - the Committee for Protection of Tenants and the Warsaw Tenant Association (WSL). Both emerged as a result of protests of tenement house inhabitants, in which the owners raised the rent charges. Both follow the ideology of leftist radicals (of the Leftist Alternative and anarchists of the Polish Syndication Association), supporting and organizing protests of the inhabitants. The conflicts between tenant organizations and private owners became stronger after the burnt body of Jolanta Brzeska, a renowned activist and initiator of WSL, who had fought over an apartment with a tenant house owner, was found in Kabacki Wood. The prosecutor's office still has not closed the case of this death, but to the activists, the matter is clear: it was a murder. After her tragic death, the tenant organizations gained publicity, and she herself became an icon of struggle with the ruthless "cleaners of tenement houses".

The basic argument used by representatives of tenant and squat inhabitant groups against the present execution of art. 678 in the process of reprivatisation in Warsaw is as follows: return of real estate property located on the land plots nationalized as a result of Bierut's Decree takes place as a result of administrative proceedings, in which decisions on takeover of land plots are cancelled. As a result, the legal status of these land plots and real estate is treated as restoration of their condition of 50 years ago, and not as transfer by the public authorities of land plots or real estate held by the public authorities. Representatives of tenant associations argue that if the city had rented apartments in buildings that did not belong to it, and the tenants are bound by the municipal lease agreements, the city should provide them with alternative apartments, just like in the case of sale of buildings.

The other side of the conflict is represented by the Polish Union of Property Owners, which argues that the authorities of Warsaw are blocking the return of real estate property taken away from the owners on the basis of Bierut's Decree (for 16 years, about 2000 facilities were returned to their rightful owners, while the owners of another 400 received a compensation), also indicates the need to raise the rent rates in the regained buildings as they are not profitable.

Summing up, the conflict has emerged between the private owners of the returned facilities, who want to make profit off them, and the inhabitants, who, as a result of the change of the owner, are forced to pay higher rent or to exchange their apartments. The situation is all the more difficult due to the fact that in many cases, these are persons or families, who have lived in these buildings for many years and they consider themselves to be the rightful owners of the real estate. The conflict is aggravated by extreme cases described by the press, when private owners use dramatic means to get rid of unwanted tenants (cutting off facilities, intimidation). The third party to the conflict is the city, which, in the opinion of the tenants, is obliged to protect their rights and does too little in this regard. On the other hand, the owners blame the city for insufficient respect for their rights to ownership and earning fair profit on the regained property. At the City Council, there is a conflict between the pro-market views of the ruling party and the pro-social



ones of the opposition. The ruling party is attempting to find the budget funds for compensations, limiting investment in renovations of private buildings that could potentially be regained by their private owners. The opposition lobbies for greater expenditures for renovations and stronger protection of tenants of the regained buildings.

2.2. Access to Social and Municipal Housing

The main problems in terms of access to municipal apartments in Warsaw in the recent years have been rising of rent rates and the criteria of granting access to these apartments. At present, the city council is discussing the possibility of introduction of verification of rights to a municipal apartment by introduction of temporary lease agreements in place of the present unlimited period agreements. Lack of possibility to verify whether the lessee still meets the income criteria after several years results, in the opinion of the authorities, in misappropriation of the municipal housing resources, since some of the tenants could afford to rent an apartment at market prices (in particular, those, who have acquired apartments through inheritance). This situation has been described by one of the council members:

There are various tenants. Some are poor and hones; some are the so-called dossers; others have legally inherited these apartments, their financial condition is very good and they still live there, paying the municipal rent.... in fact, they could afford to pay the normal market rates. The city pays the additional.... 35% of its revenues for the housing resources. The rest is covered by the budget.

Reforms aimed at verification of the right to municipal housing, however, can be introduced only by the central authorities. An appropriate draft resolution has been prepared; however, it is difficult to state whether and when it could be passed.

Within the framework of the available legal instruments, the municipal authorities have been introducing laws for several years to reduce the burden on the state budget due to additional payments for municipal housing. One of these was freeing of rent rates, allowing for rising of the rent rate from 2 PLN to 6 PLN per m². In the future, the maximum rate is to be between PLN 14 and 20 per m², while the market prices, depending on the district, are at about 30 PLN per m². Along with introduction of the rent raise, a system of reduced rates and additional payments is to be introduced, depending on the household income and the social standing of the tenants. Thus, the city authorities gained some opportunity to partially verify the right to apartments, since persons, who wanted to apply for a rent reduction, had to present valid documents. The office workers indicated that only a small part of municipal tenants applied for such reductions, which, in their opinion, confirms the suspicion that most tenants are able to afford higher rents as they fail to meet the income criterion.

Owners of real estate property (represented by PUWN) lobbied for freeing of the rates and for transferring of renovation costs from the owner to the lessee. It was underlined that it was necessary to impose stricter regulations regarding overdue rent payments, arguing that "this was not a problem of the poor, as rent is most often unpaid by crafty fellows, well aware of their impunity" (PUWN). Poor tenants are able to take advantage of state support (housing benefits, rate reductions, division of overdue payments into instalments).

This issues were raised by the ruling Civic Platform, which argued that the former rents were insufficient for maintenance of city housing and that the rights for city flats are often abused and don't serve the social justice. These arguments were opposed by the



councillors from Law and Justice (PiS). This situation reflects the political opposition at the national level.

Another change in terms of access to apartments is limiting of the possibility of buyout of municipal apartments. The Council of Warsaw has decided to reduce, starting from year 2013, the discounts for lessees buying out municipal apartments from 90% to 50% (after 10 years of lease). The resolution also introduces limitations for lessees, who want to buy out a municipal apartment: the premises cannot be sold to a person, who is receiving a housing benefit or has overdue payments for more than six months or is entitled to other premises or is an owner of land. Only after five years from, for instance, sale of land or repayment of debt the lessee will be able to buy the apartment. The regulations introduced are to limit reduction of the municipal resources of the city, and to eliminate speculations. The possibility of buying out a municipal apartment for 10% of its value after 10 years led to a situation, in which these apartments were often purchased and then sold with substantial profits.

Withdrawal of 90% discounts has caused a conflict between the council members representing PO and PiS, who argue that it is more beneficial for the city and for its inhabitants to sell the municipal apartments to their long-term lessees at low rates. As one of the council members said:

the city finds it difficult to maintain these apartments... it has to put more and more money in it, and thus it is all becoming a vicious circle, it all costs more and more and there is no way out of it. There was a concept during this term of office of 2002-2006 to let the families, who can afford it, buy these apartments at substantial discounts and start taking care of them... there was a possibility of inheriting them, and, in general, expropriation of those apartments, which should have been acquired by these people a long time ago. On the other hand, last year, the city council passed a resolution, thanks to votes of the Civic Platform, that the discount would be lower, as the maximum rate would be 50%.

According to PiS, withdrawal of the existing discounts leads to a situation, in which people will no longer be able to afford the buyout of these apartments, and the city will remain a "tenement house owner", which will strengthen the claim-based attitude of "I got an apartment from the city, I'm paying, they have to renovate it for me, heat it for me, renovate the staircase and so on, and I'm just paying - or not paying". According to PiS, the city does not need such extensive (and costly) municipal housing resources (PiS cites the number of 98 thousand apartments, while the officers refer to 85 thousand). The opposition states that the main reason for maintenance of such ineffective system is that "...to end this situation would be associated with excessive political costs, since the units administering the resources (Real Estate Management Offices) consist of an enormous number of party members."

Objections have been raised against the municipal authorities, suggesting that the Real Estate Management Offices were a political institution, excessively developed, uncontrolled and non-transparent. Moreover, the institution has substantial power, which it abuses. The city authorities are also being criticized for

not doing much to counteract homelessness. There is no rotation of these [municipal housing] apartments, meaning that if anyone's situation improves, the lease agreement is not terminated, and such person keeps taking advantage of preferential conditions, and the queue of persons, who are the most needy ones, is not getting



shorter at all.... Municipal housing apartments are beyond any control.

This issue, as it has been underlined by our respondents, however, must be solved by the state-level legislation.

