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Framework Convention for the Protection of National Minorities
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**4TH REPORT TO THE SECRETARY GENERAL OF THE COUNCIL OF EUROPE
ON THE IMPLEMENTATION BY THE REPUBLIC OF POLAND
OF THE PROVISIONS
*OF THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES***

Warsaw, 2019

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INTRODUCTION

This document is the fourth report on the implementation of the Framework Convention for the Protection of National Minorities prepared by the Republic of Poland for the Secretary General of the Council of Europe. The previous report was submitted on 12 December 2012.

The presented document covers the years 2012 to 2016. The information presented here only occasionally includes data from before 1 January 2012 or concerns the situation after 31 December 2016.

The indicated publications of cited legal acts refer to the situation as of 31 December 2016.

In the period covered by the *4th Report*, the legal situation of national and ethnic minorities and the people using the regional language remained stable. After the *European Charter for Regional or Minority Languages* (its provisions had been already included in applicable legislation) was ratified and entered into force on 1 June 2009, no significant changes in legal regulations for national and ethnic minorities were introduced. However, national and ethnic minorities and the community using the regional language were benefiting fully from the Act on national and ethnic minorities and on the regional language adopted on 6 January 2005, which is reflected in this document. There was ongoing cooperation between national and ethnic minorities and the community using the regional language with state institutions, ensured by the Joint Commission of the Government and National and Ethnic Minorities and in daily contact with authorities responsible for the government policy towards minorities. The issues reported by minority communities to the authorities were dealt with in the spirit of dialogue and mutual understanding. The amount of State budget funds allocated for minority-oriented tasks was increased as well. The period concerned demonstrated clearly that the *Act on national and ethnic minorities and on the regional language* is a useful and important document and that its implementation significantly contributes to upholding and strengthening the cultural identity of national and ethnic minorities as well as to preserving and developing the regional language.

In the period covered by the previous report Statistics Poland (*Główny Urząd Statystyczny*) carried out a *national census of population and housing*. The 2011 census was the second post-war Polish census that asked the respondents about their national or ethnic identity. Unlike in 2002, respondents could provide multiple answers to questions about their national/ethnic identity, which, according to Statistics Poland, helped to better examine the issue, especially in relation to 'complex identities.' In response to the demands put forward by some national and ethnic minority communities, two questions about national or ethnic identity were introduced. The national census of population and housing was carried out in 2011 using a mixed method, *i.e.* using the data from computer registries and systems and the data obtained from a 20% representative study. Because Statistics Poland was unable to publish National Census results concerning members of minorities and their socio-economic characteristics before the work on the *3rd Report* was completed, the previous *Report* was based on the 2002 National Census results. This report includes information on the numbers for national and ethnic minorities that was updated by Statistics Poland and is based on the results of the 2011 National Census.

During the preparation of the *4th Report* it was decided, similarly as for the *3rd Report*, not to present updates to the previously given information, but to present comprehensive and current information on the state of implementation of the *Framework Convention for the Protection of National Minorities* by the Republic of Poland. The authors believe that it should make the document

more clear. During the work on the *4th Report*, similarly to previous reports, no detailed descriptions of emerging issues, demands or assessments submitted by minority communities were provided, and only facts were evaluated.

It needs to be noted that the period covered by the report saw a change of the Polish reporting body. Currently, it is the Minister of the Interior and Administration, and therefore depending on the period when the activity being described takes place (either before or after 15 November 2015) – the reporting body is either the Ministry of Administration and Digitisation (before 15 November 2015) or the Ministry of the Interior and Administration (after 15 November 2015)¹.

PART I: GENERAL

1. Characteristics of the political system, the administrative division, and the geographical location of national and ethnic minorities.

1.1. Characteristics of the political system, the administrative division.

The Republic of Poland covers the area of 312,679 km² and is inhabited by 38,432,992 people (Statistics Poland data as of 31 December 2016²). It borders the Federal Republic of Germany, the

¹ It should be stressed that regardless of the institutional organisation, the unit responsible, *i.e.* the Department for National and Ethnic Minorities, has in practice maintained substantive and personal continuity .

Czech Republic, the Slovak Republic, Ukraine, the Republic of Belarus, the Republic of Lithuania and the Russian Federation. The Republic of Poland is a unitary state, with a parliamentary-cabinet government system. The Parliament is bicameral and includes a lower house – the *Sejm* (numbering 460 members) and an upper house – the *Senate* (numbering 100 senators). The Parliament is elected for a 4-year term in a universal and direct election through secret ballot, while the election of the *Sejm* is also equal and proportional. During the current term (which ends in 2019) the *Sejm* includes one representative of the German minority.

The President of the Republic of Poland is elected in a general election for a 5-year term. The current presidential term ends in 2020.

Poland is divided into 16 voivodeships (*województwo*), which are divided into 314 counties (*powiat*) and 66 cities with county rights, and 2,478 communes (*commune*). When the new administrative division was implemented in 1 January 1999, the nationality structure was one of the aspects taken into account.

1.2. Geographical distribution of national and ethnic minorities.

The term ‘national and ethnic minorities’ in the Polish law is equivalent to the term ‘national minorities’ used in the *Framework Convention for the Protection of National Minorities*. Therefore, the provisions of the *Framework Convention* equally concern both the national and ethnic minorities. Differences between the definitions of national and ethnic minorities are described in the Act of 6 January 2005 *on national and ethnic minorities and on the regional language* (Journal of Laws of 2015, item 573). According to the Act, the following minorities are recognised as national minorities: Armenians, Belarusians, Czechs, Germans, Jews, Lithuanians, Russians, Slovaks and Ukrainians, and the following as ethnic minorities: Karaims, Lemkos, Roma and Tatars.

Poland hosts members of 13 national and ethnic minorities with a population of 286,192, according to the previous 2011 census. This is around 0.75% of all Polish residents.

The largest populations of national and ethnic minorities live in the following voivodeships: Opolskie – 7.91%³ of the voivodeship population (*i.e.* 80,327 Polish citizens), Podlaskie – 3.97% of the voivodeship population (47,711 Polish citizens), Śląskie – 0.88% (40,752 Polish citizens), Warmińsko-mazurskie – 1.40% (20,294 Polish citizens), Dolnośląskie – 0.58% (16,775 Polish citizens) and Mazowieckie – 0.30% (15,508 Polish citizens).

Additionally, Pomorskie Voivodeship is inhabited by a community using the regional language (Kashubian). During the *National census of population and housing 2011* 108,140 persons declared using the Kashubian language at home. There are 107,742 such persons in Pomorskie Voivodeship, which is 4.74% of the voivodeship population. With respect to this group the Convention provisions are implemented with respect to language rights.

2. Status of international law in national legislation.

Pursuant to Article 87 of the *Constitution of the Republic of Poland* of 2 April 1997 (Journal of Laws No 78, item 483, as amended), the sources of universally binding law of the Republic of Poland are: the Constitution, statutes, ratified international agreements, regulations and local legal acts, within the area of operation of the bodies who adopted them.

² <http://stat.gov.pl/obszary-tematyczne/ludnosc/ludnosc/ludnosc-i-ruch-naturalny-w-2016-r-,30,1.html>

³ Unless stated otherwise, all data come from the *National census of population and housing 2011*. The census was carried out between 1 April and 30 June 2011 as of 31 March 2011, 12:00 am.

Poland complies with rules of international law, especially those set out in the Charter of the United Nations and the Final Act of the Conference on Security and Cooperation in Europe.

Article 91 of the *Constitution* stipulates that a ratified international agreement, after being promulgated in the Journal of Laws of the Republic of Poland (*Dziennik Ustaw*), forms part of the national legal order and is directly applicable, unless its application depends upon an act being adopted. An international agreement ratified upon prior consent granted in an act, takes precedence over an act, if that act cannot be reconciled with the agreement. However, if an agreement establishing an international organisation, ratified by the Republic of Poland, so provides, the law adopted by such an organisation shall apply directly and have precedence if it conflicts with any acts.

The *Framework Convention for the Protection of National Minorities* is an agreement ratified by the Republic of Poland with a prior consent granted in an act, which makes it part of national legal order and gives it precedence over any act that cannot be reconciled with the *Convention*. As a consequence, the *Framework Convention* may be applied directly by domestic bodies, including courts, unless its application depends upon an act being adopted. The Polish Government considers that the *Framework Convention* includes self-executing rules on some issues and non-self-executing rules on certain other issues, which means that their application requires adopting laws at the level of an act.

3. Population of national and ethnic minorities.

As already mentioned, Poland hosts members of 13 national and ethnic minorities with a population of 286,192, according to the previous 2011 census. This is around 0.75% of all Polish residents.

The population of individual minorities as well as persons using the regional language at home is shown in the table on the next page.

According to the 2011 National Census data, members of national minorities constitute the majority of population in 5 communes. These communes are located in Podlaskie Voivodeship and are inhabited by the Belarusian minority: Czyże (Hajnówka County – 76.5% of the population), Dubicze Cerkiewne (Hajnówka County – 63.7% of the population), Orla (Bielsk Podlaski County – 56% of the population), the rural commune of Hajnówka (Hajnówka County – 51.7% of the population) and the commune of Puńsk inhabited by the Lithuanian minority (Sejny County – 75.7% of the population). In 5 other communes the majority of population uses the Kashubian language at home. These include: Lipnica (Bytów County – 58.8% of the population), Sierakowice (Kartuzy County – 58.3% of the population), Chmielno (Kartuzy County – 57.9% of the population), Sulęczyno (Kartuzy County – 53.8% of the population), Linia (Wejherowo County – 52.3% of the population).

National and ethnic minorities	Declared national or ethnic minority	Declared use of a national or ethnic minority language and the regional language at home
Belarusians	43,878	26,448 ⁴
Czechs	2,831	1,451
Karaims	314	1–50*

⁴ Furthermore: 669 persons declared that they use at home the 'subdialect of the Polish-Belarusian border region', 626 persons – 'Ruthenian language', 549 persons – 'Belarusian subdialect ('simple language)', 516 persons – 'Belarusian-Ukrainian subdialect.'

Lithuanians	7,376	5,303
Lemkos	9,640	6,279
Germans	144,236	96,461
Armenians	1,683	1,847
Roma	16,723	14,468
Russians	8,796	19,805
Slovaks	2,739	765
Tatars	1,828	1–50*
Ukrainians	38,795	24,539 ⁵
Jews	7,353	321 – Hebrew language
		90 – Yiddish language
Persons using the regional language at home		108,140

* Because the population cannot be precisely estimated, a range is provided. Source: Statistics Poland (GUS) – National census of population and housing 2011.

4. Characteristics of national and ethnic minorities and the community using the regional language in Poland.

4.1. General characteristics.

Most minorities living in Poland are ageing communities. In seven minorities the percentage of persons over the retirement age (60+ years for women and 65+ years for men), which is 16.91% for the entire Polish population, significantly exceeds the average. The percentage was the highest for the Belarusian (34.80% of the population), Slovak (26.95%) and Russian (26.40%) minorities. For the Roma community, on the other hand, the indicator was the lowest (6.34% of the population). Additionally, values lower than the national average were recorded for the following communities: Armenians, Karaims, Jews, Tatars and Czechs. In almost 11 minorities (Czechs, Slovaks, Lithuanians, Ukrainians, Tatars, Lemkos, Belarusians, Russians, Germans, Jews, Karaims) the share of people below the working age (0-17 years) is lower than 15.5% of the population. In comparison, the average percentage for the entire Polish population is 18.7%. The biggest ratio of young people is in the Roma (28.84% of the population is below the working age) and Armenian (21.35%) minorities.

A minor population ageing trend is visible also among persons who use the regional language at home. According to the results of the *National census of population and housing 2011*, 19.56% of persons who use the regional language at home are over the retirement age, with 13.54% of this population being below the working age.

The number of women and men is relatively balanced among the national and ethnic minorities, except for the Russians, where women account for as much as 63.80%. The lowest percentage of women is in the Tatar (43.44%), Czech (42.46%) and Karaim (36.31%) minorities. Especially in the latter case it significantly diverges from the national average of 51.59%.

⁵ Furthermore: 626 persons declared that they use at home the 'Ruthenian language', 516 persons – 'Belarusian-Ukrainian subdialect.'

The 2011 National Census results have shown the structure of minority communities as regards the marital status that was very similar to the one shown by the 2002 census. The largest group among national and ethnic minority are married persons aged 15+, who constitute almost 60% of the population (it is 56% for the Polish population in general). The minorities that fall outside of this range include: Czechs (49.47%), Jews (45.23%) and Roma (35.74%). Especially in the Roma community, the share of persons who are formally married is markedly lower than in the rest of the society. The highest share of married persons, on the other hand, was recorded among the following minorities: Tatars (61.33%), Lemkos (60.35%) and Armenians (60.33%).

The highest share of married persons recorded during the national census was among those who use the regional language at home – 63.84% of the population.

In terms of place of residence, national and ethnic minorities may be divided into two groups. The first group consists of minorities whose members live mostly in towns and cities. Members of these minorities are descendants of communities that have migrated to Poland for centuries. Over 80% of Russians, Armenians, Tatars, Jews, Karaims and Romas live in towns and cities. For Roma and Karaims, this percentage is over 90% of the population. The share of Czechs living in towns and cities (79.53%) also greatly exceeds the national average of 60.78%. The second group consists of minorities that have traditionally lived off farming. The ratio of their members living in rural areas is higher for those communities than the national average (39.22%) and reaches the highest values for Germans (59.43%), Lithuanians (58.63%), Slovaks (57.64%) and Lemkos (56.16%). This ratio has been exceptionally high for persons who use the Kashubian language at home. Over 82.60% of such people live in rural areas.

In almost all national and ethnic minorities the educational status, measured as a share of persons with a higher education degree, exceeds the national average of 16.99%. The highest share of persons with a higher education degree is among the Jews (52.80%), Tatars (49.39%), Karaims (41.38%) and Russians (40.58%). Only among the Germans (9.14%) and Roma (2.03%) this share is lower than the national average. The Roma minority is a special case and will be discussed in more detail further in this section. However, in the case of Germans the lower-than-average share of persons with a higher education degree might be related to the rural character of this community⁶. Because the share of persons with a higher education degree is high among national and ethnic minorities, the share of persons who have lower than secondary education is lower than the national average (46.27%). Only in the case of two minorities do these values exceed the national average: significantly among the Roma (82.32%) and slightly among the Belarusians (47.53%).

The community using the regional language has a much lower share of persons with a higher education degree (5.95%) than the national average and a higher than average share of persons who attained less than secondary education (72.88%). This is closely related to the decidedly rural character of the community that uses the Kashubian language at home, as it determines the career path.

The Roma minority requires a separate analysis. This minority is undoubtedly the only one with so blatant and urgent educational problems. Government institutions, local governments and Roma community organisations are all aware of this problem and undertake numerous measures to

⁶ The low percentage of persons with a higher education in the German community reported in the 2011 National Census might be also related to a very high number of respondents from this minority for whom it was not possible to establish their educational status in the 2011 National Census (for example, because they were abroad for longer than 3 months). That value was 26.01%, while the national average was 5.18%.

improve the educational attainment. It should be highlighted that in both the *Programme for integrating the Roma community in Poland for 2014–2020* and the previous programmes: *Programme for the Roma Community in Poland* run from 2004 and its predecessor: the *Pilot governmental programme for the Roma community in Małopolskie Voivodeship for the years 2001–2003*, education is a priority.

Regarding labour force participation in the different minorities, the largest share of working people aged 15+ is present in the following minorities: Jews – 57.30%, Tatars – 55.41%, Czechs – 54.10%, Armenians – 52.68% and Lemkos – 46.34%. In the other minorities the share of working people is lower than the total national average which was 46.06% in 2011. However, this is not caused by any specific difficulties that national and ethnic minority members might have in finding a job, but by the said higher-than-average share of persons above the retirement age.

In the case of eight minorities (Slovaks, Germans, Czechs, Lemkos, Belarusians, Ukrainians, Lithuanians and Russians) unemployment was below the total Polish unemployment ratio of 6.27%. Percentages higher than this value were recorded in the following minorities: Jews (6.78%), Armenians (7.91%), Karaims (8.40%), Tatar (9.14%) and Roma (15.50%).

Labour market participation of persons who speak the regional language at home did not significantly differ from the national average values. 48.99% of this community is employed, while the percentage of the unemployed amounts to 5.15%.

The 2011 *National census of population and housing* examined, for the first time in the history of Polish statistics, the ‘complex identity’ of the respondents, which means that the respondent declares affiliation with more than one national or ethnic identity. The census results show that this stance is very common among the minorities, especially when the minority identity is accompanied by Polish identity. In the case of as many as six minorities (Jews, Czechs, Russians, Tatars, Armenians and Germans) the share of persons, who declared both the minority and Polish identity, is larger than the share of persons, who declared that they belong only to the minority in question.

On the other hand, only in three minorities (Karaims, Belarusians and Lithuanians) more than 60% members declared that only this national-ethnic minority identity. For the other minorities, the share ranged between 58.06% for Lemkos and 21.2% for Czechs.

Overall, it should be noted that, except for the Roma minority, the situation of the different national and ethnic minorities and the community using the regional language does not deviate significantly from the national average. Data obtained during the previous *national census of population and housing* shows that being part of a minority does not, with the exception of the Roma, determine the socio-economic situation of the minority citizens. Rather, it depends on other factors, like the educational status, the place of residence (rural-urban), the labour market status and age.

4.2. Characteristics of specific national and ethnic minorities in Poland.

Belarusians

The Belarusians are a national minority that traditionally lives in the south-eastern parts of Podlaskie Voivodeship. In the 2011 *National census of population and housing* 43,878 Polish citizens declared Belarusian nationality, notably in the following voivodeships: Podlaskie – 38,358 persons,

Mazowieckie – 1,576, Warmińsko-Mazurskie – 600⁷. The largest populations of Polish citizens declaring Belarusian nationality live in the south-eastern counties of Podlaskie Voivodeship. According to the 2011 National Census, the Belarusian minority constituted 32.20% of the Hajnówka County population, 16.50% of the Bielsk Podlaski County population, 2.70% of the Siemiatycze County population, 2.60% of the Białystok County population and 2.70% of the Białystok population⁸. According to the 2011 National Census data, Belarusians currently constitute over 20% of the population in 9 communes of Podlaskie Voivodeship, while in 4 communes their share exceeds 50%.

The Belarusian minority did not form any electoral committees of their own in the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees. The election resulted in 3 candidates from the Belarusian minority being elected to the Podlaskie Voivodeship regional assembly. 16 members of this minority were elected to county councils all over the voivodeship (counties: Hajnówka, Bielsk Podlaski, Białystok, Siemiatycze and Sokółka), 150 candidates from the Belarusian minority were elected to town and commune councils in Podlaskie Voivodeship. 12 candidates from the Belarusian minority were elected Voits or Mayors of communes in Podlaskie Voivodeship. Members of the Belarusian minority were also elected Starosts (heads of counties) and Deputy Starosts in counties densely populated by this minority. This minority is not represented in the Parliament.

In the 2014/2015 school year 3,010 students from this minority learned Belarusian in 48 educational establishments, in the 2015/2016 school year – 3,072 students in 48 establishments, and in the 2016/2017 school year – 2,862 students in 48 establishments⁹.

The vast majority of Belarusians belongs to the Polish Autocephalous Orthodox Church.

Main organisations¹⁰:

- Belarusian Social and Cultural Society,
- ‘Muzeum Małej Ojczyzny w Studziwodach’ (Small Homeland Museum in Studziwody) Association,
- ‘Muzeum i Ośrodek Kultury Białoruskiej’ (Museum and Centre of Bielarussian Culture) Association in Hajnówka,
- Association for Children and Youth Learning the Belarusian Language ‘ABBA’,
- Belarusian Culture Association,
- Belarusian Association in the Republic of Poland, which includes the following autonomic organisations: Belarusian Literary Association ‘Białowieża’, Belarusian Historical Association, Association of Belarusian Journalists, Programme Board of the *Niwa* weekly, Belarusian Students’ Association, Belarusian Association ‘Chatka’ from Gdańsk,
- Belarusian Youth Association / ‘Szczyty’ – Association for Education and Promotion of the Belarusian Culture.

⁷ For all minorities and communities, the three voivodeships with the largest number of members of a given minority or community were indicated.

⁸ A city with county rights.

⁹ According to the data from the School Education Information System run by the Ministry of National Education – the number of students in a given school year is each time provided as of 30 September. These data include preschools and preschool sections.

¹⁰ Lists of national and ethnic minority organisations provided in this report are ordered alphabetically.

Major press periodicals¹¹:

- *Niwa* – weekly,
- *Czasopis* – monthly,
- *Bielski Hostinec* – semi-annual,
- *Białoruskie Zeszyty Historyczne* – semi-annual, ▪ *Kalendarz Białoruski* – annual, ▪ *Termapity* – annual.

Non-public media:

- Belarusian Radio 'Racja' – broadcasting programmes in Belarusian.

Major cultural events¹²:

- Belarusian Youth Music Festival 'Basowiszcza';
- 'Piosenka Białoruska' festival;
- Sung Poetry and Bards' Festival 'Jesień Bardów';
- International Cultural Festival 'Siabrouskaya Biasieda';
- Belarusian Culture Festival in Białystok;
- 'Kupalle' Festival in Białowieża.

Czechs

In the 2011 *National census of population and housing* 2,831 Polish citizens declared belonging to the Czech minority, notably in the following voivodeships: Śląskie – 580 persons, Mazowieckie – 453, Dolnośląskie – 396. Traditionally, the largest Czech minority population lives near Zelów, in Łódzkie Voivodeship. The first Czech migration to Poland took place in the mid-16th century as a result of religious persecution of the Unity of the Brethren. Further migration waves occurred in the first half of the 17th century, second half of the 18th century and at the beginning of the 19th century – the last one was related to the development of textile industry in Łódź.

The Czech minority is not represented in the Parliament. The minority also did not nominate any candidates in the 2014 local election.

The Czechs who live in Poland traditionally belong to the Evangelical Church.

Main organisation:

- The Czech Association in Poland has been active since 2010. Furthermore, the Reformed Evangelical Congregation in Zelów serves as a focus for social and cultural activity of members of the Czech minority.

Major cultural event:

- annual competition of preschool theatre groups.

Karaims

¹¹ Lists of national and ethnic minority periodicals included in this report are ordered by their frequency. ¹² Lists of national and ethnic minority cultural events provided in this report are ordered alphabetically.

The Karaims are the least numerous ethnic minority in Poland. In the 2011 *National census of population and housing* Karaim nationality was declared by 314 Polish citizens, notably in the following voivodeships: Mazowieckie – 98 persons, Łódzkie – 46, Dolnośląskie – 46. Most Karaims live in Warsaw and its surroundings, Łódź and Wrocław. The first groups of Karaims came from Crimea in the thirteenth century and settled on the lands of the Principality of Halych-Volhynia (Lutsk, Halycz, Lviv). At the turn of the 13th century, a large group of Karaims settled in Trakai near Vilnius. The Karaims migrated to the present territory of Poland after World War II after being repatriated from the eastern provinces of the Republic of Poland.

The Karaim minority is not represented in the Parliament. The minority also did not nominate any candidates in the 2014 local election.

Polish Karaims have lost knowledge of their native language. Karaim language lessons for children are organised during summer Karaim language schools in Trakai, Lithuania.

The Karaimism, a religion derived from Judaism, is uniquely followed by the Karaims. The Karaim Religious Association in the Republic of Poland plays a crucial role in the life of the Karaim minority.

Main organisation:

- Karaim Heritage Foundation;
- Association of Polish Karaims.

Major press periodicals:

- *Awazymyz* – quarterly;
- *Almanach karaimski* – annual.

Main cultural event:

- series of events ‘Spis podróżny. Karaimskie drogi’ – which includes the ‘Karaj jołary – Karaimi w starej fotografii’ exhibition and associated events.

Lithuanians

The Lithuanians are a national minority traditionally living in the northern part of Podlaskie Voivodeship. In the 2011 *National census of population and housing* 7,376 Polish citizens declared Lithuanian nationality, notably in the following voivodeships: Podlaskie – 4,867, Mazowieckie – 446, Warmińsko-Mazurskie – 380. The largest Lithuanian minority population can be found in Sejny County, Podlaskie Voivodeship, where 20.20% of Polish citizens declared Lithuanian nationality in the 2011 national census. Lithuanians are concentrated in the commune of Puńsk – 73.4% of the population (2011 National Census), the rural commune of Sejny – 15.50% (2011 National Census), the urban commune of Sejny – 7.80% (2002 National Census) and the commune of Szypiliszki in Suwałki County – 2.66% of the population (2002 National Census).

The Lithuanian minority is not represented in the Parliament. The Lithuanian minority did not form any electoral committees of their own in the 2014 local election. Candidates representing the minority were on the lists of other local electoral committees. Two members of the Lithuanian minority were elected to the Sejny County council. Furthermore, representatives of the Lithuanian

minority gained 11 seats (out of 15) in the Puńsk commune council, as well as seats on the Sejny town council (2) and the Sejny commune council (2). The Puńsk commune Voit (head of a commune) and Sejny Deputy Starost are also members of the Lithuanian minority.

In the 2014/2015 school year 648 students from this minority learned Lithuanian as a native language in 18 establishments. In the 2015/2016 school year 622 learned Lithuanian as a native language in 18 establishments, and in the 2016/2017 school year – 600 students in 16 educational establishments. In the majority of these establishments Lithuanian is the language of instruction, with the Lithuanian minority being the only one in Poland to choose this model of teaching. Lithuanian language lessons and teaching in Lithuanian language is ensured at all levels of education.

The vast majority of the Lithuanian minority members are the followers of the Roman Catholic Church.

Main organisations:

- Bishop Antanas Baranuskas Foundation ‘Dom Litewski w Sejnach’ (Lithuanian House in Sejny),
- St. Casmir Lithuanian Society , ▪ Association of Lithuanians in Poland, ▪ Lithuanian Community in Poland.

Major press periodicals:

- *Aušra* – biweekly,
- *Aušrelė* – monthly for children,
- *Šaltinis* – quarterly,
- *Suvalkietis* – quarterly.

Major cultural events:

- Children’s Theatre Festival,
- Barn Theatre Festival,
- ‘Zielna’ Folk Fair,
- ‘Vėlinės’ All Souls’ Day Concert;
- ‘Sąskrydis’ – Lithuanian art ensemble meeting.

Lemkos

In the 2011 *National census of population and housing* 9,640 Polish citizens declared belonging to the Lemkos ethnic minority, notably in the following voivodeships: Dolnośląskie – 4,735 persons, Małopolskie – 2,186, Lubuskie – 1,413. Traditionally, members of this minority lived in ‘Lemkivshchyna,’ which is part of the Low Beskids and Beskid Sądecki mountains. Lemkos were resettled to the areas of their current residence (western voivodeships) in 1947, as part of communist persecution in Operation Vistula (condemned by the Senate of the Republic of Poland in 1990). Currently, only some Lemkos live in the territory of historical Lemkivshchyna (Małopolskie Voivodeship).

A small group of Lemkos emphasizes their belonging to the Ukrainian nation. In the *National census of population and housing 2011* 283 members of the Lemko minority declared that they also belonged to the Ukrainian nation. The vast majority of Lemkos did not declare in that national census any connections with the Ukrainian nation. 801 members of the Ukrainian minority declared that they also belonged to the Lemko national-ethnic minority.

The Lemko minority is not represented in the Parliament. The Lemko minority did not form any electoral committees of their own in the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees. 6 Lemko minority candidates were elected to the commune and town councils in Lubuskie, Podkarpackie and Małopolskie Voivodeships. In one commune in Małopolskie Voivodeship a Lemko minority candidate was elected Voit.

In the 2014/2015 school year 280 students from this minority learned Lemko as a native language in 34 educational establishments, in the 2015/2016 school year – 333 students in 36 establishments, and in the 2016/2017 school year – 290 students in 38 educational establishments.

The vast majority of Lemkos belongs to two churches: the Polish Autocephalous Orthodox Church and the Ukrainian Greek Catholic Church.

Main organisations:

- 'Kyczera' Lemko Song and Dance Ensemble,
- Lemko Association,
- 'Lemko Tower' Association,
- 'Ruska Bursa' Association in Gorlice,
- Lemkos Union (supporting member of the Association of Ukrainians in Poland),
- Society for the Development of the Museum of Lemko Culture in Zyndranowa.

Major press periodicals:

- *Łemkiwska Storinka* – supplement to *Nasze Słowo* Ukrainian weekly,
- *Besida* – bimonthly,
- *Watra* – quarterly, ▪ *Łemkowski Rocznik* – annual,
- *Rocznik Ruskiej Bursy* – annual.

Non-public media:

- Since June 2011 non-public Internet Radio Ruska Bursa 'LEM.fm' has been broadcasting programmes in the Lemko language.

Major cultural events:

- 'Łemkowska Jesień Twórcza,'
- 'Łemkowska Watra na Obczyźnie' in Michałów,
- 'Łemkowska Watra' in Ługi,
- 'Łemkowska Watra' in Zdynia,
- 'Międzynarodowe Biennale Kultury Łemkowskiej' in Krynica,
- International Folk Festival of National and Ethnic Minorities 'Świat pod Kyczerą,'

- 'Spotkania z Kulturą Łemkowską' in Gorzów Wielkopolski.

Germans

The Germans are the most populous national minority in Poland. In the 2011 *National census of population and housing* 144,236 Polish citizens declared German nationality, notably in the following voivodeships: Opolskie – 78,157 persons, Śląskie – 34,799 persons, Warmińsko-Mazurskie – 4,645 persons. According to the 2011 National Census, the largest populations of Polish citizens declaring German nationality are located in central and eastern counties of Opolskie Voivodeship: Opole (16.30% of the county population), Strzelce (15.90%), Krapkowice (15.30%), Oleśno (13.20%), Prudnik (11.80%), Kędzierzyn-Koźle (10.20%), Kluczbork (6.80%) and in urban Opole County (1.90%), as well as in the western counties of Śląskie Voivodeship: Racibórz (9.70%), Gliwice (3.50%) and Lubliniec (2.40%). In 19 communes of Opolskie Voivodeship and in three communes of Śląskie Voivodeship the German minority constitutes over 20% of the population.

One representative of the German minority was elected to Parliament from the German minority electoral committee list. The German minority was the only one that formed its own electoral committee in Opolskie and Śląskie Voivodeships for the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees. The election resulted in 7 candidates from the German minority being elected to the Opolskie Voivodeship regional assembly. 44 members of this minority were elected to county councils in Opolskie Voivodeship (counties: Kędzierzyn-Koźle, Krapkowice, Oleśno, Opole, Prudnik and Strzelce), 263 candidates from the minority were elected to town and gmina councils in Opolskie and Warmińsko-Mazurskie Voivodeships. 26 candidates from the German minority were elected Voits or Mayors of communes in Opolskie Voivodeship. Additionally, candidates from the German minority who stood from local committee and national political party lists were elected to various levels of the Śląskie Voivodeship local government. Members of the German minority also serve as Starosts and Deputy Starosts in counties densely populated by this minority.

In the 2014/2015 school year 45,543 students from this minority learned German in 687 educational establishments, in the 2015/2016 school year – 51,198 students in 754 educational establishments, and in the 2016/2017 school year – 52,914 students in 809 educational establishments.

The German minority is mostly Catholic. A small part (mainly those living in northern voivodeships) declares that they belong to the Evangelical Church of the Augsburg Confession.

Main organisations:

- Union of German Social-Cultural Associations in Poland – an umbrella organisation that brings together the vast majority of German minority associations in Poland (over 90%). Organisations within the Union have legal personality and are autonomous. Currently, the Union has 26 standing and 9 associate members (organisations). The largest Union member organisations include: German Cultural and Social Association in Wrocław, German Socio-Cultural Association in Śląsk

Opolski, German Socio-Cultural Association of Śląskie Voivodeship, German Minority Socio-Cultural Association in Szczecin and Union of German Association in Warmia-Mazury. The associated organisations include: German Educational Society, Union of German Minority Youth in the Republic of Poland, Union of Silesian Rural Women, Union of Silesian Farmers.

Major press periodicals:

- *Wochenblatt.pl* – weekly,
- *Heimat – Mała Ojczyzna* – weekly supplement to *Nowa Trybuna Opolska*,
- *Allensteiner Nachrichten* – monthly,
- *Masurische Storchepost* – monthly,
- *Mitteilungsblatt* – monthly,
- *Oberschlesische Stimme* – monthly supplement to *Wochenblatt.pl* weekly.

Non-public media¹²:

- Polish-German Internet Radio ‘Mittendrin’ – broadcasts German-language programmes,
- Radio Doxa – broadcasts ‘Musikschachtel’, a programme in the German language,
- Radio Vanessa from Racibórz – broadcasts ‘Die deutsche Stimme aus Ratibor’, a programme in the German language,
- TVS Satellite Television – broadcast, in the period covered by this report, ‘Schlesien Journal’, a show in the German language.

Major cultural events:

- German Culture Days in Śląsk Opolski,
- German Minority Choirs and Vocal Groups Festival in Walce,
- Polish German Minority Culture Festival,
- Summer fair ‘Sommerfest’ in Warmia-Mazury,
- German Language Recitation Competition ‘Młodzież Recytuje Poezję’ (‘Young people recite poems’),
- German Minority Bands and Orchestras Festival in Leśnica,
- German Minority Children and Youth Bands Festival in Leśnica.

Armenians

In the 2011 *National census of population and housing* 1,683 Polish citizens declared belonging to the Armenian ethnic minority, notably in the following voivodeships: Mazowieckie – 403 persons, Śląskie – 167, Małopolskie – 155. Armenian colonies established around the 11th century in the territory of Kievan Rus (Lviv, Lutsk, Kamianets-Podilskyi) became part of the Polish territory during the reign of Casimir III of Poland (14th c.). In 1356, the colonies in Kamianets-Podilskyi and Lviv were confirmed to be autonomous, and Lviv became the seat of Armenian Bishops. Following World War II, most Polish Armenians who traditionally inhabited the former south-eastern provinces¹⁴ repatriated after 1945

¹² Lists of media provided in this report are ordered alphabetically. ¹⁴ Modern-day Western Ukraine.

to the current territory of Poland. In the 1990s, a sizeable group of migrants from the Republic of Armenia settled in Poland. The largest populations of Polish Armenians live in Warsaw and Kraków. Another important cultural centre of the Armenian minority is the city of Gliwice.

The 2014 local election resulted in a member linked to the Armenian community in Poland being elected to the Świętokrzyskie Voivodeship regional assembly.

In the 2014/2015 school year 76 students from this minority learned Armenian in 4 educational establishments, in the 2015/2016 school year – 86 students in 4 educational establishments, and in 2016/2017 – 75 students in 5 educational establishments.

Armenians living in Poland are mostly Catholics of Armenian or Latin rite.

Main organisations:

- Polish Armenian Culture and Heritage Foundation in Warsaw,
- Armenian Foundation KZKO,
- Armenian Cultural Society in Kraków,
- Archbishop Józef Teodorowicz Union of Armenians in Poland, based in Gliwice.

Major press periodicals:

- *Awedis* – quarterly,
- *Biuletyn Ormiańskiego Towarzystwa Kulturalnego* – quarterly.

Major cultural events:

- Armenian Days in Kraków, Warsaw and Gliwice,
- Commemoration of the 1915 Armenian Genocide, ▪ Nationwide Meetings of the Armenian Community.

Roma

In the 2011 *National census of population and housing* 16,723 Polish citizens declared belonging to the Roma ethnic minority, notably in the following voivodeships: Dolnośląskie – 2,028 persons, Małopolskie – 1,735, Śląskie – 1,733. The Roma in Poland belong to five groups, with the largest one being Bergitka Roma, followed by Polish Roma, Lovari, Kalderash and a small Sinti group.

The first document to confirm the presence of Roma in the territory of Poland dates back to 1401 and originates from Krakow. Since the 15th century, travelling Roma groups have been arriving along the Carpathian range and from the Great Hungarian Plain and settling in Poland. Carpathian Roma are their descendants. In the 16th century, the Roma started to arrive to Poland from Germany and were then called the Polish Roma. The second half of the 19th century saw a migration of the Kalderash ('cauldron-makers') and Lovari ('horse traders') Roma from Transylvania and Wallachia.

The Carpathian Roma, who have been leading a settled life for several hundreds of years, now live mainly in the mountainous areas of Małopolskie Voivodeship. The largest number of Roma lives in the rural commune of Bukowina Tatrzańska, Tatra County, where 1.10% of the residents declared Roma nationality in the 2002 National Census. Relatively large populations of the Bergitka Roma live in urban areas of Upper and Lower Silesia and in Nowa Huta in Kraków, where in the 1950s

the Roma were employed as part of a communist policy of 'making them productive'. Most of the Roma belonging to the other three groups used to lead nomadic life. Nowadays, members of these communities live mainly in the cities of Warsaw, Poznań, Wrocław, Łódź, Kraków, Mielec and Puławy, as well as in many smaller towns, following the forced settlement policy of the People's Republic of Poland authorities.

The Roma minority is not represented in the Parliament. Representatives of the minority stood for the 2014 local election in some communes from the lists of various electoral committees. None of the candidates connected with this minority won a seat, though.

In the 2014/2015 school year 5 students from this minority learned the Romani language in 3 educational establishments, in the 2015/2016 school year and in the 2016/2017 school year 2 students learned the Romani language in one educational establishment.

The vast majority of Roma in Poland are Roman Catholics, although recent years saw an increased Roma involvement in the Pentecostal Church and the Jehovah's Witnesses Association. Over 80 non-governmental Roma organisations are registered in Poland.

Main organisations:

- Counselling and Information Centre for the Roma in Poland,
- Bahtałe Roma Foundation,
- 'Roma' International Association of Roma Creators in Poland,
- 'Harrangos' Roma Education Society,
- Roma Educational Assistants' Society in Poland,
- Association of Roma and Other Nationalities in Nysa,
- Cultural and Social Association – Culture Centre of Roma in Poland,
- 'Parno Foro' Polish Roma Association,
- Roma Association in Nowa Huta, Kraków,
- Association of Roma in Poland,
- 'Patra' Roma Association in Pyrzyce,
- 'Romani Bacht' Roma Association in Wrocław,
- 'Kałe Jakha' Society for the Promotion of Roma Culture and Tradition,
- Polish Roma Cultural and Social Association in Kędzierzyn-Koźle,
- Union of Polish Roma,
- Union of Polish Roma in Gorzów Wielkopolski.

Major press periodicals: ■

Romano Atmo – bimonthly, ■ *Dialog-Pheniben* – quarterly.

Major cultural events:

- 'Romane Dyvesa' International Meetings of Gypsy Music Bands in Gorzów Wielkopolski,
- International Festival of Roma Songs and Culture in Ciechocinek,
- Tarnów–Szczurowa International Caravan of Roma Remembrance,
- International Roma Day celebrations,

- Commemoration of the anniversary of liquidation of 'Zieguenerlager' at Memorial and Museum Auschwitz-Birkenau, former German Nazi Concentration and Extermination Camp,
- Opening and closing of the Gypsy Season in the District Museum in Tarnów.

Russians

In the 2011 *National census of population and housing* 8,796 Polish citizens declared belonging to the Russian national minority, notably in the following voivodeships: Mazowieckie – 1,950 persons, Dolnośląskie – 861, Śląskie – 829. Polish Russians originate mainly from a series of migrations that brought their ancestors to Poland: after the Partitions of Poland (the 19th c.), after the October Revolution (post-1917), in the Polish People's Republic (1944–1989) and after the dissolution of the Soviet Union (post-1991).

The Russian minority is not represented in the Parliament. Representatives of the minority did not stand for the 2014 local election.

In the 2015/2016 school year 59 students from this minority learned Russian in 2 educational establishments, while in the 2016/2017 school year – 68 students in 3 educational establishments.

The majority of Russians belongs to the Polish Autocephalous Orthodox Church. Additionally, there are Old Believers in Podlaskie and Warmińsko-Mazurskie Voivodeships. This religious group separated from the hierarchy of the Russian Orthodox Church in the second half of the 17th century. At the end of the 18th century, the Old Believers settled in the present-day territory of Poland (Suwałki region and Mazury) after fleeing religious persecution. In recent years this group has been shifting from a primarily religious self-identity to a national one, the reasons for which include increased cooperation with other Russian minority organisations in Poland, bringing together mainly immigrants and their descendants, as well as benefiting from Russian Federation programmes intended for Russian minority organisations from abroad.

Main organisations:

- Russian Cultural and Educational Association in Białystok,
- 'Rosyjski Dom' ('Russian Home') Association in Warsaw,
- Association of Old Believers in Poland in Bór near Augustów. ▪ 'Wspólnota Rosyjska' ('Russian Community') Association in Warsaw.

Major press periodicals:

- *Zdrawstwuje!* – bimonthly.

Major cultural events:

- Annual conferences of Polish Russians (each time in a different city),
- Days of Russian Culture in Białystok,
- Russian Poetry Declamation Contest,
- Old Believer Picnics in Gabowe Grądy, Russian Maslenitsa in Warsaw.

Slovaks

In the 2011 *National census of population and housing* 2,739 Polish citizens declared belonging to the Slovak national minority, notably in the following voivodeships: Małopolskie – 1,428 persons, Śląskie – 264, Mazowieckie – 258. Slovaks have traditionally lived in the area of Spiš and Orava. According to the 2002 National Census, the largest populations of Slovaks live in the communes of Nowy Targ County: the rural commune of Nowy Targ – 3.25% of the population, Łapsze Niżne – 2.64%, and Jabłonka – 1.25%, as well as in Tatra County – the commune of Bukowina Tatrzańska (2.84%). According to the 2011 National Census data, members of the Slovak minority constitute 0.6% (Nowy Targ County) and 0.3% (Tatra County) of the population, respectively.

The Slovak minority has no representation in the Parliament. Representatives of the minority stood for the 2014 local election in some communes in Małopolskie Voivodeship from the lists of various electoral committees. One member of the Slovak minority was elected to a commune council in this voivodeship.

In the 2014/2015 school year 190 students from this minority learned Slovak in 10 educational establishments, in the 2015/2016 school year – 219 students in 11 establishments, and in the 2016/2017 school year – 258 students in 13 educational establishments.

Most Slovaks belong to the Roman Catholic Church.

The only organisation:

- Association of Slovaks in Poland.

Major press periodicals:

- *Život* – monthly,
- *Almanach Słowacy w Polsce* – annual.

Major cultural events:

- Slovak Culture Days in Małopolska,
- Ludwik Korkoš Art Competition
- ‘Poznaj ojczyznę swoich przodków’ (‘Know the homeland of your forefathers’) competition,
- Recitation competition ‘Dzień poezji i prozy im. Františka Kolkoviča’ (‘František Kolkovič Poetry and Prose Day’),
- Festival of Compatriot Brass Bands,
- Festival of Folk Ensembles in Krempachy.

Tatars

In the 2011 *National census of population and housing* 1,828 Polish citizens declared belonging to the Tatar ethnic minority, notably in the following voivodeships: Podlaskie – 539 persons, Mazowieckie – 332, Pomorskie – 175. Tatars live in the ancestral Tatar colonies in the Białystok region (Bohoniki and Kruszyniany) and in the following towns and cities: Białystok, Sokółka, Dąbrowa Białostocka, Warsaw and Gdańsk.

Polish Tatars have lived in the territory of the Grand Duchy of Lithuania since the late 14th century. Their ancestors were emigrants or refugees from the then Golden Horde territory and Crimea.

The Tatar minority has no representation in the Parliament. The minority also did not nominate any candidates in the 2014 local election.

Polish Tatars have lost their native language but remained faithful to Islam. The Muslim Religious Association in the Republic of Poland plays a crucial role in the life of the Tatar minority.

Main organisation: ■

‘Tatarskie Towarzystwo Kulturalne’ (‘Tatar Cultural Society’) Foundation, ■ Association of Tatars in the Republic of Poland.

