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Annexes 1-9  
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**ANNEXES TO THE  
SECOND REPORT SUBMITTED BY POLAND  
PURSUANT TO ARTICLE 25, PARAGRAPH 2  
OF THE FRAMEWORK CONVENTION FOR  
THE PROTECTION OF NATIONAL MINORITIES**

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### Legal status

Polish legislation specifies in detail the rights of national minorities. All provisions of the Convention are reflected in the Constitution of the Republic of Poland, international agreements ratified by Poland, and Polish Laws.

The most important rights of national and ethnic minorities are regulated by the following provisions:

- freedom to maintain and develop their own language – Article 35 (1) of the Constitution of the Republic of Poland, Article 8 and Chapter 4 of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141, as amended);
- freedom to maintain customs and traditions, and to develop their own culture – Article 35 (1) of the Constitution of the Republic of Poland, Articles 1-7 of the Act of 17 May 1989 on the Guarantees of the Freedom of Conscience and Faith, Chapter 3 of the Act on National and Ethnic Minorities and Regional Language;
- right to establish educational and cultural institutions, institutions designed to protect religious identity – Article 35 (2) of the Constitution, Article 13 of the Act of 7 September 1991 on the system of education, Act on the guarantees of the freedom of conscience and faith;
- right to participate in the resolution of matters connected with their national identity – Article 35 (2) of the Constitution, Articles 23-30 of the Act on National and Ethnic Minorities and Regional Language;
- right to use freely their minority language in public and private life – Article 27 of the Constitution, Article 2 of the Act of 7 October 1999 on the Polish language, Chapter 2 of the Act on National and Ethnic Minorities and Regional Language;
- right to spell their first and last names according to the spelling rules of their respective minority language – Article 7 of the Act on National and Ethnic Minorities and Regional Language;

- right to access to the public media - Article 54 of the Constitution, Article 21 (2) (9) of the Act on radio and television broadcasting;
- right to unrestrained performing of religious practices – Article 53 of the Constitution, Act on the guarantees of the freedom of conscience and faith;
- right to free contact with compatriots both home and abroad - bilateral treaties with the Federal Republic of Germany, Ukraine, the Republic of Belarus, and the Republic of Lithuania;
- ban on discrimination and existence of organizations whose programmes or activities sanction racial or national hatred – Article 13 of the Constitution, Article 6 of the Act on the guarantees of the freedom of conscience and faith, Articles 119, 256, 257 of the Penal Code, Articles 5 and 6 of the Act on National and Ethnic Minorities and Regional Language;
- electoral privileges for election committees of minority organisations – Article 134 of the Electoral Ordinance to the Sejm of the Republic of Poland and the Senate of the Republic of Poland;
- the right of association – Article 58 of the Constitution, Article 1 of the Act on associations;

# **EXTRACT OF KEY LEGAL REGULATIONS CONCERNING THE RIGHTS OF NATIONAL MINORITIES IN THE REPUBLIC OF POLAND**

## **CONSTITUTION OF THE REPUBLIC OF POLAND**

of 2 April 1997  
(Journal of Laws No 78, item 483, as amended)

### **Article 5**

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**

The organs of public authority shall function on the basis of, and within the limits of, the law.

### **Article 11**

1. The Republic of Poland shall ensure freedom for the creation and functioning of political parties. Political parties shall be founded on the principle of voluntariness and upon the equality of Polish citizens, and their purpose shall be to influence the formulation of the policy of the State by democratic means.
2. The financing of political parties shall be open to public inspection.

### **Article 12**

The Republic of Poland shall ensure freedom for the creation and functioning of trade unions, socio-occupational organizations of farmers, societies, citizens' movements, other voluntary associations and foundations.

### **Article 13**

Political parties and other organizations 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, shall be prohibited.

### **Article 25**

1. Churches and other religious organizations shall have equal rights.
2. Public authorities in the Republic of Poland shall be impartial in matters of personal conviction, whether religious or philosophical, or in relation to outlooks on life, and shall ensure their freedom of expression within public life.
3. The relationship between the State and churches and other religious organizations shall be based on the principle of respect for their autonomy and the mutual independence of each in its own sphere, as well as on the principle of cooperation for the individual and the common good.
4. The relations between the Republic of Poland and the Roman Catholic Church shall be determined by international treaty concluded with the Holy See, and by law.

5. The relations between the Republic of Poland and other churches and religious organizations shall be determined by laws adopted pursuant to agreements concluded between their appropriate representatives and the Council of Ministers.

#### **Article 27**

Polish shall be the official language in the Republic of Poland. This provision shall not infringe upon national minority rights resulting from ratified international agreements.

#### **Article 31**

1. Freedom of the person shall receive legal protection.
2. Everyone shall respect the freedoms and rights of others. No one shall be compelled to do that which is not required by law.
3. Any limitation upon the exercise of constitutional freedoms and rights may be imposed only by law, 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**

1. All persons shall be equal before the law. All persons shall have the right to equal treatment by public authorities.
2. No one shall be discriminated against in political, social or economic life for any reason whatsoever.

#### **Article 35**

1. The Republic of Poland shall ensure Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language, to maintain customs and traditions, and to develop their own culture.
2. 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.

#### **Article 52**

1. 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.
2. Everyone may freely leave the territory of the Republic of Poland.

#### **Article 53**

1. Freedom of conscience and religion shall be ensured to everyone.
2. 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.
3. Parents shall have the right to ensure their children a moral and religious upbringing and teaching in accordance with their convictions. The provisions of Article 48 (1) shall apply as appropriate.

4. The religion of a church or other legally recognized religious organization may be taught in schools, but other peoples' freedom of religion and conscience shall not be infringed thereby.

5. The freedom to publicly express religion may be limited only by means of law and only where this is necessary for the defence of State security, public order, health, morals or the freedoms and rights of others.

6. No one shall be compelled to participate or not participate in religious practices.

7. No one may be compelled by organs of public authority to disclose his philosophy of life, religious convictions or belief.

#### **Article 54**

1. The freedom to express opinions, to acquire and to disseminate information shall be ensured to everyone.

2. Preventive censorship of the means of social communication and the licensing of the press shall be prohibited. Laws may require the receipt of a permit for the operation of a radio or television station.

#### **Article 57**

The freedom of peaceful assembly and participation in such assemblies shall be ensured to everyone. Limitations upon such freedoms may be imposed by law.

#### **Article 58**

1. The freedom of association shall be guaranteed to everyone.

2. Associations whose purposes or activities are contrary to the Constitution or laws shall be prohibited. The courts shall adjudicate whether to permit an association to register or to prohibit an association from such activities.

3. Laws shall specify types of associations requiring court registration, a procedure for such registration and the forms of supervision of such associations.

#### **Article 60**

Polish citizens enjoying full public rights shall have a right of access to the public service based on the principle of equality.

#### **Article 70**

1. Everyone shall have the right to education. Education to 18 years of age shall be compulsory. The manner of fulfilment of schooling obligations shall be specified by statute.

(...)-

3. Parents shall have the right to choose schools other than public for their children. Citizens and institutions shall have the right to establish primary and secondary schools and institutions of higher education and educational development institutions. The conditions for establishing and operating non-public schools, the participation of public authorities in their financing, as well as the principles of educational supervision of such schools and educational development institutions, shall be specified by statute.

#### **Article 79**

1. 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.

**Article 80**

In accordance with principles specified by statute, everyone shall have the right to apply to the Commissioner for Citizens' Rights for assistance in protection of his freedoms or rights infringed by organs of public authority.

**Article 87**

1. The sources of universally binding law of the Republic of Poland shall be: the Constitution, laws, ratified international agreements, and regulations.
2. Enactments of local law issued by the operation of organs shall be a source of universally binding law of the Republic of Poland in the territory of the organ issuing such enactments.

**Article 91**

1. After promulgation thereof in the Journal of Laws of the Republic of Poland (Dziennik Ustaw), a ratified international agreement shall constitute part of the domestic legal order and shall be applied directly, unless its application depends on the enactment of a statute.
2. An international agreement ratified upon prior consent granted by statute shall have precedence over laws if such an agreement cannot be reconciled with the provisions of such statutes.
3. If an agreement, ratified by the Republic of Poland, establishing an international organization so provides, the laws established by it shall be applied directly and have precedence in the event of a conflict of laws.

**Article 208**

1. The Commissioner for Citizens' Rights shall safeguard the freedoms and rights of persons and citizens specified in the Constitution and other normative acts.
2. The scope and mode of work of the Commissioner for Citizens' Rights shall be specified by statute.

**Article 213**

The National Council of Radio Broadcasting and Television shall safeguard the freedom of speech, the right to information as well as safeguard the public interest regarding radio broadcasting and television.

**ACT**  
of 6 January 2005  
**on National and Ethnic Minorities and Regional Language**  
(Journal of Laws No 17, item 141, as amended)

Chapter 1

**General provisions**

**Article 1**

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, and the observance of the principle of equal treatment of individuals irrespective of their ethnic descent; it also defines the tasks and powers of government administration agencies and of local government units in this regard.

**Article 2**

1. A national minority, as defined by this Act, shall be a group of Polish citizens who jointly fulfil the following conditions:

- (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 100 years;
- (6) identifies itself with a nation organized in its own state.

2. The following minorities shall be recognized as national minorities:

- 1) Byelorussians;
- 2) Czechs;
- 3) Lithuanians;
- 4) Germans;
- 5) Armenians;
- 6) Russians;
- 7) Slovaks;
- 8) Ukrainians;
- 9) Jews.

3. An ethnic minority, as defined by this Act, shall be a group of Polish citizens who jointly fulfil the following conditions:

- 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 100 years;
  - 6) does not identify itself with a nation organized in its own state.
4. The following minorities shall be recognized as ethnic minorities:
- 1) the Karaim;
  - 2) the Lemko;
  - 3) the Roma;
  - 4) the Tartar.

### **Article 3**

Whenever the Act mentions:

- 1) minorities, it shall be construed as national and ethnic minorities referred to in Article 2;
- 2) a minority language, it shall be construed as own language of the national or ethnic minority referred to in Article 2.

### **Article 4**

1. Every person belonging to a minority shall have the right to decide freely about being treated as belonging or not belonging to a minority, and the relevant choice or the enjoyment or non-enjoyment of the related rights shall not entail any adverse effects.
2. No-one shall be obligated, unless by virtue of a law, to reveal information on his/her belonging to a minority, origin, minority language or religion.
3. No-one shall be obligated to prove his/her belonging to a given minority.
4. 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.

### **Article 5**

1. The use of measures aimed at assimilation of people belonging to a minority against their will shall be prohibited.
2. The use of measures aimed at a change of national or ethnic proportions on the territories populated by minorities shall be prohibited.

### **Article 6**

1. Discrimination on account of one's belonging to a minority shall be prohibited.
2. Public authorities shall be obligated to take appropriate measures in order to:
  - 1) foster full and real equality in the sphere of economic, social, political and cultural life between persons belonging to a minority and persons belonging to the majority;
  - 2) protect persons who are an object of discrimination, hostility or violence because of their belonging to a minority;
  - 3) build up inter-cultural dialogue.

PROVISIONS CONCERNING PARTICIPATION IN PUBLIC LIFE

**ACT**

of 17 May 1989

**on the Guarantees of Freedom of Conscience and Faith**

(Journal of Laws of 2000 No 26, item 319, as amended)

**Article 1**

1. The Republic of Poland shall guarantee every citizen the freedom of conscience and faith.
2. The freedom of conscience and faith shall include the freedom to choose religion and convictions and express them individually and collectively, in private and in public.
3. Citizens being believers of all faiths and non-believers shall have equal rights in state, political, economic, social and cultural life.

**Article 2**

Enjoying their freedom of conscience and faith, citizens may, in particular,

- 1) establish religious congregations and communities hereinafter referred to as “churches and other religious associations”, established for the purpose of practising and propagating religious faith, possessing their own system, doctrine and rites,
- 2) in accordance with the principles of their religion, participate in religious practices and ceremonies, fulfil their religious obligations and celebrate religious holidays,
- 2a) in accordance with the principles of their religion, participate in religious practices and ceremonies, fulfil their religious obligations and celebrate religious holidays,
- 3) profess its religion or faith,
- 4) raise children in accordance with their religious beliefs,
- 5) keep silence in matters connected with their religion or convictions,
- 6) maintain contacts with co-believers, also participate in the works of international religious organisations,
- 7) use sources of information concerning religion,
- 8) manufacture and purchase objects necessary for religious worship or practices and use them,
- 9) manufacture and purchase objects necessary for religious worship or practices and use them,
- 10) chose priesthood or ministry,
- 11) become members of secular organisations for the purpose of realisation of tasks resulting from the practised religion or religious beliefs,
- 12) be buried in accordance with the followed religious rules or religious beliefs.

### **Article 3**

1. External expression, individually or collectively, of a person's religion or convictions may only be subject to statutory limitations necessary for the protection of public security, order, health or public morals or fundamental rights and liberties of other persons.
2. Enjoyment of the freedom of conscience and faith may not lead to evading the performance of public obligations imposed by statutes.
3. On grounds of their religious beliefs and moral principles, citizens may apply to be delegated to do substitute military service, on the conditions specified in the Act on substitute military service (Journal of Laws No 223, item 2217 and of 2005 No 180, item 1496).

### **Article 4**

1. The right, referred to in Article 2 (2) and the right to own and use objects necessary for religious worship and performance of religious practices, is also granted to persons:
  - 1) doing their military service or conscript military service in civil defence forces,
  - 2) staying in health care institutions (1) and social care institutions (2) and children and youth staying in domestic camps organised by state institutions,
  - 3) staying in penal institutions, correctional institutions and educational institutions, as well as in custody pending inquiry, social adaptation centres (3) and care centres for minors.
2. The method of exercising the rights specified in Paragraph 1 is regulated in separate laws and regulations issued on the basis thereof.

### **Article 5**

Citizens have the right to freely make donations for churches and other religious associations and charitable institutions and care centres.

### **Article 6**

1. No one may be discriminated against or privileged on grounds of religion or religious beliefs.
2. Citizens may not be forcibly prohibited from participating in religious practices or rites or forced to take part in them.

### **Article 7**

1. Foreigners staying on the territory of the Republic of Poland may enjoy the freedom of conscience and faith equally with Polish citizens.
2. The provision of Paragraph 1 shall apply to stateless persons accordingly.

### **Article 42**

1. Persons belonging to churches and other religious associations whose religious holidays are not public holidays, may, at their own request, be granted days off from work or school for the period of celebration of such holidays, in accordance with the requirements of their religion.
2. Minors may enjoy the right, referred to in Paragraph 1, at the request of their parents or legal guardians.
3. Days off from work or school, referred to in Paragraph 1 and 2, may be granted provided the time of absence is made up for without additional compensation for work on public holidays or in overtime hours.

4. The minister in charge of labour policy and the minister in charge of schooling and education, the minister in charge of higher education in co-operation with the minister in charge of religious beliefs<sup>(16)</sup> shall, by way of a statute, specify detailed conditions of granting days off from work or school, referred to in Paragraph 1 and 2.

## **ACT**

of 7 April 1989

### **on Associations**

(Journal of Laws of 2001 No 79, item 855)

#### **Article 1**

1. Polish citizens shall enjoy the right of membership associations, in accordance with the provisions of the Constitution and laws.
2. The right of membership in associations may be subject to limitations specified in laws only, to the extent necessary to ensure the state security, state interests or public order as well as to protect health or public moral or protect rights and freedoms of other people.

#### **Article 2**

Associations have the right to express their opinion in public matters.

## **ACT**

of 5 July 1990

### **Act on Assemblies**

(Journal of Laws No 51, item 297, as amended)

#### **Article 1**

1. Each person may enjoy the freedom of peaceful assembly.
2. An assembly is a gathering of at least 15 people, convened in order to confer over an issue or with an aim to express jointly their position.

## **ACT**

of 27 June 1997

### **on Political Parties**

(Journal of Laws of 2001 No 79, item 857, as amended)

#### **Article 2**

1. Citizens of the Republic of Poland who have attained the age of 18 may be members of political parties.
2. Prohibition of membership in political parties shall be specified in separate laws.

## **ACT**

of 12 April 2001

### **Electoral Ordinance to the Sejm of the Republic of Poland and the Senate of the Republic of Poland**

(Journal of Laws No 46, item 499, as amended)

#### **Article 134**

1. Electoral committees created by constituents being members of registered organisations of national minorities may enjoy the right of exemption for the lists of these electoral committees from the conditions specified in Article 133 (1), provided they submit a declaration in this respect to the State Electoral Commission, at the latest 5 days prior to holding the election. Apart from the declaration, referred to in the first sentence, the committee shall be obliged to submit a document issued by the competent statutory authority of the national minority organisation confirming the establishment of the committee by constituents being members of this organisation.
2. The State Electoral Commission shall immediately acknowledge the receipt of the declaration, referred to in Paragraph 1. The acknowledgement of the declaration shall be binding.

## **ACT**

of 6 January 2005

### **on National and Ethnic Minorities and Regional Language**

(Journal of Laws No 17, item 141, as amended)

#### **Article 23**

1. There shall be appointed a Joint Commission of Government and National and Ethnic Minorities as the Prime Minister's consultative body, hereafter called "Joint Commission."
2. The tasks of the Joint Commission shall include:
  - 1) expressing opinions on the exercise of minority rights and needs, including an assessment of the way these rights are exercised, and proposing actions to ensure the exercise of minority rights and needs;
  - 2) voicing opinions on programmes meant to serve conditions conducive to the maintenance and development of a minority's cultural identity, and the preservation and development of a regional language;
  - 3) voicing opinions on draft laws concerning minorities;
  - 4) voicing opinions on the amount and the principles of the distribution of the budgetary funds allocated to the support for activities aimed at protection, maintenance and development of the cultural identity of minorities and at the preservation and development of a regional language;
  - 5) taking measures to counteract discrimination against persons belonging to a minority.
3. In order to execute its tasks the Joint Commission shall:

- 1) cooperate with agencies of government administration and of local government, and with social organizations interested;
- 2) be free to seek the opinion, position, evaluation or information particularly from scientific institutions, centres and circles;
- 3) be free to seek cooperation of representatives of local government units, social organizations and scientific circles.

#### **Article 24**

1. The Joint Commission shall consist of:

- 1) representatives of government administration agencies:
  - (a) the competent minister in charge of religious denominations and national and ethnic minorities,
  - (b) the competent minister in charge of public administration,
  - (c) the competent minister in charge of culture and protection of national legacy,
  - (d) the competent minister in charge of education,
  - (e) the competent minister in charge of public finance,
  - (f) the competent minister in charge of labour affairs,
  - (g) the Minister of Justice,
  - (h) the competent minister in charge of internal affairs,
  - (i) the competent minister in charge of social security,
  - (j) the competent minister in charge of foreign affairs,
  - (k) the President of the Central Statistical Office,
  - (l) the Council for Preservation of Monuments to Struggles and Martyrdom,
  - (m) the Head of the Chancellery of the Prime Minister;
- 2) minority representatives:
  - (a) two representatives of the Byelorussian minority,
  - (b) one representative of the Czech minority,
  - (c) two representatives of the Lithuanian minority,
  - (d) two representatives of the German minority,
  - (e) one representative of the Armenian minority,
  - (f) one representative of the Russian minority,
  - (g) one representative of the Slovak minority,
  - two representatives of the Ukrainian minority,
  - (i) one representative of the Jewish minority,
  - (j) one representative of the Karaim minority,
  - (k) two representatives of the Lemko minority,
  - (l) two representatives of the Roma minority,
  - (m) one representative of the Tartar minority;
- 3) two representatives of the community using the language referred to in Article 19;
- 4) the Joint Commission's secretary who shall be an employee of the office of the competent minister in charge of religious denominations and national and ethnic minorities.

2. The Prime Minister shall, on the motion of the competent minister in charge of religious denominations and national and ethnic minorities, appoint and dismiss members of the Joint Commission.

3. The competent minister in charge of religious denominations and national and ethnic minorities shall notify the agencies referred to in Paragraph 1 (1) and minority organizations and

those of the community using the language referred to in Article 19 of his/her intention to put forward to the Prime Minister a motion referred to in Paragraph 2.

4. The agencies referred to in Paragraph 1 (1) shall put forward candidates for Joint Commission members to the competent minister in charge of religious denominations and national and ethnic minorities within 90 days from the day they received the notice referred to in Paragraph 3.

5. Particular minorities referred to in Article 2 and the community using the language referred to in Article 19 shall put forward their candidates for Joint Commission members, representing a given minority or community using the language referred to in Article 19, in the number settled for this minority or community in Paragraph 1 (2) or (3) respectively, to the competent minister in charge of religious denominations and national and ethnic minorities within 90 days from the day they received the notice referred to in Paragraph 3.

6. If within a deadline set in Paragraph 5, a minority or community using the language referred to in Article 19 does not put forward its candidates or puts forward a number of candidates different from the one settled for this particular minority in Paragraph 1 (2), and for the community—in Paragraph 1 (3), then the competent minister in charge of religious denominations and national and ethnic minorities shall ask for the opinion of this minority or community on his/her candidates for Joint Commission members, chosen from among representatives of this particular minority or community. In case this minority or community has not expressed its opinion within 30 days from the day the competent minister in charge of religious denominations and national and ethnic minorities put forward his/her candidates, the requirement to seek opinion shall be deemed satisfied.

7. In the motion referred to in Paragraph 2, the competent minister in charge of religious denominations and national and ethnic minorities shall put forward as candidates for members of the Joint Commission only persons nominated by the agencies referred to in Paragraph 1 (1), and by minorities or a community using the language referred to in Article 19, subject to Paragraph 6, and also a candidate for the post of the Joint Commission's secretary.

## **Article 25**

1. The competent minister in charge of religious denominations and national and ethnic minorities shall put forward a proposal to the Prime Minister to dismiss a member of the Joint Commission in case where:

- 1) a member of the Joint Commission has handed in his/her resignation;
- 2) an agency or minority or community using the language referred to in Article 19, whose representative a given member is, has put forward to the competent minister in charge of religious denominations and national and ethnic minorities a well-substantiated proposal to dismiss a given Joint Commission member;
- 3) a member has been convicted by a valid judgment of a court for a crime committed intentionally.

2. In case of death, membership of the Joint Commission expires.

3. In case of the expiry of membership of the Joint Commission or of the dismissal of a member, the Prime Minister, on a motion of the competent minister in charge of religious denominations and national and ethnic minorities, shall appoint a new member of the Joint Commission. Provisions of Article 24 (2-7) shall apply accordingly.

## **Article 26**

The Council of Ministers may, by way of regulation, include in the composition of the Joint Commission a representative of a government administration agency other than referred to in Article 24 (1) (1). Article 24 (2), (3), and (7) and Article 25 shall apply accordingly to the appointment and dismissal of a member of the Joint Commission.

## **Article 27**

1. A representative of the competent minister in charge of religious denominations and national and ethnic minorities and a representative of national or ethnic minorities and communities using the language referred to in Article 19, elected by the members of the Joint Commission referred to in Article 24 (1) (2) and (3), shall be the Joint Commission co-chairperson.
2. The co-chairpersons of the Joint Commission shall be appointed and dismissed by the Prime Minister on the motion of the competent minister in charge of religious denominations and national and ethnic minorities.

## **Article 28**

1. Meetings of the Joint Commission shall take place at least once every six months.
2. Meetings shall be convoked by the co-chairperson of the Joint Commission being a representative of the competent minister in charge of religious denominations and national and ethnic minorities, on his/her own initiative or on the initiative of the co-chairperson being a representative of the minority and community using the language referred to in Article 19.
3. In order to elaborate a joint position of the minority and community using the language referred to in Article 19, the co-chairperson who represents a given minority and a given community may convoke meetings attended solely by those members of the Joint Commission who are referred to in Article 24 (1) (2) and (3). The co-chairperson shall convey their position to the remaining members of the Joint Commission forthwith.
4. In order to assume a joint position of the government administration, the co-chairperson who represents the competent minister in charge of religious denominations and national and ethnic minorities may convoke meetings attended solely by those members of the Joint Commission who are referred to in Article 24 (1) (1). The co-chairperson shall convey their position to the remaining members of the Joint Commission forthwith.
5. The positions referred to in Paragraph 3 and 4, and also the opinions referred to in Article 23 (2) shall be conveyed to the Prime Minister and to the Council of Ministers forthwith.
6. The Prime Minister shall, by way of regulation, draw up detailed regulations pertaining to the Joint Commission's work.

## **Article 29**

1. Members of the Joint Commission shall not be entitled to remuneration on account of their Joint Commission membership.
2. The representatives of organizations of a minority and of the community using the language referred to in Article 19, who shall be engaged in the Joint Commission work, shall be entitled to reimbursement of travelling expenses and accommodation according to the principles defined in the relevant regulations concerning the amount and terms of fixing the dues to which an employee of a State or local-government unit financed by the State budget is entitled on account

of an official travel within the country, issued on the basis of Article 77 Article 2 of the Labour Code.

### **Article 30**

1. The office of the competent minister in charge of religious denominations and national and ethnic minorities shall ensure organizational and technical support to the Joint Commission's work.
2. The costs of the Joint Commission's operation shall be financed by the part of the State budget at the disposal of the competent minister in charge of religious denominations and national and ethnic minorities.

## **ACT**

of 29 August 1997

### **on the Protection of Personal Data**

(Journal of Laws of 2002 No 101, item 926, as amended)

### **Article 27**

1. The processing of personal data revealing racial or ethnic origin, political opinions, religious or philosophical beliefs, religious, party or trade-union membership, as well as the processing of data concerning health, genetic code, addictions or sex life and data relating to convictions, judgments on penalty, fines and other decisions issued in court or administrative proceedings is prohibited.
2. Processing of the data referred to in Paragraph 1 above shall not constitute a breach of the law where:
  - 1) the data subject has given his written consent, unless the processing consists in erasure of personal data;
  - 2) the provisions of other specific law provide for the processing of such data without the need to request the data subject's consent and provide for adequate safeguards;
  - 3) processing is necessary to protect the vital interests of the data subject or of another persons where the data subject is physically or legally incapable of giving his consent until the establishing of a guardian or a curator;
  - 4) processing is necessary for the purposes of carrying out the statutory objectives of churches and other religious unions, associations, foundations, and other non-profit-seeking organisations or institutions with a political, scientific, religious, philosophical, or trade-union aim and on the condition that the processing relates solely to the members of those organisations or institutions or to the persons who have a regular contact with them in connection with their purposes and subject to providing suitable safeguards of the processed data;
  - 5) processing relates to the data necessary for the establishment of legal claims;
  - 6) processing is necessary for the purposes of carrying out the obligations of the controller with regard to employment of his employees and other persons, and the scope of processing is provided by the law;
  - 7) processing is required for the purposes of preventive medicine, the provision of care or treatment, where the data are processed by a health professional subject involved in

- treatment, other health care services, or the management of health care services and subject to providing suitable safeguards;
- 8) the processing relates to those data which are manifestly made public by the data subject;
  - 9) it is necessary to conduct scientific researches including preparations of a thesis required for graduating from university or receiving a degree; any results of scientific researches shall not be published in a way which allows identifying data subjects;
  - 10) data processing is conducted by a party to exercise the rights and duties resulting from decisions issued in court or administrative proceedings.

## **ACT**

of 2 December 1999

### **on the National Population and Housing Census 2002**

(Journal of Laws of 2000 No 1, item 1, as amended)

#### **Article 5**

1. As part of the census, a check on nationality shall be performed, covering all persons subject to the census.
2. The check referred to in Paragraph 1 shall pose the following questions:
  - 1) what is the nationality of the person registered,
  - 2) what language is most frequently spoken at home.

## **REGULATION**

### **OF THE MINISTER OF SOCIAL POLICY AND THE MINISTER OF NATIONAL EDUCATION**

of 11 March 1999

#### **on days off work or school for persons belonging to churches and other religious associations for celebrating religious holidays other than public holidays**

(Journal of Laws No 26, item 235)

Pursuant to Article 42 (4) of the Act of 17 May 1989 on the guarantees of the freedom of conscience and faith (Journal of Laws No 29, item 155, of 1990 No 51, item 297, No 55, item 321 and No 86, item 504, of 1991 No 95, item 425, of 1993 No 7, item 34 and of 1998 No 59, item 375), we hereby order as follows:

#### **Article 1**

1. Employee who is a follower of a church or another religious association whose religious holidays are not public holidays shall submit the application for a day-off referred to in Article 42 (1) of the Act of 17 May 1989 on the guarantees of the freedom of conscience and faith (Journal of Laws No 29, item 155, of 1990 No 51, item 297, No 55, item 321 and No 86, item 504, of 1991 No 95, item 425, of 1993 No 7, item 34 and of 1998 No 59, item 375), hereinafter referred to as “the Act”, to the employer at least 7 days in advance. The employer shall notify the

employee of the conditions of making up for the granted day-off not later than 3 days before the day-off.

2. The provision of Paragraph 1 shall not apply to the religious holidays falling on a fixed day of each week. In order to allow the employee to celebrate such holidays, the employer, at his request, shall establish an individual schedule of working hours for him.

#### **Article 2**

1. A higher education institution student or a school student who is a follower of a church or religious association whose religious holidays are not public holidays shall submit the application for a day off study referred to in Article 42 (1) of the Act, to the school (or other educational and pedagogical entity or guardian and pedagogical entity) or higher education institution, hereinafter referred to as the “school”, according to the procedure adopted in that school at the beginning of a school (academic) year or during the course of study, but not later than 7 days before the planned day-off.

2. Upon granting a day-off study, the school shall also define the method of making up for the educational outstanding work caused by the day-off.

#### **Article 3**

On behalf of minors, the application for granting a day-off referred to in Article 1 (1) and in Paragraph 2 (1), shall be submitted by the parents or legal guardians.

#### **Article 4**

The Regulation of the Minister of Labour and Social Policy and the Minister of National Education of 12 November 1990 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 82, Item 481) shall hereby be revoked.

#### **Article 5**

This Regulation shall enter into force after 14 days from its publication.

### **PROVISIONS ON LANGUAGE**

#### **ACT**

of 7 October 1999

**on the Polish Language**

(Journal of Laws No 90, item 999, as amended)

#### **Article 2**

The Act is not in breach of:

- 1) the provisions of the laws on relations with or attitude towards churches and other religious associations, in particular concerning performing religious cult and practices;

- 2) the rights of national and ethnic minorities, as well as the society speaking a regional language.

## **ACT**

of 6 January 2005

### **on National and Ethnic Minorities and Regional Language** (Journal of Laws No 17, item 141, as amended)

#### Chapter 2

#### **The use of a minority language**

##### **Article 7**

1. 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 official register and identity documents.
2. The first and last names of persons belonging to a minority, written down in an alphabet other than Latin, shall be subject to transliteration.
3. The competent minister in charge of public administration, in consultation with the competent minister in charge of religious denominations as well as national and ethnic minorities, shall define, by way of regulation, the method of transliteration referred to in Paragraph 2, taking into consideration the spelling rules of the minority language concerned.

##### **Article 8**

Persons belonging to a minority shall have the right, in particular, to:

- 1) use freely their minority language in public and private life;
- 2) spread and exchange information in their minority language;
- 3) run information of a private nature in their minority language;
- 4) learn their minority language or to be instructed in this language.

##### **Article 9**

1. Before the municipal authorities, it shall be possible to use, as supporting, the minority language as well as the official one.
2. Supporting language might be used only in these municipalities where the number of minority residents, whose language is to be used as a supporting one, is no less than 20 per cent of the total number of the municipality residents and who have been entered into the Official Register of the communes, hereafter referred to as "Official Register," where supporting language is used.
3. The possibility to use supporting language shall mean that persons belonging to a minority, subject to Paragraph 5, shall have the right to:

- 1) apply to the municipal authorities in the auxiliary language, either in a written or oral form;
- 2) obtain, on his/her distinct request, an answer in the auxiliary language, either in a written or oral form.
4. Oral or written applications in supporting language shall be allowed. The submission of an application in supporting language shall not constitute a reason for turning the application down without examination.
5. The appeal proceedings shall take place in the official language only.
6. No-one shall avoid carrying out a lawful order or decision given in the official language if the circumstances require that it be carried out immediately if it is to achieve its purpose.
7. Doubts shall be resolved on the basis of a document drawn up in the official language.

### **Article 10**

1. Entries into the Official Register shall be made by the Official Register keeper, i.e. the competent minister in charge of religious denominations and national and ethnic minorities, on the basis of a relevant application of a municipal council.
2. The motion referred to in Paragraph 1 shall contain, in particular, the official data concerning the number of the municipality residents, including the number of residents belonging to the minority whose language is to be used as a supporting one, and a resolution of the municipal council agreeing to the introduction of supporting language, and indicating which minority language is to be the supporting one.
3. Prior to making an entry into the Official Register, the competent minister in charge of religious denominations and national and ethnic minorities shall examine the motion referred to in Paragraph 1. If the motion does not meet the requirements specified in Paragraph 2, the competent minister in charge of religious denominations and national and ethnic minorities may refuse entry into the Official Register.
4. The competent minister in charge of religious denominations and national and ethnic minorities shall refuse entry into the Official Register if the number of the municipality residents belonging to the minority whose language is to be used as the supporting one, is smaller than 20 per cent of the total number of the municipality residents.
5. The municipal council shall have the right to lodge a complaint to an administrative court against the refusal to make an entry into the Official Register.
6. Upon a motion of the municipal council, the competent minister in charge of religious denominations and national and ethnic minorities shall strike this municipality out of the Official Register.
7. The competent minister in charge of religious denominations and national and ethnic minorities shall, in consultation with the competent minister in charge of public administration, by way of regulation, define the method of keeping the Official Register, and the specimen application mentioned in Paragraph 1, taking into consideration particularly those data which allow an unambiguous identification of the municipality (the name of the voivodeship, the poviat and the commune), and information referred to in Paragraph 2.

## Article 11

1. The municipality entered into the Official Register may grant a salary supplement for the command of the auxiliary language, binding in this municipality, to the relevant employees of the municipality office, units and budgetary agencies. The rules of granting such supplement and its amount shall be defined by the regulations applying to the remuneration of self-government officials.
2. The command of supporting language shall be certified.
3. The competent minister in charge of religious denominations and national and ethnic minorities shall, in consultation with the competent minister in charge of public administration, by way of regulation, specify the list of certificates referred to in Paragraph 2, taking into account all minority languages.

## Article 12

1. It shall be possible to use additional, traditional place-names alongside:
  - 1) official names of places and physiographical objects,
  - 2) street names- established in the Polish language, pursuant to separate regulations.
2. Additional names, referred to in Paragraph 1, shall be used solely on the territories of the municipalities entered into the Register of the communes where names are used in minority language, hereafter called "Register of the Communes," kept by the competent minister in charge of religious denominations and national and ethnic minorities. Entries into the Register of the communes shall be made by the competent minister in charge of religious denominations and national and ethnic minorities, on the request of the municipal council of that commune on whose territory these names are to be used, subject to Paragraph 7 and Article 13 (1-7).
3. Additional names, referred to in Paragraph 1, 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.
4. It is possible to introduce additional names, referred to in Paragraph 1, on the territory of the entire municipality or in particular localities.
5. The additional names, referred to in Paragraph 1, shall be placed after the respective Polish name, and shall not be used separately.
6. The establishment of an additional name in a given minority language shall take place in accordance with the spelling rules of the language concerned.
7. An additional name of a place or physiographical object in a minority language shall be established, provided that:
  - 1) the number of municipality residents belonging to a minority is no less than 20 per cent of the total number of this municipality residents or, in case of an inhabited place, in consultations held under the procedure established in Article 5a (2) of the Local Government Act of 8 March 1990 (Journal of Laws No. 142, 2001, item 1591, as amended), 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;
  - 2) the municipal council's application gained approval of the Committee on Names of Places and Physiographical Objects, formed in pursuance to the Act of 29 August 2003 on official names of places and physiographical objects (Journal of Laws No. 166, item 1612).

8. The relevant provisions of the Act referred to in Paragraph 7 (1) shall apply to the establishment of additional street names in a minority language.

### **Article 13**

1. The municipal council shall lodge the application, referred to in Article 12 (7), on the motion of municipality residents belonging to a minority or on its own initiative. In case of an application concerning the name of an inhabited place, the municipal council shall be obligated first to consult the matter with residents of this place, within the procedure defined in Article 5a (2) of the Local Government Law.

2. The municipal council shall lodge the application referred to in Article 12 (7) to the competent minister in charge of religious denominations and national and ethnic minorities through the voivode's office.

3. The application referred to in Article 12 (7) shall contain:

- 1) the municipal resolution concerning the establishment of an additional name for a place or geographical object;
- 2) the correct official name of the place or geographical object in Polish;
- 3) in case of a geographical object, the relevant opinions of the voivodeship boards where the object is situated;
- 4) the proposed additional name in the minority language;
- 5) discussion of the results of the consultation referred to in Paragraph 1 and in Article 12 (7) (1);
- 6) information regarding the costs of the introduction of the proposed change.

4. The prerequisite to seek an opinion shall be deemed satisfied if no opinion referred to in Paragraph 3 (3) was expressed within 30 days from the receiving of the request for such opinion.

5. The voivode shall be obligated to convey to the competent minister in charge of religious denominations and national and ethnic minorities the application, referred to in Article 12 (7), and his/her own opinion of it no later than within 30 days from the day the motion was introduced to him/her. The competent minister in charge of religious denominations and national and ethnic minorities shall submit the motion for approval of the Committee on Names of Places and Geographical Objects. The Committee on Names of Places and Geographical Objects shall express its opinion to the competent minister in charge of religious denominations and national and ethnic minorities through the agency of the competent minister in charge of public administration as soon as it examined the motion.

6. The additional name of a place or geographical object in a minority language shall be deemed established if it has been entered into the Official Register.

7. The entry referred to in Paragraph 6 shall be made by the competent minister in charge of religious denominations and national and ethnic minorities upon being conveyed a favourable opinion of the Committee on Names of Places and Geographical Objects.

8. The competent minister in charge of religious denominations and national and ethnic minorities shall refuse entering into the Official Register an additional name of a place or geographical object in minority language or shall strike this name out of this Register if the name refers to the name used in the years between 1933—1945, given by the authorities of the German Third Reich or of the Union of Soviet Socialist Republics.

9. It shall be possible to lodge a complaint to an administrative court against the refusal to make such entry as referred to in Paragraph 8.

10. The competent minister in charge of religious denominations and national and ethnic minorities, in consultation with the competent minister in charge of public administration, shall define, by way of regulation, the municipal council's specimen applications:

- 1) for entering the municipality into the Official Register,
- 2) for establishing an additional name of a place or geographical object in a minority language, taking into account a detailed scope of information given in the Official Register.

11. The competent minister in charge of religious denominations and national and ethnic minorities, in consultation with the competent minister in charge of public administration, shall describe, by way of regulation, the method of keeping the Official Register and a detailed scope of information to be given in this Register, taking into account the description of the voivodeship and the poviats on whose territory the municipality is situated, the name of the municipality, the official name of the place or geographical object as well as the additional name in the minority language.

12. The competent minister in charge of transport, in consultation with the competent minister in charge of religious denominations and national and ethnic minorities and with the competent minister in charge of public administration, shall define, by way of regulation, the details regarding the placing of additional names in a minority language on signs and boards, considering in particular the type size and typeface to be used to give place names in both the Polish and the minority language.

#### **Article 14**

The number of municipality residents belonging to a minority, referred to in Article 9 (2), Article 10 (4) and Article 12 (7) (1), shall be construed as the number officially stated as a result of the latest census.