2.3. Lack of City Housing Policy and Ineffective Management of Municipal Housing Stock

In year 2008, the City Council voted for the Long-term programme for management of housing resources of the capital city of Warsaw for years 2008-2012. The programme was proposed by the ruling party and it was a long-awaited document of strategic significance for the housing policy (Warsaw was the only large city without such programme). The programme states that funds gathered from rents will be used for maintenance and improvement of the technical condition of the housing resources. At the same time, detailed and uniform regulations have been introduced for establishment of rent rates for lease of municipal apartments, while earlier, there had been 12 resolutions passed by individual communes. For the first time in Warsaw, discount of rents would be dependent on the income earned. Three income thresholds would allow the lessee to reduce the rent rate even by 60%. Assistance would be granted to those lessees, who need it most. The city authorities argued that adjustment of municipal housing rents would result in higher housing benefits, which are payable both for municipal and cooperative or owned apartments. It was also pointed out that the financial assistance system for lessees in form of a housing benefit and a discount, in practice, may allow those, who have low income, to pay less in the future. The opposition (PiS) pointed out that the resolution would result in rent raises for about 400 thousand inhabitants, which would be against the interest of a large group. It was also questioned whether the money gathered in this way would really be used for implementation of the housing policy.

At the same time, starting from year 2008, programme of construction of new municipal housing apartments was introduced; it is aimed at construction of 2.5 thousand such apartments in the coming years.³ As for this investment, all representatives of the local political milieu presented the same views. However, as one of the council members said,

no matter how much you put in, there's always too little. At presence, since the beginning of the term of office of the current president in 2006, a new municipal housing programme has been implemented, new apartments are being built. Brand new. And several thousand new apartments have been provided. But, in fact, this is a very small percentage of what is needed.

Another discourse pertains to ineffective use of the municipal housing resources. Representatives of tenant movements make claims against the city in this regard, pointing to the growing number of buildings that require renovation, as well as threatened demolition due to lack of investment by the city. The issue of vacant buildings and apartments is also being raised, as they could be used to shorten the queue of those waiting for apartments. It has been estimated that there are 6500 vacant apartments in Warsaw, 2200 apartments in buildings in a bad technical condition and 4300 in vacant buildings in a good condition - out of these, 2400 could be inhabited, but only 500 have been designated for inhabitants; 1250 are vacant due to claims concerning buildings, in which they are located, while 600 are excluded due to technical reasons.

Within the framework of changes in the housing policy of the city, in April 2012, a Common Team for Solving of Social Problems in the Field of Housing, Reprivatisation and Counteracting Homelessness and Social Exclusion was established in the capital city of

³ http://prawo.rp.pl/artykul/770526.html



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Warsaw, with representatives of the city and social groups and NGOs. The Team deals with issues of real estate management, including the municipal housing resources of the city of Warsaw, housing construction, including social housing construction (Housing Building Society), reprivatisation and its social effects, counteracting of social exclusion due to loss of apartment, management of vacant buildings in the capital city of Warsaw and building and developing of new forms of dialogue between the local communities in the capital city of Warsaw and the city authorities. The Team is aimed at proposing new initiatives and providing advisory services. Although the fact that it has been established has been received positively by all parties to the process, our interlocutors have pointed out that the mere creation of the Team does not mean that it truly has a say in creation of the policy (see also WP5 report on social innovations in Warsaw).

3. EMPLOYMENT

Main City Council debates in the area of employment concerns the implementation of the projects preventing unemployment and financed with the EU funds. There seem to be no controversy around city involvement in this type of projects. The main problems and discourse themes on the employment policy in Warsaw include:

- Discrepancy between education and skills of young people who enter the local labour market, and the needs and expectations of employers;
- The grey market and instrumental treatment of the unemployed status.

According to the analyses and interviews conducted, the issue of employment is rarely discussed by the Council of Warsaw - these issues are rather left to the District Council of Employment. The Council of Employment is a referral and advisory institution of the President of the Capital City of Warsaw. Its basic task is to inspire undertakings aimed at full and productive employment and to file applications and issue opinions on matters associated with education, occupational education and employment. The council consists of the local representatives of union organizations, employer organizations, social and occupational farmer organizations, local authorities and NGOs that deal with issues of the labour market in accordance with their statutes.

In the last decade, the local press has also failed to engage in long-term discourse on situation of the unemployed or employment problems. The articles published usually report the increase or decrease of unemployment rates among young people and those aged 45 or more and the increasing remuneration levels in Warsaw. It should be underlined that the unemployment rate in Warsaw is the lowest in Poland, while salaries are much higher, which is accompanied by substantially higher costs of living as well. Authors of many articles write about the programmes of various foundations or projects carried out by state institutions and supported by EU funds, most of these aimed at professional activation of young people, women, mothers or the elderly. There are also numerous reports of manifestations and strikes of employees or trade groups, which, although they often concern the local labour market directly, are usually organized in Warsaw.

Lack of a broader discourse on the employment policy is, on one hand, a result of the specific characteristics of the local labour market. Warsaw is commonly regarded as a place, where everyone can find employment. On the other hand, tasks associated with employment are dealt with mainly by the Labour Office of the Capital City of Warsaw. As one of the council members said:

The policy to support increasing employment rates - in fact, there is no such thing in Warsaw.... the unemployment rate is the lowest



in Poland, anyway, but still, if it's the lowest, the dynamics of employment, among those, who are searching for jobs or changing jobs, it is the highest... it is like this: a large city like this one has to deal with very different problem, while unemployment and the employment support policy are left at the general level. And I think this is the right thing to do.

3.1. Discrepancy between Education Skills of Young People and Needs of Employers

According to employment agencies in Warsaw, one of the major problems is the discrepancy between education and skills of young people who enter the local labour market, and the needs and expectations of employers (the example of students' job fair in Warsaw). In year 2008, the Labour Office commenced implementation of a research project, co-financed by the ESF, and aimed at obtaining complex, current information and forecasts for the labour market of Warsaw. Until then, carrying out tasks in the field of promotion of employment, the Labour Office had encountered problems associated with lack of complex data and forecasts for the local labour market. Attempts were made to obtain information on the causes of unemployment of persons at work age, actively searching for jobs, and to facilitate forecasts on demand for occupations and qualifications on the local labour market.

Data gathered during the research project clearly prove the high demands presented by the Warsaw labour market. The local enterprises often look for employees with high qualifications, specialists in fields that require university education, persons able to develop concepts on their own, with extensive experience. Apart from that, there is demand for qualified workers representing various occupations with secondary or secondary-technical education. The demand for employees with low qualifications, able to perform simple works, requiring no special skills, is visibly diminishing. As a result, general education - lack of specific trade specialization - makes it difficult to find a job in Warsaw. It was also found that apart from education and experience, a significant factor that determines employment is age - in the examined group, 50% were persons aged 45 or older, who pointed to age as being the main reason for their inability to get a job. This has been confirmed by reports of persons searching for jobs, admitting that age could be decisive for rejection of a candidate - the employers are dedicated to a certain "cult of youth", which is not advantageous for the middle aged and the elderly. Among the youngest persons (aged 24 or less), the percentage of those, who have never worked, is very high - this group, on the other hand, feels that their lack of experience makes them less attractive in the eyes of the employers.

In other words, the key problem of the labour market of Warsaw, according to the Labour Office, is high inadequacy of supply and demand on this market. Warsaw labour services have been attempting to solve this problem through education and training, as well as internship programmes, in cooperation with employers. It is not possible to provide all those searching for jobs with university education in fields most demanded by the local market. The Labour Office does its best to implement its tasks in cooperation with various partners - NGOs, the education office, and the European funds office and employer organizations. The Labour Office is also satisfied with cooperation with hotels and restaurants.

One of the most significant initiatives is the education reform, which has been conducted in Warsaw in the recent years, particularly vocational education, which has been

⁴ Report on the research project "Complex information and forecast for the labor market of Warsaw", Labor Office of the Capital City of Warsaw 2009.