Major press periodicals: ■

Życie Tatarskie – bimonthly, ■ *Przegląd Tatarski* – quarterly.

Major cultural event: ■ Tatar

Culture Days in Podlasie, ■ Summer Academy of Knowledge about Tatars.

Ukrainians

In the 2011 *National census of population and housing* 38,795 Polish citizens declared belonging to the Ukrainian national minority, notably in the following voivodeships: Warmińsko-Mazurskie – 13,037 persons, Zachodniopomorskie – 4,482, Pomorskie – 3,932, as well as in Podkarpackie and Małopolskie Voivodeships. Operation Vistula, carried out by the communist authorities in 1947, resulted in the resettlement of a significant portion of Ukrainians from south-eastern Poland to northern and western parts of Poland, where their biggest populations currently live.

One representative of the Ukrainian minority was elected Member of the Parliament in the 2011 parliamentary election from the list of the Civic Platform electoral committee. The Ukrainian minority did not form any electoral committees of their own in the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees, some with the support of Polish Ukrainian minority organisations. The election resulted in 8 members of the Ukrainian minority being elected to county councils in the following voivodeships: Podlaskie (Bielsk Podlaski County), Pomorskie (Bytów County), Podkarpackie (Przemyśl County), Warmińsko-Mazurskie (counties: Kętrzyn, Elbląg, Braniew, Ostróda) and Zachodniopomorskie (Wałcz County).

15 Ukrainian minority candidates were elected to the commune and town councils in the following voivodeships: Podlaskie, Pomorskie, Podkarpackie, Warmińsko-Mazurskie and Zachodniopomorskie. 3 candidates from the Ukrainian minority were elected Voits or Mayors (voivodeships: Dolnośląskie, Warmińsko-Mazurskie and Pomorskie). Members of the Ukrainian minority also serve as Starosts and Deputy Starosts in counties densely populated by this minority.

In the 2014/2015 school year 2,934 students learned Ukrainian as a native language in 177 establishments, in the 2015/2016 school year – 3,136 students in 186 establishments, and in the 2016/2017 school year – 3,108 students in 187 establishments.

The majority of Ukrainians in Poland belongs to two churches: the Ukrainian Greek Catholic Church and the Polish Autocephalous Orthodox Church.

Main organisations:

- 'PLAST' Ukrainian Youth Organisation,
- Ukrainian Society,
- Ukrainian Teachers' Society in Poland,
- Ukrainian Historical Society, ▪ Association of Ukrainians in Podlasie, ▪ Association of Ukrainians in Poland.

Major press periodicals:

- *Nasze Słowo* – weekly,
- *Nad Buhom i Narwoju* – bimonthly.

Non-public media:

- In the period covered by this report, Radio Orthodoxia from Białystok broadcast 'Ukraińskie słowo', a radio programme in the Ukrainian language. Programmes in the Ukrainian language were also broadcast by 'Orthodox.fm', Orthodox Internet Radio of Diocese of Lublin-Chełm.

Major cultural events:

- 'Dni Kultury Ukraińskiej w Regionach' ('Ukrainian Culture Days in the Regions') – in Zielona Góra, Szczecin and Giżycko.
- Festivals and Competitions for Children – Koszalin, Elbląg, Olsztyn, Wrocław, Giżycko.
- 'Festiwal Kultury Ukraińskiej' ('Ukrainian Culture Festival'),
- 'Podlaska Jesień' Ukrainian Culture Festival in Podlasie,
- 'Na Iwana, na Kupala' in Dubicze Cerkiewne,
- 'Misteria Kupalskie' in Kruklanki and Przemyśl,
- 'Ukraińskie Spotkania na Pograniczach' ('Ukrainian Meetings near the Borders') in Bytów, Mokre, Sanok.

Jews

In the 2011 *National census of population and housing* 7,353 Polish citizens declared belonging to the Jewish national minority, notably in the following voivodeships: Mazowieckie – 2,690 persons, Dolnośląskie – 880, Małopolskie – 745. The Jewish population is dispersed and they live mainly in cities. The first mentions of Jews on the Polish territory date back to the 10th century and the first

official Polish document granting privileges and autonomy to the Jews was the 'Statute of Kalisz'¹³ from the 13th century. The Jews were coming to Poland because it was the safest and had the best conditions for developing their culture (compared to constant pogroms of Jews in Western Europe), and because religious communities had autonomy guaranteed by royal privileges. The number of Jews in Poland was traditionally around 10% of the population (the most in Europe). The development of Jewish life in Poland was brutally interrupted by World War II and Hitler's *Endlösung* policy. During the communist era, a significant proportion of Polish Jews left the country in a few waves. The Jewish life in Poland revived after 1989. Many people returned to their Jewish roots. New organisations were founded to help develop the life of the Jewish community in Poland.

The Jewish minority has no representation in the Parliament. The 2014 local election resulted in one member of the Jewish minority being elected to one of the commune councils in Wielkopolskie Voivodeship.

In the 2014/2015 school year 418 students from this minority learned Hebrew in 8 educational establishments (in Warsaw and Wrocław). In the 2015/2016 school year 427 students learned in 10 establishments, and in the 2016/2017 school year – 435 students in 10 educational establishments. The Yiddish language (traditional language of Polish Jews) is taught at courses organised by Jewish organisations.

Jews are believers of Judaism. The Union of Jewish Religious Communities in Poland and its associated communities play a crucial role in the life of the Jewish minority.

Main organisations:

- Foundation for the Preservation of Jewish Heritage in Poland,
- 'Shalom' Foundation,
- Association of "Children of the Holocaust" in Poland,
- Association of the Jewish Historical Institute,
- Association of Jewish Combatants and Victims of World War II,
- Polish Jewish Youth Organisation,
- Social and Cultural Association of Jews in Poland.

Major press periodicals: ▪

- *Dos Jidische Wort – Słowo Żydowskie* – monthly,
- *Midrasz* – bimonthly.

Major cultural events:

- Jewish Book Days in Warsaw,
- Jewish Culture Festival 'Simha' in Wrocław,
- Jewish Culture Festival 'Singer's Warsaw Festival', ▪ Anniversary of the Warsaw Ghetto Uprising.

¹³ Historically, a 'statute' meant legal regulations issued by successive rulers. In the case of Jews, subsequent statutes often approved all kinds of privileges for that group that were issued by previous rulers, starting with the above-mentioned 13th century Statute of Kalisz.

4.3 Characteristics of community using the regional language.

According to the 2011 *National census of population and housing*, 108,140 persons use mainly the **Kashubian language** at home, including 107,742 persons in Pomorskie Voivodeship. According to the 2011 National Census, the largest populations of persons using the regional language at home live in the following counties of Pomorskie Voivodeship: Kartuzy – 39.40% of the county population, Puck – 22.30%, Wejherowo – 11.50%, and Bytów – 11.20%. According to the 2011 National Census data, persons using the regional language at home constitute over 20% of the population in 19 communes of Pomorskie Voivodeship, while in 5 communes their percentage exceeds 50%.

The community using the regional language did not form any electoral committees of their own in the 2011 parliamentary election. Persons connected to this community stood for election from the lists of nationwide political parties. The Kashubian Parliamentary Group is active in Parliament, and currently includes nine senators and five deputies working for the benefit of Kashubia and Pomerania. It also includes members of the Parliament connected to the community using the regional language.

The community using the regional language did not form any electoral committees of their own in the 2014 local election. Candidates representing the minority competed for local government posts of Pomorskie Voivodeship from lists of various electoral committees. The election resulted in a number of persons connected to the Kashubian community being elected to the Pomorskie Voivodeship regional assembly and the Pomorskie Voivodeship executive board. Additionally, members of the Kashubian community joined county councils across the voivodeship. Numerous persons connected to the Kashubian community were elected Voits, Mayors and Presidents of towns and cities in Pomorskie Voivodeship. Additionally, members of the Kashubian community serve, as representatives of various political parties and electoral committees, on numerous commune councils in the voivodeship, and are in charge of certain local government units.

In the 2014/2015 school year 19,529 students from this minority learned Kashubian in 468 educational establishments, in the 2015/2016 school year – 20,323 students in 485 establishments, and in the 2016/2017 school year – 20,690 students in 514 educational establishments.

Most persons using the regional language at home belong to the Roman Catholic Church.

Main organisations:

- Kashubian-Pomeranian Association,
- Kashubian Institute,
- ‘Kaszubski Uniwersytet Ludowy’ Foundation (‘Kashubian People’s University’),
- ‘Ziemia Pucka’ Association,
- ‘Kaszëbskô Jednota’ Association.

Major press periodicals:

- *Pomerania* – monthly.

Non-public media:

- ‘Kaszëbë’ Radio – broadcasting programmes in the Kashubian language,
- TVT Teletronik in Kartuzy – a cable TV channel broadcasting, among other things, programmes in the Kashubian language,

- Twoja Telewizja Morska in Wejherowo – a cable TV channel broadcasting, among other things, programmes in the Kashubian language.

Major cultural events:

- Kashubian dictation 'Piszã pò kaszëbskù',
- Jan Drzeżdżon Kashubian Language Competition 'Byle nie zapomnieć mowy ojców',
- Regional Kashubian Literature Competition 'Rodnô Mòwa',
- Summer School of Kashubian Language, ▪ Meetings of Kashubian language writers,
- Kashubian Conventions organised yearly in Pomorskie Voivodeship.

5. Description of the situation on areas inhabited by the different minorities.

The largest populations of national and ethnic minorities live in voivodeships in south-western Poland (voivodeships: Opolskie – 80,327 Polish citizens, Śląskie – 40,752 and Dolnośląskie – 16,775) and in north-eastern Poland (voivodeships: Podlaskie – 47,711, Warmińsko-Mazurskie – 20,294 and Mazowieckie – 15,508).

According to the Statistics Poland data from December 2016, the unemployment rate for the total Polish population is 8.3%. Among voivodeships with large minority populations, an unemployment rate higher than the average was recorded in Warmińsko-Mazurskie (14.2% – this voivodeship has the highest unemployment rate in the country), and unemployment rates higher than the average were also registered in Kujawsko-Pomorskie (12.1%) and Podkarpackie (11.6%) Voivodeships. Unemployment rates below the national average were reported in the following voivodeships: Wielkopolskie (5%), Śląskie (6.6%), Małopolskie (6.7%), Mazowieckie (7.2%), Dolnośląskie (7.3%) and Pomorskie (7.3%).

According to the Statistics Poland data for 2015, Polish GDP per capita is PLN 46,764 (ca. EUR 11,318¹⁴). Among voivodeships with large minority populations, GDP per capita is higher than the national average in the following voivodeships: Mazowieckie (PLN 74,550), Dolnośląskie (PLN 52,128) and Śląskie (PLN 44,372). However, it is lower in Podlaskie (PLN 33,230), Warmińsko-Mazurskie (PLN 33,194) and Opolskie (PLN 37,791). Three of the listed voivodeships with the largest population of minorities (Mazowieckie, Dolnośląskie and Śląskie) have the highest GDP per capita in the country.

¹⁴ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2015. (PLN 4.2846 = EUR 1).

6. Base data ¹⁵¹⁶

	Area in km ² (2016)	Population (situation as of 31 December 2016)	GDP per capita in PLN/EUR ¹⁸ (2015)	Unemployed (December 2016 in thousands)	Unemployment rate (%) (December 2016)
POLAND	312,679	38,432,992	46,764 / 10,914	1,335.2	8.3
Dolnośląskie	19,947	2,903,710	52,128 / 12,166	86.0	7.3
Kujawsko-Pomorskie	17,972	2,083,927	38,142 / 8,902	98.5	12.1
Lubelskie	25,122	2,133,340	32,063 / 7,483	95.6	10.4
Lubuskie	13,988	1,017,376	39,042 / 9,112	32.4	8.7
Łódzkie	18,219	2,485,323	43,736 / 10,208	91.0	8.6
Małopolskie	15,183	3,382,260	42,139 / 9,835	96.5	6.7
Mazowieckie	35,558	5,365,898	74,550 / 17,399	188.9	7.2
Opolskie	9,412	993,036	37,791 / 8,820	32.4	9.0
Podkarpackie	17,846	2,127,656	33,050 / 7,714	107.6	11.6
Podlaskie	20,187	1,186,625	33,230 / 7,756	48.4	10.4
Pomorskie	18,310	2,315,611	44,854 / 10,469	64.1	7.3

¹⁵ Source: Statistics Poland cyclical reports published on the website: www.gus.pl, data for population per voivodeship from: Statistics Poland <http://stat.gov.pl/obszary><http://stat.gov.pl/obszary-tematyczne/ludnosc/ludnosc/ludnosc-i-ruch-naturalny-w-2016-r-30,1.html> and <http://stat.gov.pl/obszary><http://stat.gov.pl/obszary-tematyczne/rachunki-narodowe/kwartalne-rachunki-narodowe/informacja-glownego-urzedu-statystycznego-w-sprawie-zaktualizowanego-szacunku-pkb-wedlug-kwartalow-za-lata-2015-2016,8,4.html>; GDP data for 2015 from Statistics Poland Katowice publication: 'Wstępne szacunki produktu krajowego brutto według województw w 2015 r.' (Initial estimates of the gross domestic product by voivodeship) from 30 December 2016; unemployment data: <http://stat.gov.pl/obszary-tematyczne/rynek><http://stat.gov.pl/obszary-tematyczne/rynek-pracy/bezrobocie-rejestrowane/bezrobocie-rejestrowane-i-iv-kwartal-2016-r-3,26.html> oraz <http://www.mpips.gov.pl/analizy-i-raporty/bezrobocie-rejestrowane-w-polsce/rok-2016/>

¹⁶ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2015. (PLN 4.2846 = EUR 1).

Śląskie	12,333	4,559,164	48,702 / 11,367	120.0	6.6
Świętokrzyskie	11,711	1,252,900	33,877 / 7,907	57.1	10.8
Warmińsko-Mazurskie	24,173	1,436,367	33,194 / 7,747	73.1	14.2
Wielkopolskie	29,826	3,481,625	50,870 / 11,873	77.7	5.0
Zachodniopomorskie	22,892	1,708,174	39,693 / 9,264	65.8	11.0

PART II: IMPLEMENTATION OF THE FRAMEWORK CONVENTION FOR THE PROTECTION OF NATIONAL MINORITIES

Article 1

The protection of national minorities and of the rights and freedoms of persons belonging to those minorities forms an integral part of the international protection of human rights, and as such falls within the scope of international cooperation.

Republic of Poland adopted a number of acts of international law regulating, among other things, national and ethnic minority rights. Information on the status of international law in national legislation is provided in Part I (Chapter 2).

Article 2

The provisions of this framework Convention shall be applied in good faith, in a spirit of understanding and tolerance and in conformity with the principles of good neighbourliness, friendly relations and cooperation between States.

Ratification of the *Convention* by Poland required adjusting the national legislation to principles listed therein. It was taken into account while preparing the *Act on national and ethnic minorities and on the regional language*. Provisions of the Act were drafted in line with the principles of the *Convention*. In some cases, provisions of the *Convention* were referenced directly. As a consequence, with the adoption of the *Act on national and ethnic minorities and on the regional language* in 2005, all principles included in the *Convention* were implemented in the Polish legal system.

Furthermore, ratification of the *Convention* by Poland served as a declaration of the Republic of Poland that objectives listed in the *Convention's* preamble are also objectives of the Polish state. This means that Poland has recognised that protection of national and ethnic minorities is essential for the stability, security and peace in Europe and that ethnic, linguistic, religious and cultural diversity should be respected. This also shows deep conviction that diversity enriches the country and its citizens. As a signatory to the *Convention*, Poland increased the shared European cultural heritage with cultural wealth of its national and ethnic minorities. This is also part of Polish tradition.

For centuries, Poland had been a sanctuary of religious and national tolerance in Europe. Thanks to this tolerance, Poland has hosted for centuries minorities such as Tatars, Jews, Armenians, Karaims or Roma – after persecution abroad, they found a new home in Poland.

In democratic countries, national minorities have high social and cultural importance. As a result of changes in Poland in 1989, national and ethnic minorities enjoy full rights derived from provisions of national and international law. The Polish government listens closely to the minorities, aiming to create conditions that would ensure harmonious development of their culture and identity, as well as the promotion of openness and tolerance in the Polish society, especially among the youth. Taking appropriate measures to support activities aimed at the protection, preservation and development of cultural identity of national and ethnic minorities is a statutory responsibility of Polish public authorities.

Article 3

1. Every person belonging to a national minority shall have the right freely to choose to be treated or not to be treated as such and no disadvantage shall result from this choice or from the exercise of the rights which are connected to that choice.

Article 53 of the *Constitution* guarantees freedom of conscience. Paragraph 7 of this Article states that no one may be compelled by organs of public authority to disclose his philosophy of life, religious convictions or belief. According to Article 31 of the *Constitution*, freedom of the person shall receive legal protection and no one shall be compelled to do that which is not required by law.

At the same time, according to Article 51(1) of the *Constitution of the Republic of Poland*, no one may be obliged, except on the basis of statute, to disclose information concerning his person.

One of the first Acts adopted after the change of political system in 1989 was Act of 17 May 1989 *on the guarantees of freedom of conscience and religion* (Journal of Laws of 2005, No 231, item 1965, as amended).

These issues are also regulated by Act of 29 August 1997 *on personal data protection* (Journal of Laws of 2016, item 922), where Article 27 prohibits processing data that discloses racial or ethnic origin. Processing of such data is allowed only in the cases specified in the Act.

Pursuant to Article 4(1) of the Act *on national and ethnic minorities and on the regional language* ‘every person belonging to a minority shall have the right to freely decide about whether they wish to be treated as a person belonging to a minority or not, and not have that choice or the exercise of rights it carries entail any adverse effects.’ It should be noted that this provision echoes Article 3(1) of the *Convention*. Furthermore, Article 4(2) of the Act stipulates that ‘No one shall be obliged, except by virtue of an Act, to disclose information about their affiliation with any particular minority, or to disclose their origin, minority language or religion’ and under Article 4(3) ‘No one shall be obliged to prove their affiliation with any particular minority.’

Another element introduced in the Act *on national and ethnic minorities and on the regional language* should be highlighted here. Article 2 includes definitions of a national minority and an ethnic minority, and lists national and ethnic minorities living in Poland. For a community to be recognised as a national or ethnic minority, its members must be Polish citizens and the community has to meet six conditions – five shared by national and ethnic minorities and one determining the

difference between them. Therefore, a national or ethnic minority is, according to this definition, a group of Polish citizens that meets the following criteria:

- 1) is numerically smaller than the rest of the population of the Republic of Poland;
- 2) significantly differs from the remaining citizens in its language, culture or tradition;
- 3) strives to preserve its language, culture or tradition;
- 4) is aware of its own historical, national community, and is oriented towards its expression and protection;
- 5) its ancestors have been living on the present territory of the Republic of Poland for at least one hundred years.

A national minority is a group of people that identifies with a nation organised in its own state, while an ethnic minority is a group of people that do not identify with such a nation. In line with the adopted criteria, the Act lists nine national minorities (Belarusians, Czechs, Lithuanians, Germans, Armenians, Russians, Slovaks, Ukrainians and Jews) and four ethnic minorities (Karaims, Lemkos, Roma and Tatars). Additionally, the Act includes the definition of a regional language¹⁷, which, under the Act, is the Kashubian language. It should be stressed that every provision of the Act equally concerns both the national and ethnic minorities.

Respect for the subjective criterion, *i.e.* a declaration of belonging to a national minority, does not lessen the validity and significance of the objective criteria, under which legal recognition of a specific national or ethnic minority is the responsibility of public authorities, established in a procedure that enables appealing to higher administrative bodies and independent courts (see implications of European Court of Human Rights judgment of 17.12.2004 in *Gorzelik and Others v Poland*).

The principle of freely deciding whether one belongs to a national minority is included in treaties signed by Poland with: the Federal Republic of Germany, the Czech and Slovak Federal Republic, Ukraine, the Republic of Belarus and the Republic of Lithuania.

2. Persons belonging to national minorities may exercise the rights and enjoy the freedoms flowing from the principles enshrined in the present framework Convention individually as well as in community with others.

According to Article 4(4) of the Act *on national and ethnic minorities and on the regional language* 'Persons belonging to a minority may enjoy the rights and freedoms stemming from the principles set forth in this Act, both individually as well as together with other members of the minority.' It should be noted that this provision is the same as Article 3(2) of the *Convention*.

The government wishes to reaffirm that persons who are not members of national minorities, including persons who are not Polish citizens, are subject, on general terms, to provisions of Polish legislation and ratified international agreements that protect their human rights and freedoms.

The ability to benefit from rights and freedoms individually or together with other members of national and ethnic minorities has been also specified in bilateral treaties signed by Poland with for

¹⁷ Article 19(1). For the purposes of this Act and in accordance with the European Charter for Regional or Minority Languages a 'regional language' shall mean a language that is:

example: the Federal Republic of Germany, the Czech and Slovak Federal Republic, Ukraine, the Republic of Belarus and the Republic of Lithuania.

Article 4

1. The Parties undertake to guarantee to persons belonging to national minorities the right of equality before the law and of equal protection of the law. In this respect, any discrimination based on belonging to a national minority shall be prohibited.

In the Republic of Poland, guarantees of equality before the law are constitutional principles. *Constitution of the Republic of Poland* introduces the following regulations aimed at upholding this principle:

- 1) traditionally used within a given territory of a State by nationals of that State, who form a group numerically smaller than the rest of the State's population,
- 2) different from the official language of that State; it shall not include either dialects of the official language of the State or the languages of migrants.

Article 2 of the *Constitution* states that the Republic of Poland is a democratic state ruled by law and implementing the principles of social justice. According to Article 5 of the *Constitution* the Republic of Poland shall safeguard the independence and integrity of its territory and ensure the freedoms and rights of persons and citizens, the security of the citizens, safeguard the national heritage and shall ensure the protection of the natural environment pursuant to the principles of sustainable development. Article 7 of the *Constitution* states that the organs of public authority shall function on the basis of, and within the limits of, the law.

Persons whose constitutional freedoms or rights have been infringed can pursue their rights before, e.g., the Constitutional Tribunal. Article 79(1) of the *Constitution* stipulates that in accordance with principles specified by statute, everyone whose constitutional freedoms or rights have been infringed, shall have the right to appeal to the Constitutional Tribunal for its judgment on the conformity to the *Constitution* of a statute or another normative act upon which basis a court or organ of public administration has made a final decision on his freedoms or rights or on his obligations specified in the *Constitution*.

According to Article 80 of the *Constitution*, everyone shall have the right to apply to the Commissioner for Human Rights for assistance in protection of his freedoms or rights infringed by organs of public authority. The office of Commissioner for Human Rights was established in 1987. According to Article 208(1) of the *Constitution*, Commissioner for Human Rights shall safeguard the freedoms and rights of persons and citizens specified in the *Constitution* and other normative acts (Act of 15 July 1987 on *the Commissioner for Human Rights*, Journal of Laws of 2014, item 1648). From the very beginning, the office of Commissioner for Human Rights was concerned with issues of national and ethnic minorities.

Under Article 31 of the *Constitution*, freedom of the person shall receive legal protection. Everyone shall respect the freedoms and rights of others. No one shall be compelled to do that which is not required by law. Any limitation upon the exercise of constitutional freedoms and rights may be imposed only by statute, and only when necessary in a democratic state for the protection of its

security or public order, or to protect the natural environment, health or public morals, or the freedoms and rights of other persons. Such limitations shall not violate the essence of freedoms and rights.

Article 32 of the *Constitution* states that all persons shall be equal before the law. All persons shall have the right to equal treatment by public authorities. No one shall be discriminated against in political, social or economic life for any reason whatsoever.

Furthermore, a provision of Article 6 of the Act *on national and ethnic minorities and on the regional language* prohibits discrimination on account of one's belonging to a national or ethnic minority.

Specific regulations on the prohibition of any discrimination on the labour market, including due to nationality and ethnic origin, were laid out in Act of 26 June 1974 *on Labour Code* (Journal of Laws of 2016, item 1666). Article 11³ of the *Code* includes prohibition of discrimination in employment, direct or indirect, in particular in respect of gender, age, disability, race, religion, nationality, political views, trade union membership, ethnic origin, creed, sexual orientation or in respect of the conditions of employment for a definite or an indefinite period of time or full or part time. Further specific provisions on the prohibition of discrimination were laid out in Chapter IIa of the *Labour Code – Equal Treatment in Employment*. Article 18^{3a} § 1 of the *Code* stipulates that employees should be treated equally in relation to establishing and terminating an employment relationship, employment conditions, promotion conditions, as well as access to training in order to improve professional qualifications, in particular regardless of sex, age, disability, race, religion, nationality, political beliefs, trade union membership, ethnic origin, creed, sexual orientation, as well as regardless of employment for a definite or indefinite period of time or full time or part time employment. § 2 of the abovementioned Article states that equal treatment in employment means that there must be no discrimination whatsoever, directly or indirectly, on the grounds referred to in § 1. However, § 5 states that discrimination within the meaning of § 2 of the Article is also taken to include practices related to encouraging another person to violate the principle of equal treatment in employment, or a person is ordered to violate that principle and unwanted conduct with the purpose or effect of violating the dignity of an employee and of creating an intimidating, hostile, degrading, humiliating or offensive atmosphere (harassment). According to § 7 the submission of an employee to harassment or sexual harassment (defined in § 6 of the Article), as well as his conduct in order to reject harassment or sexual harassment, cannot inflict any negative consequences toward the employee. Thus, the principle of non-discrimination in employment has been formulated in a way that makes it clear that its application is the basic duty of all employers. The prohibition of discrimination covers all stages of employment relationship: selection of employees, establishment of the content of employment relationship and its implementation, and termination of the employment relationship. Both direct and indirect discrimination is prohibited. The aforementioned article includes also definitions of both of these concepts. Article 18^{3b} § 1 of the *Labour Code* states that the violation of the principle of equal treatment in employment, subject to § 2-4, means an employer treating an employee differently on one or more grounds referred to in Article 18^{3a} § 1 with the effect of, in particular: terminating or rejecting the establishment of an employment relationship; establishing disadvantageous conditions of remuneration for work or other employment, or not being selected for promotion or not being granted other work-related benefits; not being chosen to participate in training organised to improve professional qualifications – unless the employer proves that this was due to objective reasons. According to § 3 of the aforementioned Article the principle of equal treatment in employment is not violated by conduct undertaken for a certain period of time,

aimed at creating equal opportunities for all or a considerable number of employees distinguished by one or more grounds referred to in Article 18^{3a} § 1, by reducing the actual inequalities for an advantage of such employees to the extent determined in that provision. However, § 4 stipulates that the principle of equal treatment is not violated where churches and other religious societies, as well as organisations the ethics of which is based on religion, creed or world-view deter access to employment on the grounds of religion, creed or world-view provided the type or characteristics of the activity conducted by the churches and other religious societies, as well as organisations causes that the religion, creed or world-view are a real and decisive occupational requirement for the employee, proportional to reaching a lawful aim of the differentiation of the situation of such a person. It also concerns the requirement for the employed to act in good faith and loyalty towards the ethics of the church, other religious society and organisation the ethics of which is based on religion, creed or world-view. Article 18^{3c} states that employees have the right to equal remuneration for the same work or for work of an identical value. Guarantees of compliance with the principle of non-discrimination in employment relationships were included in Article 18^{3d} of the *Labour Code*, which stipulates that a person against whom an employer has violated the principle of equal treatment in employment has the right to compensation of at least the amount of the minimum remuneration for work, determined in separate provisions. Cases related to compensation for discrimination in the workplace, as a separate category, have been adjudicated since 1 January 2002. Additionally, according to the provisions of Article 18^{3e} § 1 the fact that an employee has exercised his rights due to a violation of the principle of equal treatment in employment may not constitute a reason for the disadvantageous treatment of the employee and may not result in any negative consequences toward the employee; in particular, it may not constitute grounds for the termination of an employment relationship by an employer, with or without notice. According to § 2 of the Article the provision of § 1 applies accordingly in relation to an employee who has provided any support to an employee using his rights due in respect of a violation of the principle of equal treatment in employment.

In addition to the Labour Code, a prohibition of discrimination on the grounds of ethnic origin was also introduced in Act of 1 June 2004 *on the promotion of employment and labour market institutions* (Journal of Laws of 2016, item 645). According to Article 2a of the Act these provisions protect the principle of equal treatment in terms of accessing or using labour market services and instruments regardless of sex, race, ethnic origin, nationality, religion, creed, world-view, disability, age and sexual orientation. Article 10 highlights that the criteria for issuing work permits to foreigners set by the Voivod cannot include requirements that discriminate on the grounds of sex, age, disability, race, nationality, ethnic origin, sexual orientation, political views and faith, or trade union or employee organisation membership. Article 19c of the Act states that an employment agency shall not discriminate against the persons for whom it seeks employment or other paid work on the grounds their sex, age, disability, race, religion, ethnic origin, nationality, sexual orientation, political views, creed or trade union membership. Article 36(4) on job placement states that job placement is delivered free of charge and in compliance with such principles as the equality principle. This means that county labour offices are obliged to provide support to all job seekers, regardless of their sex, age, disability, race, religion, nationality, political views, trade union membership, ethnic origin, faith or sexual orientation. In turn, Paragraph 5e of this Article provides that a county labour office may not accept a job offer if the employer sets requirements therein that infringe the principle of equal treatment in employment within the meaning of labour law and may discriminate against candidates for the job, especially on the basis of sex, age, disability, race, religion, nationality, political views, trade union membership, ethnic origin, faith or sexual orientation. According to

Article 38 on career counselling and professional information, such activities shall respect such principles as the principle of equality without discrimination based on sex, age, disability, race, ethnic origin, nationality, sexual orientation, political views, faith or trade union membership. Article 40(6) of this Act prohibits discrimination against the unemployed when referring them for training. The Act also provides for sanctions for breaking the non-discrimination principles set forth therein. For example, under Article 121(3), whoever manages an employment agency and does not respect the principle of non-discrimination on the grounds of sex, age, disability, race, religion, ethnic origin, nationality, sexual orientation, political views, faith or trade union membership shall be liable to a fine of not less than PLN 3,000 (*i.e.* about EUR 706¹⁸). According to Article 123, whoever refuses to employ a candidate to fill a job or apprenticeship vacancy on grounds of sex, age, disability, race, religion, nationality, political views, origin or sexual orientation shall be liable to a fine of at least PLN 3,000 (*i.e.* about EUR 706).

As of 1 January 2011, the Act of 3 December 2010 *on the implementation of certain European Union provisions on equal treatment* (Journal of Laws of 2016, item 1219) entered into force. It complements the already existing regulations on the principle of equal treatment without discrimination based on sex, race, ethnic origin, nationality, religion, faith, views, disability, age and sexual orientation. The Act clarifies the legal situation and fully implements the existing anti-discrimination EU directives. It also establishes legal measures safeguarding the principle of equal treatment and authorities responsible for the implementation of this principle.

2. The Parties undertake to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities.

Article 32 of the *Constitution* is of fundamental importance for guaranteeing equality before the law and equal legal protection. According to this Article, all persons shall be equal before the law. All persons shall have the right to equal treatment by public authorities. No one shall be discriminated against in political, social or economic life for any reason whatsoever. Moreover, Article 6(2) of the *Act on national and ethnic minorities and on the regional language* obligates public authorities to take appropriate measures in order to: foster full and real equality in the sphere of economic, social, political and cultural life between persons belonging to a minority and the majority of the population; protect persons who are facing discrimination, hostility or violence because of being part of a minority, as well as reinforce intercultural dialogue. Article 21(2) of the Act imposes on the minister competent for religious denominations and national and ethnic minorities certain duties, including those relating to the observance of the principle of equal treatment of persons without regard to their ethnic origin.

The above-mentioned *Act on the implementation of certain European Union provisions on equal treatment* defines areas and means for tackling infringements of the principle of equal treatment without discrimination on such bases as ethnic origin and nationality.

In addition, the discrimination in employment is also prohibited by Article 11³ of the *Labour Code*, which stipulates that no direct or indirect discrimination in employment is allowed, in

¹⁸ An average PLN/EUR exchange rate according to the average exchange rate of the National Bank of Poland for January and December in 2012–2016: PLN 4.2464 = EUR 1.

particular on grounds of sex, age, disability, race, nationality, beliefs, especially political or religious ones, as well as trade union membership.

The Roma minority is most exposed to social exclusion. Their socio-economic situation is much more difficult compared to the other national and ethnic minorities. For this reason, between 2004 and 2013, the *Programme for the Roma Community in Poland*, adopted on 19 August 2003 by the Council of Ministers, was implemented, which served as a continuation of an earlier, 3-year pilot programme. Following its expiry, on 7 October 2014, the Council of Ministers adopted the *Programme for integrating the Roma community in Poland for 2014–2020* by Resolution No 202.

The *Programme for Integration* mainly aimed at increasing the social integration of the Roma community within the activities of the civil society through support in four areas:

- education, including cultural education (which covers safeguarding and preserving the cultural identity of the Roma, measures to raise awareness of the Roma community as well as to improve the perception of Roma people among the non-Roma majority);
- housing,
- health,
- employment assistance.

In 2015, the *Programme for integrating the Roma community in Poland for 2014–2020* was mainly funded under the special-purpose reserve and from the funds managed by the Minister of National Education and the Minister of the Interior and Administration. The funding for the *Programme* amounted to PLN 9,868 (ca. EUR 2,303,105) under the special-purpose reserve within the state budget, mobilised on the initiative of the Minister of the Interior and Administration. This amount was distributed on behalf of the Minister of the Interior and Administration through Voivodes. Additionally, under Part 43 of the state budget the Minister of the Interior and Administration allocated PLN 450,000 (ca. EUR 105,026) for scholarships for gifted Roma students, and for upper-secondary students. For certain tasks in the area of education, the amount of PLN 700,000 (ca. EUR 163,374) was allocated under the budget of the Minister of National Education (Part 30 of the state budget). In 2015, from own funds and other sources, the bodies implementing the tasks raised additional PLN 894,000 (ca. EUR 208,652), which they allocated for funding the programme tasks. The voivodeships that allocated the largest amounts from other sources for programme tasks are the following: Małopolskie Voivodeship – PLN 290,000 (ca. EUR 67,683), Śląskie Voivodeship – PLN 254,000 (ca. EUR 59,281), Dolnośląskie Voivodeship – PLN 136,000 (ca. EUR 31,741). Only in Lubuskie, Podlaskie, Świętokrzyskie and Zachodniopomorskie Voivodeships all the tasks under the *Programme* were implemented exclusively from budget appropriations. To sum up, it should be concluded that in 2015 the funds committed for the tasks under the *Programme* amounted to PLN 11,912,000 (ca. EUR 2,780,157). Out of this amount, for the implementation of all the tasks under the *Programme* in 2015 a total of PLN 11,658,000 (ca. EUR 2,720,876) was used, *i.e.* 97.9% of all the appropriations committed.

The priority area under the *Programme* was education. The total funds from the state budget (the special-purpose reserve, Part 43 and Part 30) spent on the implementation of tasks in the field of 'Education' was PLN 7,164,000 (ca. EUR 1,672, 015), including PLN 6,041,000 (ca. EUR 1,409,917) from the special-purpose reserve. This amount accounts for 66.6% of all the expenditure incurred on the *Programme*. The funds from the special-purpose reserve spent on measures in the 'Housing' area amounted to PLN 2,531,000 (ca. EUR 590,713) or 26.2% of all the expenditure incurred on the

Programme. On 'Work' measures, PLN 741,000 (ca. EUR 172,943) was spent, *i.e.* 7.7% of all the expenditure incurred on the *Programme*, while 'Health' measures absorbed PLN 329,000 (ca. EUR 76,786) or 3.4% of all the expenditure incurred on the *Programme*.

Education

According to data from all voivodeships, in the school year 2014/2015 compulsory education applied to 3,230 Roma children, of which 3,002 received compulsory education. Most of the Roma children subject to compulsory education were in Dolnośląskie Voivodeship (800), followed by Małopolskie Voivodeship (587), while the fewest in Pomorskie Voivodeship (10). This issue is described as a percentage ratio of Roma children receiving compulsory education to the total population of Roma children to whom compulsory education applies. The maximum value (100%) was reached in Pomorskie, Podlaskie and Lubuskie Voivodeships, where all the Roma children received their compulsory education, followed by Dolnośląskie, Małopolskie, Podkarpackie and Świętokrzyskie Voivodeships, which scored about 97% each. Wielkopolskie and Kujawsko-Pomorskie Voivodeship got the lowest score of 64% and 79%, respectively. The ratio of Roma children subject to compulsory education to the children receiving education at the national level was 93%. It should be noted that in 2013, that is in the last year of the *Programme for the Roma Community in Poland*, the ratio was 84%.

The measures in the field of 'Education' aimed mainly at improving the level of education and increasing education participation among school pupils and university students of Roma origin. One of the major tasks in 2015 was financial support. The aid was mainly in the form of co-financing to enable Roma children to attend preschools and the so-called 'zero' forms on a daily basis. The support also included supplying the most vulnerable children with school accessories, didactic aids, PE clothing and personal hygiene products. In addition and to a lesser extent, the co-financing also covered school meals, costs of travel to and from school as well as accident insurance. In 2015, under the *Programme* measures, 2,455 Roma children received sets of textbooks and school equipment. It should be noted that at the national level 82% of Roma children receiving compulsory education benefited from this form of aid.

The second group of tasks under 'Education', chiefly implemented in recreation rooms and educational centres, were pedagogical and educational programmes for Roma parents and children, including psychological and pedagogical guidance and extra-curricular and compensatory classes. Such centres, bringing together both young Roma and non-Roma children and youth, offered a broad range of additional cultural, music and sports activities as well as language courses. Providing equal educational opportunities to Roma children and youth was realised mainly through extracurricular compensatory classes in various subjects, as well as corrective, compensatory and speech therapy classes. In the period concerned, under the *Programme* measures, a total of 1,998 children took part in activities organised in recreation and integration centres. This form of educational measures was taken up the most by children in Małopolskie and Dolnośląskie Voivodeships, while at the national level 67% of children receiving compulsory education participated in activities organised in recreation and integration centres. It should be noted that a similar number of Roma children took part in extracurricular activities organised by schools, aimed at maintaining and developing their sense of ethnic identity and at supporting their education.

Educational assistants provide comprehensive support to Roma pupils in their contacts within the school community. Their responsibilities also include strengthening good contacts between students' parents and the school. In 2015, 106 Roma education assistants worked under the

Programme. Most Roma assistants worked in Śląskie Voivodeship (26) as well as in Małopolskie and Dolnośląskie Voivodeships (24). In the other voivodeships, the number ranged from 2 (in Wielkopolskie Voivodeship) to 6 employed assistants (Opolskie and Zachodniopomorskie Voivodeships). In 2015, no Roma education assistants were employed in Lubelskie, Mazowieckie, Pomorskie and Świętokrzyskie Voivodeships.

In 2015, data on the number of Roma children receiving education in special schools were collected for the first time. These data showed that in the school year 2014/2015 a total of 208 Roma children attended special schools, which accounted for 6.9% of Roma children receiving compulsory education. The largest share of Roma children attending special education schools was recorded in Dolnośląskie Voivodeship (87). It should be noted, though, that this is the voivodeship with the largest Roma population; followed by Opolskie (54) and Śląskie (42) Voivodeships. Therefore, it can be assumed that the issue of overrepresentation of Roma students in special education schools (excluding Zachodniopomorskie Voivodeship) in fact is observed solely in the South of Poland, where mostly Carpathian Roma live.

Importantly, the educational measures financed from the special-purpose reserve were accompanied by tasks funded by the Minister of National Education. They were of rather different nature and mainly served for purchasing textbooks and didactic aids for Roma children and books, also those included in school curriculum, for school libraries. The second group of tasks were pedagogical and educational programmes for Roma parents and children, including psychological and pedagogical guidance and extra-curricular and compensatory classes. The funding was also aimed at providing Roma children with the opportunity to attend preschools and 'zero' forms.

Under the *Programme* educational tasks in 2015, the minister competent for religious denominations and national and ethnic minorities entrusted Roma non-governmental organisations with the implementation of scholarship schemes for Roma school pupils and university students. Under Part 43 of the state budget, the allocated PLN 450,000 (ca. EUR 105,026) were paid out for 111 scholarships for students of Roma origin attending higher education institutions or teacher training colleges and colleges of social work students, for gifted Roma pupils, as well as for Roma pupils attending upper-secondary schools.

Housing

Following 'Education', the second most important objective of the *Programme* is 'Housing'. The housing situation of Roma families are still highly challenging. In 2015, the grants paid out from the special-purpose reserve for tasks in this area totalled PLN 2,531,000 (ca. EUR 590,713). As a result, 514 Roma people were provided with housing or had their apartments renovated. The highest number of Roma who benefited from the 'Housing' measures was recorded in Dolnośląskie (219), Małopolskie (117), Opolskie (67) and Śląskie (44) Voivodeships. It should be noted that in Małopolskie and Śląskie Voivodeships almost all of the funds under the measures were appropriated for investment expenditure on purchasing housing units and implementing building projects. In the other voivodeships, existing housing infrastructure, consisting mainly of communal housing stock, was renovated. The works covered a wide range of *ad hoc* refurbishments, including replacement of woodwork, renovation of sanitary units and the sewage system as well as of electrical installation. Other forms of activities, such as, for example, help with maintaining housing benefits, were rare and of limited extent.

Work

The measures in this area focus on professional activation of Roma. It is of particular importance in the situation when unemployment among the Roma exhibits a long-term character and covers a significant part of the community. Data collected in 2015 show that, as a result of measures taken under the *Programme*, 270 Roma found employment, mostly in Opolskie Voivodeship (63), Małopolskie and Dolnośląskie Voivodeships. No employment was taken up by Roma only in Lubelskie, Mazowieckie, Pomorskie and Świętokrzyskie Voivodeships. It should be emphasised that almost 75% of Roma were employed under educational measures of the *Programme*. Organising training with the aim of improving and changing professional qualifications and providing career counselling was an important supplement to the activities. This form of professional activation was used by the total of 178 Roma, mainly in Śląskie Voivodeship (55), followed by Małopolskie (36) and Wielkopolskie (35) Voivodeships. In 9 voivodeships no vocational training tasks were implemented.

Health

Health problems are directly connected with poor socio-economical situation of part of the Roma community. In 2015, 1,604 Roma were subject to preventive care and/or vaccinations. Special attention should be paid to the result in Małopolskie Voivodeship, where 1,203 people benefited from this measure. Preventive health care in the broadest sense was provided mainly by employing community nurses. They provide direct medical care and basic medical counselling as well as distribute medicines and personal hygiene products purchased with grants.

3. The measures adopted in accordance with Paragraph 2 shall not be considered to be an act of discrimination.

Poland affirms that the achievement of the goals set in point 2 by undertaking appropriate promoting measures is not considered by Polish law and practice as discriminatory, as long as it fits in the given timeframe and is proportional in relation to the set goals.

Article 5

1. The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage.

Article 35 of the *Constitution* is of particular importance to national and ethnic minorities. Polish citizens being part of national and ethnic minorities are ensured the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture. National and ethnic minorities shall have the right to establish educational and cultural institutions, institutions designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

According to Article 48(1) of the *Constitution*, parents shall have the right to raise their children in accordance with their own convictions. Such upbringing shall respect the degree of maturity of a child as well as his freedom of conscience and belief and also his convictions. This principle is further elaborated on in Article 53(3) of the *Constitution*, which states that parents shall

have the right to ensure their children moral and religious upbringing and teaching in accordance with their convictions, while the subsequent Paragraph of this Article provides that the religion of a church or other legally recognised religious organisation may be taught in schools, but other people's freedom of religion and conscience shall not be infringed thereby. The ways to implement these guarantees include solutions in place in the Polish educational system. This system allows national minority members to keep their identity expressed in the religion they practise. At the request of the parents (or legal guardians of a child) and, in the case of youth, of the pupils themselves, confessional religious education is organised in public schools or preschools. The legal basis for organising this form of education is Article 12 of the Act of 7 September 1991 *on the school education system* (Journal of Laws of 2016, item 1943), as well as its implementing act, the Regulation of the Minister of National Education of 14 April 1992 *on the conditions and method of teaching religion in public schools and preschools* (Journal of Laws No 36, item 155, as amended), as amended by the Regulation of the Minister of National Education of 25 March 2014 *amending the Regulation on the conditions and method of teaching religion in public schools and preschools* (Journal of Laws of 2014, item 478).

