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Meeting: 1577th meeting (December 2026) (DH)

Item reference: Action Report (05/11/2026)

Communication from Poland concerning the case of Association of People of Silesian Nationality (in liquidation) v. Poland (Application No. 26821/17)

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Réunion : 1577e réunion (décembre 2026) (DH)

Référence du point : Bilan d'action (05/11/2026)

Communication de la Pologne concernant l'affaire Association des Personnes de Nationalité Silésienne (en liquidation) c. Pologne (Requête n° 26821/17) ***[anglais uniquement]***

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DGI

05 NOV. 2026

SERVICE DE L'EXECUTION
DES ARRETS DE LA CEDH

ACTION REPORT[1]
Information on the measures taken to implement
the judgment in the case *Association of People of Silesian Nationality (in liquidation) against Poland*

Case description

Association of People of Silesian Nationality (in liquidation) v. Poland, application no. 26821/17, judgment of 14 March 2024, final on 14 June 2024.

The case concerns the breach of the applicant association's right to freedom of association due to its dissolution and ordering of its liquidation which was not based on relevant and sufficient reasons and which was not shown to pursue a "pressing social need" (violation of Article 11 of the Convention).

The applicant association was registered by the District Court in Opole in December 2011. It was appealed against by the regional prosecutor, claiming that the registration was in breach of domestic law on national and ethnic minorities, since this law did not recognise Silesian nationality. The appellate proceedings reached the Supreme Court, which quashed lower courts' decisions upholding the registration and remitted the case, finding that the applicant association's name was misleading and, as such, could imply the recognition of Silesian nationality, which might lead to the weakening of the Polish State's unity and integrity, and to claiming by the applicant association some electoral privileges granted to national minorities. In the subsequent proceedings, in January 2015 the District Court in Opole dissolved the applicant association and ordered its liquidation on the account of its activities being in non-compliance with the law. The applicant association was asked to amend its memorandum of association, in particular - to change the misleading name implying the existence of Silesian nationality and modify provisions referring to "people od Silesian nationality". These changes had not been made.

In its judgment, the Court noted that the domestic courts did not refer to any illegal or anti-democratic actions of the applicant association. As regards the alleged possibility of making use of electoral privileges granted to national minorities by the domestic law, the Court noted that the applicant association expressly stated in its memorandum of association that it would not register an electoral committee in parliamentary elections. Furthermore, the domestic courts did not show that the registration alone would automatically have given the applicant association the right to register an electoral committee.

As regards the argument of the misleading character of the applicant association's name, suggesting recognition of the "Silesian nationality", which might encourage other ethnic groups to take similar steps and, consequently, undermine the integrity of the Polish State, the Court found that the domestic authorities did not demonstrate that the name and the wording of the two provisions of memorandum of association which referred to "Silesian nationality" could constitute a threat to public order.

The Court concluded that in the absence of any concrete evidence to demonstrate that in choosing to call itself "the Association of People of Silesian Nationality", the applicant association opted for a policy that represented a real threat to public order or to a democratic society, the dissolution of the applicant association could not be proved to pursue a "pressing social need". Therefore, the Court found violation of Article 11 of the Convention.

I. Payment of just satisfaction and individual measures

1. Details of just satisfaction

The Court did not award any just satisfaction since the applicant association did not submit any claim in this respect.

2. Individual measures

The applicant association has the right to file a motion to enter information in the National Court Register (*Krajowy Rejestr Sądowy)* on the revocation (*uchylenie*) of the liquidation of the Association.

[1] Information submitted by the Polish authorities on 5 November 2026.

According to the information of the relevant registry court (the District Court in Opole), on 27 March 2024 a letter was received from the applicant association with information about the delivery of the ECHR judgment in the *Association of People of Silesian Nationality (in liquidation) v. Poland* case, containing a request to enter information on the revocation of the liquidation of the Association in the National Court Register. However, due to formal deficiencies, i.e. it was not submitted on the official form, this application was returned by a court order of 17 April 2024. In addition, the registry court instructed the applicant association that in order to enter the revocation of the liquidation note in the register, it is necessary to elect the association's management board and to submit a motion in question within the framework of the registration procedure.

The Association was registered again on 2 April 2026 under a new name STOWARZYSZENIE OSÓB NARODOWOŚCI ŚLĄSKIEJ – ŚLONZOKI which is confirmed in the National Court Register (*Krajowy Rejestr Sądowy*) number: 0001234025 (full information accessible on the KRS website: https://wyszukiwarka-krs.ms.gov.pl/dane-szczegolowe-podmiotu;numerKRS=H1CbRygC%2FlZCGP5%2FzieUSQ%3D%3D;typ=S

As the Association itself announces on its website, it has finally regained its legal status, bringing to a close a 15-year process of seeking registration. Furthermore, according to information published on the Association's website on 10 July 2026, preparations for its General Meeting were already underway (https://slonzoki.org/do-czlonkow-sons/).

In these circumstances no other individual measures appear necessary.

II. General measures

1. Legislative measures

In the Government's opinion, having regard to the source of the violation found in the present case, which points to the practice of the domestic courts (see par. 55 of the judgment, where the Court concluded that "the reasons relied on by the authorities for dissolving the applicant association were not relevant and sufficient"), no legislative action is necessary in this case to implement the judgment. The Court explicitly stated that it was not contested that the interference in the right to freedom of association of the applicant association had been prescribed by law.

In view of this, the general measures described below, i.e. translation and dissemination of the judgment in question, in combination with possible training activities, seem sufficient to establish that Poland has fulfilled its obligations under Article 46 § 1 of the Convention.

Notwithstanding the above, the Government wish to reiterate that the Silesian community is not recognised as a national minority in the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (these are enumerated in Article 2(2) of the Act), nor as an ethnic minority (ethnic minorities are indicated in Article 2(4) of the Act), and the Silesian language is not legally recognised as a regional language, within the meaning of the above-mentioned Act. These provisions of the domestic law were not disputed in the present case. Having said the above, it should be noted that in 2024 a parliamentary bill was presented, amending the afore-mentioned Act, granting the status of a regional language to the Silesian ethnolect. The draft was adopted on 26 April 2024, however, it was later vetoed by the President of the Republic of Poland (on 29 May 2024), thus the amendment did not enter into force.

2. Translation and dissemination of the Court's judgment

The Court's judgment in the *Association of People of Silesian Nationality (in liquidation)* case was translated into Polish and published on the website of the Ministry of Justice (https://arch-bip.ms.gov.pl/pl/prawa-czlowieka/europejski-trybunal-praw-czlowieka/orzecznictwo-europejskiego-trybunalu-praw-czlowieka/). The translation was also distributed to all presidents of the Appellate Courts, with a request to disseminate it further to all judges of common courts.

In addition, information about the judgment in question was included in the news section on the Ministry of Justice's website (https://www.gov.pl/web/sprawiedliwosc) and in its newsletter which is distributed to all courts, public prosecutors' offices and organizational units of the prison service.

Furthermore, on 7 June 2024 information about the *Association of People of Silesian Nationality (in liquidation) v. Poland* judgment was sent to the presidents of the District Court in Opole and the Regional Court in Opole.

III. Conclusions of the respondent state

The Government is of the opinion that no further individual measures are necessary in the case at hand and that measures of a general nature described above will be sufficient to conclude that Poland has fulfilled its obligations under Article 46 § 1 of the Convention.