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diminishing as a result of the state policy. Warsaw has been restoring the base of its vocational and technical schools. The partners here are employers, who participate in development of the school curricula to make sure they educate future employees in accordance with the profile of demand.

A significant document in the context of the labour policy is the Social Problem Solving Strategy for years 2009-2020, adapted in 2008. The strategy is based on several operational programmes, encompassing, in fact, all fields of life of the inhabitants; the labour market has been associated with education and entrepreneurship within the framework of the Operational Programme "Development, activity, independence" and "Monitoring of employee dismissals". The first programme is aimed at increasing the dynamics of creation of jobs using the potential of non-public (private and community) enterprises of Warsaw in creation of a friendly work environment. The programme is aimed at creation of employment opportunities for the youth, activation of the recipients and improvement of functioning of the supporting structures.

For 8 years, the Labour Office has been organizing the so-called Labour and entrepreneurship trade fair, enjoying great interest of occupational advisors. People mostly young people - need specific assistance when searching for their place in the field of employment and in earning the simple social competences, such as the ability to work in a group, self-assessment, ability to share knowledge and information. A problem, which has been observed in this regard, is the low effectiveness of the Labour Office in finding jobs for those registered as unemployed. A representative of the Professional Development Office, however, has pointed out the fact that the capabilities of the LO are limited by statutory provisions and availability of the funds. Implementation of tasks is hindered by the fact that money in the Labour Fund has been frozen this year, which resulted in a decrease in the number of beneficiaries of activation tasks. The insufficient budget of the LO is supported by the ESF project funds. After all, despite the efforts and money put into activation, there is always a certain group of the long-term unemployed, which "spoils the statistics" of the Office. According to the representative of the Professional Development Office, "there are persons in our register, who are the long-term unemployed, not entitled to benefits and those, who are really difficult to activate. In this regard, the Office can really do very little."

3.2. The Grey Market and the Instrumental Approach to Unemployment

It was pointed out that among the clients of the Labour Office of the Capital City of Warsaw, there were many persons, who are not really searching for jobs and are only aimed at obtaining benefits from the broadly understood social assistance system. This is due to the fact that registration as an unemployed person provides access to various social assistance benefits. On the other hand, there is a large group of people in Warsaw searching for jobs, who do not get registered at the office (grey market). Job offers delivered to the Office constitute only a small percentage of the labour demand of the capital city, as most companies are more eager to take advantage of their specialized departments or services of headhunting companies. According to a representative of the Labour Office: "We often talk to people, who work on the grey market, and they simply say that it is convenient for them, they get more money this way, because some components of their remuneration are not being deducted."

This situation is mainly due to the high costs of labour, associated with the fact that employers are obliged to pay social insurance premiums for their employees. The second reason for functioning of the grey market is willingness to take further advantage of the unemployed or retired person status, while working. A similar opinion was expressed by the representative of the Professional Development Office:



There are some people, who have never worked and who will never go to work. For instance, some of those registered as unemployed at the Labour Office -they are there only to get health insurance. And I think everyone knows perfectly well already that the offices act as agents, while they should develop mostly the active forms of counteracting unemployment, but, if at the same time they are the registration officers acting on the basis of specific rules and privileges, this also looks different.

The registered unemployment rate in Warsaw is only 4.1%, and some of the registered persons, according to our interviewee, should not be registered at the office at all - at first, they should get social assistance to become ready to work (particularly in the case of those, who require addiction treatment). Since registration at the office automatically provides a number of social assistance benefits (money, coupons, insurance), many persons get registered even though they are not searching for a job. According to the Labor Office representative,

...this is all mixed up, there are several titles for payment of these transfers, but the easiest way is to force them to register at the labour office. The same applies to health insurance. This is why the grey market is growing so beautifully - some of these people are registered at the office, because this gives them health insurance, and they work. And it's all beautiful, and everybody's happy. Except us, because we have three times more people to take care of, and we are unable to take care of those, who really need our assistance.

Cooperation with the Ministry of Labour and Social Policy is going well, since it has realized the scale of the grey market and inadequacy of the data on unemployment. As a result, it is possible to reach systemic solutions in cooperation between the local and the central level.

The Labour Office representative also underlined that another problem is that occupational activation is perceived from the perspective of social assistance. The fact that those, who have worked and lost their jobs (that is, clients of the LO) are not differentiated from social assistance clients, results in viewing the unemployed as being "lazy drunkards, beneficiaries of social benefits". This hinders the cooperation between the office and employers, as well as those employees, who, wanting to avoid stigmatization, are unwilling to take advantage of support offered by the office.

Therefore, it was perceived as a positive change, when, in September 2012, the Labour Office fell under the jurisdiction of the office of European Funds and business activity projects, and not - like previously - the social assistance office. According to our interviewee, "we are finally a part of the place, which shapes the image of an open city, a creative city, a city, which cooperates with investors... we have finally won the opportunity to be in the centre, to know, what is going on, and who will be here 5 years from now".

4. CHILDCARE

In the light of interviews conducted with members of the city council of Warsaw, key problems encountered in terms of childcare for kindergarten age children include:

Insufficient number of places in kindergartens in relation to the demand;



- Differences in the number of places and kindergartens in various parts of the city;
- Insufficient number of places in nurseries in relation to the demand.

Insufficiencies are observed mostly at public kindergartens in the dynamically developing districts further away from the downtown, which are the preferred place of residence for young families with children due to lower apartment costs (Białołęka, Ursus, Wawer). The same problem is encountered at new housing settlements, often of a relatively high standard, which lack the basic components of the social infrastructure (e.g. Wilanów). This problem has been considered by the council members as significant and it is often discussed during their meetings. The topic offers great potential for building of political capital. In the case of nurseries, the discrepancy between demand and supply is even greater than in the case of kindergartens. At the same time, the problem of institutional care of children aged 0 to 2 is treated more carefully by the local politicians, as it is associated with more varied social reactions - the view that a child at this age should spend time with the mother is still rather popular in Poland. During the council meetings, problems indicated by NGOs, such as design barriers, designing of urban space in a manner that hinders movement for baby carriages (MaMa Foundation) are not discussed.

Most often, the local press refers to such topics as rising of charges for nurseries, change of the system payment for kindergartens or liquidation of school cafeterias. A problem, which is discussed regularly, is the insufficient number of places in the public nurseries and kindergartens in the capital city. Other issues include: kindergarten attendance obligation for 5-year-olds (since September 1st, 2011), lowering of school age to 6, entrusting catering for children to external companies, which is more expensive than school cafeterias, currently being liquidated.

The city council is of the opinion that the childcare problems in Warsaw can be solved by:

- Building new public kindergartens;
- Entrusting childcare services to private entities;
- Childcare implemented by public-private partnerships.

Since 2007, 6 new public kindergartens have been established in Warsaw, but this number is far from covering the growing demand. In the district of Targówek, the so-called "module-based kindergartens" have been built, using the cheap container structures, which can be built quickly (this solution is widely applied in Scandinavian countries). So far, the city has not made the decision to build a greater number of these, as it has not been confirmed that the solution will bring the expected savings. A cheaper and more flexible solution is to "buy out" non-public nursery and kindergarten places, which the parents can use in the same way (in terms of recruitment and charges) as the public facilities. Such solution has been applied in the district of Bemowo. Another concept is to implement public-private partnerships, which would run childcare institutions. Also, the city organizes a contest to grant subsidies to NGOs to maintain kindergarten facilities, which offer childcare according to more flexible rules, that is, the parents may leave the children there only on specific days; some of these also operate on Saturdays.

The expected solution of childcare problems related to children aged 3 or less has not been brought by the so-called "nurseries act", which has been in force since 4.04.2011. It allows the local authorities to finance the services of the so-called day care workers, who provide childcare services for groups of children in their own apartments. In Warsaw, the remuneration offered for such persons turned out to be too low, in particular, due to the necessity to provide the appropriate conditions for the children. Another issue of importance was the culture-based unwillingness of the Poles to entrust their children to strangers.