#### **Article 15**

1. The costs involved in the introduction and the use of supporting language on the territory of the municipality and the costs involved in the introduction of additional names, referred to in Article 12 (1), in a minority language, shall be borne by the municipality budget, subject to Paragraph 2.

2. The costs involved in the change of information boards, resulting from the adoption of an additional name of a place or geographical object in the minority language shall be borne by the State budget.

#### **Article 16**

The competent minister in charge of religious denominations and national and ethnic minorities shall issue a directive on the translation of this Act into minority languages.

## **Chapter 4**

### **Regional language**

#### **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:

- 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; and
- 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.

2. The Kashubian language shall be a regional language within the meaning of the Act. The Articles 7-15 shall apply accordingly, provided that 'a number of municipality residents', as referred to in Article 14, should be understood as a number of persons using the regional language, established as a result of the latest national census.

#### **Article 20**

1. The right of the persons using the language referred to in Article 19, to learn or to be instructed in this language, shall be exercised in accordance with the principles and under the procedure specified in the Act referred to in Article 17.

2. Public authorities shall be obligated to take appropriate measures in order to support the activity aimed at preservation and development of the language referred to in Article 19. The provisions of Article 18 (2), (3) and (5) shall apply accordingly.

3. The measures referred to in Paragraph 2 may also include financial means transferred from the budget of a local government unit to organizations or institutions performing tasks conducive to the preservation and development of the language referred to in Article 19.

## **REGULATION OF THE MINISTER OF INTERIOR AND ADMINISTRATION**

of 30 May 2005

**on transliteration of forenames and surnames of persons belonging to national and ethnic minorities, written down in an alphabet other than Latin**

(Journal of Laws No 102, item 855)

Pursuant to Article 7 (3) of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

#### **Article 1**

The method for transliteration of forenames and surnames of:

- 1) the Belarusian minority, written in the Belarusian alphabet, is laid down in Annex 1 hereto;

- 2) the Lemko minority, written in the Lemko alphabet, is laid down in Annex 2 hereto;
- 3) the Armenian minority, written in the Armenian alphabet, is laid down in Annex 3 hereto;
- 4) the Russian minority, written in the Russian alphabet, is laid down in Annex 4 hereto;
- 5) the Ukrainian minority, written in the Ukrainian alphabet, is laid down in Annex 5 hereto;
- 6) the Jewish minority:
  - (a) written in the Hebrew alphabet, is laid down in Annex 6 hereto;
  - (b) written in the Yiddish alphabet, is laid down in Annex 7 hereto;

## Article 2

This Regulation shall enter into force after 14 days from its publication.

### ANNEXES

#### ANNEX 1

#### METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES BELONGING TO THE BELARUSSIAN MINORITY, WRITTEN IN THE BELARUSIAN ALFABETH

<i>Belarusian alphabet characters</i>	<i>Polish alphabet characters</i>
A, a	A, a
Б, б	B, b
В, в	W, w
Г, г	H, h
Д, д	D, d
Е, е	<ol style="list-style-type: none"> <li>1) Je, je – at the beginning of a word, after vowels and after Ъ, ь</li> <li>2) e – after Л</li> <li>3) ie – after other consonants</li> </ol>
Ё, ё	<ol style="list-style-type: none"> <li>1) Jo, jo – at the beginning of a word, after vowels and after Ъ, ь consonants</li> <li>2) o – after Л</li> <li>3) o – after other consonants</li> </ol>
Ж, ж	Ż, ż
З, з	Z, z
І, і	I, i
Й, й	J, j
К, к	K, k
Л, л	<ol style="list-style-type: none"> <li>1) L, l – before e, я, ю, ь</li> <li>2) Ł, ł – in other cases</li> </ol>
М, м	M, m
Н, н	N, n
О, о	O, o
П, п	P, p

P, p	R, r
C, c	S, s
T, t	T, t
Y, y	U, u
Ÿ, ŷ	U, u
Ф, ф	F, f
X, x	Ch, ch
Ц, ц	C, c
Ч, ч	Cz, cz
Ш, ш	Sz, sz
Ы, ы	Y, y
Ь, ь	
Э, э	E, e
Ю, ю	1) Ju, ju – at the beginning of a word and after vowels 2) u – after Л 3) iu – after other consonants
Я, я	1) Ja, ja – at the beginning of a word and after vowels 2) a – after Л 3) ia – after other consonants
	omit

## ANNEX 2

### METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES BELONGING TO THE LEMKO MINORITY, WRITTEN IN THE LEMKO ALFABETH

Lemko alphabet characters	<i>Polish alphabet characters</i>
A, a	A, a
Б, б	B, b
В, в	W, w
Г, г	H, h
Ґ, ґ	G, g
Д, д	D, d
Е, е	E, e
Є, є	4) Je, je – at the beginning of a word, after vowels and after ь, ь 5) e – after Л 6) ie – after other consonants
Ж, ж	Ż, ż
З, з	Z, z
І, і	I, i
И, и	Y, y

Ы, ы	Y, y
Й, й	J, j
К, к	K, k
Л, л	1) L, l – before е, я, ю, ь 2) Ł, ł – in other cases
М, м	M, m
Н, н	N, n
О, о	O, o
П, п	P, p
Р, р	R, r
С, с	S, s
Т, т	T, t
У, у	U, u
Ф, ф	F, f
Х, х	Ch, ch
Ц, ц	C, c
Ч, ч	Cz, cz
Ш, ш	Sz, sz
Щ, щ	Szcz, SzcZ
Ю, ю	4) Ju, ju – at the beginning of a word, after vowels and after ь 5) u – after Л 6) iu – after other consonants and ь
Я, я	4) Ja, ja – at the beginning of a word, after vowels and after ь 5) a – after Л 6) ia – after other consonants
Б, б	1) omit – after л, before а, у, е, я, ю 2) i – before о (after л – also in the case when before о - omit)
Ђ, ђ	,

### ANNEX 3

#### METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES BELONGING TO THE ARMENIAN MINORITY, WRITTEN IN THE ARMENIAN ALFABETH

Armenian alphabet characters	Polish alphabet characters
1	2
Ա, ա	A, a
Բ, բ	B, b
Գ, գ	G, g
Դ, դ	D, d
Ե, ե	1) Je, je - at the beginning of a word 2) E, e - when preceded by another character or at the end of a word
Զ, զ	Z, z
Է, է	E, e
Ը, ը	Y, y
Թ, ք	T, t
Ժ, ժ	Ż, ż
Ի, ի	I, i
Լ, լ	L, l
Խ, խ	Ch, ch
Մ, մ	C, c
Կ, կ	K, k
Հ, հ	H, h
Ջ, ձ	Dz, dz
Ղ, ղ	Gh, gh
Ճ, ճ	Cz, cz
Մ, մ	M, m
Թ, յ	J, j

**ANNEX 4**

**METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES  
BELONGING TO THE RUSSIAN MINORITY, WRITTEN IN THE RUSSIAN  
ALFABETH**

<b>Russian alphabet characters</b>	<b>Polish alphabet characters</b>
А, а	A, a
Б, б	B, b
В, в	W, w
Г, г	G, g
Д, д	D, d
Е, е	<ol style="list-style-type: none"> <li>1) Je, je – at the beginning of a word, after vowels, and after ъ, ь</li> <li>2) e – after Л, Ж, Ш, Ч, Щ, Ц; in names of foreign origin e after all consonants write as e</li> <li>3) ie – after all other consonants</li> </ol>
Ё, ё	<ol style="list-style-type: none"> <li>1) Jo, jo – at the beginning of a word, after vowels, and after ъ, ь</li> <li>2) o – after Л, Ж, Ш, Ч, Щ</li> <li>3) io – after all other consonants</li> </ol>
Ж, ж	Ż, ż
З, э	Z, z
И, и	<ol style="list-style-type: none"> <li>1) I, I; also after Ч, Щ</li> <li>2) ji – after ъ</li> <li>3) y – after Ж, Ш, Ц</li> </ol>
Й, й	J, j
К, к	K, k
Л, л	<ol style="list-style-type: none"> <li>3) L, l – before e, ё, я, ю, и, ь</li> <li>4) Ł, ł – before consonants, before the following vowels a, o, y, ы and at the end of a word</li> </ol>
М, м	M, m
Н, н	N, n
О, о	O, o
П, п	P, p
Р, р	R, r
С, с	S, s
Т, т	T, t
У, у	U, u
Ф, ф	F, f
Х, х	Ch, ch
Ц, ц	C, c

Ч, ч	Cz, cz
Ш, ш	Sz, sz
Щ, щ	Szcz, szcz
Ъ, ъ	omit
Ы, ы	Y, y
Ь, ь	' - the softening character; is omitted if occurs after Л, Ж, Ш, Щ and before a vowel
Э, э	E, e
Ю, ю	1) Ju, ju – at the beginning of a word and after vowels and after Ъ, Ь 2) u – after Л 3) iu – after other consonants
Я, я	1) Ja, ja – at the beginning of a word, after vowels and after Ъ, Ь 2) a – after Л 3) ia – after other consonants
’	omit

## ANNEX 5

### METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES BELONGING TO THE UKRAINIAN MINORITY, WRITTEN IN THE UKRAINIAN ALFABETH

<i>Ukrainian alphabet characters</i>	<i>Polish alphabet characters</i>
А, а	A, a
Б, б	B, b
В, в	W, w
Г, г	H, h
Ґ, ґ	G, g
Д, д	D, d
Е, е	E, e
Є, є	7) Je, je – at the beginning of a word, after vowels and after Ъ, Ь 8) e – after Л 9) ie – after other consonants
Ж, ж	Ż, ż
З, з	Z, z
И, и	Y, y
І, і	I, i
Ї, ї	Ji, ji
Й, й	J, j
К, к	K, k

Л, л	5) L, l – before я, ю, ь 6) Ł, ł – in other cases
М, м	M, m
Н, н	N, n
О, о	O, o
П, п	P, p
Р, р	R, r
С, с	S, s
Т, т	T, t
У, у	U, u
Ф, ф	F, f
Х, х	Ch, ch
Ц, ц	C, c
Ч, ч	Cz, cz
Ш, ш	Sz, sz
Щ, щ	Szcz, szcz
Ь, ь	” ”
Ю, ю	7) Ju, ju – at the beginning of a word and after vowels 8) u – after Л 9) iu – after other consonants
Я, я	7) Ja, ja – at the beginning of a word and after vowels 8) a – after Л 9) ia – after other consonants
” ”	omit

## ANNEX 6

### METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES BELONGING TO THE JEWISH MINORITY, WRITTEN IN THE HEBREW ALFABETH

Hebrew alphabet characters	Polish alphabet characters
1	2
א	a
ב	b
ב	w
ג	g
ג	g
ג'	dź
ד	d
ד	d
ה	h
ו	w
ו	u
ו	o
ז	z
ז'	ż
ח	ch
ט	t
י	j
כ	k
כ, ך	ch
ל	l
ם, מ	m
ן, נ	n
ס	s
ע	Neglected
פ	p
ף	f
ץ, צ	c

## ANNEX 7

### METHOD FOR TRANSLITERATION OF FORENAMES AND SURNAMES BELONGING TO THE JEWISH MINORITY, WRITTEN IN THE YIDDISH ALFABETH

Yiddish alphabet characters	Polish alphabet characters
א	negleckted
א	a
א	o
ב	b
ג	g
ד	d
שװ	dź
ה	h
ו	u
ו	u
וי	w
וו	oj
ז	z
שװ	ż
ח	ch
ט	t
שט	cz
י	1) j - at the beginning of a syllable (before a vowel) 2) i - in the middle or at the end of a syllable (following a consonant)
י	i
יי	ej
י	aj
ך, כ	ch
כ	k
ל	l
ם, מ	m
ן, נ	n
ס	s
ע	e
ף, פ	p
ף, פ	f
ץ, צ	c
ק	k
ר	r
ש	sz
ת	s

**REGULATION  
OF THE MINISTER OF INTERIOR AND ADMINISTRATION<sup>1)</sup>**

of 30 May 2005

**on the Official Register of the Communes where supporting language is used**  
(Journal of Laws No 102, item 856)

Pursuant to Article 10 (7) of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

**Article 1**

This regulation lays down the method for keeping the Official Register of the Communes where supporting language is used, hereinafter referred to as the Official Register, as well as specimen application of the commune council for entering a commune in this Register.

**Article 2**

1. The Official Register shall be kept in the electronic form as a table.
2. The table referred to in Paragraph 1 shall have the following columns:
  - 1) subsequent item number;
  - 2) commune;
  - 3) powiat;
  - 4) voivodeship;
  - 5) total number of commune residents;
  - 6) number of commune residents belonging to minorities or speaking a regional language;
  - 7) auxiliary language;
  - 8) date of passing a resolution of the commune council giving consent to the introduction of supporting language;
  - 9) date of passing a resolution of the commune council giving consent to the introduction of supporting language;
  - 10) date of entry of a commune in the Official Register;
  - 11) date of deleting a commune from the Official Register.
3. The information entered in the columns referred to in Paragraph 2 (2-4) and (7-9) shall be entered in the Official Register on the basis of information contained in the application of the commune council for entering the commune in the Official Register.
4. The information entered in the columns referred to in Paragraph 2 (5) and (6) shall be entered there after the minister competent for religions and national and ethnic minorities has verified information about the total number of commune residents and the number of commune residents belonging to national or ethnic minorities, whose language is to be used as supporting language or the number of commune residents speaking the regional language if this language is to be used as supporting language, contained in the application for entering the commune in the Official Register.

### Article 3

The specimen application of the commune council for entering the commune in the Official Register is set out in the Annex hereto.

### Article 4

This Regulation shall enter into force after 14 days from its publication.

## ANNEX

### SPECIMEN

### APPLICATION

**for entering a commune in the Official Register of the Communes where supporting language is used**

Commune	..... (name)
Powiat	..... (name)
Voivodeship	..... (name)
Total number of commune residents <sup>1</sup>	Number of commune residents belonging to the minority whose language is to be used as supporting language
.....	.....
Auxiliary language	..... (name)
Date, number and title of the commune council's resolution	..... .....

### Annexes:

- 1) resolution of the commune council giving consent to the introduction of supporting language, together with specification of the language of a national or ethnic minority or a regional language that is to be used as supporting language;
- 2) specification of the costs of introduction of supporting language in the period of the first year;
- 3) voivode's information about the validity of the commune council resolution.

.....  
(signature and seal of the commune

council chairperson)

\_\_\_\_\_

<sup>1</sup> The number shall be construed as the number determined on the basis of up-to-date data of the Central Statistical Office.

<sup>2</sup> The number shall be construed as the number referred to in Article 14 and Article 19 (2) respectively, of the Act of 6 January 2005 National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141 and No 62, item 550), i.e. the number determined as the result of the last census – accordingly the number of commune residents belonging to a given national or ethnic minority or the number of commune residents speaking the regional language.

## **REGULATION OF THE MINISTER OF INTERIOR AND ADMINISTRATION**

of 30 May 2005

**on the Register of the communes where place-names in the minority language are used,  
specimen applications for entering such a commune into this Register, and for  
establishment of an additional name of a locality or physiographical object in the language  
of a national or ethnic minority or in a regional language**  
(Journal of Laws No 102, item 857)

Pursuant to Article 13 (10) and (11) of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

### **Article 1**

This Regulation lays down the method of keeping the Register of the communes where place-names in the minority language are used, detailed scope of information collected in this Register, as well as specimen applications for entering a commune into this Register, and for establishment of an additional name of a locality or physiographical object in the language of a national or ethnic minority or in a regional language.

### **Article 2**

1. The Register of the communes shall be kept in the electronic form.
2. The Register shall consist of:
  - 1) the Register of the communes where additional names of streets are used;
  - 2) the Register of communes where additional names of localities and physiographical objects are used.
3. Each commune entered in the Register shall be assigned a subsequent number in the Register beginning with the following respectively: "NU/nn" for communes entered in the Register referred to in Paragraph 2 (1), and "NM/nn" for communes entered in the Register referred to in Paragraph 2 (2), where "nn" shall mean a subsequent number of an item in a given Register.
4. In the Register referred to in Paragraph 2 (1), information is entered for each commune separately and it includes the following:
  - 1) number of item under which the commune is recorded;
  - 2) name of the voivodeship in whose territory the commune is located;

- 3) name of the poviát in whose territory the commune is located;
  - 4) name of the commune;
  - 5) total number of commune residents;
  - 6) number of commune residents belonging to a national or ethnic minority in whose language additional names have been suggested, or the number of commune residents speaking a regional language, determined on the basis of the results of the last census;
  - 7) date of passing and the number of a commune council's resolution on establishing additional names of streets;
  - 8) date of passing and the number of commune council's resolution on submitting an application for entering the commune in the Register of the communes where place-names in the minority language are used;
  - 9) date of entering the commune into the Register.
5. In the Register referred to in Paragraph 2 (2), information is entered for each additional name of a locality or physiographical object separately. Each additional name shall be assigned a number consisting of the commune number referred to in Paragraph 3, and item number resulting from the sequence of establishing additional names in a given commune.
6. The information entered in the Register referred to in Paragraph 2 (2) shall include the following:
- 1) number assigned to the additional name of a locality or physiographical object;
  - 2) name of the voivodeship where the commune is located;
  - 3) name of the poviát where the commune is located;
  - 4) name of the commune;
  - 5) date of passing and the number of commune council's resolution on submitting the application for entering the commune in the Register of the communes where place-names in the minority language are used;
  - 6) specification of name type (name of a locality, name of a physiographical object);
  - 7) total number of commune residents;
  - 8) number of commune residents belonging to a national or ethnic minority in whose language additional names have been suggested, or the number of commune residents speaking a regional language, determined on the basis of the results of the last census;
  - 9) in the case of an inhabited locality – the number of the locality's residents participating in the consultations and the number of the locality's residents who have taken part in the consultations and were in favour of the introduction of an additional name of the locality;
  - 10) official name of the locality or physiographical object;
  - 11) additional name of the locality or physiographical object written in the minority language concerned;
  - 12) annotations concerning the opinion of:
    - (a) boards of voivodeships of the location of the physiographical object for which the additional name in the minority language or a regional language is established;
    - (b) voivode;
    - (c) Commission for Official Names of Localities and Physiographical Objects;
  - 13) date of entering the additional name of a locality or physiographical object in the Register of the communes;
  - 14) date of deleting the additional name of a locality or physiographical object from the Register of the communes.

### Article 3

The specimen application for entering a commune in the Register of the communes is set out in Annex 1 hereto.

### Article 4

Specimen application of the commune council for establishing an additional name of a locality or physiographical object in a national or ethnic minority language or in a regional language is set out in Annex 2 hereto.

### Article 5

This Regulation shall enter into force after 14 days from its publication.

## ANNEXES

### ANNEX 1

#### SPECIMEN

#### APPLICATION

**for entering a commune in the Register of the communes where additional names of localities, physiographical objects or streets are used**

#### A. General information

Commune	..... (name)	
Powiat	..... (name)	
Voivodeship	..... (name)	
<b>type of additional name<sup>1</sup>:</b>		
name of street □	name of locality □	name of physiographical object □
<b>Total number of commune residents<sup>2</sup></b> .....		<b>Number of commune residents belonging to the minority in whose language additional names are to be used<sup>3</sup></b> .....
<b>In the case of an inhabited locality:<sup>4</sup></b>		
Number of the locality's residents participating in the consultations		Number of the locality residents who have taken part in the consultations and supported establishment of an additional name of the locality

.....	.....
-------	-------

**B. Data on additional names of localities or geographical objects that the commune council applies for<sup>5</sup>**

Name of locality	
Official name of locality	Suggested additional name
1. ....	1. ....
2. ....	2. ....
Names of geographical objects	
Official name	Suggested additional name
1. ....	1. ....
2. ....	2. ....
Language in which the additional name is to be used	

**C. Data on commune council's resolution:**

Date, number and title of the commune council's resolution	..... .....
--	----------------

**Annexes:**

- 1) the commune council's resolution on submitting an application for entering the commune in the Register of the communes where place-names in the minority language are used;
- 2) the commune council's resolution on the establishment of an additional name of a street<sup>6</sup>;
- 3) detailed cost table for the replacement of information boards referred to in Article 15 (2) of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141, as amended);
- 4) voivode's information about the validity of the commune council's resolutions enlisted in Subparagraphs 1 and 2;
- 5) application for establishing an additional name of a locality or geographical object<sup>7</sup>.

.....  
(signature and seal of the commune council chairperson)

- <sup>1</sup> Put x next to the type of the additional names that are to be used in the commune's territory.
- <sup>2</sup> The number shall be construed as the number determined on the basis of up-to-date data of the Central Statistical Office.
- <sup>3</sup> The number shall be construed as the number referred to in Article 14 and Article 19 (2), respectively, of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141, as amended), i.e. the number determined as the result of the last census – accordingly the number of commune residents belonging to a given national or ethnic minority or the number of commune residents speaking the regional language.
- <sup>4</sup> Fill in if the result of consultations carried out in the relevant locality was the basis for submitting the application.
- <sup>5</sup> Data should be entered if the commune submits, together with the application for entering the commune in the Register, also applications for establishing additional names of localities or physiographical objects, taking into account all names that the commune applies for.
- <sup>6</sup> The resolution shall be attached only if the commune council submits an application for entering the commune in the Register in connection with the establishment of an additional street name.
- <sup>7</sup> It shall be attached only if the commune council submits an application for entering the commune in the Register in connection with establishment of an additional name of a locality or physiographical object.

## ANNEX 2

### SPECIMEN

(signature and seal of the commune council chairperson)

### APPLICATION

#### for establishing an additional name of a locality or physiographical object

<b>Commune</b>	..... (name)	
<b>Powiat</b>	..... (name)	
<b>Voivodeship</b>	..... (name)	
<b>specification of type of additional name:</b>		
name of locality □	name of physiographical object □	
<b>Official name of the locality or physiographical object</b>		
<b>Suggested additional name of the locality or physiographical object*</b>		

**Annexes:**

- 1) the commune council resolution on the establishment of an additional name of a locality or geographical object;
- 2) in case of a geographical object, the relevant opinions of the voivodeship boards where the object is located;
- 3) discussion of the results of consultations carried out as provided for in Article 5a (2) of the Act of 8 March 1990 on commune self-government (Journal of Laws of 2001, No 142, item 1591, as amended);
- 4) information about the costs of the introduction of the suggested change.

.....  
(signature and seal of the commune  
council chairperson)

\* Written in the alphabet of the language in which it is to be used.

**REGULATION  
OF THE MINISTER OF INFRASTRUCTURE**

of 10 August 2005  
**on placing additional names in national and ethnic minority languages or in a regional  
language on signs and boards**  
(Journal of Laws No 157, item 1320)

Pursuant to Article 13 (12) of the Act of 6 January 2005 National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

**Article 1**

This Regulation lays down details of placing additional names in national and ethnic minority languages or in a regional language, hereinafter referred to as additional names, on the signs and boards, next to official Polish names of localities, geographical objects, and streets.

**Article 2**

1. If the signs and boards bear one name in Polish, the additional name in the minority language should be written in letters having the same size as the letters of the Polish name.
2. If the signs and boards bear more than one name in Polish, the additional names in the minority language should be written in letters smaller by one-fourth than the letters of the Polish name.

### **Article 3**

The typeface of letters used for writing additional names shall be the same as the typeface of letters used for writing names in Polish.

### **Article 4**

Additional names placed on the signs and boards shall be written using the alphabet specific to a given national or ethnic minority language or a regional language, with account taken of diacritics specific to that alphabet.

### **Article 5**

Additional names are placed below the names in Polish in such a manner that the centre of the additional name and the centre of the name in Polish are vertically aligned.

### **Article 6**

This Regulation shall enter into force after 14 days from its publication.

## **REGULATION OF THE MINISTER OF INTERIOR AND ADMINISTRATION**

of 16 June 2005

**on diplomas, documents or certificates confirming the knowledge of supporting language**  
(Journal of Laws No 119, item 1013)

Pursuant to Article 11 (3) of the Act of 6 January 2005 National and Ethnic Minorities and Regional Language (Journal of Laws No 17, item 141 and No 62, item 550), I hereby order as follows:

**Article 1.** This Regulation lays down a list of diplomas, documents or certificates confirming the knowledge of languages of national and ethnic minorities and regional languages.

**Article 2.** The list of diplomas, documents and certificates is set out in the Annex hereto.

**Article 3.** This Regulation shall enter into force after 14 days from its publication.

## ANNEX

### **LIST OF DIPLOMAS, DOCUMENTS, OR CERTIFICATES CONFIRMING THE KNOWLEDGE OF LANGUAGES OF NATIONAL AND ETHNIC MINORITIES AND REGIONAL LANGUAGES**

- 1) diplomas if completion of
  - (a) studies in the field of philology of a relevant language;
  - (b) studies with specialisation in a relevant foreign language or applied linguistics in a relevant language;
  - (c) foreign language teacher training college dedicated to the relevant foreign language;
- 2) secondary school leaving certificate confirming the knowledge of a relevant language, obtained after finishing a school teaching the language of a given national or ethnic minority or teaching a regional language;
- 3) document, issued abroad, :
  - (a) confirming completion of higher education studies - lecturing language is acknowledged;
  - (b) confirming completion of higher education studies in the field of philology of a relevant foreign language;
  - (c) deemed to be equivalent to the secondary school leaving certificate - lecturing language is acknowledged;
- 4) document confirming passing a ministry exam:
  - (a) in the Ministry of Foreign Affairs;
  - (b) in the Ministry of Economy and Labour;<sup>1)</sup>
  - (c) in the Ministry of National Defence – from level 3333 according to STANAG 6001;
- 5) certificate confirming the knowledge of a foreign language issued by the National School of Public Administration as a result of the linguistic check procedure;
- 6) document confirming the entry in the list of sworn translators;
- 7) documents confirming the knowledge of the Kashubian language:
  - (a) certificate of completion of post-graduate pedagogic and methodological studies in teaching the Kashubian language organised by the Gdansk University;
  - (b) document confirming the knowledge of the Kashubian language issued by the Association of Kaszuby and Pomorze for the needs of education or classes in schools enabling children to maintain their national, ethnic, and language identity, in accordance with the provisions on qualifications required from teachers;
- 8) documents confirming passing of exams testing the knowledge of German:
  - (a) Zertifikat Deutsch (ZD), Die Zentrale Mittelstufenprüfung (ZMP), Die Zentrale Oberstufenprüfung (ZOP), Das Kleine Deutsche Sprachdiplom (KDS), Das Grosse Deutsche Sprachdiplom (GDS) – exams organised by Goethe Institut,
  - (b) Prüfung Wirtschaftsdeutsch International (PWD) – exams organised by Goethe Institut, German Industrial-Commercial Chamber and the Carl Duisberg Institute,
  - (c) Österreichisches Sprachdiplom für Deutsch als Fremdsprache (ÖSD) – from the level Mittelstufe, Diplom Wirtschaftssprache Deutsch (DWD) – exams organised by the Austrian Institute,
  - (d) Zertifikat Deutsch (B1), Zertifikat Deutsch Plus (B2), Zertifikat Deutsch für den Beruf (B2) - TELC exams (The European Language Certificates) administered by WBT (Weiterbildungs-Testsysteme GmbH),

- (e) Deutsches Sprachdiplom (DSD I), Deutsches Sprachdiplom (DSD II) – exams organised by Kultusministerkonferenz;
- 9) documents confirming passing of exams testing the knowledge of Russian:
- (a) Русский Язык. Деловое Общение (Бизнес и Коммерция) – from the level Средний Уровень – issued by the Pushkin State Institute of Russian Language;
- b) Европейские Сертификаты по языкам, Сертификат по русскому языку TELC exam (The European Language Certificates) administered by WBT (Weiterbildungs-Testsysteme GmbH)
- 10) documents confirming passing of exams testing the knowledge of Romani: diploma of completion of studies in the field of Romani philology in Section de langues et Civilization Romani organised by Institut National des Langues et Civilisations Orientales in Paris.

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<sup>1)</sup> Document confirming passing a ministry exam carried out by the Ministry of Economy and Labour and all its legal predecessors and successors.

## **REGULATION OF THE MINISTER OF INTERIOR AND ADMINISTRATION**

of 18 March 2002

**on cases in which names and texts in Polish may be accompanied by versions translated into a foreign language**

(Journal of Laws No 37, item 349, as amended)

Pursuant to Article 10 (2) of the Act of 7 October 1999 on the Polish language (Journal of Laws No 90, item 999 and of 2000 No 29, item 358), I hereby order as follows:

### **Article 1**

This regulation specifies cases in which names and texts in offices and public institutions, as well as those intended for public reception and in public means of transport, drawn up in Polish, may be accompanied by versions translated into a foreign language.

### **Article 2**

1. Names and texts in Polish located in:

- 1) <sup>(1)</sup> localities where there are circles of national or ethnic minorities or a community speaking a regional language;
- 2) border zones;
- 3) towns where there are representative offices of foreign states, registered offices of international organisations or foreign companies;
- 4) places near to international transit roads;
- 5) resort and spa localities and localities having recognised recreational and landscape values;

- 6) <sup>(2)</sup> Polish foreign posts within the meaning of the Act of 27 July 2001 on foreign service (Journal of Laws No 128, item 1403 and of 2004 No 273, item 2703)  
- may be accompanied by versions translated in a foreign language.
2. Translation concerns names and texts:
- 1) placed:
    - (a) on the board of an office or public institution;
    - (b) in another conspicuous place intended for informing;
    - (c) in public means of transport;
  - 2) intended for public reception.
3. The translation shall be placed below the text in Polish or in the form of an annex to the text.
4. The foreign language referred to in Paragraph 1 may be in particular the language of a national or ethnic minority or a community speaking a regional language, living in a given territory of the Republic of Poland, and, in the area bordering another state, the official language of this state.
5. Names and texts may be translated into more than one foreign language.

### **Article 3**

1. The translation referred to in Paragraph 2 shall cover the following:
  - 1) name of an office or public institution;
  - 2) rules of access to the office or public institution;
  - 3) information allowing an interested person to direct a case to an adequate organisational unit of the office or public institution;
  - 4) other information facilitating benefiting from the activity of the entities referred to in Subparagraph 1.
2. In public means of transport, translation shall cover:
  - 1) the most important provisions of the transport regulations;
  - 2) the manner the equipment placed in the means of transport should be used in;
  - 3) other information facilitating the use of public means of transport.

### **Article 4**

This Regulation shall enter into force after 14 days from its publication.

## **ACT**

of 15 November 1956  
**on changing names and surnames**  
(Journal of Laws of 12005 No 233, item 1992)

### **Article 1**

1. Change of name or surname of the Polish citizen to another name or surname, indicated by himself, may take place at his/her request on the conditions defined in the provisions of this Act.
2. Change of name or surname of stateless the person to another name or surname, indicated by himself, may take place at his request provided such person has the permanent place of residence in Poland.

3. Change may also refer to family name of the woman who is or was married.

### **Article 2**

1. Request for change of name or surname shall be taken into consideration if it is justified with important reasons.
2. In particular, important reasons are involved if the requesting party:
  - 1) is bearing a surname:
    - (a) ridiculing or incompatible with the human honour;
    - (b) having non-Polish wording;
    - (c) having the form of a name;
  - 2) wishes to change his/her surname to the one he/she uses or returns to the name that has been changed.

### **Article 3**

Request for the change of surname shall not be taken into consideration if the requesting party is attempting to change surname to a historic surname, associated with cultural and scientific achievements, political, social or military activity, unless he/she had family members bearing such surname or is commonly known under this surname.

### **Article 4 (repealed)**

### **Article 5**

1. Change of surname of both parents shall also extend to cover minor children.
2. If change of surname refers to only one parent, extending it to cover minor children requires consent of the other parent unless such parent does not have full capacity to perform acts in law, is dead, is not identified or deprived of parental authority. If the child is aged 14 or more, also his/her consent is required for change of the surname.
3. In the case of lack of agreement among parents, each parent may turn to the guardianship authority for resolution. Decision on change of surname of minor children is made after judgements of the guardianship authority become final.
4. Provisions of Paragraph 2 and 3 shall apply accordingly in the case when change of surname is supposed to involve only a minor child. Statutory representative shall submit the request for change of surname of minor child.

### **Article 6**

1. The surname may consist of maximum two parts (elements).
2. After the change, one may have not more than two names.

### **Article 7**

The provisions of Article 2 (1) and (2) (1) (a) and (b) and Article 2 (2) (2) and Article 5 (3) and (4) shall apply to changing names.

## **Article 8**

The Civil Registrar competent for the place of residence of the requesting party, shall take decisions in the matters defined in the Act, and in case there is no place of residence – the decision is taken by the Civil Registrar competent for the last place of residence.

## **Article 9**

1. Persons residing in Poland shall submit applications in the matters specified in the Act to the authorities referred to in Article 8. If the applicant's place of residence is outside Poland, then application shall be submitted with intermediary of the Consul of the Republic of Poland.
2. Territorial competence of bodies is defined, for persons domiciled abroad, by: the last place of domicile in Poland. If none available, then the competent authority shall be the Civil Registrar for the capital city of Warsaw.

## **Article 10**

1. In case of doubts, spelling and wording of name and surname shall be determined by the civil registrar, at the request of one of the parties. The spelling determined is the choice of a form of spelling the name and surname, recorded in the civil status certificates.
2. The provision of Paragraph 1 shall apply accordingly in the cases of adjustment of the spelling of names and surnames to the principles of the Polish writing according to their phonetic wording.
3. Determination of spelling referred to in Paragraph 2 may also be performed ex officio if name or surname has Polish wording.

## **Article 11**

1. The authority referred to in Article 8 shall notify the following authorities about change of name or surname: the Registrar Offices competent for issuing birth certificate and marriage certificate of the requesting party and birth certificates of his minor children, as well the competent Fiscal Office and Police Station, the Military Recruitment Agency and population registering authorities and the Central Register of Convicted Persons.
2. The provision of Paragraph 1 shall apply accordingly in the cases provided for in Article 10.

## **Article 11a**

1. The civil registrar's tasks and competencies, defined in the Act, shall be the governmental administration tasks.
2. The minister competent for public administration shall supervise issues regulated by this Act subject to the conditions specified in separate provisions.
3. Voivodes shall supervise the activities of civil registrars as far as realisation of the statutory obligations is concerned.
4. Voivode is the appellate body for the administrative decisions issued pursuant to the law.

## **Article 12**

The Decree of 10 November 1945 on changing and determining names and surnames (Journal of Laws No. 56, item 310) shall be repealed.

## **ACT**

of 29 August 2003

### **on official names of localities and physiographical objects**

(Journal of Laws No 166, item 1612, as amended)

## **Chapter 1**

### **General provisions**

#### **Article 1**

1. The Act lays down the following:
  - 1) rules and procedure for determination, changing and cancellation of official names of localities and parts thereof as well as official names of physiographical objects;
  - 2) rules of the operation of the Commission for Names of Localities and Physiographical Objects;
  - 3) method of determination and publishing official lists of the names of localities, parts thereof, and physiographical objects.
2. The provisions of the Act shall not apply to determination, changing and cancellation of official names in the scope regulated by provisions of environment protection, and in cases where an official name is specified in a separate law.

## **Chapter 2**

### **Commission for Official Names of Localities and Physiographical Objects**

#### **Article 4**

1. A Commission for Official Names of Localities and Physiographical Objects, hereinafter referred to as the Commission, shall be established as an opinion-providing body for determination, changing and cancellation of the official names of localities and physiographical objects, hereinafter referred to as official names.
2. The Commission shall operate under the minister competent for public administration.
3. The tasks of the Commission shall include the following:
  - 1) providing opinions on applications for determination, changing or cancellation of official names;
  - 2) providing opinions on draft lists referred to in Article 9 (1);
  - 3) applying for determination, changing, or cancellation of official names of uninhabited localities and parts thereof;

- 4) providing opinions on other issues concerning the implementation of the law.
4. The minister competent for public administration shall specify by way of regulation:
  - 1) the procedure for the Commission's work, taking into account the necessity to ensure efficient work of the Commission;
  - 2) the amount of remuneration that the members are entitled to for the participation in the Commission's meetings, taking into account the fact that the maximum amount of remuneration cannot exceed 60% of the minimum wage laid down in separate provisions.

## **Article 5**

1. The Commission shall be composed of:
  - 1) the chairperson, i.e. a representative of science from the field of linguistics appointed for a four-year term of office by the minister competent for public administration from candidates designated by the President of the Polish Academy of Sciences;
  - 2) deputy chairperson, appointed for a four-year term of office by the minister competent for public administration upon request of the Commission's chairperson from Commission's members referred to in Paragraph 4;
  - 3) secretary who is a representative of the minister competent for public administration;
  - 4) six members appointed for a four-year term of office by the minister competent for public administration from representatives of science designated by councils of departments of higher education institutions and scientific councils of committees and institutes of the Polish Academy of Sciences from the following fields: linguistics, history, geography, and cartography;
  - 5) one representative of each of the following: Minister of National Defence, minister competent for culture and protection of national heritage, Surveyor General of Poland, and the President of the Central Statistical Office, appointed for a four-year term of office by the minister competent for public administration;
  - 6) <sup>(1)</sup> Secretary of the Joint Commission of Government and National and Ethnic Minorities, established pursuant to Article 23 of the Act of 6 January 2005 on regional and ethnic minorities and the regional language (Journal of Laws No 17, item 141).
2. The minister competent for public administration shall dismiss a Commission member before the expiry of the term of office in the following cases:
  - 1) filing a notice by the member;
  - 2) application of the body which designated the candidate to be a member.
3. The minister competent for public administration shall ensure administrative services for the Commission's work.
4. The costs of the Commission's operation shall be covered from the public budget from the part at the disposal of the minister competent for public administration.

## **ACT**

of 17 July 2001

### **on Constitution of Common Courts** (Journal of Laws No 98, item 1070)

#### **Article 5**

1. The Polish language is the official language.
2. Any person with insufficient command of Polish language has the right to testify before the court in a language known to him and to use, free of charge, the services of interpreter.
3. The court competent to consider the case in the first instance takes the decision to assign interpreter to the person referred to in Article 2. The application for assigning an interpreter, when submitted during the course of the case, shall be considered by the court of the instance in which the case is pending.

### *PROVISIONS ON CULTURE*

## **ACT**

of 29 December 1992

### **on Radio and Television Broadcasting** (Journal of Laws of 1993 No 7, item 34, as amended)

#### **Article 2**

1. Public broadcasting organisations and holders of broadcasting licences shall be entitled to transmit radio and television programme services.
2. The provisions of the Act shall not apply to:
  - 1) programme service transmitted or retransmitted solely for reception within a single building,
  - 2) programme service transmitted or retransmitted in a system, where transmitting and receiving equipment belongs to the same person engaged in business activity or other registered public activity, and where the content of the programme service is limited to matters relating to that activity and is addressed either to employees or another particular group of people connected to the broadcaster,
- 2) programme service retransmitted in a cable network, where the number of individual receivers does not exceed 250.

#### **Article 18**

1. Programmes or other items may not encourage actions contrary to law and Poland's *raison d'Etat* or propagate attitudes and beliefs contrary to the moral values and social interest. In particular, they may not include any discrimination on grounds of race, sex or nationality.

#### **Article 21**

- 1a. Programmes in public radio and television broadcasting shall:

(8a) take into account the needs of national and ethnic minorities, as well as the community speaking the regional language, including broadcasting news in languages of national and ethnic minorities, and in the regional language.