Learning and preserving traditions and cultural heritage in the case of students belonging to national minorities take place throughout the entire teaching and educational process at schools for national minorities (as described more broadly when discussing Article 14 of the *Convention*). Such subjects as history and geography include facts about the history and culture of the country inhabited by the nation whose culture a given minority considers as theirs.

Key solutions for the support by public authorities of activities aimed at protecting, preserving and developing the cultural identity of national and ethnic minorities have been introduced by the Act *on national and ethnic minorities and on the regional language*. The first sentence of Article 1(1) of the Act refers to the fact that 'This Act shall regulate the issues connected with the maintenance and development of the respective cultural identity of national and ethnic minorities, the preservation and development of the regional language.' It is Article 18 of the Act, however, that is essential to the implementation of Article 5(1) of the *Convention*. It imposes on public authorities an obligation to take appropriate measures in order to support the activity aimed at protection, preservation and development of cultural identity of minorities. The possibility of granting not only specific-purpose subsidies but also beneficiary-dedicated subsidies for tasks performed by minority organisations or cultural institutions supporting the culture of a minority is a novelty as compared to legal solutions in force earlier on. The possibility of granting beneficiary-dedicated subsidies has been postulated by national and ethnic minorities for years now.

The Act lists ten groups of tasks for which subsidies can be granted. They include:

- 1) the activity of cultural institutions, artistic movement and folk art of minorities, and artistic events of significance for the minority culture;
- 2) investments contributing to the preservation of minority cultural identity;
- 3) publication of books, journals, periodicals and leaflets in minority languages or in the Polish language in the printed form or by the use of other video and sound recording techniques;
- 4) support for TV and radio programmes made by minorities;
- 5) protection of sites associated with the minorities' culture;
- 6) activities of local cultural clubs;
- 7) building up libraries and documenting minority cultural and artistic life;

- 8) providing various forms of children and youth education;
- 9) dissemination of knowledge about minorities;
- 10) other programmes aimed at supporting the activity intended to protect, preserve and develop the cultural identity of minorities, and promoting civic integration of minorities.

Among the above-mentioned tasks, the possibility of granting subsidies for investments should receive particular attention as minorities have postulated adoption of such regulations for years. It should also be pointed out that minority organisations and cultural institutions supporting the culture of a minority can now receive beneficiary-dedicated subsidies for the implementation of the above-mentioned tasks¹⁹. The Act also accounts for specific character of minorities and provides that grants awarded to them, covered by the State budget in a part that is at the disposal of the minister competent for religious denominations and national and ethnic minorities, may be awarded without an open tender procedure. Each year, the minister competent for religious denominations and national and ethnic minorities, currently the Minister of the Interior and Administration, shall announce the procedural principles for cases related to awarding grants. It should be emphasised that representatives of minorities have participated in devising those principles (initially through the Group for National Minorities and currently through the Joint Commission of the Government and National and Ethnic Minorities). Since 2013, their involvement has been extended in that they select half of the experts sitting in the Commission that assesses grant applications, appointed annually within the Ministry.

Between 2012 and 2016, PLN 75,456,718.35 (ca. EUR 17,769,574²⁰) was allocated from the budget of the minister competent for religious denominations and national and ethnic minorities for the implementation of tasks aimed at preserving and developing cultural identity of national and ethnic minorities as well as at preserving and developing the regional language. The amounts allocated in each year are the following: in 2012 – PLN 14,165,176.35 (ca. EUR 3,304,880²¹), in 2013 – PLN 14,416,380.00 (ca. EUR 3,489,128²⁴), in 2014 – PLN 15,009,854.00 (ca. EUR 3,598,666²²), in 2015 – PLN 16,256,752.00 (ca. EUR 3,794,184²³), in 2016 – PLN 15,608,556.00 (ca. EUR 3,580,971²⁴).

The breakdown of total amounts granted to individual minorities from the State budget between 2012 and 2016 is shown in the tables below. It should be noted that the tables do not include funds granted to members of minorities based on general conditions; these are only the amounts additionally granted for the preservation of cultural identity or a minority language. Moreover, the above-mentioned data cover only funds granted from the state budget and do not include funds spent by local government units.

¹⁹ Beneficiary-dedicated subsidies are allocated for the functioning of an organisation and cover such expenses as rents, charges for utilities, accounting and legal expenses, bank account fees, *etc.* In turn, specific-purpose subsidies are allocated exclusively for the implementation of a given project.

²⁰ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December in 2012–2016 (PLN 4.2464 = EUR 1).

²¹ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2012 (PLN 4.2861 = EUR 1). ²⁴ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2013 (PLN 4.1318 = EUR 1).

²² According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2014 (PLN 4.1709 = EUR 1).

²³ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2015. (PLN 4.2846 = EUR 1).

²⁴ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2016 (PLN 4.3587 = EUR 1).

Similarly, the data in the tables do not include the amounts granted by the Ministry of Culture and National Heritage for tasks aimed, to various extent, at developing the culture and promoting the knowledge of the history and traditions of national and ethnic minorities as well as at preserving and developing the regional language²⁸.

Between 2012 and 2016, under the Programme of *Folk and Traditional Culture*, the Ministry of Culture and National Heritage co-financed the following projects for the preservation and promotion of cultural traditions, including the regional language of national and ethnic minorities:

2012			
No	Name of the applicant	Name of the task	Funding amount PLN/EUR ²⁹
1.	Association of Polish Karaites in Poland	'Karaimskie drogi. Spis podróży'	PLN 25,000.00 ca. EUR 5,833
2.	Association for Cultural Integration and Development of National Minorities in Poland 'Czeremosz' in Węgorzewo	16 th International Festival of Children Folk Bands belonging to National Minorities	PLN 30,000.00 ca. EUR 6,999
3.	Kashubian People's University in Wieżyce	Modra Szkoła – preservation of Kashubian folk cultural heritage – 2012	PLN 40,000.00 ca. EUR 9,332
4.	Lemkos Union	'Łemkowska Watra'	PLN 34,500.00 ca. EUR 8,049
5.	Kashubian-Pomeranian Association Division in Gdańsk	10 th KASHUBIAN SPELLING TEST – 'Królewionka w pałacu'	PLN 25,000.00 ca. EUR 5,833

²⁸ According to data from programmes of the Minister of Culture and National Heritage and collected declarations made by institutions and authorities subordinate to that Minister.

²⁹ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2012 (PLN 4.28614 = EUR 1).

2013			
No	Name of the applicant	Name of the task	Funding amount PLN/EUR ²⁵
1.	Lemko Association	Promoting Lemko folk rituals through reconstruction and organisation of artistic events 'łemkowskie oczepiny'	PLN 20,000.00 ca. EUR 4,840
2.	Society for the Development of the Lemko Culture in Zydranowa	Purchase of a unique collection of Lemko folk clothing	PLN 25,000.00 ca. EUR 6,051
3.	'Kyczera' Lemko Song and Dance Ensemble	16 th International Folk Festival 'Świat pod Kyczera'	PLN 65,000.00 ca. EUR 15,732
4.	Kashubian People's University	Kashubian People's University	PLN 40,000.00 ca. EUR 9,681
5.	The Baltic Sea Culture Centre in Gdańsk	SWOJE POKOCHAJCIE (LOVE WHAT'S YOURS) – 1 st Kaszubsko-Kociewsko-Powiślański Brass Band Festival	PLN 15,000.00 ca. EUR 3,630
6.	The Baltic Sea Culture Centre in Gdańsk	2013: NA PSA UROK!	PLN 50,000.00 ca. EUR 12,101
7.	Kashubian-Pomeranian Association Division in Szymbark	12 th Kashubiani Spelling test 'Królewionka w pałacu'	PLN 20,000.00 EUR 40,840
8.	Kashubian Institute	Publishing of a book by Bożena Stelmachowska <i>Słowińcy</i>	PLN 15,000.00 ca. EUR 3,630
9.	Association of Polish Kar in Poland	Karaimskie pieśni domowe. Recoding and releasing the album by Maqam band.	PLN 25,000.00 ca. EUR 6,051
10.	Association of Polish Kar in Poland	'Karaimskie drogi. Spis podróżny III'	PLN 26,000.00 ca. EUR 6,293
11.	GRYF Association	'Jak cadyk z Bobowej córkę wydawał...' – Bobowa Days with Jewish Culture	PLN 90,000.00 ca. EUR 21,782

²⁵ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2013 (PLN 4.1318 = EUR 1).

2014			
No	Name of the applicant	Name of the task	Funding amount PLN/EUR ²⁶
1.	Central European Youth Training Centre	6 th Festival of Ukrainian Culture in Górowo <i>Ławieckie ekotomyja</i>	PLN 25,000.00 ca. EUR 5,994
2.	Lemkos Union	32 th Łemkowska Watra	PLN 40,000.00 ca. EUR 9,590
3.	Kashubian-Pomeranian Association	13 th Kashubian Spelling Test 'Królewionka w pałacu'	PLN 20,000.00 ca. EUR 4,795
4.	Association of Polish Karaims	<i>Czarodziejski koń księcia Witolda czyli o czym opowiadają legendy (The Magical Horse of Duke Vytautas according to Karaims' legends)</i>	PLN 25,000.00 ca. EUR 5,994
5.	Lemko Song and Dance Ensemble 'Kyczera'	18 th International Folk Festival 'Świat pod Kyczera'	PLN 40,000.00 ca. EUR 9,590

2015			
Item No	Name of the applicant	Name of the task	Funding amount PLN/EUR ²⁷
1.	Lemkos Union	33 th Łemkowska Watra	PLN 60,000.00 ca. EUR 14,004
2.	Good Faith Foundation	Roma craftsmanship and professions	PLN 50,000.00 ca. EUR 11,670

²⁶ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2014 (PLN 4.1709 = EUR 1).

²⁷ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2015. (PLN 4.2846 = EUR 1).

3.	Lemko Song and Dance Ensemble 'Kyczera'	18 th International Folk Festival 'Świat pod Kyczera'	PLN 40,000.00 ca. EUR 9,336
4.	Association of Ukrainians in Poland	25 th Watra Bytowska Ukrainian Wedding Party	PLN 30,000.00 ca. EUR 7,002
5.	Kashubian-Pomeranian Association	Let's not let the disappearing crafts be forgotten	PLN 30,000.00 ca. EUR 7,002
2015			
Item No	Name of the applicant	Name of the task	Funding amount PLN/EUR ³²
6.	Kashubian People's University	Modra szkoła – pograniczem kultur – folk crafts workshops	PLN 25,000.00 ca. EUR 5,835
7.	Kashubian-Pomeranian Association	Reconstruction of 'Empty night' Kashubian custom and its digitisation for future generations	PLN 25,000.00 ca. EUR 5,835
8.	Association of Polish Karaims	Życie w pieśni karaimskiej	PLN 25,000.00 ca. EUR 5,835
9.	Central European Youth Training Centre	7 th Festival of Ukrainian Culture in Górowo Iławieckie <i>ekołomyja</i>	PLN 17,000.00 ca. EUR 3,968
10.	Kashubian-Pomeranian Association Division in Gdynia	14 th Kashubian Spelling Test 'Królewionka w pałacu'	PLN 15,000.00 ca. EUR 3,501

2016			
No	Name of the applicant	Name of the task	Funding amount PLN/EUR ²⁸

²⁸ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2016 (PLN 4.3587 = EUR 1).

1.	Association of Polish Karaims	Życie w pieśni karaimskiej	PLN 35,000.00 ca. EUR 8,030
2.	Kashubian-Pomeranian Association Dębogórze-Kosakowo Division	15 th Kashubian Spelling Test 'Królewionka w pałacu'	PLN 25,000.00 ca. EUR 5,736
3.	Kashubian-Pomeranian Association	Kaszubskie Gwizdże – rituals fading into oblivion	PLN 25,000.00 ca. EUR 5,736
4.	Association for the Lithuanian Ethnic Culture in Poland	Traditional Fabric – regional diversity	PLN 18,500.00 ca. EUR 4,244
2016			
No	Name of the applicant	Name of the task	Funding amount PLN/EUR ³³
5.	Lemkos Union	34 th Łemkowska Watra	PLN 30,000.00 ca. EUR 6,883
6.	Association of Ukrainians in Poland	'Ginący świat – pieśni pogranicza' ('A Disappearing World Borderland Songs')	PLN 36,000.00 ca. EUR 8,259
7.	Lemko Song and Dance Ensemble 'Kyczera'	18 th International Folk Festival 'Świat pod Kyczera'	PLN 50,000.00 ca. EUR 11,471
8.	Lemko Song and Dance Ensemble 'Kyczera'	Development and printing of the book entitled 'Ubiory łemków w XIX - I poł XX wieku'	PLN 25,000.00 ca. EUR 5,736
9.	Kashubian-Pomeranian Association	Kashubian Wedding Party – digitisation and reconstruction of the ritual	PLN 20,000.00 ca. EUR 5,589

National Library

The National Library collects, develops, distributes and stores all the national publications, including works published in Poland by national and ethnic minorities and those addressed to them. The collections of the National Library are available for anyone over 13 years old. In addition, should readers need any assistance, Research Information Office staff members are ready to help.

Various measures for the protection, preservation and development of cultural identity of national and ethnic minorities as well as for the preservation and development of the regional language were implemented also by the Digital National Library *Polona*.

The publications stored in the digital library include textual and iconographic documents proving the existence of national minorities within the Republic of Poland. Most publications available online date back to the pre-war era. They include one-off issues published by national minorities, such as Belarusian 'Z belaruskaga paletku: adnadnėka: Vil'nā, Traven' (1937); iconographic documents 'Typy z Jaremca' (1906) or monographs: 'O języku Ormian polskich. Głosownia gwary ormiańskiej w Kutach'" by Jan Hanusz or 'Kwestya alfabetu litewskiego w państwie rosyjskiem i jej rozwiązanie' by Jan Nieciślaw Baudouin de Courtenay. The publications also include a collection of Jewish works 'Literatura Jidysz' comprising about 300 publications and developed in cooperation with the *Shalom* foundation.

The website of the National Library includes 'A commonwealth of diverse cultures' portal presenting various ethnic groups through written works stored by the National Library.

In 2015 and 2016, the publications added to the collections of the National Library included: *Besida* (a quarterly by the Chief Lemko Association), *Schlesisches Wochenblatt* (Wochen Zeitung der Deutschen in der Republik Polen), *Awedis* (a messenger bringing good news) – an Armenian magazine (the Foundation of Culture and Heritage of Polish Armenians); *Život: kultúrno - spoločenský časopis* (Spolok Slovákov v Polsku), *Przegląd Tatarski* (the Muslim Religious Union in Poland), *Naše Slovo* (Association of Ukrainians in Poland) and many more titles of both magazines and monographs.

The Head Office of the State Archives

On the basis of Act of 24 April 2003 on public benefit and volunteer work (Journal of Laws of 2014, item 1118, as amended) and other acts, each year the Head Office of the State Archives announces a competition for the implementation of public task: 'Supporting archive activities'. The aim of the competition is to preserve and make available the archive materials comprising the recorded non-governmental archive resources, *i.e.* materials resulting from the activities of for example political parties and social organisations. This means that also minority organisations may benefit from the competition, which gives them the opportunity to take actions contributing to the preservation and development of their cultural identity. In 2016 and 2017, the Foundation of Culture and Heritage of Polish Armenians used this opportunity and spent the co-funding it obtained on the implementation of Polish Armenians Archives – storing and distributing archive materials'. The funds included PLN 28,000 (ca. EUR 6,424²⁹) in 2016 and PLN 37,500 (ca. EUR 8,697³⁰) in 2017. Funding to be distributed in 2017 amounted to PLN 900,000 (ca. EUR 208,734).

Given the growing take-up of this form of aid and its numerous benefits, The Head Office of the State Archives is willing to continue the competition in the coming years.

The National Centre for Culture – tasks in 2015

²⁹ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2016 (PLN 4.3587 = EUR 1).

³⁰ According to the average PLN/EUR exchange rate of the National Bank of Poland for January and December 2017 (PLN 4.3117 = EUR 1).

Partner: Society for the Promotion of Roma Culture and Tradition 'Kafe Jakha'

Project: 4th International Roma Culture Days

Between 31 July and 2 August 2015, a concert was organised in Kraków, featuring: Sendreiovci a Kokavakere Lavutára /Slovakia/, Roman Luludi / Slovakia / Duo Farsa /Slovakia/ Imperio /Czech Republic/

Olah Gipsy Beats /Hungary/

Partner: The Museum of Łęczna-Włodawa Lake District

Project: 15th Festival of the Three Cultures in Włodawa

The Festival was held between 17 and 20 September 2015 in Włodawa. The goals of this 3-day event include promoting the tradition of the cultural borderland, tolerance and co-existence of Orthodox Church, Judaism and Catholic Church followers, all of whom created the history of Włodawa.

Partner: Commune Culture Centre in Szydłowo

Project: Getting to know the Jewish Culture in Szydłowo, 28 November 2015

A cultural event including: the screening of a documentary 'The tradition of getting to know the Jewish culture in Chmielnik and Szydłowo' and an exhibition of photographs by Ryszard Biskup 'Memories of Jewish traditions in Leżańsk, Lelowo, Chmielnik, Włodawa, Bobowo, Kazimierz Dolny' showing Polish towns organising undertakings related to the Jewish culture, the presentation and tasting of Jewish cuisine dishes.

Tasks in 2016

Partner: TVP

Project: 'Live image transmission Poland – Israel'

Recording and live transmission by TVP of the celebrations of the 75th Anniversary of *Aktion Reinhardt* held on 8 December 2016 in Chełmno.

Partner: the European Network Remembrance and Solidarity

Project: 70th Anniversary of the tragic events in Kielce of 4 July 1946

4 July 2016 marks the 70th anniversary of the 'Kielce Pogrom'. The anniversary celebrations were held by Kielce Division of the Institute of National Remembrance and the National Centre for Culture at the request of the Ministry of Culture and National Heritage. The celebrations consisted of two main parts: laying a wreath under the plaque on the wall of the tenement house where the pogrom at 7 Planty Street took place; and a two-panel debate held at the Artistic Community Centre.

Partner: Association of Ukrainians in Poland

Project: Concert of the National Choir of Ukraine 'Dumka' at the Warsaw Philharmonic held on 24 October 2016 in celebration of 25 years of Ukrainian independence.

A choir music concert conducted by Roman Rewakowicz and Jewhen Sawczuk. The repertoire included pieces by Dmitry Bortniansky, Mykhailo Verbytsky, Mykola Leontovych, as well as Henryk Mikołaj Górecki and Krzysztof Penderecki.

In addition, it is worth mentioning the measures taken under 'Open Culture' and 'Culture-interventions' programmes:

Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority
2015	Open Culture	Association for Multicultural Society Integration <i>Nomada</i>	'Let's Unite [through] the Culture' – integrating with the migrant Roma community	The project allowed its participants, the Roma people, to get to know cultural institutions and their offer, gain some positive experience in exploring	PLN 35,000.00 ca. EUR 8,169	Roma

Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority
			through involvement in culture	the culture, as well as to build their competences both in creating and perceiving culture.		
2015	Open Culture	Foundation 'Dom Kultury'	(Cultural and re-adaptation) Activities in the Praga District of Warsaw	'Activities in the Praga District of Warsaw' is a series of cultural education workshops for the excluded group of Polish and Roma youth and for the disadvantaged youth from the Praga Południe District of Warsaw. The workshops were held by artists and organisers of cultural activities in close cooperation with street outreach workers. A joint integration wall painting has been created.	PLN 21,000.00 ca. EUR 4,901	Roma

2015	Open Culture	'Harrangos' Roma Education Society	Roma Snap	Some Roma in Poland live at the margins of society in isolated neighbourhoods and do not integrate with the majority society. After school, Roma children have no opportunity to participate in any cultural activities. The 'Roma Snap at School' project was addressed to around 120 Roma and non-Roma children in three schools in Czarna Góra, Maruszyna Dolna and Kraków. The children were offered the opportunity to take part in interesting and unique photography workshops. Each workshop	PLN 6,000.00 ca. EUR 1,400	Roma
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Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority
				lasted 4 days. The participants included children and youth aged 5–14. The workshops were innovative in that they involved using non-standard, modern tools and techniques of artistic work, such as luxography, the use of perspective, creation of scenery, sketching out, storyboards or the rules of optics. In addition, during the workshops the participants could learn the works of Polish as well as Roma,		

				highlander or Spisz writers.		
2015	Culture – Interventions	Association for Cultural Integration and Development of National Minorities in Poland <i>Czeremosz</i>	20 th Festival of Children Folk Bands	The project covered the organisation of the International Children and Youth Folk Bands belonging to National Minorities. The idea was to help national minorities in Poland and other countries develop their national culture. This was the 20th, jubilee edition of the festival. The best folk bands were invited (including 2 bands made up of the members of the Polish community abroad) representing national and ethnic minorities in Poland and other countries which participated in the previous 19 editions of the festival. The measure was based on the idea that,	PLN 30,000.00 ca. EUR 7,002	Ukrainians Germans Belarusians Roma Slovaks Russians Greeks Jews Armenians Karaims Tatars

Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority
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				in the face of the efforts towards the common Europe, the only way forward for the roughly 300 participants of the programme from ethnic groups living in the same region, commune and village is to choose the path of dialogue, cooperation, mutual understanding and tolerance. The bands performed in the area of Poland where people have no access to large cultural centres serving as a meeting place for representatives of national minorities.		
2015	Culture – Interventions	The Committee for the Protection of the Jewish Heritage in Tarnów	‘Mezuzah +’	The project involved a series of actions towards developing tolerance and counteracting antisemitism, discrimination and intolerance towards members of other cultures in Tarnów, where before the war Jews accounted for 45% of the residents. Today, Tarnów is monocultural and faces the problem of secondary antisemitism. The activities included a series of workshops and training sessions for 600 children and young people involving informal education, encouraging youth to take up voluntary work, making an artistic reconstruction of a pre-war Jewish street	PLN 24,000.00 ca. EUR 5,601	Jews

				(including the creation of period		
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Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority
				doorplates), joint creation of an anti-discrimination wall painting, etc. The whole project was financed from the EEA Funds (PLN 180,000).		

2015	Culture – Interventions	The Baltic Sea Culture Centre in Gdańsk	Getting to Know the World – Roma World and Roma Problems	The very title of the project 'Getting to Know the World – Roma World and Roma Problems' points to the twofold nature of the discourse; in the metaphorical sense it points to the obvious self-determination of Roma community, but also it indicates that there are challenges arising from the simplification and labelling of complex identities. The concepts used in the title serve also as 'key words' organising issues considered in scientific deliberations, literary descriptions, journalistic accounts and artistic sensitivity. Various trends in Roma culture research were indicated. The project consisted of: a conference 'Roma World: now and then, stereotypes vs reality', discussions / meetings: Roma in Literature, Roma in Polish Photographs – a photo exhibition, a concert, organised in October/November 2015 in Gdańsk. The main aim was to show Roma in the past and in the present time	PLN 34,000.00 ca. EUR 7,935	Roma
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Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority
				in the context of their identity, culture, education and civil society.		

2015	Culture – Interventions	The KARTA Centre Foundation	Second anniversary of the Euromaidan	The project involved publishing a traditional and ebook publication for the second anniversary of the Euromaidan events to serve as a valuable portrayal of the social awareness changes in Ukraine. The book is an excellent work and analysis tool for those involved in supporting the political system transformation in Ukraine. The book is based on about 100 Ukrainian works describing the Euromaidan and stories shared by witnesses of these events. The book is not focused on describing specific events, but rather on presenting the change in the Ukrainians' perception of their country, their past and their future. The publication is an essential baseline for Poles cooperating with Ukrainians in fostering the reforms going through in Ukraine. The release took place in November 2015 and was coupled with a reading performance and a concert.	PLN 23,000.00 ca. EUR 5,368	Ukrainians
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Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority
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2015	Culture – Interventions	Villa Sokrates Foundation	16 th Trilogue in Krynki	The 16 th Trilogue in Krynki is a high rank interdisciplinary event contributing to the international discourse and communication interaction, focusing on various creative areas: visual arts, music, literature and politics. During two days of the 16 th Trilogue in Krynki held in 2015 (21–22 August) a variety of events took place, presenting the most significant occurrences in the discussed subject area: literature, culture, politics, visual arts, music. The following were presented: a three-fold discussion seminar on literature, culture and politics under the theme ' <i>Tutejsi</i> ' ('The Locals'), an open-air exhibition, music concerts. <i>Annus Albaruthenicus – Hod Belaruski 2015</i> , an integral part of the Trilogue, as well as Sokrat Janowicz's publication ' <i>Miniatury</i> ' ('Miniatures'), both accordingly translated into Polish and Ukrainian by well-known writers, were published under the 16 th Trilogue.	PLN 60,000.00 ca. EUR 14,004	Belarusians
Year	Programme	Name of the beneficiary	Name of the task	Description of the task	Subsidy amount PLN/EUR	Supported minority

2015	Culture – Interventions	Centre for Culture and Sport in Radzymin	Jewish Culture Festival 'Singer's Warsaw' in Radzymin	The 'Singer's Warsaw' festival in Radzymin is an event associated with the 'Singer's Warsaw' Jewish Culture Festival organised by the Shalom Foundation on 22–30 August 2015 in Warsaw. The Shalom Foundation extended the Festival to include the cities where Isaac Bashevis Singer lived and worked, namely Leoncin, Radzymin and Biłgoraj. The project seeks to commemorate one of the famous residents of Radzymin, I. B. Singer, a winner of the Nobel Prize in Literature, and to introduce the residents of Radzymin to Jewish customs and culture, since the two communities coexisted in Radzymin before the war. The events in Radzymin include an open Shabbat dinner for Radzymin residents and a concert of Jewish songs in the Town Public Library.	PLN 28,000.00 ca. EUR 6,535	Jews
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In addition, in the period covered by this report, the Ministry of Culture and National Heritage and its subordinate institutions implemented the following measures:

In the field of education:

– for art education:

Roma ethnic minority

The Centre for Art Education awarded to the Bahtała Roma Foundation, administering the 1st degree Miklosz Deki Czureja Private Music School in Poznań (teaching Roma children), the following grants:

- in 2014: PLN 186,450 (ca. EUR 44,703),
- in 2015: PLN 285,971 (ca. EUR 66,743),
- in 2016: PLN 420,585 (ca. EUR 96,493).

Ukrainian national minority

In 2014–2016 the CEA increased the budget of the 1st degree State Music School in Lidzbark Warmiński for artistic activities related to playing folk instruments, *kantele* and *birbine*, by PLN 352,745 (ca. EUR 82,583). Music classes at the above-mentioned school (Górowo Hławieckie facility) are held in Polish as well as in the students' native language.

– under the Cultural Education Programme:

under the Programme managed by the Ministry of Culture and National Heritage until 2015 (since 2016 the National Centre for Culture is the Managing Authority) financial support was granted to education and animation initiatives, *i.e.* workshops, education projects, exhibitions, reviews aimed at raising understanding of the culture of national minorities in Poland among various social groups. The beneficiaries included mainly non-governmental organisations, local government cultural institutions and religious associations promoting and supporting the cultures of national and ethnic minorities.

The list of activities related to the culture of national minorities, co-financed in 2012–2015 under the Cultural Education Programme, is provided below:

Organiser	Name of the task	Description	Subsidy amount
2012			
TOTAL: PLN 358,000 (ca. EUR 83,526)			
Ari Ari Foundation	Włocławskie Memory ('Włocławek Memory')	In Polish, the word for 'memory' (<i>pamięć</i>) is synonymous with 'remembrance'. Włocławskie Memory is an educational game for children, youth and adults, consisting of a deck of cards depicting and commemorating the historical sites and figures of Włocławek related to	PLN 47,300 ca. EUR 11,036

Organiser	Name of the task	Description	Subsidy amount
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		national minorities living in the town, namely, the German, Jewish and Russian minorities. The game comes with an educational brochure on the history of Włocławek, a map of the town indicating the locations shown on the cards and descriptions (e.g. short biographies) of places and characters used to make this unique game. The measure also included a website and activities carried out in urban space.	
Praga Culture Centre in the Praga-Północ District of Warsaw	Multicultural Animated Film Workshops	Multicultural Animated Film Workshops is a series of integrating activities for children aimed at stimulating their creativity and overcoming cultural barriers. The series consists of five workshops of three days each, with each meeting dedicated to mutual learning about the Polish culture and the cultures of national minorities living in Warsaw today. By creating an animated film together, the participants learned about their respective customs, tradition, history and legends and improved their knowledge, awareness and sensitivity to the issue of tolerance. While learning simple stop-motion animation techniques, the participants touched upon important aspects of intercultural dialogue. The films created during the workshops were screened during mornings for children in Muranów Cinema and all of the animations were released on DVDs.	PLN 30,000 ca. EUR 6,999
Culture Centre in Lublin	The Cultural Mosaic of Lublin	The Cultural Mosaic of Lublin is a project referring to the multiculturalism of Lublin. It aimed to show the cultural wealth that is the presence of national, ethnic and religious minorities. The knowledge of the residents of Lublin was broadened by offering them a chance to participate in workshops, educational meetings and artistic events. The project is also an opportunity for minority representatives to	PLN 52,000 ca. EUR 12,132

Organiser	Name of the task	Description	Subsidy amount
		<p>portray their identity in a professional way. The project was summed up with a publication featuring experience gained during the execution of the task, which will assist teachers in designing lessons on multicultural issues in Poland.</p>	
<i>District of Mutual Respect for the Four Faiths Foundation</i>	Children of One God – integration through education	<p>Children of One God is a long-lasting project for intercultural education conducted by individuals of four religions (Catholic, Jewish, Protestant and Orthodox) cooperating in a unique place in Europe, the ‘District of the Four Faiths’ in Wrocław. The scope of activities covering various age and religious groups was extended to cover the entire country in 2012. In addition to interactive workshops for children, youth, students and seniors, conducted by priests and members of four religious communities, lectures, discussion panels and urban games, Lower Silesia residents had the chance to participate in a unique intercultural education programme using multimedia and new forms of communication. This was facilitated by multimedia presentations and didactic materials made available on the Foundation’s website.</p>	PLN 66,200 ca. EUR 15,445
<i>Shalom Foundation</i>	<p>A national history competition for high school students, called ‘History and culture of Polish Jews’ – 10th edition, and for elementary and junior high school students, called ‘On the common ground’ – 6th edition. The central stage</p>	<p>The Shalom Foundation’s history competitions are education projects allowing young people to learn about Poland’s multicultural heritage. The aim of the competition is to trace the history and culture of the local Jewish community and its relations with the Polish community in the student’s region of residence and to present selected aspects in a written form. Regional themes are preferred, as well as social projects investigating social awareness and perception of the various issues</p>	PLN 32,500 ca. EUR 7,583

Organiser	Name of the task	Description	Subsidy amount
		<p>related to the history and culture of Polish Jews and Polish-Jewish relations. The competitions are nationwide and have been organised every two years since 1993. They are popular among students and teachers alike and receive positive opinions of scientific and educational institutions (such as the UW, JU, JHI).</p> <p>The papers of the students are edited and published on websites in the form of an information base for researchers of the history and culture of Polish Jews and the regional history.</p>	
Pro arte 2002 Foundation	14 th <i>Simcha</i> Jewish Culture Festival	<p>The 14th edition of the <i>Simcha</i> Jewish Culture Festival, just like the previous editions, focused on open, interdisciplinary, creative art workshops and happenings, meetings and cultural events centred around issues related to the Jewish culture. The priority was to ensure that the whole project was conducted by outstanding specialists: teachers, lecturers, artists. By taking an innovative approach to cultural education, the Jewish tradition was shown as still vivid and likely to inspire creative activities and thoughts. The festival answered the urgent need to organise events promoting valuable cultural education and is expected to yield results long after its completion. The 14th <i>Simcha</i> Jewish Culture Festival</p> <p>is a platform for meeting people seeking unique knowledge, skills and intercultural tolerance values through art and education.</p>	PLN 70,000 ca. EUR 16,332

Foundation for the Preservation of Jewish Heritage in Poland	Formation of a culture team at the 'Synagogue' Center	The main idea of the project was to form a team of qualified volunteers to conduct animation and education activities in the 'Synagogue' Center based in a restored renaissance synagogue in Zamość.	PLN 30,000 ca. EUR 6,999
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Organiser	Name of the task	Description	Subsidy amount
		Through a series of training sessions and the opportunity to use the acquired skills in practice young volunteers gained competences to independently engage in educational activities and cultural animation. Their work will contribute to the rapid growth of the 'Synagogue' Center in Zamość as a modern culture centre serving the local community. Moreover, the young volunteers who conducted workshops using creative working methods shared their passion for exploring the multicultural history of the region with students.	

<p><i>Borderland</i> Foundation in Sejny</p>	<p>'Borderland Stories. The Film Collection of Borderland Fairy Tales'</p>	<p>In 2011, <i>Borderland</i> was delivering a project to collect legends and fairy tales to be used by young people working with artists to create animated films. Remarkable experience gained from the project, high quality and excellent results of the programme prompted a follow up in 2012. In this edition, the tales and interesting stories to be told as an animated film were gathered among the eldest residents of Sejny. The students of Sejny schools were the animators who created the films from scratch (collecting materials, interviews with grandparents, writing scripts, art projects, film animation, sound, music). They worked under the guidance of outstanding artists. The project was based on interactive art workshops and engaged the Lithuanians and the Russian Old Believers living in the region. The participants ran their own website. The project concluded with the release of 8 fairy tales on DVDs and an official screening.</p>	<p>PLN 30,000 ca. EUR 6,999</p>
2013			
TOTAL: PLN 301,500 ca. EUR 72,971			

Organiser	Name of the task	Description	Subsidy amount
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<p><i>District of Mutual Respect for the Four Faiths Foundation</i></p>	<p>Children of One God – integration through education</p>	<p>Children of One God is a long-lasting project for intercultural education conducted by individuals of four religions (Catholic, Jewish, Protestant and Orthodox) cooperating in a unique place in Europe, the ‘District of the Four Faiths’ in Wrocław. The scope of activities covering various age and religious groups was extended to cover the entire country in 2013. In addition to interactive workshops for children, youth, students and seniors, conducted by priests and members of four religious communities, lectures, prayer gatherings and urban games, Lower Silesia residents had the chance to participate in a unique intercultural education programme using multimedia and new forms of communication. This was facilitated by multimedia presentations and didactic materials made available on the Foundation’s website.</p>	<p>PLN 50,000 ca. EUR 12,101</p>
<p><i>Borderland Foundation</i></p>	<p>Music of the Place – Sutartines</p>	<p>‘Music of the Place’ is a programme dedicated to young people of Sejny. Its goal was to compose modern songs based on the Lithuanian polyphonic tradition of <i>sutartines</i> (‘harmonious tone’ in Lithuanian). The programme featured a series of workshops (instrumental, arrangement, composition, electroacoustic), lectures and Lithuanian courses delivered by excellent musicians, musicologists and teachers from both Poland and Lithuania.</p> <p>The new songs were written in languages historically shaping the sound of Sejny – Lithuanian, Yiddish, Russian and Polish. The courses were held in Borderland’s music studio which has been conducting an educational programme based on the multicultural traditions of the region for many years now. The reference to the musical forms of the national minority, departing from folklore and songs in</p>	<p>PLN 38,500 ca. EUR 8,318</p>

Organiser	Name of the task	Description	Subsidy amount
		languages other than Lithuanian was an unprecedented event in the Sejny region. The project culminated in a concert and an album release of the newly created composition.	
Pro arte 2002 Foundation	15 th <i>Simcha</i> Jewish Culture Festival	The 15 th edition of the <i>Simcha</i> Jewish Culture Festival focused on Jewish folk culture. The subject was introduced to the participants during interdisciplinary creative art workshops, meetings and cultural events. The priority was to ensure that the whole project was conducted by outstanding specialists and prominent figures of the cultural and artistic world. A novelty, to mark the jubilee, was a two-day series of meetings, workshops and concerts entitled 'SIMCHA for Legnica' which promoted Jewish culture and tradition.	PLN 65,000 ca. EUR 15,732

Ari Ari Foundation	'Spis podróży. Audiodeskrypcja' ('Travel census. Audio description')	The purpose of the project was to use audio description to promote knowledge about one of the oldest ethnic minorities in Poland as its representatives had a huge impact on the culture and history of Poland. Since 2010, the project 'Spis podróży. Ormianie w Polsce' ('Travel census. Armenians in Poland') has been an educational trail of Armenian traces in Poland. While carrying out projects in cooperation with the Polish Association of the Blind, the Foundation noticed a significant lack of educational materials for the visually impaired in Poland and introduced both detailed and basic insight into history, art, ethnography and national minorities in Poland. The main goal of the project was to present the sighted children with both knowledge about the Armenian minority and with various non-visual description and perception methods. Under the project, audio description workshops for both the sighted and visually impaired children were arranged. The workshops featured 30 monument	PLN 57,000 ca. EUR 13,795
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Organiser	Name of the task	Description	Subsidy amount
		descriptions and an integrative exhibition.	

<p><i>Song of the Goat</i> Theatre Association</p>	<p>‘Wspólnym głosem’ (‘With one voice’)</p>	<p>As a part of an educational and social project ‘With one voice’ two series of art workshops took place, ‘Dźwięko-Scrabble’ (‘Sound-Scrabble’) and ‘Siła głosu – siła kobiety’ (‘Strong Voices – Strong Women’), combining theatre, music, relaxation, therapy and cultural animation. The workshops targeted two social groups at risk of social exclusion: women from disadvantaged backgrounds, disabled or facing mental and physical problems, as well as children and youth of the Roma minority and from families in a difficult living situation. Workshops were conducted by an international group of actors and animators and aimed at discovering the participants' own strengths and capabilities as well as overcoming internal barriers by unleashing their voice. The workshops provided the participants with a space for creativity, body awareness, play and social interaction as well as an opportunity to discover their own talents and creative expression forms.</p>	<p>PLN 30,000 ca. EUR 7,261</p>
<p>Association of Polish Karaims</p>	<p>Cultural Kaleidoscope in multicultural Wrocław</p>	<p>The goal of the interdisciplinary project was to conduct a series of educational events to present certain aspects of national and ethnic minority cultures as well as a multimedia educational trail in Lower Silesia and a multimedia educational platform on the subject. One of the results included the introduction of an e-learning platform focused on national and ethnic minorities and the presentation of their cultures to a wide audience. The trail was established by an educational workshop (‘Oral history’) as well as queries in archives and libraries by experts in Poland. The project participants had the opportunity to learn about the material</p>	<p>PLN 31,000 ca. EUR 7,503</p>

Organiser	Name of the task	Description	Subsidy amount
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		cultural heritage of national and ethnic minorities in Wrocław during 4 walks around multicultural Wrocław organised during the summer months. The events were held alongside the 'Cultural Kaleidoscope' Festival in Wrocław where the website and educational platform were also promoted.	
2014			
TOTAL: PLN 180,000 / ca. EUR 43,156			
<i>District of Mutual Respect for the Four Faiths Foundation</i>	Children of One God – integration through education	'Children of One God' is a long-lasting project for intercultural education conducted by individuals of three Christian religions (Catholic, Lutheran and Orthodox) and Judaism cooperating in a unique place in Europe, the 'District of the Four Faiths' in Wrocław. The range of activities covering various age (children up to 12 years old, youth of 13–18 years old, adults and seniors), religious (Lutherans, Catholics, Orthodox, Jews) and national (Ukrainians, Poles, Jews, Lemkos) groups was extended to the national scale in 2014. The project involved a series of 10 lectures as part of the Salon of Mutual Respect, two editions of an urban game for different age groups (children, youth, families), 20 educational walks down the cultural path in the District of Mutual Respect (for youth, adults at age 50+ and seniors), 16 music, art and theatre workshops under the 'Kids' project, two discussion panels called 'The road to tolerance'.	PLN 60,000 ca. EUR 14,385
<i>Pro arte 2002 Foundation</i>	16 th <i>Simcha</i> Jewish Culture Festival	The 16 th edition of the <i>Simcha</i> Jewish Culture Festival focused on the Jewish diaspora. The subject was introduced to the participants during interdisciplinary music, language and art workshops, a debate, meetings and cultural	PLN 80,000 ca. EUR 19,181

Organiser	Name of the task	Description	Subsidy amount
		<p>events. The priority was to ensure that the whole project was conducted by outstanding specialists and prominent figures of the cultural and artistic world. Concerts and an exhibition dedicated to the Jewish diaspora acquainted the public with the subject and provided an insight into the reality of life outside the home country. The festival answered the urgent need to organise events promoting valuable cultural education allowing to learn about the culture of the Jewish national minority in Poland and abroad.</p>	
<p><i>Shalom</i> Foundation</p>	<p>Nationwide competitions 'History and culture of Polish Jews' (11th edition) and 'On the common ground' (7th edition). The central stage</p>	<p>The Shalom Foundation's history competitions are education projects allowing young people to learn about Poland's multicultural heritage. The aim of the competition was to trace the history and culture of the local Jewish community and its relations with the Polish community in the student's region of residence and to present selected aspects in a written form. Regional themes are preferred, as well as social projects investigating social awareness and perception of the various issues related to the history and culture of Polish Jews and Polish-Jewish relations. The competitions are nationwide and have been organised every two years since 1993. They are popular among students and teachers alike and receive positive opinions of scientific and educational institutions (such as the UW, JU, JHI). The papers of the students are edited and published on websites in the form of an information base for sociologist, researchers of the history and culture of Polish Jews or the regional history.</p>	<p>PLN 40,000 ca. EUR 9,590</p>
2015			
TOTAL: PLN 163,000 / ca. EUR 38,043			

Organiser	Name of the task	Description	Subsidy amount
Marek Edelman Dialogue Centre in Łódź	Rysunek z pamięci ('Memory drawing')	Memory drawing is an interdisciplinary project combining various arts and educational objectives. It aims to attract the audience's attention to the identity of a site – its past and present contexts – by exposing the presence of the Jewish community in urban spaces. The creative elaboration of archive materials and testimonies of the Survivors prepared by the Organiser was presented as part of the 'Town of Bałuty' project and the 71 st anniversary of the abolition of the Litzmannstadt Ghetto. Moreover, the history of Łódź was transferred beyond the city borders, to Warsaw and Lublin, where it emerged as a performative installation in a broader historical context.	PLN 30,000 ca. EUR 7,002
Cultural Education Association	Poznaj moją bajkę ('Hear my fairy tale')	The project was aimed at multicultural education among children and youth through integrative acting. The idea was to form three theatre groups consisting of young participants representing the 'majority' with those representing Belarusian and Ukrainian minorities as well as young Chechen immigrants. As a result, four theatrical performances based on fairy tales of each minority were created. Performances were documented as videos. The plays were staged in preschools, schools and for parents with children. In addition, the project participants attended integration workshops open to the public.	PLN 36,500 ca. EUR 8,519

Jewish Historical Institute Society in Poland	'Tumult! Teatr w muzeum. Scena teatralna dla dzieci i młodzieży mającej utrudniony dostęp do usług kulturalnych' ('Tumult! Theatre in museum. Theatre stage for children and youth with limited access to culture')	The project was executed by the Jewish Historical Institute Society in Poland in cooperation with the Museum of the History of Polish Jews, the Powszechny Theatre and the Theatre Corporation Association. Two new theatre plays based on scripts	PLN 96,500 ca. EUR 22,523
Organiser	Name of the task	Description	Subsidy amount
		written on the basis of school readings were produced under the project. They depict timeless truths and issues presented in the readings in an innovative and attractive way for young audience with the use of new media and the latest drama techniques. Each play was staged at least four times (including the premiere), that is, at least 8 plays were performed under the project. A series of meetings with the authors of the plays was held in cooperation with expert educators from the Museum of the History of Polish Jews. The project targeted youth up to 18 years of age with special focus on students with difficult access to culture services, especially youth staying in care institutions.	