4.1. THE Change of the Charging system in Public Kindergartens

Since September 1st, 2011, the system of fees charged for public kindergarten services has been changed. Five hours of the child's stay at the kindergarten (8.00-13.00) is financed by the local authorities, while the parents pay for the additional hours. The provisions have turned out to be highly controversial, among other things, due to the need to calculate the number of hours spent by children at the kindergartens and the fees charged for the additional hours, as the statutory body has left the decision concerning the fee amounts to local authorities. The first proposal of fees for additional kindergarten hours, proposed by the ruling Civic Platform (PO) was rejected by the opposition parties (Democratic Left Alliance - SLD and Law and Justice - PiS) and the parents themselves. As a result, the city council passed a resolution on introduction of a fee lower than planned. In the opinion of one of the council members, it should be taken into account that the change was introduced in the year of the parliamentary election:

...this was last year, the year of the parliamentary election. It was like this: we adopted some rules for payment for kindergartens, and then there were protests of the parents; as a result, the prime minister met with the mayor, in public, and the mayor filed a draft resolution for lowering of the kindergarten fees. And we passed it (5_RW).

In the opinion of council members representing the ruling party and the office workers, the new kindergarten fee system is beneficial to those parents, who pick up their children early and thus deal with very low costs. Thus, the city budget receives much less money. At the same time, the system encourages the parents to seek informal childcare:

As a result, even though we raised the fee for the parents theoretically, everyone knows that the children fall ill so often, that, when 20% are absent, the rate is, in fact lower, or it is only insignificantly higher... The parents started to pick up their children early, and we could wonder whether this is a good thing or a bad thing (4_RW).

The change in the fees for use of kindergartens was widely commented upon by the local press. In the local addition to "Rzeczpospolita", issued in Warsaw, the journalists wrote of a "political tender", as PiS and SLD made alternative proposals for lowering of the fees. All local newspapers published calculations of the costs borne by the parents before and after the changes. "Gazeta Wyborcza", a little more often, mentioned also the costs of changes for the city.

4.2. The Rise of Fees in Public Nurseries

During the city council meetings of 2011, rising of fees for public nurseries was discussed, which was a project of the ruling party (PO). Counterarguments provided by the opposition (SLD, PiS) were as follows: lack of implementation of a pro-family policy, dramatic raises would strengthen the negative demographic trends in Warsaw, weakening of occupational activity. SLD and PiS made amendments to the draft resolution on fee reduction for families with many children or families, in which more than one child attends a kindergarten and/or a nursery (rejected by the city mayor). At some point, the council members representing SLD also proposed free childcare at nurseries for all parents. The main argument of Civic Platform was that higher charges would contribute to creation of a greater number of additional places in public nurseries: "The problem here, with the nurseries, was the one of priority, whether we would offer greater subsidies for children that are already at the nurseries or considering subsidies for greater number of people. That's the dilemma" (5_RW).



Raising fees for nurseries for children has been opposed by the parents of small children, who established the "Voice of the Parents" Association. Representatives of the organization spoke during the city council meetings. The chairwoman of the Association offered cooperation to the council members representing the opposition, who criticized the raises in nursery fees. The only response came from PiS, resulting in emergence of a "coalition" based on exchange of benefits. The Association received from PiS contact information of a lawyer, who assisted them in development of a claim against the city⁵. PiS aimed at convening an extraordinary meeting of the city council, dedicated only to nurseries (the meeting was not held as it was boycotted by council members representing PO). The "Voice of the Parents" Association, on the other hand, got involved in gathering signatures for a referendum proposed by PiS, including the issue of nursery charges (finally, it was not conducted). Activity of the "Voice of the Parents" Association is supported by the "Spokesman for the Parents" Association and Foundation, which initiated the action "Save the Little Ones" (a protest against schooling obligation for 6-year-olds). A representative of the "Voice of the Parents" Association has supported the arguments of PO on the necessity to create new nurseries; however, she opposes the idea of raising the fees. In her opinion, this would could be achieved thanks to better management of the city budget, e.g. by limiting expenses for improvement of the appearance of social space. In the light of the statements of this respondent, the ruling party - PO - in particular, the female council members, hold very conservative views of the issue of childcare:

So, there's the difference of view, I mean, there has been some lobbying, quoted by PiS council members, in fact. Lobbying by members representing the Civic Platform, especially the ladies, who said that in general... nurseries are bad, they hurt the children. A mother stays at home with the child. Yes. So, in this party, which calls itself modern, there were views like that... (1_NGO).

4.3. Other Debates on Childcare in Warsaw

By the decision of the government, starting from September 1st, 2011, all 6-year-olds in Poland were to be subjected to school duty, that is, to start their school education one year earlier than previously. This decision resulted in some strong social opposition; it was discussed very broadly in the local and national press. As a result, at present, it is up to the parents to decide whether the child would go to school at the age of 6 or 7, while 6-year-olds will be subjected to school duty starting from 2014. The problem was discussed at the city council level, as the local authorities were to be responsible for preparation of the schools for admittance of 6-year-olds. In the light of statements of the respondents, the school duty for six-year-olds may contribute to increasing of the number of places in kindergartens for younger children. At the same time, delaying of the decision on introduction of this obligation is due to the strategy of the government, which wants to delay the financing of 6-year-old education from the central budget. Subsidies for school students are provided by the state budget, while the local authorities pay for kindergarten education.

Of course, in reality, it was never about the fact that the schools were ill prepared, but, when children go to school, they receive a subsidy from the

⁵ According to the ruling of the provincial court, obtained by the Association, the parents were only obliged to pay for the actual stay of children at the nursery. The city council appealed to the Supreme Administrative Court - if the ruling on behalf of the parents is sustained, they will be able to claim return of costs paid to the city despite the absence of the child from the nursery.



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state budget, and when they are in the kindergarten, the local authorities must provide financing. This is what it's all about, I mean, the budget situation, at the local level and at the state level is far from perfect, and, in fact, it was easier to do it like this - just shift the reform, especially because some people were opposing it. (5_RW)

Another discussion was held on the definition of a family with many children. This was held at the level of the city council in the context of works on the so-called Family Card, consisting of reductions and discounts for families with many children, e.g. for municipal transport, recreation, sports and culture. PiS supported the definition of a family having many children as a family with at least three children, PO, on the other hand, supported the version of "at least four children". The arguments of PiS were associated with encouraging people to have more children, while PO referred to the limited financing abilities of the city budget.

In year 2012, social interest focused also on the decision of the city council on privatization of school cafeterias. This was associated with protests of the parents of school children and cafeteria employees (the cooks established a trade union), supported by the Democratic Association of Students. The initiative was taken by the ruling party -PO - and it was heavily criticized by council members representing the opposition (PiS and SLD). They pointed out that the consequences of this decision would be transferred to the children, as meals prepared by catering companies would definitely be higher. PO used the counterargument of supporting the children from the poorest families within the framework of education scholarships, including school catering. In the light of press articles, the issue of privatization of school cafeterias could lead to a temporary alliance between PiS council members and those representing the Movement of Palikot, a new leftist-liberal party created for the purpose of the last year's parliamentary election (represented in the lower house of the Polish Parliament, but not in the city council of Warsaw). According to "Gazeta Wyborcza" of April 5th, 2011, the council members representing PiS and Palikot's Movement wanted to convene an extraordinary meeting of the city council dedicated to school cafeterias, but it was boycotted by the PO representatives on the council.