## ACT

of 6 January 2005

### **on National and Ethnic Minorities and Regional Language**

(Journal of Laws No 17, item 141, as amended)

#### **Article 18**

1. Public authorities shall be obligated to take appropriate measures in order to support the activity aimed at protection, maintenance and development of cultural identity of the minority.
2. The measures referred to in Paragraph 1 may, in particular, include targeted grants and core grants to finance:
  - 1) the activities 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 the minorities;
  - 5) protection of places associated with minority;
  - 6) activities of local cultural clubs;
  - 7) the running of libraries and documentation of minority cultural and artistic life;
  - 8) education of children and youth, effected in various forms;
  - 9) promotion of knowledge about minorities;
  - 10) other programmes accomplishing the purposes referred to in Paragraph 1, and promoting civic integration of minorities.
3. Grants, referred to in Paragraph 2, covered by the Public budget in part that is at the disposal of the competent minister in charge of religious denominations and national and ethnic minorities, may be appropriated without call for competition under the open tender procedure. Each year, the competent minister in charge of religious denominations and national and ethnic minorities shall announce the procedural principles in matters relating to the appropriation of grants referred to in Paragraph 2. Articles 14-18 of the Act of 24 April, 2003 on public benefit and volunteer work (Journal of Laws of 2003, No. 96, item 873 and of 2004, No. 64, item 593; No. 116, item 1203 and No. 210, item 2135) shall apply accordingly.
4. The measures referred to in Paragraph 1 may also include financial means transferred from the budget of a local government unit to organizations or institutions performing tasks conducive to the protection, maintenance and development of the minority cultural identity.
5. Minority organizations or cultural organizations of considerable significance for minority culture may accept core grants, referred to in Paragraph 2. The provision of Article 73 (4) of the Act of 26 November 1998 on public finances (Journal of Laws of 2003, No. 15, item 148, as amended<sup>2</sup>) shall apply accordingly.

PROVISIONS ON EDUCATION

**ACT**

of 6 January 2005

**on National and Ethnic Minorities and Regional Language**

(Journal of Laws No 17, item 141, as amended)

**Article 17**

The exercise of the right of persons belonging to the minority to learn or to be instructed in the minority language, and also the right of these persons to education of the minority history and culture shall be performed in accordance with the principles and procedures specified in the Act of 7 September 1991 on the system of education (Journal of Laws of 2004, No. 256, item 2572; No. 273, item 2703 and No. 281, item 2781).

**ACT**

of 7 September 1991

**on the System of Education**

(Journal of Laws of 1996 No 67, item 329, as amended)

**Article 13**

1. Public schools shall enable pupils to retain their sense of national, ethnic and religious identity, and in particular shall make it possible for them to learn their own language, history and culture.
2. At the request of the parents, the educational instruction referred to in Paragraph 1 may be conducted in:
  - 1) separate groups, sections or schools;
  - 2) groups, sections or schools - with additional language lessons and lessons on their own history and culture;
  - 3) in inter-school teaching teams.
3. The Minister competent for the educational and pedagogical matters shall determine, by way of regulation, the way in which the schools and institutions should perform the tasks referred to in Paragraph 1 and 2, in particular minimum number of students for whom particular forms of education referred to in Paragraph 2 may be organised.
4. The teaching and educational work of public schools shall ensure the maintenance of culture and regional tradition.
5. 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.
6. The minister competent for educational and pedagogical matters shall take measures to ensure the possibility to train teachers and to ensure access to textbooks needed by the public schools and facilities referred to in Paragraph 1.

7. 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 speaking the regional language.

### **Article 58**

1. The public school or facility shall be established pursuant to a memorandum of association specifying its type, name and seat.

2. The memorandum of association of a public school, in which compulsory education is introduced shall, next to data specified in Paragraph 1, determine its territorial scope (district), especially the names of the towns/villages (in towns - names of streets or their parts) belonging to its district, and in the case of a primary school also the reporting branches. District shall not be determined for the public school run by a natural person or a legal person other than territorial self-government unit, unless the person running the school requests it.

2a. Districts shall not be determined for special needs schools, integration schools, schools for national minorities, art schools and sports schools as well as athletic schools.

3. The establishment of a public school or facility by a legal person other than territorial self-government unit or natural person shall require an authorisation of a competent body of the territorial self-government unit charged with the task to supervise public schools or facilities of a given type, issued upon obtaining a positive opinion of the chief education officer, and in the case of art schools – the authorisation of the minister competent for culture and protection of national heritage issued in respect of schools implementing general education upon obtaining a positive opinion of the chief education officer.

4. The application for the authorisation referred to in Paragraph 3 with the draft memorandum and articles of association should be submitted no later than by 30 September of the year preceding the year in which the school or the facility is start its operation. The deadline may be extended with the consent of the competent body of the territorial self-government unit referred to in Paragraph 3 or the minister competent for culture and protection of national heritage.

5. The minister competent for educational and pedagogical matters, and in respect of art schools – the minister competent for culture and protection of national heritage, shall specify, by way of a regulation, the detailed rules and conditions of granting and withdrawing a consent for the establishment of a public school or facility for the establishment of public schools by legal and natural persons to contribute to the improvement of the conditions of educating as well as to positively complement the network of public schools within a given area.

6. The body or the person referred to in Article 5 (2), establishing a school or a facility, shall sign a memorandum of association and produce the first articles of association.

7. The memorandum and articles of association of a public school or facility shall be sent to the competent chief education officer and other bodies competent for the pedagogical supervision of the school or the institution.

**REGULATION  
OF THE MINISTER OF NATIONAL EDUCATION AND SPORT**

of 3 December 2002

**on conditions and methods of performing tasks allowing to sustain the sense of national, ethnic, linguistic and religious identity of students from national minorities and ethnic groups by public schools and educational facilities**

(Journal of Laws No 220, item 1853)

Pursuant to Article 13 (3) of the Act of 7 September 1991 on the System of Education (Journal of Laws of 1996 No 67, item 329 and No 106, item 496, of 1997 No 28, item 153 and No 141, item 943, of 1998 No 117, item 759 and No 162, item 1126, of 2000 No 12, item 136, No 19, item 239, No 48, item 550, No 104, item 1104, No 120, item 1268 and No 122, item 1320, of 2001 No 111, item 1194 and No 144, item 1615 and of 2002 No 41, item 362, No 113, item 984, No 141, item 1185 and No 200, item 1683) it is hereby ordained:

**Article 1**

Public schools and educational facilities allow students from national minorities and ethnic groups to sustain and develop the sense of national, ethnic, linguistic and religious identity as well as own history and culture through:

- 1) teaching the language of the national minority or ethnic group;
- 2) teaching history, geography and culture of the country of origin of the national minority;
- 3) artistic classes or other extra classes.

**Article 2**

Teaching the language of the national minority or the ethnic group as well as of history, geography and culture of the country of origin of the minority shall be organised by the headmaster of the school on the written request submitted – on a voluntary basis – by the parents or legal guardians of the child, notwithstanding Paragraph 2.

2. Students who have attained the age of 16 may submit the request to continue the classes referred to in Paragraph 1 themselves.

3. Requests referred to in Paragraphs 1 and 2 shall be submitted to the headmaster of the school within the period of preparation of the school year calendar or when entering the pupil for school – they shall be valid by the time of graduation from the school.

**Article 3**

Teaching language of national minority or ethnic group may be carried out:

- 1) at schools or sections with the language of instruction of the national minority or ethnic group where classes are conducted in this language, except for the teaching of the following subjects: Polish language, geography and history, and in primary school – Polish language, history and society as well as integrated education – content of teaching the Polish language;
- 2) at schools or bilingual sections, where classes in each subject are conducted in two languages where the first is the Polish language and the second is the language of the national minority or the ethnic group;

- 3) at schools or sections with supplementary teaching of the language of the national minority or ethnic group, where classes in all subjects are conducted in the Polish language, except for the supplementary subject, i.e. the language of the national minority or the ethnic group;
- 4) Inter-school groups learning the language of the national minority or ethnic group.

#### **Article 4**

In sections with the language of instruction of the national minority or the ethnic group for children aged 6, Polish language shall be introduced, lasting 4 hours a week.

#### **Article 5**

Sections referred to in Article 3 Subparagraphs 1-3 are established when learning the language of the national minority or the ethnic group on the level of a given class is attended by at least 7 students in primary school and lower-secondary school as well as 14 students in upper-secondary school.

#### **Article 6**

Should the number of declared students be smaller than that set out in Article 5, teaching the language (in the language) of the national minority or the ethnic group shall be conducted in inter-section or inter-class groups, and at the same time:

- 1) the inter-section group - made up from students of various sections of the same class – there cannot be less than 7 students in primary schools and lower-secondary schools and less than 14 students in upper-secondary schools;
- 2) the inter-class group - made up from students of various classes – is working on the basis of a combined classes principle and it cannot include less than 3 or more than 14 students.

#### **Article 7**

1. Should it be impossible at school to conduct teaching of the language of the national minority or ethnic group due to the insufficient number of the declared students or the lack of a teacher, the headmaster of the school shall submit the list of students declared for learning this language to the body running a public school, which shall take into account the transportation possibilities and organise inter-school learning groups.
2. The number of students in the inter-school group cannot be less than 3 or exceed 20.
3. The number of hours intended for learning the language of the national minority or ethnic group during classes referred to in Paragraph 1 shall be 3 hours per week.

#### **Article 8**

Teaching the language, history and geography of the country of origin of the minority or the language of the ethnic group shall be based on curricula and textbooks admitted for school use by the minister competent for educational and pedagogical matters, pursuant to the separate provisions.

### **Article 9**

Public schools and educational facilities may, as far as the financial means allow, deliver artistic classes and other classes allowing the maintenance of tradition and culture of national minorities or ethnic groups.

### **Article 10**

The bodies running schools and facilities as well as headmasters of schools and facilities shall perform the tasks referred to in Article 1 in cooperation with the organisations of national minorities or ethnic groups.

### **Article 11**

Sustaining of the sense of religious identity of students shall be regulated by the provisions on the conditions and manner of teaching religion at public schools and kindergartens.

### **Article 12**

For students of Roma origin the schools may, should the need arise, deliver compensatory classes which assist in sustaining their ethnic identity.

### **Article 13**

The manner in which classes the language and culture of the country of origin for students of non-Polish origin are delivered shall be specified by the separate provisions.

### **Article 14**

The provisions concerning upper-secondary schools shall be applicable to the delivery of teaching the language of national minority or ethnic group at the previous upper-secondary school.

### **Article 15**

The Regulation of the Minister of National Education of 24 March 1992 on organisation of instruction enabling to sustain national, ethnic and linguistic identity of students belonging to national minorities (Journal of Laws No 34, item 150) shall lose its validity.

### **Article 16**

The Regulation shall enter into force on 1 January 2003.

**REGULATION  
OF THE MINISTER OF NATIONAL EDUCATION AND SPORT**

of 7 September 2004

**on Conditions and Method of Grading, Classifying and Promoting Students and  
Conducting Examinations and Tests in Public Schools**

(Journal of Laws No 199, item 2046, as amended)

Pursuant to Article 22 (2) (4) of the Act of 7 September 1991 on the System of Education (Journal of Laws of 1996 No 67, item 329, as amended<sup>2)</sup>), I hereby order as follows:

**Article 31**

1. The guide, referred to in Article 9a (2) (1b) of the Act, which in particular includes a description of the scope of the test and lower-secondary school exam respectively and of the criteria of assessment and form of conducting the test and lower-secondary school exam, as well as sample tasks, shall be available not later than by 31 August of the year preceding the academic year in which the test or lower-secondary school exam are conducted.
2. The guide referred to in paragraph 1 shall also be available in languages of national minorities taught at schools or sections with the teaching language that of national minorities.

**Article 33**

1. Students of schools or sections with the teaching language that of a national minority, where classes are delivered in this language, shall take the test, lower-secondary school exam or the relevant part of this exam in Polish or in the language of a given national minority.
2. If a student intends to take the test, lower-secondary school exam or the relevant part of this exam in the language of a given national minority, the student's parents (legal guardians) shall submit a written declaration to the school principal that the student shall take the test, lower-secondary school exam or its relevant part in the language of a given national minority.
3. The declaration referred to in paragraph 2 shall be submitted not later than by 20 September of the academic year in which the test or lower-secondary school exam is conducted.
4. The school principal shall submit a list of students who intend to take the test, lower-secondary school exam or the relevant part of it in the language of a given national minority, to the chairman of the regional examination commission, hereinafter "regional commission", not later than by 30 September of the academic year in which the test or lower-secondary school exam is conducted.
5. A student may resign from the test, lower-secondary school exam or the relevant part of this exam in the language of a given national minority. The student's parents (legal guardians) shall inform the school principal of the resignation in writing, not later than 3 months before the date of the test or lower-secondary school exam; the school principal shall immediately inform the chairman of the regional commission of this fact.

## Article 51

1. The matriculation examination shall consist of an oral part, graded at school, and a written part, graded by examiners entered in the register of examiners referred to in Article 9c (2) (7) of the Act.
2. The matriculation examination shall cover the following compulsory subjects:
  - 1) in the oral part:
    - (a) Polish,
    - (b) a modern foreign language,
    - (c) a language of a national minority – for graduates of schools or sections with the teaching of the language of a given national minority;
  - 2) in the written part:
    - (a) Polish,
    - (b) a modern foreign language,
    - (c) one subject selected by the graduate from the following:
      - Biology,
      - Chemistry,
      - Philosophy, in compliance with Article 141,
      - Physics and Astronomy,
      - Geography,
      - History,
      - History of Music,
      - History of Art,
      - the Latin language and Ancient Culture, in compliance with Article 141,
      - Mathematics,
      - Social Studies,
      - Knowledge about Dance,
    - (d) a language of a national minority – for graduates of schools or sections with the teaching of the language of a given national minority.
3. A graduate shall have a right to take the matriculation examination in one, two or three additional subjects:
  - 1) in the oral part in:
    - (a) a modern foreign language,
    - (b) a language of an ethnic minority,
    - (c) a regional language – the Kashubian language;
  - 2) in the written part – in the subjects listed in paragraph 2 (2) (c), if he/she did not choose them as compulsory subjects, as well as in:
    - (a) Information Technology,
    - (b) the Greek language and Ancient Culture,
    - (c)<sup>(26)</sup> the regional language – the Kashubian language,
    - (d) the Latin language and Ancient Culture, in compliance with Article 142,
    - (e) a modern foreign language.
4. The choice of subjects taken at the matriculation examination shall not depend on the type of school which the graduate attended or on the subjects taught at that school.

## **Article 52**

1. The matriculation examination in a modern foreign language may be taken in the following languages: English, French, Spanish, German, Portuguese, Russian, Slovak, Swedish and Italian.
2. The matriculation examination in a modern foreign language as a compulsory subject or as an additional subject shall be taken in the same language both in the oral and in the written part.
3. The matriculation examination in a modern foreign language as a compulsory subject or as an additional subject may not be taken in the same language.
4. The matriculation examination in a language of an ethnic minority or the regional language – the Kashubian language as an additional subject may be taken in the oral part or in the written part, or in both parts.

## **Article 53**

1. The matriculation examination in compulsory subjects may be taken at the basic level or at the advanced level, with the exception of subjects referred to in paragraphs 2 and 8. The examinee shall indicate the choice of the level of the matriculation examination in a given subject, in the oral and written part, in the declaration referred to in Article 59 (1).
2. For the matriculation examination in the oral part in Polish and in a language of a national minority the level of the examination shall not be specified.
3. The matriculation examination in additional subjects shall be taken at the advanced level, with the exception of subjects referred to in paragraph 4.
4. For the matriculation examination in the oral part in a language of an ethnic minority and in the regional language – the Kashubian language – the level of the examination shall not be specified.
- 5-7. (repealed).
8. Graduates of bilingual schools or sections who chose as a compulsory subject a modern foreign language which is the second teaching language, shall take the examination in this language, both in the oral and in the written part, at the same level, specified in requirement standards referred to in Article 50 (1).

## **Article 54**

1. Graduates of schools or sections with the teaching language that of a national minority, where classes are held in that language, and of bilingual schools or sections, where the language of a national minority is the second teaching language, may take the matriculation examination in Polish or – with the exception of Polish and issues related to the history and geography of Poland – in the language of a given national minority. The choice of the language in which a subject will be taken shall be indicated by the graduate in the declaration referred to in Article 59 (1).
2. Graduates of schools or sections with the teaching language that of a national minority who take the matriculation examination in subjects referred to in Article 51 (2) (2) (c) in the language of a given national minority, shall solve the tasks prepared for those who take the matriculation examination in Polish in that language.
3. Graduates of bilingual schools or sections who take the matriculation examination in subjects referred to in Article 51 (2) (2) (c) taught in a foreign language which is the second teaching language, shall solve in Polish the tasks prepared for those who take the matriculation examination in Polish, and in the foreign language which is the second teaching language the additional exam tasks prepared in this language.

4. Graduates of bilingual schools or sections who take the matriculation examination in subjects referred to in Article 51 (2) (2) (c) taught in a foreign language which is the second teaching language, selected as additional subjects, solve in Polish the tasks prepared for those who take the matriculation examination in Polish and may solve in the foreign language which is the second teaching language the additional exam tasks prepared in this language. The intention to solve additional examination tasks shall be indicated by the graduate in the declaration referred to in Article 59 (1).

### **Article 59**

1. An examinee who intends to take the matriculation examination shall submit a written declaration of the choice of:

- 1) subjects to be taken at the matriculation examination, including the language or languages, with the specification of the subjects to be taken as compulsory or additional;
- 2) the level of the matriculation examination in the oral part in the foreign language to be taken as a compulsory subject and in the written part in the subjects to be taken as compulsory;
- 3) the topic for the Polish language, the language of a national minority, the language of an ethnic minority or the regional language – the Kashubian language in the oral part of the matriculation examination, selected from the list of topics referred to in Article 65 (1);
- 4) the computer environment, applications and the programming language – in the case of those taking the matriculation examination in Information Technology; the list of computer environments, applications and programming languages from which the examinee makes the selection shall be published by the head of the Central Commission on the web site of the Central Commission not later than 10 months before the date of the matriculation examination;
- 5) the language in which the matriculation examination is to be taken in the written part in a given subject or subjects and solving additional examination tasks – in the case of the graduates referred to in Article 54.

2. An examinee who intends to take the matriculation examination immediately upon graduation shall submit the declaration to the chairman of the school examination board referred to in Article 60 (1), and a graduate who graduated from the school in previous years – to the principal of the school from which he/she graduated. The examinee shall submit an initial declaration not later than by 30 September and the final declaration not later than by 20 December of the academic year in which he/she intends to take the matriculation examination.

3. In the case of the liquidation or conversion of a school a graduate who graduated from the school in previous years shall submit the declaration to the chairman of the regional commission.

4. To the declaration the examinee shall append a statement of consent or the lack of consent for the processing of his/her personal data referred to in Article 23 (1) (1) of the Act of 29 August 1997 on the Protection of Personal Data (Journal of Laws of 2002 No 101, item 926, as amended), in order for the regional commission to transfer the results of the matriculation examination obtained by the examinee to the higher education institution where the examinee has applied for admission.

5. Persons holding school certificates obtained abroad, acknowledged as equivalent to the school leaving certificates of the appropriate Polish post-lower secondary or post-primary schools shall submit the declaration and the statement to the chairman of the regional commission.

6. Graduates of comprehensive upper secondary schools for children of Polish citizens temporarily resident abroad, operating at diplomatic representations, consular offices and military

representations of the Republic of Poland where the general curriculum is implemented, shall submit the declaration and statement to the principal of the Complex of Schools for Children of Polish Citizens Temporarily Residing Abroad, based in Warsaw, or to the chairman of the regional commission.

7. On the basis of submitted declarations and statements the chairman of the school examination board referred to in Article 60 (1) shall prepare information covering the data from the declarations and statements and send it via e-mail or on a digital carrier to the chairman of the regional commission, not later than by 10 January of the academic year in which the matriculation examination is conducted.

8. (repealed).

9. (repealed).

10. The provisions of paragraph 7 shall apply to the school principal referred to in paragraph 2 and the principal of the Complex of Schools for Children of Polish Citizens Temporarily Residing Abroad, respectively.

### **Article 61**

1. In particular, the chairman of the examination board at a given school shall:

- 1) appoint the subject examination boards referred to in Article 64 (1), not later than 2 months before the date of the written part of the matriculation examination;
- 2) prepare and publish the school's schedule for conducting the oral part of the matriculation examination, not later than 2 months before the date of the written part of the matriculation examination, and send it without delay to the chairman of the regional commission; in duly justified cases the oral part of the matriculation examination may be continued parallel to the written part of the matriculation examination;
- 3) assign to teachers referred to in Article 65 (1) the preparation of the list of topics for the oral part of the matriculation examination in the Polish language, the language of a national minority, the language of an ethnic minority or the regional language – the Kashubian language;
- 4) appoint supervisory boards which supervise the written part of the matriculation examination referred to in Article 77 (1), not later than one month before the date of the written part of the matriculation examination.

2. The chairman of the examination board or a member of the examination board authorised by the chairman, in the presence of another member of this board, shall collect the parcels containing collections of the sets of exam tasks for the oral part of the matriculation examination or parcels containing packages with examination sheets, including answer sheets and other examination materials for the written part of the matriculation examination, and check whether they have been tampered with, and then check whether they contain all the materials necessary for conducting the examination. The chairman of the examination board or a member of the examination board authorised by him shall store and secure all the materials necessary for conducting the matriculation examination.

3. If it is found that the parcels referred to in paragraph 2 have been tampered with or do not contain all the materials necessary for conducting the matriculation examination, the chairman of the examination board or a member of the examination board authorised by the chairman shall immediately notify the chairman of the regional commission of this fact.

### **Article 65**

1. For the oral part of the matriculation examination teachers of a given language at school shall prepare a list of topics in the Polish language, and in the case of schools or sections with the teaching of a language of a national minority, a language of an ethnic minority or the regional language – the Kashubian language – also a list of topics in a given language, within the period by 10 April of the academic year preceding the academic year when the matriculation examination is conducted.
2. One list of topics shall be prepared at a given school for the oral part of the matriculation examination in each subject referred to in paragraph 1. The list of topics may take account of topics suggested by students (participants).

### **Article 68**

1. No telecommunications devices may be brought or used in the room where the oral part of the matriculation examination is being conducted.
2. Only one examinee may be present in the room during the oral part of the matriculation examination in the Polish language, a language of a national minority, a language of an ethnic minority or the regional language – the Kashubian language, and also in the modern foreign language taken at the basic level.
3. One examinee and one person preparing for the examination may be present in the room during the oral part of the matriculation examination in a modern foreign language taken at the advanced level or in a modern foreign language which is the second teaching language in bilingual schools or sections.

### **Article 69**

1. The matriculation examination in the oral part in the Polish language, a language of a national minority, a language of an ethnic minority and the regional language – the Kashubian language shall last about 25 minutes and shall consist of two parts:
  - 1) the presentation of a topic selected from the list of topics referred to in Article 65 (1), which shall last about 15 minutes;
  - 2) a conversation between the examinee and the subject board, which shall be related to the topic presented.
2. Screening of a film or playing a record of an utterance or music may last up to 5 minutes within the time allocated to the presentation of the topic.
3. In the part allocated to the presentation of the topic the examinee shall not be interrupted.
4. The conversation referred to in paragraph 1 (2) shall be related to the topic presented and the literature used for elaborating the topic.
  - 4a. The examinee shall provide a list of publications used for elaborating the topic not later than 4 weeks before the date of the oral part of the matriculation examination in a given language. The chairman of the examination board shall immediately pass the list of publications to the competent subject board.
5. (repealed).

## **Article 82**

1. The matriculation examination in the written part in the Polish language and in a language of a national minority may be taken at the basic level or at the advanced level.
2. The examination at the basic level shall last 170 minutes and shall consist in checking the reading comprehension for a non-literary text and writing one's own text related to a literary text included in the examination sheet. Literary texts for the examination shall be indicated in the guide referred to in Article 58.
3. The examination at the advanced level shall last 180 minutes and shall consist in checking the reading comprehension for a non-literary text and the ability to write one's own text related to a literary text included in the examination sheet.
4. (repealed).
5. During the examination the examinee may use:
  - 1) during the examination in Polish – a spelling dictionary and a dictionary of correct Polish;
  - 2) during the examination in a language of a national minority – language dictionaries.

## **Article 90**

1. The matriculation examination in the written part in the Latin language and Ancient Culture, a language of an ethnic minority and the regional language – the Kashubian language – shall be taken at the advanced level.
2. The examination shall last 180 minutes and shall consist in solving a vocabulary and grammar test, translating an original text into Polish and writing one's own text in Polish with the use of the text and visual material included in the examination sheet.
3. During the exam the examinee may use, respectively, a Latin-Polish dictionary and a historical atlas or a language dictionary appropriate for the language of an ethnic minority or the regional language – the Kashubian language, in which the examination is taken.

## **Article 98**

1. The examinee who did not pass the matriculation examination in a given subject or subjects, in the oral part or the written part, or discontinued the matriculation examination, may retake the oral or written part of the matriculation examination in this subject or subjects within a period of 5 years from the date of the first matriculation examination. The provisions of Article 59 paras 1-6 shall apply accordingly.
2. A graduate referred to in paragraph 1 who retakes the matriculation examination may choose a different compulsory subject referred to in Article 51 (2) (1) (b) and (2) (b)–(c), with the exception of the subject which he/she took as the additional subject.
3. After 5 years from the date of the first matriculation examination the graduate referred to in paragraph 1 shall take the matriculation examination in the full scope.
4. A graduate who did not pass the matriculation examination in the oral part in the Polish language or a language of a national minority or discontinued the oral part of the matriculation examination in a given language or languages, who retakes the oral part of the matriculation examination in a given language may indicate in the declaration referred to Article 59 (1) the

topic selected previously or a new topic selected from the list of topics referred to in Article 65 (1).

5. The provisions of paragraph 4 apply accordingly to graduates who did not take the oral part of the matriculation examination in the Polish language, a language of a national minority, a language of an ethnic minority or the regional language – the Kashubian language.

### **Article 98a**

1. An examinee shall have a right to retake the matriculation examination, both in the oral part and in the written part, in one or more subjects referred to in Article 51 (2) and (3), in order to improve the result of the matriculation examination in those subjects or to take the matriculation examination in additional subjects selected from the subjects referred to in Article 51 (3). The provisions of Article 59 paras 1-6 shall apply accordingly.

2. An examinee taking the matriculation examination in order to improve the results of the examination in a modern foreign language which he/she took in the oral part at the basic level may take the matriculation examination in this language in the oral part at the basic level or at the advanced level.

3. An examinee taking the matriculation examination in order to improve the results of the examination in a modern foreign language which he/she took in the oral part at the advanced level shall take the matriculation examination in this language in the oral part at the advanced level.

4. The examinee taking the matriculation examination in order to improve the results of the oral part of the examination in the Polish language, a language of a national minority, a language of an ethnic minority or the regional language – the Kashubian language, may indicate in the declaration referred to in Article 59 (1) the topic selected previously or a new topic from the list of topics referred to in Article 65 (1).

5. An examinee taking the matriculation examination in order to improve the results of the written part of the examination in a given subject, irrespective of the level at which he/she took the matriculation examination in this subject, may take the matriculation examination in this subject at the basic level or at the advanced level respectively.

6. (repealed).

6a. An examinee who passed the matriculation examination in a given subject in the written part at the basic level shall have a right to retake the matriculation examination in this subject in the written part at the advanced level.

7. A graduate of a bilingual school or section taking the matriculation examination in order to improve the results of the oral or written part of the examination in a modern foreign language which is the second teaching language shall take the matriculation examination in this language at the level specified for graduates of bilingual schools and sections.

8. A graduate of a bilingual school or section, in order to improve the result of the written part of the matriculation examination in subjects referred to in Article 51 (2) (2) (c) taught in a foreign language which is the second teaching language, may solve again the additional exam tasks referred to in Article 54 (3) and (4).

### **Article 137**

1. The test, lower-secondary school exam or the relevant part of this exam in a language of a national minority at schools or sections with the teaching language that of a national minority,

where classes are held in that language, shall be conducted starting from the academic year 2004/2005.

2. In the academic year 2004/2005:

- 1) the written declaration referred to in paragraph Article 33 (2) shall be submitted not later than by 30 September;
- 2) the list referred to in Article 33 (4) shall be sent by the school principal to the chairman of the regional commission not later than by 10 October.

## **REGULATION OF THE MINISTER OF NATIONAL EDUCATION**

of 14 April 1992

### **on the Conditions and Method of Organisation of Religious Education in Public Pre-schools and Schools**

(Journal of Laws No 36, item 155, as amended)

Pursuant to Article 12 (2) of the Act of 7 September 1991 on the System of Education (Journal of Laws No 95, item 425 and of 1992 No 26, item 113), I hereby order as follows:

#### **Article 1**

1. In public pre-schools religious education shall be organised within the framework of pre-school curricular classes, at the request of parents (legal guardians). In public primary schools, lower secondary schools, post-primary and post-lower secondary schools, hereinafter “schools”, religious and ethics education shall be organised within the framework of school curricular classes:

- 1) in primary and lower secondary schools – at the request of parents (legal guardians),
- 2) in post-primary and post-lower secondary schools – at the request of either parents (legal guardians) or students themselves; after becoming of age, students themselves decide about participation in religious and ethics education.

2. The request mentioned in section 1 is expressed in the simplest form of declaration, which need not be renewed in the subsequent academic year but may be changed.

3. Participation or non-participation in pre-school or school religious and ethics education must not give rise to discrimination by anybody in any form.

#### **Article 2**

1. Pre-schools and schools shall be obliged to organise religious education classes for groups not smaller than 7 students from one class or section (students of pre-school group). For a smaller number of students in a class or section (students of pre-school group), religious education in pre-schools or schools should be organised in inter-section or inter-class groups.

2. If less than 7 students apply for religious education of a given denomination or religions teaching similar beliefs in a school or pre-school, the school governing authority for the pre-school or school, in agreement with the relevant church or religious association, shall organise religious education in an inter-school group or at an external religious education facility. The number of students in the group or at a religious education facility should not be smaller than 3.

3. If inter-school groups or groups at religious education facilities are attended by students of schools (students in pre-schools) governed by different authorities, then such authorities shall specify, by way of agreement, the principles for running groups or religious education facilities.

4. In specially justified cases, the authority governing a pre-school or school, within the funds at its disposal, may – at the request of a church or religious association – organise religious education of a specific denomination in a way different than defined in paragraphs 1 to 3.

5. It shall be allowed to make classrooms available, free of charge, on dates when no classes are held, for catechetical purposes to churches and religious associations, also in the case of those that do not organise religious education within the framework of the system of education.

### **Article 3**

1. For students who express such an intention themselves or for whom such an intention is declared by their parents (Article 1 (1)), the school shall organise classes in ethics basing on the programs allowed for school use on the conditions defined in Article 22 (2) (3) of the Act on the System of Education.

2. Depending on the number of declared students, classes in ethics may be organised on the conditions specified in Article 2.

3. Schools shall be obliged to guarantee care or general educational classes for the period of religion or ethics classes for students who do not attend religious or ethics education at the school.

### **Article 4**

Religious education shall be provided on the basis of programmes prepared and approved by the competent authorities of churches and other religious associations, submitted to the Minister of National Education for information. The same principles shall apply with respect to textbooks for religious education.

### **Article 5**

1. Pre-schools or schools shall employ a teacher of religious education, a pre-school or school catechist (hereinafter “religion teacher”) exclusively on the basis of a written delegation to the specific pre-school or school, issued by:

1) in the case of the Catholic Church – the competent diocesan,  
2) in the case of other churches and other religious associations – competent authorities of those churches and religious associations.

2. The cancellation of the delegation referred to in paragraph 1 shall be equivalent to the loss of the right to teach religious education in a given pre-school or school. Competent authorities of churches or religious associations shall notify the school or pre-school principal and the authority governing the school or pre-school about the cancellation of the delegation. For the period until the end of the school year, the church or other religious association may delegate another person for teaching religious education, covering all related costs.

3. A religion teacher who conducts classes for an inter-school group or at a religious education facility, or teaches at a number of schools or pre-schools shall be employed by the school or pre-school principal indicated by the school governing authority referred to in Article 2 (2), or by the authority indicated in the agreement referred to in Article 2 paragraph.

4. Religion teachers shall be employed in accordance with the Teacher’s Chart.

#### **Article 6**

Professional qualifications of religion teachers shall be defined respectively by the Polish Bishops Conference and competent authorities of other churches and religious associations – in agreement with the Minister of National Education.

#### **Article 7**

1. The religion teacher shall be a member of the school's board of teachers. However, he/she shall not assume the tasks of class tutor.
2. The religion teacher shall have the right to organise meetings with parents of his/her students, also in addition to the general meetings appointed by the school or pre-school, after reaching an agreement with the school or pre-school principal concerning the date and place of the planned meeting.
3. The religion teacher may run social, religious and ecumenical organisations on the premises of the school, on conditions defined in Article 56 of the Act on the System of Education. The religion teacher shall not be entitled to additional remuneration for running organisations.
4. The religion teacher shall be obliged to complete the class record.
5. The religion teacher teaching in an inter-class (inter-section) or inter-school group or at religious education facility shall be obliged to keep a separate class record, containing identical entries as the school class record.

#### **Article 8**

1. Religious education in public pre-schools and schools of all types shall be realised adopting 2 preschool classes (adequately to a given level of teaching) or two class hours per week. This number of hours may be decreased only with the consent of the diocesan of the Catholic Church or of the authorities of other churches or religious associations.
2. The school principal shall define the weekly number of hours of classes in ethics.

#### **Article 9**

1. The grade for religious education or ethics shall be placed on school certificates directly following the grade for behaviour. In order to eliminate potential manifestations of intolerance, no information should be placed which would reveal the class of which religion or ethics a student attended.
  2. The grade for religious education (ethics) shall have no impact on the student's promotion to next grade.
  3. The grade for religious education (ethics) shall be awarded according to the scale of grades adopted in a given class.
1. Students attending religious or ethics education organised by school governing authorities in accordance with the principles defined in Article 2 paragraphs 2 to 4 shall receive the grade for religious/ethics education on the school certificate issued by their school on the basis of a certificate of the religion or ethics teacher.

#### **Article 10**

1. Students attending religious education classes shall be granted three subsequent days off from school in order to participate in the Lent Retreat, provided their religion or denomination to which they belong imposes such an obligation on its believers. In such case, students shall be

under the care of the religion teacher. Detailed principles concerning organisation shall be subject to separate arrangements between the parties organising the retreat and the school.

2. The school principal should be notified at least one month in advance of the date of retreat.

3. If religious education classes for more than one religion are held in a school, churches and religious associations should attempt to agree on the common date for the Lent Retreat date.

#### **Article 11**

1. Inspectors appointed by diocesans of the Catholic Church and by competent authorities of other churches and religious associations, shall be entitled to inspect religious education classes. The list of such persons shall be passed for information to authorities performing pedagogical supervision.

2. With respect to teaching methodology and consistency with the curriculum, pedagogical supervision over religious and ethics education shall be conducted by the school (pre-school) principal and employees of pedagogical supervision, on the conditions specified in separate regulations.

3. In justified cases, conclusions from conducting pedagogical supervision may be passed, respectively, to the Catholic Church diocesan and competent authorities of other churches and religious associations.

#### **Article 12**

A crucifix may be placed in school classrooms. Also, prayers before and after the day of classes may be held. Holding prayers at school should be the expression of common aspirations of students and of the tact and subtlety on the part of teachers and tutors.

#### **Article 13**

1. The following legal acts shall lose their validity:

- 1) the instruction of the Minister of National Education of 3 August 1990 on the Return of Religious Education to Schools in the School Year 1990/91,
- 2) the instruction of the Minister of National Education of 24 August, 1990 on the Return of Religious Education to Schools in the School Year 1990/91, specifying the principles of co-operation with churches and religious associations other than the Catholic Church,
- 3) the Decision No. 25 of the Minister of National Education of 31 August 1991, without prejudice to the provisions of paragraph 2.

2. The instructions listed in paragraph 1 concerning religious education in pre-schools and guardianship and pedagogical institutions shall remain in force until ordinances provided for in the provisions on the relation of the state to churches and other religious associations are issued.

#### **Article 14**

The Regulation shall enter into force fourteen days after publication, with the exception of Article 9, which shall enter into force on 1 September 1992.

