Commissioners for Human Rights of the Republic of Poland answers to the Guiding Questions for the X Session of the Open-ended Working Group on Ageing. This submission has been prepared with support of the Polish Association of the Universities of the Third Age.

Education, training, life-long learning and capacity-building

**National Legal Framework**

1. In your country/region, how is the right to education, training, life-long learning and capacity building in older age guaranteed in legal and policy frameworks?

The right to education, as well as universal and equal access to education are guaranteed to citizens by the Constitution. There are no legal age limits preventing older persons from studying at university level. However, neither the Act on General Education nor the Act on Higher Education provide, at the national level, for the right of older persons to education. In practice, older persons belong to the category of people not covered by the traditional educational system.

The following government documents should be mentioned in this context, although they fall short of creating a systemic approach to the education of older persons:

1) Resolution No 160/2013 of the Council of Ministers of 10 September 2013 *The Prospects of Lifelong Learning*. The aim of the document is to ensure the cohesion of lifelong learning measures set out in the various development strategies; 2) *Government Programme for The Social Engagement of Older Persons for the period 2014-2020* (SEOP); Priority I - Education of seniors is one of the priorities of the grant competition. 3) Resolution No 161/2018 of the Council of Ministers *Social Policy for Older Persons until 2030. Security – Participation – Solidarity*, which mentions inter alia the development of measures pertaining to education for old age, until old age, through old age an in old age.

**Availability, Accessibility and Adaptability**

1. What are the key issues and challenges faced by older persons in your country/region with regard to the enjoyment of all levels of quality education, training, life-long learning, and capacity building services?

In the higher education sector, there exist systemic barriers to the academic career development of older persons in the form of regulations which set an age limit to the right to stand in elections to the governing bodies of universities and of expert institutions dedicated to the preservation of high academic standards. Even though the key criteria in this case should be knowledge and experience, the legislation has set the age limits for standing for election: the age of 67 and 70, respectively, for universities and the said institutions. In addition, the difference in the retirement age of men and women means that there is unequal treatment of older persons on the grounds of gender in the higher education sector.

Key problems and challenges:

* low level of social and civic competences among older persons;
* isolation and alienation of older persons;
* symptoms of social, financial (low old-age benefits) and digital exclusion;
* insufficient number of local leaders/animators in the fields of educational activity, civic engagement and volunteering.

Needs:

* to develop a model for stimulating learning among older persons, to develop learning standards and opportunities for older persons;
* to support activities aimed at increasing the learning activity of older persons in rural areas and small towns;
* to develop and expand effective education programmes for older persons, tailored to the various needs of older persons, including in particular health education, healthy and active lifestyles, civic education, new technologies, foreign languages and civilizational changes;
* to coordinate elderly education on the regional/national level;
* to provide professional training for elderly education and adult education especialists as well as gerontologists;
* to use new technologies to establish networking and communication platforms focused on educational activities;
* to ensure that public administration (the government and self-governments) provides funding for Lifelong Learning activities for older persons;
* to support the families of older persons and facilitate inter-generation contacts.

The measures taken in this area by the government and by self-governments are not systemic in nature; they are usually implemented within the framework of programmes or projects within specific timeframes and with specific, varying age groups as targets (e.g. 55+, 60+, 65+,75+). Such activities cease as the programme/project comes to an end to the disappointment of older people who have grown accustomed to their meeting places and activities. Thus, the challenge continues to be the lack of systematic funding for entities that deal with the education of older persons. In Poland, Lifelong Learning for older persons is the result of the enthusiasm and commitment of local leaders rather than the result of a deliberate effort by the State. The loss of the local leader often marks the end of the activity of the local group.

Educational programmes targeting older persons are suitable for those who are active and rather well educated. The vast majority of older persons exclude themselves from any training or education activities due to the lack of motivation for and belief in such forms of activity. There is also the problem of mental approach, burdened by the stereotype of old age as a time of marginalization, as well as problems of reduced level of trust to people, and reluctance to go out of home. On the other hand, efforts to reach out to some older persons are complicated by their lack of computer skills (which leads to the inability to reach the target group via the internet), poor health and poverty (lack of money for newspapers or for attending cultural events). Another issue is the barriers to mobility, that older people face in terms of using means of transport or moving around in buildings and public spaces.

1. What steps have been taken to ensure that education, training, life-long learning, and capacity building services are available and accessible to all older persons, adapted to their needs, suited to their preferences and motivations, and of high quality?

Despite the lack of specific regulations, the Ministry of Science and Higher Education supports, under its programme called *Support for Third Age Universities*, initiatives aimed at making the best of the learning potential of older persons and at preventing their social exclusion. The Ministry of National Education is currently developing a strategy for lifelong learning until 2030.

1. In your country/region, are there studies and/or data available on the access of older persons to the right to education, training, life-long learning and capacity building in older age?

In the 2017 *Report on the situation of older persons in Poland* (such reports have been published annually since 2015), there is a chapter entitled *Engagement in educational, cultural and recreational activities* concerning inter alia the level of engagement of older persons in educational activities. The document presents data collected by Statistics Poland, suggesting that the engagement of older persons in educational activities, including formal and informal training and informal learning, is low. According to the survey carried out by Statistics Poland, **a mere 1% of older persons participate in organized educational activities**.

The data comes from the Survey of the Economic Activity of the Population. According to another survey, by Eurostat, only 8% of people aged 65-74 have digital skills (the EU average is 25%).

**Equality and non-discrimination**

1. In your country, is age one of the prohibited grounds for discrimination in relation to education in older age?

Yes. Article 4.4d) of the *Act of 3 December 2010 implementing certain European Union regulations regarding equal treatment* (Dz. U. [Journal of Laws] of 2016, item 1219) provides that the Act applies also to access to education, including higher education, and to the conditions of provision thereof. It should be noted, however, that Article 5.8 a) states that the Act does not apply to unequal treatment of persons on the grounds of age, if such unequal treatment is objectively and rationally justified by a legitimate aim including, in particular aims of providing professional training, on condition that the means for achieving the aims are appropriate and indispensable.

**Accountability**

1. What mechanisms are necessary, or already in place, for older persons to lodge complaints and seek redress for denial of their right to education, training, lifelong learning and capacity building?