Ignacy Jan Paderewski Pomeranian Philharmonic in Bydgoszcz

Promoting the cultural and national heritage of minorities living in Bydgoszcz and its vicinity by organising concerts for children and youth based on:

- Jewish music pieces
 - 27.03.2013 *Poznajemy różne kultury – kultura żydowska* ('Learning other cultures – Jewish culture'), concert for young music lovers,
 - 22.09.2013 Jewish culture concert, family concert,
 - 04.11.2013 *Poznajemy różne kultury – kultura żydowska* ('Learning other cultures – Jewish culture'), musical mornings for seniors,
- Belarusian music pieces
 - 07.10.2013 *Na BIAŁO-ruską nutę* ('BELA-russian notes'), musical mornings for seniors,
 - 13.10.2013 *Białoruskie impresje* ('Belarusian impression'), family concert,

- 28.10.2013 *Poznajemy różne kultury – kultura białoruska* ('Learning other cultures – Belarusian culture'), concert for young music lovers.

Witold Lutosławski National Forum of Music

Witold Lutosławski National Forum of Music is willing to contribute to the preservation and growth of national minorities' culture under its core activities.

Estera Rachel and Ida Kamińska Jewish Theatre. Yiddish Culture Centre

Since the beginning of its activity the Jewish Theatre has kept Jewish culture protection in its statutes, as well as its promotion to new generations. The Jewish Theatre Yiddish Culture Centre is committed to continue its current activities, such as:

under the Jewish Theatre activities:

- plays in Yiddish,
- reading Yiddish literature in original by an actor of the Jewish Theatre, one hour before performances on the main stage,
- continuity of Jewish tradition and culture through celebration of Jewish holidays – workshops for children from preschools, schools, orphanages,
- promotion of Jewish culture through stage adaptations of Yiddish literature: plays, poetry nights, performance readings, series such as 'Bagaż kultury' ('Cultural baggage'),
- cooperation with the Shalom Foundation in the organisation of the Jewish Culture Festival 'Singer's Warsaw'.

under the activities of Yiddish Culture Centre established by the Theatre:

- Yiddish language courses at three different levels,
- Hebrew language students gathering once a week,
- Yiddish song workshops conducted by the music director of the Jewish Theatre once a month, on Saturdays,
- Jewish literature gatherings once a month, on Sundays,
- meetings on multiculturalism for children (3-8 years old) on Sundays; the meetings take place under the guidance of trainers from the MaMa Foundation,
- the Jewish Open University seminars held twice a week,
- the Centre houses a University of the Third Age with courses related to Jewish culture all year long. Its students can take interdisciplinary courses (history and culture of Polish Jews, medicine, art, psychology, history, psychomotor exercises, language courses) as well as courses focused on Jewish themes (lectures on the history and culture of Polish Jews and the basics of Judaism, workshops on Jewish dance, Jewish song, Jewish theatre, Jewish cuisine, Jewish literature, Yiddish and Hebrew language courses, painting and art).

The Jewish Theatre and the Yiddish Culture Centre collaborate with artists related to Jewish culture from all over the world (Romania, Israel). Moreover, the institution is currently working on new projects aimed at expanding its educational activity.

Zachęta – National Art Gallery

- Exhibition *Domy srebrne jak namioty* ('Houses as Silver as Tents') (October–December 2013) dedicated to the culture and social situation of the Roma,
- *Abraham Ostrzega* (2016–2017) – a project executed in liaison with the Cultural Heritage Foundation envisaged the restoration of tombstone sculptures by Abraham Ostrzega, a member of the pre-war Zachęta Society for Fine Arts (Zachęta, 2017), at the Jewish Cemetery in Warsaw (2016) and an exhibition by contemporary Polish artists related to the figures and works of the Jewish sculptor.

Podlasie Opera and Philharmonic – European Art Centre in Białystok

W In 2012–2013, shortly before and after the opening of the new venue, the Podlasie Opera and Philharmonic – European Art Centre in Białystok published its repertoire plans in three languages: Polish, Belarusian and Lithuanian. Belarusian and Lithuanian are the languages of the national minorities which form the largest minority population in Podlaskie Voivodeship, that is, in the area where the Podlasie Opera and Philharmonic conducts its basic activity.

The musical 'Korczak' was also a reference point for the activity. The play was brought to the stage of the Podlasie Opera and Philharmonic (performed in 2012–2013) mainly due to the importance of the issue it raises, significant for both the local and general public. The Holocaust and the direct consequences of this historical tragedy leave its imprint on every generation. As part of the whole educational project, strongly referring to Janusz Korczak's legacy, a number of exhibitions was suggested for the First European Day of the Righteous (6 March 2013). An exhibition of the *Shalom* Foundation 'I ciągle widzę ich twarze' ('And I can still see their faces') was presented for the first time, as well as exhibitions: 'Czas przywołany. Józef Charyton 1910–1975', ('The time summoned. Józef Charyton 1910–1975') from the Podlasie Museum, 'Kto ratuje jedno życie, ratuje cały świat' ('Whoever saves one life saves the entire world') presented by the Institute of National Remembrance and 'Jestem stąd. Polska wielu narodów' ('I am from here. Poland of many nations').

Podlasie Opera and Philharmonic – European Art Centre in Białystok enabled the execution of activities aimed at national, ethnic and religious minorities, allowing for the cultivation of traditions reminiscent of their history and creating their contemporary culture, including:

- under the festival called 'Wschód Kultury. Inny Wymiar' ('Dawn of Culture. Another Dimension') During the festival, a play titled 'Oj dawno, dawno' ('A long, long time ago') prepared by children and youth from the Belarusian minority affiliated to the AB-BA Association for Children and Youth Learning Belarusian Language was staged.
- In 2014, the Podlasie Opera and Philharmonic held rehearsals for the '25 AB-BA Arkiestr' project prepared by the AB-BA Association for the 25th edition of the Young Belarus Music Festival 'Basowiszcza'
- and deployed its stage for concerts organised within major cultural events of associations, minority foundations and parishes, such as: gala concert of the Belarusian Song Festival organised by the Belarusian Social and Cultural Society, annual Orthodox

carol singing organised by the Orthodox Diocese of Białystok-Gdańsk, concerts of the Jewish Culture Festival 'Zachor' organised by the Center for Citizenship Education Poland-Israel, concerts and auditions for the International Orthodox Music Festival 'Hajnówka' organised by the 'Orthodox Church Music' Foundation, concerts during the Festival of Belarusian Original Song 'Jesień Bardów' ('Autumn of Bards') organised by 'Szczyty' – Association for Education and Promotion of Belarusian Culture in Szczyty-Dzięciołowo. The Żynowicz Folk Instrument Orchestra of the Belarusian State Philharmonic presented a special programme on the stage of the Podlasie Opera and Philharmonic – a concert for the birthday anniversary of the Belarusian composer V. Mulyavin, celebrated with a piece written for the Belarusian bard's text, Yanka Kupala. The concert was attended by students of Belarusian high schools from Hajnówka and Bielsk Podlaski, among other participants (November 2016).

Owing to the cooperation with the Belarusian Historical Society, a memory corner for Jan Tarasiewicz, a Belarusian composer, has been displayed in the foyer of the Opera. It is a permanent exhibition centred on the composer's piano, personal memorabilia, photographs and music scores used by Jan Tarasiewicz in his work as a teacher.

Museum of Literature

- Contribution to preparations of the UNESCO World Poetry Day (annual spring event) and the Festival of Slavic Poetry (annual autumn event) where poets present their poems and other poetic pieces in their national languages,
- 2013 – panel exhibition in Belarusian dedicated to Adam Mickiewicz's *Dziady* (December),
- 2014 – *Malënci. Ilustracje do legend kaszubskich* ('Malënci. Illustrations of Kashubian legends'), Aleksandra Baliszewska-Walicka's exhibition (May–June),
- 3–4 November 2016 – participation in the 30th scientific conference 'Kolasowiny' in the Yakub Kolas State Literature Memorial Museum in Minsk.

European Solidarity Centre

- Since 2014, the European Solidarity Centre (ECS) has regularly supported the Belarusian minority in Gdańsk by co-organising the 'Solidarity with Belarus' initiative, a festival of Belarusian culture in Gdańsk coupled with a demonstration of solidarity with people persecuted for political reasons in Belarus. In 2014, 2015 and 2016, the ECS contributed financially, substantively and logistically to the 'Solidarity with Belarus' spring festival (close to the Freedom Day celebrated on 25 March). In 2015 and 2016, the festival was held at the ECS. The initiative mostly comprises the Belarusian minority in Gdańsk and features a presentation and promotion of Belarus through various aspects of culture: music, cuisine, literature, art, language, theatre, film and many others. The initiative is inclusive and integrates the community of Gdańsk while integrating the Belarusian community in relation to issues relevant to them.
- Since 2013, the European Solidarity Centre supports the Ukrainian minority by co-organising several events with the Union of Ukrainians in Poland ('Jarmarock' festival,

temporary exhibitions focused on Ukraine, campaigns of solidarity with Ukraine during Euromaidan, marathon in writing letters to Nadiya Savchenko).

National Museum in Wrocław

Organisation of exhibitions, events, meetings and concerts with members of national minorities: German, Ukrainian, Jewish and Armenian in the Ethnographic Museum Branch (approximately 30 projects in 2012–2016). The intention was to promote traditions and cultural heritage of the minorities.

Royal Castle in Warsaw

- *Pod wspólnym niebem* ('Under a Common Sky'), an exhibition organised by the Polish History Museum and the Royal Castle in Warsaw, May–July 2012,
- *Gwoździec Re!construction. A preview of the Core Exhibition of the Museum of the History of Polish Jews*, an exhibition organised by the Jewish Historical Institute in Poland, July 2012,
- *The Delineated Jew in the Land of Canaan. Biblical prints from The Wandering Museum*, an exhibition organised by the Delineated Jew Foundation and the Royal Castle in Warsaw, May–June 2015,
- educational measures:
 - *What does cultural heritage mean to me?* classes under the *Modern Patriotism* programme, 2012
 - learning classes as a part of the Jewish Culture Festival, 2012,
 - a series of concerts *Music of the Eastern Borderlands*, 2012
 - a cycle of open lectures *Poland – Ukraine – Europe*, 2013–2014,
 - *Encounters with the Orient culture*, 2012–2016.

State Museum at Majdanek

State Museum at Majdanek, or PMM (established on the grounds of the former German Nazi concentration camp in Lublin), is a place commemorating the victims, including persons of national and ethnic minorities. A guided tour of the former camp at Majdanek and museum exhibitions is provided in German, Hebrew, Russian, Ukrainian and Belarusian. Educational activities for young people and adults are organised periodically and delivered in German. In 2014, an international scientific conference 'Martyrdom museums in a European perspective' was organised to mark the 70th anniversary of the PMM. The languages used during the conference were Polish and German. Publications published by PMM in German include books on the theory of education at memorial sites, exhibition catalogues and museum guides or tour maps of the Museum. The last two publications are published in Russian as well. Many groups visiting the Museum are groups from Israel. To this end, information boards displaying historical texts were installed at selected objects (a

white house, shelter foundation, sanitary facilities in Field II, the Mausoleum) and at core exhibitions in Hebrew.

National Museum in Gdańsk

- 2014 – ethnographic field research on Kashubian carol traditions was conducted in the commune of Sierakowice,
- 2014 – a documentary film ‘A wczoraj z wieczora’ (‘And yesterday evening’) on Kashubian carol groups was made,
- 2016 – in cooperation with the Kashubian-Pomeranian Association, a book ‘Chceta wa lédze gwiónzdkã widzec? Opowieść o kaszubskich kolédnikach’ (‘Chceta wa lédze gwiónzdkã widzec? A tale of Kashubian carol singers’) was published.

Silesia Museum in Katowice

- the core exhibition ‘The Light of History. Upper Silesia Over the Ages’, opened in 2015, features reading materials on panels and exhibit descriptions in German version,
- a map guiding the visitors around the new building of the Silesia Museum (since 2015) is available in German and other languages,
- the Silesia Museum publishes German versions of mini guides to the core exhibition ‘The Light of History. Upper Silesia Over the Ages’, available to visitors free of charge (ISBN 978-83-62593-60-6),
- publications of the Silesia Museum related to the borderland issues include abstracts in German,
- In 2014, the Silesia Museum Publishing House published a work of Stefan Łęczycki: *Äneolithikum und Frühbronzezeit im Raum der Oberen Oder* (ISBN 97883-62593-49-1),
- the Silesia Museum Library acquires valuable books, including publications in minority languages, through purchases, donations or exchanges with partner institutions. Books in the public reading room of the Silesia Museum Library are available in Kashubian, Belarusian, Czech, Hebrew, Yiddish, Lithuanian, German, Russian, Slovak and Ukrainian,
- In this context, the participation of the Silesia Museum in the programme of interinstitutional publication exchange with institutions in Slovakia (Slovenské národne múzeum, Slovenská národná galéria, Vysoká škola výtvarných umení in Bratislava) and Austria (Wien Museum, Österreichische Gesellschaft für Ur- und Frühgeschichte in Vienna) is crucial. For reasons related to the nature and history of the region, institutions from Germany (Schlesisches Museum in Görlitz, Oberschlesisches Landesmuseum in Ratingen, Staatliche Museen in Berlin, Staatliche Kunstsammlungen in Dresden, Zentralinstitut für Kunstgeschichte in Munich, Deutsche Nationalbibliothek in Leipzig, Herder-Institut in Marburg, Germanisches Nationalmuseum in Nuremberg, Bundesinstitut für Kultur und Geschichte der Deutschen im Östlichen Europa in Oldenburg) and Czech Republic (Slezské zemské muzeum in Opava, Národní památkový

ústav in Ostrava, Moravské zemské muzeum in Brno, Archeologické centrum in Olomouc, Národní muzeum in Prague) are most frequently involved in joint activities.

- In accordance with Article 12(1)(e), the Silesia Museum operates an Audience Service Department with staff fluent in the following national minority languages: Belarusian, Russian, Czech and German.

National Museum in Kielce

Museum presentations on the history of national and ethnic minorities conducted in the Museum for Intercultural Dialogue, a branch of the National Museum in Kielce in 2012-2016:

The core exhibition in the Museum

Presentations on the history and tradition of national and ethnic minorities:

- Polish-Jewish dialogue nowadays – a description of current attempts to develop positive relations between Poles and Jews following the traumatic experiences of World War II and the Kielce pogrom. Presentation of joint initiatives for dialogue related to religion, education, research or protection of material culture heritage,
- *The non-existent world of Shtetl: Poles and Jews prior to World War II* – the world of Polish towns where Jews (the largest national minority in the Second Polish Republic) and Poles lived side by side, inspiring each other in economic, social, political and cultural life. Language and tradition intertwined in the towns,
- *Roma culture – across history to the present day* – the history of the Roma, their tradition and customs. Division into ethnographic-language groups is presented. Roma organisations acting e.g. for combating the discrimination against Roma, the cultural institutions of the Roma community and people involved with it are presented as well,
- *Polish Armenians – history and the present* – history of Armenians can be traced back to ancient Armenia up to the migration, including migration to Poland. Polish Armenians split into two groups, namely, the Old and the New Emigration Wave (the latter appeared in the 80's and 90's). The first wave consists of fully integrated people, as it is said: 'an Armenian in a Pole two times over'. The other wave has only just began learning about Poland and Polish identity. The presentation introduces the Armenian culture and tradition, shows famous Poles of Armenian origin and organisations dedicated to the Armenian community.

Temporary exhibitions:

- *Jewish Kielce* – copies of photographs and postcards depicting the life of the Jewish community in Kielce before World War II – October 2012,
- *Synagogues and cemeteries of south-eastern Poland* – photographs depicting synagogues and cemeteries from over 60 towns and cities in Świętokrzyskie and Podkarpackie Voivodeships, March–April 2013,

- *Different, not inferior* – photographs taken for a social campaign of the same title. The exhibition presents the best shots intended to raise awareness of various forms of discrimination. The photographs were singled out in a competition held for the campaign. The campaign was designed to increase social understanding of the different forms of discrimination, including discrimination against national and ethnic minorities, and their expressions, April 2014,
- *Among the Hasidim* - photographs by Israeli photographer Gil Cohen-Magen showing vital life aspects of men, women and children from Hasidic communities, focusing on life in Israel, in Jerusalem district of Mea She'arim. The photographs depicted traditional Hasidic wedding, circumcision ceremony, redemption of the firstborn son, first haircut, Hanukkah feast and ritual bath. The exhibition was organised in cooperation with the Galicia Jewish Museum in Kraków, March–April 2016.
- *Armenian workshop – the art of detail* – a fascinating and rich world of symbols and art affecting the Polish culture as well inspired the creators of the exhibition. Items imported from the East or produced in Poland by Armenians are of high quality. The decorative designs they used can be traced back to the historical Armenia, Persia or the Middle East countries. The exhibition featured examples of Armenian art culture and emphasised its detail – its originality, symbolism and perfection. It applies to the book illumination, literature in Armenian script, khachkar ornaments, architecture, textile pattern design (carpets, kontusz belts) or weapon decoration, December 2016–March 2017.

Education – Oral History Archives:

- a series of meetings ‘Thursdays with Dialogue’ – a screening of documentaries created by employees of the Museum for Intercultural Dialogue using e.g. statements by witnesses recorded in the Oral History Archives of the National Museum in Kielce,
- *Our neighbours – Armenians* – why would the very first nation to convert to Christianity emigrate so extensively from its country? What are khachkars? What is the nature of the distinctiveness the Armenian church shows? And what areas of Polish culture are largely affected by Armenian art? These and other questions were answered in the documentary ‘Our neighbours – Armenians’ based on the testimony and statements of Varuzhan Chobanyan, President of the Kielce Armenian Association in Poland. The film was screened in February 2015.
- *Our neighbours – the Roma* – a documentary filmed in cooperation with Teofil Markowski, the President of the Kielce Polish Roma Association ‘Dywes’, attempted to answer the question why the Roma have their own kings, what *Romanipen* is and why the family community plays such an important role. The film was screened in March 2015.
- *Our neighbors – Jews* – where can synagogues in Świętokrzyskie Voivodeship be found? What is the main topic of Torah? What is the significance of ‘Yom Kippur’ holiday and ‘Kol Nidre’ prayer? These and other questions were tried to be answered during ‘Thursdays with Dialogue.’ The video material uses e.g. the report of Muli Ben Sasson, an Israeli artist and designer. The screening took place in April (part I) and in May (part II) 2015.

- *Our neighbours – Ukrainians* – what connects Bodzentyn with an Ukrainian town of Staryi Sambir? What was the significance of Euromaidan for Ukrainians? And what is happening today at our Eastern neighbours? These and numerous other questions were answered by the documentary 'Our neighbours – Ukrainians.' Ukraine is introduced to the viewers by such speakers as Krzysztof Kalita, the chairman of the Association Integration Europe–East; Bogdan Stetsiuk, a Ukrainian living in Kielce, and Stefan Rachtan, the chairman of the Society of the Friends of Bodzentyn. The screening took place in April 2016.

Events:

- *An evening with Papusza* – a meeting with the author of *Papusza* – Angelika Kuźniak, and Elżbieta Ficowska, widow of the poet and translator Jerzy Ficowski, December 2013.
- A discussion with high-school students as part of the 'Different, not worse' campaign, December 2013.
- A meeting with the Roma, representatives of the 'Dywes' Association in Kielce as part of the 12th 'Watch Docs' Touring Film Festival. *Human rights in films*, May 2014.
- *Armenians in the Polish culture* – a lecture by Paweł Grzesik, the head of history department of MNKi, as part of the 'Sunday at the Museum' project, February 2015.
- *Armenians in the Lublin region in the past and today* – a lecture as part of the 'Season Lublin 2015' project in Lublin.
- A lecture accompanying the screening of the documentary *Our neighbours – Armenians* – The Museum for Intercultural Dialogue, MNKi department.
- *A dialogue of two cultures. Polish Armenians in the past and today* – a lecture as part of the Armenian Day during the Pardes Festival – Meetings with the Jewish culture in Kazimierz Dolny.
- An exhibition entitled *An Armenian workshop – the craftsmanship of detail. Idea, archives, research issues* – a lecture at the *Armenians – history and culture* scientific conference at the National Museum of Agriculture and Agricultural-Food Industry in Szreniawa.
- *A dialogue of two cultures. Polish Armenians in the past and today* – a lecture at the University of the Third Age in Puławy.
- *Armenian Lublin region* – a lecture as part of the 'Season Lublin 2016' project in Lublin.
- *Polish Armenians in the past and today* – a lecture as part of the 10th Anniversary of the Foundation of Culture and Heritage of Polish Armenians in Warsaw.
- *The Armenian Route in the Old Town in Warsaw* – to mark the 10th Anniversary of the Foundation of Culture and Heritage of Polish Armenians in Warsaw.

Museum of the Second World War in Gdańsk

W On 21 February 2013, as part of the regular open lectures entitled 'Encounters with the History', the Museum of the Second World War organised the promotion of a book by Sylwia Bykowska, PhD, entitled *Rehabilitacja i weryfikacja narodowościowa ludności polskiej w województwie gdańskim po II wojnie światowej* [*Rehabilitation and Ethnic Verification of the Polish Population in the Gdańsk voivodeship*

after World War II] (published by the Kashubian Institute in Gdańsk established in 1996 which is a Kashubian and Pomeranian scientific and regional institution devoted to research and dissemination. The Institute brings together over 100 persons from the scientific community, mainly from Pomerania, organises and coordinates research, promotes Kashubian and Pomeranian issues, and conducts publishing and economic activity).

Jewish Historical Institute (JHI) Publishing

activity:

- *Księga Koheleta [Ecclesiastes]*, translation from Hebrew: Anna Kamieńska, Warsaw 2014.
- *Dzieci żydowskie w czasach Zagłady. Wczesne świadectwa 1944-1948. Relacje dziecięce ze zbiorów Centralnej Żydowskiej Komisji Historyczne [Jewish children during the Holocaust period. Early testimonies 1944–1948. Children’s accounts from the collections of the Central Jewish Historical Commission’]*, ed. Olga Orzeł, translation from Russian: Eleonora Bergman, translation from German: Piotr Kendziorek, translation from Yiddish: Karolina Szymaniak, Warsaw 2014.
- *Icchok Lejbusz Perec, Dusza. Legendy, bajki i opowiadania [Soul. Legends, Fairy Tales and Stories]*, selection and edition: Monika Szabłowska-Zaremba, Agnieszka Żółkiewska, translation from Yiddish: Celina Meersonówna, Leon Herbst, Ozjasz Tillemann, Jan Schleicher, Leon Spinard, Estera Rojznerówna, Jerzy Ohrenstein, L. Perec, S. Borowski, Józef Menkes, Warsaw 2015.
- *Rachela Auerbach, Pisma z getta warszawskiego [Letters from the Warsaw Ghetto]*, ed. Karolina Szymaniak, translation from Yiddish: Karolina Szymaniak, Anna Ciałowicz, Warsaw 2016.
- *Abraham Lewin, Dziennik [Journal]*, ed. Katarzyna Person, translation from Yiddish: Magdalena Siek, Adam Rutkowski, anonymous translation from Hebrew, Warsaw 2016.
- *Jana Fuchs, Miejsce po Wielkiej Synagodze. Przekształcenia placu Bankowego po 1943 roku [Vacant lot after the Great Synagogue. Transitions of Bankowy Square after 1943]*, translation from German: Tomasz Gabiś, Warsaw 2016.
- *Wolfgang Sofsky, Ustrój terroru: obóz koncentracyjny [The regime of terror: concentration camp]*, translation from German: Małgorzata Łukasiewicz, Warsaw 2016.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 12: ‘Rada Żydowska w Warszawie’ (1939–1943) [‘The Warsaw Jewish Council (1939–1943)’], ed. M. Janczewska, Warsaw 2014; translation: Sara Arm – Yiddish, Piotr Kendziorek – German.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 14: ‘Kolekcja Hersza Wassera’ [‘Hersch Wasser collection’], ed. K. Person, Warsaw 2014; translation: Sara Arm – Yiddish, Katarzyna Person – German, Magdalena Siek – Yiddish.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 15, September 1939. ‘Listy kaliskie. Listy płockie’ [‘Kalisz Letters. Płock Letters’], ed. Epsztein, T., Majewska, J., Bańkowska, A., Warsaw 2014; translation: Sara Arm – Yiddish, Tadeusz Epsztein – German, Russian, Piotr Kendziorek – German, Iga Monika Kościotek – Yiddish, Justyna Majewska – German, Magdalena Siek – Yiddish.

- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 19, 'Prasa getta warszawskiego: Hechaluc-Dror i Gordonia' ['The Press of the Warsaw Ghetto: Hechalutz-Dror and Gordonia'], ed. Laskowski, P., Matuszewski, S., Warsaw 2015; translation: Eleonora Bergman – Hebrew, Daria Boniecka-Stępień – Hebrew, Agnieszka Olek – Hebrew, Monika Polit – Yiddish, Ruta Sakowska – j. Hebrew, Magdalena Siek – Yiddish, Bella Szwarzman-Czarnota – Yiddish, Marek Tuszewicki – Yiddish, Marcin Urynowicz – Yiddish, Agnieszka Żółkiewska – Yiddish.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 20, 'Prasa getta warszawskiego: ugrupowania prawicowe' ['The Press of the Warsaw Ghetto: the Right-wing groups'], ed. M. Urynowicz, Warsaw 2015; translation: Marcin Urynowicz – Yiddish, Hebrew.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 23, 'Dzienniki z getta warszawskiego' ['The Diaries from the Warsaw Ghetto'], ed. Person, K., Trębacz, Z., Trębacz, M., Warsaw 2015; translation: Sara Arm – Yiddish, Aleksandra Bańkowska – Yiddish, Aleksandra Geller – Yiddish, Agata Kondrat – Yiddish, Adam Rutkowski – Yiddish, Hebrew, Magdalena Siek – Yiddish.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 24, 'Obozy pracy przymusowej' ['Labour Camps'], ed. M. Janczewska, Warsaw 2015; translation: Sara Arm – Yiddish, Daria Boniecka-Stępień – Hebrew, Anna Ciałowicz – Yiddish, Piotr Kendziorek – j. German, Magdalena Siek – Yiddish, Marcin Urynowicz – Yiddish, Maciej Wójcicki – Yiddish.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 28, 'Cwi Pryłucki. Wspomnienia (1905–1939)' ['Memoirs of Cwi Pryłucki (1905–1939)'], ed. Joanna Nalewajko-Kulikow, Warsaw 2015; translation: Agata Kondrat – Yiddish.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 16, 'Prasa getta warszawskiego: Bund i Cukunft' ['The Press of the Warsaw Ghetto: Bund and Cukunft'], ed. Rusiniak-Karwat, M., Jarkowska-Natkaniec, A., Warsaw 2016; translation: Anna Ciałowicz – Yiddish, Alicja Gontarek – Yiddish, Agata Kondrat – Yiddish, Martyna Rusiniak-Karwat – Yiddish, Magdalena Siek – Yiddish, Marcin Urynowicz – Yiddish.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 17, 'Prasa getta warszawskiego: Poalej Syjon Lewica i Poalej Syjon Prawica' ['The Press of the Warsaw Ghetto: Poale' Zion Left and Poale' Zion Right'], ed. Bergman, E., Epsztein, T., Wójcicki, M., Warsaw 2016; translation: Anna Ciałowicz – Yiddish, Agata Kondrat – Yiddish, Magdalena Siek – Yiddish, Sylwia Szymańska-Smolkin – Yiddish, Marcin Urynowicz – Yiddish, Maciej Wójcicki – Yiddish.
- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 21, 'Prasa getta warszawskiego: radykalna lewica niesyjonistyczna' ['The Warsaw Jewish Council (1939–1943)'], ed. Laskowski, P., Matuszewski, S., Warsaw 2016; translation: Magdalena Siek – Yiddish, Anna Szyba – Yiddish, Maciej Wójcicki – Yiddish, ▪ *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 33, 'Getto warszawskie, cz. I' ['Warsaw Ghetto. Part 1'], ed. Epsztein, T., Person, K., Warsaw 2016; translation: Sara Arm – Yiddish, Daria Boniecka-Stępień – Hebrew, Anna Ciałowicz – Yiddish, Maja Gąssowska – German, Aleksandra Geller – Yiddish, Jan Leński – Yiddish, Magdalena Siek – Yiddish, Marcin Urynowicz – Yiddish.

- *Archiwum Ringelbluma. Konspiracyjne Archiwum Getta Warszawy [The Ringelblum Archive]*, vol. 34, 'Getto warszawskie, cz. II' ['Warsaw Ghetto. Part 2'], ed. Epsztein, T., Warsaw 2016; translation: Sara Arm – Yiddish, Aleksandra Bańkowska – Yiddish, Tatiana Berenstein – German, Maja Gąssowska –
- j. German, Aleksandra Geller – Yiddish, Agata Kondrat – Yiddish, Jan Leński – Yiddish, Izabela Łach –
German, Justyna Majewska – German, Ruta Sakowska – Yiddish, Magdalena Siek – Yiddish.

Scientific and educational activity:

- research on the history of Jews in Warsaw which, until 1939, was the second most populous Jewish city in the world (after New York) and one of the most important centres of Jewish culture,
- research on the fate of Jews during World War II and in the immediate post-war period, the fundamental resources for which can be found in the collections of the Institute, including research on Holocaust literature and personal documents,
- research on antisemitism,
- research on culture and intelligence of Yiddish,
- research on the modern history/culture of Jews and its links with the Polish history/culture,
- research on and documentation of Jewish monuments, memorial and execution sites of Jews in Poland,
- genealogical research,
- meetings with experts on Jewish history, culture, arts, philosophy and religion, popular science lectures, presentations of new publications in the scope of Jewish issues, workshops, small artistic forms (as part of a series called 'Thursdays in Tłomackie' and JHI scientific seminars),
- workshops on Yiddish (mutual influences of languages, calligraphy, cultural aspects),
- Yiddish language classes for employees of the Institute,
- the 'Holocaust testimonies' seminar – development of the programme and organisation of a seminar for teachers of humanities, educators and local activists from Poland,
- panel 1: The Ringelblum Archive as the most important Holocaust testimony,
- panel 2: Remembrance of the murdered nation,
- panel 3: Holocaust and literary testimonies,
- panel 4: Contemporary problems in teaching about the Holocaust.

Thematic walks around Jewish Warsaw, such as: ghetto, pre-war Jewish community, Jewish writers, Yiddish Warsaw, Jewish cemetery (symbolism, rituals connected with Jewish burial), great Jews of Warsaw, e.g.:

- an educational walk *Discovering the Jewish Praga district* – for employees of the Faculty of Architecture at Warsaw University of Technology,
- *912 days of Ghetto* workshop for Romuald Traugutt High School in Lipno,
- an educational walk *Warsaw in the eyes of Ringelblum* to mark the 72nd anniversary of the death of the Jewish Historical Institute's patron,

- a presentation of the educational offer during the 'School of Dialogue' Gala in the National Theatre organised by the Forum for Dialogue,
- an educational walk *Impression of the Northern Quarter* for volunteers participating in the 'Daffodils campaign' organised by the POLIN Museum of the History of Polish Jews,
- an educational walk *Indelible traces of the Ghetto*.

Collections of JHI

The Institute's Library boasts over 80 thousand books, including manuscripts and old prints, which constitutes the most extensive collection in Poland of book devoted only to the history and culture of Jews. The Library is the 'heir' of the surviving pre-war collections of the Central Judaic Library (which since 1936 was located in the JHI building), the Jewish Theological Seminar in Wrocław, the Lublin yeshiva and contains some private collections as well.

Digitisation of press, manuscripts and old prints from the collections of JHI

As part of the activity of the Central Judaic Library, press, manuscripts and old prints from the collections of JHI in such languages as Yiddish, Hebrew and German were regularly digitised and made available online.

Conservation of collections

Regular maintenance works were carried out on the collection of paintings and paper documents (pre-war and immediate post-war press, a collection entitled *Diaries*). Wooden elements of the synagogue's wooden furnishings were subject to conservation and reconstruction.

22 July March of Remembrance

Coming up with the idea and comprehensive organisation of the March of Remembrance which since 22 July 2012 (on the anniversary of the liquidation of the Warsaw Ghetto) has been walking through the streets of Warsaw, starting from Umschlagplatz, passing the symbolic route 'from death to life'.

2 August – the anniversary of the outbreak of the revolt and escape of a group of prisoners from the Treblinka Nazi death camp.

Competitions and awards:

- 'Memory for the Future' competition. 'Memory for the Future – Holocaust memorial sites around us' project co-organised by: POLIN Museum of the History of Polish Jews, Centre for Education Development and Children of the Holocaust Association in Poland,
- Meir Balaban competition organised by the JHI every two years (since 1991) for the best Master's and PhD theses on Jews and Israel which represent various fields of humanities: history, arts, architecture, museum science, literary science, sociology, theatre studies and law,

- Maria and Łukasz Hirszowicz Award for people or institutions for scientific, artistic or educational achievements in the field of research or popularisation of the history of Jews in Poland and Polish and Jewish relations,
- Jan Karski and Pola Nireńska Award established by Jan Karski in 1992, administered by YIVO Institute and awarded yearly to the authors of works on Polish and Jewish relations and documenting the contribution of Jews to the Polish culture.

The Castle Museum in Łańcut

- as part of research and protection of the cultural heritage of the Eastern Church, permanent cooperation with research and museum facilities in Poland and in Ukraine, Slovakia, Hungary, Germany, Greece and Canada,
- Ukraine-related studies,
- expertise and participation in the works of conservation committees with a wide range of competence (e.g. for the Greek Catholic Przemyśl–Warsaw Metropolis, Diocese of Przemyśl–Gorlice, structures of the Eastern Churches in Ukraine and Slovakia, State Service for the Preservation of Monuments, National Heritage Board of Poland, Police and Customs Office).

The Castle Museum in Malbork

In 2016 an exhibition was organised in reference to a conference entitled ‘Ethnic minorities in Żuławy’ (11 March – 10 April), focused on the issues of national and religious minorities in the area of Żuławy; as a result, a collective work was published entitled ‘Mniejszości narodowe i religijne na Żuławach’ [‘National and religious minorities in the area of Żuławy’] edited by Hochleitner, J., Malbork 2016, p. 251.

The POLIN Museum of the History of Polish Jews

General remark: almost all the activity of the POLIN Museum (cultural, exhibition-related, scientific and educational) focuses on the protection, raising the awareness, popularisation and building cultural heritage of the Polish Jews – culture, language, tradition, philosophy, *etc.* This results from the mission of the Museum which aims: *to recall and preserve the memory of the history of Polish Jews, contributing to the mutual understanding and respect amongst Poles and Jews as well as other societies of Europe and the world*, as well as from its vision: *to create a modern museum – an educational and cultural center, a platform for social dialogue; an institution offering a profound, transformative experience and promoting new standards of relating to history.*

The activity of the Museum consists in:

- collecting, protecting and sharing library collections in Hebrew and Yiddish (2012–2016),
- organisation of ‘I. L. Peretz and His Circle’ conference³¹ focused on Yiddish literature (some sessions and accompanying events were held in this language), 2015,

³¹ <https://www.polin.pl/en/i-l-peretz-and-his-circle-academic-conference>

- creation of an audio-guide in Yiddish,
- protection of the Jewish heritage through developing museum collections (purchases, donations, deposits), originating both in the territories of old and contemporary Poland, and in places where the diaspora of Polish Jews used to live or lives,
- recording, developing, protecting and maintaining museum collections,
- sharing with and disseminating among today's and future generations information on collections (though their digitisation, publication on the Central Judaica Database Internet catalogue and queries execution),
- engaging the community and building lasting relationships with the participants of the museum's programmes through carrying out collection programmes of mementos linked to Polish Jews' heritage and history, maintaining long-lasting relationships with the donors,
- partnership or implementation of projects as part of Jewish culture festivals, including *Singer's Warsaw Festival*, *Jewish Culture Festival* in Kraków, *Jewish Motifs*, *New Jewish Music Festival*, *Jewish Film Festival*,
- cooperation with Jewish organisations on carrying out anniversaries' celebrations, artistic projects and social actions, including the Social and Cultural Association of Jews in Poland, Association of Jewish Combatants and Victims of World War II, Maccabi Warsaw, JCC Warsaw, Jewish Community of Warsaw, Shalom Foundation, Association of 'Children of the Holocaust', Jewish Historical Institute,
- popularisation of knowledge about the Yiddish language, including discussions, concerts, walks, games, etc.

Moreover, it should be noted that national and ethnic minorities as well as the Kashubian community benefit from higher educational subsidies in relation to the total number of schools. In 2016 this amount totalled **PLN 356,784,342.89** (around **EUR 82,973,103**).

It needs to be noted that a separate provision of the Act on national and ethnic minorities and on the regional language specifies that measures aimed at supporting activities for the protection, preservation and development of the cultural identity of minorities, may also be financed from the budget funds of local government units.

2. Without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation.

According to Article 35 of the *Constitution*, the Republic of Poland shall ensure Polish citizens being part of national and ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture. Minorities' representatives also have the right to establish educational, cultural institutions, and institutions

designed to protect religious identity, as well as to participate in the resolution of matters connected with their cultural identity.

Moreover, according to Article 5(1) of the *Act on national and ethnic minorities and on the regional language* ‘the use of measures aimed at assimilation of people belonging to a minority against their will shall be prohibited.’ It is worth noting that this provision is very similar to Article 5(2) of the Convention.

Prohibition of activities aimed at assimilation of national minorities is enshrined in the *Treaty between the Republic of Poland, and the Republic of Lithuania on friendly relations and good-neighborly cooperation* of 26 April 1994 (Journal of Laws of 1995, No 15, item 71). Article 15 of this Treaty provides assurance that the *parties shall refrain from any action that could lead to the assimilation of national minorities against their will.*

In its efforts to the benefit of social inclusion, Poland does not refer to any policies or practices aimed at assimilation of persons belonging to national minorities. The fundamental principle of Polish integration policy is to refer to such means and methods that have an integration impact, while respecting and enhancing the cultural autonomy of national minorities according to the principle which is defined as ‘integration with respect to diversity.’

Article 6

1. *The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and cooperation among all persons living on their territory, irrespective of those persons’ ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media.*

Article 13 of the *Constitution* prohibits the existence of organisations whose programme or activity presumes or refers to national hatred, and Articles 119 and 257 of the *Criminal Code* (Journal of Laws of 2016, item 1137) provide for sanctions for the use of violence, threats of violence or insult people because of their nationality.

At the same time Article 6(2)(3) of the *Act on national and ethnic minorities and on the regional language* stipulates that public authorities are obliged to respond appropriately to reinforce intercultural dialogue.

During the period concerned the Government Plenipotentiary for Equal Treatment undertook a number of activities aimed at promoting tolerance and combating prejudice. The most important ones include:

2014:

- a conference entitled ‘Against hate speech – think globally, act locally’ summing up a project ‘Equal Treatment as the Standard of Good Governance in the Regions’ (June);
- 2015:

- a series of regional debates in chosen voivodeship capitals:
 - ‘Hate speech in public space,’ Kielce,
 - ‘The characteristics of the “hate speech” phenomenon in the society and in the media,’ Kraków,

- 'Education for tolerance – good practices,' Łódź,
- 'Hate crimes – the role of education in preventing aggression and encouraging tolerance: good practices in Lower Silesian institutions and organisations,' Wrocław.

The aim of the debates was raising the level of legal protection of the groups vulnerable to discrimination. It was assumed that the conferences should refer to the situation in particular voivodeships and bring together groups which actively oppose hate speech or – depending on the situation – groups which were not covered by the debate on hate crimes up until then.

In the reporting period, activities aimed at strengthening the social potential of the Roma were continued. In April 2015, on the initiative of the Government Plenipotentiary for Equal Treatment, a photo exhibition 'Roma Rising – Some of many' was organised in the Chancellery of the Prime Minister. The exhibition presented works of a world-renowned photographer, Chad Evans Wyatt. The people in the pictures are at the same time the main characters of the 'Some of many' social campaign organised by Prom Foundation for Social Integration from Wrocław. The aim of the campaign was to change the general negative image of the Roma. The Roma presented in the pictures are authentic characters, people who are successful and respected by their community, as well as by their colleagues and neighbours. The opening of the exhibition was connected with the International Roma Day celebrated on 8 April.

The Government Plenipotentiary for Equal Treatment also continued activities aimed at empowering the Roma women. In June 2015, 'Romni 2015. Debata o sytuacji kobiet romskich w Polsce' conference (Romni 2015: A debate on the situation of Roma women in Poland) took place in the Chancellery of the Prime Minister. The debate was organised by the Government Plenipotentiary. It was a second conference with nationwide coverage of this type. It gathered around 130 people from all over the country, including women from all Roma groups residing in Poland, as well as a representative of the Council of Europe. Such a high representation of Roma communities was possible for example thanks to the cooperation and help of the voivodes. During the conference, Silver Crosses of Merit were awarded for the first time by the President of the Republic of Poland to local Roma activists. After the award ceremony, the conference participants watched a fragment of Agnieszka Arnold's documentary *Phuri Daj* about Alfreda Markowska-Noncia called the Roma Sędlerowa. In 2006, Alfreda Markowska was awarded with the Commander's Cross of the Order of the Rebirth of Poland by the President of Poland, Professor Lech Kaczyński, for her courage, sacrifice and determination in saving children, not only the Roma children, from extermination during World War II. During the panel discussion about the situation of Roma women in Poland, changes which have taken place in the last few decades in Roma communities and the increasing activity and effectiveness of young Roma people were highlighted.

Activities aimed at strengthening the spirit of tolerance and intercultural dialogue are undertaken also by the voivodes' plenipotentiaries for national and ethnic minorities.

2. *The Parties undertake to take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity.*

Regulations concerning the prohibition of discrimination for any reason were included in Article 32(2) of the *Constitution of the Republic of Poland*. In addition, Article 13 of the *Constitution*

prohibits the existence of political parties and other organisations whose programmes are based upon totalitarian methods and the modes of activity of Nazism, fascism and communism, as well as those whose programmes or activities sanction racial or national hatred, the application of violence for the purpose of obtaining power or to influence the State policy, or provide for the secrecy of their own structure or membership.

The Polish *Criminal Code* protects in a special way persons belonging to national and ethnic minorities against acts of discrimination, hostility, violence or intimidation, which are the result of their ethnic, cultural, linguistic and religious identity. It contains specific provisions that penalise certain types of offences committed against them because of the fact that they belong to a given group.

Article 118 § 1 of the *Criminal Code* penalises the crime of genocide. It states that anyone who intends to destroy in whole or in part, a national, ethnic, racial, political, or religious group with an ideology, kills or causes serious injury to a person belonging to such a group, is subject to a penalty of deprivation of liberty. Article 118 § 2 penalises actions of a person who, for the same purpose, creates for persons belonging to such a group, living conditions threatening its biological destruction, applies means aimed at preventing births within this group, or forcibly removes children from persons constituting it. It should be highlighted that in the case of actions indicated in Article 118 § 1 and 2, also the preparation itself for that offence is subject to penalty.