**REGULATION  
OF THE MINISTER OF NATIONAL EDUCATION**

of 21 December 2006

**on the Principles of Distribution of the Educational Part of the General Subvention for  
Local Self-government Units in 2002**

(Journal of Laws No 246, item 1799)

ANNEX 1

THE ALGORITHM FOR THE DISTRIBUTION OF THE EDUCATIONAL PART OF THE  
GENERAL SUBVENTION FOR LOCAL SELF-GOVERNMENT UNITS IN 2002

2. for each local self-government unit governing or subsidizing primary schools, lower secondary, post-lower secondary schools and post-primary schools as well as educational system institutions, a total calculative number of students ( $U_p$ ) for a model school year shall be obtained according to the formula below:

$$U_p = \sum_{i=1}^N U_{p,i} = \sum_{i=1}^N [(U_{r,i} + U_{u,i} + U_{z,i}) \cdot D_i]$$

where the symbols have the following meaning:

- (1)  $U_p$  - total calculative number of students;
- (2)  $U_{p,i}$  - the calculative number of students in an  $i^{\text{th}}$  local self-government unit, taking into consideration the index  $i = 1-2,478$  for communes (including cities with poviat rights within the scope of the performed tasks of a commune),  $i = 2,479-2,543$  for cities with poviat rights,  $i = 2,544-2,857$  for other poviats,  $i = 2,858-2,873$  for self-governments of voivodships, for a model school year;
- (3)  $U_{r,i}$  - the statistical number of students, determined on the basis of reports of the Central Statistical Office (GUS) for a model school year:
  - (a) for students of public schools for youth, as well as the participants of courses at teacher training institutions and colleges of social workers which provide education on the full-time basis –  $1.0 U_r$ ,
  - (b) for students of public schools for adults, as well as the participants of courses at teacher training institutions and colleges of social workers which provide education on the part-time basis (evening or weekend classes) –  $0.7 U_r$ ,
  - (c) for students of non-public schools for youth –  $1.0 U_r$ ,
  - (d) for students of non-public schools for adults –  $0.35 U_r$ ;
- (4)  $U_{u,i}$  - the supplementary number of students in a model school year, for tasks in the field of schooling, calculated according to the formula:

$$U_{u,i} = P_1 \cdot N_{1,i} + P_2 \cdot N_{2,i} + \dots + P_{27} \cdot N_{27,i}$$

where:

- $P_1$  to  $P_{27}$  denote weights,
- $N_1$  to  $N_{27}$  denote numbers of students in a local self-government units with the index  $i = 1-2,873$ , assigned to weights,

defined as follows:

- P1 = 0.38 for students of primary and lower secondary schools for youth, located in rural areas or cities of up to 5,000 residents - N1,i,
- P2 = 1.40 for students with mild mental retardation, socially maladjusted, with behavioural disorders, under the threat of addiction or social maladjustment, with chronic illnesses – requiring special organisation of instruction and working methods (on the basis of certificates referred to in Article 71b (3) of the Act referred to in Article 1 (1) of the Regulation) - N2,i,
- P3 = 2.90 for blind and visually impaired students, with motor disability, with psychological disorders – requiring special organisation of instruction and working methods (on the basis of certificates referred to in Article 71b (3) of the Act referred to in Article 1 (1) of the Regulation) - N3,i,
- P4 = 3.60 for deaf and audibly impaired students, with moderate and significant mental retardation (on the basis of certificates referred to in Article 71b (3) of the Act referred to in Article 1 (1) of the Regulation) - N4,i,
- P5 = 9.50 for children and teenagers with profound mental retardation who receive compulsory education or compulsory schooling through the participation in rehabilitation and educational sessions organised in primary and lower secondary schools, for students with cumulative impairments and with autism (on the basis of certificates referred to in Article 71b (3) of the Act referred to in Article 1 (1) of the Regulation) - N5,i,
- P6 = 0.80 additionally for disabled students at integration sections in primary, lower secondary and post-lower secondary schools (on the basis of certificates referred to in Article 71b (3) of the Act referred to in Article 1 (1) of the Regulation) - N6,i,
- P7 = 0.08 for students of post-lower secondary and post-primary schools – N7,i,
- P8 = 0.15 for students at colleges of social workers and students at post-lower secondary schools and post-primary schools offering vocational training, including – for the carrying out the practical vocational training - N8,i,
- P9 = 0.20 for students of sections and schools for national and ethnic minorities as well as the community using the regional language, as well as for students of Roma origin, for whom a school takes up additional educational activities - N9,i,
- P10 = 1.50 for students at sections and schools for national and ethnic minorities as well as the community using the regional language, as well as for students of Roma origins, for whom a school takes up additional educational activities; this concerns primary schools where the total number of students attending classes for a national or ethnic minority, the community using the regional language or the students of Roma origins does not exceed 84, and lower secondary and post-lower secondary schools where the total number of students attending classes for a national or ethnic minority, a community using the regional language or students of Roma origins does not exceed 42 (weight P10 is mutually exclusive with weight P9) - N10,i,

- P11 = 0.20 for students of sports forms - N11,i,  
P12 = 1.00 for students at mastery sports forms- N12,i,  
P13 = 1.00 for students studying for medical professions (weight P13 is mutually exclusive with weight P8) - N13,i,  
P14 = 1.01 for students of lower-level music schools –N14,i,  
P15 = 1.70 for students of higher-level music schools –N15,i,  
P16 = 2.01 for students of comprehensive lower-level music schools –N16,i,  
P17 = 3.36 for students of comprehensive higher-level music schools – N17,i,  
P18 = 0.92 for students of higher secondary schools of arts - N18,i,  
P19 = 1.35 for students of comprehensive schools of fine arts–N19,i,  
P20 = 3.42 for students of ballet schools –N20,i,  
P21 = 1.00 for students at teacher training institutions - N21,i,  
P22 = 1.00 for students of schools, irrespective of the type of school, organised at health care institutions, including health and care centres and health resorts (sanatoria) - N22,i,  
P23 = 1.84 for students at groups for extracurricular educational classes provided at primary, lower-secondary and post-lower secondary schools organised at health care institutions, including health and care centres and health resorts (sanatoria) - N23,i,  
P24 = 0.60 for students of therapeutic or compensatory classes at primary and lower secondary schools - N24,i,  
P25 = 0.17 for students of bilingual classes (weight P25 is mutually exclusive with weights P9 and P10) - N25,i,  
P26 = 0.04 for students of lower secondary schools for youth – N26,i,  
P27 = 3.00 for students of schools educating in basic professions for maritime and inland navigation, implementing in the teaching process the provisions of the International Convention on Standards of Training, Certification and Watchkeeping for Seafarers, of 1978, drawn up in London on 7 July, 1978 (Journal of Laws of 1984, No 39, item 201 and of 1999, No 30, item 286) and bearing the certificate of recognition for the teaching process, obtained in compliance with separate provisions - N27,i;

PROVISIONS FROM CODES

**ACT**

of 23 April 1964

**Civil Code**

(Journal of Laws No 16, item 93, as amended)

**Article 23**

The personal interests of a human being, in particular health, freedom, dignity, freedom of conscience, surname or pseudonym, image, secrecy of correspondence, inviolability of home, and

scientific, artistic, inventor's and rationalizing achievements, shall be protected by civil law independent of protection envisaged in other provisions.

**ACT**

of 17 November 1964

**Code of Civil Procedure**

(Journal of Laws No 43, item 296, as amended)

**Article 256**

The court may require translating the document in a foreign language by a sworn translator.

**Article 265**

1. The court may summon an interpreter for the purpose of hearing of witness who does not have sufficient command of the Polish language.

**ACT**

of 6 June 1997

**Penal Code**

(Journal of Laws No 88, item 553, as amended)

**Article 57**

1. In the event of the concurrence of several independent grounds for the extraordinary mitigation or enhancement of a penalty, the court may mitigate or enhance the penalty only once, considering jointly the concurrent grounds for mitigation or enhancement.

2. In the event of the concurrence of the grounds for extraordinary mitigation and enhancement, the court may adopt an extraordinary mitigation or enhancement of the penalty.

**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 the 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 Paragraph 1, 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 the persons constituting it, shall be subject to the penalty of the deprivation of liberty for a minimum term of 5 years or the penalty of deprivation of liberty for 25 years.

**Article 119**

Whoever uses violence or makes unlawful threat towards a group of persons or a particular individual because of their national, ethnic, political or religious affiliation, or because of their

lack of religious beliefs, shall be subject to the penalty of the deprivation of liberty for a term of between 3 months and 5 years.

2. The same punishment shall be imposed on anyone, who incites commission of the offence specified under Paragraph 1.

#### **Article 194**

Whoever restricts another person from exercising the rights vested in the latter, for the reason of this person affiliation to a certain faith or their religious indifference, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

#### **Article 195**

1. Whoever maliciously interferes with the public performance of a religious ceremony of a church or another religious association with regulated legal status 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. The same punishment shall be imposed on anyone who maliciously interferes with a funeral, mourning ceremonies or rites.

#### **Article 196**

Whoever offends the religious feelings of other persons by outraging in public an object of religious worship or a place dedicated to the public celebration of religious rites, shall be subject to a fine, the penalty of restriction of liberty or the penalty of deprivation of liberty for up to 2 years.

#### **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.

#### **Article 257**

Whoever publicly insults a group within the population or a particular person because of his national, ethnic, race or religious affiliation or because of his 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.

### **ACT**

of 6 June 1997

#### **Code of Criminal Procedure**

(Journal of Laws No 89, item 555, as amended)

#### **Article 72**

The order on the presentation, supplementation or alteration of charges, the indictment or a decision subject to review, or a decision concluding the proceedings shall be served on the accused [who does not have a sufficient command of the Polish language] with a translation; if

the accused consents, the decision concluding the proceedings may only be announced to him, providing it is not subject to review.

#### **Article 204**

1. An interpreter shall be summoned whenever it is necessary to examine:

(1) a deaf or dumb person, with whom attempts at communication in writing have not sufficed,

(2) a person without a command of Polish.

An interpreter shall also be summoned whenever it is necessary, to translate into Polish, a document written in a foreign language, or to translate a Polish document into a foreign language or to acquaint the accused with the contents of the evidence examined.

3. Provisions relating to court experts shall be applied to interpreters accordingly.

### **ACT**

of 14 June 1960

#### **Code of Administrative Procedure**

(Journal of Laws of 2000 No 98, item 1071, as amended)

#### **Article 69**

1. Transcript of testimony should be read and submitted for signing by the person offering testimony immediately after providing testimony.

2. Transcripts of testimony which was offered in a foreign language must include the identity and address of the interpreter who rendered the translation; the interpreter must also sign the court transcript.

### **ACT**

of 26 June 1994

#### **Labour Code**

(Journal of Laws of 1998 No 21, item 94, as amended)

#### **Article 11<sup>3</sup>**

Any discrimination, direct or indirect, in employment, particularly in respect of sex, age, disability, race, religion, nationality, political views, trade union membership, ethnic origin, religious convictions, sexual orientation or due to employment for a definite or an indefinite period, or on full-time or part-time basis, shall be inadmissible.

#### **Article 18<sup>3a</sup>**

1. Employees shall be treated equally as regards the establishment and termination of employment relationships, the conditions of employment, promotion and access to training in order to raise occupational qualifications, particularly regardless of sex, age, disability, race, religion, nationality, political views, trade union membership, ethnic origin, religious convictions,

sexual orientation or due to employment for a definite or an indefinite period or on full-time or part-time basis.

2. Equal treatment in employment shall mean lack of any discrimination, direct or indirect, based on any of the reasons referred to in Paragraph 1.

3. Direct discrimination exists when an employee, due to one or several reasons provided in Paragraph 1, has been or could be treated in any comparable conditions less favourably than other employees.

4. Indirect discrimination exists when, due to a seemingly neutral regulation, applied criteria or commenced action there are disproportions in the scope employment conditions to the detriment of all or a significant number of employees who belong to a group distinguished due to one or several of the reasons listed in Paragraph 1, provided that such disproportions could not be justified by any other objective reasons.

5. For the purposes of Paragraph 2 the following shall also be understood as manifestations of discrimination:

- 1) encouraging any other person to breach the principle of equal treatment in employment;
- 2) behaviour aimed at or resulting in violation of dignity or humiliation or abuse of an employee (molesting).

6. Sex discrimination shall also include any unacceptable sexual behaviour or any behaviour related to employee's sex aimed at or resulting in violation of dignity or humiliation or abuse of an employee; such behaviour may be manifested by physical, verbal or non-verbal elements (sexual molesting).

#### **Article 18<sup>3b</sup>**

1. Infringement of the principle of equal treatment in employment, subject to Paragraphs 2 to 4, shall be construed as employer's differentiation of employees' situation based on one of the reasons as provided in Article 18<sup>3a</sup> (1), resulting in, without limitation:

- 1) refusal to establish or continue an employment relationship;
- 2) disadvantageous fixing of remuneration for work or specification of other conditions of employment or being neglected in promotion or in the award of other work-related benefits;
- 3) being neglected in designation to participate in training to improve professional qualifications;

-- unless the employer proves that it acted objectively.

2. None of the following actions shall be considered as breach of equal treatment in employment:

- 1) refusal to hire an employee due to one or several of the reasons defined in Article 18<sup>3a</sup> (1), if justified due to the type of work and the conditions of performance thereof or the professional requirements to be satisfied by the employees;
- 2) noticing the termination of conditions of employment to an employee within the scope of the amount of working time, provided that it is justified by reasons independent of employees;
- 3) application of means which differentiate employee's legal situation due to protection of employee's parenthood, age or disability;
- 4) establishment of conditions of employment and dismissal of employees, terms of remuneration and promotions as well as access to training to improve professional qualifications, subject to employment duration criterion.

3. No actions shall be considered as breach of the principle of equal treatment in employment if taken for a limited time and aimed at equalization of opportunities of all or a substantial number of employees distinguished due to one or several reasons provided for in Article 18<sup>3a</sup> (1),

by decreasing, in favour of such employees, the actual inequalities within the scope defined in such regulation.

4. Differentiating employees due to religion or religious convictions shall not be considered as breach of the principle of equal treatment in employment if in relation to the type and character of activities conducted within the scope of churches or other religious societies as well as organizations the objective of which is directly related to religion or denomination, the employee's religion or denomination constitutes a material, reasonable and justified professional qualification.

#### **Article 18<sup>3c</sup>**

1. Employees shall have the right to the same remuneration for the same work or for work of the same value.

2. The remuneration referred to in Paragraph 1 shall include all components of remuneration, regardless of their name and character, as well as other work-related benefits granted to employees in cash or in other forms than cash.

3. Work of the same value shall be work whose performance requires from the employees comparable occupational qualifications, confirmed by documents envisaged in separate provisions or by professional practice and experience, as well as comparable responsibility and effort.

#### **Article 18<sup>3d</sup>**

A person in relation to whom the employer has infringed the principle of equal treatment in employment shall have the right to indemnity in an amount not lower than the minimum remuneration for work determined under separate provisions.

#### **Article 18<sup>3e</sup>**

Employee's exercise of the rights resulting from infringement of the principle of equal treatment in employment may not constitute the grounds for the employer's submitting of a notice of termination of the employment relationship or terminating such a relationship without notice.

REGULATIONS CONTAINED IN BILATERAL AGREEMENTS

AGREEMENTS CONCLUDED WITH THE REPUBLIC OF BELARUS

**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)

**Article 13**

The Contracting Parties undertake to respect international principles and standards concerning protection of rights of national minorities, in particular those contained in international pacts on human rights, the Final Act of the Conference on Security and Cooperation in Europe, the Document of the Copenhagen Meeting on the Human Dimension and the Charter of Paris for a New Europe.

**Article 14**

1. The Contracting Parties confirm that persons belonging to the Polish national minority in the Republic of Belarus and persons belonging to the Belarusian national minority in the Republic of Poland shall have the right, individually or together with other members of their group, to freely retain, develop and express their ethnic, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law.

2. The Contracting Parties confirm that belonging to a national minority is a matter of individual choice made by persons and may not involve any negative consequences.

**Article 15**

The Contracting Parties guarantee that the persons mentioned in Article 14 shall have, in particular, the right, individually or together with other members of their group:

- to use freely the native language in private and public life, to have access to information in this language, to disseminate and exchange such information and to use their names and surnames in the wording accepted in the native language;
- to establish and operate their own educational, cultural and other institutions, organisations and associations that would be eligible for voluntary financial assistance or other assistance, including assistance from public funds, in accordance with the national legislation, to have access to mass media and to participate in activities of international non-governmental organisations;
- to confess and practice their religion, including to acquire and use religious materials and to conduct educational activities in the field of religion in their native language;
- to establish and to maintain undisturbed contacts with each other on the territory of their country as well as trans-border contacts with citizens of other states sharing their ethnic or national origin, cultural heritage or religious beliefs;

- to make use of legal means provided for in the internal regulations of the State of residence, for the purpose of realising and protecting their rights.

#### **Article 16**

1. The Contracting Parties shall develop constructive cooperation in the scope of protection of rights of persons belonging to national minorities, treating them as the factor strengthening mutual understanding and good neighbourly relations between the Polish and the Belarusian nations.

2. The Contracting Parties, in realisation of regional development, shall take into consideration social and economic interests of the persons mentioned in Article 14 and their organisations and associations.

3. The Contracting Parties shall attempt to provide the persons mentioned in Article 14 with adequate opportunities of learning their native language or instruction in this language in educational institutions and, where possible and necessary, using their native language in contacts with public authorities. In educational programs, history and culture of national minorities shall be taken into account more extensively in the educational institutions frequented by the persons mentioned in Article 14.

4. The Contracting Parties shall respect the right of the persons mentioned in Article 14 to participate in public affairs, in particular in the field of protection and strengthening their identity, and, when needed, shall conduct consultations with organisations or associations grouping these persons.

#### **Article 17**

The Contracting Parties agree that the persons mentioned in Article 14 should observe legal regulations of the state of their residence.

### **Agreement between the Government of the Republic of Poland and the Government of the Republic of Belarus on Cooperation in the Area of Culture, Science and Education**

of 27 November 1995  
(Journal of Laws of 1996 No. 76 item 365)

#### **Article 13**

The Contracting Parties shall provide persons belonging to the Polish national minority in the Republic of Belarus and to the Belarusian national minority in the Republic of Poland with conditions conducive to retaining, developing and expressing their ethnic, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law. The Contracting Parties, within the framework of their internal legal regulations, shall comprehensively support activities of social, educational and cultural organisations of the above-mentioned persons and shall create the conditions allowing them to obtain financial assistance from the territory of the State of the other Contracting Party.

#### **Article 14**

Each Contracting Party, in accordance with its internal legal regulations, shall provide the persons referred to in Article 13 of this Agreement with conditions for instruction of the native language. For this purpose, each of the Contracting Parties shall:

- provide the interested persons, on a voluntary basis, with the access to instruction of the native language and instruction in the native language in kindergartens, primary schools and secondary schools, in educational systems of the Republic of Poland and the Republic of Belarus, and shall also undertake actions aiming at offering the opportunity of university education in the native language;
- favour teaching and improvement in the quality of teaching of language, history and culture of the other Contracting Party at all levels of education outside the state education system;
- provide relevant vocational training and skill improvement programs for teachers from the national minority schools;
- offer, following obtaining mutual consents, the opportunity of employment to the teachers delegated to schools by the other Contracting Party.

#### **Article 29**

The Contracting Parties shall support their cooperation in respect of radio stations, including:

- the exchange of information;
- the production of programmes targeted at national minorities as well as their broadcasting.

### **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 of Victims of Wars and Repression**

of 21 January 1995

(Journal of Laws of 1997 No. 32 item 185)

The Government of the Republic of Poland and the Government of the Republic of Belarus, hereinafter referred to as Parties,

- acting in the interest of both Nations and their mutual understanding,
- wishing to commemorate, with due respect, memorial sites and final resting places of soldiers and civilians died, killed and murdered as a result of struggle for independence, warfare or repression, which are located on the territories of Poland and Belarus,
- considering the provisions of Article 25 of the Treaty between the Republic of Poland and the Republic of Belarus on Good Neighbourliness and Friendly Cooperation of 23 June 1992,
- following the respective provisions of the Geneva Conventions on the Protection of War Victims of 12 August 1949 and Additional Protocols thereto, have agreed as follows:

#### **Article 1**

In this Agreement the following expressions shall have the following meaning:

“memorial sites and final resting places” shall mean places connected with struggle for independence, warfare or repression,

“arrangement of memorial sites and final resting places” shall mean fixing of their limits, raising of tombstones, monuments and commemorating burial places and displaying of commemorative plaques,

“preservation of memorial sites and final resting places” shall mean maintenance, in due order, of graves, tombstones, monuments, commemorating burial places and commemorative plaques.

## **Article 2**

1. This agreement shall govern the Parties’ cooperation in the resolution of matters related to the identification, registration, arrangement, maintenance and due preservation of memorial sites and final resting places – Polish ones in the Republic of Belarus and Belarusian ones in the Republic of Poland – of soldiers and civilians that died, were killed or murdered as a result of struggle for independence, warfare or repression. The provisions of this Agreement shall apply to matters related to the exhumation of remains of the dead and their repeated burial with due respect.

2. The Parties shall exchange any information they may have related to the location of memorial sites and final resting places, their number and size and personal data of the dead, killed and murdered as well as any other information related to those persons, connected with the realisation of this agreement. Each Party shall prepare and submit to the other Party lists of all memorial sites and final resting places.

3. In the case of identification of new memorial sites and final resting places, the Party on whose territory they are located, shall undertake immediate measures aimed at their protection. Such places, against the Parties’ mutual agreement, shall be included in the lists, referred to in paragraph 2 of this Article.

## **Article 3**

1. Each Party, on the territory of its state, shall ensure the preservation of the memorial sites and final resting places of persons listed in Article 2(1) in accordance with the relevant provisions of the Geneva Conventions on the Protection on War Victims and Additional Protocols thereto.

2. Each Party shall immediately inform the other Party about any cases of desecration, damage or destruction of memorial sites and final resting places and shall undertake immediate measures aimed at restoring due order in those places, punishing the perpetrators and preventing of similar acts in the future.

3. The Parties shall endeavour to remove from the area surrounding the memorial sites and final resting places of all objects in disaccord with the noble character of such places.

4. With the Parties’ consent, the method of arrangement and preservation of memorial sites and final resting places may be further agreed upon. Apart from the already existing one, other forms of commemorating the dead, killed and murdered may be used.

5. In the fulfilment of their undertakings referred to in this Article, the Parties shall take account of national and religious traditions.

## **Article 9**

1. Citizens of the state of the one Party shall be ensured free access to the memorial sites and final resting places located on the territory of the other Party.

2. Each Party shall facilitate the visiting of those places, especially on days of major holidays and anniversaries, by persons wishing to commemorate the dead, killed and murdered.

AGREEMENTS CONCLUDED WITH THE CZECH AND SLOVAK FEDERATION  
REPUBLIC (APPLYING TO BOTH THE CZECH REPUBLIC  
AND THE SLOVAK REPUBLIC)

**Treaty between the Republic of Poland and the Czech and Slovak Federation Republic on  
Good Neighbourliness, Solidarity and Friendly Cooperation**

of 6 October 1991  
(Journal of Laws of 1992 No. 59 item 296)

**Article 8**

1. The Contracting Parties confirm that persons belonging to the Czech and Slovak national minority in the Republic of Poland and persons belonging to the Polish national minority in the Czech and Slovak Federation Republic shall have the right, individually or together with other members of their group, to freely express, retain and develop their ethnic, cultural, linguistic and religious identity, and to develop their culture in all directions, without any attempts at assimilation against their will.

The Contracting Parties shall respect the rights and fulfil the obligations concerning national minorities in accordance with the international standards, in particular the European standards.

2. The Contracting Parties declare that the persons mentioned in paragraph 1 of this Article shall have the right, individually or together with other members of their group:

- to use freely the native language in private and public life, and – in addition to the need to have command of the official language or official languages of the given State – to use the native language in state offices in accordance with the domestic legal regulations;
- to have access to information in this language, to disseminate and exchange such information;
- to adequate possibilities of instruction of the native language and teaching in the native language;
- to establish and operate their own economic, educational, cultural and religious institutions, organisations and associations.

3. Belonging to a national minority is a matter of individual choice of each citizen. This choice may not involve any negative consequences.

4. Belonging to a national minority does not release the citizen from the obligation to act with loyalty with respect to its State, to observe its legal regulations and to exercise their rights in accordance with the domestic legal regulations.

**AGREEMENT**

**Agreement between the Government of the Republic of Poland and the Government of the  
Czech and Slovak Federation Republic on Cooperation in the Field of Culture, Education  
and Science**

concluded in Bratislava on 23 March 2000  
(Official Journal “Monitor Polski” of 5 February 2002 No. 6 item 123)

### **Article 21**

The Contracting Parties shall support members of the Polish minority in Slovakia and the Slovak minority in Poland in their activities aimed at cultivating their language, traditions and national culture.

The Contracting Parties shall create appropriate possibilities to learn their native language and receive education in their native language to members of the Polish minority in Slovakia and the Slovak minority in Poland. For this purpose, each of the Contracting Parties shall:

- a) ensure the possibility of teaching the minority language and receiving education in the language of the Polish minority in Slovakia and the Slovak minority in Poland in state-owned schools, as well as employing teachers from the country of the other Contracting Party in line with current needs,
- b) provide substantive and methodological support while modernising, improving and widening the scope of curricula to teach Polish in Slovakia and Slovak in Poland as native languages,
- c) support authors' cooperation while devising textbooks, didactic materials and aids used to teach the minority language, literature, culture, history and geography to national minorities: the Polish minority in Slovakia and the Slovak minority in Poland.

The Contracting Parties shall support publications in the language of the Polish minority in Slovakia and the Slovak minority in Poland as well as the cooperation between Polish and Slovak associations and institutions publishing in the languages of these minorities.

Each of the Contracting Parties shall accept persons belonging to the minority originating from the country of the other Contracting Party to university studies (full or partial) as well as doctoral studies every year.

## **PROGRAMME OF COOPERATION**

**between the Minister of Culture of the Republic of Poland and the Ministry of Culture of the Slovak Republic for the Years 2005-2007**

signed in Warsaw on 14 October 2005

(Official Journal "Monitor Polski" of 24 February 2006 No. 14 item 187)

### **Article 11**

The Parties shall ensure favourable conditions for cultural activity and the presentation of the Slovak minority in the Republic of Poland and the Polish minority in the Slovak Republic.

## **AGREEMENT**

**between the Government of the Republic of Poland and the Government of the Czech Republic on Cooperation in the Area of Culture, Education and Science**

signed in Prague on 30 September 2003

(Journal of Laws of 16 November 2004 No. 244 item 2449)

## **Article 11**

The Contracting Parties shall provide members of the Polish national minority in the Czech Republic and the Czech national minority in the Republic of Poland with conditions conducive to sustaining, developing and expressing their national, religious, cultural and linguistic identity within the framework of their internal legal regulations in force on the territory of the State of the other Contracting Party.

## **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 for the Years 2006-2009, signed in Prague on 12 April 2006**

(Journal of Laws of 30 October 2006 No. 197 item 1449)

## **Article 9**

1. The Contracting Parties shall, in accordance with internal legal provisions, ensure the possibility for members of the Polish national minority in the Czech Republic and Czech national minority in the Republic of Poland to learn their native language and to receive education in their native language. For this purpose, the Contracting Parties shall support the operation of schools teaching the native language and conducting instruction in the native language for the Polish national minority communities in the Czech Republic and the Czech national minority communities in the Republic of Poland as well as mutual employment of Polish teachers in the Czech Republic and Czech teachers in the Republic of Poland.

2. In order to ensure conditions for sustaining and development of national and cultural identity as well as the knowledge of the Polish language, the Polish Party shall, according to the internal legal provisions, accept youth of Polish origin from the Czech Republic to state-owned universities in the Republic of Poland within yearly quotas.

## **AGREEMENTS CONCLUDED WITH THE REPUBLIC OF LITHUANIA**

### **Treaty between the Republic of Poland and the Republic of Lithuania on Friendly Relations and Neighbourly Cooperation**

of 26 April 1994

(Journal of Laws of 1995 No. 15 item 71)

## **Article 13**

1. The Contracting Parties undertake to respect international principles and standards concerning protection of rights of national minorities, in particular those contained in the Universal

Declaration of Human Rights, international pacts concerning human rights, relevant documents of the Conference on Security and Cooperation in Europe and in the European Convention on Human Rights and Fundamental Freedoms, together with supplementary protocols accepted by both parties.

2. The persons belonging to the Polish minority in the Republic of Lithuania, i.e. persons with the Lithuanian citizenship, being of Polish origin or declaring Polish nationality, culture or tradition and regarding the Polish language as the native language, as well as the persons belonging to the Lithuanian minority in the Republic of Poland, i.e. persons with the Polish citizenship, being of Lithuanian origin or declaring Lithuanian nationality, culture or tradition and regarding the Lithuanian language as the native language, shall have the right, individually or together with other members of their group, to freely retain, develop and express their ethnic, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law.

3. The Contracting Parties confirm that belonging to a national minority is a matter of individual choice made by persons and may not involve any negative consequences. Nobody may be forced to prove his/her nationality or to renounce it.

#### **Article 14**

The Contracting Parties declare that the persons mentioned in Article 13(2) shall have, in particular, the right:

- to use freely the native language in private and public life;
- to have access to information in this language, to disseminate and exchange such information and to hold their own mass media;
- to learn the national minority's native language and to receive education in this language;
- to establish and operate, in accordance with the national law, the minority's own institutions, organisations and associations, in particular cultural, religious and educational institutions, organisations and associations, including schools of all levels, that would be eligible for voluntary financial assistance, both domestic and foreign, and assistance from public funds, and to participate in activities of international non-governmental organisations;
- to confess and practice their religion, including to acquire, hold and use religious materials and to conduct educational activities in the field of religion in their native language;
- to establish and to maintain undisturbed relations within the minority inside the State, as well as trans-border contacts with citizens of other states sharing their national origin;
- to use their names and surnames in the wording accepted in the national minority's native language; detailed regulations concerning spelling of names and surnames shall be defined in a separate agreement;
- to participate in public life directly or through their freely elected representatives on the levels of central and local authorities, and to be admitted to public service on equal footing with other citizens.

#### **Article 15**

The Contracting Parties shall protect, on their territories, the national, cultural, linguistic and religious identity of the persons mentioned in Article 13(2) and shall create the conditions of its development. In particular, the Parties shall:

- take into consideration allowing the use of languages of national minorities in contacts with the offices, especially in those administrative and territorial entities in which the national minority constitutes a large proportion of population;
- ensure national minorities' access to public mass media;
- ensure the adequate opportunities of learning the national minority's native language and receiving education in this language in kindergartens, primary and secondary schools;
- take necessary actions to protect the identity of the national minority, after consultations, including contacts with the organisations or associations of groups mentioned in Article 13(2);
- take into account the history and culture of the groups mentioned in Article 13(2) in connection with teaching history and culture in educational institutions;
- refrain from any actions that might lead to assimilation of members of the national minority against their will, and – in accordance with the international standards, shall refrain from the actions that would lead to changes as far as nationality is concerned on the areas inhabited by the national minorities.

#### **Article 16**

1. No provision included in Article 14 may be interpreted as conferring the right to conduct any activity or to perform any acts incompatible with the Charter of the United Nations, the international law provisions, in particular with the principle of respect for territorial integrity of the state and the documents of the Conference on Security and Cooperation in Europe.
2. Each member of the Polish national minority in the Republic of Lithuania and Lithuanian national minority in the Republic of Poland should be loyal towards his/her state of residence as all other citizens and obey the duties resulting from legal regulations of this state.

### **Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on Cooperation in the Area of Culture, Science and Education**

of 17 December 1998

#### **Article 9**

The Contracting Parties shall provide persons belonging to the Polish national minority in the Republic of Lithuania and to the Lithuania national minority in the Republic of Poland with conditions conducive to retaining, developing and expressing their ethnic, cultural, linguistic and religious identity.

For this purpose, the Contracting Parties shall, each on its own territory, support the operation of educational and cultural institutions and social organisations of the national minority and shall favour preserving cultural links with their compatriots on the territory of the other State.

The Contracting Parties shall, each on its own territory, provide the above-mentioned persons with access to the public mass media, and, on a voluntary basis, access to education in the

national minority's native language on the kindergarten level and the level of primary and secondary school.

The Contracting Parties shall ensure training and supplementary training for teachers of the national minority schools, the possibility of employment of teachers delegated by the other Party in the national minority schools, the possibility of dissemination of knowledge of the native language, history, geography and culture of the national minority and improvement of the quality of teaching these subjects. The Contracting Parties shall cooperate in respect of preparing school curricula and textbooks to teach Polish language and literature, history and geography of Poland for primary and secondary schools with the Polish language of instruction in Lithuania, as well as school curricula and textbooks for the Lithuanian language and literature, history and geography of Lithuania for primary and secondary schools with the Lithuanian language of instruction in Poland.

**Programme of Cooperation between the Ministry of National Education of the Republic of  
Poland and the Ministry of Education and Science of the Republic of Lithuania for the  
Years 1998-2001**

of 16 November 1998

**Article 1**

The Parties shall exchange information related to education systems of their countries, plans of development and directions of reforms as well as normative acts in the field of education.

**Article 2**

The Parties shall support direct cooperation between schools of all levels, in particular, in border areas. The cooperation shall be coordinated by local education authorities. Conditions of exchange programmes shall be individually agreed upon by partners.

**Article 3**

The Parties shall, as far as possible, offer teaching guidance to schools and kindergartens located on the territory of the other country where teaching of the language of the other Party and education in the language of the other Party is provided.

**Article 4**

The Parties shall cooperate in preparation of textbooks and instruction curricula of the Polish language and literature, history and geography of Poland for schools with the Polish language of instruction in Lithuania as well as textbooks and curricula of instruction of the Lithuanian language and literature, history and geography of Lithuania for schools with the Lithuanian language of instruction in Poland.

**Article 6**

1. The Parties shall continue to organise additional training courses for teachers of native languages in both countries – of Polish language in schools in Lithuania and Lithuanian language in schools in Poland. The Parties shall recognise qualifications acquired in this way.

2. The Parties shall annually agree upon the subjects whose teachers will be sent and admitted to additional training courses in both countries.

#### **Article 15**

The Bilateral Commission to Research Problems Connected with Teaching History shall extend its works by including issues from the scope of geography and literature. For this purpose, the Parties shall appoint experts in these fields to the Polish and Lithuanian part of the Commission. Meetings of the Commission shall be held in Vilnius, in accordance with the Protocol of the Ministry of National Education of the Republic of Poland and the Ministry of Culture and Education of the Republic of Lithuania signed on 21 February 1992.

### **Protocol of the Ministry of National Education of the Republic of Poland and the Ministry of Culture and Education of the Republic of Lithuania on the Establishment of a Bilateral Commission to Research Problems Connected with Teaching History of 21 February 1992**

#### **Article 2**

The Commission shall:

1. exchange information on teaching history in primary and secondary schools in Poland and Lithuania, familiarise both Parties with textbooks for those types of schools;
2. discuss the content of history textbooks; submit appropriate comments and propositions to the Contracting Parties, textbook authors and publishing houses;
3. study the problems associated with history teaching in schools in Poland where instruction is conducted in Lithuanian and in schools in Lithuania where instruction is conducted in Polish; submit appropriate comments and propositions to the Contracting Parties;
4. propose the manner of supplying primary and secondary schools in Poland and Lithuania with history textbooks.

### **Agreement between the Government of the Republic of Poland and the Government of the Republic of Lithuania on Polish and Lithuanian Youth Exchange Fund of 1 June 2007**

#### **Article 2**

1. The objective of the Fund is to support the cooperation between Polish and Lithuanian youth which would be conducive to building friendly cooperation between the Polish and Lithuanian Nations.

2. The Fund shall attain its objectives through supporting and financing the following measures:
  - 1) exchanges of Polish and Lithuanian youth;
  - 2) projects developed and conducted by organisations that inspire the exchanges and other initiatives by Polish and Lithuanian youth, in the scope of this Agreement;
  - 3) events, meetings and other initiatives by Polish and Lithuanian youth;
  - 4) informational projects aimed at inspiring cultural cooperation, promoting tolerance, improving understanding and mutual knowledge between Polish and Lithuanian youth;
  - 5) projects aimed at the exchange and promotion of examples of good practice between organisations implementing policy for youth and working with youth;
  - 6) publications aimed at promoting closeness between the Polish and Lithuanian Nations.

## AGREEMENTS CONCLUDED WITH THE FEDERAL REPUBLIC OF GERMANY

### **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)

#### **Article 20**

1. Members of the German minority in the Republic of Poland, i.e. persons holding Polish citizenship, being of German origin or declaring German language, culture or tradition, as well as the persons belonging to the Polish minority in the Federal Republic of Germany, i.e. persons holding German citizenship, being of Polish origin or declaring Polish language, culture or tradition, shall have the right, individually or together with other members of their group, to freely express, retain and develop their ethnic, cultural, linguistic and religious identity, without any attempts made at their assimilation against their will. The said minority members shall have the right to exercise, fully and effectively, human rights and fundamental freedoms without any discrimination and in conditions of full equality before the law.

2. The Contracting Parties are realising the rights and obligations in accordance with the international standards concerning minorities, in particular in accordance with the United Nations Universal Declaration of Human Rights of 10 December 1948, the European Convention on Human Rights and Fundamental Freedoms of 4 November 1950, the Convention on Elimination of All Forms of Racial Discrimination of 7 March 1966, the International Pact on Civil and Political Rights of 16 December 1966, the Final Act of the Conference on Security and Cooperation in Europe of 1 August 1975, the Document of the Copenhagen Meeting on the Human Dimension of the Conference on Security and Cooperation in Europe of 29 June 1990, as well as the Charter of Paris for a New Europe of 21 November 1990.

3. The Contracting Parties guarantee that the persons mentioned in paragraph 1 shall have, in particular, the right, individually or together with other members of their group:

- to use freely the native language in private and public life, to have access to information in this language, to disseminate and exchange such information;
  - to establish and operate their own educational, cultural and religious institutions, organisations and associations that would be eligible for voluntary financial assistance or other assistance, including assistance from public funds, in accordance with the national law, and that would have equal access to mass media in its region;
  - to confess and practice their religion, including to acquire, hold and use religious materials and to conduct educational activities in the field of religion in its native language;
  - to establish and to maintain undisturbed relations within the minority inside the State, as well as trans-border contacts with citizens of other states sharing their ethnic or national origin, cultural heritage or religious beliefs;
  - to use their names and surnames in the wording accepted in the native language;
  - to establish and operate organisations or associations inside their state, and to participate in activities of international non-governmental organisations;
  - to make use, on equal footing with other citizens, of the effective legal means aimed at exercising their rights, in accordance with the internal legal regulations.
4. The Contracting Parties confirm that belonging to the groups mentioned in paragraph 1 is a matter of individual choice made by persons and may not involve any negative consequences.

#### **Article 21**

1. On their territories, the Contracting Parties shall protect ethnic, cultural, linguistics and religious identity of the groups mentioned in Article 20(1) and create conditions to strengthen this identity. The Parties understand the special significance of constructive cooperation in this area. Such cooperation should strengthen peaceful cohabitation and good neighbourliness of the Polish and German nations and be helpful in reaching an understanding and reconciliation.

2. The Contracting Parties shall, in particular:

- within the framework of the effective acts, enable and facilitate undertaking the actions aimed at supporting members of the groups mentioned in Article 20(1) or their organisations;
- despite the necessity of learning the official language of the relevant State, undertake acts, in accordance with the internal legal regulations, aiming at providing members of the groups mentioned in Article 20(1) with the adequate opportunities of instruction of their native language or of receiving instruction in their native language, in public educational institutions and also, when needed and necessary, of using the native language in contacts with public authorities;
- take into account history and culture of the groups mentioned in Article 20(1) in connection with teaching of history and culture in educational institutions;
- respect the right of members of the groups mentioned in Article 20(1) to effectively participate in public affairs, including participation in the matters related to the protection of national minorities and supporting their identity;
- undertake necessary actions to that effect, after due consultations and in accordance with the procedure of decision-making in the given State, including contacts with organisations or associations of the groups mentioned in Article 20(1).

2. The Contracting Parties shall apply the provisions of Article 3 with reference to the matters referred to in this Article and in Articles 20 and 22.

## **Article 22**

1. No obligation under Article 20 and 21 may be interpreted as involving the right to engage in any activity or to undertake any actions incompatible with the Charter of the United Nations, other obligations resulting from the international law, or incompatible with the provisions of the Final Act of the Conference on Security and Cooperation in Europe, including the principle of territorial integrity of states.

2. Each person belonging to the groups mentioned in Article 20(1) in the Republic of Poland or in the Federal Republic of Germany shall be obliged, in accordance with the above-mentioned provisions, should be loyal towards his/her state of residence as all other citizens and obey the duties resulting from legal regulations of this state.

## **Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Cultural Co-operation**

of 14 July 1997

(Journal of Laws of 1999 No. 39, item 379)

## **Article 4**

1. The Contracting Parties shall endeavour to provide all interested persons with wide access to the culture, language, literature and history of the other country. With this aim, they shall support state and non-state initiatives and institutions.

The Contracting Parties shall make all necessary efforts to enable, expand and favour projects aimed at supporting, in their respective countries, instruction and propagation of the language of the other country in colleges and universities, schools and other educational institutions as well as within the framework of non-school forms of language instruction.

The Contracting Parties shall encourage the creation of bilingual schools and classes, especially in border areas.

The Contracting Parties shall endeavour to extend the possibilities of taking up the studies of the Polish language and literature and the studies of the German language and literature at colleges and universities of both countries.

2. The Contracting Parties shall enable and facilitate in their respective countries the execution of supporting projects of the other Party, in particular such projects as:

- (a) delegating teachers, language teachers and counsellors – consultants,
- (b) participation of teachers and students in training courses and additional training courses organised by the other Party, as well as exchange of experience in the field of modern methods and techniques of foreign language teaching,
- (c) circulation of textbooks and teaching materials and resources and co-operation in the preparation of textbooks,
- (d) use of possibilities provided by the radio and television to learn and promote the language of the other Contracting Party.

## **Article 5**

Within the framework of their co-operation, the Contracting Parties shall endeavour to present history, geography and culture of the other country in their textbooks in such a way as to favour

their better mutual understanding and knowledge; they shall encourage to take account of the recommendations of the Independent Polish and German Commission for School Textbooks.

#### **Article 6**

The Contracting Parties shall support co-operation, in all forms and at all levels, in the field of science, schooling and education, in particular, in the domain of colleges and universities and scientific organisations, comprehensive schools and vocational schools, organisations and institutions of non-school education and further education for adults, school system administration and vocational training and other educational and scientific institutions.