4.4. Overall Orientations on Childcare

In the light of statements of interviewed city council members and the civil servants, the ruling party (PO) and the opposition (PiS, SLD) support a certain compromise with regard to the significance of institutional childcare, primarily the necessity to increase the number of places in nurseries and kindergartens. Such is the sense of political discourse during the council meetings:

There is no such thing like, as you could suppose, for instance, the rightists say that nursery care should be limited, because the mother should, and the family, and so on. There is rather a dominant view that development of these social policy institutions is equivalent to supporting the family, that there should be more nurseries and kindergartens, and everyone agrees to this. (5_RW)

At the same time, the opposition (PiS and SLD) usually opposes any changes proposed by PO, particularly when these are associated with great social interest. The absolute majority of PO in the city council contributes to radicalizing of views of the opposition, which are becoming increasingly populist. The ruling party applies solutions associated with privatization of public services or raising of costs of these services, which are subject to decisions of the city council. Such stance has been heavily criticized by a female representative of the "Voice of the Parents" Association:



Those, who... Well, I don't know, who are somehow unwilling to care about the problems of ordinary people. They do not care; they would privatize everything, if they could. I mean, really, as if there was nothing to talk about at all... I got the impression that they lived in a different world, judging by what they were saying. Like, you know, "people, you can afford this, you don't know it yet, but you can surely afford it". (1_NGO)

In this context, the opposition, particularly the rightist PiS, is perceived as relatively more willing to support families:

The right wing, regardless of whether it's in the city council or the parliament, of course, is of the opinion that the family should be supported, but in practice, it all depends. It is true that this topic, or the problem of demographic decline, but also of family support, is present there. But these wings or fractions, the leftist wings are always more sensitive to social needs, while the ruling parties, in this case, PO, they are a neoliberal party and to them, the social care issues of the issues of supporting these groups, which are weaker economically, are of lesser importance (2_NGO).

At the same time, in the light of statements of respondents from organizations representing the parents ("Voice of the Parents", MaMa Foundation), the pro-family policy is actually not a priority to any of the parties in the city council. There is no such thing as a systemic pro-family policy in Warsaw, since the decisions in this regard are made as they emerge, and the activities undertaken depend on the individual views of local actors in different parts of the city:

Well, they do not fully realize that the pro-family policy is something very important, so, I think, there is no such movement, no such priority, when it comes to kindergartens, there's still a lot of pressure exerted, let's say, to get it done. And the nurseries are treated as something that's not even necessary, a burden that we have to put up with. (1_NGO)

...despite the fake activity of the local authorities, such as the "Family" Programme, it is not implemented in any way, and the single actions on behalf of the parents and the children, but also the elderly to be taken care of - these are ideas that are implemented, depending on whether the mayor is sensitive, and there is no coherent programme, which would be implemented in all eighteen districts. (2_NGO)

5. MIGRANTS

The situation of immigrants in Warsaw was not discussed during the city council or commission meetings as a separate problem in years 2002-2012. According to the council members, this is due to a relatively small population of migrants in Poland in comparison with Western Europe. Moreover, immigrants from third countries, who do not have Polish citizenship, do not have the voting rights, and thus politicians show little interest in this group.

Immigrants as a group, however, are recipients of activities undertaken by the local public administration and its subordinate institutions. The Office for Education of the Capital City of Warsaw implements projects in the field of integration of children at Polish schools, often cooperating with NGOs that deal with migrants. The city authorities help the



immigrants to solve housing problems, although to a very limited extent. A special category of immigrants - refugees and foreigners, who have been granted complementary protection, are the only groups in Poland authorized to systemic integration support. It is provided by the Family Support Centre of Warsaw (the details are explained later on). A recent common initiative of the City Hall and NGOs associating or supporting migrants in Warsaw is the Multicultural Centre of Warsaw (2011). Also, on the initiative of the President of the City, within the framework of the local public administration institutions, a Team for coordination of activities on behalf of foreigners, national and ethnic minorities has been established, consisting, among others, of representatives of various departments of the City Hall, Warsaw Labour Office and Warsaw Family Support Centre. However, a much broader activity on behalf of immigrants is conducted by NGOs associating or supporting foreigners (e.g. Foundation for Development Beyond Borders, Legal Intervention Association).

In the local press, the problems of immigrants have emerged sporadically, in most cases, in the context of specific events (functioning of the Bazaar at the Stadium of the Decade in Warsaw, Vietnamese restaurants). Problems of a multicultural society and integration of foreigners in Warsaw were most often discussed by the liberal "Gazeta Wyborcza" daily. In October and November 2012, there were protests and hunger strikes of foreigners staying at the Polish refugee centres. The protesters pointed to the conditions of stay at these centres as much similar to prisons, lack of interpreters and adequate medical and psychological care. These problems were described by "Gazeta Wyborcza". The only politician to support the protesters was the Vice Marshal of the Lower House of the Polish Parliament and an active member of women's organizations, Wanda Nowicka of Palikot's Movement (a new political party established before the parliamentary election of year 2011, associating those with leftist-liberal views). At the same time, problems encountered by refugee centres had been reported for some time by NGOs. The counterarguments that emerge in this context pertain to the fact that Poland is treated as a transit country by refugees traveling further to Western Europe. The Polish Humanitarian Action is the publisher of the "Refugee.pl" monthly for refugees and other groups of immigrants in Poland. Topics that are most often discussed include employment (information on the functioning of the Polish labour market, the consequences of illegal work, forms of defence against dishonest employers), housing problems and issues associated with legalization of stay in Poland.

In the light of the statements of respondents (representatives of local institutions and NGOs acting on behalf of immigrants), the most significant problems encountered by immigrants in Warsaw pertain to housing, employment, legalization of stay and integration (language, cultural differences), as well as care, in particular, school education for foreign children.

5.1. Housing Problems

Finding of a relatively long-term place for residence is a prerequisite for successful adaptation of an immigrant. Even the process of legalization of stay requires a permanent residence address and an agreement for lease of an apartment. The Poles are rather unwilling to rent apartments to immigrants. They are perceived as risky lessees, who could, for instance, leave unexpectedly etc. due to problems with extending their residence permit, or they may fail to pay the charges, since they earn little money and their jobs are often uncertain.

Only certain groups of foreigners may apply for housing support, such as housing benefits, social or municipal housing: immigrants - citizens of Poland, persons, who have been granted permanent residence permit, as well as refugees and foreigners subject to



subsidiary protection (or awaiting a decision in this regard). On the initiative of the Warsaw Family Support Centre, since 2002, the municipal authorities have been designated 5 city apartments per year for lease for migrants. Applications can be filed by refugees or persons subject to subsidiary protection, those, who have completed their individual integration programme, those facing financial and material difficulties and those, who have lived in Warsaw and who associate their future with the city. The number of applications filed is usually between 50 and 80. This solution has been partly based on the experience of the Polish Humanitarian Action, which, within the framework of a programme financed by the EU funds, rented apartments in Warsaw on the free markets on behalf of immigrants. The foreigners would sign an agreement with the PHA, and they committed themselves to maintain the apartments in a good condition and to pay the additional costs. The project failed, however, because the foreigners often returned the apartments devastated or they failed to pay the charges. Another solution, applied later on, was to offer municipal housing to immigrants in smaller cities throughout the province, such as Płock. The action was conducted by the Provincial Governor of Mazowsze in cooperation with Caritas, aimed at "dispersing" immigrants in the region:

To disperse them a bit, as the foreigners only wanted to come to Warsaw, like, one or two apartments in various cities and towns of the province were offered for lease. The cost was lower, like, one or two families, they could be taken care of at those locations, but this also failed, because... immediately after the programme was over, they returned to Warsaw. (7_UW)

Immigrants, who have been granted refugee status or subsidiary protection, which have completed their individual integration programme, may apply for protected apartments from the Warsaw Family Support Centre, rented for six months, equipped, for which they have to pay the charges. This solution is based on the same activity, conducted by the municipal authorities in Lublin (the city in eastern part of Poland). However, it has not enjoyed the expected interest in Warsaw, as the immigrants are more concerned about obtaining a permanent place of residence.

Foreigners, who are not entitled to such support, that is, most immigrants in Warsaw, must rent apartments on the free market. They can only count on support of volunteers from NGOs, acting on behalf of migrants, who help them browse through ads and contact the apartment owners.