The use of violence or unlawful threat against a group of persons or an individual person because of their national, ethnic, racial, political or religious affiliation or because of their lack of religious beliefs is penalised under Article 119 § 1 of the *Criminal Code*. According to this Article, a person who committed such an offence is subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

In 2010, three new Articles were introduced to the *Criminal Code*: 118a, 126a and 126b. Article 118a of the *Criminal Code* penalises in § 1 offences against human life and health (e.g. homicide, grievous bodily harm), in § 2 – offences against the freedom in a broad meaning (e.g. rape, slavery), and in § 3 – offences against the freedom from persecution and deportation. The condition of incurring criminal liability based on this article is committing these acts by participating in a massive attack or only in one of the recurring attacks directed against a group of people taken to implement or support the state policy or organisation. Pursuant to Article 126a of the *Criminal Code*, public incitement to commit an act defined in Article 118, 118a and 119 § 1 of the *Criminal Code*, as well as voicing public approval for the commitment of such acts, is prohibited. However, Article 126b of the *Criminal Code* refers to the criminal liability of a person who, disregarding the obligation to exercise adequate control, allows a person remaining under his/her actual supervision or control to commit an act defined e.g. in Articles 118, 118a, 119 § 1 and 126a of the *Criminal Code*.

Public promotion of a fascist or other totalitarian system of state or incitement to hatred based on national, ethnic, racial, or religious denomination or because of their lack of religious beliefs is an offence under Article 256 § 1 of the *Criminal Code*. This deed is subject to a fine, restriction of freedom or imprisonment for a period of up to two years. Pursuant to Article 256 § 2 of the *Criminal Code*, whoever produces, records or imports, acquires, stores, owns, presents, transports or sends hard copies, recordings or other carriers containing content defined in § 1 of this Article in order to disseminate it is also subject to penalty. However, whoever commits such an act for artistic, educational, collection related or scientific purposes, shall not be held liable.

Article 257 of the *Criminal Code* provides in turn for the penalisation of publicly insulting a group of people or individuals because of their national, ethnic, racial, religious, or because of their lack of religious beliefs, or violation of inviolability of other persons for these reasons. This crime is punishable by imprisonment of up to three years.

Also the entry into force of the *Act on the implementation of certain European Union provisions on equal treatment* defining areas and means for tackling infringements of the principle of equal treatment without discrimination based on gender, race, ethnic origin, nationality, religion, creed, belief, disability, age or sexual orientation was key to changing the legal situation of the persons discriminated against. The Act clarifies the legal situation and fully implements the anti-discrimination European Union directives. It also establishes legal measures safeguarding the principle of equal treatment and authorities responsible for the implementation of this principle. According to the regulations of the Act, anyone who has been treated unequally is entitled to compensation. The provisions of the *Civil Code* apply to cases where the equal treatment principle was breached. The Act introduced rules concerning the burden of proof that are favourable to potential discrimination victims. Pursuant to Article 14 of the Act, an entity that claims the equal treatment principle was breached must prove that it actually took place. If the breach of equal treatment principle is evidenced, the entity accused of breaching the principle must prove that it did not commit such an act.

On 29 October 2009, the Prime Minister decided that the *National Programme for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance*³² will be continued. In February 2011, Council for the Prevention of Racial Discrimination Xenophobia and Related Intolerance was established, chaired by the Government Plenipotentiary for Equal Treatment.

The Council was a subsidiary body of the Council of Ministers which was created under Order No 9 of the Prime Minister of 28 February 2011 further amended by Order No 6 of the Prime Minister of 13 February 2013 on the Council for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance (Official Gazette [*Monitor Polski*] of 2013, item 79). After functioning for several years, as described below, the Council was dissolved by Order No 53 of the Prime Minister of 27 April 2016 (Official Gazette [*Monitor Polski*] of 2016, item 413). The Council was responsible mainly for planning, coordinating and evaluating the activities of government administration bodies and ensuring their cooperation with local government units and other relevant entities in the field of combating racism, xenophobia and intolerance. The Council consisted of representatives of government administration and public institutions. The Council functioned as an institutional extension of the Unit for Monitoring of the National Programme for Counteracting Racial Discrimination, Xenophobia and Related Intolerance, the implementation of which was completed on 30 June 2009. In June 2011, the Council began its works on the preparation of government action plan in the field of counteracting and combating racial discrimination, xenophobia and related intolerance, which was to be submitted to the Council of Ministers once every two years. The plan was to constitute a continuation of the *National Programme for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance* implemented in the years 2004–2009. The Consultation Council – a group of persons actively involved in taking measures aimed at combating racial discrimination, xenophobia and intolerance or representing groups and circles at risk of being discriminated against due to their race, nationality or

³² Information on actions undertaken within the scope of the *Programme*, its analysis, as well as the assessment of implementation and conclusions concerning the assumptions of the continuation is included in the *Report on the implementation of the National Programme for the Prevention of Racial Discrimination, Xenophobia and Related Intolerance for the years 2004–2009*, adopted by the Council of Ministers on 7 May 2010.

ethnic origin appointed by the Government Plenipotentiary for Equal Treatment – was supposed to ensure a stable mechanism of public consultations of actions undertaken by the Council.

Under Article 22 of the Act of 3 December 2010 on the implementation of certain European Union provisions on equal treatment, the Government Plenipotentiary for Equal Treatment is obliged to prepare and submit the National Programme of Action for Equal Treatment to the Council of Ministers. The Programme identifies the aims and the priorities of measures for equal treatment and the ways of preventing discrimination based on gender, race, ethnic origin, nationality, religion, creed, belief, disability, age and sexual orientation. The Programme for 2013-2016 was the first governmental horizontal strategy of equal treatment in all areas of social life. It was implemented – according to competences – by all ministries and chosen central offices, Voivodes and other public administration authorities in cooperation with local government units and non-governmental organisations. The Government Plenipotentiary for Equal Treatment was the Programme's coordinator.

Many of the actions provided for in the Programme were horizontal and concerned all or many groups potentially at risk of discrimination (including members of national and ethnic minorities). Examples include the measures aimed at enhancing anti-discriminatory policy (Policy: Antidiscrimination policy), promoting and disseminating content relating to equal treatment and diversity in school curricula, education and didactic materials (Policy: Equal treatment in education system) and changing the stereotypical and discriminatory image of people at the risk of discrimination in media coverage (Policy: Equal treatment in access to goods and services). The Programme included also activities which could potentially benefit the members of national and ethnic minorities, e.g.: intensification of adult Roma education in order to increase their opportunities on the labour market (area: Equal treatment on the labour market and in the social security scheme), improvement of the level of knowledge about the phenomenon of violence against persons of ethnic or national origin other than Polish through hate crimes monitoring (area: Preventing violence), facilitating educational advancement of children belonging to the Roma minority, conducting nationwide research (taking into account the cultural identity of the Roma community) in relation to the legitimacy of Roma children learning in special schools and verification of the existing manner of adjudicating on placing Roma children in special schools (area: Equal treatment in the education system). Detailed reports on executing the Programme in particular years adopted by the Council of Ministers are also available on the website of the Government Plenipotentiary for Equal Treatment³³.

The year 2016 was the last year when the first edition of the National Programme of Action for Equal Treatment was implemented.

In the second half of 2016 the evaluation of the programme commenced as envisaged.

The key role was played by the interministerial Monitoring Team of the National Programme of Action for Equal Treatment, appointed by Order No 29 of the Prime Minister of 13 April 2015, and its amending (regarding the Team composition) Order of the Prime Minister of 22 March 2016. At the same time, works over the project of a new Programme edition were carried out.

Actions covering issues of equal treatment regardless of nationality and ethnic origin were implemented in the framework of three projects treated by the Government Plenipotentiary for Equal Treatment as priority projects, *i.e.*:

³³ www.rownetraktowanie.gov.pl

- 'Równe Traktowanie Standardem Dobrego Rządzenia' (Equal Treatment as a Standard for Good Governance) project implemented under the priority 5 of the Human Capital Operational Programme,
- 'Równe Traktowanie Standardem Dobrego Rządzenia w Regionach' (Equal Treatment as a Standard for Good Regional Governance) project co-financed by the EU programme for Employment and Social Solidarity (PROGRESS),
- 'Media równych szans' (Media of Equal Opportunities) project co-financed by the EU programme for Employment and Social Solidarity (PROGRESS).

The project entitled 'Equal Treatment as a Standard of Good Governance' was implemented in cooperation with the Warsaw School of Economics and the Jagiellonian University. Its aim was to prepare government administration at all levels for the creation and monitoring of law, as well as for the development and implementation of strategies taking into account the principle of equality. The implementation of the project was completed in 2013.

Under the project:

- the phenomenon of discrimination was diagnosed in various areas of social life (e.g., in 2011, the Jagiellonian University carried out a survey on the situation of discriminated groups, while the Warsaw School of Economics carried out a survey using Diversity Index in ministries and in the Chancellery of the Prime Minister); also Strategic Recommendations for Equal Treatment were developed which constitute basis for the development of the National Programme of Actions for Equal Treatment prepared in the years 2012–2013;
- 51 coordinators for equal treatment were appointed in all ministries, the Chancellery of the Prime Minister, voivodeship offices and selected public institutions,
- training was provided for around 480 employees from 87 public institutions related to the observance of the equal treatment principle and preventing all forms of discrimination.

'Equal Treatment as a Standard for Good Governance in Regions' project was implemented since May 2013 until June 2014. The project was a continuation of the 'Equal Treatment as a Standard for Good Governance' project. The purpose of the project was to further strengthen the capacity of public administration at the regional level with regard to contributing to equal treatment policy and the proper response to cases of discrimination.

Under the project:

- two manuals were prepared and published for public officials entitled: 'Równe traktowanie w administracji publicznej' (Equal treatment in public administration) and 'Równe traktowanie w administracji publicznej. Wymiar regionalny i lokalny' (Equal treatment in public administration. Regional and local dimension), as well as a set of informational materials under a common slogan 'Pamiętaj! Masz prawo do równego traktowania!' (Remember! You have the right to equal treatment!). Electronic versions of

these publications are available on the website of the Government Plenipotentiary for Equal Treatment³⁴,

- anti-discrimination training sessions were organised for officials working in voivodeship level offices. Their aim was to equip their participants in knowledge and skills enabling them to efficiently create and implement equal treatment policy at the regional level and react correctly to cases of discrimination. In June 2014, two-day courses for 183 persons were organised in five cities: Warsaw, Kraków, Poznań, Gdańsk and Białystok,
- in May and June 2014, five sponsored articles were published in the nationwide journal *Rzeczpospolita* concerning various aspects of equality policy, including integration of the Roma and hate crimes,
- two conferences were organised: 'Równe traktowanie standardem dobrego rządzenia w regionach' (Equal Treatment as the Standard of Good Governance in the Regions) (Warsaw, 10 April 2014) and 'Przeciw mowie nienawiści – myśl globalnie, działaj regionalnie i lokalnie' (Against hate speech – think globally, act locally) (Warsaw, 27 June 2014). During both conferences, the problems such as issues concerning the fight against stereotypes about nationalities and ethnic origin, preventing racism and xenophobia, as well as promoting ethnic, cultural and religious diversity were discussed.

'Media Równych Szans' project (Level-Playing Field Media) was implemented until April 2013. Its aim was to introduce an equality perspective to the language of public debate through educational and promotional activities addressed at persons and communities responsible for and influencing the course of this debate.

Under the project:

- two competitions were conducted. In the first one, targeting experts and non-governmental organisations, the best reports, studies and analysis concerning the messages and media language in anti-discrimination framework were selected. The other competition, targeting journalists and journalism students, selected the best journalistic works promoting equality and anti-discrimination. The prizes were awarded in three categories: pen (Internet), microphone and image,
- the educational part of the project consisted of a series of training sessions targeting journalists and journalism students which was carried out in 2012. Training sessions, participated by over 200 persons, covered the issues of equality and anti-discrimination, with particular focus on the question of the language of media messages and hate speech.

Implementing the tasks imposed by the Act on the implementation of certain European Union provisions on equal treatment, in particular with respect to monitoring of the situation concerning the observance of the equal treatment principle, the Government Plenipotentiary for Equal Treatment acts based on requests and information from citizens, groups of citizens or non-governmental organisations. Regardless of the received requests, the Plenipotentiary intervenes in some matters on their own initiative or based on media reports. In 2012 the Plenipotentiary examined 460 complaints and petitions. In 2013, there were 566 of them, in 2014 – 377, in 2015 – 365, and in 2016 – 127.

³⁴ www.rownetraktowanie.gov.pl

The cases classified as ‘ethnic origin or nationality’ category accounted for approx. 3–3.5% of all cases in the years 2013–2015, and for 7.8% in 2016. In absolute terms there were 14 cases in 2012, 20 in 2013, 13 in 2014 and in 2015, and 10 in 2016 respectively. It is worth noting that cases in this category are not the most numerous.

It should be mentioned that in the reporting period, the implementation of the training programme dedicated to hate crimes in the Polish police was continued. Since 29 April 2016, a new version of the programme has been conducted entitled *Training Against Hate Crimes for Law Enforcement* (TAHCLE). A new version of the programme resulted from the revised and updated previously conducted programme entitled Law Enforcement Officer Programme on Combating Hate Crime. Changes in the programme consisted in particular in extending the duration of the central course for coaches from five to ten days, which makes it possible to devote more time to particular aspects of the training – both substantive and methodical, as well as in complementing thematic issues, e.g. in accordance with the changes which occurred in this scope in the international training programme (introduced by the Office for Democratic Institutions and Human Rights of the Organisation for Security and Cooperation in Europe).

The aim of the TAHCLE programme is to ensure that all police officers who may face hate crimes during their service are equipped with adequate knowledge in order to efficiently combat these crimes. In the framework of the undertakings discussed, compulsory training sessions for police officers covering the topic of recognizing hate crimes, correct carrying out of detecting activities in such cases, adequate response of police officers to such events and preventing hate crimes are carried out throughout the country. Apart from lecturers from the Police, also representatives of non-governmental organisations active in the area of preventing hate crimes and representing various minority groups in danger of prejudice-driven crimes are engaged in the organisation of training sessions, including representatives of national and ethnic minorities. Until the end of 2016, a total number of over 96,000 police officers were trained.

In 2016, *Praktyczny przewodnik dla służb policyjnych dla przeciwdziałania dyskryminacji społeczności romskiej* (Practical guide for police services for preventing discrimination of the Roma community) was translated, printed out and made available, also in electronic form³⁵. The publication was an aftermath of the training for the Plenipotentiaries of the Voivodeship Police Headquarters (KWP) / Warsaw Metropolitan Police Headquarters (KSP) for the protection of human rights, as well as for police academies lecturers organised in Wrocław by the Council of Europe in 2016.

Within the period concerned, monitoring was carried out by the Minister of the Interior and Administration of cases of racism and xenophobia, as well as other types of hate crimes. Until October 2016, this task was carried out by the Group for the Protection of Human Rights of the Department of Control, Complaints and Petitions of the Ministry of the Interior and Administration. Since 17 October 2016, as a result of organisational changes undertaken in the Ministry of the Interior and Administration, the Group for the Protection of Human Rights was dissolved, and its

³⁵ The publication is available on the website of the Department of religious denominations and national and ethnic minorities of the Ministry of the Interior and Administration (MSWiA): <http://mniejszosci.narodowe.mswia.gov.pl/mne/romowie/ogloszenia/9888,Praktyczny-przewodnik-dla-sluzb><http://mniejszosci.narodowe.mswia.gov.pl/mne/romowie/ogloszenia/9888,Praktyczny-przewodnik-dla-sluzb-policyjnych-dla-przeciwdzialania-dyskryminacji-s.html?search=71093>[policyjnych-dla-przeciwdzialania-dyskryminacji-s.html?search=71093](http://mniejszosci.narodowe.mswia.gov.pl/mne/romowie/ogloszenia/9888,Praktyczny-przewodnik-dla-sluzb-policyjnych-dla-przeciwdzialania-dyskryminacji-s.html?search=71093)

tasks were taken over by the Division for European Migration Network and Preventing Trafficking in Human Beings of the Analysis and Migration Policy Department of the Ministry of the Interior and Administration.

It should be pointed out that in the reporting period, the method of gathering data on hate crimes by the Ministry of the Interior and Administration changed. Until 2015, the source of information for the Group were notifications from individuals, non-governmental organisations and public institutions, press materials, as well as reports and publications drawn up by non-governmental organisations. After receiving information about a hate-driven event, the Group monitored the manner of examining such cases by law enforcement and judiciary authorities, and collected information on the activities undertaken. Due to the nature of the information source, the Ministry of the Interior and Administration knew only about a part of the registered hate crimes.

In order to ensure to the Ministry of the Interior and Administration the best possible completeness of data on hate crimes and to enable analysis with the aim of estimating the phenomenon of hate crimes in Poland, since 2015 the system of gathering data on hate crimes has been improved. At present, the relevant database is common to the Police and Ministry of the Interior and Administration. The database includes all investigations into hate crimes conducted (by the Police) across the country. The system is based on monthly reports prepared by local units and the General Police Headquarters on hate crime investigations, which are then sent to the Analysis and Migration Policy Department of the Ministry of the Interior and Administration and supplemented by that unit with information on the respective judgments. The form of a database allows for the collected data to be analysed in a number of ways in order to estimate the phenomenon of hate crimes in Poland, in terms of, e.g., the type of underlying motivation, the type of offence, the situation in particular regions of the country, the demographic characteristics of the perpetrators and the victims. In order to improve the system continuously, meetings and training courses for Police officers are organised.

In 2015, a total of 976 proceedings were recorded in the system in cases involving hate crimes, of which:

- 589 cases concerned crimes committed on account of national or ethnic origin, of which³⁶:
 - 167 cases concerned the Jewish minority,
 - 151 cases concerned the Roma minority,
 - 36 cases concerned persons of Ukrainian origin,
 - 22 cases concerned persons of Russian origin,
 - 10 cases concerned persons of German origin, ▪ 4 cases concerned persons of Lithuanian origin,
 - 3 cases concerned persons of Armenian origin,
 - 213 cases concerned crimes committed on religious grounds, including:

³⁶ The national and ethnic minorities were selected based on the minorities indicated in the *Act on national and ethnic minorities and on the regional language*. It needs to be noted, however, that the collected data may concern both members of national and ethnic minorities, as well as foreigners having the indicated nationalities.

- 176 cases concerned Muslims,
- 27 cases concerned Catholics,
- 3 cases concerned Jehovah's Witnesses,
- 1 case concerned the Orthodox Church.

In 2016, a total of 868 proceedings were recorded in cases concerning hate crimes, of which:

- 457 cases concerned crimes committed on account of national or ethnic origin, of which:
 - 102 cases concerned the Jewish minority,
 - 58 cases concerned persons of Ukrainian origin,
 - 47 cases concerned the Roma minority,
 - 14 cases concerned persons of German origin,
 - 12 cases concerned persons of Russian origin, ▪ 6 cases concerned persons of Belarusian origin,
 - 2 cases concerned persons of Armenian origin.
- 192 cases concerned crimes committed on religious grounds, of which:
 - 158 cases concerned Muslims,
 - 24 cases concerned Catholics,
 - 3 cases concerned the Orthodox Church,
 - 1 case concerned the Evangelical denomination,
 - 1 case concerned Jehovah's Witnesses.³⁷

Article 7

The Parties shall ensure respect for the right of every person belonging to a national minority to freedom of peaceful assembly, freedom of association, freedom of expression, and freedom of thought, conscience and faith.

Polish law provides extensive guarantees for all Polish citizens, including persons belonging to national minorities, with regard to the freedom of assembly, freedom of association, freedom of expression of opinion, freedom of thought, conscience and religion. These guarantees are enshrined in Articles 53, 54, 57 and 58 of the *Constitution*.

According to the Act of 7 April 1989 – *Law on Associations* (Journal of Laws of 2015, item 1393) persons belonging to national and ethnic minorities, like other Polish citizens, have full freedom of association. Since the entry into force of the said Act, around 150 new minority

³⁷ Following a major change in the data collection methodology in 2015, which also resulted in a significant change in the scope of data held by the Ministry of the Interior and Administration, there is no possibility of comparing data collected after 2015 with data registered prior to 2015, which is why data from 2012–2014 were not cited.

associations were registered. All national and ethnic minorities have formed such associations. As of late, the number of associations grouping persons belonging to national and ethnic minorities remains at a similar level, with a slight upward trend.

The current Polish law does not contain any restrictions on the rights to peaceful assembly. The Act of 24 July 2015 – *Law on Assemblies* (Journal of Laws of 2015, item 1485) specifies the rules and procedure for organising, conducting and dissolving assemblies.

It should also be noted that the penalisation of actions against the freedom of conscience and religion is foreseen in Chapter XXIV ‘Crimes against freedom of conscience and religion’ of the *Criminal Code* (detailed discussion can be found in the commentary to Article 6 above).

Article 8

The Parties undertake to recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.

According to Article 53 of the *Constitution*, everyone has the right to freedom of conscience and religion. Freedom of religion shall include the freedom to profess or to accept a religion by personal choice as well as to manifest such religion, either individually or collectively, publicly or privately, by worshipping, praying, participating in ceremonies, performing of rites or teaching. Freedom of religion shall also include possession of sanctuaries and other places of worship for the satisfaction of the needs of believers as well as the right of individuals, wherever they may be, to benefit from religious services. Freedom to manifest one’s religion or beliefs may be subject only to such limitations as are prescribed by law and are necessary in a democratic society in the interests of public safety, for the protection of public order, health or morals, or for the protection of the rights and freedoms of others. Furthermore, in accordance with Article 53(6) and (7) of the *Constitution*, no one can be compelled to participate or not participate in religious practices, as well as be compelled by organs of public authority to disclose his philosophy of life, religious convictions or belief.

Constitutional guarantees of freedom of religion and belief are reflected in the provisions of Chapter I of the Act of 17 May 1989 *on the guarantees of freedom of conscience and religion* (Journal of Laws of 2005, No 231, item 1965, as amended).

The *Criminal Code* provides for criminal liability for actions against the realm of religious freedom. In accordance with Article 194 of the *Criminal Code*, any restriction of another person from exercising their rights for the reason of this person’s religious affiliation or indifference is an offence punishable by restriction of liberty or imprisonment for up to two years.

On the other hand, Article 195 § 1 of the *Criminal Code* stipulates that any person who maliciously interferes with the public performance of a religious ceremony of a church or another religious association with regulated legal status is subject to a fine, restriction of liberty or imprisonment for up to two years. According to § 2 of the said Article, the same punishment shall be imposed on anyone who maliciously interferes with a funeral, mourning ceremonies or rites.

Finally, Article 196 of the *Criminal Code* provides for penalising defamation of religious feelings of other persons by public profanation of a religious object or place of worship dedicated to the public performance of religious rites and such offence is punishable by a fine, restriction of liberty or

imprisonment for up to two years. According to the ruling of the Constitutional Tribunal of 7 June 1994 (ref. No K 17/93, OTK [case-law of the Constitutional Tribunal] of 1994, part I, item 11, p. 90) *religious feelings, due to their nature, are subject to special legal protection. The reason being they are directly related to the freedom of conscience and religion, which are a constitutional value.*

Currently in Poland there are 179 Churches and religious associations (according to the data of 31 December 2016). 164 churches and religious organisations are registered in the Register of Churches and other religious organisations and function under the Act *on the guarantees of freedom of conscience and religion*. The form of legal regulation results from historical circumstances and is not related to the number of the faithful. 15 Churches function under separate acts governing the relations of the State with individual churches or religious organisations. They include:

- Act of 17 May 1989 *on the relations between the State and the Catholic Church in the Republic of Poland* (Journal of Laws of 2013, item 1169),
- *Concordat between the Holy See and the Republic of Poland* of 28 July 1993 (Journal of Laws of 1998, No 51, item 318),
- Ordinance of the President of the Republic of Poland of 22 March 1928 *on the relations between the State and Eastern Old-Rites Church, without a spiritual hierarchy* (Journal of Laws of 1928, No 38, item 363),
- Act of 21 April 1936 *on the relations between the State and the Karaim Religious Union in the Republic of Poland* (Journal of Laws of 1936, No 30, item 241),
- Act of 21 April 1936 *on the relations between the State and the Muslim Religious Association in the Republic of Poland* (Journal of Laws of 1936, No 30, item 240),
- Act of 4 July 1991 *on the relations between the State and the Polish Autocephalous Orthodox Church* (Journal of Laws, No 66, item 287, as amended),
- Act of 13 May 1994 *on the relations between the State and the Evangelical Church of the Augsburg Confession in the Republic of Poland* (Journal of Laws, No 73, item 323, as amended),
- Act of 13 May 1994 *on the relations between the State and Evangelical Reformed Church in the Republic of Poland* (Journal of Laws, No 73, item 324, as amended),
- Act of 30 June 1995 *on the relations between the State and Evangelical Methodist Church in the Republic of Poland* (Journal of Laws, No 97, item 479, as amended),
- Act of 30 June 1995 *on the relations between the State and the Christian Baptist Church in the Republic of Poland* (Journal of Laws, No 97, item 480, as amended),
- Act of 30 June 1995 *on the relations between the State and Seventh-day Adventist Church in the Republic of Poland* (Journal of Laws, No 97, item 481, as amended),
- Act of 30 June 1995 *on the relations between the State and Polish-Catholic Church in the Republic of Poland* (Journal of Laws, No 97, item 482, as amended),
- Act of 20 February 1997 *on the relations between the State and Jewish Religious Communities in the Republic of Poland* (Journal of Laws, No 41, item 251, as amended),

- Act of 20 February 1997 *on the relations between the State and the Catholic Mariavite Church in the Republic of Poland* (Journal of Laws, No 41, item 252, as amended),
- Act of 20 February 1997 *on the relations between the State and the Old Catholic Mariavite Church in the Republic of Poland* (Journal of Laws, No 41, item 253, as amended),
- Act of 20 February 1997 *on the relations between the State and Pentecostal Church in the Republic of Poland* (Journal of Laws, No 41, item 254, as amended).

One of the most difficult problems regarding the normalisation of state-church relations is associated with the regulation of the issue of restitution to churches and religious associations of the properties nationalised after 1945. The process of restitution of the property based on provisions of the acts is underway. During the period covered by the *Report*, five commissions for the restitution of church property of legal persons were active. Four of them still operate; one – the Property Commission – has completed its activities in the period covered by the *3rd Report*. (The Property Commission acted on the basis of the Act of 17 May 1989 *on the relations between the State and the Catholic*

Church in the Republic of Poland (Journal of Laws, No 29, item 154, as amended) and the Order of the Minister-Head of the Office of the Council of Ministers of 8 February 1990 *on the detailed regulatory procedure for restoring ownership of property or parts thereof to the legal persons of the Catholic Church* (Official Gazette [*Monitor Polski*] No 5, item 39, as amended). It was abolished by the Act of 16 December 2010 *amending the Act on relations between the State and the Catholic Church in the Republic of Poland* (Journal of Laws of 2011, No 18, item 89) with effect from 1 March 2011.

The Regulatory Commission of the Evangelical Church of the Augsburg Confession in the Republic of Poland received 1,182 applications to initiate regulatory proceedings in cases involving restitution of ownership rights to property and free transfer of ownership rights to the property to the legal persons of the Evangelical Church of the Augsburg Confession in the Republic of Poland. Regulatory proceedings were completed in the following manner:

- 183 cases were settled,
- 144 decisions to reconstitute ownership of the property or to grant replacement property were issued,
- 526 cases ended with the discontinuance of proceedings or in the dismissal of the regulatory application due to lack of legal grounds for its examination before the Regulatory Committee,
- 3 decisions to stay the proceedings were issued,
- in 15 cases no decision was agreed upon, which allowed the Applicant and the participants of regulatory proceedings to refer the case to court.

238 applications are left for consideration by the Regulatory Commission.

472 applications were filed with the Regulatory Commission of the Polish Autocephalous Orthodox Church (including 9 aggregated applications with properties located in 275 locations). 566 proceedings were initiated.

- 248 proceedings ended with a comprehensive settlement,

- 63 partial settlements were approved,
- 14 proceedings ended with a decision on compensation and 1 partial decision on compensation was issued,
- 17 proceedings ended with a decision transferring ownership or transferring the property and 4 partial decisions were issued,
- 73 proceedings ended with a decision to discontinue the proceedings,
- 3 proceedings ended with a decision to dismiss the application, ▪ in 3 cases the Commission issued no decision.

The Regulatory Commission on Jewish Religious Communities received 5,544 applications (of which 40 applications were submitted by unauthorised entities and therefore rejected by the Regulatory Commission), as a result of which 5,504 proceedings were initiated, 2,732 proceedings were (fully or partially) completed (512 ended with a decision to allow the application (fully or partially), 660 ended with settlements, 503 ended with a decision to dismiss or reject the application, 997 ended with a decision to discontinue regulatory proceedings, in 93 cases no decision was issued, and 65 proceedings were stayed).

The Interchurch Regulatory Commission is currently examining property claims against the State by the following churches:

- 1) the Baptist Union of Poland,
- 2) the Evangelical Methodist Church in Poland,
- 3) the New Apostolic Church in Poland,
- 4) the Seventh-day Adventist Church in Poland,
- 5) the Muslim Religious Association in Poland,
- 6) the Reformed Evangelical Church in Poland.

The Commission completed work on restitution of property following the applications of the following churches:

- 1) the Bible Society in Poland – in 2005,
- 2) the Church of Evangelical Christians – in 2002,
- 3) the Church of England in Poland – in 2007,
- 4) the Pentecostal Church in Poland – in 2008.

The Interchurch Regulatory Commission received a total of 170 applications. 84 cases from across the country were completed, including:

within:

- I. The Seventh-day Adventist Church in Poland:
 - 12 cases were received,
 - 1 case ended with a settlement transferring the property,

- 1 case ended with a decision to discontinue the proceedings, ▪ in 1 case no decision was issued, ▪ 9 cases are pending.

II. The Baptist Church in Poland:

- 79 cases were received,
- 5 cases ended with a decision transferring the ownership of property,
- 13 cases ended with a decision to discontinue the proceedings,
- 8 cases ended with a decision to dismiss the application,
- 1 partial decision to transfer a replacement property was issued,
- 1 case ended with a settlement transferring the property,
- 1 case ended with a settlement transferring the property and the receivables,
- 1 case ended with a settlement transferring the land,
- 1 case ended with a settlement transferring the developed replacement property,
- 49 cases are pending.

III. The Evangelical Methodist Church in Poland:

- 30 cases were received,
- in 11 case no decision was issued,
- 3 cases ended with a decision transferring the ownership of property,
- 12 cases ended with a decision to discontinue the proceedings, ▪ 4 cases are pending.

IV. The Bible Society in Poland:

- 2 cases were received,
- in 1 case no decision was issued,
- 1 case ended with a decision to discontinue the proceedings.

V. The Church of England

in Poland:

- 2 cases were received,
- 1 case ended with a settlement transferring replacement properties to the Church, ▪ 1 case ended with a decision to discontinue the proceedings.

VII. The Church of Evangelical Christians:

- 1 case was received,
- 1 case ended with a decision to discontinue the proceedings.

VIII. The Muslim Religious Association in Poland:

- 3 cases were received,

- 1 case ended with a decision to award damages,
- 1 case ended with a decision to discontinue the proceedings, ▪ 1 case is pending.

IX. The Pentecostal Church in Poland:

- 2 cases were received,
- 1 case ended with a decision transferring the ownership of property, ▪ 1 case ended with a decision to discontinue the proceedings.

X. The New Apostolic Church in Poland:

- 22 cases were received,
- 1 case ended with a decision transferring the ownership of property,
- 1 case ended with a decision to discontinue the proceedings,
- 1 case ended with a settlement transferring replacement properties, ▪ 19 cases are pending.

XI. The Reformed Evangelical Church in Poland:

- 17 cases were received,
- 1 case ended with a decision to dismiss the application,
- 1 case ended with a decision transferring the ownership of the developed property,
- 6 cases ended with a decision to discontinue the proceedings,
- 3 cases ended with a decision to award damages,
- 2 cases ended with a single decision to award damages,
- 5 cases were partially ended with a partial decision,
- 1 case was partially ended by reaching no agreement on a part of the property concerned and staying proceedings regarding a part of the property concerned,
- 3 cases were partially ended with a settlement transferring replacement properties,
- 2 cases were partially ended with a decision to award damages,
- 1 case was partially ended with a settlement transferring a replacement property, ▪ 4 cases are pending.

Based on the legislation, members of Churches and religious associations have the right to be exempted from work or school during religious holidays (Article 42 of the Act *on the guarantees of freedom of conscience and religion* and the Regulation of Ministers of Labour and Social Policy and of National Education of 11 March 1999 *on days off work or school for persons who are followers of a church and other religious associations to celebrate religious holidays other than public holidays* – Journal of Laws, No 26, item 235).

The military ordinariates of the Catholic and Orthodox Church, as well as the Evangelical Military Chaplaincy, operate in the Polish Armed Forces.

The Polish State provides financial support to Churches and other religious associations through the activity of the Church Fund, which according to § 1 of the Statute may provide aid for the following purposes:

- financing social and health insurance contributions of the clergy,
- supporting the charitable care activities and educational activities of the Church,
- reconstruction, repair and maintenance of places of worship of historical value (entered in the register of monuments).

In 2016 PLN 133,650,000 (ca. EUR 31 million) was allocated for the Church Fund from the state budget, spent on financing the social and health insurance of the clergy.

Due to the unique situation and specific needs of the faithful belonging to certain communities of national and ethnic minorities, the Catholic Church organises, where appropriate, ministries targeted at these groups. In the Diocese of Opole a ministry for national and ethnic minorities operates, whose activity is targeted mainly at the German and Roma minorities. The ministry led by Fr. Piotr Tarliński publishes its bilingual periodical 'Die Heimatkirche. Glaube und Kultur in Schlesien'. There is also the National Chaplain of the Roma acting within the structures of the Catholic Church. This position is held by Fr. Stanisław Opocki. Some parishes also appoint local priests, who focus in particular on the members of the Roma community (e.g. in Wrocław – Fr. Wojciech Kubisiak, in Wałbrzych – Fr. Marek Zołoteńki).

Article 9

1. The Parties undertake to recognise that the right to freedom of expression of every person belonging to a national minority includes freedom to hold opinions and to receive and impart information and ideas in the minority language, without interference by public authorities and regardless of frontiers. The Parties shall ensure, within the framework of their legal systems, that persons belonging to a national minority are not discriminated against in their access to the media.

Freedom to express opinions and to acquire and disseminate information, as a fundamental value of democracy, has been guaranteed in Article 54(1) of the *Constitution* concerning freedom of speech and the press. In relation to national and ethnic minorities these rules are implemented on the basis of the Act of 29 December 1992 *on radio and television broadcasting* (Journal of Laws of 2016, item 639) and in particular on the basis of the definition of public service mission, introduced by the Act of 2 April 2004 *amending the Act on radio and television broadcasting* (Journal of Laws of 2004, No 91, item 874). Article 21(1) of the said Act stipulates that public radio and television fulfil their public service remit by providing, on the terms laid down in the Act, the entire society and its individual groups with diversified programmes and other services in the area of information, feature journalism, culture, entertainment, education and sports, which are pluralistic, impartial, well-balanced, independent and innovative, marked by high quality and integrity of broadcast. The Act *on national and ethnic minorities and on the regional language* introduced into the tasks of public radio and television resulting from the fulfilment of the public service remit, specified in Article 21(1)(a) of

the *Act on radio and television broadcasting*, the obligation of ‘paying due regard to the needs of national and ethnic minorities and the community using the regional language, including broadcasting news programmes in the languages of national and ethnic minorities and in the regional language.’ This provision allows for various actions to be taken without being limited to establishing the obligation to broadcast news programmes in the languages of national and ethnic minorities and in the regional language. Programmes classified as dedicated to minorities are subject to fixed criteria and broadcasters apply standards to programmes that meet the general requirements for journalistic professionalism and integrity.

The *Act on national and ethnic minorities and on the regional language* also provides that when appointing the programme boards of public radio and television branches who broadcast programmes in the languages of national and ethnic minorities and in the regional language, the directors of such branches shall take into account the candidates proposed by the community organisations of these minorities and by communities. According to the *Act on radio and television broadcasting*, the programme boards of public media are appointed for the term of four years.

According to Article 213(1) of the *Constitution of the Republic of Poland*, the National Council of Radio Broadcasting and Television safeguards the freedom of speech, the right to information and the public interest regarding radio broadcasting and television. The specific powers of the National Council of Radio Broadcasting and Television, as the competent authority in the field of radio and television broadcasting, are set out in the *Act on radio and television broadcasting*. As the law protection authority, the main task of the National Council of Radio Broadcasting and Television is to control and evaluate programmes which are being broadcast from the point of view of fundamental and socially approved values. In accordance with Article 18(1) of the *Act on radio and television broadcasting*, programmes or other broadcasts may not encourage actions contrary to law and Poland’s *raison d’État* or propagate attitudes and beliefs contrary to moral values and social interest. In particular, they may not contain any incitement to hatred or discrimination on grounds of race, disability, sex, religion or nationality.

Furthermore, issues connected with considering the needs of minorities are also regulated by the European Charter for Regional or Minority Languages (in addition to the Framework Convention of the Council of Europe for the Protection of National Minorities).

In order to properly implement the aforementioned Article of the *Act on radio and television broadcasting*, the National Council of Radio Broadcasting and Television has proposed a definition of programmes addressed to national and ethnic minorities and programmes in the regional language which was approved by the Joint Commission of the Government and National and Ethnic Minorities (Opinion of the Joint Commission of the Government and National and Ethnic Minorities of 24 February 2010). According to this position, programmes addressed to national and ethnic minorities should meet all of the following conditions:

- be entirely devoted to issues concerning national and ethnic minorities and communities using the regional language,
- allow representatives of national or ethnic minorities to not only participate, but also discuss themselves and their issues,
- be clearly addressed to a particular national or ethnic minority or community using the regional language,
- be broadcast in the language of a national or ethnic minority or in the regional language,

- be edited by a team composed of representatives of the national or ethnic minority or community using the regional language in question.

Broadcasters are also obliged to apply standards to programmes that meet the general requirements for journalistic professionalism and integrity.

The National Council of Radio Broadcasting and Television may not set the rules for public media on how to prepare broadcasts for national and ethnic minorities and the community using the regional language. Pursuant to the intention of the legislator, the autonomy of broadcasters in terms of programming was foreseen in the *Act on radio and television broadcasting*. Programmes classified as dedicated to minorities are subject to fixed criteria and broadcasters apply standards to programmes that meet the general requirements for journalistic professionalism and integrity. According to the adopted position, the National Council of Radio Broadcasting and Television considers programmes to be addressed to national and ethnic minorities, if they meet all of the five above-mentioned conditions.

Moreover, the National Council of Radio Broadcasting and Television is involved in a number of activities concerning national and ethnic minorities and the community using the regional language, such as:

- participation in the sessions of the National and Ethnic Minorities Committee of the Sejm and the Joint Commission of Government and National and Ethnic Minorities,
- participation in meetings and conferences relating to issues of national and ethnic minorities and the community using the regional language,
- interventions in cases of complaints and appearances by representatives of national and ethnic minorities and the community using the regional language,
- providing support to representatives of these groups in dealing with broadcasters,
- consultations with representatives of national and ethnic minorities and the community using the regional language as regards their needs,
- monitoring of programmes broadcast by public media in terms of the percentage of programmes addressed to national and ethnic minorities and the community using the regional language,
- supporting the idea of training and broadening the competencies of journalists from the aforementioned groups.

2. Paragraph 1 shall not prevent Parties from requiring the licensing, without discrimination and based on objective criteria, of sound radio and television broadcasting, or cinema enterprises.

In accordance with Article 33 of the Act of 29 December 1992 *on radio and television broadcasting*, broadcasting radio and television programmes – with the exception of the public media – requires a license. The competent authority in matters of licensing is the President of the National Council, who makes decisions based on resolutions of the National Council. In addition, important from the point of view of national and ethnic minorities is the provision of Article 39(b) of the Act in question, under which associations and foundations – in pursuit of their statutory

objectives – and legal persons of a church or a religious association with regulated legal status have the possibility of applying to the National Council of Radio Broadcasting and Television to be recognised as a social broadcaster. A social broadcaster is exempt from fees for applying for a licence or modifying it.

Moreover, in the period covered by the present Report, five private radio broadcasters took advantage of the possibility to broadcast programmes addressed to national and ethnic minorities and the community using the regional language. These were: Belarusian Radio 'Racja', Radio 'Kaszëbë', Radio 'Orthodoxia' from Białystok, Radio 'Vanessa' from Racibórz, Radio 'Doxa' (which until May 2014 operated under the name 'Radio Plus Opole').

Furthermore, since 2006, the Polish-German Internet Radio 'Mittendrin', run by Towarzystwo Społeczno-Kulturalne Niemców Województwa Śląskiego [Social-Cultural Association of Germans in Silesian Voivodeship], broadcasts via the Internet from Racibórz. Since June 2011, the Ruska Bursa Internet Radio 'LEM.fm' broadcasts in the Lemko language from Gorlice (previously under the name of 'Łemkowskie Radio Internetowe Stowarzyszenia "RUSKA BURSA"').

The Belarusian Radio 'Racja' is a private radio station broadcasting in Belarusian from Białystok. The station addresses its programmes to citizens of the western part of the Republic of Belarus and to the Belarusian national minority in Poland. The broadcast features mostly news, programmes on social, political and cultural topics and music. The radio was on air between 1999 and 2002. In 2002, the broadcast was suspended for financial reasons. The station resumed broadcasting in February 2006. The radio station receives support from the State budget (seven programmes addressed to the Belarusian minority in Poland were financed by the Minister of the Interior and Administration). Radio signal reception of 'Racja' broadcasts is possible in the Podlaskie Voivodeship and via the Internet. The Belarusian Radio 'Racja' is available also outside the Podlaskie Voivodeship (western part of the Republic of Belarus).

Radio 'Kaszëbë' is a private radio station broadcasting from Władysławowo (Pomorskie Voivodeship). It was launched in December 2004. Since then, the station's share in regional radio market grew by 164%, making it the most-listened-to local station in the Pomerania region. The station's coverage area includes the citizens of the following counties: Pucki, Wejherowski, Kartuski, Kościerski, parts of the counties Bytowski, Chojnicki and Lęborski, as well as the Tricity. At the same time, the network of transmitters is constantly being expanded and the signal is being amplified to reach even more people from the Pomeranian region. Between 40% and 60% of air time is devoted to programmes in the Kashubian language. The character of the Radio can be defined as universal, as it features mostly news and programmes on social, political, cultural, entertainment and educational matters. The majority of programmes focus on a wide range of local topics. In addition, 'Kaszëbë' Radio broadcasts music with lyrics in the Kashubian language. Since 2006, the activities of the Radio station are supported from the funds of the Government of the Republic of Poland. The Radio's broadcasts are available also via the Internet.

Since 1997, the private Radio 'Vanessa' broadcasting from Racibórz airs a weekly programme called 'Die deutsche Stimme aus Ratibor'. The programme, prepared by Towarzystwo Społeczno-Kulturalne Niemców Województwa Śląskiego (production team from the editorial office of 'Mittendrin'), includes documentaries on the life of the German minority, local news, greetings and wishes, as well as music. The programme is also aired by the Polish-German Internet Radio 'Mittendrin'.

Radio 'Orthodoxia' from Białystok airs a weekly programme titled 'Ukraińskie Słowo' in Ukrainian, which deals with issues connected to the tradition, culture, language, faith and the history of the Ukrainian community in the Podlasie region and other regions inhabited by the Ukrainian minority. These weekly programmes last 20 minutes. Radio 'Orthodoxia' reaches Białystok and the surrounding area. It is also available via the Internet.

A new aspect of media activity of national and ethnic minorities and the community using the regional language is broadcasting television programmes via private broadcasters. Programmes in the Kashubian language are aired on local cable networks 'TVT Teletronik' from Kartuzy and 'Twoja Telewizja Morska' from Wejherowo. A particularly large number of programmes in the Kashubian language is broadcast by 'Twoja Telewizja Morska' – they are created by the Kashubian-Pomeranian Association with the financial support of the Polish Government. During the period covered by the *Report*, CSBTV and the satellite television TVS also aired a weekly magazine programme 'Schlesien Journal' in German, developed by Towarzystwo Społeczno-Kulturalne Niemców Województwa Śląskiego in Poland (Pro-Futura Production Team).