The Parties shall encourage institutions operating in those fields in their respective countries to:

- 1) develop co-operation in all the fields being the object of common interest;
- 2) establish partnership relations between colleges and universities and other scientific and educational institutions of both countries;
- 3) carry out joint educational and research projects;
- 4) delegate persons for the purpose of exchanging information and experience and participation in conference and scientific symposia;
- 5) carry out exchange programmes of scientists, post-graduate students, administration officials of colleges and universities, teachers, instructors, students and pupils under scientific grants and scholarships,
- 6) exchange scientific, pedagogical and didactical literature, teaching materials, informative materials and didactical and scientific film as well as organise specialised exhibitions.

#### **Article 12**

The Contracting Parties shall support direct contacts between social groups and associations, such as: trade unions, cultural associations, creative unions, churches, religious associations and non-governmental foundations and organisations, and shall encourage realisation of projects aimed at the purposes of this Agreement.

### **Agreement between the Government of the Republic of Poland and the Government of the Federal Republic of Germany on Graves of Victims of Wars and Totalitarian Violence**

of 8 December 2003

(Official Journal "Monitor Polski" of 2005 No 55, item 749)

#### **Article 1**

This agreement shall govern all matters related to the identification, documentation, registration, arrangement, maintenance and due preservation and protection of final graves of victims of wars and totalitarian violence – Polish on the territory of the Federal Republic of Germany and German on the territory of the Republic of Poland – as well as all matters related to the exhumation of the bodies and their inhumation with due respect.

### **Article 3**

1. The Contracting Parties agree that the graves of victims of wars and totalitarian violence shall be under legal protection of the state on whose territory they are located.

2. Memorials of victims of wars and totalitarian violence, which are not located in war cemeteries as defined by this Agreement, shall be under legal protection of the state on whose territory they are located.

### **Article 4**

1. The Contracting Parties shall guarantee the protection of the existing and discovered graves of victims of wars and totalitarian violence, free access to them and the right to undisturbed repose for the fallen and deceased as a result of wars and totalitarian violence. The Contracting Parties shall make every effort to prevent buildings or facilities incompatible with the solemnity of these war cemeteries from being constructed in their vicinity.

2. The Contracting Parties shall be entitled to renovate, clean and preserve at their own expense war graves and cemeteries of victims of wars and totalitarian violence referred to in Article 2 of this Agreement which are located on the territory of the state of the other Contracting Party.

3. The Government of the Federal Republic of Germany shall guarantee to support, renovate and preserve at its own expense the Polish war graves and cemeteries defined in Article 2 of this Agreement on the territory of the Federal Republic of Germany.

4. The Government of the Republic of Poland shall guarantee to support, renovate and preserve at its own expense the German graves and war cemeteries located on the territory of the Republic of Poland of the fallen and deceased as a result of 1914-1918 war, according to the regulations on war graves and cemeteries on the territory of the Republic of Poland.

### **Article 5**

The Contracting Parties shall support the creation of documentary and information centres or meetings near war cemeteries as the element of the education for mutual understanding and reconciliation.

### **Article 7**

1. The Contracting Parties shall allow one another to merge the graves of victims of wars and totalitarian violence whose transfer is deemed necessary without incurring costs on this account and following the submission of plans for their approval.

2. The transfer of the remains of German victims of wars and totalitarian violence shall be performed by working groups designated by the German Party. The transfer of the remains of Polish victims of wars and totalitarian violence shall be performed by working groups designated by the Polish Party.

3. Following the completion of works related to the transfer of the remains, the protocol shall be made in which the former and the new location of the grave, personal details of the exhumed person, the ID caption message and other items found are entered which make the identification of remains possible. The protocol shall also constitute the basis for handing over the items found next to the remains.

4. In case former war cemeteries cease to exist due to infrastructural circumstances and the transfer of remains is not possible, the Contracting Party on whose territory the cemeteries are located shall allow the other Contracting Party at its own request and expense to erect memorial sites in the fittingly and in the form corresponding with local conditions. If it entails rendering the land available or receiving the permission of local authorities, both Contracting Parties shall support each other in submitting appropriate applications and the implementation of this commemorative event.

5. If provisional storage of the remains of victims of wars and totalitarian violence proves necessary to enable the definitive burial at war cemetery, the Contracting Party, on the territory of the state on which they are discovered, shall undertake actions to temporarily bury the remains and mark the graves, taking into account the regulations valid in the given state.

## AGREEMENTS CONCLUDED WITH THE RUSSIAN FEDERATION

### **Treaty between the Republic of Poland and the Russian Federation on Neighbourly and Friendly Co-operation**

of 22 May 1992  
(Journal of Laws of 1993 No. 61, item 291)

#### **Article 16**

1. The Contracting Parties undertake to follow the internationally accepted standards, concerning the guarantee of observance of human rights and rights of national minorities, in particular those contained in the Universal Declaration of Human Rights, International Covenants on Human Rights, the documents of the Conference on Security and Co-operation in Europe, in particular related to human dimension.
2. The Parties believe that freedom of confession is one of the fundamental human rights and shall apply this principle, guaranteeing, in accordance with the effective legislation, the citizens of the Republic of Poland being of Russian origin and the citizens of the Russian Federation being of Polish origin, regardless of their nationality and confession, the right of free access to the objects and places of the religious cult and the right to religious education and upbringing.
3. The Parties shall assist the citizens of the Republic of Poland being of Russian origin and the citizens of the Russian Federation being of Polish origin in retaining and propagating their ethnic identity, own culture and teaching the native language on pre-school and school level.

**Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on Co-operation in the Area of Culture, Science and Education**

of 25 August 1993  
(Journal of Laws of 1994 No. 36, item 133)

**Article 13**

The Parties shall support the actions aimed at retaining and developing the ethnic, cultural, linguistic and religious identity of Poles resident in Russia and representatives of nations and ethnic groups of the Russian Federation resident in Poland.

For this purpose, the Parties shall support maintaining contacts of cultural minorities with their ethnic fatherland, preserving tradition, ensuring the opportunity of free contacts, including journey to the ethnic fatherland. The Parties shall provide comprehensive support for operations of social and cultural organisations of national minorities, and, within the framework of the internal legal regulations, shall enable them to receive financial assistance from the ethnic fatherland.

**MEMORANDUM OF UNDERSTANDING**

**on Co-operation between the Minister of National Education of the Republic of Poland and the Ministry of Education and Science of the Russian Federation in the field of education**

signed in Moscow on 28 October 2005  
(Official Journal "Monitor Polski" of 10 February 2006 No. 10, item 132)

**Article 1**

The Parties shall co-operate in the following fields:

- exchange of information about education systems, development plans and reform directions,
- education and raising qualifications of teaching staff in specialities of mutual interest,
- development, support and raising the level of teaching the Polish language and literature in the Russian Federation and the Russian language and Russian literature at all levels of education,
- supporting co-operation between higher education institutions of Parties States in the field of science, especially mutual research on the history of Polish-Russian relations,
- conducting joint scientific events, conferences, symposiums as well as contests and competitions for pupils and students,
- development of direct contacts and co-operation between all types of educational institutions of Parties States.

#### **Article 4**

The Parties shall encourage the development and raising of the level of education of the Polish language and Polish literature in educational institutions of the Russian Federation and the Russian language and Russian literature in educational institutions of the Republic of Poland.

For this reason, the Parties shall organise each year:

- 1) courses increasing qualifications for teachers – the Polish Party for teachers of the Polish language from the Russian Federation, whereas the Russian Party for teachers of the Russian language from the Republic of Poland,
- 2) summer language courses - of the Polish language in the Republic of Poland and the Russian language in the Russian Federation - for students and PHD students.

Each year the Parties shall consult the periods of stay, the conditions for accepting candidates and their number within this Article.

#### **AGREEMENT**

#### **between the Government of the Republic of Poland and the Government of the Russian Federation the Protection of Graveyards and Memorial Sites of Victims of Wars and Repression**

of 22 February 1994  
(Journal of Laws No. 112, item 543)

The Government of the Republic of Poland and the Government of the Russian Federation, hereinafter the Parties,  
considering the provisions of article 17 of the Treaty between the Republic of Poland and the Russian Federation on Friendly and Neighbourly Co-operation of 22 May 1992 as well as the declaration signed therewith by the Presidents of the Republic of Poland and of the Russian Federation,  
have agreed as follows:

#### **Article 1**

1. This agreement shall govern the Parties' co-operation in the resolution of matters related to the identification, registration, arrangement, maintenance and due preservation of memorial sites and repose places – Polish ones in the Russian Federation and Russian ones in the Republic of Poland – of soldiers and civilians dead, killed or murdered as a result of struggle for independence, warfare or repression, hereinafter referred to as “memorial sites and repose places”. The provisions of this agreement shall apply to the matters related to the exhumation of remains of the dead and their repeated burial with due respect.

2. In their co-operation, referred to in section 1 of this article, the Parties shall follow the provisions of this agreement and well as the goals and principles of the Geneva Conventions on the Protection of War Victims of 12 August 1949 and Additional Protocols thereto, as well as state, national and religious customs and traditions of the nations of Poland and Russia.

3. The provisions of this agreement shall apply to the graveyards of soldiers and civilians which go beyond the provisions of section 1 of this article which are nevertheless located within the repose places, referred to in section 1.

## **Article 2**

1. The Parties shall exchange any information they have which relate to the location of memorial sites and repose places, their number and size and personal data of the fallen, murdered and tortured to death.

2. On the basis of the information, referred to in section 1 of this article, each Party shall prepare a list of all memorial sites and repose places.

3. Each Party shall include in the list and provide protection of all the identified memorial sites and repose places, notifying the other Party accordingly.

4. Arrangement of memorial sites and repose places shall mean fixing of their limits, raising of tombstones, commemorative signs, monuments and other commemorating burial places.

In particular cases, with the approval of the Parties, the manner of arrangement and preservation of memorial sites and repose places may be additionally specified. Apart from the existing ones, new monuments may be raised and other forms of commemorating the dead, killed and murdered may be introduced, if they are historically justified.

## **Article 10**

1. Each Party shall, in accordance with the legislation of its State, ensure on the territory of its state, free access of citizens of both States to their respective memorial sites and repose places.

2. The Parties, as required, shall facilitate and favour the establishment and maintenance of museums and meeting places in the neighbourhood of the memorial sites and repose places, with a view of acquainting the interested persons, mainly youth, with the past and undertaking measures aimed at reconciliation of the nations.

## **JOINT DECLARATION OF THE MINISTRIES OF FOREIGN AFFAIRS OF THE REPUBLIC OF POLAND AND THE RUSSIAN FEDERATION**

In connection with the Agreement between the Government of the Republic of Poland and the Government of the Russian Federation on Graveyards and Memorial Sites of Victims of Wars and Repression, signed in Cracow on 22 February 1994, and in their endeavours to build the Polish and Russian relations on the new quality basis, as well as to overcome the negative legacy of the past, conscious of the enormity of suffering caused by the Stalin regime as well as remembering the irreparable losses sustained by the nations of Poland and Russia, the Ministries of Foreign Affairs of the Republic of Poland and the Russian Federation wish to express their conviction that the memorial sites and repose places of victims of warfare and repression, Polish citizens on the territory of the Russian Federation and Russian citizens on the territory of the Republic of Poland, should enjoy special care and protection.

Guided by good will and humanitarian values, the Russian Party intends to start in May 1994 in Katyń and Miednoje the exhumation of the remains of victims of the totalitarian regime, including Polish Army officers, and participate in their burial with due respect. The Russian Party declares that it is ready to cover the costs connected with the above and provide assistance in the arrangement of graveyards – monuments in Katyń and Miednoje.

The Russian Party intends also to provide further assistance in the places of martyrdom of the Polish citizens on the territory of the Russian Federation.

The Polish Party declares that it is ready to strictly co-operate with the Russian Party in order to ensure due care about the repose places of soldiers not covered by this agreement, which are located on the territory of Poland. Decisions involving change of status of such repose places shall be taken after prior notification of the Russian consular offices in Poland. Both Parties shall develop co-operation in order to preserve on their territories the memorial sites connected with the history of Poland and Russia.

## AGREEMENTS CONCLUDED WITH THE REPUBLIC OF UKRAINE

### **Treaty between the Republic of Poland and Ukraine on Good Neighbourliness, Friendly Relations and Co-operation**

of 18 May 1992  
(Journal of Laws of 1993 No. 125, item 573)

#### **Article 11**

1. The Contracting Parties, in accordance with the generally effective international standards on the protection of national minorities, recognise the right of members of the Polish national minority in Ukraine and members of the Ukrainian national minority in the Republic of Poland, individually or together with other members of their group, to retain, express and develop their ethnic, cultural, linguistic and religious identity, without any discrimination and in conditions of full equality before the law. The Parties shall undertake necessary actions in order to realise this right, in particular the right to:

- teach and learn the native language and in the native language, to use the native language freely, to have access to information in this language, to disseminate and exchange information in this language;
- establish and maintain own educational, cultural and religious institutions and associations;
- confess and practice their religion;
- to use their names and surnames in the wording accepted in the native language;
- to establish and to maintain undisturbed relations within the State, as well as trans-border contacts among themselves.

2. The Contracting Parties confirm that belonging to a national minority is a matter of individual choice made by persons and may not involve any negative consequences. Each Party, on its own territory, shall protect the national identity of the minority of the other Party against any actions threatening such identity, and shall create the conditions for strengthening the said national identity.

3. Each person belonging to the Polish national minority in Ukraine and to the Ukrainian national minority in the Republic of Poland should be loyal with respect to the state of residence, similarly like all other citizens, bearing in mind the obligations resulting from the internal legal regulations effective in this State.

**Agreement between the Government of the Republic of Poland and the Government of  
Ukraine on Co-operation in the Area of Culture, Science and Education**

of 20 May 1997  
(Journal of Laws of 2000 No. 3, item 29)

**Article 12**

The Contracting Parties shall provide persons belonging to the Ukrainian national minority resident in the Republic of Poland and persons belonging to the Polish national minority resident in Ukraine with the conditions that favour retaining, developing and expressing their national, religious, cultural and linguistic identity, without any discrimination and in conditions of full equality before the law.

The Contracting Parties, on their territories, shall comprehensively support activities of national and cultural organisations of the mentioned above persons and shall create the conditions allowing them to obtain financial assistance from their ethnic fatherland; and shall favour preserving cultural links with their compatriots resident on the territory of the other State.

**Article 13**

Each Contracting Party, on its territory, shall provide the persons mentioned in Article 12 of this Agreement with conditions for instruction of the native language and instruction in the native language.

For this purpose, each of the Contracting Parties:

- shall provide the interested persons with the access to instruction in the native language and instruction of the native language in pre-schools, elementary schools and high schools, within the framework of educational systems of Poland and Ukraine, and shall attempt to improve quality of teaching of these subjects;
- shall provide relevant vocational training and skill improvement programs for teachers from the institutions teaching the national minority's native language or in the national minority's native language;
- shall offer the opportunity of employment to the teachers delegated to schools on the basis of Memorandum of Understanding accepted by the Contracting Parties.

**Article 23**

The Contracting Parties shall support television and radio cooperation under the Memorandums of Understanding between competent institutions of both countries, as well as the exchange of materials and information, while abiding by the copyright norms, creating programmes and their broadcasting for regional minorities which reside on the territory of the other Contracting Party.

## **MEMORANDUM OF UNDERSTANDING**

### **on Co-operation between the Minister of National Education of the Republic of Poland and the Ministry of Education and Science of Ukraine**

of 2 July 2001

#### **Article 1**

The Parties shall co-operate on the conditions of mutuality and equality before the law, with special care for the following issues:

- exchange of information on the systems of education, their development plans and directions of reforms;
- training of specialists in the areas being the subject of mutual interest;
- development and improvement of quality of teaching of the Polish language in Ukraine and of the Ukrainian language in the Republic of Poland;
- providing the national minorities – the Ukrainian national minority in the Republic of Poland and the Polish national minority in Ukraine – with the conditions for instruction of the native language and instruction in the native language on pre-school level, level of elementary and post-elementary school and at universities;
- supporting scientific co-operation between universities, in particular joint research in the field of history of the Polish-Ukrainian relations and Polish and Ukrainian language and literature;
- supporting organisation of joint scientific events, conferences, symposia and competition for youth;
- developing direct contacts and co-operation between the universities, elementary and post-elementary schools.

#### **Article 6**

The Parties shall provide the persons belonging to the Ukrainian national minority resident on the territory of the Republic of Poland and the persons belonging to the Polish national minority resident on the territory of Ukraine with the conditions for instruction in the native language and for instruction of the said native language as well as the minority's culture and history in pre-schools, elementary and post-elementary comprehensive schools, within the framework of systems of education of Poland and Ukraine, and shall favour the improvement of quality of teaching of these subjects.

The parties shall favour creating conditions for teaching of the native language at universities, and shall pay special attention to training of teachers of Polish language and Ukrainian language, to improving their qualifications and to perfecting the command of the national minority by teachers of other subjects lectures in this language.

#### **Article 8**

The Parties shall provide mutual assistance in the area of equipping schools and educational institutions with textbooks, methodical literature and teaching aids in order to meet the educational needs of members of national minorities.

## **AGREEMENT**

### **between the Government of the Republic of Poland and the Government of Ukraine on the Protection of Memorial Sites and Repose Places of Victims of Wars and Political Repression**

of 21 March 1994

(Journal of Laws No. 112, item 545)

The Government of the Republic of Poland and the Government of Ukraine, hereinafter the Contracting Parties,

In accordance with the endeavours of their nations to commemorate, with due respect, the memorial sites and repose places of the killed and murdered as a result of warfare or repression, both on the territories of Poland and Ukraine,

Considering the provisions of article 17 of the Treaty between the Republic of Poland and Ukraine on Neighbourliness, Friendly Relations and Co-operation signed in Warsaw on 18 May 1992,

Following the respective provisions of the Geneva Conventions on the Protection of War Victims of 12 August 1949 and Additional Protocols thereto,

In their endeavours to ensure free flow of information and full access to the source verified truth, Acting to the benefit of friendly relations between both nations and their mutual understanding in the future,

have agreed as follows:

#### **Article 1**

The Contracting Parties shall follow the provisions of this agreement in the resolution of matters related to the identification, registration, arrangement, maintenance and due preservation of memorial sites and graves of victims of warfare or political repression as well as to the exhumation of remains of dead bodies and their inhumation with due respect.

#### **Article 2**

In this Agreement the following expressions shall have the following meaning:

“memorial site” shall mean a places associated with struggle or martyrdom,

“arrangement of memorial sites and repose places” shall mean fixing of their limits, raising of tombstones, monuments and commemorating burial places and displaying of commemorative plaques,

“preservation of memorial sites and repose places” shall mean protection of graves, tombstones, monuments, commemorating burial places and their maintenance in due order.

#### **Article 3**

1. The Contracting Parties shall exchange any information they have relating to the location of memorial sites and repose places, their number and size and personal data of the fallen and murdered as well as any other information relating to those persons, connected with the realisation of this agreement. On the basis of this information, Parties shall prepare official lists of memorial sites and repose places.

2. In the case of identification of new memorial sites and repose places, the Contracting Party on whose territory they are located, shall undertake immediate measures aimed at their protection.

Such places, against mutual agreement of the Contracting Parties, shall be included in the official lists of the memorial sites and repose places.

#### **Article 4**

1. Each Party, on the territory of its state, shall ensure the preservation of the memorial sites and repose places of soldiers and civilians of the other Contracting Party, referred to in Article 1 of this agreement, in accordance with the relevant provisions of the Geneva Conventions on the Protection on War Victims and Additional Protocols thereto.
2. Each Contracting Party, on the territory of its state, shall favour the undertakings of the other Contracting Party connected with the arrangement of memorial sites and repose places and commemoration of the fallen and murdered; it may involve the use of national and religious symbols. In specific cases, with the consent of the Contracting Parties, also other forms of commemoration of the killed and murdered may be used.
3. The Contracting Parties shall notify each other about any cases of vandalism at memorial sites and repose places and shall undertake measures aimed at restoring of those places and preventing of similar acts in the future.
4. The Parties shall endeavour to remove from the areas on which memorial sites and repose places are located and from the adjacent areas, of all objects in disaccord with the status of such places.
5. In the fulfilment of their undertakings referred to in this article, the Contracting Parties shall take account, if necessary, of national customs and religious traditions of other nations.

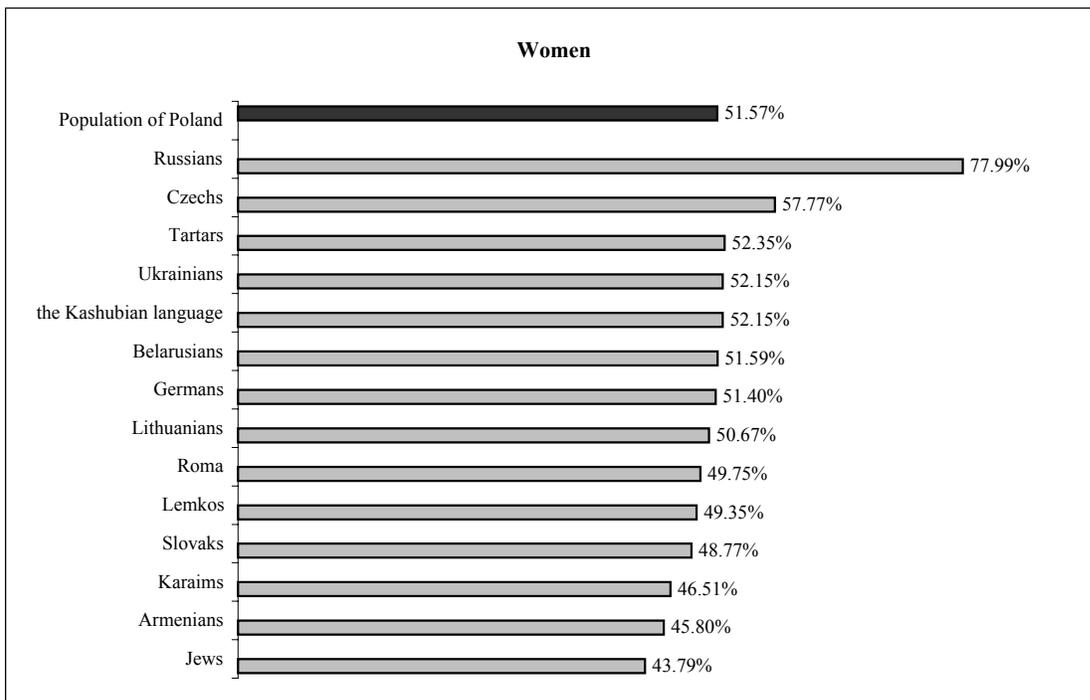
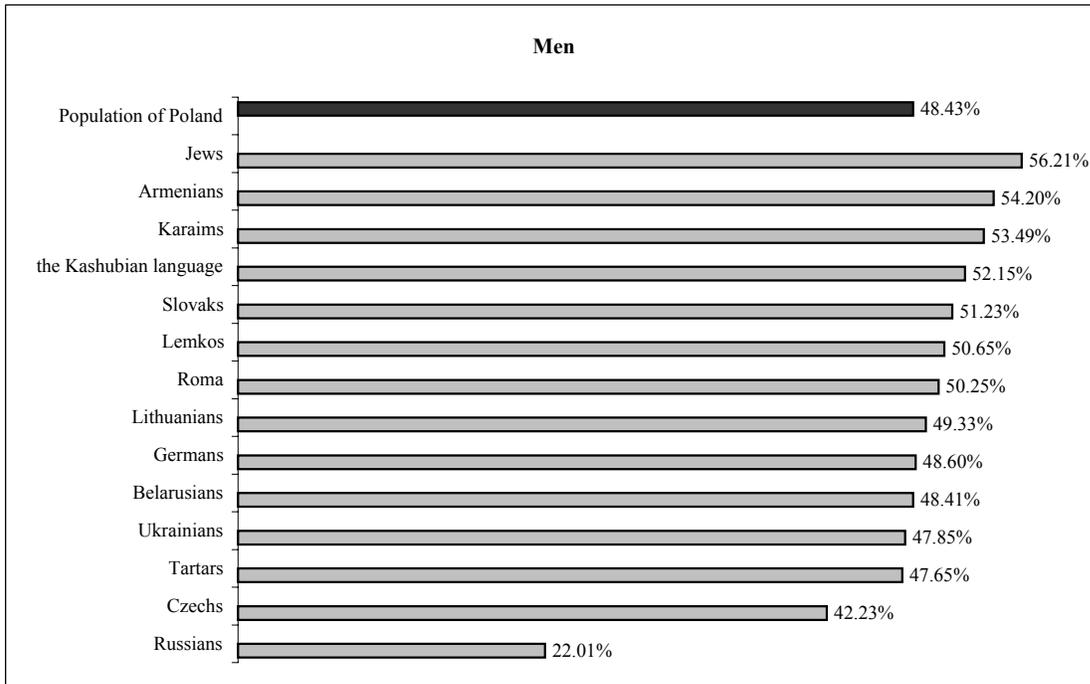
#### **Article 10**

1. Each Contracting Party shall, in accordance with the legislation of its State and the existing bilateral agreements, ensure citizens of the other Contracting Party free access to the memorial sites and repose places of the compatriots.
  1. The Contracting Parties shall favour the establishment and maintenance of museums and meeting places in the neighbourhood of the memorial sites and repose places.

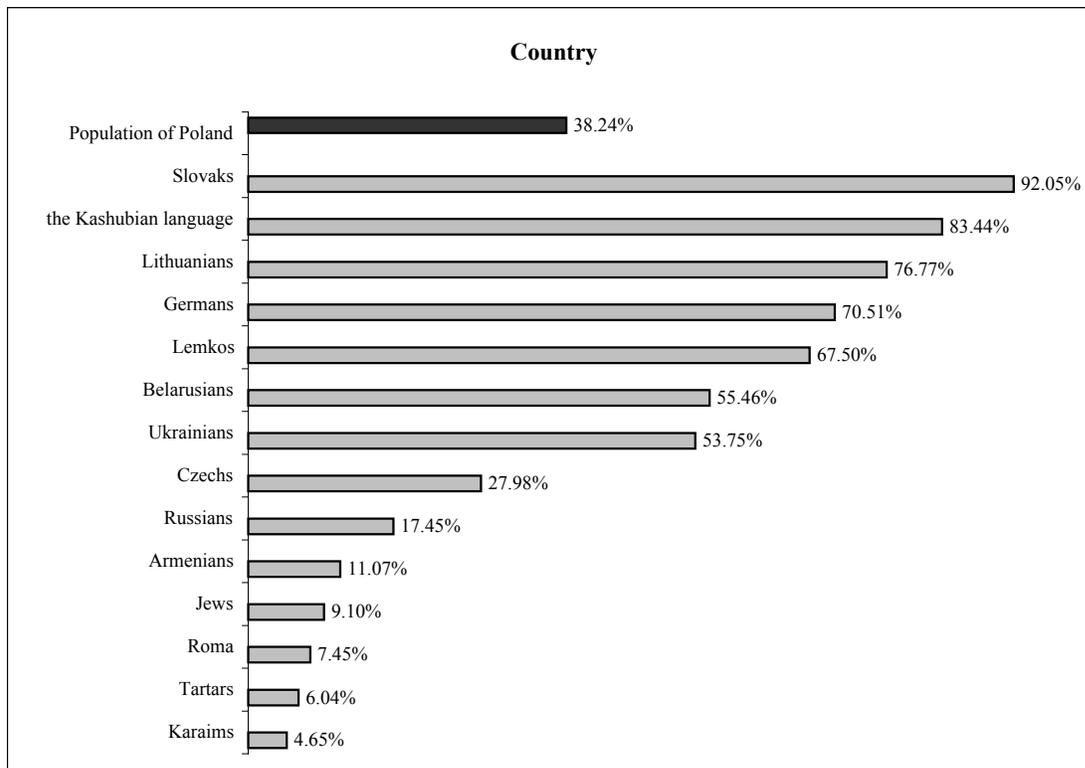
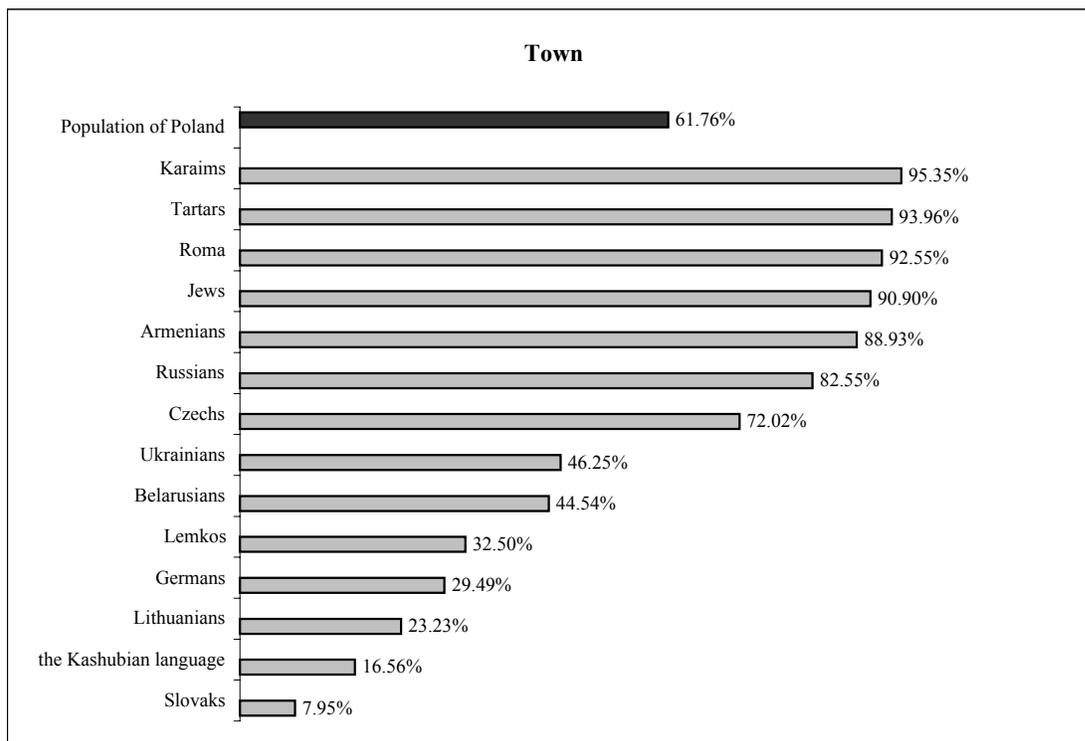
## Annex No 2

### General characteristics of national and ethnic minorities as well as the community using the regional language (According to the data of the National Population and Housing Census of 2002)

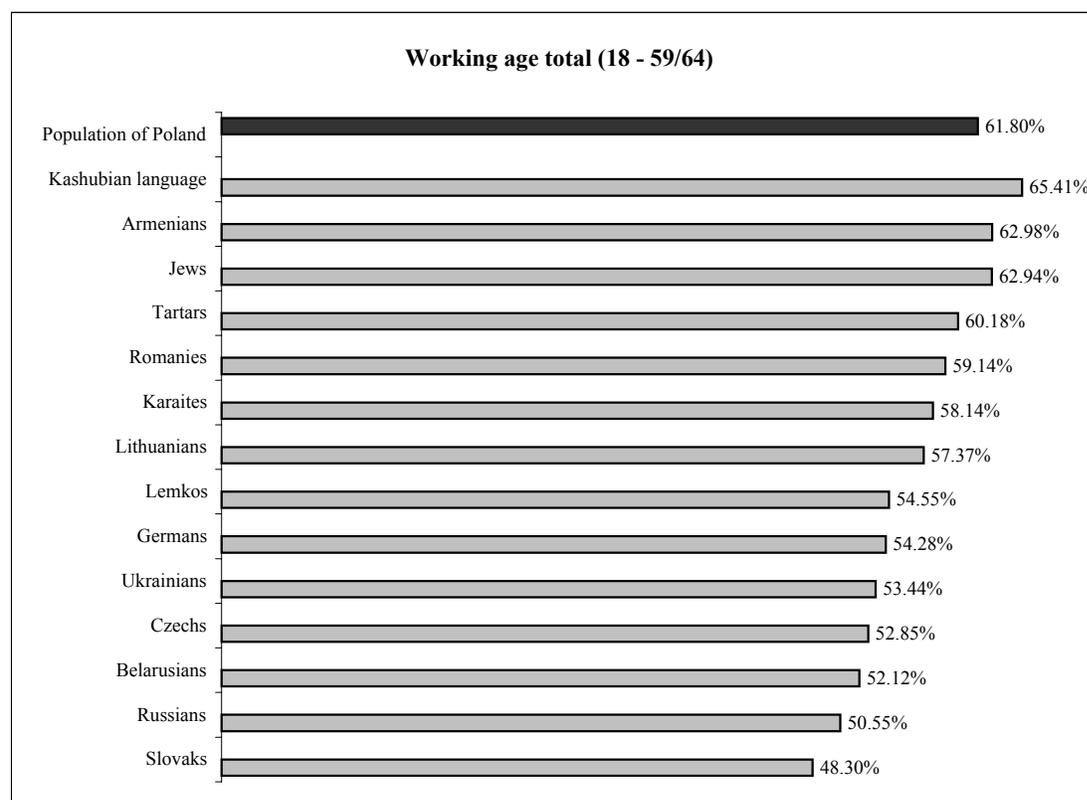
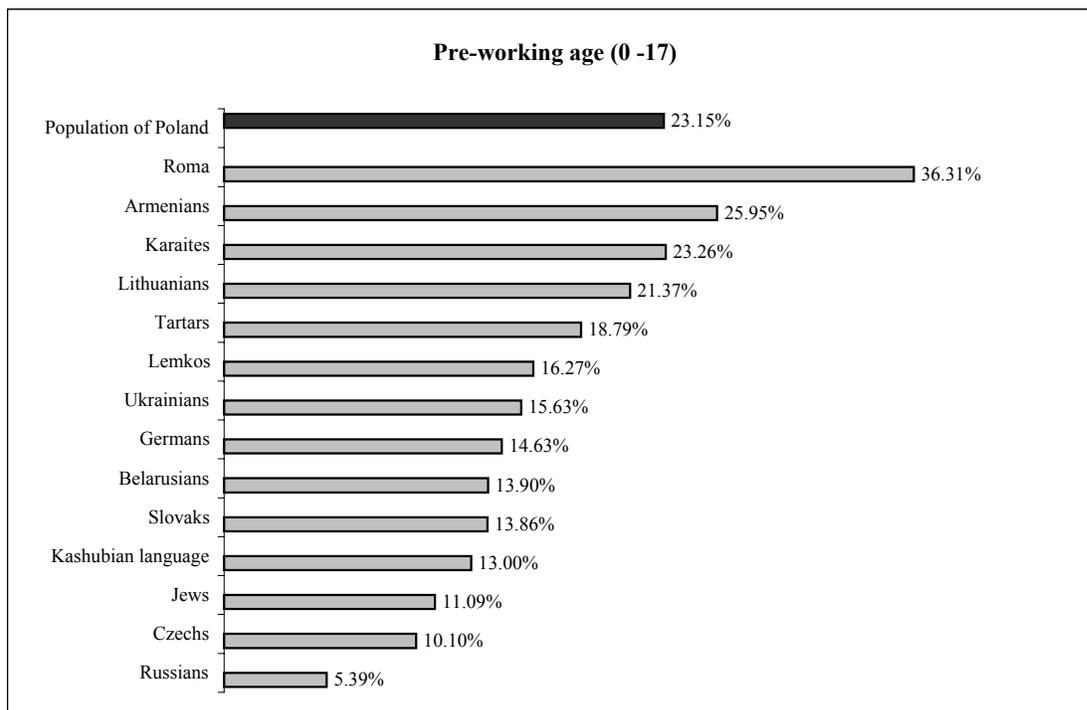
#### Sex



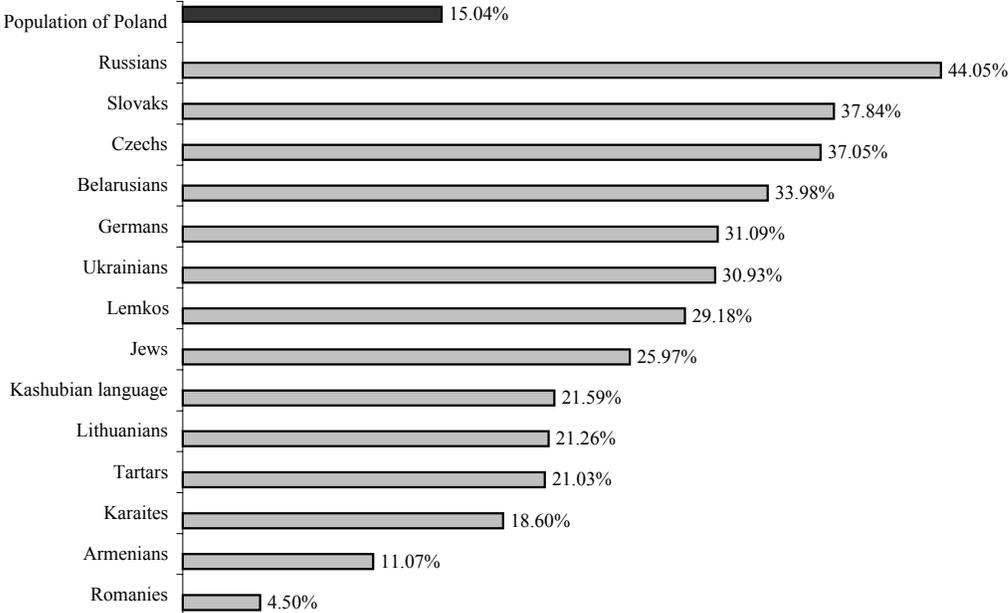
## Type of place of residence



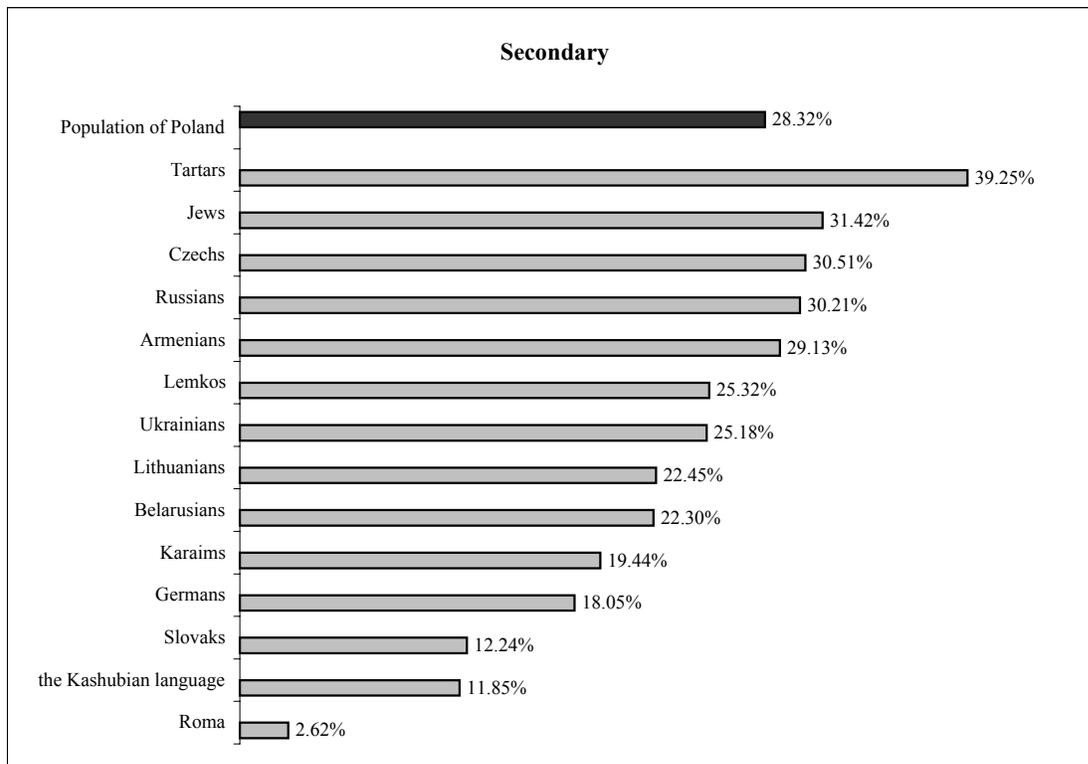
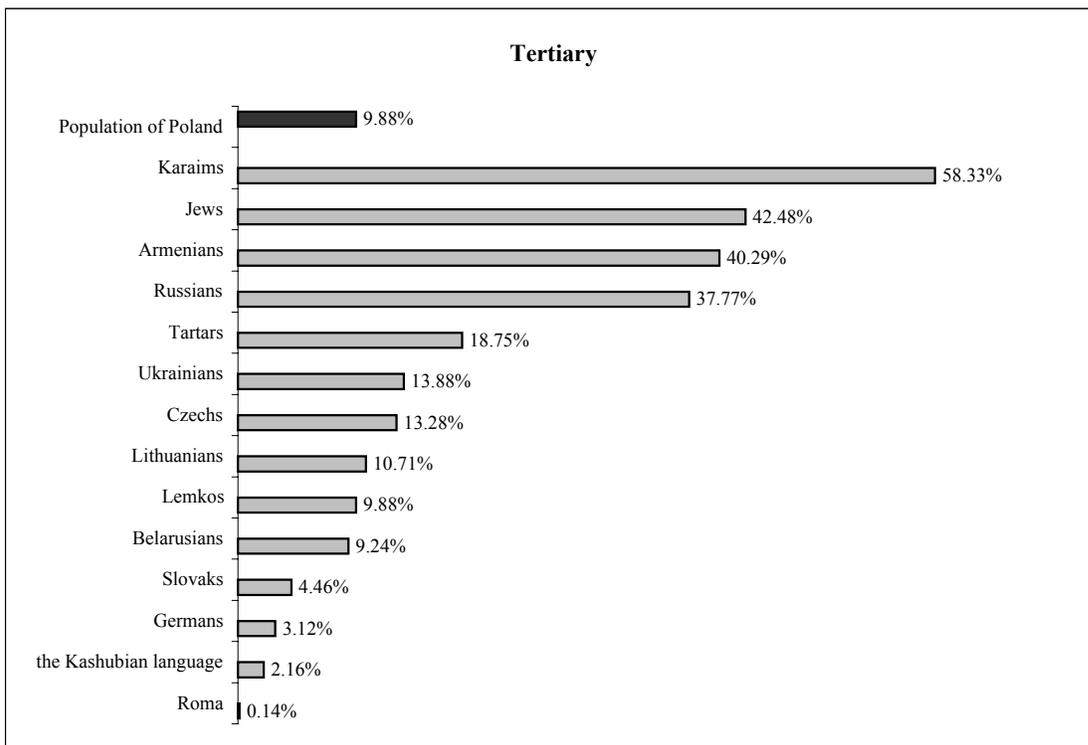
## Economic age groups