5.2. Employment Problems

Work is the problem discussed most often by the "Refugee.pl" monthly. Although refugees and foreigners subject to subsidiary protection (or those awaiting the decision in this regard) do not have to apply for a work permit in Poland, they find it extremely difficult to understand the rules of functioning of the Polish labour market. Within the framework of a project financed by EU funds, the Warsaw Family Support Centre offers these immigrants assistance of an occupational advisor, assistance in searching for job offers and the possibility of financing professional trainings. At the same time, the Labour Offices are responsible for supporting foreigners on the labour market. Their services, however, can be directed only towards the least numerous groups of immigrants: refugees, persons subject to subsidiary protection and foreigners, who are the citizens of Poland. Support of labour offices, however, gains very little interest of immigrants (see reports WP3). The remaining, most numerous groups of migrants in Warsaw may only count on NGOs, supporting them within the framework of their projects. Most of them seek legal advice with regard to work permits, legal employment of foreigners, the content of contracts of employment, as well as the possibility of executing their rights against the dishonest Polish employers, who, for instance, have failed to pay the remuneration to a legally employed



immigrant, as well as problems associated with illegal work. NGOs are local actors, specializing in offering legal assistance to immigrants in various fields, including legalization of stay:

We (Warsaw Family Support Centre) offer no legal advice, although there is a formula like that on the market, so, if we see there is a problem of this kind, we do our best to direct them there... we have several organizations on the market, which provide excellent assistance for foreigners in this regard, so, there is no need to double that, although there was a time when we had a lawyer to assist in every project, but we could see that there was no such need, really, to introduce such activity. (7_UW)

It also turns out that legal assistance can be sought by those, who want to employ foreigners legally, for instance, to take care of their children or the elderly. One of the NGOs responds to the demand in this regard (Foundation for Development Beyond Borders): "These are, I don't know, the elderly, who want someone to take care of them, or young women wanting to hire a babysitter. And they really have no idea how to deal with the Insurance Office, how to do the settlements, where this should be paid. They have no idea how to deal with this, and we do it here" (3_NGO).

The Warsaw Family Support Centre has offered legal assistance in employing foreigners to another category of employers - entrepreneurs and firm owners. In this case, there was almost no interest in the offer.

5.3. Integration Problems: Speaking Polish

In order to receive systematic integration assistance, it is necessary to have refugee status or be subject to subsidiary protection. Integration programmes, which last one year, include Polish language classes. However, the Polish classes are not provided, the immigrant receives financial support but is expected to find language services by himself or herself. The problem is that the money received by an immigrant within the framework of the integration programme (about EUR 300 per month) is not always sufficient to cover the costs of apartment rental and to pay for Polish classes offered commercially. The Warsaw Family Support Centre offers Polish language classes free of charge to immigrants subject to additional support within the framework of the project financed by EU funds. In special cases, for instance, of single mothers, the classes are held at the place of their residence. Employees of the WFSC also put emphasis on the importance of speaking Polish in the context of the future opportunities available to foreigners on the labour market.

Another issue is that of Polish language classes at refugee centres, in which immigrants await the decision on their refugee status or complementary protection, described by the "Refugee.pl". The opinions of immigrants and the journalists point to diversification of the teaching levels and the degree of interest of foreigners in the support offered, due to the fact that Poland is treated as a transit country:

It is a great problem that our children are not admitted to schools before they learn Polish. Where are they supposed to learn? There is one teacher attending the refugee centre, just one for all of us! (Refugee.pl, no. 2/2006)

Although there are growing opportunities of learning the language or participating in occupational training, the problem is that the number of those interested in attending is still low. Sometimes, the social workers are confused by lack of interest on the apart of refugees. In Linin (the refugee centre), among 150 refugee centre



inhabitants, 4 to 5 attend the Polish language classes. (Refugee.pl, no. 2/2006)

A decisive majority of immigrants in Warsaw, who do not have the permanent residence permit or the refugee status or subsidiary protection, must learn Polish on their own search for services of this kind on the free market. This demand is met by NGOs, offering courses free of charge or much cheaper than commercial entities, adapted to the level of advancement of the participants. Such courses are organized by the Foundation for Development Beyond Borders, the Polish Humanitarian Action or the "Fu Shenfu" Migrant Center. Apart from learning the language, the courses offered by NGOs provide migrants with opportunities to build relations with others. Many courses include not only regular classes, but also discussion meetings, watching movies together etc. At the same time, NGOs are beginning to add English language to their offer. In the case of the Foundation for Development Beyond Borders, Polish and English language classes are a part of overall support offered to immigrants in Warsaw: from legal assistance and support in dealing with any individual matters to trainings on the functioning of the Polish labour market, healthcare, the social insurance system etc. (see WP5 report on social innovations in Warsaw).

5.4. Childcare Problems: Schools and Kindergartens

In the light of statements of respondents from Warsaw local administration institutions, childcare for kindergarten children among foreigners is not a significant problem. According to a respondent from WFSC dealing with refugees and persons subject to subsidiary protection, this is the result of cultural difference. The demand for support of this kind is rather insignificant:

Very rarely the mothers want this kind of assistance, unless there is no other solution at all, like, the integration programme is coming to an end, so is financial assistance, they have some qualifications, they are able to speak some Polish and they have to get independent, taking advantage of support offered by other social services. In such cases, we opt for this form of assistance, but, in fact, in Warsaw, this is difficult, we are about 3 to 3.5 thousand nursery places short, so, they are not the priority clients on the lists, although we do our best to make sure they succeed. (7_UW)

A respondent from the Foundation for Development Beyond Borders, dealing with migrants, who are not encompassed by state assistance, pointed out, on the other hand, that migrants often left their small children with the grandparents in the country of their origin. Moreover, children of immigrants born in Poland are Polish citizens - in this case, lack of kindergarten care is due to the fact that the migrants know too little about the functioning of institutional assistance. They are not aware of the fact that places at nurseries or kindergartens should be reserved in advance. In this situation, the mothers most often stay with the children at home or decide to hire a Polish babysitter.

At the municipal office level, the issue of school education of immigrant children and their integration is treated as more significant. The activities of the Office for Education of the Capital City of Warsaw included preparation of materials for school students - foreign children and their parents:

Materials for the parents and the students, the so-called "welcome packs", those were prepared very nicely. Very simple, in English, Russian, Ukrainian, Vietnamese, Chechen. This is on our Web page, everyone can get it, it's the basic vocabulary and they can get a map of how to get to school, there are forms, notifications of



meetings for the parents, sick leaves, you just have to fill them out (8_UW).

Other activities include trainings for teachers attended by refugee children, a cultural assistant programme in schools with migrant children (in cooperation with NGOs: the Legal Intervention Association and the Polish Migration Forum), financing of publishing of a textbook for teachers on the problems of a multicultural society and integration of foreign children, including refugees, at Polish schools. Some of these activities were based on experience of the Welsh multicultural town of Cardiff, gathered during study visits. However, employees of the Office for Education of the Capital City of Warsaw have not been able to establish any cooperation with the parents of school age immigrant children:

We have not been able to start cooperation with the parents of foreign children. We had an ambitious plan to establish a consultation point at our [multicultural] centre in Warsaw, to introduce some duty hours, we assumed it would be free of charge, but no, it turned out they'd have to be paid for such work. If anyone gave his or her consent, any parent, we would have to pay. (8 UW).

CONCLUSIONS

They are following factors which influence local welfare policy in Warsaw: (1) historical heritage of the War World II and legal decisions made during 1944-1990 (period of so called socialist rules); (2) present conflicts between governing liberal party Civic Platform and parties being in opposition: populist Law and Justice, leftist Democratic Left Alliance being present in the city council; (3) conflicts between local government of Warsaw and groups of citizens interested in solving some particular problems in some ways; (4) citizens' initiatives to help people being in special needs (e.g. young mothers, immigrants) (grass roots initiatives); (5) external financial support given by the European Union.

(1) Historical heritage of the War World II and legal decisions made during 1944-1990 (period of so called socialist rules).

One of the major important factors influencing the housing policy in Warsaw is the "Bierut Decree" and its long-lasting effects. To efficiently rebuild Warsaw in the aftermath of the war, the authorities issued a legal act, which allowed for the ownership of the land within the city's administrative limits of 1939 to be taken over by the municipality, with ownership of the buildings to remain in the hands of their existing owners. The Bierut Decree was issued in 1945 and has remained in effect continuing to constitute the basis for determining former owners' rights. As the result of the political changes after 1989, former owners have gained opportunities of getting their properties back or receiving compensation from the city. City as well as state budget has to guarantee the funds to compensate property owners' according to the current value of the building. This means that the big part of city budget is spent on compensations, adding to existing deficit. It is also necessary to be aware that Polish cities are characterized by very high density of housing (third from the bottom in Europe; only before Bulgaria and Romania, Eurostat 2012).