3. The Parties shall not hinder the creation and the use of printed media by persons belonging to national minorities. In the legal framework of sound radio and television broadcasting, they shall ensure, as far as possible, and taking into account the provisions of Paragraph 1, that persons belonging to national minorities are granted the possibility of creating and using their own media.

As mentioned in the commentary on Article 5(1), according to Article 18(2)(3) of the Act *on national and ethnic minorities and on the regional language*, public authorities shall be obliged to take appropriate measures in order to support the activity aimed at protection, maintenance and development of cultural identity of a minority, and such measures may include specific-purpose or beneficiary-dedicated subsidies for the publication of books, journals, periodicals and leaflets in minority languages or in the Polish language in the printed form or by the use of other video and sound recording techniques. Currently, the obligation to oversee the implementation of provisions of Article 18 of the Act *on national and ethnic minorities and on the regional language* rests with the Minister of the Interior and Administration, as the minister competent for religious denominations and national and ethnic minorities. As was previously the case with the Minister of Culture and National Heritage and the Minister of Administration and Digitalisation, the Minister of the Interior and Administration strives to ensure that each of the national and ethnic minorities publishes at least one magazine (in their mother tongue or in Polish, however, magazines in the mother tongue are preferred). The cost of publishing such magazines is covered almost in full from the state budget.

Some minorities publish more than one magazine. The number of magazines published by national and ethnic minorities is quite stable, with a slight upward trend. The titles of the most important ones are listed in Part I point 5 of this *Report*, where particular national and ethnic minorities are described.

Almost all magazines of national and ethnic minorities and the community using the regional language are subsidised from the state budget by the minister competent for denominations and national and ethnic minorities. In 2016 there were 41 such publishing houses. In 2016, the total amount from the budget of the Minister of the Interior and Administration allocated to publishing the magazines was PLN 3,415,290 (ca. EUR 846,732). The magazines published through subsidies

from the Minister include weekly, biweekly, monthly, bimonthly, quarterly, semi-annual and annual magazines.

In accordance with the position adopted by the National Council of Radio Broadcasting and Television, auditions are considered to be addressed to national minorities, provided that 'they allow representatives of national or ethnic minorities to not only participate, but also discuss themselves and their issues' and 'are edited by a team composed of representatives of the national or ethnic minority or community using the regional language'.

Telewizja Polska S.A. airs programmes addressed to national minorities mainly through the regional branches of TVP S.A., but also on national television. As part of that offer, the shared broadcast of TVP regional branches includes the information programme 'Telenowyny' addressed to the Ukrainian minority in Poland and viewers with an interest in Ukrainian matters (episode length: 24 minutes, on air throughout the year, three times per month). The 'Telenowyny' programme is broadcast in the Ukrainian language and simultaneously interpreted into Polish. The broadcast features the history and up-to-date information on Polish-Ukrainian relations and comments on the current political and cultural events.

Telewizja Polska S.A. airs programmes for national minorities in six of its regional branches: in Białystok (83 hours), Gdańsk (26 hours and 30 minutes), Katowice (10 hours), Olsztyn (15 hours), Opole (23 hours and 30 minutes) and Szczecin (10 hours). Additionally TVP Regionalna, a shared broadcast, aired a total of 13 hours of programmes. In 2016, TVP S.A. aired a total of 181 hours (through branches and on national television).

The programmes for the Ukrainian minority in their mother tongue are aired through the regional branches in Białystok, Olsztyn and Szczecin. Programmes for the Russian and Belarusian minorities are aired through the regional branches in Białystok, for the Lithuanian minority – through the regional branches in Białystok and in Szczecin, for the German minority – in Katowice, Opole and Szczecin, for the Kashubian community – in Gdańsk. The area, in which the regional branch of TVP in Białystok operates, is inhabited by the largest groups of national minorities, which is why this regional branch offers the broadest range of programmes addressed to national minorities and broadcasts the biggest number of programmes addressed to such a variety of minorities. Details concerning the regional branches of TVP S.A. for the years 2012 – 2016 can be found in the table below:

Telewizja Polska S.A. – regional branches	Number of hours 2012	Number of hours 2013	Number of hours 2014	Number of hours 2015	Number of hours 2016	Number of hours 2017 – plan
1. Białystok	65.2	68	86	82	83	83
2. Gdańsk	17.6	17	22	20	26.5	24
3. Katowice	9.2	16	9	9	10	10.5
4. Olsztyn	17.3	21	26	32	15	45
5. Opole	31	28	28	29	23.5	73.5
6. Szczecin	-	-	-	11	10	10.5

The programmes for national and ethnic minorities and the community using the regional language are currently aired by twelve regional stations, namely on Radio: Białystok, Gdańsk, Katowice, Koszalin, Kraków, Lublin, Olsztyn, Opole, Rzeszów, Szczecin, Wrocław and Radio Zachód. The regions in which those companies operate are inhabited by the largest groups of minorities.

The number of hours devoted by regional stations to programmes for national and ethnic minorities and the community using the regional language in the years 2012 – 2016 has not changed much over the last few years. This can be seen in the table below:

1. Radio Białystok S.A.	287	287	287	287	288	287
2. Radio Gdańsk S.A.	178	260	391	442	525,5	526
3. Radio Katowice S.A.	46	47	46	48	46	46,5
4. Radio Koszalin S.A.	82	84	81	85	92	83
5. Radio Lublin	-	2	15	24	17	0
6. Radio Kraków S.A.	43	48	52	52	52	86,5
7. Radio Olsztyn S.A.	48	49	59	48	48	48
8. Radio Opole PRO FM S.A.	209	115	348	374	381,5	360
9. Radio Rzeszów S.A.	178	190	187	191	197,5	202,5
10. Radio Szczecin S.A.	68,5	36	51	37	39	47,5
11. Radio Wrocław S.A.	30	35	42	38	39	37,5
12. Radio Zachód S.A.	-	-	-	17	26	26

Aside from the hours listed above, each day Radio Olsztyn airs a separate programme for the Ukrainian minority from the transmitter in Miłki near Giżycko at 99.6 FM. This solution was made possible by the decision of the National Council of Radio Broadcasting and Television, allowing for production costs of local programmes for national minorities to be taken into account in the breakdown of subscription fees. This broadcast includes only programmes addressed to the Ukrainian minority prepared in the Ukrainian language. Each year the broadcaster airs around 100 hours of news, feature and culture programmes. A 10-minute long segment called 'Informacje z polskiej i ukraińskiej diaspory' [News from the Polish and Ukrainian Diaspora] is aired throughout the year, six times a week. The programme is scheduled to be 52 hours long in total. Additionally, a 10-minute long programme called 'Ukraińcy o świecie, świat o Ukrainie' ['Ukrainians about the world, the world about Ukraine'] airs five times a week throughout the year. The programme tackles political and economic matters related to culture and its airtime throughout the year usually amounts to 50 hours.

Programmes for national and ethnic minorities and the community using the regional language, aired by public radio and television companies, are listed below. The list was compiled based on broadcasters' reports for 2016.

Belarusian minority:

- *Tydzień Białoruski [Belarusian Week]* (O/TVP Białystok) – a 22-minute long news and feature magazine programme addressed to the Belarusian minority, on the topic of social and cultural life of Belarusians living in the Podlaskie Voivodeship. The programme airs twice a week (premiere and rerun) throughout the year. It's presented in the Belarusian language with Polish subtitles;
- *Pod Znakiem Pogoni [In Pursuit]* (Radio Białystok) – a 7-minute long news and feature programme aired daily throughout the year. Created in the Belarusian language. A news and feature programme on the topic of the Belarusian minority, devoted entirely to regional issues;
- *Duchowe Spotkania [Spiritual Meetings]* (Radio Białystok) – a 15-minute long programme set to popularise Christian values, devoted to the matters of the Eastern Orthodox Church. Aired once a week throughout the year. Broadcast in the Belarusian and Ukrainian language;
- *Przed wyjściem do cerkwi [Prior to going to church]* (Radio Białystok) – a 15-minute religious broadcast devoted to the matters of the Eastern Orthodox Church. Aired once a week throughout the year. The broadcast is of religious, feature and educational character and presented in the Belarusian and Ukrainian languages. It popularises Christian, Decalogue-based values and is devoted entirely to regional issues;
- *Pożądalna Pieśń* (Radio Białystok) – a music programme aired in the Belarusian language, devoted entirely to regional issues. Length: 25 minutes, aired once a week throughout the year.

Lithuanian minority:

- *Głos Litwinów Polskich [The Voice of Polish Lithuanians]* (Radio Białystok) – a 20-minute long news and feature programme on the topic of the Lithuanian minority, devoted entirely to regional issues. Aired three times a week throughout the year in the Lithuanian language with Polish subtitles;
- *Panorama Litewska [Lithuania News]* (O/TVP Białystok) – a 7-minute long programme, aired twice a week. A magazine programme addressed to the Lithuanian minority on the topic of social and cultural life of Lithuanians living in the Podlaskie Voivodeship and on matters related to the Lithuanian minority in Poland, aired in the Lithuanian language;
- *Pomerania Ethnica* (O/TVP Szczecin) – a 12-minute long programme addressed to national minorities and ethnic groups living in the Western Pomerania region (including Lithuanians). Aired twice a week throughout the year. It tackles social and cultural topics related to minorities.

German minority:

- *Schlesien Journal* (O/TVP Katowice and O/TVP Opole) – an 11-minute long programme, aired once a week throughout the year, with the total length of 9 hours and 27 minutes (O/TVP Katowice) and three times a week, with the total length of 28 hours and 43 minutes, including reruns (O/TVP Opole). A recurring news and feature magazine programme addressed to the German minority in Silesia and the Opole region, with news and comments about social, political, economic and cultural events connected with the German minority. Broadcast in German with Polish subtitles;

- *Pomerania Ethnica* (O/TVP Szczecin) – a 12-minute long programme addressed to national minorities and ethnic groups living in the Western Pomerania region (including Germans). Aired once a week throughout the year. It tackles social and cultural topics related to minorities;
- *Pojednanie i Przyszłość [Reconciliation and Future]* (Radio Katowice) – a 55-minute long culture and feature magazine programme aired twice per month. The programme focuses on German tradition and culture and the history of Silesia, with frequent references to the achievements of the representatives of German culture, art and science. Broadcast created by the German Association ‘Reconciliation and Future’. Mainly a feature programme with the addition of German music. The themes include German history and culture and the history of Silesia. The programme frequently references the achievements of the representatives of German culture, art and science (Eichendorf, Nobel Prize Laureates born in Silesia, etc.). Due to its formula resulting from the will of the producer team linked to this organisation, the broadcast is addressed to elderly members of the German minority. The broadcast features practically no message for the young audience;
- *Präsent* (Radio Katowice) – a 55-minute feature magazine programme primarily addressed to the younger and middle generations of members of the German minority, broadcast twice a week throughout the year. The feature broadcast is created by the Social-Cultural Association of Germans of Silesian Voivodeship. The verbal aspect is comprised of reportage, coverage, conversations and comments on lives and activities of the German minority throughout Śląskie Voivodeship. The broadcast is created by the producer team ‘Mittendrin’ operating within the DFK structure and consisting of young people, which is reflected in the character of the broadcast. It is addressed to the middle-aged members of the German minority and also to younger listeners who identify themselves with this national group. This is shown by the issues covered, topicality, editing and the way the broadcast is hosted, as well as the kind of music that is aired;
- *Allensteiner Welle* (Radio Olsztyn) – a 21-minute feature broadcast dedicated to the matters of the German minority in Warmińsko-Mazurskie Voivodeship; aired once a week throughout the year;
- *Allensteiner Welle* (Radio Olsztyn) – a 5-minute news broadcast, aired once a week throughout the year.
- *‘Powiedz: “Die Musik”’* (‘Say: “Die Musik”’) (Radio Opole) – a new (recorded in 2016) series of educational broadcasts taking form of German language lessons based on the presentation of selected parts of popular German-language musical hit singles;
- *‘Publicystyka niemieckojęzyczna’* (‘Features in German’) (Radio Opole) – a series of 50-minute feature broadcasts aired twice a week, revolving around the German culture, activities taken by the minority and its representatives in the region. The series will include the following broadcasts: ‘Kulturviertel’, ‘Die Brücke/Most’, ‘Schönes Schlesien’, ‘Schlesien Aktuell – das Magazin’, ‘Mittendrin’,
‘Treffpunkt Opole.’ The broadcast uses only German-language music;
- *Geschichten um Oder* (Stories from the Oder area) (Radio Zachód) – a new 10-minute broadcast aired twice a week throughout the year. This is a radio magazine programme focused on events relating to the activity of the organisations that bring together members of the German minority in Lubuskie Voivodeship. The magazine programme covers cultural and social events, as well as topics related to transfrontier cooperation. The broadcast guests

include representatives of the Sorbian minority from the area of eastern Germany and journalists from Antenne Cottbus, a public radio station.

Roma minority:

- *My Romowie (We, the Roma)* (o/TVP Białystok) – a 8-minute feature broadcast aired twice a month throughout the year both in Polish and Romani on this minority’s request. It covers topics related to the social and cultural life of the Roma living in Podlaskie Voivodeship. The broadcast presents various aspects of the Roma minority’s life;
- *Poznajmy się (Let’s get to know each other)* (o/TVP Katowice) – a 13-minute broadcast aired twice a week in June 2016. A periodic magazine programme addressed to the Roma minority in Silesia which covers matters related to the education of Roma children and youth in order to spread awareness about education and work in the Roma society, as well as promote tolerance and knowledge about the Roma among the Polish audience;
- *Serwis Romski (Roma Service)* (Radio Koszalin) – a 3-minute news broadcast aired once a week throughout the year. Apart from covering events relevant for the minority, the broadcast features previews and advertisements of cultural events. It is aired every Sunday at 7:30 am. Additionally, it involves discussions on the EU legislation and projects that might be of interest to the Roma;
- *Magazyn Romski (Roma magazine)* (Radio Koszalin) – a 10-minute broadcast aired once a week every Sunday at 7:10 pm throughout the year. A news and feature magazine programme addressed to the Roma minority. As a constant item in the radio programme targeted at the Roma minority, ‘Romano Dżipen’ is meant to familiarise the general public with the so-far hermetically closed Roma society. The broadcast presents different aspects of the Roma’ life and refutes established stereotypes, shows the Roma society as it really is – this is one of the primary goals of the programme. Moreover, it features elements of the Roma culture that are passed from generation to generation – both the well-known and widely unknown;
- *Romscy Bracia (Roma brothers)* (Radio Opole) – a 50-minute broadcast aired twice a week throughout the year. It shows various aspects of the Roma’ life – education, culture, tradition, family life, talents and passions. The broadcast features the profiles of outstanding minority members who managed to get excellent education, hold important positions or contribute to the society through their work and the coverage of various events organised by the Roma, for instance as part of Days of Roma Culture, Festival of Roma Songs and Culture, events organised by schools and institutions. Its goals involve spreading awareness about daily hardships, difficulties regarding employment and education, supporting projects run by the Roma, building good social relations, challenging stereotypes and mutual animosity, showing the Roma as they truly are, integration. The broadcast takes account of the needs of national and ethnic minorities and the community using the regional language;
- *Szlakiem taborów (Following trains of wagons)* (Radio Zachód) – a new 10-minute broadcast aired twice a week throughout the year. Its goals involve the popularisation of Roma history, tradition, customs and culture among the residents of Lubuskie Voivodeship, encouraging the Roma to more active participation in the social life of the region, fostering pro-educational attitudes among the Roma, overcoming their reluctance to school education, popularisation of artists stemming from the Roma society, strengthening the Roma identity, encouraging Roma’ activity in culture and organisations, refuting stereotypes harmful to the

image of the Roma society and changing the popular perception of this minority group in Poland, establishing a common platform for both Roma and non-Roma societies.

Russian minority:

- *Wiadomości Rosyjskie (Russian news)* (O/TVP Białystok) – a 10-minute news and feature broadcast aired twice a month throughout the year. The magazine programme tackles topics related to the social and cultural life of Russians living in Podlaskie Voivodeship. It is broadcast in Russian, with Polish subtitles.

Tatar minority:

- *Tatarskie Wieści (Tatar news)* (O/TVP Białystok) – an 8-minute broadcast aired twice a month throughout the year. It is addressed to the Tatar minority and focuses on the cultural and social lives of Tatars living in Podlaskie Voivodeship.

Ukrainian minority:

- *Telenowyny* (Telewizja Polska S.A. TV Regionalna) – aired on TVP Regionalna (a common spectrum band). The programme lasts 24 minutes and is broadcast four times a month. It is addressed to the Ukrainian minority in Poland and viewers interested in the matters of Ukraine; it is held in the Ukrainian language, with Polish subtitles. The broadcast presents: history, up-to-date information on Polish-Ukrainian relations and comments on the current political and cultural events;
- *Przegląd Ukraiński (Ukrainian review)* (O/TVP Białystok) – a 11-minute news and feature magazine programme aired twice a week (premiere and rerun) throughout the year. Addressed to the Ukrainian minority in Podlaskie Voivodeship. It tackles topics related to the social and cultural lives of Ukrainians. The broadcast is held in the Ukrainian language, with Polish subtitles;
- *Pomerania Ethnica* (O/TVP Szczecin) – a 12-minute broadcast targeted at national minorities and ethnic groups (including Ukrainians) in Zachodniopomorskie Voivodeship. Aired once a week throughout the year. It tackled social and cultural topics related to minorities;
- *Ukraińskie Wieści (Ukrainian news)* (O/TVP Olsztyn) – a news and feature magazine programme held in the Ukrainian language. Aired twice a week throughout the year, lasting around 12 minutes. *Ukraińskie Wieści* informs on the key events that concern the Ukrainian minority. The magazine programme portrays Ukrainians' daily life in Warmińsko-Mazurskie Voivodeship – their traditions, customs, education, cultural activity. It shows concerts, festivals, social actions. Additionally, it features information on the events in Ukraine and the regional cooperation. Although it is addressed to the Ukrainian national minority, the magazine programme also takes on universal topics (such as culture, tourism), which might be of interest to all viewers;
- *Przed wyjściem do cerkwi (Prior to going to church)* (Radio Białystok) – a 15-minute religious broadcast devoted to the matters of the Eastern Orthodox Church. Aired once a week throughout the year. The broadcast is of religious, feature and educational character, it is held in the Belarusian and Ukrainian languages. It popularises Christian, Decalogue-based values and is fully devoted to religious topics;

- *Ukraińska Dumka (Ukrainian Dumka)* (Radio Białystok) – a 20-minute news and feature broadcast aired three times a week throughout the year, held in the Ukrainian language; it tackles various problems of the Ukrainian minority;
- *Duchowe Spotkania (Spiritual Meetings)* (Radio Białystok) – a 15-minute religious, feature and educational broadcast set to popularise Christian values and devoted to the matters of the Eastern Orthodox Church. It is aired once a week throughout the year and is held in the Belarusian and Ukrainian languages. It popularises Christian, Decalogue-based values and is fully devoted to religious topics;
- *Serwis Ukraiński (Ukrainian Service)* (Radio Koszalin) – a 4-minute news broadcast aired once a week throughout the year. A constant item in the radio programme, featured every Sunday at 7:40 am.
- *Magazyn Ukraiński (Ukrainian Magazine)* (Radio Koszalin) – a news and feature magazine programme held in the Ukrainian language. A 16-minute broadcast aired once a week every Sunday at 7:20 pm throughout the year. The magazine programme covers social, political and cultural topics related to the Ukrainian minority in Poland, especially Pomorskie Voivodeship, as well as the current problems in Ukraine;
- *Kermesz – serwis informacyjny (Kermesh news)* (Radio Kraków) – a 5-minute news broadcast. Both the premiere and a rerun are aired once a week;
- *Kermesz – magazyn (Kermesh magazine)* (Radio Kraków) – a social and cultural magazine programme held in the Ukrainian language for the Lemko and Ukrainian minorities living in Małopolskie Voivodeship. The 25-minute long premiere and a rerun are both aired once a week. Edited and hosted by journalists representing these minorities, the broadcast provides information on these communities' life and it takes special care to document the voice of older generations, testimonies of witnesses of historic events, rites on the verge of extinction, customs, material and spiritual culture works;
- *Przyszłość Ukrainy (The Future of Ukraine)* (Radio Lublin) – a 28-minute broadcast held in the Polish and Ukrainian languages, aired once a week throughout the year. A news and feature magazine programme, summarising weekly events relating to Ukraine and Ukrainians. It is prepared by two Ukrainian journalists collaborating with Radio Lublin. The broadcast features news directly from Ukraine, but also from Poland; it is useful for Ukrainian students who study in Lublin and for other residents of that region;
- *Wiadomości kulturalne w języku ukraińskim (Cultural news in Ukrainian)* (Radio Lublin) – a 5-minute broadcast held in the Ukrainian language, aired five times a week throughout the year. It comments on relevant cultural events from each day. The broadcast is addressed to the Ukrainian community living in the Lublin region: residents, students and tourists;
- *Od Niedzieli do Niedzieli (From Sunday to Sunday)* (Radio Olsztyn) – a 5-minute news broadcast aired once a week throughout the year. It focuses on the matters of the Ukrainian minority;
- *Od Niedzieli do Niedzieli (From Sunday to Sunday)* (Radio Olsztyn) – a 24-minute feature broadcast aired once a week throughout the year. It focuses on the current problems of the Ukrainian minority in the region;
- *Wiadomości Ukraińców (Ukrainians' News)* (Radio Rzeszów) – a 30-minute news broadcast aired four times a week from Tuesday to Friday. This is a news and feature magazine programme in Ukrainian prepared by the Ukrainian editors of Radio Poland;

- *Święta u wschodnich chrześcijan (Eastern Christian holidays)* (Radio Rzeszów) – a broadcast aired occasionally in the Christmas and Easter periods in the Eastern Orthodox Church. The broadcasts last 55 minutes each and are held in the Ukrainian language;
- *Posydeńki* (Radio Szczecin) – a 55-minute (on average) feature broadcast aired once a week throughout the year. It portrays the lives, views and culture of Ukrainian minority members living in the region. As part of the broadcast, there is a 7-minute news programme aired everyday throughout the year and held in the Ukrainian language;
- *Skrynia* (Radio Rzeszów) – a 50-minute feature broadcast aired twice a week (premiere and rerun) throughout the year. It is addressed primarily to the residents of South-Eastern Poland with Ukrainian origins and to all enthusiasts of the Ukrainian language and culture. The magazine programme features: reports on the life of the Ukrainian minority in Poland, calendar of historic events, audio coverage of various celebrations, concerts, exhibitions, academic conferences and meetings of that community, previews of cultural events, press reviews. All that is accompanied by Ukrainian music (from traditional folk to pop and rock). ‘Muzyczna skrzynka’ (‘Music box’), a constant element of the broadcast, introduces Ukrainian performers and composers. Frequent topics involve the activity of the Association of Ukrainians in Poland and interviews with interesting personalities from the worlds of politics, science and culture;
- *Besidy pro Ukrainu czyli Gawędy o Ukrainie (Besidy pro Ukrainu or Stories about Ukraine)* (Radio Zachód) – a 10-minute broadcast aired once a week throughout the year, held in the Polish and Ukrainian languages. A radio magazine programme dedicated to the life of Ukrainians in Lubuskie Voivodeship and the events in Ukraine. It also presents the history of the Ukrainian minority in the region. The audition features representatives of the Association of Ukrainians in Poland and is addressed to the Ukrainian minority in Lubuskie Voivodeship and other residents of the voivodeship.

Regional language:

- *Tedë Jo (O/TVP Gdańsk)* – a 13-minute social and cultural magazine programme aired twice a week throughout the year. It is addressed to Kashubians and covers topics broadly related to various aspects of life of the Kashubian community – culture, language, customs;
- *Kleka* (Radio Gdańsk) – a 20-minute broadcast aired four times a week throughout the year. A news broadcast held in the Kashubian language. A recap of the *Kleka* broadcast is also aired (2-minute long, five times a week). The broadcast is addressed to the Kashubian community. It is edited and hosted by representatives of the community using the regional language. The information presented is related to the region and discusses political, social, economic and cultural topics. It is edited and hosted by representatives of the community using the regional language;
- *Magazyn Kaszubski (Kashubian Magazine)* (Radio Gdańsk) – a 55-minute broadcast aired five times a week throughout the year. A feature magazine programme held in the Kashubian language. The magazine programme features only songs in the Kashubian language. The broadcast is hosted by journalists representing the Kashubian community. It focuses on the Kashubian identity, language and culture. Economic and social issues are also discussed in *Magazyn Kaszubski*. Passages of literature – usually prose by Kashubian authors – are presented as well. *Magazyn Kaszubski* also provides a discussion platform, where current community-related matters are raised;

- *Skarby Kaszub (Kashubian Treasures)* (Radio Gdańsk) – a 5-hour broadcast aired once a week throughout the year. In most part it is a presentation of Kashubian minority's music performed in its regional language. The broadcast makes creative use of Radio Gdańsk archives and Kashubian music. Held in Kashubian, the broadcast is addressed to the community using the regional language and hosted by journalists representing the Kashubian community;
- *Pogoda po Kaszubsku (Weather in Kashubian)* (Radio Koszalin) – a 1-minute news broadcast (weather forecast). Aired once a week throughout the year;
- *Magazyn Kaszubski (Kashubian Magazine)* (Radio Koszalin) – a 15-minute feature broadcast aired once a week every Sunday at 7:40 pm throughout the year. It is addressed to the Kashubian community of Central Pomerania. *Magazyn* takes on issues related mostly to the Kashubian culture (emphasis on passing on old traditions and customs), but matters concerning the life of Kashubians today are also present. The magazine programme features coverage of the most relevant events concerning this ethnic group, such as Kashubian Congresses or Kashubian Unity Days. It also presents persons important for this community, as well as scientific achievements of Kashubians or ones dedicated to them. The broadcast reflects the coexistence of multiple cultures in Pomerania, including the Kashubian culture. The magazine programme is edited by representatives of the Kashubian community;
- *Pogadanka o języku kaszubskim (Talk on the Kashubian language)* (Radio Koszalin) – a 1–2-minute broadcast aired once a week throughout the year. Short Kashubian language lessons addressed to Kashubians and other listeners alike.

Moreover, the following broadcasts popularising multiculturalism in the regions were aired:

- *Etniczna scena Radia Koszalin (Ethnic Stage of Radio Koszalin)* (Radio Koszalin) – a new 1-hour programme aired once a month. It broadcasts meetings held in the Concert and Recording Studio of Polskie Radio Koszalin as part of *Etniczna Scena Radia Koszalin*. The meetings featured a presentation of the cultural heritage of national minorities: Jewish, Ukrainian, Roma ethnic minority and the community using the regional language (Kashubian). The meetings were also attended by an audience;
- *Wieczorne Spotkania Radia Koszalin (Evening Meetings of Radio Koszalin)* (Radio Koszalin) – a new 1-hour broadcast aired six times a year. It is dedicated to the cultural heritage of national minorities: Ukrainian, German, Roma ethnic minority and the community using the regional language (Kashubian);
- *Opolski Ślqsk (Opole Silesia)* (Radio Opole) – a new broadcast presenting the life and activity of the national and ethnic minorities living in the region, with a special focus on the least populous groups. It is meant to refute stereotypes, while taking care of the needs of national and ethnic minorities, and of the community using the regional language, including broadcasting of news programmes in the languages of national and ethnic minorities and in the regional language.

4. In the framework of their legal systems, the Parties shall adopt adequate measures in order to facilitate access to the media for persons belonging to national minorities and in order to promote tolerance and permit cultural pluralism.

The adopted legislation guarantees that the recipients – belonging to national and ethnic minorities, as well as those using the regional language – have access to the programmes addressed to them and broadcast on the airwaves of public radio and television. Programmes devoted and addressed to the national and ethnic minorities are present on public television and radio on a permanent basis.

As part of its statutory competencies, the National Council of Radio Broadcasting and Television allocates the resources from licence fee payments annually. The National Council introduced the principle to cover 100% of the costs related to broadcasts for national and ethnic minorities reported by a broadcaster. The broadcasters themselves plan the number and frequency of such broadcasts and the National Council allocates to them the licence fee resources in an amount sufficient to satisfy the needs reported by the broadcasters. In the case of regional radio stations of the Polish Radio, the amounts from the licence fee resources are allocated to particular companies. Due to a different organisational structure at TVP SA, the allocation of financial resources to particular local divisions belongs to the competencies of the management board of Telewizja Polska. Each year the management board identifies two sources of financing for these broadcasts – the licence fee and own funds.

The public radio and television companies annually compile financial and programme plans concerning projects that need public financing, including the ones related to creating and broadcasting programmes for national and ethnic minorities and the community using the regional language. Following the analysis of financial and programme plans, the National Council of Radio Broadcasting and Television divides the licence fee resources between public radio and television units. Between 2012 and 2016 the costs of broadcasts for national minorities in particular companies were as follows:

Specification	Execution 2012 in PLN k / EUR k	Execution 2013 in PLN k / EUR k	Execution 2014 in PLN k / EUR k	Execution 2015 in PLN k / EUR k	Execution 2016 in PLN k / EUR k
1. Telewizja Polska SA – local divisions in total	1,118/261	1,018/246.3	1,285/308.1	1,324/309	827/190
2. Regional broadcasting companies in total	1,634/381	1,956/473.4	1,877/450	3,448/804.7	3,765/864
of which:	578/135	811/196.2	743/178.1	818/191	806/185
1) Radio Białystok SA					
2) Radio Gdańsk SA	318/74	397/96	641/153.6	820/191	897/185
3) Radio Katowice SA	16/3.7	17/4.1	17/4.1	17/3.9	17/3.9
4) Radio Koszalin SA	126/29	130/31.4	125/30	147/34.3	212/48.6

5) Radio Kraków SA	72/16.7	85/20.5	25/6	44/10.2	28/6.4
6) Radio Lublin SA		-	-	38/8.8	20/4.6
7) Radio Olsztyn SA	213/49.7	231/55.9	244/58.5	383/89.3	400/91.7
of which:					
a) in a regional programme	49/11.4	63/15.2	48/11.5	97/22.6	88/20.2
b) a programme for the Ukrainian minority via the transmitter in Miłki	164/38.2	168/40.6	110/26.3	286/66.7	312/71.6
8) Radio Opole SA	204/47.5	173/41.9	712/170.7	983/229.4	1,126/ 258.3
9) Radio Rzeszów SA	66/15.4	65/15.7	69/16.5	68/15.8	130/28.3
10) Radio Szczecin SA	32/7.5	35/8.5	40/9.6	64/14.9	68/15.6
11) Radio Wrocław SA	9/2.1	12/2.9	14/3.3	14/3.2	14/3.2
12) Radio Zachód SA		-	-	47/11	47/10.8

Article 10

1. The Parties undertake to recognise that every person belonging to a national minority has the right to use freely and without interference his or her minority language, in private and in public, orally and in writing.

According to Article 27 of the *Constitution*, Polish shall be the official language in the Republic of Poland. At the same time, the *Constitution* clarifies that this provision shall not infringe upon national minority rights resulting from ratified international agreements. On the other hand, Article 35 of the *Constitution* ensures Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language.

The principles enshrined in the *Constitution* are further elaborated in the Act of 7 October 1999 *on the Polish language* (Journal of Laws of 2011, No 43, item 224, as amended), whose Article 2(2) states that the Act shall not infringe upon the rights of national and ethnic minorities and the community using the regional language.

Article 8(1) and (2) of the *Act on national and ethnic minorities and on the regional language* stipulates that minority members shall use freely their minority language in public and private life and shall enjoy the right to disseminate and exchange information in their minority language.

Positive references to private and public use of minority languages are present in the treaties signed between the Republic of Poland and: the Federal Republic of Germany, the Czech and Slovak Federal Republic, the Republic of Belarus and the Republic of Lithuania.

2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if those persons so request and where such a request corresponds to a real need, the Parties shall endeavour to ensure, as far as possible, the conditions which would make it possible to use the minority language in relations between those persons and the administrative authorities.

Principles concerning the use of a minority language in public administration offices were introduced by the Act on national and ethnic minorities and on the regional language. According to Article 9 of the Act, the minority language may be used as a supporting language before the commune authorities. The right may only be exercised by the residents of the communes in which the number of minority residents is not lower than 20% of the total number of the given commune residents and the commune has been entered into the Official Register of Communes where a supporting language is used. The possibility of using a supporting language means that persons belonging to a minority have the right to apply to the commune authorities in the supporting language, either in a written or oral form (it is possible to submit an application in the supporting language), and to obtain, on his/her distinct request, an answer in the supporting language, either in a written or oral form, while the appeal proceedings take place in the official language only.

An entry into the Official Register is made by the competent minister competent for religious denominations and national and ethnic minorities upon a motion of the commune council. The Act lays down the procedure to follow in order to enter a commune into the Official Register. On the basis of the authorisation stipulated in the Act, the Minister of the Interior and Administration issued a regulation laying down the method of keeping the Official Register and the sample application for entering a commune in the Register. According to Article 10(5) of the Act, the commune council has the right to lodge a complaint to an administrative court against the refusal to make an entry in the Official Register. The Act also provides that a commune may be deleted from the Official Register only upon request of the commune council.

The Act introduced a mechanism intended to encourage local government officials to learn supporting languages and thus ensure high quality of service to persons belonging to minorities in their mother languages. According to Article 11(1) of the Act, in the case of a commune entered into the Official Register, a salary supplement may be granted to the employees of the commune office, commune units and budgetary agencies for the command of the supporting language. On the basis of the authorisation stipulated in the Act, the Minister of the Interior and Administration issued a regulation laying down the list of diplomas and certificates confirming the knowledge of minority languages.

The Official Register of Communes where a supporting language is used became operational with the first commune entry, *i.e.* on 25 January 2006. The first commune entered in the Register was Radłów in Opolskie Voivodeship, while the first supporting language entered was German. As of 31 December 2016, the Register included 33 communes, of which 6 communes in Podlaskie Voivodeship (Lithuanian being the supporting language in one and Belarusian in the other five), 5 communes in Pomorskie Voivodeship, where Kashubian is the supporting language, and 22 communes in Opolskie Voivodeship with German as the supporting language.

3. The Parties undertake to guarantee the right of every person belonging to a national minority to be informed promptly, in a language which he or she understands, of the reasons for his or her

arrest, and of the nature and cause of any accusation against him or her, and to defend himself or herself in this language, if necessary with the free assistance of an interpreter.

The provisions of the Act of 6 June 1997 – *Code of Criminal Procedure (CCP)* (Journal of Laws of 2016, item 1749) grant the accused and other persons participating in the proceedings, do not speak Polish language sufficiently, the right to be assisted by an interpreter free of charge. Thus, according to Article 72(1) of the CCP, a defendant who does not speak Polish language sufficiently has the right to be assisted by an interpreter free of charge. Under § 2 of the said provision, an interpreter needs to be summoned in order to proceed with such a defendant. Moreover, the decision on bringing, supplementing or amending charges, the indictment or the judgment subject to appeal or closing the proceedings shall be served on the defendant along with a translation; with the consent of the defendant, it is sufficient to announce the translated judgment closing the proceedings, if it is not subject to appeal.

Pursuant to Article 204 of the CCP, an interpreter should be summoned whenever it is necessary to examine a person who does not know Polish sufficiently. The same applies when there is a need to translate into Polish a document written in a foreign language, or vice versa, or to allow the defendant to learn the contents of the evidence taken.

The costs related to the interpreter's participation in the proceedings are borne by the State Treasury to the extent necessary to ensure the right of defence to the defendant (Article 619(3) of the CCP).

Also, Article 5(2) of the Act of 27 July 2001 on the System of Common Courts (Journal of Laws of 2016, item 2062) entitles any person with insufficient command of Polish to appear before the court using a language known to them and to be assisted by an interpreter free of charge.

Article 11

1. The Parties undertake to recognise that every person belonging to a national minority has the right to use his or her surname (patronym) and first names in the minority language and the right to official recognition of them, according to modalities provided for in their legal system.

The right of people belonging to national and ethnic minorities to use and spell their first and last names according to their minority language rules is guaranteed by Article 7(1) of the Act *on national and ethnic minorities and on the regional language*, which states that people belonging to a minority shall have the right to use and spell their first and last names according to the spelling rules of their respective minority language, in particular in the civil status acts and identity documents. According to Paragraph 2 of the said Article, the first and last names of persons belonging to a minority, written down in an alphabet other than Latin, shall be subject to transliteration. On the basis of the authorisation stipulated in the Act, the Minister of the Interior and Administration has issued a regulation laying down the method of transliteration, which is to be done in such a way as to take into consideration the spelling principles of the given minority language.

Polish citizens belonging to national and ethnic minorities may also change their forenames and surnames into a version compatible with pronunciation and spelling of their native language in an administrative procedure, on the basis of the Act of 17 October 2008 *on changing forenames and*

surnames (Journal of Laws of 2016, item 10). Changes to spelling of first and last names may be effected in Registry Offices competent for the place of residence.

The right to use names and surnames in the original wording accepted in the national minority language is also ensured in the friendship and good neighbourhood treaties signed with the Federal Republic of Germany, Ukraine, Republic of Belarus and Republic of Lithuania.

2. *The Parties undertake to recognise that every person belonging to a national minority has the right to display in his or her minority language signs, inscriptions and other information of a private nature visible to the public.*

According to Article 8(3) of the Act *on national and ethnic minorities and on the regional language*, minority members shall enjoy the right to use their minority language to convey information of a private nature.

3. *In the areas traditionally inhabited by substantial numbers of a national minority members, the Parties shall endeavour, within the framework of their legal system, including, where appropriate, agreements with other States, and taking into account their specific conditions, to display traditional local names, street names and other topographical indications intended for the public also in the minority language when there is a sufficient demand for such indications.*

Principles concerning the use of place-names in minority and regional languages were introduced by the Act *on national and ethnic minorities and on the regional language*. According to Article 12(1) of the Act, additional traditional names of localities and physiographic objects as well as street names may be used in minority languages. Additional names may be used solely on the territories of the communes entered in the Register kept by the minister competent for religious denominations and national and ethnic minorities. Entries in the Register shall be made by the minister on the application of a commune council. Additional place-names can be used on the whole of the commune territory or in individual villages/towns/cities only. Additional names shall not refer to the names used in the years between 1933-1945, given by the authorities of the German Third Reich or of the Union of Soviet Socialist Republics. Starting from 1933, the Nazi authorities had changed place-names on a large scale; similar actions had also been taken by Soviet authorities since 1939, although to a lesser extent. The intention of the legislator was to avoid any references to either of the totalitarian systems.

The Act states that the additional place-names shall be placed after the respective Polish name, and shall not be used separately and establishment of an additional name in a given minority language shall take place in accordance with the spelling rules of the language concerned (the provision mainly concerns the use of diacritics or alphabet specific to the minority language).

According to Article 12(7) of the Act, the conditions that have to be met for an additional name of a locality or physiographic object to be established in a minority language. Firstly, the number of commune residents belonging to a minority is no less than 20% of the total number of its residents or in consultations more than a half of its residents who have taken part in the consultations were in favour of the establishment of an additional place-name in the minority language. Secondly, a commune council's application needs to gain approval of the Commission on Names of Localities and Physiographic Objects.

According to Article 13 of the Act, the commune council shall lodge the application on an application of commune residents belonging to a minority or on its own initiative. In the case of an application concerning the name of an inhabited place, the commune council shall be obligated first to consult the matter with residents of this place. The commune council shall lodge the application with the minister competent for religious denominations and national and ethnic minorities through the Voivode office. The Act lays down the procedure for entering a commune in the Register. On the basis of the authorisation stipulated in the Act, the Minister of the Interior and Administration has issued a regulation laying down the sample application of a commune council for entering the commune in the Register and establishing an additional name of a locality or physiographic object in a minority language. The regulation also lays down the manner of keeping the Official Register and the detailed scope of information included in the Register. According to Article 13(9) of the Act, a complaint may be lodged with an administrative court against the refusal to make such an entry.

On the basis of the authorisation stipulated in the Act, the Minister of Infrastructure, in consultation with the Minister of the Interior and Administration, has issued a regulation stipulating that for signs and boards with a single place-name in Polish, the additional name in the minority language should be presented in letters of the same size as the letters in the Polish name. If the signs and boards present more than one place-name in Polish, the additional names in the minority language should be presented in letters smaller by one-fourth than the letters in the Polish name. Additional names shall be presented using an alphabet specific to the minority language with diacritics.

According to Article 15 of the Act, the costs associated with the introduction and use of a supporting language and the costs associated with the introduction of additional names shall be incurred from the commune budget, excluding the costs of replacing information boards due to the adoption of an additional name of a locality or physiographic object in a minority language which shall be incurred from the State budget.

The Register of Communes where place-names are spelled in minority languages started to operate in December 2006 when the first commune, Radłów (Opolskie Voivodeship), was entered. In 2007 three communes were entered in the Register. In two of these, located in Pomorskie Voivodeship, additional place-names in the Kashubian language were introduced (Stężycza, Chmielno); in the remaining one, located in Opolskie Voivodeship, additional place-names in the German language were introduced (Cisek).

In 2008 15 communes were entered on the said Register. In 11 communes in Opolskie Voivodeship (Leśnica, Tarnów Opolski, Chrzastowice, Izbicko, Dobrodzień, Jemielnica, Kolonkowskie, Ujazd, Zębowice, Biała, Strzelczki) and 2 communes in Śląskie Voivodeship (Rudnik, Krzanowice) additional place-names in German were introduced; in 1 commune in Małopolskie Voivodeship (Gorlice) additional place-names in the Lemko language were introduced; in the remaining one, located in Podlaskie Voivodeship (Puńsk) additional place-names in Lithuanian were introduced.

Furthermore, in 2009 the Register was extended by 5 communes in Opolskie Voivodeship (Murów, Walce, Dobrzeń Wielki, Komprachcice, Głogówek), where additional place-names in German were fixed, and 2 communes in Pomorskie Voivodeship (Bytów, Sierakowice), which introduced additional place-names in Kashubian.

In 2010, 7 communes were entered in the Register of Communes where minority language place-names are used. In 3 of these, located in Pomorskie Voivodeship, additional place-names in the Kashubian language were introduced (Szemud, Kartuzy, Linia); in 4 communes located in Opolskie

Voivodeship additional place-names in the German language were introduced (Łubniany, Prószków, Gogolin, Lasowice Wielkie).

In 2011, the Register was extended by 9 communes. In 3 communes in Opolskie Voivodeship (Bierawa, Reńska Wieś, Polska Cerekiew) additional place-names in German were introduced; in 1 commune located in Podlaskie Voivodeship (Orla) additional place-names in Belarusian were introduced; in 4 communes located in Pomorskie Voivodeship (Brusy, Parchowo, Sulęcyno, Somonino) additional place-names in Kashubian were introduced; in 1 commune located in Małopolskie Voivodeship (Uście Gorlickie) additional place-names in the Lemko language were introduced.

In 2012, one commune in Opolskie Voivodeship (Turawa), where additional place-names in German were introduced, was entered on the Register.

In 2013, 8 communes were added to the said Register. In 7 of them located in Pomorskie Voivodeship (the urban commune of Kościerzyna, the rural commune of Kościerzyna, Lipusz, Żukowo, Dziemiany, Lipnica and Czarna Dąbrówka) additional place-names in the Kashubian language were introduced, whereas in 1 commune located in Śląskie Voivodeship (Sońnicowice) additional place-names in German were introduced.

In 2014, 5 more communes were added to the Register. In 3 communes located in Pomorskie Voivodeship (Wejherowo, Luzino, Karsin) additional place-names in the Kashubian language were introduced, whereas in 2 communes in Opolskie Voivodeship (Popielów, Pawłowiczki) additional place-names in German were introduced.