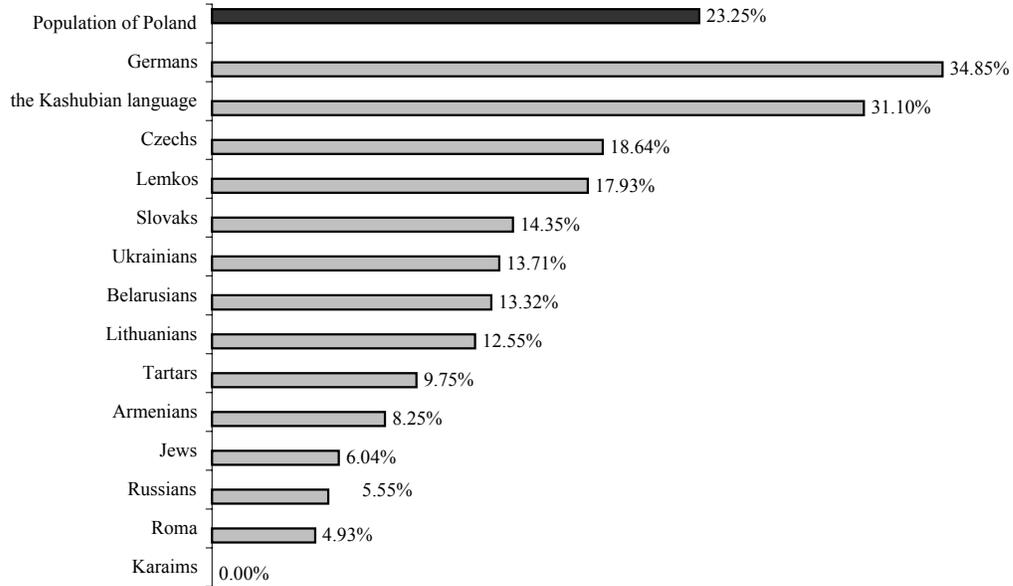
**Post-working age (60/65 years and more)**



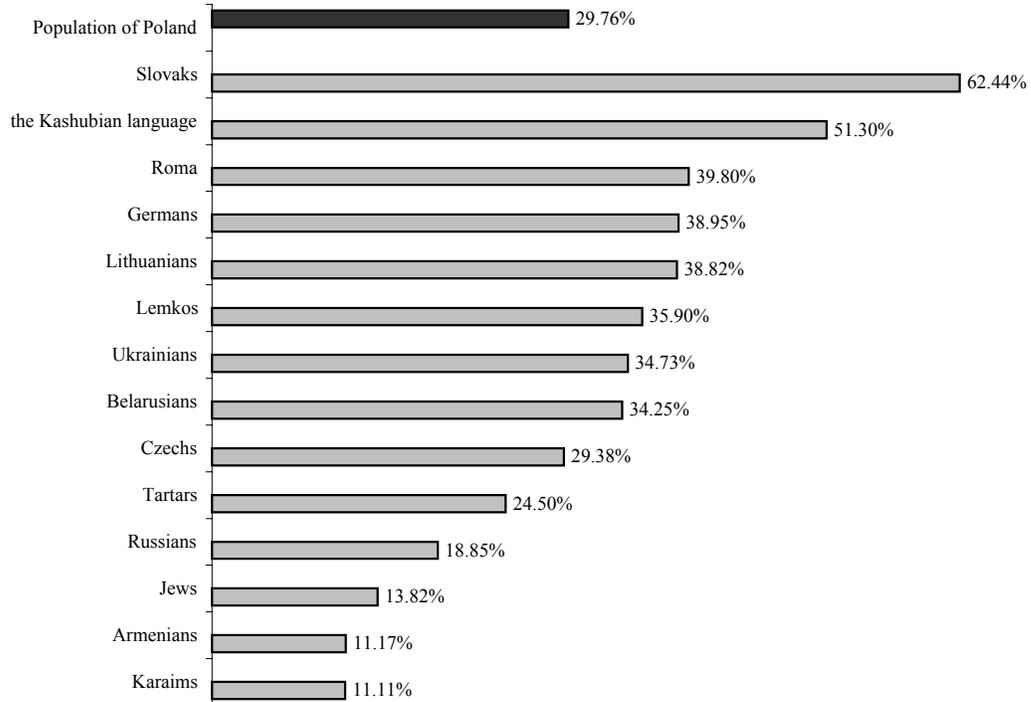
## Educational level (for persons aged 13 years and more)



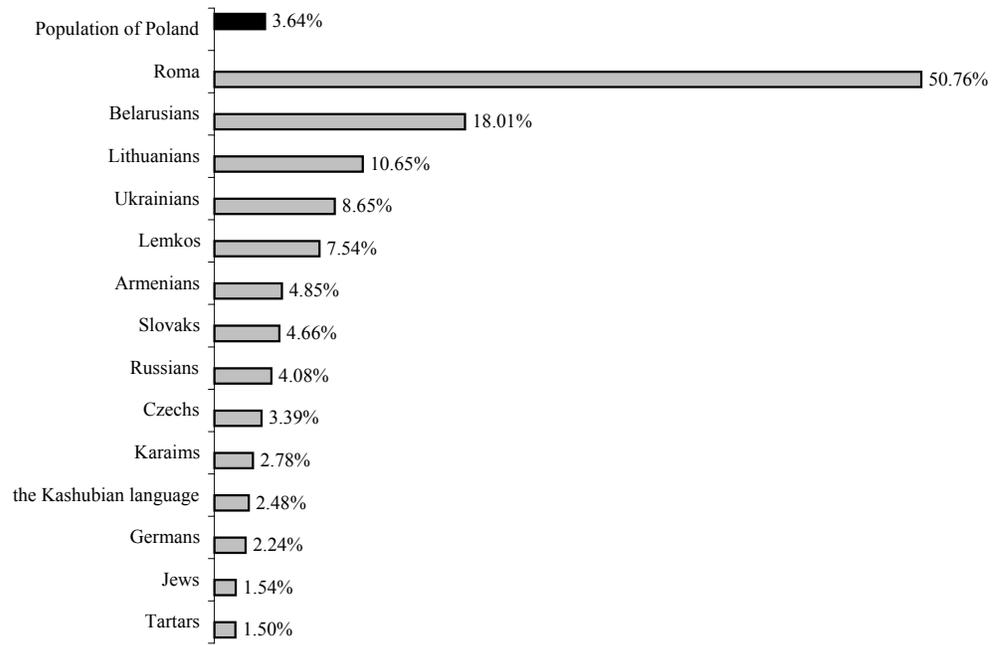
### Basic vocational



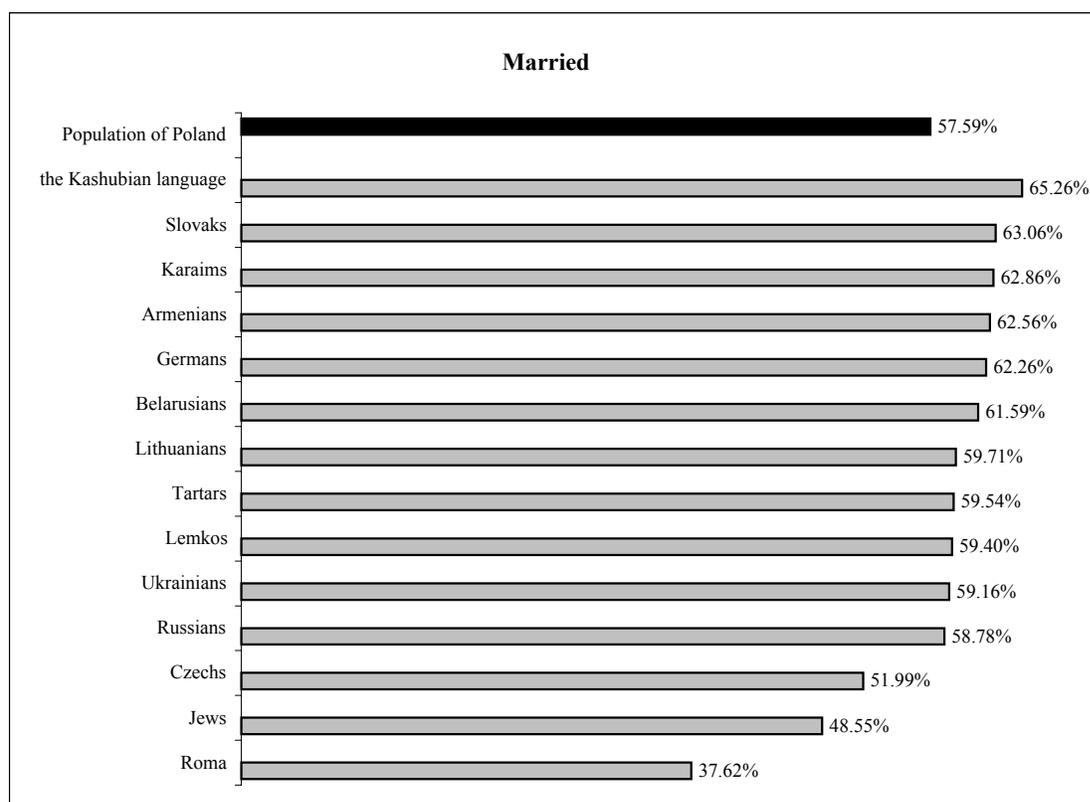
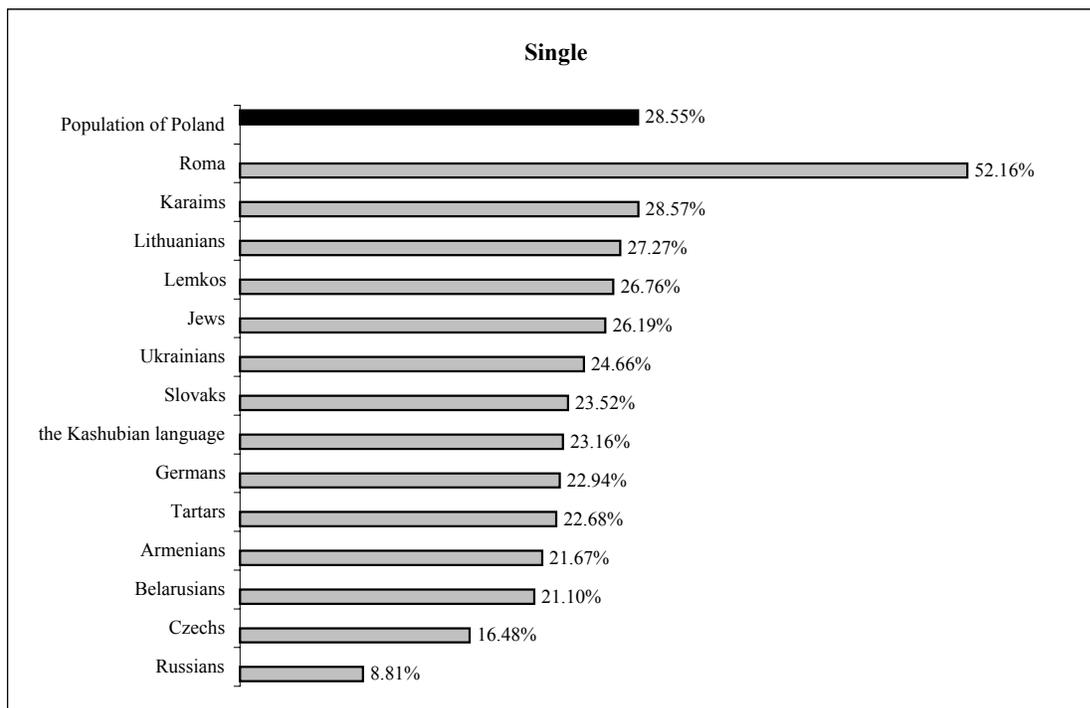
### Complete primary



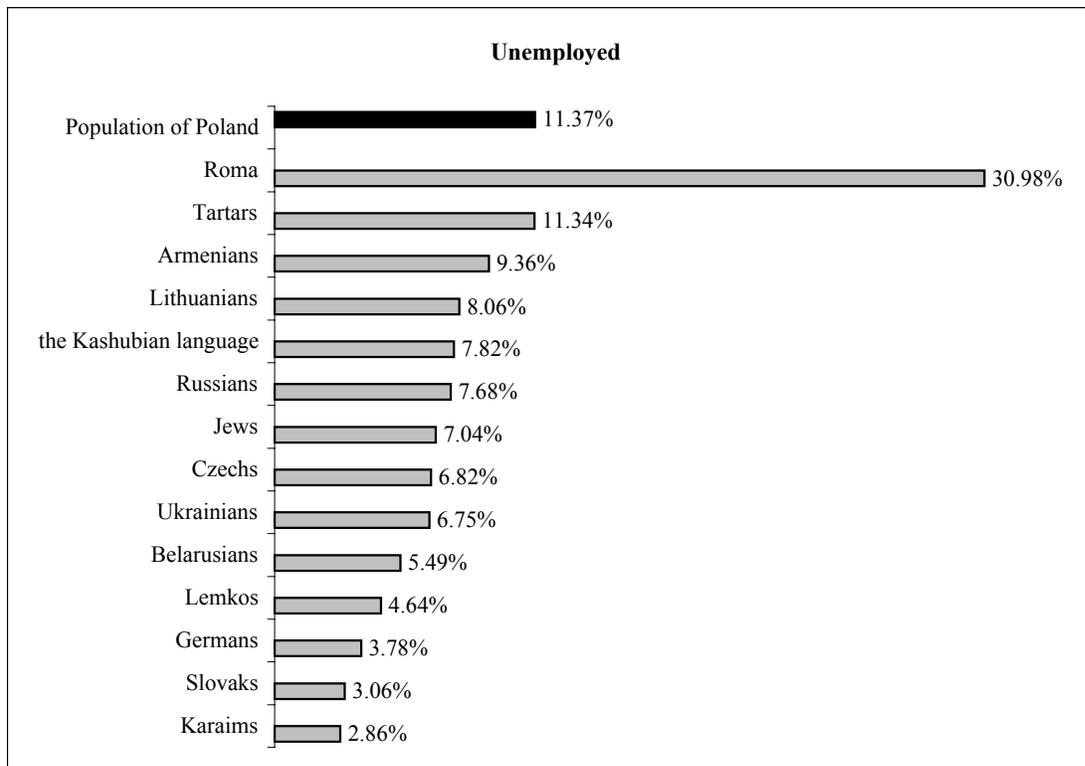
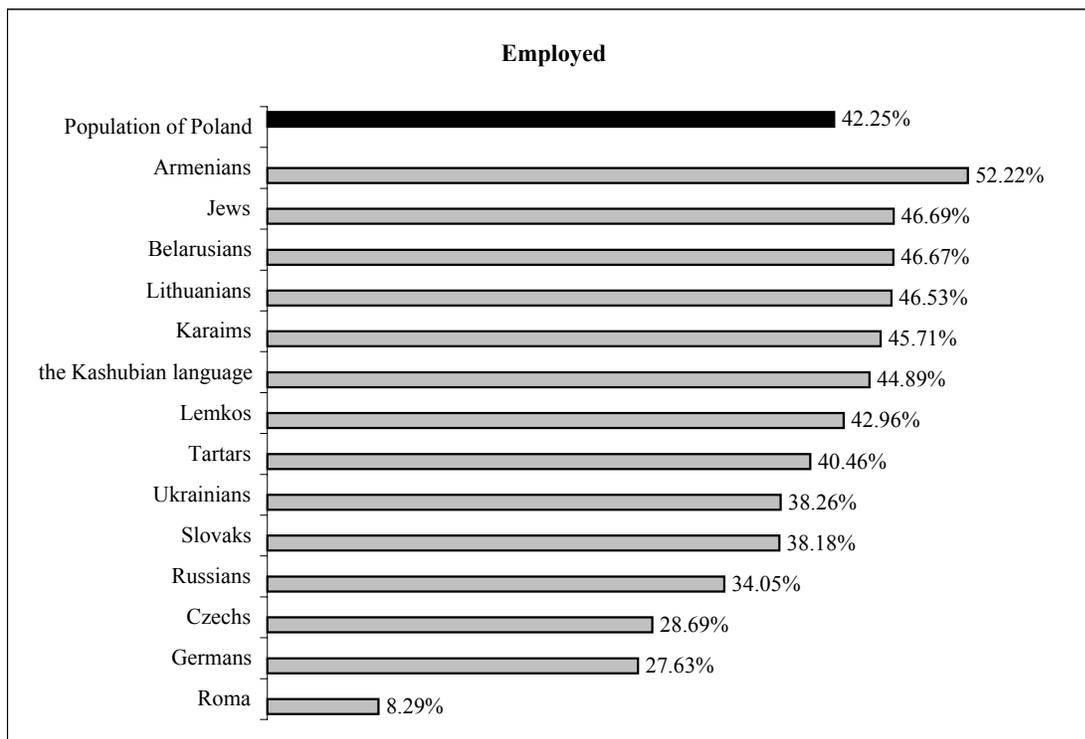
### Incomplete primary and no education



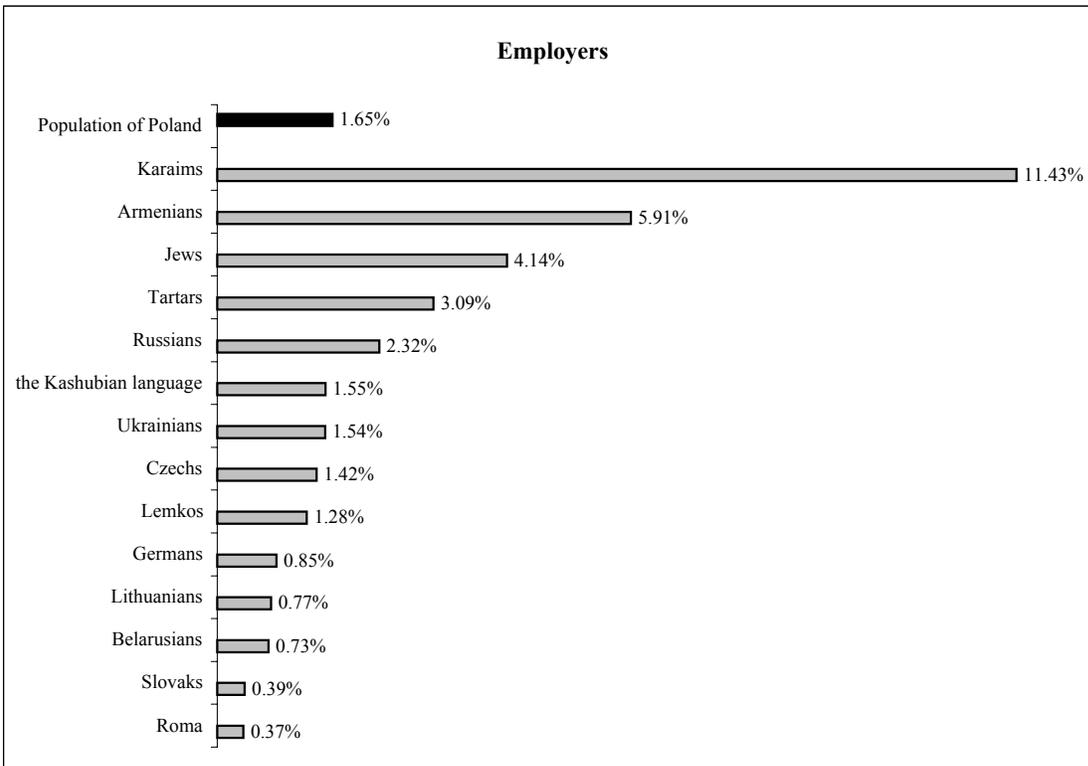
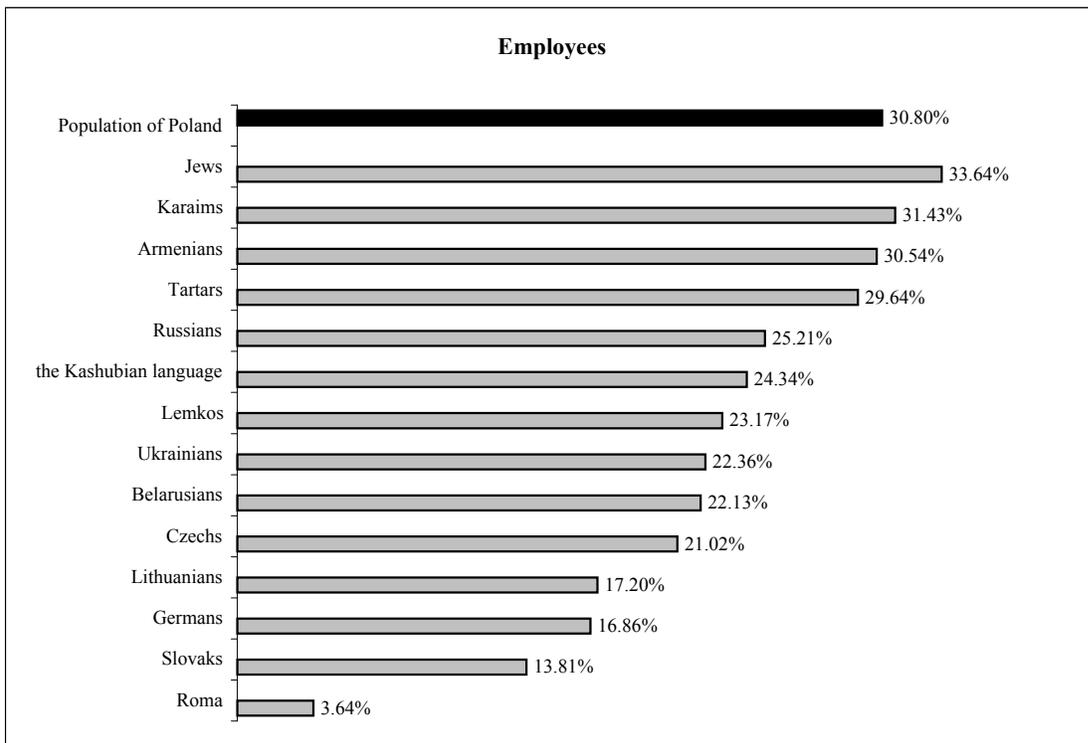
## Marital status (persons aged 15 years and more)



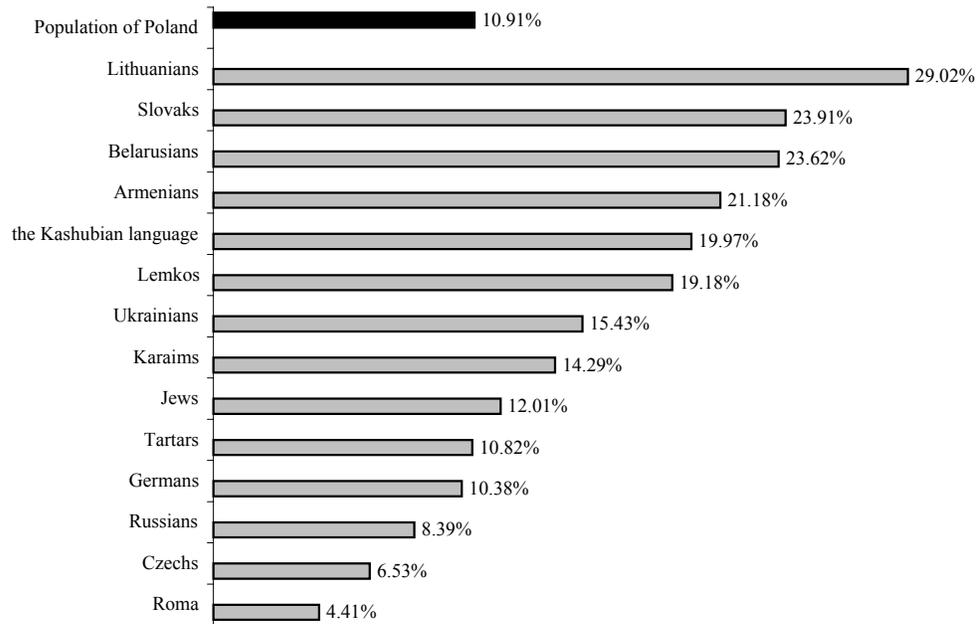
## Economic activity (persons aged 15 years and more)



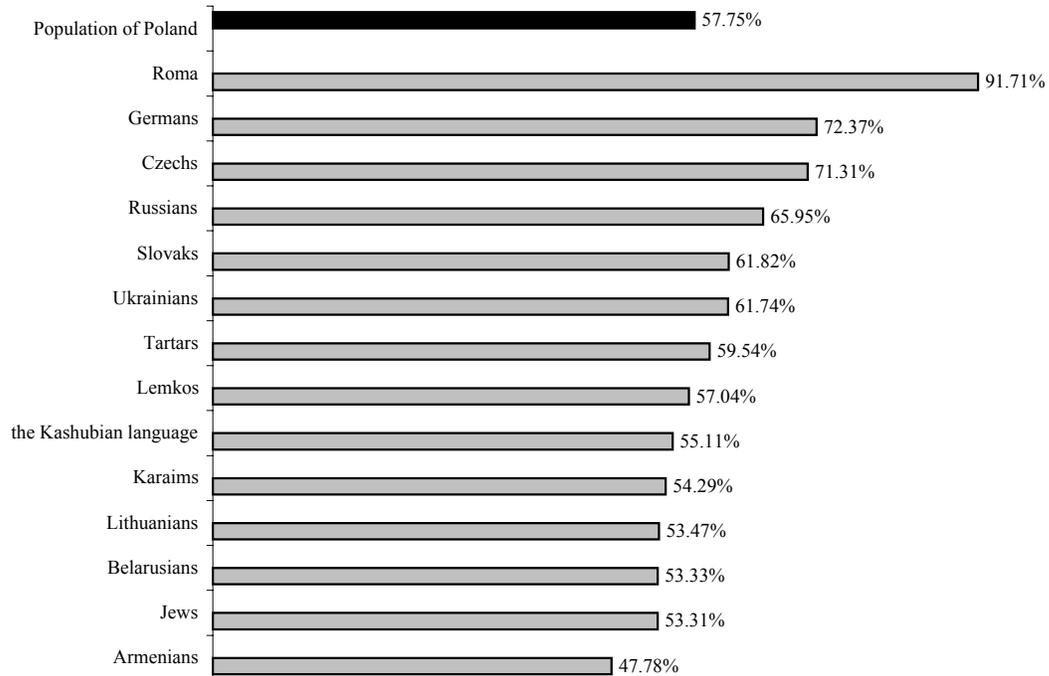
## Status in the labour market (for persons aged 15 years and more)



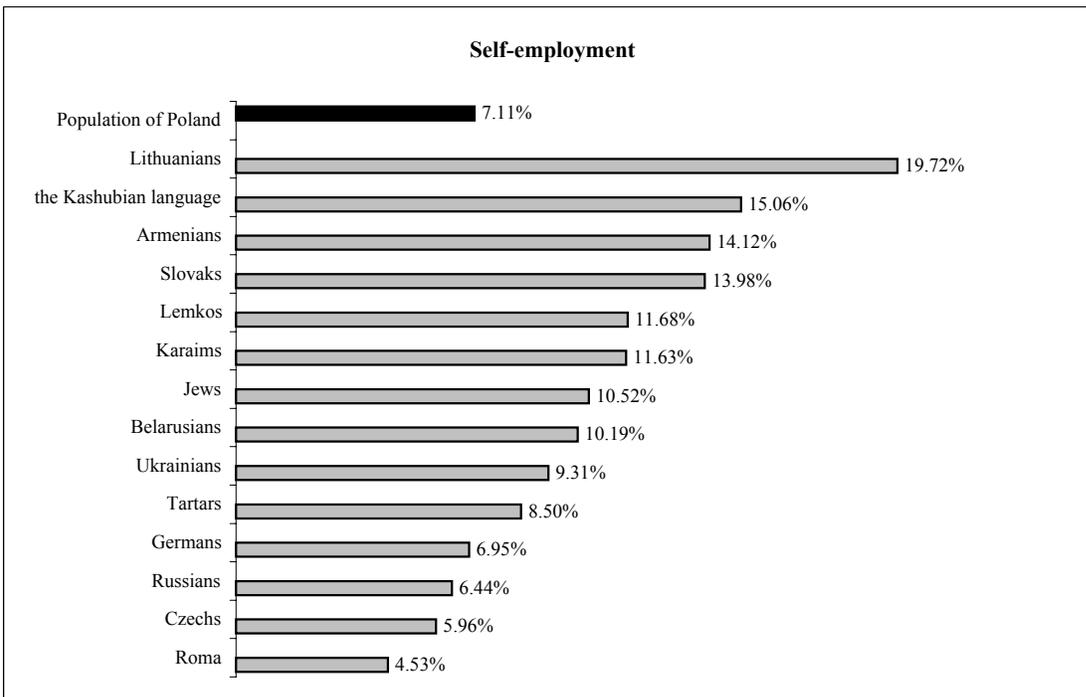
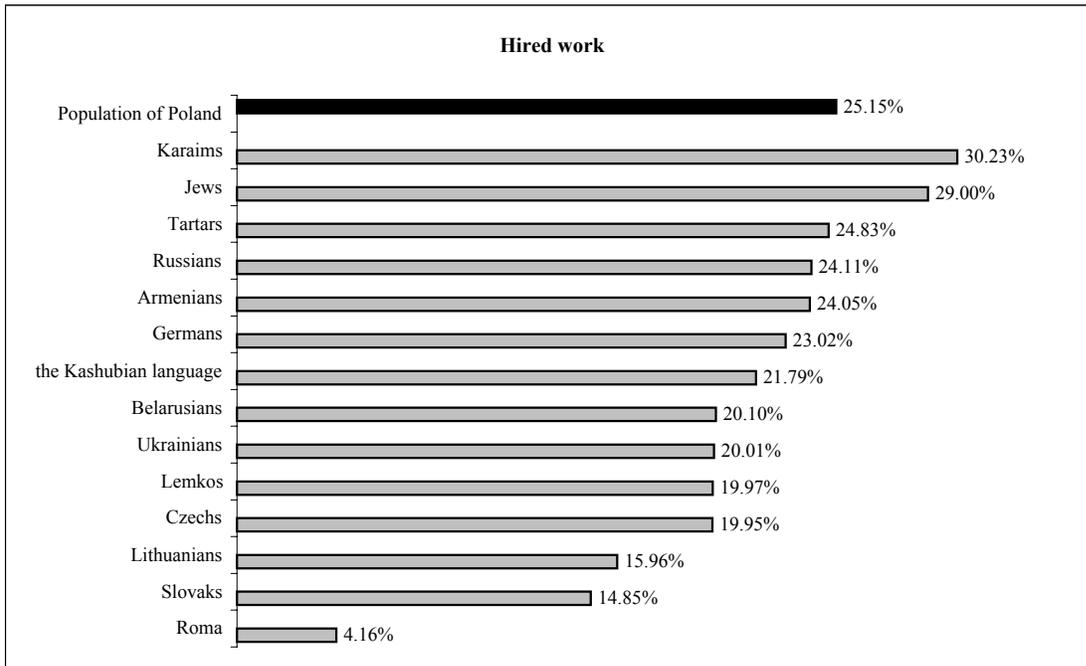
### Self-employed, including contributing family workers



### Not employed or with non-specified status in the labour market



## Main source of maintenance



### CLARIFICATION

The category "the Kashubian language" covers persons who declared the use of the regional language at home during the National Population and Housing Census of 2002

**mężczyźni**

Russians	22.01%	
Czechs	42.23%	
Tartars	47.65%	
Ukrainians	47.85%	
Belarusians	48.41%	
Germans	48.60%	
Lithuanians	49.33%	
Roma	50.25%	
Lemkos	50.65%	
Slovaks	51.23%	
the Kashubian	52.15%	
Karaims	53.49%	
Armenians	54.20%	
Jews	56.21%	
<b>Population of Poland</b>		48.43%

**Kobiety**

Jews	43.79%	
Armenians	45.80%	
Karaims	46.51%	
Slovaks	48.77%	
Lemkos	49.35%	
Roma	49.75%	
Lithuanians	50.67%	
Germans	51.40%	
Belarusians	51.59%	
the Kashubian language	52.15%	
Ukrainians	52.15%	
Tartars	52.35%	
Czechs	57.77%	
Russians	77.99%	
<b>Population of Poland</b>		51.57%

**Miasto**

Slovaks	7.95%	
the Kashubian	16.56%	
Lithuanians	23.23%	
Germans	29.49%	
Lemkos	32.50%	
Belarusians	44.54%	
Ukrainians	46.25%	
Czechs	72.02%	
Russians	82.55%	
Armenians	88.93%	
Jews	90.90%	
Roma	92.55%	
Tartars	93.96%	
Karaims	95.35%	
<b>Population of Poland</b>		61.76%

**Wieś**

Karaims	4.65%	
Tartars	6.04%	
Roma	7.45%	
Jews	9.10%	
Armenians	11.07%	
Russians	17.45%	
Czechs	27.98%	

Ukrainians	53.75%	
Belarusians	55.46%	
Lemkos	67.50%	
Germans	70.51%	
Lithuanians	76.77%	
the Kashubian	83.44%	
Slovaks	92.05%	
<b>Population of Poland</b>		38.24%
<b>wiek przedprodukcyjny</b>		
Russians	5.39%	
Czechs	10.10%	
Jews	11.09%	
Kashubian lan	13.00%	
Slovaks	13.86%	
Belarusians	13.90%	
Germans	14.63%	
Ukrainians	15.63%	
Lemkos	16.27%	
Tartars	18.79%	
Lithuanians	21.37%	
Karaites	23.26%	
Armenians	25.95%	
Roma	36.31%	
<b>Population of Poland</b>		23.15%
<b>wiek produkcyjny</b>		
Slovaks	48.30%	
Russians	50.55%	
Belarusians	52.12%	
Czechs	52.85%	
Ukrainians	53.44%	
Germans	54.28%	
Lemkos	54.55%	
Lithuanians	57.37%	
Karaites	58.14%	
Romanies	59.14%	
Tartars	60.18%	
Jews	62.94%	
Armenians	62.98%	
Kashubian lan	65.41%	
<b>Population of Poland</b>		61.80%
<b>wiek poprodukcyjny</b>		
Romanies	4.50%	
Armenians	11.07%	
Karaites	18.60%	
Tartars	21.03%	
Lithuanians	21.26%	
Kashubian lan	21.59%	
Jews	25.97%	
Lemkos	29.18%	
Ukrainians	30.93%	
Germans	31.09%	
Belarusians	33.98%	
Czechs	37.05%	
Slovaks	37.84%	
Russians	44.05%	
<b>Population of Poland</b>		15.04%

**wykształcenie wyższe**

Roma	0.14%
the Kashubian	2.16%
Germans	3.12%
Slovaks	4.46%
Belarusians	9.24%
Lemkos	9.88%
Lithuanians	10.71%
Czechs	13.28%
Ukrainians	13.88%
Tartars	18.75%
Russians	37.77%
Armenians	40.29%
Jews	42.48%
Karaims	58.33%

**Population of Poland** 9.88%

**wykształcenie średnie**

Roma	2.62%
the Kashubian	11.85%
Slovaks	12.24%
Germans	18.05%
Karaims	19.44%
Belarusians	22.30%
Lithuanians	22.45%
Ukrainians	25.18%
Lemkos	25.32%
Armenians	29.13%
Russians	30.21%
Czechs	30.51%
Jews	31.42%
Tartars	39.25%

**Population of Poland** 28.32%

**zasadnicze zawodowe**

Karaims	0.00%
Roma	4.93%
Russians	5.55%
Jews	6.04%
Armenians	8.25%
Tartars	9.75%
Lithuanians	12.55%
Belarusians	13.32%
Ukrainians	13.71%
Slovaks	14.35%
Lemkos	17.93%
Czechs	18.64%
the Kashubian	31.10%
Germans	34.85%

**Population of Poland** 23.25%

**podstawowe ukończone**

Karaims	11.11%
Armenians	11.17%
Jews	13.82%
Russians	18.85%
Tartars	24.50%
Czechs	29.38%
Belarusians	34.25%