The effects of Bierut Decree are also visible in case of communal housing belonging to the city, because around one fourth of the city housing resources are located in the buildings that may be subject to reprivatisation. Reprivatisation process also creates tensions between tenants and private tenement house owners. Reprivatisation of buildings with communal housing generates the biggest conflicts, because some private owners, after



regaining their property try to exchange low rent paying clients of welfare system for income generating ones.

In this situation in Warsaw, two organizations were established that deal with protection of tenant rights - the Committee for Protection of Tenants and the Warsaw Tenant Association (WSL). Both emerged as a result of protests of tenement house inhabitants, in which the owners raised the rent charges. The organizations do not have any financial support of any institution. We may assume that the length of their existence is determined by results of their activities.

The other side of the conflict is represented by the Polish Union of Property Owners, which argues that the authorities of Warsaw are blocking the return of real estate property taken away from the owners on the basis of Bierut's Decree. Despite their efforts, tenants' associations are the weaker side of the conflict and were not yet able to gain a satisfactory solution. Their actions can be considered as part of process of building participatory democracy on the local level in Poland. One of the effects of their protests on the housing policy of the city, was that in April 2012, the Team for Solving of Social Problems in Housing, Reprivatisation and Counteracting Homelessness and Social Exclusion was established in the capital city of Warsaw, with representatives of the city and social groups and TSOs. The Team is aimed at proposing new initiatives in housing and providing advisory services to the local government.

(2) Present conflicts between governing liberal party (Civic Platform) and parties being in opposition: populist Law and Justice, leftist Democratic Left Alliance being present in the city council.

The conflict has purely political character. As analyses show in some cases the parties finally reach agreement like in the case of perception and solving problem of care on children. The city council is of the opinion that the childcare problems in Warsaw can be solved by (1) building new public kindergartens; (2) entrusting childcare services to private entities; (3) childcare implemented by public-private partnerships. However, since 2007, only six new public kindergartens have been established in Warsaw. A cheaper and more flexible solution is to "buy out" non-public nursery and kindergarten places, which the parents can use in the same way (in terms of recruitment and charges) as the public facilities. Such solution has been applied in the district of Bemowo. Another concept is to implement public-private partnerships.

The third partner of the conflict are grassroots organizations like association of the parents of small children, who established the "Voice of the Parents" Association demanding lowering fees in kindergartens and crèches in Warsaw. The action gained support of the opposition parties in City Council and was successful and led to withdrawing the most problematic regulations. In the debate considering age in which children should start school education another association is active. The Association "Ombudsman for Parents' Rights" was created ad hoc by group of parents advocating the maintaining of age 7 instead of 6, which recently was proposed by national government as a starting age for primary education. Later on, the leaders of Association created also the Foundation for Parents' Rights. The Association "Voice of the Parents" is active mainly in Warsaw, while the other one is present in various cities around Poland (e.g. leading social campaigns) with their headquarters in Warsaw. The organizations do not get financial support of any kind; only some political one as in the case described earlier. The public opinion is divided on the issue. Both associations are typical protest organizations, which more of less successfully try to influence decisions of national or local government concerning allocation of financial resources or changing the education system.

(3) Citizens' initiatives to help people with special needs (e.g. young mothers, immigrants) (grassroots initiatives).



In the area of childcare, we have to point out the creation of MaMa Foundation, also a grassroots initiative, as the ones mentioned earlier. However, its goal is not to influence a situation through protest, but fill some type of vacuum in welfare policy. Its activity is addressed to young mothers both working and not. In the case of later ones, Foundation tries to activate them by creation of social enterprises /cooperatives, which are giving them opportunities to make some money and to create a psychological effect: readiness to work instead of staying home. MaMa Foundation was able to get some modest financial support from local government and through it access to financial support of the European Social Fund. The foundation also received a high support and visibility in local and national media. There are attempts to set up similar activities in other Polish cities. We may assume that the existence of the foundation has rather good perspective to maintain their activities in longer period of time.

Another example is related to situation of immigrants. Immigrants as a group are recipients of activities undertaken by the City Hall and its subordinate institutions. The Office for Education of the Capital City of Warsaw implements projects in the field of integration of migrant's children in Polish schools, often cooperating with TSOs that work with migrants. However, according to the law regulations, only some distinguished groups of immigrants have a right to social assistance: refugees, persons subject to complementary protection, immigrants with Polish citizenship and the foreigners, who have the permanent residence permit. The city authorities help the immigrants to solve housing problems, although to a very limited extent. Support of labour offices gains very little interest of immigrants (see reports WP3). Special categories of immigrants - refugees and foreigners, who have been granted complementary protection, are the only groups authorized to systemic integration support in Poland, which includes financial support, Polish language classes and counselling on labour market. The remaining, most numerous groups of foreigners in Warsaw may only count on TSOs, supporting them within the framework of their projects. As for the migrants' needs of learning Polish, this demand is met by TSOs, offering courses free of charge or much cheaper than commercial entities, adapted to the level of advancement of the participants. Such courses are organized by the Foundation for Development Beyond Borders, the Polish Humanitarian Action and the "Fu Shenfu" Migrant Center. Apart from learning the language, the courses offered by TSOs provide migrants with opportunities to build relations with others. Many courses include not only regular classes, but also discussion meetings, watching movies together etc. At the same time, TSOs are beginning to add English language to their offer. In the case of the Foundation for Development Beyond Borders, Polish and English language classes are a part of overall support offered to immigrants in Warsaw: from legal assistance and support in dealing with any individual matters to trainings on the functioning of the Polish labour market, healthcare, the social insurance system etc.

It is necessary to underline that activities of the TSOs to help immigrants have to large extent grassroots character. The interesting example is the initiative of a group of lawyers who found that the existing welfare system working through national and local agencies do not provide help needed by deprived groups, including refugees and other immigrants, especially in terms of dealing specifically with legal issues and law regulations. Therefore, they started at the beginning to advice and help informally and later transformed into TSO (Association for Legal Intervention) getting some financial support from the city government. This initiative was highly welcomed by immigrants.

(4) External financial support given by the European Union.

European Funds are one of the major drivers of both infrastructural and social development in Poland nowadays. Active labour market policies as well as life long learning activities are one of the important areas supported by European Social Fund. Therefore, it's not surprising that the financial support given by the European Union, especially in the frame of the ESF and The European Fund for the Integration of Third-



country Nationals is the important factor in the context of sustainability of discussed local initiatives. For example, in case of mentioned TSOs helping immigrants, applying for EU funds is crucial for their projects, as they receive irregular and partial support from the city. Resources of the European Fund for Integration of Citizens of Third Countries allowed for intensification of activities aimed at integration. Due to lack of a clear integration policy in Poland and existing restrictions on social assistance available for immigrants, the Fund actually replaced the state activity in this regard. Similarly, the support for social cooperatives like the one established by MaMa Foundation, is possible thanks to the projects realized by Labour Office and based on ESF money. However, there is a risk, that the initiatives based mostly on these funds may lose sustainability in future programming periods when the European Commission introduces some changes in the structure of the EU funds. On the other hand, in Warsaw, the EU money support the great majority of the activities against unemployment implemented by local welfare institutions (such as The Labour Office), TSOs and private entities, which usually offer trainings and courses for various categories of unemployed. The consumption of EU funds is enormous in this field, but it's difficult to define and evaluate the real effectiveness and utility of such services. Similarly, the support for social cooperatives like the one established by MaMa Foundation, is possible thanks to the projects realized by Labour Office and based on ESF money.