In 2015, 2 communes in Pomorskie Voivodeship (Przodkowi, Tuchomie), where additional place-names in the Kashubian language were introduced, were entered on the Register.

In 2016, 1 commune in Pomorskie Voivodeship (Cewice), where additional place-names in the Kashubian language were introduced, was entered on the Register.

As at 31 December 2016, the Register included 59 communes, 28 of which were located in Opolskie Voivodeship (additional names in German), 24 in Pomorskie Voivodeship (additional names in Kashubian), 3 in Śląskie Voivodeship (additional names in German), 2 in Podlaskie Voivodeship (additional names in Lithuanian in one commune and Belarusian in the other) and 2 in Małopolskie Voivodeship (additional names in the Lemko language).

Until now (31.12.2016), no commune has applied for inclusion in the Register of Communes in connection with plans to introduce additional street names in a minority language.

On 10 March 2008, the first agreement between the commune of Radłów and the minister competent for religions and national and ethnic minorities was concluded, with the intention to exchange information boards due to the decision to fix additional place-names in German.

In 2015, the funds allocated to replacing information boards due to introducing additional place-names in a minority language or the regional language amounted to 280,000 PLN (ca. 65,500 EUR), whereas in 2016 – 240,000 PLN (ca. 55,000 EUR).

Article 12

1. The Parties shall, where appropriate, take measures in the fields of education and research to foster knowledge of the culture, history, language and religion of their national minorities and of the majority.

In Poland there exists a possibility of studying minority and regional languages both in philological fields of study and foreign language courses, as well as post-graduate studies. The studies are available in first-, second- and third-cycle, both as full-time and part-time programmes. The number of students studying minority languages in philological or similar fields of study in the 2016/2017 academic year exceeded 13,000³⁸. This education within this scope mostly relates to the German (ca. 7,000 students) and Russian (over 3,000 students) languages.

The need to retain and develop the minority and regional languages, as well as the cultural identity of national and ethnic minorities, is apparent both for the minister competent for education and higher education institutions. Nonetheless, in the light of the Polish law, higher education institutions enjoy curriculum autonomy, which leaves no possibility of imposing on them the obligation to offer a particular field of study. There is also no central list of fields of study or education standards forming a basis for constructing curricula⁴⁴. The result of this state of matters is the situation, in which higher education institutions decide on the fields of study and specify the curricula themselves.

The Ministry of Science and Higher Education made efforts to decrease the requirements related to the ‘academic staff minimum’ for minority language studies. The amendment introduced by the Regulation of the Minister of Science and Higher Education of 3 October 2014 on the conditions of providing degree programmes in a given field and at a given level of study⁴⁵ (Journal of Laws item 370) introduced less restrictive requirements related to academic staff for this field of study. Pursuant to Article 14(5) of the Regulation, the academic staff minimum for first-cycle degrees of minority language studies is five academic teachers with scientific background in the academic discipline related to the field of study, including at least one independent teacher and at least four teachers holding a doctoral degree, provided that among the group at least two academic teachers holding a doctoral degree specialise in a national and ethnic minority language which is related to this field of study. Regarding the second-cycle degrees, pursuant to Article 15(5) of the Regulation, the academic staff minimum for second-cycle degrees of minority language studies is eight academic teachers with scientific background in the academic discipline related to the field of study, including at least three independent teachers and at least five teachers holding a doctoral degree, provided that among the group at least one independent academic teacher and at least three academic teachers holding a doctoral degree specialise in a national and ethnic minority language which is related to the field of study.

The above amendments to legislation on higher education enable more flexibility in creating new faculties. An example of practical application of these provisions is the creation of Kashubian Studies at the Faculty of Languages of the University of Gdańsk (Resolution of the Senate of the University of Gdańsk of 20 December 2012). According to the data stored in the POL-on System of Higher Education Data, 58 students studied this field of study during the 2016/2017 academic year.

³⁸ Accurate estimation of this number is difficult due to the specificity of philological education – for statistical purposes, studies involving minority languages are not always counted as a separate field of study. ⁴⁴ Except nine fields of study indicated in Article 96 of the Higher Education Act (Journal of Laws of 2016, item 1842). ⁴⁵ Currently, the issues related to the academic staff minimum are governed by the Regulation of the Minister of Science and Higher Education of 26 September 2016 on the conditions of providing degree programmes (Journal of Laws item 1596).

It is worth mentioning that education in the field of minority languages is not limited only to the most popular languages, namely German and Russian. Many academic centres throughout the country provide education in the field of minority languages and regional language. It is impossible to mention all activities of universities in this area. This is why examples are given below which illustrate the differentiated approach to the subject of education in the field of minority languages and regional language.

The Department of Humanities of Maria Curie-Skłodowska University in Lublin offers first- and second-cycle programmes in the field 'Ukrainian studies'. In the 2016/2017 academic year, 96 students studied this field of study. The graduates in this field of study not only are able to speak Ukrainian (at C1 CEFR level for first-cycle studies and C2 level for second-cycle studies), but also possess structured knowledge on Ukrainian culture and literature.

Education in the field of Lithuanian language is provided e.g. as part of the 'Baltic Philology' field of study (first- and second-cycle studies) at the University of Warsaw. In the 2016/2017 academic year, 56 students studied this field of study, where learning Lithuanian was an obligatory elements of the curriculum.

Learning Yiddish is an important element of education in the field of study 'Jewish Studies' at the Historical Department of the Jagiellonian University in Kraków. 149 students were enrolled in first- and second cycle studies. It is also worth stressing that there is a possibility of enrolling in a PhD programme in Jewish Studies. At present, over a dozen of PhD students remain under scientific guidance of the staff members of the Institute of Jewish Studies.

The Faculty of Philology of the Jagiellonian University also offers studies in the field 'Modern Languages'. These studies enable education in the field of Slovak and Czech Philology (first- and second-cycle studies). In the 2016/2017 academic year, 57 students attended classes offered as part of the Czech Philology module and 30 students attended classes as part of the Slovak Philology module.

Issues related to the Tatar and Karaite languages are taught as part of classes held by the staff members of the Department of Asian Studies of the Adam Mickiewicz University in Poznań. Students may attend such classes as 'Karaite language', 'Literature and Culture of Polish Karaites', 'Literature and Culture of Polish Tatars' and 'Polish-Tatar Literature'.

National minorities are an important issue for Polish Humanities, which is shown by the number of projects devoted to this topic in competitions decided as part of the National Programme for the Development of Humanities (NPRH). In 2012–2016, support as part of the NPRH was provided to a total of 46 projects with the value of PLN 27,409,970 (ca. EUR 6.5 million), including

- in 2012 – 33 projects with the value of PLN 17,396,232 (ca. EUR 4,058,756);
- in 2014 – 8 projects with the value of PLN 4,241,006 (ca. EUR 1,016,808);
- in 2015 – 5 projects with the value of PLN 5,772,732 (ca. EUR 1,347,321). In 2013 and 2016 there were no projects concerning minority-related topics.

Projects implemented as part of the NPRH concerned very diverse minority-related issues, e.g. documenting the linguistic and cultural heritage of Wilamowice, protecting and rehabilitating the linguistic heritage and Lemko culture Polish, and also Polish and Ukrainian historiography in Lviv in

the 19th and 20th century (until 1939). It should be noted that issues related to national minorities may also be financed as part of the so-called 'activities promoting science'. As part of this stream of funds, two projects concerning minority-related issues worth a total of PLN 46,000 (ca. EUR 10,644) were financed in 2015–2016.

2. In this context the Parties shall inter alia provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities.

Teachers of national and ethnic minority languages pursue education at higher education institutions and gain relevant qualifications, receiving higher-education diplomas awarded on completion of language-related studies. Also, there are additional in-service training courses organised for teachers of minority languages. The principles of organising methodological counselling and in-service training courses for teachers are determined by the Regulation of the Minister of National Education of 29 September 2016 *on in-service teacher training centres* (Journal of Laws, item 1591). In-service training of teachers of national minority languages is generally organised based on the structure of regional training institutions for teachers. Organisation of methodological counselling for teachers of national and ethnic minority languages in schools falls within the scope of tasks of local government units. The scope of counselling is conditioned by the needs reported by teachers as well as financial, organisational and personnel resources of local government units.

The curricular content concerning a minority language for preschoolers and school pupils at all levels of education is defined in the Regulation of the Minister of National Education of 27 August 2012 on core curricula for preschool and general education in specific types of schools (Journal of Laws, item 977, as amended).

As of 1 September 2017, first-, fourth- and seventh-grade primary school pupils will be covered by a new core curriculum defined in the Regulation of the Minister of National Education of 14 February 2017 on the core curriculum for preschool education and the core curriculum for general education in primary schools, including for pupils with moderate and severe intellectual disability, and for general education in first-grade sectoral vocational schools, general education in special schools preparing for employment, and general education in post-secondary schools³⁹. Teachers selected by communities of individual ethnic and national minorities and by the Kashubian community participated in the development of both core curricula, in the parts concerning a minority language and a regional language.

Curricula and textbooks

The objectives, contents and detailed requirements for teaching a minority language and a regional language defined in the core curriculum constitute a base material for teachers to develop curricula and for publishers to prepare textbooks for teaching a minority language and the Kashubian language.

Issues related to developing and admitting curricula and textbooks for the implementation of schools' tasks involving teaching a minority language as well as native history and culture are governed by general provisions on admitting preschool education curricula and curricula for use in schools and admitting textbooks for use in schools.

³⁹ Journal of Laws of 2017, item 356.

According to Article 22aa of the Act of 7 September 1991 on the school education system⁴⁰, a teacher may decide to implement a curriculum using a textbook approved for school use by the Minister of National Education, educational materials replacing or supplementing the textbook as well as exercise materials or without using the said textbook and materials. A textbook or educational material for a given class in a given school is selected by a team of teachers of individual classes. Textbooks must contain a systematic presentation of the teaching content described in the Regulation on the core curriculum for general education.

Textbooks are approved for school use by the Minister of National Education. Textbooks proposed by publishers are subject to expert reviews. In order for a textbook to be approved for school use, it must obtain three positive opinions: two merit-based and didactic opinions plus a linguistic one. Textbooks for minorities are developed by publishers linked to or representing individual national and ethnic minority communities in Poland, who are directly interested in publishing them for the minority of which they are also members themselves. The textbooks submitted by publishers intended for teaching a national or ethnic minority language or a regional language, native history and culture as well as the geography of the state with whose cultural area a given national minority identifies itself are generally also developed by authors from communities of individual national minorities, mainly by school and academic teachers.

The textbooks prepared by teachers for teaching native history and culture as well as the geography of the state with whose cultural area a given national minority identifies itself and the textbooks developed by publishers for these subjects contain a structured presentation of teaching contents in the scope of a given subject, going beyond the scope defined in the core curriculum for general education, taking account of the recommendations of bilateral textbook committees as well as other textbook committees and teams acting pursuant to international agreements on cooperation in the area of education or agreements of UNESCO national committees.

According to Article 13(5) and (6) of the Act of 7 September 1991 on the school education system, textbooks and auxiliary books intended to teach students to the extent necessary to sustain the sense of national, ethnic and linguistic identity may be co-financed from the public budget part administered by the minister competent for educational and pedagogical matters. The minister competent for educational and pedagogical matters shall take measures to ensure access to textbooks needed by the public schools and facilities enabling children to sustain their national, ethnic, and language identity.

The funding covers textbooks that have been approved for use in schools by the minister competent for educational and pedagogical matters and have been entered into the list of textbooks intended for general education for national and ethnic minorities and the community using the regional language, and also the so-called auxiliary textbooks (e.g. exercise books and glossaries of terms concerning specific subjects, methodical guides), which are not subject to approval for use in schools by the Ministry of National Education. In accordance with the rules established by the Ministry of National Education, preference in awarding funds is given to textbooks intended for teaching the language of a national minority, as well as the history and culture and geography of the state with whose area a given national minority identifies itself, and then auxiliary textbooks are financed. The list of textbooks covered by co-financing is determined on a yearly basis, following the presentation of a publishing plan by entities holding copyright to these textbooks, taking into account

⁴⁰ Journal of Laws of 2016, item 1943, as amended.

the demand of schools for given textbook titles established by school superintendents as well as the financial capabilities of the Ministry. Until now, all textbooks developed by publishers and admitted for school use as well as auxiliary textbooks intended for minorities have been funded in 100%. The textbooks purchased by the Ministry of National Education are delivered free-of-charge to the relevant school superintendents and then to school libraries or inter-school teaching units, based on orders made by school headmasters. This system guarantees the proper distribution of textbooks and access to free-of-charge textbooks for successive cohorts of students who are members of national and ethnic minorities and use the Kashubian regional language. As of 2010, electronic versions of individual titles, with the approval of the publishers, are published on the *Scholaris* educational platform. Owing to this, teachers and students may also use the electronic versions of textbooks published in a traditional form.

The legal framework of cooperation between the Republic of Poland and the Federal Republic of Germany in the field of education is provided by legal acts including:

- *Treaty between the Republic of Poland and the Federal Republic of Germany on Good Neighbourliness and Friendly Cooperation*, signed in Bonn on 17 June 1991;
- *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Cooperation in the field of Culture*, concluded in Bonn on 14 July 1997;
- *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Equivalence in Higher Education*, concluded in Warsaw on 23 July 1997;
- *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Polish and German Youth Cooperation*, concluded in Bonn on 17 June 1991;
- *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on the Establishment of the Willy Brandt Polish-German School of Meetings and Dialogue*, concluded in Warsaw on 1 September 2005;
- *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Cooperation as part of the Polish-German Foundation for Science*, concluded in Warsaw on 2 June 2008;

The cooperation between the Republic of Poland and the Czech Republic in the field of education is regulated by legal acts including:

- *Convention between the Republic of Poland and the Czech and Slovak Federative Republic on Good Neighbourliness, Solidarity and Friendly Cooperation*, concluded in Kraków on 6 October 1991;
- *Agreement between the Government of the Republic of Poland and the Government of the Czech Republic on Cooperation in the fields of Culture, Education and Science*, signed in Prague on 30 September 2003;

- *Programme of Cooperation between the Minister of National Education of the Republic of Poland and the Ministry of Education, Youth and Physical Education of the Czech Republic in the field of Education*, signed in Warsaw on 20 September 2012.

The cooperation between the Republic of Poland and the Slovak Republic in the field of education is regulated by legal acts including:

- *Convention between the Republic of Poland and the Czech and Slovak Federal Republic on Good Neighbourliness, Solidarity and Friendly Cooperation*, concluded in Kraków on 6 October 1991;
- *Programme of Cooperation between the Ministry of National Education and Sport and the Ministry of Schooling of the Slovak Republic for 2003–2006*, signed in Warsaw on 20 December 2002;
- *Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on Cooperation in the fields of Culture, Education and Science*, signed in Bratislava on 23 March 2000;
- *Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on Mutual Recognition of Periods of University Studies and Equivalence of Certificates of Education and Scientific Titles Gained in the Republic of Poland and the Slovak Republic*, signed in Warsaw on 18 July 2005.

The cooperation between the Republic of Poland and Ukraine in the field of education is regulated by legal acts including:

- *Treaty between the Republic of Poland and Ukraine on Good Neighbourliness, Friendly Relationships and Cooperation* of 18 May 1992;
- *Agreement between the Government of the Republic of Poland and the Government of Ukraine on Cooperation in the fields of Culture, Science and Education* of 20 May 1997;
- *Agreement between the Government of the Republic of Poland and the Cabinet of Ministers of Ukraine on Mutual Recognition of University Diplomas and Equivalence of Scientific Titles* of 11 April 2005;
- *Agreement on Cooperation between the Minister of National Education of the Republic of Poland and the Ministry of Education and Science of Ukraine*, concluded in Górowo Iławeckie on 2 July 2001;
- *Agreement between the Government of the Republic of Poland and the Cabinet of Ministers of Ukraine on Training the Citizens of Ukraine in the College of Europe in Natolin*, concluded in Warsaw on 25 November 2009;
- *Agreement between the Minister of National Education of the Republic of Poland and the Ministry of Education and Science of Ukraine on Cooperation in the field of Education*, concluded in Kiev on 19 January 2015;
- *Agreement between the Government of the Republic of Poland and the Cabinet of Ministers of Ukraine on the Polish-Ukrainian Council of Youth Exchange*, concluded in Warsaw on 9 September 2015.

The cooperation between the Republic of Poland and the Republic of Belarus in the field of education is regulated by legal acts including:

- *Treaty between the Republic of Poland and the Republic of Belarus on Good Neighbourliness and Friendly Cooperation* of 23 June 1992;
- *Cooperation Agreement between The Ministry of National Education and Sport of the Republic of Poland and the Ministry of Education of the Republic of Belarus*, signed in Warsaw on 28 April 2005;
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on Equivalence in Higher Education, Equivalence of Scientific Degrees and Degrees in the field of Arts*, concluded in Warsaw on 28 April 2005;
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on Cooperation in the fields of Culture, Science and Education*, concluded in Warsaw on 27 November 1995;
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on Cooperation in the field of Education*, signed in Warsaw on 20 July 2016.

The cooperation in the field of schooling and education between the Republic of Poland and the Republic of Lithuania is regulated by legal acts including:

- *Treaty between the Republic of Poland and the Republic of Lithuania on Friendly Relations and Neighbourly Cooperation*, concluded in Vilnius on 26 April 1994;
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on Cooperation in the fields of Culture, Education and Science*, concluded in Vilnius on 17 December 1998;
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on Polish-Lithuanian Youth Exchange Fund*, signed in Płock on 1 June 2007 (it is currently being approved);
- *Protocol of the Ministry of National Education of the Republic of Poland and the Ministry of Schooling and Education of the Republic of Lithuania on the Establishment of a Bilateral Commission to Research Problems Connected with Teaching History*, signed on 21 February 1992;
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on the Exchange and Cooperation of Youth*, concluded in Alytus on 14 February 1997;
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on Polish-Lithuanian Youth Exchange Fund*, signed in Płock in 2007.

The framework of cooperation between the Republic of Poland and the Russian Federation is regulated by legal acts including:

- *Treaty between the Republic of Poland and the Russian Federation on Friendly and Neighbourly Cooperation* of 22 May 1992;
- *Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on Cooperation in the fields of Culture, Science and Education*, signed in Warsaw on 25 August 1993;
- *Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on the Cooperation of Youth*, signed in Moscow on 9 April 1996;
- *Agreement between the Minister of National Education of the Republic of Poland and the Ministry of Schooling and Education of the Russian Federation on Cooperation in the field of Education*, signed in Moscow on 28 October 2005.

The cooperation in the area of education between the Republic of Poland and the Republic of Armenia is regulated by legal acts including:

- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Armenia on Cooperation in the field of Culture and Schooling*, concluded in Warsaw on 27 January 1998;
- *Implementing Programme between the Government of the Republic of Poland and the Government of the Republic of Armenia in the fields of Culture, Schooling and Education for 2015–2018*, signed in Warsaw on 30 September 2015;

The cooperation with the State of Israel in the field of education is regulated by legal acts including:

- *Agreement between the Government of the Republic of Poland and the Government of Israel on Cooperation in the Field of Culture, Schooling and Education*, signed in Jerusalem on 22 May 1991;
- *Implementation Programme for 2005–2008 for the Agreement between the Government of the Republic of Poland and the Government of Israel on Cooperation in the field of Culture, Science and Education*, signed in Warsaw on 1 December 2004;
- *Agreement between the Government of the Republic of Poland and the Government of Israel on the Exchange of Youth*, concluded in Warsaw on 29 August 1991;
- *Common Declaration* of the Ministry of Foreign Affairs of the Republic of Poland and the Ministry of Foreign Affairs of Israel on Educational Visits of Israeli Youth to Poland, signed on 11 September 2006.

Providing Polish school pupils with knowledge on national and ethnic minorities to facilitate contacts between pupils and teachers from different backgrounds results from the mandatory objectives and teaching contents defined in the core curricula for preschool and general education. The core curriculum focuses on the development of the attitude of civic conduct, attitude of respect for the tradition and culture of own nation, as well as respect for other cultures and traditions. The curricular contents concerning national and ethnic minorities have been included at every educational stage, starting from preschool education. Educational and pedagogical objectives were adapted to the students' age at each educational stage and their perception capacities. In accordance

with the adopted priorities, the implemented changes to the curriculum are intended to support in the preparation of students for functioning in the contemporary society, which is diverse in terms of nationality and ethnicity, based on responsibility, respect and tolerance.

The Minister of National Education supports non-governmental organisations and associations by granting funding for the implementation of educational projects (seminars, workshops, educational publications, youth meetings, competitions for schools) for the benefit of students of national and ethnic minorities. One of the standing priorities adopted annually within the framework of the international school cooperation and youth exchange projects co-financed by the Ministry of National Education is respect for national and cultural identity, as well as elimination of barriers, stereotypes and prejudice rooted in mentality and culture.

Proper training and methodological support for teachers is an important element in the process of passing on knowledge about minorities. In 2011 the Centre for Education Development (a unit subordinate to the Ministry of National Education) carried out the “Multiculturalism in school practice” project, which aimed to establish a system of support for schools working with pupils belonging to national and ethnic minorities and also with pupils from migrant communities. The following components were implemented under the project:

- survey of the situation of foreign children and pupils belonging to national and ethnic minorities in the Polish educational institutions, which allowed to formulate conclusions and practical demands regarding the direction of school support and teacher training,
- establishing network of experts-coordinators across voivodeships, whose job was to provide (through consultation, training and conferences) comprehensive support to schools attended by children of foreigners and Polish citizens returning from emigration, as well as children belonging to national and ethnic minorities,
- translation of the Council of Europe education package *Autobiography of intercultural encounters* – a guide allowing formation of appropriate skills and cultural attitudes in society,
- cascade training courses to prepare teachers and educators to create educational programmes and to disseminate *Autobiography of intercultural encounters* guide.

In 2011, a total of 704 people from 14 voivodeships received such training.

3. The Parties undertake to promote equal opportunities for access to education at all levels for persons belonging to national minorities.

Under Article 70(1) of the *Constitution of the Republic of Poland*, everyone shall have the right to education while it is compulsory until the age of 18. Public authorities shall ensure universal and equal access to education for all citizens (Article 70(4) of the *Constitution*).

The actions with regard to this provision undertaken by the Government of the Republic of Poland in the area of promoting the education among the Roma resulted in numerous systemic changes in the approach to education. Apart from the actions undertaken for years under government programmes, apart from the introduction of increased educational subsidy for measures implemented at schools, also special schools, for Roma pupils, yet another aspect that deserves attention is the legislative change in the Regulation of the Minister of the National Education of 30

April 2013 on the rules for the provision and organisation of psychological and educational support in public schools and institutions⁴¹. Assistant of Roma education was indicated (next to the pupil themselves, the parent, teacher, teacher of groups with special needs or a specialist conducting classes with pupils, psychological and pedagogical counselling centres, including specialist counselling centres) as one of the entities who may initiate the provision of psychological and pedagogical help to a given pupil in a given facility.

A series of provisional measures to propagate knowledge about diagnosing Roma children and providing them with help adequate to their needs in the education system:

- in 2012, commissioned by the Ministry of National Education and in collaboration with the Ministry of Administration and Digitisation, the Centre for Education Development organised a seminar and a conference devoted to functioning of multilingual and culturally different children, including Roma children, in the education system,
- between 11 and 12 December 2012 also two national conferences were held. They were targeted at the employees of psychological and pedagogical counselling centres. The topics addressed included the issuing of decisions and opinions and a culturally neutral diagnosis that takes into account the needs of multilingual children,
- in 2012 and 2013 the discussion on these topics continued during regional meetings in individual voivodeships. The local conferences were organised by voivodes and school superintendents. The aim of these measures was to popularise decisions issued for Roma children by the counselling centres. In particular, attention was paid to the need to use non-verbal and culturally unbiased tests during examination of Roma children, which take into account the level of command of Polish. Emphasis was also placed on developing and disseminating procedures for recognising the needs and abilities of bilingual and culturally different pupils. During the meetings, examples of good practices were presented, discussions concerned the activities that would contribute to improvement of local strategies for multilingual and culturally different pupils, including Roma pupils, and recommendations were proposed.
- these activities were summed up in 2013 by the Ministry of Education and the Centre for Education Development by way of publishing and dissemination of a methodological manual drafted by a team of psychologists from the Jagiellonian University; the manual concerns psychological diagnosis of multilingual and culturally different children and young people and organisation of trainings in this field for psychological and pedagogical counselling centres. The manual had its premiere during the study visit of the Council of Europe to Budapest in spring 2016 and – similarly to the Polish experiences in this regard – its reception may be described as enthusiastic⁴².

Development of a solution for special education of Roma pupils should not be seen as a task attributed solely to government administration. In this area, it seems necessary to establish cooperation between pupils' parents, personnel of psychological counselling centres, leaders of

⁴¹ Journal of Laws of 2013, item 532.

⁴² The manual is available in the database of good practices of Council of Europe under number 88: <http://goodpracticeroma.ppa.coe.int/en>; it can also be accessed in the electronic form at the website of the Ministry of the Interior and Administration: <http://mniejszosci.narodowe.mswia.gov.pl/mne/romowie/edukacja-dzieci-romskic/7573,Podreczniki-i-publikacje.html>

Roma organisations, evolving Roma intelligentsia, and other people for whom integration of Roma children in the education system is important. Another issue of importance is the results of monitoring carried out, at the request of the minister competent for religious denominations and national and ethnic minorities, at psychological and pedagogical counselling centres by the Minister of National Education in 2015, in terms of diagnosing pupils of Roma origin. As a result of this monitoring, it was once again highlighted it is necessary to develop a specific approach to multicultural and bilingual children, and data were collected thanks to which it was possible to describe the phenomena in question. The data collected in Poland (estimates) indicate that between 2012 and 2014 one could observe a regularity regarding the number of opinions on the need for special education for Roma ethnic minority children issued by psychological-pedagogical counselling centres, which remained constant at about 7% for the surveyed group. In the case of such opinions issued for the entire group of children diagnosed in Poland over the same period, the trend has been oscillating around 3%.

Actions undertaken by the Polish State for integration of the Roma community in the field of education are noteworthy, especially in the light of work and commitment of the assistants of Roma education, teachers, employees of the psychological and pedagogical counselling centres, as well as the Roma community leaders, but most of all – the mothers of Roma children, who, often contrary to the traditional family model, are involved in their children's education.

Article 13

1. Within the framework of their education systems, the Parties shall recognise that persons belonging to a national minority have the right to set up and to manage their own private educational and training establishments.

Under Article 70(3) of the *Constitution*, parents have the right to choose for their children schools other than public schools. Natural and legal persons shall have the right to establish primary and secondary schools and institutions of higher education and educational development institutions. This issue is also discussed in Article 5(2) of the Act of 7 September 1991 *on the school education system* (Journal of Laws of 2016, item 1943). This Act applies also to legal and natural persons representing national minority communities in Poland. Under the Regulation of the Minister of National Education of 29 September 2016 *on teacher training institutions* (Journal of Laws, item 1591), legal bodies may also establish and run non-public in-service teacher training institutions.

National minority languages are taught or used for instruction mainly in the public schools falling under the supervision of local government units (communes and counties). Recently, there has been a significant increase in the number of non-public educational institutions providing their pupils with minority language classes.

During the 2014/2015 school year (as of 30 September 2014) such classes were available in 33 preschools, 80 primary schools, 19 lower secondary schools, 4 upper secondary schools, 2 technical upper secondary schools and 3 basic vocational schools. A few of the above institutions were established exclusively with the intent to provide children and youth belonging to national and ethnic minorities with opportunities to learn their culture, tradition and language. Examples of such institutions include: the Lauder-Morasha School Complex in Warsaw⁴³ (preschool, primary school and lower secondary school) offering Hebrew classes, primary schools in Wrocław offering Hebrew classes: Dialogue of Cultures Foundation's (Fundacja Dialog Kultur) *Etz Chaim* primary school⁴⁴ and the Szalom Alejchem primary school (governing authority – Ha Foundation [Fundacja Ha]) with *Tikkun Olam* primary and lower secondary school in the same city, which offer Hebrew classes (governing authority: *Tikkun Olam* Education and Culture Foundation [Fundacja Edukacji i Kultury]⁴⁵), *Pro Liberis Silesiae* Association's preschool and school complex in Raszowa⁴⁶ and Gosławice⁴⁷ offering German classes, a preschool and a primary school in Opole-Malina⁴⁸ run by the same association (all the said institutions of the *Pro Liberis Silesiae* Association follow the Maria Montessori education method), or 'Dom Litewski' (Lithuanian House) School Complex in Sejny, established by the Bishop Antanas Baranauskas Foundation (Fundacja im. A. Baranauskasa), comprising 'Žiburys' Preschool, Primary School and Lower Secondary School with Lithuanian as the language of instruction⁴⁹.

The vast majority of the non-public institutions providing minority language classes are small rural schools, until recently run by local governments, where a minority language was taught (or where such classes were introduced only after a given school had been acquired by an association).

⁴³ www.lauder-morasha.edu.pl

⁴⁴ www.etzchaim.pl

⁴⁵ www.tikkunolam.pl

⁴⁶ www.edukacja-raszowa.eu

⁴⁷ www.edukacja-goslawice.eu

⁴⁸ www.montessori-opole.eu

⁴⁹ www.ziburys.pl

These (schools threatened with closure due to demographic decline and inevitable transfer of children to other schools in the commune) have been taken over by associations set up for this purpose by parents or persons acting on behalf of the commune.

2. *The exercise of this right shall not entail any financial obligation for the Parties.*

In the Republic of Poland non-public schools receive funds for every pupil in the form of subsidies from the State budget, where the subsidy amount is not less than the amount provided for a pupil of a given type and kind of state school run by a local government unit, although the Convention does not specify any such obligations.

Article 14

1. *The Parties undertake to recognise that every person belonging to a national minority has the right to learn his or her minority language.*

The right of the Polish citizens belonging to national minorities to maintain and develop their own language is ensured by Article 35 of the *Constitution*.

The Polish education system ensures proper conditions both for arrangement of language classes and teaching subjects in ethnic and national minority languages and in the regional language. The right of minority members to learn their native languages and their minority's history and culture is enshrined in Article 13 of the *Act on the school education system* (Journal of Laws of 2016, item 1943).

The conditions and manner of fulfilling these duties are specified in the Regulation of the Minister of National Education of 4 April 2012 *on the conditions and manner of performance by preschools, schools and public educational institutions of tasks supporting national, ethnic and linguistic identity of students from national and ethnic minorities and the community using the regional language* (Journal of Laws of 2012, item 393).

Minority language teaching or instruction in a minority language may be provided at all education levels (preschools, primary schools, secondary schools and higher education schools). It is arranged by the principal of a preschool or a public school on a voluntary basis, at the request of the pupil's parents or legal guardians.

At the request of parents, minority or regional language courses may be conducted in:

- 1) separate groups, sections or schools;
- 2) groups, sections or schools – with additional language and a given minority's history and culture classes; 3) interschool teaching groups.

The Minister competent for the educational and pedagogical matters determined, by way of regulation⁵⁰, the conditions and manner in which schools and institutions should perform the tasks enabling maintenance of national, ethnic and linguistic identity by pupils belonging to national and

⁵⁰ Journal of Laws of 2014, item 263, consolidated text

ethnic minorities and the community using the regional language; in particular, the minimum number of pupils for whom particular forms of education may be organised.

Article 13(4)–(7) of the Act *on the school education system* provides that:

- the teaching and educational work of public schools shall ensure the maintenance of culture and regional tradition;
- textbooks and auxiliary books intended to teach pupils to the extent necessary to sustain the sense of national, ethnic and linguistic identity may be co-financed from the public budget part administered by the minister competent for educational and pedagogical matters;
- the minister competent for educational and pedagogical matters shall take measures to ensure the possibility to train teachers and to ensure access to textbooks for public schools and institutions that take action for retaining the national, ethnic and linguistic identity;
- the minister competent for educational and pedagogical matters shall take measures to popularise the knowledge of history, culture, language and religious traditions of the national and ethnic minorities and the community using the regional language.

In the reporting period, *i.e.* between 2012 and 2016, education concerning national or ethnic minority languages and a regional language – Kashubian – was provided in line with the core curriculum regulated by the Regulation of the Minister of National Education of 27 August 2012 on core curricula for preschool and general education in specific types of schools.

According to the preamble of the core curriculum, the aims of preschool education include: retaining and development of national, ethnic and linguistic identity – preparing children to use the language of a national or ethnic minority or regional language through developing their national, ethnic and linguistic awareness and building positive motivation towards learning the language of a national or ethnic minority or a regional language at further educational levels.

In grades 1–3 of primary school, the pupils followed the content of teaching in the fields of ‘National or ethnic minority language’ and ‘Regional language – Kashubian’.

In grades 4–6 of primary school (second stage of education), in lower secondary school and upper secondary schools (third and fourth stage of education) the pupils could participate in ‘regional language – Kashubian’ and ‘minority or ethnic minority language’ classes.

The core curriculum of national or ethnic minority language classes defines the following educational goals:

- 1) awareness of own national or ethnic heritage,
- 2) reception of expressions and using the information they contain,
- 3) production of expressions,
- 4) analysis and interpretation of cultural texts.

Contents of teaching determined in core curricula of the above subjects for individual stages of education were properly adjusted to pupils’ age, capacities and educational needs.

During the reporting period, actions undertaken for maintenance of pupils’ sense of national, ethnic and linguistic identity, in particular classes on the language, history and culture of their

minorities, were conducted at all stages of education, i.e. in preschools, primary schools, lower secondary schools, general upper secondary schools and in vocational and music schools.

2. In areas inhabited by persons belonging to national minorities traditionally or in substantial numbers, if there is sufficient demand, the Parties shall endeavour to ensure, as far as possible and within the framework of their education systems, that persons belonging to those minorities have adequate opportunities for being taught the minority language or for receiving instruction in this language.

According to the data of the School Education Information System at 30 September a total of 81,302 pupils attend national or ethnic minority language classes; the most numerous groups learn: German – 52,914 pupils, Kashubian – 20,690, Ukrainian – 3,108, Belarusian – 2,862, Lithuanian – 600 and Hebrew – 435 pupils.

Detailed statistic information on the number of pupils belonging to national minorities and learning their mother language in Polish preschools and schools is available at the website of the Ministry of National Education:

<https://cie.men.gov.pl/sio-strona-glowna/dane-statystyczne/jezyki-obce-dane-statystyczne/>

Below there are figures concerning numbers of institutions providing minority language classes and pupils attending these classes, along with identification of the voivodeships, where minority language classes or classes held in a minority language are provided (as of 30 September 2016).

- the German minority – Dolnośląskie, Kujawsko-Pomorskie, Lubuskie, Mazowieckie, Opolskie, Pomorskie, Śląskie, Świętokrzyskie, Warmińsko-Mazurskie, Wielkopolskie and Zachodniopomorskie Voivodeships (a total of 809 educational institutions, 52,914 pupils),
- the Kashubian community – Mazowieckie (1 educational institution) and Pomorskie Voivodeships (a total of 514 educational institutions, 20,690 pupils),
- the Belarusian minority – Podlaskie Voivodeship (a total of 48 educational institutions, 2,862 pupils),
- the Ukrainian minority – Dolnośląskie, Lubelskie, Lubuskie, Małopolskie, Mazowieckie, Podkarpackie, Podlaskie, Pomorskie, Warmińsko-Mazurskie and Zachodniopomorskie Voivodeships (a total of 187 educational institutions, 3,108 pupils),
- the Lithuanian minority – Podlaskie Voivodeship (a total of 16 educational institutions, 600 pupils),
- the Lemko minority – Dolnośląskie, Lubuskie and Małopolskie Voivodeships (a total of 38 educational institutions, 290 pupils),
- the Russian minority – Podlaskie and Śląskie Voivodeships (3 educational institutions, 68 pupils),

- the Slovak minority – Małopolskie Voivodeship (a total of 13 educational institutions, 258 pupils),
- the Jewish minority – Dolnośląskie and Mazowieckie Voivodeships (a total of 10 educational institutions, 435 pupils),
- the Armenian minority – Małopolskie, Mazowieckie and Pomorskie Voivodeships (5 educational institutions, 75 pupils).

Due to the cultural background of the Roma community (the taboo surrounding the Romani language), and thus the lack of interest of children and parents in teaching Romani as a minority language in the public education cycle, Polish schools do not offer teaching of the Romani language as a native language of the Roma ethnic minority. The only exception (as of 30 September 2016) is a group comprised of 2 Roma pupils in a music school in Wielkopolskie Voivodeship. The pupils of Roma origin attend public schools and follow the standard education cycle together with their non-Roma peers. In the 2010/2011 school year the last classes referred to as the ‘Roma classes’.

In the reporting period, there functioned the following educational strategies regarding the development of education of national and ethnic minorities in Poland:

1. Education Development Strategy of Lithuanian minority in Poland, adopted in 2002,
2. Education Development Strategy of German minority in Poland, adopted in 2007,
3. Education Development Strategy of Ukrainian minority in Poland, adopted in 2011,
4. Education Development Strategy of Belarusian minority in Poland, adopted in 2014.

All of the above documents had been drawn up jointly by representatives of government and local government administrations and representatives of the relevant national minority. Their goal is to analyse the educational situation of individual national minorities and develop solutions that would allow to take appropriate actions in order to maintain the national, linguistic and cultural identity of the pupils belonging to minorities. Each of these takes account of the specificities of the given minority, contains an analysis of the phenomena and issues characteristic of the given community and allows the pursuit of the best solutions in the fields which affect the quality of education the most (such as the didactic base, teaching staff, methodological advice). Opportunity for this comes at the meetings that serve the purpose of monitoring the recommendations contained in the various Strategies and protocols from periodic meetings (which are an integral part of the document). In 2012, within the framework of activities of a working group established for this purpose, actions were undertaken to extend and update the *Education Development Strategy of German minority in Poland*. The works were concluded in 2013 by way of publishing the following document on the website of the Ministry of Administration and Digitisation: ‘Extension and Update of the Education Development Strategy of German minority in Poland’, which was the result of the said group’s operation⁵¹.

Number of educational institutions by school type – 2016/2017 school year (as of 30 September 2016):

⁵¹ <http://mniejszosci.narodowe.mac.gov.pl>

	Kindergarten	Primary school	Lower	Basic vocational school	General secondary school	Technical	Special school preparing the student for	Music school	Postsecondary art school
Belarusian minority	3	25	17	-	3	-	-	-	-
Kashubian community	36	318	124	9	14	12	1	-	-
Lithuanian minority	3	7	4	-	2	-	-	-	-
Lemko minority	6	24	7	-	1	-	-	-	-
German minority	188	475	138	4	-	4	-	-	-
Armenian minority	1	4	-	-	-	-	-	-	-
Roma minority	-	-	-	-	-	-	-	1	-

Russian minority	9)001	-	-	-	-	-	-	-	1
Slovak minority	3	7	3	-	-	-	-	-	-
Ukrainian minority	34	86	54	1	9	3	-	-	-
Jewish minority	4	4	2	-	-	-	-	-	-

Number of students by school type – 2016/2017 school year (as of 30 September 2016):

	Kindergarten	Primary school	Lower	Basic vocational school	General secondary school	Technical	Special school preparing the student for	Music school	Postsecondary art schools
Belarusian minority	152	1,580	664	-	466	-	-	-	-
Kashubian community	950	15,597	3,021	194	359	564	5	-	-
Lithuanian minority	131	276	121	-	72	-	-	-	-
Lemko minority	17	219	44	-	10	-	-	-	-

German minority	8,186	38,658	5,881	69	-	120	-	-	-
Armenian minority	5	70	-	-	-	-	-	-	-
Roma minority	-	-	-	-	-	-	-	2	-
Russian minority	-	56	-	-	-	-	-	-	12
Slovak minority	13	186	59	-	-	-	-	-	-
Ukrainian minority	375	1,750	641	1	324	17	-	-	-
Jewish minority	58	312	65	-	-	-	-	-	-

Article 15

The Parties shall create the conditions necessary for the effective participation of persons belonging to national minorities in cultural, social and economic life and in public affairs, in particular those affecting them.

It should be emphasised that the Polish legislation provides conditions for the participation of all citizens of the Republic of Poland in public, cultural, social and economic life. Thus, Article 11 of

the *Constitution* ensures freedom for the creation and functioning of political parties, while Article 12 – freedom for the establishment and functioning of trade unions, socio-occupational organisations of farmers, citizen movements and associations and other voluntary associations and foundations. Article 2 of the Act of 27 June 1997 *on political parties* (Journal of Laws of 2011, No 155, item 924) entitles all Polish citizens who are at least 18 years old to be a member of a political party.

Changes to the political system introduced after 1989 resulted in a number of competences being transferred to local government units. All Polish citizens, including representatives of national minorities, as members of local government communities (comprised by law of all the residents of a given commune, county or voivodeship),⁵² are allowed to participate in making decisions relevant to these communities – both directly (through election and referenda) and indirectly, through the commune, county or voivodeship authorities. They can also be elected to the authorities of local government units.

The Act of 5 January 2011 *Election Code* (Journal of Laws No 21, item 112) provides preferences for representatives of national minorities. According to a general principle in the *Code*, it is only the districts lists of candidates from those committees which have reached at least a 5% threshold of valid votes cast in the country that are taken into consideration in the division of the Sejm mandates. The exemption from this requirement applies only to the committees established by voters associated in registered organisations of national minorities (Article 197(1) of the *Election Code*). Similar solutions were also provided in the earlier election statuses adopted after 1989. During last parliamentary election held in October 2015 one representative of the German national minority was elected to the Sejm of the Republic of Poland – he ran from the constituency list of the German minority. The Kashubian Parliamentary Group is active in Parliament and includes deputies and senators working for the benefit of Kashubia and Pomerania. It also includes members of the Parliament connected to the community using the regional language.

Representatives of national and ethnic minorities and of the community using the regional language are also widely represented at all levels of local government authorities.

The Belarusian minority did not form any electoral committees of their own in the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees. The election resulted in three candidates from the Belarusian minority being elected to the Podlaskie Voivodeship regional assembly. 16 members of this minority were elected to county councils all over the voivodeship (counties: Hajnówka, Bielsk Podlaski, Białystok, Siemiatycze and Sokółka), 150 candidates from the Belarusian minority were elected to town and commune councils in Podlaskie Voivodeship. 12 candidates from the Belarusian minority were elected Voits or Mayors of communes in Podlaskie Voivodeship. Representatives of the Belarusian minority also take functions of Starosts and Deputy Starosts in some of the counties densely inhabited by people belonging to this minority. This minority is not represented in the Parliament.

The Lithuanian minority did not form any electoral committees of their own in the 2014 local election. Candidates representing the minority were on the lists of other local electoral committees. Two members of the Lithuanian minority were elected to the Sejny County council. In the Puńsk Commune Council 11 mandates belong to the representatives of the Lithuanian minority (out of the maximum of 15) and members of this minority are also present in the town council (2) and the

⁵² Act of 8 March 1990 *on commune local government* (Journal of Laws of 2016, item 446); Act of 5 June 1998 *on county local government* (Journal of Laws of 2016, item 814); Act of 5 June 1998 *on voivodeship local government* (Journal of Laws of 2016, item 486).

commune council (2) of Sejny. The Puńsk commune Voit (head of a commune) and Sejny Deputy Starost are also members of the Lithuanian minority.

The Lemko minority did not form any electoral committees of their own in the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees. 6 Lemko minority candidates were elected to the commune and town councils in Lubuskie, Podkarpackie and Małopolskie Voivodeships. In one commune in Małopolskie Voivodeship a Lemko minority candidate was elected Voit.

The German minority was the only one that formed its own electoral committee in Opolskie and Śląskie Voivodeships for the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees. The election resulted in seven candidates from the German minority being elected to the Opolskie Voivodeship regional assembly. 44 members of this minority were elected to county councils in Opolskie Voivodeship (counties: Kędzierzyn-Koźle, Krapkowice, Oleśno, Opole, Prudnik and Strzelce), 263 candidates from the minority were elected to town and commune councils in Opolskie and Warmińsko-Mazurskie Voivodeships. 26 candidates from the German minority were elected Voits or Mayors of communes in Opolskie Voivodeship. Additionally, candidates from the German minority who stood from local committee and national political party lists were elected to various levels of the Śląskie Voivodeship local government. Members of the German minority also serve as Starosts and Deputy Starosts in counties densely populated by this minority.