Ukrainians	34.73%
Lemkos	35.90%
Lithuanians	38.82%
Germans	38.95%
Roma	39.80%
the Kashubian	51.30%
Slovaks	62.44%

**Population of Poland** 29.76%

**podstawowe i nieukończone**

Tartars	1.50%
Jews	1.54%
Germans	2.24%
the Kashubian	2.48%
Karaims	2.78%
Czechs	3.39%
Russians	4.08%
Slovaks	4.66%
Armenians	4.85%
Lemkos	7.54%
Ukrainians	8.65%
Lithuanians	10.65%
Belarusians	18.01%
Roma	50.76%

**Population of Poland** 3.64%

**kawaler, panna**

Russians	8.81%
Czechs	16.48%
Belarusians	21.10%
Armenians	21.67%
Tartars	22.68%
Germans	22.94%
the Kashubian	23.16%
Slovaks	23.52%
Ukrainians	24.66%
Jews	26.19%
Lemkos	26.76%
Lithuanians	27.27%
Karaims	28.57%
Roma	52.16%

**Population of Poland** 28.55%

**żonaty, zamężna**

Roma	37.62%
Jews	48.55%
Czechs	51.99%
Russians	58.78%
Ukrainians	59.16%
Lemkos	59.40%
Tartars	59.54%
Lithuanians	59.71%
Belarusians	61.59%
Germans	62.26%
Armenians	62.56%
Karaims	62.86%
Slovaks	63.06%
the Kashubian	65.26%

**Population of Poland  
pracujący** 57.59%

Roma	8.29%
Germans	27.63%
Czechs	28.69%
Russians	34.05%
Slovaks	38.18%
Ukrainians	38.26%
Tartars	40.46%
Lemkos	42.96%
the Kashubian	44.89%
Karaims	45.71%
Lithuanians	46.53%
Belarusians	46.67%
Jews	46.69%
Armenians	52.22%

**Population of Poland  
bezrobotni** 42.25%

Karaims	2.86%
Slovaks	3.06%
Germans	3.78%
Lemkos	4.64%
Belarusians	5.49%
Ukrainians	6.75%
Czechs	6.82%
Jews	7.04%
Russians	7.68%
the Kashubian	7.82%
Lithuanians	8.06%
Armenians	9.36%
Tartars	11.34%
Roma	30.98%

**Population of Poland  
pracownicy najemni** 11.37%

Roma	3.64%
Slovaks	13.81%
Germans	16.86%
Lithuanians	17.20%
Czechs	21.02%
Belarusians	22.13%
Ukrainians	22.36%
Lemkos	23.17%
the Kashubian	24.34%
Russians	25.21%
Tartars	29.64%
Armenians	30.54%
Karaims	31.43%
Jews	33.64%

**Population of Poland  
pracodawcy** 30.80%

Roma	0.37%
Slovaks	0.39%
Belarusians	0.73%
Lithuanians	0.77%
Germans	0.85%
Lemkos	1.28%

Czechs	1.42%	
Ukrainians	1.54%	
the Kashubian	1.55%	
Russians	2.32%	
Tartars	3.09%	
Jews	4.14%	
Armenians	5.91%	
Karaims	11.43%	
<b>Population of Poland praca na rach</b>		1.65%
Roma	4.53%	
Czechs	5.96%	
Russians	6.44%	
Germans	6.95%	
Tartars	8.50%	
Ukrainians	9.31%	
Belarusians	10.19%	
Jews	10.52%	
Karaims	11.63%	
Lemkos	11.68%	
Slovaks	13.98%	
Armenians	14.12%	
the Kashubian	15.06%	
Lithuanians	19.72%	
<b>Population of Poland niepracuj</b>		7.11%
Armenians	47.78%	
Jews	53.31%	
Belarusians	53.33%	
Lithuanians	53.47%	
Karaims	54.29%	
the Kashubian	55.11%	
Lemkos	57.04%	
Tartars	59.54%	
Ukrainians	61.74%	
Slovaks	61.82%	
Russians	65.95%	
Czechs	71.31%	
Germans	72.37%	
Roma	91.71%	
<b>Population of Poland praca najemna</b>		57.75%
Roma	4.16%	
Slovaks	14.85%	
Lithuanians	15.96%	
Czechs	19.95%	
Lemkos	19.97%	
Ukrainians	20.01%	
Belarusians	20.10%	
the Kashubian	21.79%	
Germans	23.02%	
Armenians	24.05%	
Russians	24.11%	
Tartars	24.83%	
Jews	29.00%	
Karaims	30.23%	

**Population of Poland** 25.15%

**Pracujący na wart**

Roma 4.41%

Czechs 6.53%

Russians 8.39%

Germans 10.38%

Tartars 10.82%

Jews 12.01%

Karaims 14.29%

Ukrainians 15.43%

Lemkos 19.18%

the Kashubian 19.97%

Armenians 21.18%

Belarusians 23.62%

Slovaks 23.91%

Lithuanians 29.02%

**Population of Poland** 10.91%

**mężczyźni**

Russians	22.01%
Czechs	42.23%
Tartars	47.65%
Ukrainians	47.85%
Byelorussii	48.41%
Germans	48.60%
Lithuanians	49.33%
Roma	50.25%
Lemks	50.65%
Slovaks	51.23%
Kashubian:	52.15%
Karaims	53.49%
Armenians	54.20%
Jews	56.21%

**Ogół obywateli** 48.40%**Kobiety**

Jews	43.79%
Armenians	45.80%
Karaims	46.51%
Slovaks	48.77%
Lemks	49.35%
Roma	49.75%
Lithuanians	50.67%
Germans	51.40%
Byelorussians	51.59%
Kashubians	52.15%
Ukrainians	52.15%
Tartars	52.35%
Czechs	57.77%
Russians	77.99%

**Ogół obywateli** 51.60%**Miasto**

Slovaks	7.95%
Kashubian:	16.56%
Lithuanians	23.23%
Germans	29.49%
Lemks	32.50%
Byelorussii	44.54%
Ukrainians	47.85%
Czechs	72.02%
Russians	82.55%
Armenians	88.93%
Jews	90.90%
Roma	92.55%
Tartars	93.96%
Karaims	95.35%

**Ogół obywateli** 61.30%**Wieś**

Karaims	4.65%
Tartars	6.04%
Roma	7.45%
Jews	9.10%
Armenians	11.07%
Russians	17.45%
Czechs	27.98%

Ukrainians	53.75%
Byelorussic	55.46%
Lemks	67.50%
Germans	70.51%
Lithuanian:	76.77%
Kashubian:	83.44%
Slovaks	92.05%

**Ogół obywateli** 38.70%

**wiek przedprodukcyjny**

Russians	5.39%
Czechs	10.10%
Jews	11.09%
Kashubian:	13.00%
Slovaks	13.86%
Byelorussic	13.90%
Germans	14.63%
Ukrainians	15.63%
Lemks	16.27%
Tartars	18.79%
Lithuanian:	21.37%
Karaims	23.26%
Armenians	25.95%
Roma	36.31%

**Ogół obywateli** 23.30%

**wiek produkcyjny**

Slovaks	48.30%
Russians	50.55%
Byelorussic	52.12%
Czechs	52.85%
Ukrainians	53.44%
Germans	54.28%
Lemks	54.55%
Lithuanian:	57.37%
Karaims	58.14%
Roma	59.14%
Tartars	60.18%
Jews	62.94%
Armenians	62.98%
Kashubian:	65.41%

**Ogół obywateli** 61.60%

**wiek poprodukcyjny**

Roma	4.50%
Armenians	11.07%
Karaims	18.60%
Tatars	21.03%
Lithuanian:	21.26%
Kashubian:	21.59%
Jews	25.97%
Lemks	29.18%
Ukrainians	30.93%
Germans	31.09%
Byelorussic	33.98%
Czechs	37.05%
Slovaks	37.84%
Russians	44.05%

**Ogół obywateli** 15.10%

**wykształcenie wyższe**

Roma	0.14%
Kashubian:	2.16%
Germans	3.12%
Slovaks	4.46%
Byelorussia:	9.24%
Lemks	9.88%
Lithuanians:	10.71%
Czechs	13.28%
Ukrainians	13.88%
Tartars	18.75%
Russians	37.77%
Armenians	40.29%
Jews	42.48%
Karaims	58.33%

**Ogół obywateli** 9.90%**wykształcenie średnie**

Roma	2.62%
Kashubian:	11.85%
Slovaks	12.24%
Germans	18.05%
Karaims	19.44%
Byelorussia:	22.30%
Lithuanians:	22.45%
Ukrainians	25.18%
Lemks	25.32%
Armenians	29.13%
Russians	30.21%
Czechs	30.51%
Jews	31.42%
Tartars	39.25%

**Ogół obywateli** 28.50%**zasadnicze zawodowe**

Karaims	0.00%
Roma	4.93%
Russians	5.55%
Jews	6.04%
Armenians	8.25%
Tartars	9.75%
Lithuanians:	12.55%
Byelorussia:	13.32%
Ukrainians	13.71%
Slovaks	14.35%
Lemks	17.93%
Czechs	18.64%
Kashubian:	31.10%
Germans	34.85%

**Ogół obywateli** 23.40%**podstawowe ukończone**

Karaims	11.11%
Armenians	11.17%
Jews	13.82%
Russians	18.85%
Tartars	24.50%
Czechs	29.38%
Byelorussia:	34.25%

Ukrainians	34.73%
Lemks	35.90%
Lithuanians:	38.82%
Germans	38.95%
Roma	39.80%
Kashubian:	51.30%
Slovaks	62.44%

**Ogół obywateli** 30.10%

**podstawowe i nieukończone**

Tartars	1.50%
Jews	1.54%
Germans	2.24%
Kashubian:	2.48%
Karaims	2.78%
Czechs	3.39%
Russians	4.08%
Slovaks	4.66%
Armenians	4.85%
Lemks	7.54%
Ukrainians	8.65%
Lithuanians:	10.65%
Byelorussik	18.01%
Roma	50.76%

**Ogół obywateli** 4.40%

**kawaler, panna**

Russians	8.81%
Czechs	16.48%
Byelorussik	21.10%
Armenians	21.67%
Tartars	22.68%
Germans	22.94%
Kashubian:	23.16%
Slovaks	23.52%
Ukrainians	24.66%
Jews	26.19%
Lemks	26.76%
Lithuanians:	27.27%
Karaims	28.57%
Roma	52.16%

**Ogół obywateli** 28.70%

**żonaty, zamężna**

Roma	37.62%
Jews	48.55%
Czechs	51.99%
Russians	58.78%
Ukrainians	59.16%
Lemks	59.40%
Tartars	59.54%
Lithuanians:	59.71%
Byelorussik	61.59%
Germans	62.26%
Armenians	62.56%
Karaims	62.86%
Slovaks	63.06%
Kashubian:	65.26%

**Ogół obywateli** 58%

**pracujący**

Roma	8.29%
Germans	27.63%
Czechs	28.69%
Russians	34.05%
Slovaks	38.18%
Ukrainians	38.26%
Tartars	40.46%
Lemks	42.96%
Kashubian:	44.89%
Karaims	45.71%
Lithuanian:	46.53%
Byelorussia:	46.67%
Jews	46.69%
Armenians	52.22%

**Ogół obywateli**

43%

**bezrobotni**

Karaims	2.86%
Slovaks	3.06%
Germans	3.78%
Lemks	4.64%
Byelorussia:	5.49%
Ukrainians	6.75%
Czechs	6.82%
Jews	7.04%
Russians	7.68%
Kashubian:	7.82%
Lithuanian:	8.06%
Armenians	9.36%
Tartars	11.34%
Roma	30.98%

**Ogół obywateli**

11.60%

**pracownicy najemni**

Roma	3.64%
Slovaks	13.81%
Germans	16.86%
Lithuanian:	17.20%
Czechs	21.02%
Byelorussia:	22.13%
Ukrainians	22.36%
Lemks	23.17%
Kashubian:	24.34%
Russians	25.21%
Tartars	29.64%
Armenians	30.54%
Karaims	31.43%
Jews	33.64%

**Ogół obywateli**

31.40%

**pracodawcy**

Roma	0.37%
Slovaks	0.39%
Byelorussia:	0.73%
Lithuanian:	0.77%
Germans	0.85%
Lemks	1.28%
Czechs	1.42%

Ukrainians	1.54%
Kashubian:	1.55%
Russians	2.32%
Tartars	3.09%
Jews	4.14%
Armenians	5.91%
Karaims	11.43%

**Ogół obywateli**

**praca na rach**

Karaims	2.86%
Roma	3.75%
Czechs	4.26%
Russians	4.95%
Germans	5.66%
Tartars	6.44%
Jews	7.35%
Ukrainians	9.56%
Lemks	11.95%
Kashubian:	12.02%
Armenians	12.81%
Slovaks	12.90%
Byelorussik	14.23%
Lithuanians:	17.44%

**Ogół obywateli**

7.20%

**niepracuj**

Armenians	47.78%
Jews	53.31%
Byelorussik	53.33%
Lithuanians:	53.47%
Karaites	54.29%
Kashubian:	55.11%
Lemks	57.04%
Tatars	59.54%
Ukrainians	61.74%
Slovaks	61.82%
Russians	65.95%
Czechs	71.31%
Germans	72.37%
Romanies	91.71%

**Ogół obywateli**

57%

**praca najemna**

Russians	0.00%
Romanies	4.16%
Slovaks	14.85%
Lithuanians:	15.96%
Czechs	19.95%
Lemks	19.97%
Ukrainians	20.01%
Bielorusian	20.10%
Kashubian:	21.79%
Germans	23.02%
Armenians	24.05%
Tatars	24.83%
Jews	29.00%
Karaites	30.23%

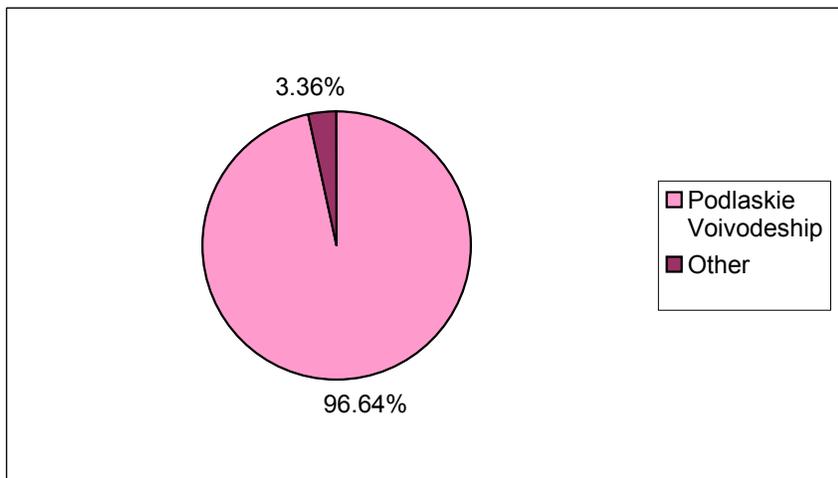
**Ogół obywateli**

25.50%

**Distribution of national and ethnic minorities  
and the community using the regional language**  
(According to the data of 2002 National Population and Housing Census)

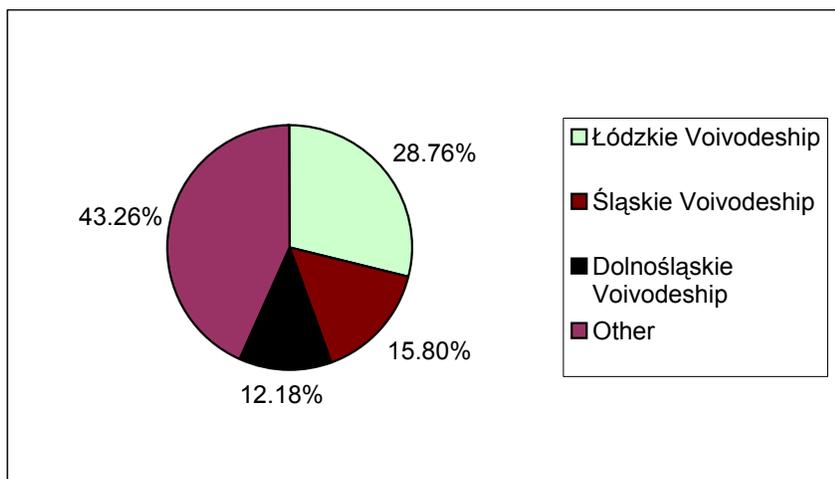
**Belarusians**

Podlaskie Voivodeship	96.64%
Other	3.36%



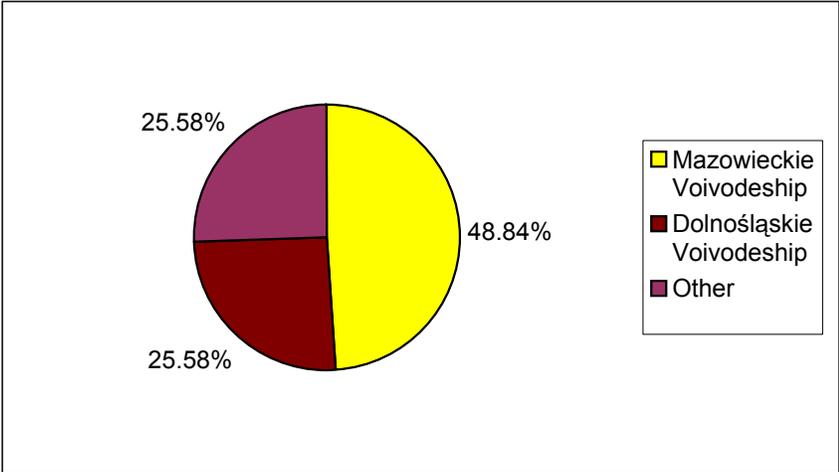
**Czechs**

Łódzkie Voivodeship	28.76%
Śląskie Voivodeship	15.80%
Dolnośląskie Voivodeship	12.18%
Other	43.26%



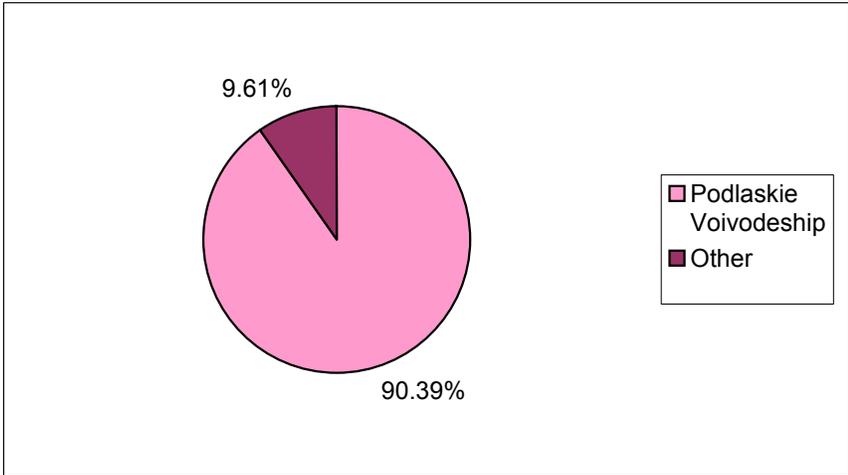
**Karaims**

Mazowieckie Voivodeship	48.84%
Dolnośląskie Voivodeship	25.58%
Other	25.58%



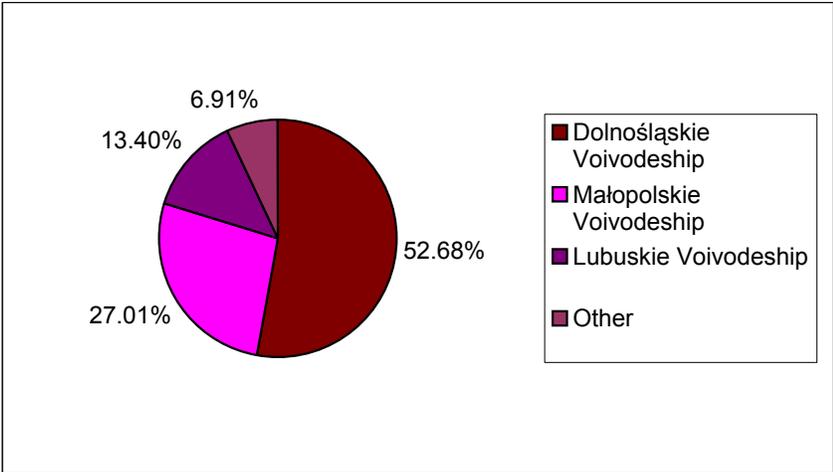
**Lithuanians**

Podlaskie Voivodeship	90.39%
Other	9.61%



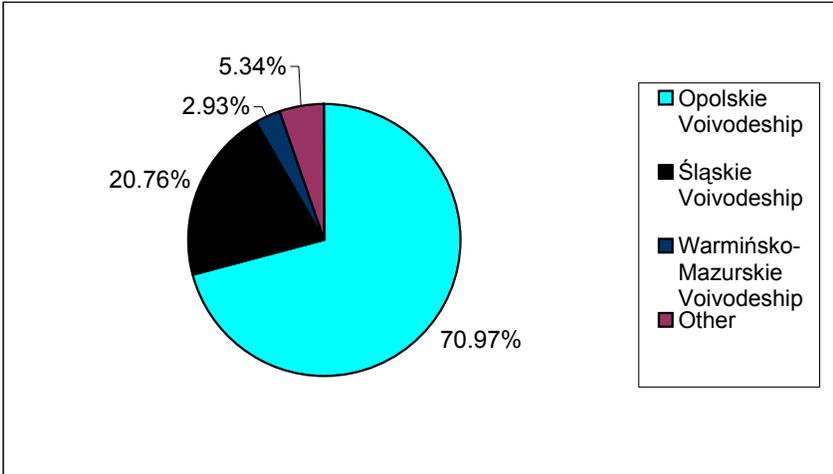
Lemkos

Dolnośląskie Voivodeship	52.68%
Małopolskie Voivodeship	27.01%
Lubuskie Voivodeship	13.40%
Other	6.91%



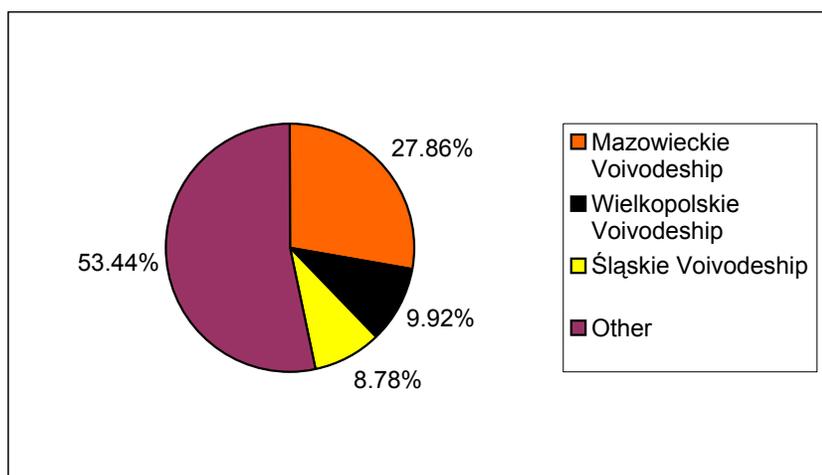
Germans

Opolskie Voivodeship	70.97%
Śląskie Voivodeship	20.76%
Warmińsko-Mazurskie Voivodeship	2.93%
Other	5.34%



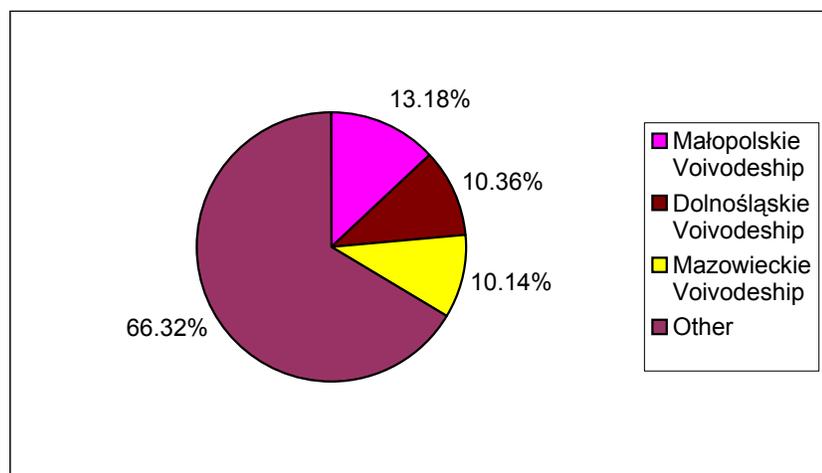
### Armenians

Mazowieckie Voivodeship	27.86%
Wielkopolskie Voivodeship	9.92%
Śląskie Voivodeship	8.78%
Other	53.44%



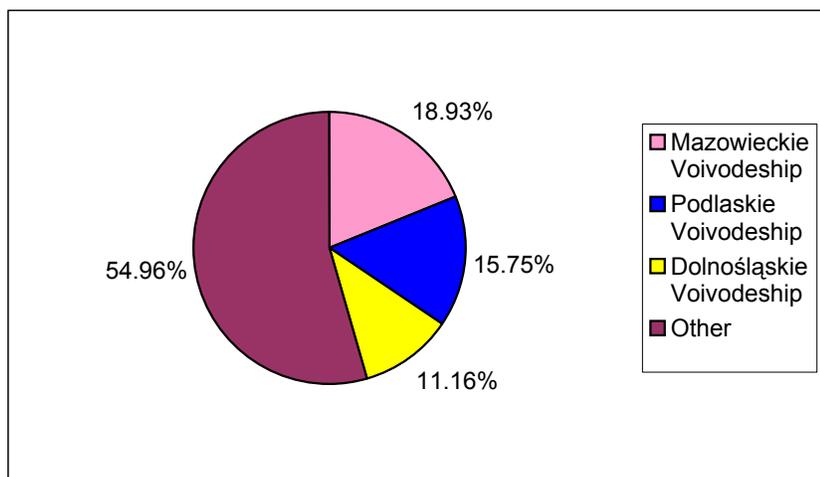
### Roma

Małopolskie Voivodeship	13.18%
Dolnośląskie Voivodeship	10.36%
Mazowieckie Voivodeship	10.14%
Other	66.32%



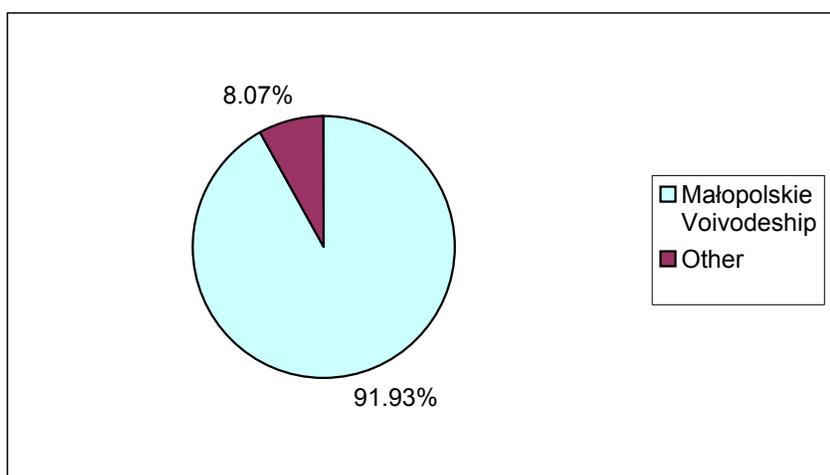
### Russians

Mazowieckie Voivodeship	18.93%
Podlaskie Voivodeship	15.75%
Dolnośląskie Voivodeship	11.16%
Other	54.96%



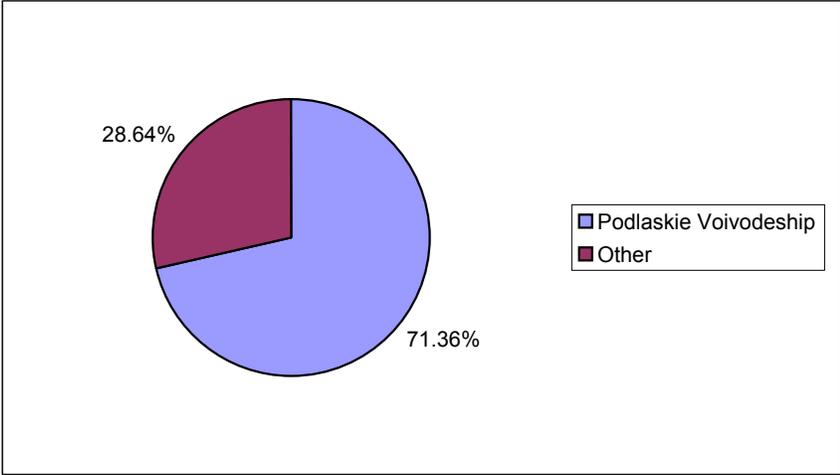
### Slovaks

Małopolskie Voivodeship	91.93%
Other	8.07%



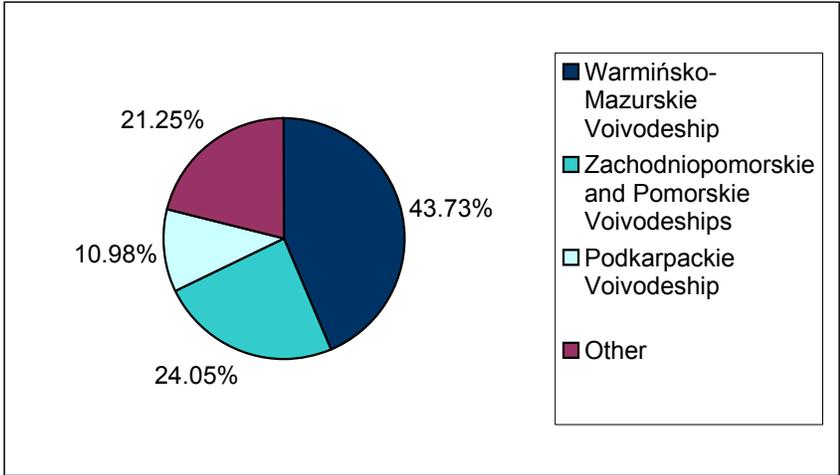
**Tartars**

Podlaskie Voivodeship	71.36%
Other	28.64%



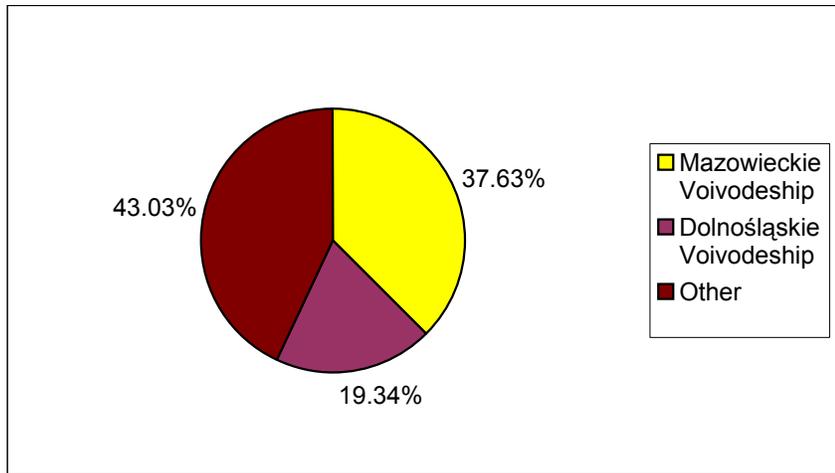
**Ukrainians**

Warmińsko-Mazurskie Voivodeship	43.73%
Zachodniopomorskie and Pomorskie Voivodeships	24.05%
Podkarpackie Voivodeship	10.98%
Other	21.25%



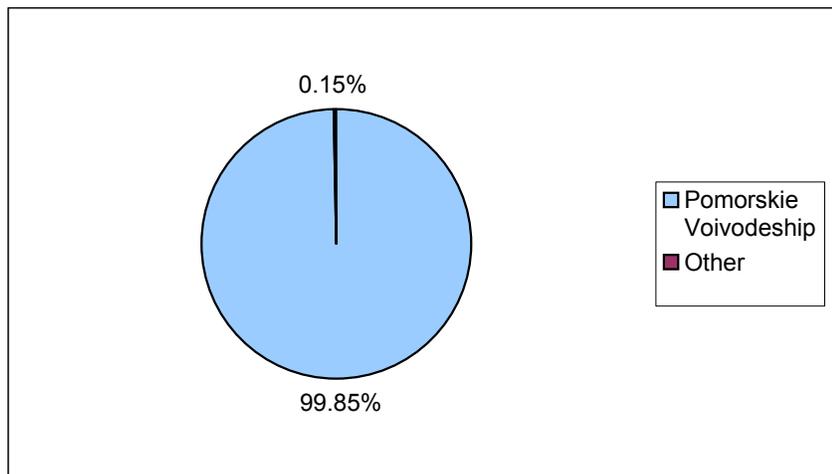
### Jews

Mazowieckie Voivodeship	37.63%
Dolnośląskie Voivodeship	19.34%
Other	43.03%



### Persons using Kashubian at home

Pomorskie Voivodeship	99.85%
Other	0.15%

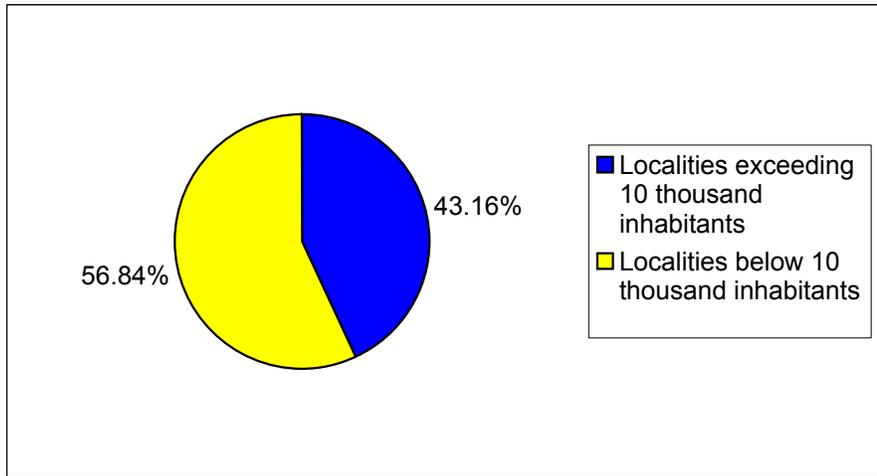


## Annex 4

### National and ethnic minorities and the community using the regional language broken down by place of residence (According to the data of 2002 National Population and Housing Census)

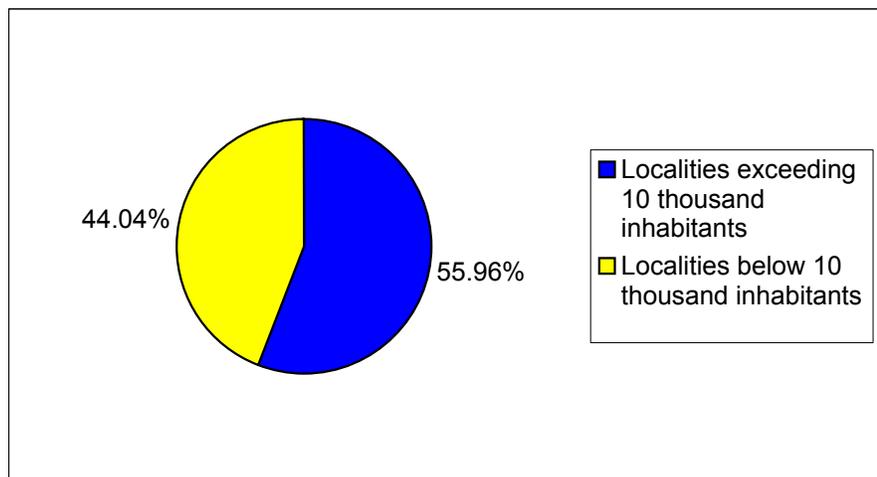
#### Belarusians

Localities exceeding 10 thousand inhabitants	43.16%
Localities below 10 thousand inhabitants	56.84%



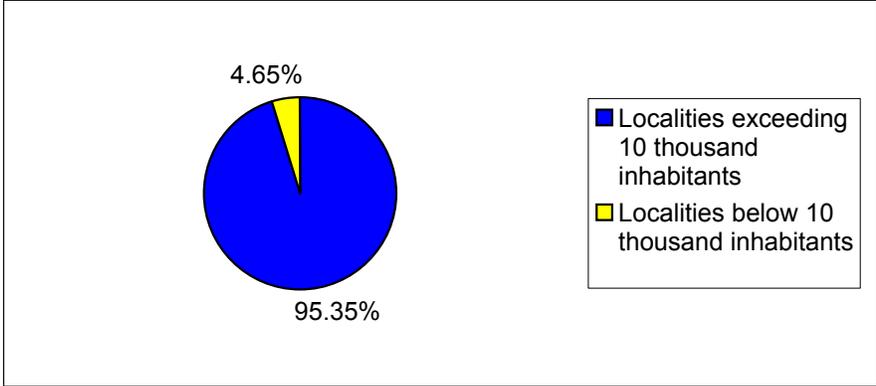
#### Czechs

Localities exceeding 10 thousand inhabitants	55.96%
Localities below 10 thousand inhabitants	44.04%



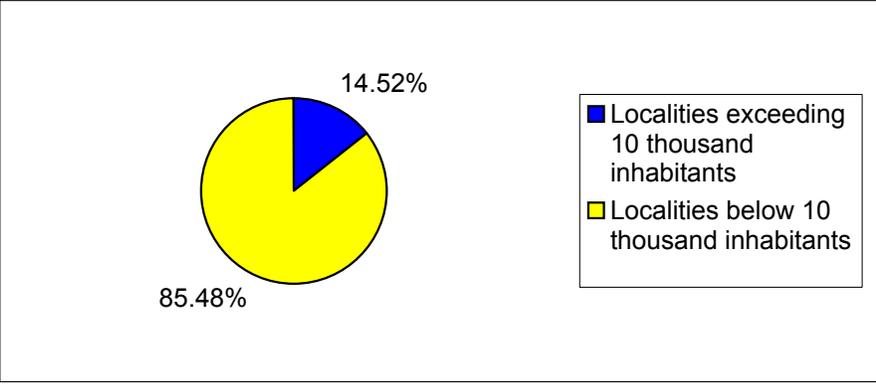
**Karaims**

Localities exceeding 10 thousand inhabitants	95.35%
Localities below 10 thousand inhabitants	4.65%



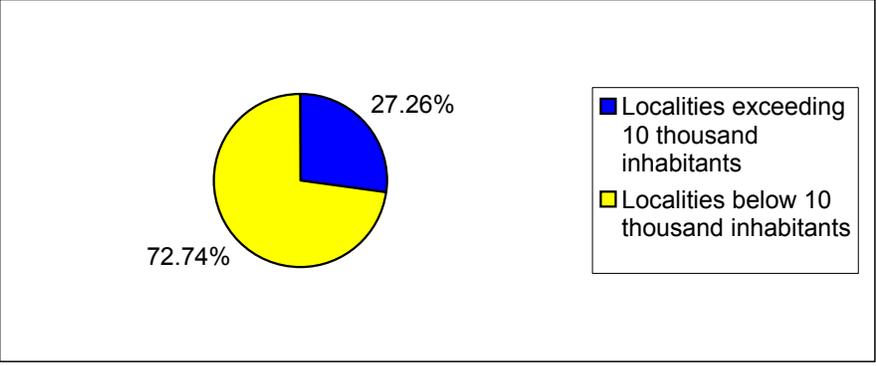
**Lithuanians**

Localities exceeding 10 thousand inhabitants	14.52%
Localities below 10 thousand inhabitants	85.48%