Concluding, we observe building participatory democracy in Warsaw, creation of third sector organizations often based on individual initiative. These phenomena are characteristic for Poland because of significant low trust to government and its agencies (WVS 2012 unpublished) and historically proven experience, that citizens are the most successful if take their problems in their own hands. Simultaneously we have to point out that the sensitivity to social problems and the described activities are conducive to social cohesion. The last decade shows that the governmental agencies responsible for social policy are increasingly understanding (with a support of European Commission) that it is a way to identify important problems in the city and way to meet needs of different social groups. At the same time, protest groups and organizations, which play a significant role in shaping local welfare policy, constitute the important new "partner" also present in social life of cities of stable democracies (Koopmans 2010; Rucht 2010). Like in many other countries, commercialization of services take place, which may polarize the local communities, dividing it according to income and type of social networks which different groups have at their disposal.



ANNEX: PROGRAMS OF POLITICAL PARTIES IN WARSAW

The program of Civic Platform combines liberal stances on the economy with liberal conservative stances on social and ethical issues, including opposition to abortion, samesex marriage, soft drug decriminalization, euthanasia, foetal stem cell research, removal of crosses and other religious symbols in schools and public places, and to widen availability of in vitro fertilization. On the other hand, there is growing centrist "faction" in the party favouring progressive modernization of country, social justice, social tolerance (especially civil pacts of solidarity), a social market economy, and environmental sustainability. The party also wants to criminalize gambling and supports religious education in schools. In the past, core proposals in the party program included privatization of the remaining public sectors of Polish economy, direct elections of mayors and regional governors, the first-past-the-post electoral system instead of proportional representation, labour law reform, independence over monetary policy by the National Bank of Poland, a 15% flat tax, and the decentralization of the state. The Civic Platform's program for Warsaw is focused mostly on public transport infrastructure and investments. However, it includes also general proposals related to housing, childcare, migration and labour market, such as: a) the development of public institutional childcare; b) Warsaw Multicultural Centre supporting education and integration of immigrants; c) the integration of education with the needs of labour market, the development of vocational education; d) provision and modernization of playgrounds; e) support centre for lone mothers; f) provision of more city flats and development of social housing.⁶

The Law and Justice party program is dominated by the anti-corruption, conservative, law and order agenda. It has embraced economic interventionism, while maintaining a socially conservative stance that moved in 2005 towards the Church. The party is soft Eurosceptic. It favours restrictions on abortion, which is already illegal except in extraordinary circumstances. It is also against euthanasia. It opposes same-sex marriages or any other form of legal recognition of homosexual couples. The Law and Justice is highly critical of sex and violence in the media. Law and Justice promotes itself as a pro-family party. Prior to elections, it promised to build 3 million inexpensive housing units as a way to help young couples get married. Once in government (year 2005), it pushed through legislations lengthening maternal leaves and offered qualified support to the idea of giving parents a grant for every newly born child. It favours shutting down large supermarkets on Sundays and holidays, so their workers can spend more time with their families. The Law and Justice party local program is in general terms concentrated on transport infrastructure, public healthcare system in Warsaw, environmental issues, protection against flood, tourism, culture and education. Due to the party's ideological background, it is also focused on national historical heritage and its commemoration. In terms of social policy, the party claims the development of the government's program on housing for young families. Law and Justice proposes also so-called "card for families with at least 3 children", which guarantees lower fees in public transport, sport and culture facilities. Apart from that, the party claims that public institutional childcare should offer 10 hours

⁶ Wikipedia http://en.wikipedia.org/wiki/Civic_Platform; The webpage of H. Gronkiewicz-Waltz (The current President of Warsaw http://gronkiewicz.pl/cele-2010-2014/warszawa-europejska-metropolia-i-liderem-naszej-czesci-ue/; The webpage of the Civic Platform http://www.platforma.org/pl/platforma.



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of service free of charge (now public kindergartens and nurseries are free of charge for 5 hours a day).⁷

The Democratic Left Alliance. Many of its politicians have their roots in the communist regime. Most of the members who established the party in 1999 had previously been members of the Social Democracy of the Republic of Poland and the Social Democratic Union, the two parties that were formed out of the remains of the Polish United Workers' Party ruling under communist regime. Democratic Left Alliance claims that Poland must guarantee civil rights and freedoms, including equality in terms of gender, race, age and religion. The state should be neutral in relation to religion. Education and healthcare should remain public and accessible for all citizens. The party claims to support the equal status of women and men through e.g. sexual education at schools, protection of women's health, free access to contraception and abortion allowed due to important social causes. However, in reality, these claims remain rather theoretical ideas and promotion slogans than political practice. In terms of social policy, Democratic Left Alliance proposes the enlargement of public welfare, which should support more people in need. On the other hand, they claim that the rights to public support should be stricter so that welfare help addresses those, who need it the most. The maternal benefit, which is granted to all mothers regardless their economic status, should be rearranged and directed mostly to the underprivileged women. The party argues also that the retirement and health pensions as well as minimal wage should be increased. It proposes also the National Program on Kindergartens and Nurseries. Apart from that, the party argues that schools and other public childcare institutions should offer free meals to all children and oppose the idea of outsourcing the alimentation services.⁸

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http://forsal.pl/artykuly/552859,zobacz_program_wyborczy_sld_2011.html.



⁷ Wikipedia http://en.wikipedia.org/wiki/Law_and_Justice; The webpage of the Law and Justice http://www.pis.org.pl/dokumenty.php; The portal on finances, currency and stock market http://forsal.pl/artykuly/552862,zobacz_program_wyborczy_pis_2011.html.

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- 2) 2_RW member of Warsaw city council from opposition party SLD, vice-chairwoman of Education and Family Commission (Komisja Edukacji i Rodziny), Ethics Commission (Komisja Etyki) and Auditing Commission (Komisja Rewizyjna), member of Budgetary Commission (Komisja Budżetu i Finansów), Social Policy Commission (Komisja Polityki Społecznej i Przeciwdziałania Patologiom);
- 3) 3_RW member of Warsaw city council from opposition party PiS, vice-chairman of Social Policy Commission (Komisja Polityki Społecznej i Przeciwdziałania Patologiom), Spatial Order Commission (Komisja Ładu Przestrzennego) Street Naming Commission (Komisja ds. Nazewnictwa Miejskiego);
- 4) 4_UW director of Marketing Section in Warsaw Labour Office (Dział Marketingu);
- 5) 5_UW_1 director of The Warsaw City Housing Policy Department (Biuro Polityki Lokalowej);
- 6) 5_UW_2 vice-director of The Warsaw City Housing Policy Department (Biuro Polityki Lokalowej);
- 7) 6_UW_1 vice-director of The Warsaw City Social Policy Department (Biuro Pomocy i Projektów Społecznych);
- 8) 6_UW_2 head of the Project Management and Organization Team (Wydział Organizacji i Zarządzania Projektowego) in The Warsaw City Social Policy Department (Biuro Pomocy i Projektów Społecznych);
- 9) 4_RW city councilor from the ruling party Civic Platform (PO), the member of the Education and Family Commission (Komisja Edukacji i Rodziny);
- 10) 5_RW city councilor from the ruling party Civic Platform (PO), the member of the Social Policy Commission (Komisja Polityki Społecznej i Przeciwdziałania Patologiom);
- 11) 7_UW the representant of Warsaw Family Support Center (Warszawskie Centrum Pomocy Rodzinie), the head of the Department of Integration, Crisis Intervention Centres and Support Centres (Dział Integracji Cudzoziemców, Ośrodków Interwencji Kryzysowej i Ośrodków Wsparcia);
- 12) 8_UW the head of the Office of Education in the frame of local public administration in Warsaw (Biuro Edukacji m.st. Warszawy);
- 13) 1_NGO the representant of the Association "Voice of Parents" (Stowarzyszenie "Głos Rodziców");
- 14) 2_NGO the representant of The MaMa Foundation (Fundacja MaMa);
- 15) 3_NGO the representant of The Foundation for Development Beyond Borders (Fundacja Rozwoju Oprócz Granic).

PROTOCOLS



- 1. The protocols on sessions of Warsaw City Councils in years 2002-2012;
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¹² See above.



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¹⁰ See above.

¹¹ See above.