The 2014 local election resulted in a member linked to the Armenian community in Poland being elected to the Świętokrzyskie Voivodeship regional assembly.

Representatives of the Roma minority stood for the 2014 local election in some communes from lists of various electoral committees. None of the candidates connected with this minority won a seat, though.

Representatives of the Slovak minority stood for the 2014 local election in some communes of Małopolskie Voivodeship from the lists of various electoral committees. One member of the Slovak minority was elected to a commune council in this voivodeship.

The Ukrainian minority did not form any electoral committees of their own in the 2014 local election. Candidates from the minority were both on the national political party lists and in local electoral committees, some with the support of Polish Ukrainian minority organisations. The election resulted in 8 representatives of the Ukrainian minority being elected to the county councils in Podlaskie, Pomorskie, Podkarpackie, Warmińsko-Mazurskie and Zachodniopomorskie Voivodeships (counties: Bielsk Podlaski, Bytów, Przemyśl, Kętrzyn, Elbląg, Braniewo, Ostróda and Wałcz), while 15 Ukrainian minority candidates were elected to the commune and town councils in the following voivodeships: Podlaskie, Pomorskie, Podkarpackie, Warmińsko-Mazurskie and Zachodniopomorskie. 3 candidates from the Ukrainian minority were elected Voits or Mayors (voivodeships: Dolnośląskie, Warmińsko-Mazurskie and Pomorskie). Members of the Ukrainian minority also serve as Starosts and Deputy Starosts in counties densely populated by this minority.

The 2014 local election resulted in one member of the Jewish minority being elected to one of the commune councils in Wielkopolskie Voivodeship.

The Czech, Karaim, Russian and Tatar minorities did not nominate any candidates in the 2014 local election.

It should be noted that the Republic of Poland, based on the principle of equality of rights of all citizens, does not restricts the rights of persons belonging to national minorities to hold public office, including service in the police and military, career advancement, awards conferred under the law of public officers according to their professional qualifications and particular predisposition.

Article 16

The Parties shall refrain from measures which alter the proportions of the population in areas inhabited by persons belonging to national minorities and are aimed at restricting the rights and freedoms flowing from the principles enshrined in the present Framework Convention.

Article 5(2) of the Act on national and ethnic minorities and on the regional language stipulates that the use of measures aimed at changing national or ethnic proportions on the territories populated by minorities shall be prohibited. The provision is very similar to Article 15 of the Framework Convention.

The commitment to refrain from actions which would lead to changes to the national composition in the areas inhabited by national minorities was included in Article 15 of the Treaty between the Republic of Poland, and the Republic of Lithuania on Friendly Relations and Good-Neighborly Cooperation of 26 April 1994 (Journal of Laws of 1995, No 15, item 71).

Article 17

1. *The Parties undertake not to interfere with the right of persons belonging to national minorities to establish and maintain free and peaceful contacts across frontiers with persons lawfully staying in other States, in particular those with whom they share an ethnic, cultural, linguistic or religious identity, or a common cultural heritage.*

The right to freedom of contacts between citizens belonging to national minorities within the country and across the border with the citizens of other countries with whom they share a common ethnic origin is explicitly guaranteed in bilateral treaties concluded with the Federal Republic of Germany, Ukraine, the Republic of Belarus and the Republic of Lithuania. Furthermore, Article 52(1) of the Constitution indicates that freedom of movement as well as the choice of place of residence and sojourn within the territory of the Republic of Poland shall be ensured to everyone. Everyone may freely leave the territory of the Republic of Poland (Article 52(2) of the Constitution).

2. *The Parties undertake not to interfere with the right of persons belonging to national minorities to participate in the activities of non-governmental organisations, both at the national and international levels.*

The freedom of association is ensured by Article 58 of the Constitution. It is only the court that may ban an association or refuse to register it. The details are specified in the Act of 7 April 1989 Law on Associations (Journal of Laws of 2016, item 1393).

Article 18

1. The Parties shall endeavour to conclude, where necessary, bilateral and multilateral agreements with other States, in particular neighbouring States, in order to ensure the protection of persons belonging to the national minorities concerned.

Regulations on the rights of individual national minorities are included in the treaties, which Poland concluded with all its neighbours. The clauses concerning national minorities included in the bilateral treaties provide for the essential minority rights, as well as the duties undertaken by each country in this regard. The list of the treaties is presented below:

1. *Treaty between the Republic of Poland and the Federal Republic of Germany on Good Neighbourliness and Friendly Cooperation* of 17 June 1991 (Journal of Laws of 1992, No 14, item 56) – the issue of minority rights is raised in Articles 20–22,
2. *Convention between the Republic of Poland and the Czech and Slovak Federal Republic on Good Neighbourliness, Solidarity and Friendly Cooperation* of 6 October 1991 (Journal of Laws of 1992, No 59, item 296). Treaty is currently in force in relations with the Czech Republic and the Slovak Republic, upheld in relations with the Slovak Republic on the basis of the Protocol signed in Bratislava on 8 July 1993, whereas relations with the Czech Republic – on the basis of the Protocol signed in Warsaw on 29 March 1996; Article 8 is devoted to minority rights,
3. *Treaty between the Republic of Poland and Ukraine on Good Neighbourliness, Friendly Relationships and Cooperation* of 18 May 1992 (Journal of Laws of 1993, No 125, item 573) – the issue of minority rights is raised in Article 11,
4. *Treaty between the Republic of Poland and the Russian Federation on Friendly and Neighbourly Cooperation* of 22 May 1992 (Journal of Laws of 1993, No 61, item 291) – the issue of minority rights is raised in Article 16,
5. *Treaty between the Republic of Poland and the Republic of Belarus on Good Neighbourliness and Friendly Cooperation* of 23 June 1992 (Journal of Laws of 1993, No 118, item 527) – the issue of minority rights is raised in Articles 13–17,
6. *Treaty between the Republic of Poland, and the Republic of Lithuania on Friendly Relations and Good-Neighborly Cooperation* of 26 April 1994 (Journal of Laws of 1995, No 15, item 71) – the issue of minority rights is raised in Articles 13–16.

The issues related to national minorities were treated by Poland with great solemnity, as reflected in the records of minority rights in intergovernmental agreements on cultural cooperation, concluded by Poland with its neighbors

Federal Republic of Germany:

- *Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Cooperation in the field of Culture*, drawn up in Bonn on 14 July 1997 (Journal of Laws of 1999, No 39, item 379),
- *Protocols of Meetings of the Mixed Polish and German Committee for Cultural Cooperation* whose meetings are held in one or the other country in turns, on the basis of the *Agreement between the Government of the Republic of Poland and the Government of the Federal*

Republic of Germany on Cooperation in the Field of Culture of 14 July 1997; the Mixed Committee is chaired by representatives of the Ministries of Foreign Affairs of both countries, whose members include representatives of ministries competent in matters concerning cooperation in the area of culture, science, education system and schooling; Czech Republic:

- *Agreement between the Government of the Republic of Poland and the Government of the Czech Republic on Cooperation in the fields of Culture, Education and Science*, drawn up in Prague on 30 September 2003 (Journal of Laws of 2004, No 244, item 2449), the Slovak Republic:
- *Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on Cooperation in the Field of Culture, Education and Schooling*, drawn up in Bratislava on 23 March 2000 (Official Gazette [*Monitor Polski*] of 2002, No 6, item 123), Ukraine:
- *Agreement between the Government of the Republic of Poland and the Government of Ukraine on Cooperation in the fields of Culture, Science and Education*, drawn up in Kiev on 20 May 1997 (Journal of Laws of 2000, No 3, item 29),

Republic of Belarus:

- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on Cooperation in the fields of Culture, Science and Education*, drawn up in Warsaw on 27 November 1995 (Journal of Laws of 1996, No 76, item 365), the Republic of Lithuania:
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on Cooperation in the fields of Culture, Schooling and Education*, drawn up in Vilnius on 17 December 1998 (Official Gazette [*Monitor Polski*] of 2002, No 31, item 491), the Russian Federation:
- *Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on Cooperation in the fields of Culture, Science and Education*, drawn up in Warsaw on 25 August 1993 (Journal of Laws of 1994, No 36, item 133).

Further agreements with references to minority rights are agreements on remembrance sites. Until now, the following agreements have been signed:

- *Agreement between the Government of the Republic of Poland and the Government of Ukraine on the Protection of Memorial Sites and Final Resting Places of Victims of War and Political Repression*, drawn up in Warsaw on 21 March 1994 (Journal of Laws No 112, item 545),
- *Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on Graves and Memorial Sites of Victims of Wars and Repression*, drawn up in Kraków on 22 February 1994 (Journal of Laws No 112, item 543),
- *Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on the Protection of Graveyards and Memorial Sites Devoted to Victims of Wars and Repression*, drawn up in Brest on 21 January 1995 (Journal of Laws of 1997, No 32, item 185).

While implementing the provisions of Article 18 of the *Framework Convention*, Poland is guided by the universally recognised principles of international law in relation to the position of national minorities in international relations (e.g. non-interference in the internal affairs of the state and the principle of justified concern of the international community in the case of human rights violations). These principles were further clarified by the Venice Commission in 2001 and more recently by the Bolzano/Bozen Recommendations (2008), adopted by the OSCE High Commissioner on National Minorities. According to the Venice Commission, financial, material and other assistance to minority groups abroad, for example in the field of education, may be provided with the express consent of the competent State or such consent can be presumed in the light of the practice of reciprocity. Moreover, the Bolzano/Bozen Recommendations clearly allow the state to offer assistance to support education abroad in the form of textbooks, language courses, teacher training, etc (see Recommendation No 12).

2. Where relevant, the Parties shall take measures to encourage transfrontier cooperation.

The treaties on friendly relations and good-neighbourly cooperation concluded by the Republic of Poland and the Republic of Lithuania, Ukraine, the Republic of Belarus, the Russian Federation, the Czech and Slovak Federal Republic and the Federal Republic of Germany include provisions on mutually beneficial cooperation between communes, cities and other administrative and territorial units and regions, particularly in border areas.

To implement the provisions of bilateral treaties, at the beginning of the 1990s cooperation between border regions was initiated. The first Euroregion established in Central and Eastern Europe was Nysa Euroregion, initiated as part of the Polish-German-Czech cooperation and created in December 1991. Moreover, in the areas along the western Polish border, inhabited by the German, Ukrainian and Lemko minorities, the following euroregions were established: *Pomerania* (in 1995), *Pro Europa Viadrina* (in 1993) and *Sprewa-Nysa-Bóbr* (in 1991). The cooperation within the *Niemen Euroregion* started in June 1997 at the borderline of the Republic of Poland, the Republic of Lithuania, the Republic of Belarus and the Russian Federation territory populated by the Lithuanian, Belarusian, Tatar and Ukrainian minorities. The neighbouring *Łyna-Ływa Euroregion*, registered on 4 September 2003, is located on both sides of the Polish-Russian border and is inhabited by the Ukrainian minority. These areas are also included in the *Euroregion Baltic*, established on 22 February 1998, which also extends to the areas inhabited by the community using the regional language and the Ukrainian minority. Along the eastern Polish border there are: *Polish-Belarusian Białowieża Primateval Forest Euroregion* established under the agreement signed on 25 May 2002; inhabited by the Belarusian minority and *Polish-Belarusian-Ukrainian Bug Euroregion* established on 29 September 1995 and inhabited by the Ukrainian minority. The South-Eastern part of Poland inhabited by the Ukrainian and Lemko minorities lies within the borders of the *Carpathian Euroregion* established in February 1993. Apart from the Polish authorities, the statute of the *Carpathian Euroregion* was also signed by representatives of regional authorities of: Hungary, Romania, Ukraine and the Slovak Republic. The Polish-Slovak cooperation intensified after the *Tatry Euroregion* was established in August 1994 and the *Beskids Euroregion* was established in February 2000. These areas are inhabited by persons belonging to the Roma, Slovak and Lemko minorities. The *Euroregions Pradziad* (established in July 1997) and *Silesia* (established in September 1998), located on the border between the Republic of Poland and the Czech Republic, are inhabited by persons belonging to the

German minority. Within the area of the other Euroregions functioning along the border of the Republic of Poland, representatives of national and ethnic minorities live in smaller clusters.

In 1991, the governments of the Republic of Poland and of the Federal Republic of Germany set up a Polish-German Intergovernmental Commission for Regional and Cross Border Cooperation which coordinates cooperation and develops solutions to improve its conditions in the border region in many areas of economic activity and interpersonal relations.

Article 19

The Parties undertake to respect and implement the principles enshrined in the present Framework Convention making, where necessary, only those limitations, restrictions or derogations which are provided for in international legal instruments, in particular the Convention for the Protection of Human Rights and Fundamental Freedoms, in so far as they are relevant to the rights and freedoms flowing from the said principles.

Article 2 of the Act on national and ethnic minorities and on the regional language introduced the definition of a national and ethnic minority.

PART III: Authorities and institutions responsible for the implementation of the policy towards minorities and actions undertaken by them

The activities of the Polish Government are aimed not only at ensuring representatives of national and ethnic minorities their rights, but also at strengthening the spirit of tolerance, and intercultural dialogue to promote mutual respect, understanding and cooperation, creating conditions for the dissemination of culture and cultural identity of minorities in accordance with the best traditions of the Republic of Poland, as well as at promoting openness and tolerance in the Polish society, in particular among young people.

In accordance with the provisions of Article 21 of the Act on national and ethnic minorities and on the regional language, the minister competent for religious denominations and national and ethnic minorities is competent in matters covered by the Act⁵³. Thus, the minister who is in charge of this department of administration, is responsible for the issues of national and ethnic minorities. Under the Ordinance of the Prime Minister of 20 November 2015 on the establishment of the Ministry of the Interior and Administration (Journal of Laws of 2015, item 1946), the Ministry of the Interior was transformed into the Ministry of the Interior and Administration. This transformation involved adding to the remit of the Ministry of the Interior and Administration the organisational units of the previous Ministry of Administration and Digitisation which deal with matters of public administration, as well as religious denominations, and national and ethnic minorities. Therefore, depending on the period when the activity being described took place (either before or after 15 November 2015) – the reporting body is either the Ministry of Administration and Digitisation (until 15 November 2015) or the Ministry of the Interior and Administration (after 15 November 2015).

⁵³ According to the Constitution of the Republic of Poland, ministers are in charge of the departments of government administration. Each minister may be in charge of one or several departments. The Act of 4 September 1997 on government administration departments (Journal of Laws of 2007, No 65, item 437, as amended) lists all departments of government administration and defines the scope of competence of the ministers in charge of particular departments.

The Act *on national and ethnic minorities and on the regional language*, which identified the minister competent for religious denominations and national and ethnic minorities as the leading authority for minority issues, simultaneously imposed an obligation on all the bodies of public authority of the Republic of Poland to undertake proper measures to support the activity aiming at the protection, maintenance and development of cultural identity of minorities. These bodies undertake measures within their competence to ensure proper implementation of rights enjoyed by national and ethnic minorities and promotion of mutual tolerance and cooperation in the spirit of cultural identity and centuries-old heritage of the multicultural and multinational Poland.

A particularly important role in implementing measures in support of minorities is, apart from the minister mentioned, played by: the National and Ethnic Minorities Committee of the Sejm of the Republic of Poland, the Joint Commission of the Government and National and Ethnic Minorities, the Commissioner for Human Rights as well as the Government Plenipotentiary for Equal Treatment. Apart from them, among the main bodies and institutions responsible for the implementation of the State policy concerning national and ethnic minorities, the Minister of National Education, Minister of Culture and National Heritage and the Head of the Institute of National Remembrance should be mentioned.

I. The Minister of the Interior and Administration

Based on the provisions of § 1(2) of the Ordinance of the Prime Minister of 17 November 2015 *on the detailed scope of competence of the Minister of the Interior and Administration* (Journal of Laws, items 1897 and 2088), government administration departments such as

- public administration,
- internal affairs,
- religious denominations, and national and ethnic minorities are managed by the Minister of the Interior and Administration (until 15 November 2015, the minister competent for cases managed by the department of religious denominations and national and ethnic minorities was the Minister of Administration and Digitalization). By carrying out the tasks of the State related to the preservation and development of cultural identity of national and ethnic minorities and to the preservation and development of the regional language, the Minister of the Interior and Administration in particular:

- supports the execution of the minorities' rights and needs through undertaking measures and initiating programmes concerning:

- a) the preservation and development of identity, culture and language of the minority, as well as ensuring full civic integration for people belonging to minorities,
- b) the implementation of the equal treatment principle irrespective of the ethnic origin,
 - cooperates with the competent authorities in charge of the prevention of minorities' rights violation,
 - analyses and assesses legal and social situation of minorities, including compliance with the equal treatment principle irrespective of ethnic origin,

- disseminates knowledge about the minorities and their culture and initiates surveys on the situation of minorities, including discrimination resulting from belonging to a minority, its manifestations, as well as methods and strategies of preventing it,▪ undertakes measures aimed at the preservation and development of regional language.

Moreover, Article 31(3) of the *Act on national and ethnic minorities and on the regional language* imposes upon the minister competent for religious denominations and national and ethnic minorities (*i.e.* the Minister of the Interior and Administration) the obligation to prepare, at least once every two years, a report on the situation of minorities in the Republic of Poland and to submit it for approval of the Council of Ministers.

It should be pointed out that the list of tasks and competences presented above is open and all issues connected with the sphere of the state's activity for preservation and development of cultural identity of minorities remain within the competence of the minister competent for religious denominations and national and ethnic minorities.

The Ministry of the Interior and Administration provides support to the minister competent for religious denominations and national and ethnic minorities. The structure of the Ministry of the Interior and Administration includes the Department of Religious Denominations and National and Ethnic Minorities where the tasks in support of minorities are implemented by the Division for National and Ethnic Minorities⁵⁴. The Department of Religious Denominations and National and Ethnic Minorities of the Ministry of the Interior and Administration continues the tasks previously carried out within the Ministry of Administration and Digitisation.

The scope of activity of the Department of National and Ethnic Minorities includes:

- 1) the development of proposals for the state policy with regard to national and ethnic minorities and regional language, in cooperation with other public administration bodies,
- 2) the development and coordination of programmes for national and ethnic minorities and regional language,
- 3) monitoring of programmes referred to in Paragraph 2 as well as drafting analyses and opinions concerning their implementation,
- 4) drafting proposals of solutions to problems reported by the organisations of national and ethnic minorities and the community using the regional language,
- 5) undertaking actions aimed at respecting the rights of people belonging to national and ethnic minorities as well as people using the regional language,
- 6) cooperation with central and local government bodies to take into account the local needs of national and ethnic minorities and the community using the regional language,
- 7) the development and issuance of opinions on draft legal acts concerning national and ethnic minorities and regional language (without prejudice to specific competences of Legal Regulations Department),
- 8) substantive, organisational and technical support for the Joint Commission of the Government and National and Ethnic Minorities, including preparation of materials for the Commission's meetings and taking minutes from these meetings,
- 9) keeping the Official Register of Communes where a supporting language is used,

⁵⁴ Order No 28 of the Director-General of the Ministry of the Interior and Administration of 7 April 2016 on the approval of the internal organisational regulations of the Department of Religious Denominations and National and Ethnic Minorities of the Ministry of the Interior and Administration.

- 10) keeping the Register of Communes where place-names in a minority language are used,
- 11) day-to-day contact with social organisations of national and ethnic minorities and the community using the regional language,
- 12) preparation of information and analyses concerning national and ethnic minorities and the regional language,
- 13) preparing materials associated with the cooperation with institutions and organisations supporting national and ethnic minorities and the regional language within the European Commission, the Council of Europe and the Organisation for Security and Cooperation in Europe,
- 14) the development of materials for the draft budget bill in the scope of issues concerning national and ethnic minorities and regional language, as well as the coordination of the preparation of materials for the draft budget bill in the scope of the Department's competence,
- 15) coordinating the monitoring of the State budget implementation in part 43 – religious denominations, and national and ethnic minorities, as well as monitoring of the implementation of State budget specific-purpose provisions remaining within the competence of the minister competent for religious denominations, and national and ethnic minorities,
- 16) coordinating the cooperation with the competent organisational unit of the Ministry of the Interior and Administration State managing financial affairs of the financial and accounting services in part 43 – religious denominations, and national and ethnic minorities, as well as State budget specific provisions remaining within the competence of the minister competent for religious denominations, and national and ethnic minorities (except for tasks under the competence of the Legal Regulations Department and the Register of Churches and Other Religious Associations Department),
- 17) substantive support and participation in meetings and works of the Polish-German Round Table,
- 18) preparation and sharing of information resources in the central public repository of information
in the scope of information on national and ethnic minorities,
- 19) handling cases related to the distribution and submission of subsidies for tasks aimed at preservation and development of cultural identity of national and ethnic minorities as well as the preservation and development of the regional language, hereinafter referred to as 'tasks', in particular:
 - a) drawing up draft information concerning the distribution and submission of subsidies for tasks,
 - b) assessment of applications for subsidies for the implementation of tasks,
 - c) participation in the works of the Committee deciding on the selection of applications for subsidies for the implementation of tasks,
 - d) based on the minutes from the meetings of the Committee referred to in point (c), drawing up draft distribution of subsidies for tasks;
- 20) preparing draft agreements for tasks' implementation,
- 21) maintaining databases concerning subsidies referred to in point 19,
- 22) formal and substantial assessment of the implementation of tasks for which subsidies were granted,

- 23) handling affairs connected with archiving the documentation of the Division,
- 24) providing answers and explanations concerning provisions of the legal acts remaining in the competence of the Division.

II. The Sejm National and Ethnic Minorities Committee

The National and Ethnic Minorities Committee of the Sejm of the Republic of Poland has existed since 1989. Cases concerning the preservation of the cultural heritage of national, ethnic and linguistic minorities as well as their rights' protection and the implementation of the principle of equal treatment of persons regardless of ethnic origin, racial origin and nationality. The Committee undertakes measures consisting in:

1. co-creation of the legislation concerning national and ethnic minorities,
2. analysis of problematic issues,
3. consultations and meetings with minorities,
4. interventions.

Committee meetings (also off-site) on problems of particular national and ethnic minorities are held periodically.

In the period between January 2013 and December 2014 (7th term of the Polish Sejm), the Committee gathered 55 times. It adopted five opinions and six desiderata. In the period between January and October 2015, the Committee held 21 meetings, including two off-site, and adopted one opinion, whereas during the 8th term of the Sejm of the Republic of Poland (November 2015 – December 2016), the Committee held 30 meetings (including four off-site) and adopted one opinion and two desiderata.

In its activities, the Committee focuses mainly on monitoring the implementation of the rights held by national and ethnic minorities. The Committee meets with the representatives of national and ethnic minorities, getting acquainted with the situation of individual minorities, analysing the problems reported by them and undertaking concrete interventions.

III. Joint Commission of the Government and National and Ethnic Minorities

The Joint Commission of the Government and National and Ethnic Minorities was established under Article 23(1) of the Act on national and ethnic minorities and on the regional language as a consultative and advisory body of the Prime Minister.

In particular, the tasks of the Joint Commission include the following:

- expressing opinions on the exercise of minority rights and needs, including assessment of the way these rights are exercised, and proposing actions to ensure the exercise of minority rights and needs,
- voicing opinions on programmes meant to serve for creating conditions conducive to the maintenance and development of a minority's cultural identity,
- voicing opinions on draft legal acts concerning minorities,

- voicing opinions on the amount and principles of distributing State budget funds allocated for supporting activities aimed at protection, maintenance and development of cultural identity of minorities and at preservation and development of a regional language;
- taking measures to counteract discrimination against persons belonging to a minority.

The Joint Commission comprises representatives of: the minister competent for religious denominations and national and ethnic minorities, minister competent for public administration, minister competent for culture and preservation of national heritage, minister competent for education and upbringing, minister competent for public finance, minister competent for labour, the Minister of Justice, minister competent for internal affairs, minister competent for social insurance, minister competent for foreign affairs, minister competent for higher education, the President of Statistics Poland, the President of the Institute of National Remembrance, the Head of the Chancellery of the Prime Minister and the representatives of national minorities (Armenian, Belarusian, Czech, German, Jewish, Lithuanian, Russian, Slovak, and Ukrainian) and ethnic minorities (Karaim, Lemko, Roma, Tatar), as well as representatives of the community using the regional language (Kashubian). The Prime Minister shall, on the motion of the minister competent for religious denominations and national and ethnic minorities, appoint and dismiss members of the Joint Commission. The Joint Commission is co-chaired by: a representative of the minister competent for religious denominations and national and ethnic minorities and a representative of minorities and the community using the regional language.

According to the *Act on national and ethnic minorities and on the regional language*, in order to appoint members of the Joint Commission being representatives of minorities and the community using the regional language, the minister competent for religious denominations and national and ethnic minorities requests the organisations of particular minorities and the community to nominate the agreed candidates for the Commission. Next, the Minister submits the proposal to the Prime Minister to appoint members of the Commission. The costs of functioning of the Joint Commission are covered from the State budget, while organizational and technical support to the Commission's work is ensured by the office of the minister competent for religious denominations and national and ethnic minorities.

According to the Act, the opinions of the Commission are submitted to the Prime Minister and the Council of Ministers. The Joint Commission may also request institutions, scientific circles and social organisations to deliver information and to present their views. It may invite representatives of local government units, social organisations and scientists to participate in its works.

The Commission annually draws up its opinions on issues such as the principle of distribution of subsidies granted by the minister competent for religious denominations and national and ethnic minorities as well as draft legal acts on education of national and ethnic minorities. Furthermore, the Joint Commission voices its opinion on all draft legal acts which may affect the situation of national and ethnic minorities and their exercising of the rights granted them, such as the draft Act on the ratification of the *European Charter for Regional or Minority Languages*. In the years 2013–2014, the Joint Commission of the Government and National and Ethnic Minorities issued 41 opinions. In 2013, 11 opinions were issued, while in 2014 – 30 opinions. In 2015, the Commission issued 26 opinions, while in 2016 – 21 opinions and one view of minority party on the planned changes of administrative borders of Opole.

In its works, the Joint Commission puts a lot of emphasis on questions related to teaching national and ethnic minority languages and regional languages. During its meetings, the Commission discussed such issues as preschool education, minority philology, appointing cultural institutions, methodological support for teaching minorities, core curricula for teaching minority languages and preparing school and preschool curricula. The Joint Commission is interested also in questions of preserving and developing a network of minority schools.

The Joint Commission has repeatedly discussed historical issues regarding relations between the Polish State and national and ethnic minorities. The question of commemorating memorial sites, which was intensely debated several times, is particularly important in this scope. The impact assessment of 'Wisła' campaign was one of the subjects of lively discussions between the Joint Commission members. As part of its works, the Joint Commission is also interested in the activity of the Institute of National Remembrance in relation to issues concerning national and ethnic minorities.

The Joint Commission is keenly interested also in the implementation process of the Act *on national and ethnic minorities and on the regional language*. During its meetings, also reports regarding the operations of the voivodes' plenipotentiaries for national and ethnic minorities are presented.

The Joint Commission deals also with Poland's respecting the provisions of international conventions protecting minorities and discusses the activities of individual resorts in support of national and ethnic minorities.

The inaugural meeting of the Joint Commission of the Government and National and Ethnic Minorities took place on 21 September 2005. Until the end of 2014, the Joint Commission met in full 47 times (in 2005 – 1, in 2006 – 3, in 2007 – 2, in 2008 – 7, in 2009 – 6, in 2010 – 6, in 2011 – 5, in 2012 – 6, in 2013 – 5, in 2014 – 6). In 2015, 6 meetings were held, and in 2016 – 5. Moreover, the Co-Chairperson of the Joint Commission, being a representative of minorities and the community using the regional language, repeatedly used the possibility of convening meetings attended only by representatives of the minority party.

One of the groups of the Joint Commission is the Group for Roma issues. Apart from the representatives of government administration, it is constituted by 20 persons representing Roma minority organisations indicated by two representatives of this minority on the Joint Commission. Moreover, external experts originating from scientific circles, social organisations and institutions the aim of which is social integration of the Roma, are invited to participate in the Group's meetings. The Group for Roma issues KWRiMNiE serves as a forum which enables the exchange of information on issues concerning the problems of the Roma ethnic minority, is an entity working on the development of proposals of actions which are meant to improve the situation of this minority in Poland.

IV. The Commissioner for Human Rights

Protecting the rights of national and ethnic minorities remains one of the priorities of the activity of the Commissioner for Human Rights. The Commissioner gives particular attention to the execution by the minorities of the rights conferred upon them in the Act of 6 January 2005 *on regional and ethnic minorities and on the regional language*, i.e. broadly speaking, the rights concerning the preservation or development of minorities' culture and heritage.

The Act of 3 December 2010 on the implementation of certain European Union provisions on equal treatment, implementing EU anti-discrimination provisions, also entrusted the Commissioner, as an independent body, with tasks related to the observance of the principle of equal treatment. In this field, the basic responsibilities of the Commissioner also include preventing any racist or xenophobic behaviour, notably when such behaviour fulfils the characteristics of offences motivated by prejudice on the grounds of national/ethnic origin or religion.

Since 2011 until the end of 2015, the matters concerning national and ethnic minorities' rights protection remained within the competence of the Team for Administrative and Economic Law in the structure of the Office of the Commissioner for Human Rights. Tasks related to counteracting discrimination were carried out at that time first by the Team for Constitutional and International Law, and then by the Team for Equal Treatment and Protection of Rights of Persons with Disabilities. Since the end of 2015, the matters falling into both categories have remained within the scope of competence of the Team for Equal Treatment and the Department of Migrants and National Minorities Rights, which operates within its structure. This Department examines complaints addressed to the Commissioner for Human Rights about compliance with the rights of national and ethnic minorities, discrimination based on race, nationality, ethnic origin or religion, as well as hate crime. Department staff members also represent the Commissioner in relations with non-governmental organisations associating persons belonging to national and ethnic minorities, as well as other entities dealing with minority issues, including the Ministry of the Interior and Administration, the Joint Commission of the Government and National and Ethnic Minorities, or the National and Ethnic Minorities Committee of the *Sejm* of the Republic of Poland. It should be noted, however, that the complaint registration system operating in the Office of the Commissioner for Human Rights does not process information on the nationality or ethnic origin of complainants or persons affected by complaints. Therefore, it is not possible to provide exact information on the number of complaints addressed to the Commissioner by members of individual national or ethnic minorities. Undoubtedly, however, the cases conducted by the Commissioner for Human Rights in the relevant area have been dominated for many years now by cases involving the protection of the rights of the Roma minority. This is due to the particular disadvantage of this minority, often incomparable to other groups of citizens, also compared to the other minorities. Persons belonging to the Roma minority, if only because of stereotypes existing in Polish society, are particularly vulnerable to discrimination and other violations of rights and freedoms, also in relations with public administration authorities. In the recent years, the number of complaints submitted to the Commissioner by the Ukrainian minority has also increased. Some of these complaints concern recurring cases of destruction of Ukrainian graves and memorials, located mainly in eastern voivodeships. The Commissioner has been also receiving more and more frequent signals from the Ukrainian community about a growing threat from anti-Ukrainian individuals or groups.

V. The Government Plenipotentiary for Equal Treatment

The Government Plenipotentiary for Equal Treatment, according to the its scope of competence established in the Act of 3 December 2010 *on the implementation of certain European Union provisions on equal treatment* (Journal of Laws 2016, item 1219) is responsible for implementing the government's policy on equal treatment, including combating discrimination, in particular on grounds of sex, race, ethnic origin, nationality, religion, philosophy of life, age, disability and sexual orientation.

The Plenipotentiary is in particular responsible for:

- drafting and giving opinions on legal act drafts related to the equal treatment rule;
- carrying out analyses and evaluating legal solutions with respect to the equal treatment rule observance and submitting to the competent authorities requests to publish or amend legislation concerning the matters that fall within the scope of competence of the Plenipotentiary;
- taking action to eliminate or limit the effects of breach of the equal treatment rule;
- carrying out analyses and evaluation of the legal and social situation as regards equal treatment and initiating, implementing, coordinating or monitoring action aimed at ensuring equal treatment as well as protection against discrimination, ▪ monitoring the observance of the equal treatment rule;
- promoting, popularising and highlighting the issues of equal treatment;
- cooperating with national social organisations, including trade unions and organisations of employers.

The Plenipotentiary drafts and submits to the Council of Ministers a National Action Plan for Equal Treatment, which identifies the objectives and priorities of measures promoting equal treatment.

In order to facilitate the implementation of the principle of equal treatment compliant with the principle of horizontality, coordinators and voivodes' plenipotentiaries for equal treatment have been appointed on the initiative of the Government Plenipotentiary for Equal Treatment in Central and Voivodeship Offices, respectively. The network of coordinators and plenipotentiaries was established to fulfil one of the tasks under the National Action Programme on Equal Treatment for 2013–2016.

By the end of 2014, coordinators for equal treatment were appointed in 13 ministries (out of the 17 existing ministries), Chancellery of the Prime Minister and Statistics Poland, and the plenipotentiary for equal treatment was appointed in the uniformed services reporting to the Ministry of the Interior. 13 voivodes' plenipotentiaries for equal treatment were also appointed, with the remaining 3 Voivodeship Offices appointing persons or divisions to implement similar tasks.

VI. Ministry of National Education

The rights of minority members to learn the minority language or to be taught in the minority language, as well as their rights to learn the history and culture of the minority are ensured following the provisions and procedures laid down in the Act of 7 September 1991 *on the school education system*. According to Article 17 of the Act *on national and ethnic minorities and on the regional language* these issues were entrusted to the Ministry of National Education, which actually does not include a specialised unit for national minorities and their matters are handled by the Department of General Education. Depending on their type, the matters of national minorities are also handled by other departments of the Ministry of National Education.

Moreover, the Central Examination Board employs a person whose responsibilities include addressing issues associated with minorities.

VII. Voivodes

The *Act on national and ethnic minorities* explicitly laid down the scope of Voivode's tasks associated with the protection of the rights of national and ethnic minorities. Voivode's tasks are listed in Article 22 and include:

- coordination of action taken in the territory of the voivodeship by government administration authorities fulfilling tasks aimed at supporting minorities;
- taking action to ensure that the rights of minorities are respected and counteracting infringement of these rights and discrimination of minority members;
- taking action to solve minority problems;
- taking action to ensure that the rights of persons using the regional language are respected.

Furthermore, on the basis of Article 32 of the Act, the government administration and local government bodies as well as non-governmental organisations are required to submit to the Voivode, to obtain his opinion, the documents concerning programmes related to minorities or the preservation and development of the regional language implemented with their participation within the voivodeship and financed fully or partly from the public budget.

The *Act on national and ethnic minorities and on the regional language* also enabled Voivodes to establish the plenipotentiary for national and ethnic minorities. In this case, Article 18(1) of the Act of 23 January 2009 *on the Voivode and government administration in the voivodeship* (Journal of Laws of 2015, item 525) does not apply. Currently, the Voivode plenipotentiaries for national and ethnic minorities operate in all 16 voivodeships.

VIII. Group for the Protection of Human Rights of the Ministry of the Interior and Administration / Division for European Migration Network and Preventing Trafficking in Human Beings of the Analysis and Migration Policy Department of the Ministry of the Interior and Administration

Pursuant to Order No 26 of the Director-General of the Ministry of the Interior of 23 December 2011 on the approval of the internal organisational regulations of the Department of Control, Complaints and Petitions of the Ministry of the Interior, for some part of the period covered by this report (January 2015 – October 2016) the Group for the Protection of Human Rights operated in the Department of Control, Complaints and Petitions of the Ministry of Interior. The scope of the Group's tasks included:

- analysing the development of international human rights standards in relation to matters falling within the scope of the government department headed by the Minister, initiating and implementing programmes and strategies to protect human rights in this area, and initiating legislative and organisational changes to ensure compliance of Polish solutions with these standards,
- taking steps to ensure an adequate level of protection of human rights during the implementation of the tasks by the offices supporting the bodies and heads of organizational units reporting to or supervised by the Minister,

- monitoring cases related to hate crime-related phenomena, as well as taking steps to prevent them from occurring,
- cooperating with the authorities and units reporting to or supervised by the Minister, other governmental bodies, institutions and non-governmental organizations for the protection of human rights and preventing hate crime,
- participating in the work of national and international institutions dealing with the protection of human rights and the fight against and prevention of hate crime,
- monitoring, and where appropriate, coordinating the implementation in the Ministry of the Interior, and in particular in the Police and Border Guard, of training programmes in the field of human rights issue, as well as preparing for these entities and updating teaching materials related to the protection of human rights,
- preparing information for international reports on Poland's implementation of the provisions of international conventions in the field of action for the protection of human rights within the competence of the Minister,
- handling cases related to the supervision by the Minister of the way the Police and Border Guard carry out activities resulting from the judgments of the European Court of Human Rights,
- handling cases related to the supervision by the Minister over the Police and the Border Guard with respect to transmitting to the Independent Institutions Examining Police Misconduct of the complaints and other non-complaint information filed on these services.

Since 17 October 2016, as a result of organisational changes undertaken in the Ministry of the Interior and Administration, the tasks of the Group for the Protection of Human Rights were taken over by the Division for European Migration Network and Preventing Trafficking in Human Beings of the Analysis and Migration Policy Department of the Ministry of the Interior and Administration. In line with the wording of Order No 75 of the Director-General of the Minister of the Interior and Administration of 2 November 2016 *on the approval of the internal organisational regulations of the Analysis and Migration Policy Department*, this Department is entrusted with such tasks as conducting cases that involve observing phenomena related to hate crime based on racism, xenophobia or intolerance, including:

- taking steps to prevent this kind of phenomena,
- cooperation with authorities and organisational units reporting to or supervised by the Minister, other government bodies and NGOs,
- collecting information and data on hate crime.

Part IV: Data concerning criminality

Extract from the provisions of the Criminal Code regarding offences on racist or xenophobic grounds committed against persons belonging to national and ethnic minorities.

According to Article 53 of the *Criminal Code*, racist or xenophobic motifs are considered an aggravating circumstance while issuing a sentence. The appropriate provisions state as follows:

Article 53 § 1. The court shall impose the penalty at its discretion, within the limits provided for by law, making sure that its severity does not exceed the degree of guilt, taking into account the social harmfulness of the deed, and taking into account the objectives of prevention and education, which are expected to be reached in relation to the offender, and the needs in the field of shaping of public legal awareness.

§ 2 In imposing sentence, the court takes into account in particular the motivation and behaviour of the offender, committing criminal offense together with a minor, the nature and extent of violated duties imposed on the offender, the nature and size of the negative consequences of the crime, characteristics and personal circumstances of the offender, the way of life before commission of the offence, and behaviour after its commission, and especially efforts to repair damages or to compensate in some form a sense of social justice, as well as the behaviour of the victim.

Article 115 § 2. In assessing social harmfulness of the deed, court takes into account the type and nature of the violated good, the size of caused or threat of harm, the manner and circumstances of the committed offence, the seriousness of violated duties by the offender, as well as the form of intention, offender's motivation, type of violated rules of prudence and the degree of their violation.

Article 118 § 1. Whoever, acting with an intent to destroy in full or in part, any ethnic, racial, political or religious group, or a group with a different perspective on life, commits homicide or causes a serious detriment to the health of a person belonging to such a group, shall be subject to the penalty of deprivation of liberty for a minimum term of 12 years, the penalty of deprivation of liberty for 25 years or the penalty of deprivation of liberty for life.

§ 2 Whoever, with the intent specified under § 1, creates, for persons belonging to such a group, living conditions threatening it with biological destruction, applies means aimed at preventing births within this group, or forcibly removes children from persons belonging to such group, shall be subject to the penalty of deprivation of liberty for a minimum term of 5 years or the penalty of deprivation of liberty for 25 years.

§ 3. Whoever makes preparation to commit the offence specified under § 1 or 2, shall be subject to the penalty of deprivation of liberty for a minimum term of 3 years.

Article 119 § 1. Whoever uses violence or makes unlawful threat towards a group of persons or towards an individual, because of their national, ethnic, political or religious affiliation, or because of their lack of religious denomination, shall be subject to the penalty of deprivation of liberty for a term of between 3 months and 5 years.

Article 256⁵⁵ § 1. Whoever publicly promotes a fascist or other totalitarian system of state or incites hatred based on national, ethnic, race or religious differences or for reason of lack of any religious denomination shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

⁵⁵ Until 7 June 2010, the aforementioned provision read as follows:

Article 256. Whoever publicly promotes a fascist or other totalitarian system of state or incites hatred based on national, ethnic, race or religious differences or for reason of lack of any religious denomination shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

§ 2 Whoever produces, records or imports, acquires, stores, owns, presents, transports or sends hard copies, recordings or other carriers containing the above-mentioned content in order to disseminate it, shall be subject to the penalty specified in § 1.

§ 3. Whoever commits the prohibited act described in § 2 for artistic, educational, collection related or scientific purposes, shall not be held liable.

§ 4. Should a person be committed for a crime specified in § 2, a court shall adjudicate forfeiture of items referred to in § 2, even if such items do not belong to the perpetrator.

Article 257. Whoever publicly insults a group within the population or a particular person because of his/her national, ethnic, race or religious affiliation or because of his/her lack of any religious denomination or for these reasons breaches the personal inviolability of another individual, shall be subject to the penalty of deprivation of liberty for up to 3 years.

Examples of qualitative data on offences committed on racist or xenophobic grounds against persons belonging to national and ethnic minorities.

According to the statistical data obtained by the Ministry of Justice on perpetrators finally sentenced for selected crimes – *i.e.* Articles 119, 126, 256, 257 of the *Criminal Code*, the main offence (including Article 195 and Article 196 on crimes against freedom of conscience and religion) in the period 2012–2015, with particular emphasis on the type and gravity of the sentence imposed, the place of crime in individual years and the sex of the sentenced person, the number of perpetrators finally sentenced for hate crimes increased from 69 in 2012 to 241 in 2016 during the reporting period. It should be noted that Ministry of Justice, possessing quantitative/statistical data on crime on ethnic or racial grounds, points to their collective nature, which means that the data held do not allow for making precise estimates about the degree to which the ethnic or racial hatred crime affects national and ethnic minorities living in Poland.

It is also possible to seek protection against discrimination on the basis of the provisions of the *Civil Code*. The construction of personal rights protection serves this purpose. In the present legal status, this matter is regulated by the provision of Article 23 of the *Civil Code*. This provision defines personal interests by indicating an open catalogue of referents, such as dignity, freedom of conscience, surname or image. Protection of personal interests may be of non-contractual or contractual nature. Article 24. § 1. and 2. of the *Civil Code* stipulates that the person whose personal interests are threatened by another person's activity may demand the cessation of that activity unless it is not illegal. In the case of an infringement he/she may demand that the person who committed the infringement perform acts necessary to remove its effects and in particular to make a statement of appropriate content and in an appropriate form. On the terms provided for in the *Civil Code*, he/she may also demand pecuniary compensation or an appropriate sum of money paid to a specified public purpose (Article 448 of the *Civil Code*). If damage to property arose as a result of the violation of personal rights, the injured person may demand that it be redressed in accordance with general principles (Article 415 *et seq.* of the *Civil Code*).

CONCLUSION

In the period discussed in this Report, the legal situation of national and ethnic minorities and the community using the regional language remained stable. The legal regulations in force were based on the Act on National and Ethnic Minorities and on the Regional Languages (thanks to its

adoption in 2005, all principles included in the *Framework Convention* were implemented into the Polish legal system). In the period in question, the process of improving procedures for implementing the provisions of the Act was continued, so that the exercise of the rights for the persons concerned was facilitated as much as possible.