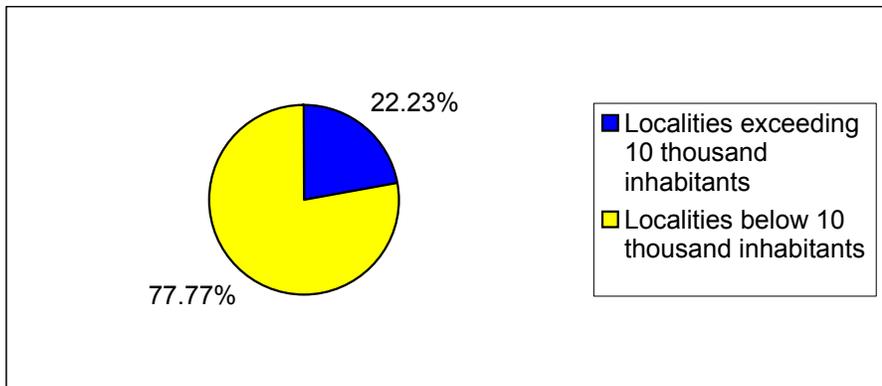


**Lemkos**

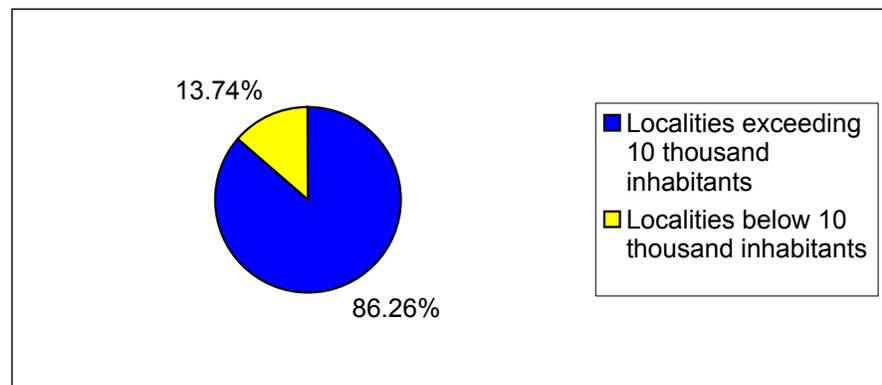
Localities exceeding 10 thousand inhabitants	27.26%
Localities below 10 thousand inhabitants	72.74%



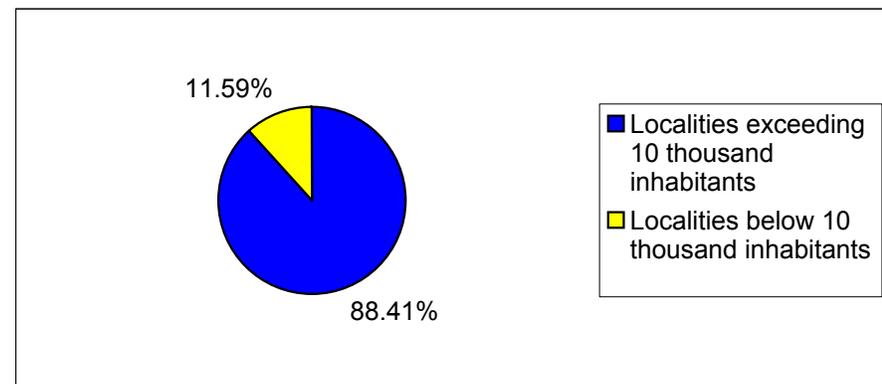
Germans	
Localities exceeding 10 thousand inhabitants	22.23%
Localities below 10 thousand inhabitants	77.77%



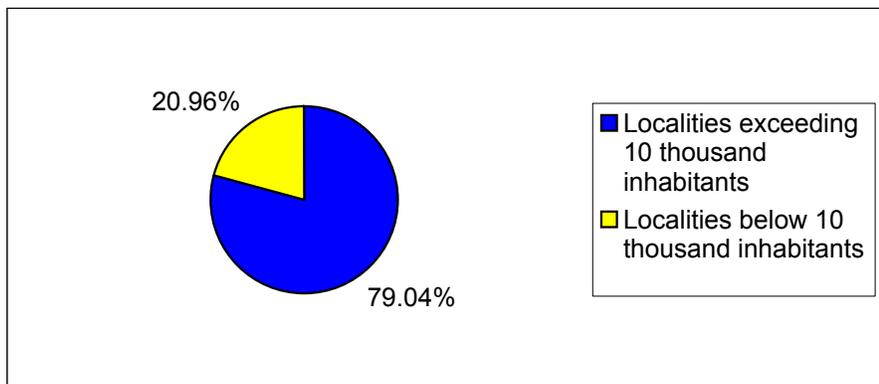
Armenians	
Localities exceeding 10 thousand inhabitants	86.26%
Localities below 10 thousand inhabitants	13.74%



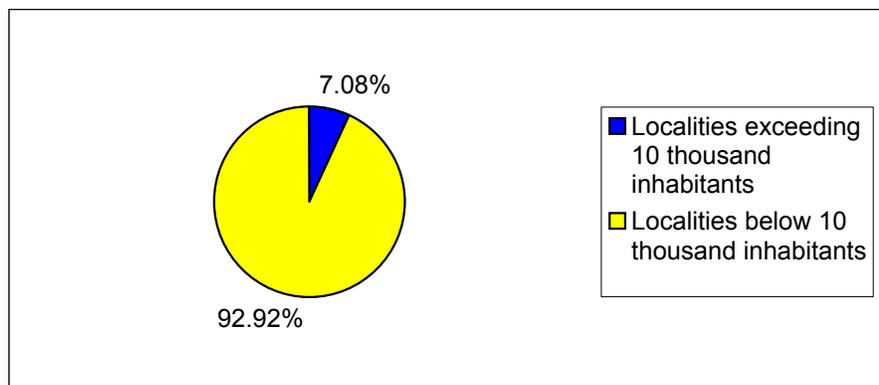
Roma	
Localities exceeding 10 thousand inhabitants	88.41%
Localities below 10 thousand inhabitants	11.59%



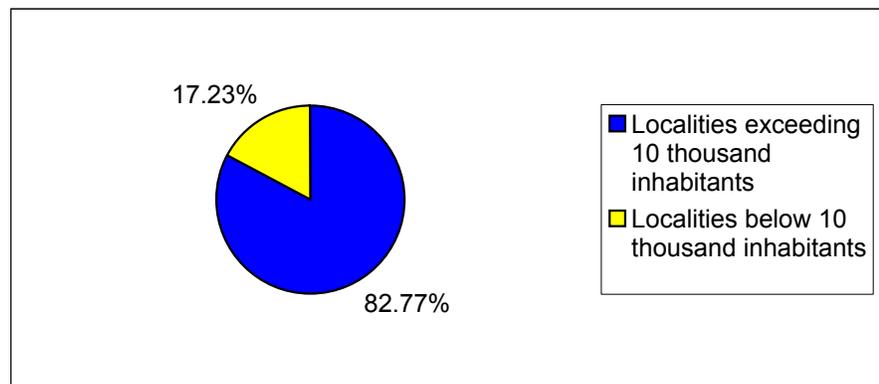
Russians	
Localities exceeding 10 thousand inhabitants	79.04%
Localities below 10 thousand inhabitants	20.96%



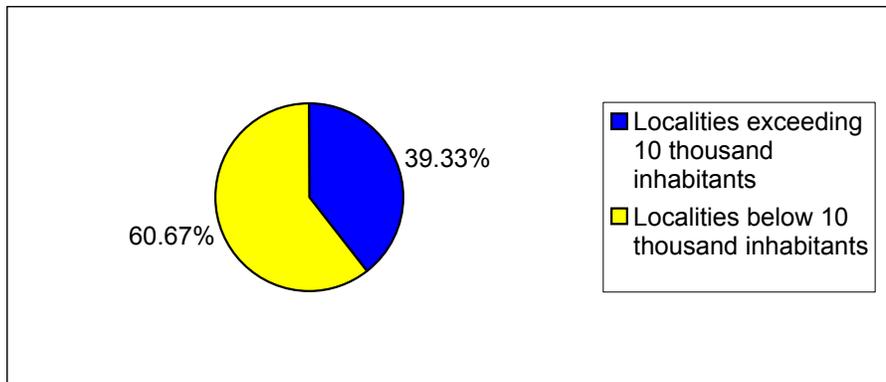
Slovaks	
Localities exceeding 10 thousand inhabitants	7.08%
Localities below 10 thousand inhabitants	92.92%



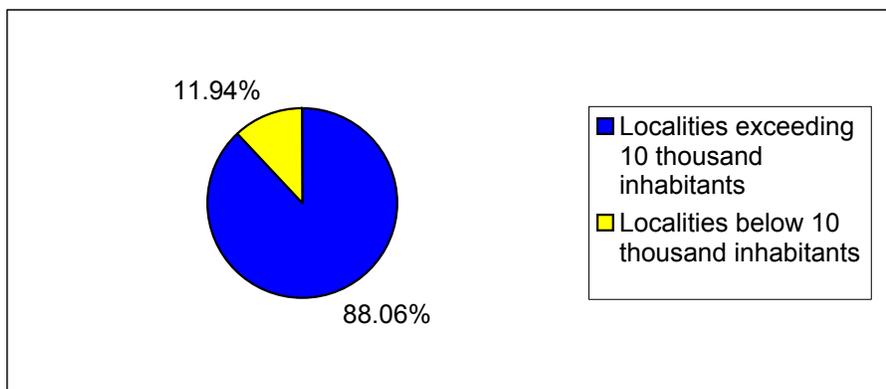
Tartars	
Localities exceeding 10 thousand inhabitants	82.77%
Localities below 10 thousand inhabitants	17.23%



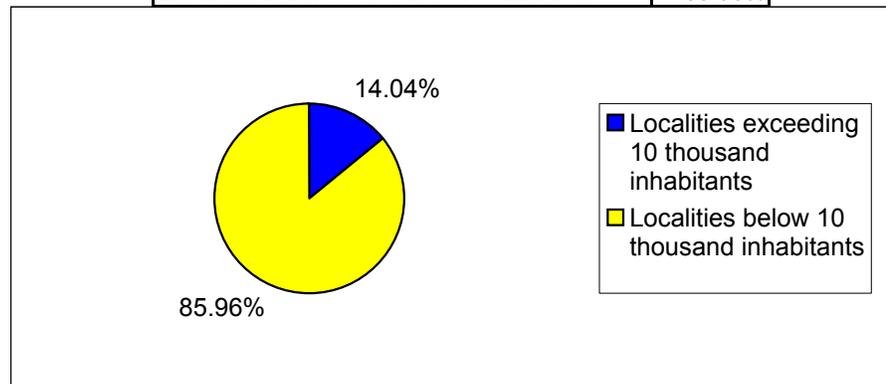
Ukrainians	
Localities exceeding 10 thousand inhabitants	39.33%
Localities below 10 thousand inhabitants	60.67%



Jews	
Localities exceeding 10 thousand inhabitants	88.06%
Localities below 10 thousand inhabitants	11.94%



Persons using Kashubian at home	
Localities exceeding 10 thousand inhabitants	14.04%
Localities below 10 thousand inhabitants	85.96%



**Annex No 5 – Number of Polish citizens declaring membership of national or ethnic minority in individual voivodeships as well as number of persons declaring the use the Kashubian language at home in individual voivodeships**  
(According to the data of 2002 National Population and Housing Census)

<u>Voivodeship</u>	Number of Polish citizens who belong to minorities	Percentage of the voivodeship residents who belong to minorities	Percentage of persons who use Kashubian at home	Percentage of the voivodeship residents who use Kashubian at home
Dolnośląskie	8,429	0.28993	2	0.00007
Kujawsko-Pomorskie	1,615	0.07804	22	0.00106
Lubelskie	1,408	0.06403	3	0.00014
Lubuskie	2,433	0.24114	0	0
Łódzkie	1,851	0.07084	1	0.00004
Małopolskie	5,734	0.17739	4	0.00012
Mazowieckie	4,075	0.07953	16	0.00031
Opolskie	105,509	9.90655	1	0.00009
Podkarpackie	4,071	0.19350	1	0.00005
Podlaskie	53,807	4.45199	3	0.00025
Pomorskie	5,560	0.25506	52,588	2.41240
Śląskie	32,679	0.68901	7	0.00015
Świętokrzyskie	507	0.03908	0	0
Warmińsko-Mazurskie	17,096	1.19690	11	0.00077
Wielkopolskie	2,543	0.07587	5	0.00015
Zachodniopomorskie	5,956	0.35072	1	0.00006

**List of communes entered on the basis of Article 10 of Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Dz.U. No 17, item 141, as amended) in the Official Register of the Communes where supporting language is used**

No.	Commune	Powiat	Voivodeship	Supporting language	Date of entry
1	Radłów	Oleski	Opolskie	German	25.01.2006
2	Chrzastowice	Opolski	Opolskie	German	25.01.2006
3	Izbicko	Strzelecki	Opolskie	German	06.03.2006
4	Biała	Prudnicki	Opolskie	German	06.03.2006
5	Walce	Krapkowicki	Opolskie	German	04.04.2006
6	Strzelecki	Krapkowicki	Opolskie	German	17.05.2006
7	Leśnica	Strzelecki	Opolskie	German	17.05.2006
8	Puńsk	Sejneński	Podlaskie	Lithuanian	25.05.2006
9	Proszków	Opolski	Opolskie	German	11.07.2006
10	Parchowo	Bytowski	Pomorskie	Kashubian	16.08.2006
11	Jemielnica	Strzelecki	Opolskie	German	28.08.2006
12	Ujazd	Strzelecki	Opolskie	German	28.08.2006
13	Kolonowskie	Strzelecki	Opolskie	German	22.09.2006
14	Lasowice Wielkie	Kluczborski	Opolskie	German	18.10.2006
15	Reńska Wieś	Kędzierzyńsko-Kozielski	Opolskie	German	26.10.2006
16	Tarnów Opolski	Opolski	Opolskie	German	15.02.2007
17	Bierawa	Kędzierzyńsko-Kozielski	Opolskie	German	23.04.2007

**List of communes entered on the basis of Article 12 of Act of 6 January 2005 on National and Ethnic Minorities and Regional Language (Dz.U. No 17, item 141, as amended) in the Register of the Communes where place-names in the minority language are used**

No.	Commune	Powiat	Voivodeship	Official name in Polish	Additional name in the minority language	Language of the national and ethnic minority or regional language	Date of entry
1	Radłów	Oleski	Opolskie	Biskupice, village	Bischdorf	German	22.12.2006
				Kolonia Biskupska, village	Friedrichswille		
				Kościeliska, village	Kostellitz		
				Ligota Oleska, village	Ellguth		
				Nowe Karmonki, village	Neu Karmunkau		
				Psurów, settlement	Psurow		
				Radłów, village	Radlau		
				Stare Karmonki, settlement	Alt Karmunkau		
				Sternalice, village	Sternalitz		
				Wichrów, village	Wichrau		
				Wolęcín, village	Wollentschin		

## Crime statistics

## Adults who received final judgments under selected Articles of the Penal Code over the years 2002-2005\*

<i>Legal qualification - Article of the Penal Code</i>	2002			2003			2004			2005		
	Judged	Convicted	Conditional discontinuance									
Article 118 (1) and (3)	-	-	-	-	-	-	-	-	-	-	-	-
Article 118 (2) and (3)	-	-	-	-	-	-	-	-	-	-	-	-
Article 119 (1)	-	-	-	4	4	-	3	3	-	6	6	-
Article 119 (2)	-	-	-	1	1	-	-	-	-	-	-	-
Article 256	7	6	1	7	6	1	7	7	-	-	-	-
Article 257	8	8	-	11	9	2	12	8	4	16	16	-

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\* Data for 2006 not available yet.

**Police Crime Statistics System "Temida"**  
**Crimes under selected Articles of the Penal Code over the years 2002-2005\***

<i>Legal qualification - Article of the Penal Code</i>	2002				2003			
	Disclosed crimes	Outcome of the proceedings including			Disclosed crimes	Outcome of the proceedings including		
		Charge sheet filed	Motion for proceedings to be discontinued due to not detected perpetrator	Referred to family court		Charge sheet filed	Motion for proceedings to be discontinued due to not detected perpetrator	Referred to family court
Article 118 (1) and (3)	-	-	-	-	-	-	-	-
Article 118 (2) and (3)	1	1	-	-	-	-	-	-
Article 119 (1) and (2)	8	6	2	-	3	2	1	-
Article 256	8	6	1	1	14	8	4	2
Article 257	17	11	5	1	17	11	5	1

<i>Legal qualification - Article of the Penal Code</i>	2004				2005			
	Disclosed crimes	Outcome of the proceedings including			Disclosed crimes	Outcome of the proceedings including		
		Charge sheet filed	Motion for proceedings to be discontinued due to not detected perpetrator	Referred to family court		Charge sheet filed	Motion for proceedings to be discontinued due to not detected perpetrator	Referred to family court
Article 118 (1) and (3)	-	-	-	-	-	-	-	-
Article 118 (2) and (3)	-	-	-	-	-	-	-	-
Article 119 (1) and (2)	6	3	2	-	16	13	2	1
Article 256	14	8	6	-	18	10	7	-
Article 257	22	16	5	1	34	25	5	4

\* Data for 2006 not available yet.

**List of comments not taken into consideration, which were submitted by the organisations of national and ethnic minorities and communities using regional language<sup>1</sup>**

**1. Lithuanian Community in Poland**

<p><b>part I</b>          “The use of National Census data in the Report gives rise to concerns. The size of particular minorities is specified on a basis of 2002 National Population and Housing Census. After the Census the majority of national minorities in Poland expressed their opinion that the Census results do not fully reflect Polish ethnic structure and are not fully unbiased. The fact that the nationality of as many as 775,000 persons has not been determined because of the unanswered question about nationality, reflects that opinion. Plenty other irregularities occurring during the Census have been identified. Sometimes the enumerators did not ask about nationality at all. We were assured then that the Census data would not be taken into account as a final size measure. However, the Report provides these data as main and only ones in description of the particular national minorities.”</p>	<p>Data of National Population and Housing Census of 2002 are the only official data on the number of members of the national and ethnic minorities. Persons who did not answer the question about nationality are mostly those who had been absent at home, that is why enumerators could not ask questions to them.</p>
<p><b>part I, pt 4.2</b>          “The numbers used while describing the Lithuanian Community refer to the number of councillors on Commune and Poviast levels. However, the Lithuanian minority organisations did not form committees in the local government election; therefore we are barely able to understand the criteria and data behind the aforementioned information.”</p>	<p>Information concerning the number of councillors of particular minorities were brought into public, for instance in the press issued by the minorities, such as “Aušra” fortnightly magazine.</p>
<p><b>part II, art. 6</b>          “One of the issues of high importance for the Lithuanian minority is to create an atmosphere of kindness, especially in the Sejny region, where the historical problems are still alive on and the lack of goodwill and understanding of our needs is still be perceptible. After 18 years of the independence of Poland the situation has actually improved. However, some actions undertaken by certain groups and leading to misunderstandings between the nations living here and arising aversion or hatred towards</p>	<p>Information too detailed.</p>

<sup>1</sup> The first column contains remarks of national and ethnic minorities organisations and a community using a regional language; the second column contains commentaries to them or reasons for not taking the remark into account in the Report.

<p>Lithuanians are incomprehensible. What I mean is the monument commemorating Ponary victims erected two years ago on Berżniki cemetery. The inscription on the monument suggests that the Lithuanians murdered thousands of Poles in Ponary during the Second World War . In our opinion, this inscription does not reflect full historical truth and the purpose for distorting the truth is unknown to us as it leads to setting two national communities living in this area against each other. Apart from that, Polish Lithuanians had nothing in common with this historical event, same as the inhabitants of Sejny region were not among the Ponary victims. The Lithuanian Community in Poland believe that all killed people should be duly commemorated, however, it should be done in compliance with history, neither undermining anybody's dignity nor contributing to the atmosphere of aversion or hatred between the nations.”</p>	
<p><b>part II, art. 13</b>  “The Report mentions kindergarten, primary school and gymnasium with Lithuanian as a language of instruction, named after “Žiburys”, opened in 2005 in Sejny. Information stating that “non-public schools receive funds for every learner, in a form of subsidies, no less than the amount provided for a learner of a certain type and kind of state school run by local government units” is not true.  “Žiburys” kindergarten and school have been operating for two years now and have not received the subsidy provided by the Article, which is officially confirmed by Sejny local government.  During the first year of operation, the kindergarten did not receive any funds, despite the fact that the Article provides for the local government transferring no less than 75 % of the amount provided for one child in a kindergarten run by the local government. Unpaid subsidies have not been transferred by the local government so far. This may be a sign of the lack of appropriate control on the part of the central government or the lack of legal mechanisms ensuring the operation of national minorities' schools.  Currently, the local government is transferring approximately 75 % of the sum per one primary school or gymnasium learner, which is contrary to the binding regulations.  Regarding the aforementioned educational establishments it is worth explaining why the educational establishments are non-public instead of being supervised by the local government. After the educational reform in Poland was introduced, 3 primary schools attended by the Lithuanian minority children in Sejny commune were closed. The local government authorities did not undertake any measures to improve the situation and to establish one school in Sejny to allow the Lithuanian minority children from previously closed schools to attend it. That was why the non-governmental organisations could not react other than take the initiative and open a non-public school. A Baranauskas Foundation “Dom Litewski” in Sejny (school supporting authority) hoped that the funds for school maintenance would be received</p>	<p>Information too detailed.</p>

<p>from the national public funds. It turned out that the Foundation decided to take the obligation to maintain the schools on its own, but it is not receiving the statutory amount, which would not be sufficient to support these establishments anyway.</p> <p>The recommendations of the Council of Europe included in the application of 2004, dealing with providing conditions for the operation of Lithuanian schools, as an especially important element for this minority, indispensable to maintain the national identity, have not been taken into account so far.</p>	
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**2. Rafał Bartek, the representative of the German minority in Joint Commission of Government and National and Ethnic Minorities.**

<p><b>part II, art. 9(4)</b></p> <p>“Broadcasting time of programmes for the German Minority is only 21h a year (TVP Opole 11.3h and TVP Katowice 10.4h). Both regional centres broadcast “Schlesien Journal”.</p> <p>TVP3 broadcasted 4 regular programmes in a common band (Telenowyny, Kowalski i Schmidt, Etniczne klimaty, Rozmówki wschodniograniczne). None of them is addressed to the German minority, though. Besides, the yearly broadcasting time was 32.4h. These programmes were broadcasted in the common band.</p> <p>In our opinion, multiplying the broadcasting time of these programmes by 16 regional centres is artificially increasing the broadcasting time dedicated to national and ethnic minorities. It looks as if TVP broadcasted an hour-long programme and multiplied the broadcasting time by 16 due to the existence of 16 regional centres.</p> <p>We would like to draw attention to the fact that there are few programmes broadcasted in minority or regional language. Only 5 out of 16 centres broadcast programmes in minority or regional language.”</p>	<p>Information too detailed. It is hard to agree with the argument that broadcasting such programmes as "Telenowyny" by regional centres is artificially increased. Information about these programmes being broadcasted by TVP regional centres a simple fact statement.</p>
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**3. Russian Cultural and Educational Association**

<p><b>part I, pt 4.2</b></p> <p>According to 2002 National Census data 12,125 Polish citizens also use Russian language at home, around 1,300 of whom in Podlasie region.</p> <p>According to the same 20002 data, there are 1,250 Old Believers, the majority of whom inhabit the regions where such denomination traditionally appears: 902 persons in Podlaskie Voivodeship and 112 persons in Warmińsko-Mazurskie Voivodeship.”</p>	<p>There is no proof that all persons speaking Russian language are Russians. It should be kept in mind that Russian language is an international language and the level of knowledge of this language is high in Poland. Moreover, it does not seem right to consider faith issues equivalent to nationality</p>
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	issues.
<p><b>part I, pt 4.2</b>  “During the Poland partition period Russians settling on current Polish areas which were then included in Tsarist Russia may hardly be considered emigration!</p>	<p>We cannot agree with such an argument. Persons of Russian nationality emigrated from the depths of the Empire to Polish land in that period.</p>
<p><b>part II, art. 5 (1)</b>  “The Report states that in 2006 the Russian minority did not receive a penny from the national budget! While our organisation alone - as R.S.K.O. - received PLN 16,500 from the Polish Ministry of National Education as a subsidy to the international youth exchange! (a trip of Russian minority youth from Poland to Russia to First Youth Sports Festival of the Russian fellow nationals abroad). We would like to be assured of the clarity of all matters – what and on what terms is considered the state aid for minorities and what and why is not!”</p>	<p>The Report clearly states that “this table does not take into account funds used by minority representatives on general terms (these are only additional amounts related to maintaining cultural identity of minority groups or protection of the language).”</p>
<p><b>part II, art. 9 (4)</b>  “In practice, speaking about presence of the Russian minority in the public media in Poland and access of the minority to it, we can only indicate one Russian language television programme about and dedicated to the Russian minority, which is “Rosyjski Głos”, broadcasted by.  TVP 3 Białystok. The programme is broadcasted once a month – one programme lasting about 8’ to 8’30” (eight to eight and a half minutes), which means fewer than 100 minutes a year. Apart from that, TVP 3 Białystok prepares at least one feature, report or documentary related to the Russian minority or Russian culture. For example, in 2005 it was the feature by Andrzej Romańczuk entitled “<i>Ekona, czyli IKONA</i>”, lasting around 9 minutes (a feature about the importance and symbolism of Icon among the Old Believers of the Orthodox Church – on a basis of the exhibition “<i>Ekona Staroobrzędowy</i>” in Wigry), while in 2006 it was a report by Katarzyna Popławska and Andrzej Romańczuk entitled “<i>Głosy Prawosławnej Rosji w Białymstoku</i>” – lasting around 19 minutes. This is mostly it when it comes to the presence of the Russian minority in Polish public media (TVP and Polish Radio). It is clearly visible that creating the nationwide television programme (lasting between 13 minutes 45 seconds and 25 minutes a month) broadcasted by one of the TVP nationwide channels - TVP1, TVP2, TVP3 common band or TVP Kultura or TVP Polonia (both of which are not available nationwide!) at best, dealing with issues of the Russian minority, is absolutely necessary. There is also urgency for broadcasting radio programmes in for and about the Russian minority and in Russian. It concerns both regional broadcasting stations of the</p>	<p>Information too detailed.</p>

Polish Radio (in Białystok, Warszawa, Olsztyn, Łódź, Wrocław, Szczecin, Gdańsk, Kraków, Zielona Góra) – each of which specifies the time and frequency regarding actual needs and level of activity of local Russian community members and their organisations, and one regularly broadcasted, nationwide radio programme about and for the Russian minority in Russian language! Without introducing a nationwide television programme about and for the Russian minority there would be hardly any availability of the Russian minority to public mass media”.	
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#### 4. Association of Ukrainians in Poland

<b>part II, art. 9 (4)</b> "Lack of current data on account of the fact that 2006 faced the cases of limiting the broadcasting time of Ukrainian-language programmes and changes in the broadcasting schedule, is highly important in regards of evaluating the access to public media by minorities."	This is more of a commentary rather than information.
<b>part III</b> "We particularly express reservations to the provision "A particularly important role in implementing actions addressed to the minorities is played by [...] and Voivodes". The lack of such actions undertaken by some Voivodes should be noted, e.g. a total lack of contact and cooperation with the Ukrainian minority in Podkarpackie Voivodeship, which has been signalled by our group more than once."	Information too detailed.
<b>part III, pt. VIII</b> "In the case of the Ukrainian community issues, actions undertaken by Council for Protection of Memory of Combat and Martyrdom have the hallmarks of preferring contacts with the Ukrainian government, at the same time passing over or marginalising the Ukrainian minority organisations."	This is more of a comment rather than information.

#### 5. Representative of Lemko minority in the Joint Commission of Government and National and Ethnic Minorities, Helena Duć-Fajfer

<b>general comment</b> "Comments arising as a consequence of not sticking to a definition of ethnic minority while presenting and dealing with the Lemko minority issues. - statement: <i>Some Lemko emphasise their affiliation with the Ukrainian nation, others declare they have no bonds with this nation, I propose to replace with – Lemkos have got their independent ethnic consciousness, although a certain group of persons of Lemko origin consider themselves a part of the Ukrainian nation.</i> - The Union of Lemkos should be placed among the Ukrainian organisations and be consistently taken into account when presenting all parameters (subsidies, education, media, etc.), due to the fact that	These comments result from the discussion held within the Lemko minority. Government administration is not a party to this discussion and therefore does not favour any option.
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<p>the Union of Lemkos is involved in development and support of Ukrainian national identity and Ukrainian language, therefore its actions definitely serve the cause of the Ukrainian national minority,</p> <ul style="list-style-type: none"> <li>- „Watra” and „Lemkiwska Storinka” should consistently be placed among the Ukrainian press titles,</li> <li>- consistently returning to the definition of minorities – point 3 of the definition mentioned here “aspires to the preservation of its language, culture and tradition”, the Union of Lemkos does not aspire to the preservation of Lemko language but to introduction of the Ukrainian language (via education, publications, propaganda),</li> <li>- if the sum of subsidy demonstrated to the Lemko minority contains a subsidy to the Union of Lemkos (could be for teaching Ukrainian language or propagating the Ukrainian consciousness among Lemkos), then I propose (consider it advisable) to transfer this subsidy amount to the Ukrainian reserve.”</li> </ul>	
<p><b>part II, art. 9 (4)</b>  “As far as the access to media is concerned, I believe that the Lemko minority is visibly discriminated. Numerous applications for aid to create a form of a cultural and information magazine in Lemko language in TVP 3 went unnoticed and unanswered. The information stating that as many as 198.4 out of 267.9 hours a year of minority programmes broadcasting time have been set aside for <i>Telenowyny</i> (dedicated to the Ukrainian minority issues) is surprising. What are the reasons for such shocking disproportions?  I propose to make a list showing which radio channels take into account the minority languages as languages used in programmes for minorities (broadcasting channels taken into account in the list - fund). It would make the disproportions in the access to media by particular minorities clear. Lemkos do not have any radio programme in Lemko language. The presented lists obscure the problem”.</p>	<p>The term “discrimination” does not seem to be proper although the problem undoubtedly exists. At the same time, the information is too detailed (this remark also concerns preparation of a called for list).</p>
<p><b>part II, art. 11 (3)</b>  A 20 % threshold established in the Act on minorities, referring to the number of Commune inhabitants and allowing to utilise opportunities specified in that point turned out to be an impassable barrier for the large part of minorities living in Poland (only 3 of them are able to cross this threshold). This should be emphasised in the report, as it makes it clear that the provision of the Act did not take into account the minority specificity (size and concentration) in Poland.”</p>	<p>20 % threshold was a compromise worked out during the work on the <i>Act on Regional and Ethnic Minorities and Regional Language</i>.</p>
<p><b>part II, art. 12 (1)</b>  “Only the positive elements of the provision implementation have been listed again (sometimes only creating appearances). I am drawing attention to this deadlock concerning the listed Russian philology</p>	<p>Information too detailed.</p>

<p>with Rusyn-Lemko language. There are no chances for such philology to exist. Entered into programme and financial schemes (existing for foreign philology) does not offer the chances to train Lemko language teachers and carry out scientific research in the scope of Lemkology. Appropriate opportunities, which both sides had been obliged to provide, have not been provided. The model of educating ethnic minorities on the university level has not been elaborated in Poland. There is a model of foreign language philology.”</p>	
<p><b>part III</b>          “I request to provide information that the Minister of Interior and Administration appointed a person against whom all the Lemko organisations and many private persons protest to the position of a representative of Lemko minority to the Joint Commission of Government and National and Ethnic Minorities. This candidacy of this person was proposed by an organisation which statutorily denies the existence of Lemko ethnic minority. The Minister chose this person despite the candidacy of the other person elected in a democratic way by representatives of all Lemko organisations.</p>	<p>This comment is a result of a discussion held within the Lemko minority, where the opinions about the candidates had been divided. The government administration is not a party to the discussion.</p>

## 6. Association of the Roma in Poland

<p><b>general comment</b>          “The draft Report did not present circumstances concerning the passing of the Act of 06.01.2005 on national and ethnic minorities and regional language, in particular concerning objections to compliance of this Act with Polish Constitution raised by the Helsinki Foundation for Human Rights and other legal authorities and non-governmental organisations as well.”</p>	<p>Comment too detailed. The report does not deal with details concerning discussions during the work on the <i>Act on national and ethnic minorities and on the regional languages</i>.</p>
<p><b>general comment</b>          “The Report draft does not take into account controversies between the Ministry of Interior and Administration and Roma organisations during the existence of the Team for National and Ethnic Minorities Issues, which were associated with the selection of the team members representing the Roma minority and resulted from the attempt of the Ministry to impose the representatives against the organisation will.</p>	<p>Comment too detailed and in the part concerning the Ministry of Interior and Administration, untrue. The fact is that the representatives of Roma organisations refused to participate in the meetings of the Team attended by the President of the Association of the Roma in Poland.</p>
<p><b>part II, art. 4 (2)</b>          “The draft Report describes many actions undertaken to solve health or education problems of Romanies,</p>	<p>Information too detailed. Such data are available.</p>

<p>however, the Association was not informed on the results of these actions - that is why the Association cannot make any comment on these matters. There are more similar issues in the draft Report, which raise objections as to the information policy of competent authorities.”</p>	
<p><b>part II, art. 4 (2)</b>  “Issues concerning Citizen Advice Bureaus presented in the draft are undoubtedly interesting and in every respect justified, but for a long time the Association has been unable to organise such Bureau due to the lack of support.”</p>	Information too detailed.
<p><b>part II, art. 5 (1)</b>  “The Association draws attention to the fact, that the financial table does not show how the funds have been distributed among the particular organisations, and in particular, what is the percentage of these funds transferred to these organisations.”</p>	Such information would be too detailed. Such data are available.
<p><b>part II, art. 5 para. 1</b>  The Association notes that it issues educational publications and materials by own means with a target support from the Ministry of Interior and Administration, which is doubtlessly the Association’s success.</p>	Information too detailed.
<p><b>part II, art. 6 (1)</b>  “The Association would especially like to draw attention to difficulties of the Roma – victims of the Holocaust – face while pursuing their rights before retirement and pension authorities and social insurance courts, regarding their entitlement to pensions on the grounds of inability to work due to their stay in a ghetto or a concentration camp during the Second World War – obstacles posed by retirement and pension authorities and courts often eliminate the chance to receive the pension, which should be associated with the lack of system solutions in this respect, lack of appropriate experience and competences of Social Insurance Institution (ZUS) medical officers and expert witnesses.”</p>	Information too detailed.
<p><b>part II, art. 6 (2)</b>  “When it comes to actions preventing and combating racism, xenophobia and ethnic discrimination, it should be emphasised that the draft does not contain any statements concerning negative, wrongful and violating the human rights image of the Roma in media, especially in the press, where almost every case of behaviour of the Roma, which is at variance with law or public customs, is stigmatised in a way which openly violates the human rights guaranteed by the constitution.”</p>	This issue was not examined during the work on the Report.” It should be noted though, that information concerning the ethnic background of suspects provided by the media triggered a number of interventions by the Commissioner of Citizens’ Rights.
<p><b>part II, art. 9 (4)</b>  “‘It can be inferred from a part of the draft that the Romas are discriminated regarding access to media,</p>	We cannot agree with the argument suggesting discrimination. The size

since other national and ethnic minorities, even those less numerous and inhabiting small parts of the Polish territory have their representatives in public television and public radio policy committees.”	of a minority was not a criterion taken into consideration during the policy committees selection process.
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## 7. Kashubian-Pomeranian Association

<p><b>general comment</b>  “Kashubian-Pomeranian Association receive with enthusiasm the news that Polish government prepared a draft of <i>II Report to the Secretary General of the Council of Europe on the implementation of the Framework Convention for the Protection of National Minorities</i>. We notice many positive changes in the national policy concerning the national and ethnic minorities that have been taking place since the submission of <i>I Report to the Secretary General of the Council of Europe on the implementation of the Framework Convention for the Protection of National Minorities</i> in 2002. We have been especially enthusiastic about passing the <i>Act of 6 January 2007 on National and Ethnic Minorities and Regional Languages</i>.”</p>	This is a commentary not information.
<p><b>part I</b>  “ We have noticed with amazement, that preparing the draft of the <i>II Report</i> the Polish government refers to the results of the 2002 National Population and Housing Census. We would like to remind that in the past the Kashubian-Pomeranian Association informed about irregularities which occurred during the Census and which undermined credibility of its results. In our opinion, the errors made during the Census discredit its results as a source of credible data.  Already after completing the National Population and Housing Census in August 2002 the President of the Central Statistical Office (at the same time being General Census Commissioner and responsible for its performance) informed the Kashubian-Pomeranian Association that <i>Kashubians are an ethnic minority</i>. At the same time other state government authorities informed the Kashubian-Pomeranian Association that Kashubians are not considered an ethnic minority in Poland. The conclusion we draw from this fact is that even entities responsible for supervising the Census had serious problems with establishing the status of Kashubians. In our opinion, the improper preparation of the National Census influenced the credibility of its results.”</p>	National Population and Housing Census of 2002 are the only official data concerning the number of persons belonging to national and ethnic minorities and using the language at home.
<p><b>part I, pt 4.3</b>  The description relating to “political representation of Kashubians” needs re-editing. The criteria on a basis of which the authors of <i>II Report</i> draft counted the local government politicians to the representatives of the Kashubian community are unknown to us.</p>	Data concerning the number of councillors related to the Kashubian community have been collected by the Office of Podkarpackie Voivode,

	on a basis of information received in the working mode from the Electoral Committee of Gdańsk Voivodeship and Kashubian-Pomeranian Association.
<b>part II, art. 9 (4)</b> “Add a sentence: <i>Persons from the Kashubian community were not appointed to radio policy committees (Radio Gdańsk S.A., Radio Koszalin S.A.) and public television policy committees (TVP Gdańsk).</i> ”	Information too detailed.
<b>part II, art. 9 (4)</b> “Add sentences: <i>The broadcasting time of Rodna Ziemia programme has been cut by half since January 2007 (a rerun is not broadcasted). Despite numerous requests of the Kashubian-Pomeranian Association and territorial governments, approximately one-third of the Kashubian community inhabiting Pomorskie Voivodeship is still deprived of the access to the only television programme broadcasted in Kashubian language.</i> ”	Information too detailed.
<b>part II, art. 12 (1)</b> “Add sentences: <i>Despite motions from the Kashubian community, none of Polish universities has a Kashubian Philology Department (Unit). None of Polish universities holds classes on Kashubian philology.</i> ”	Information too detailed.
<b>part II, art. 12 (2)</b> Add a paragraph reading: <i>Unsatisfied educational needs of the Kashubian community remain a problem. There is no university in Poland that would educate Kashubian language teachers. A constantly unsolved problem has been the lack of textbooks and Kashubian language teaching programmes.</i> ”	Information too detailed. Moreover, this comment is too general. Such textbooks and programmes do exist although there is still too few of them.