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<p>Summary of the observations of national and ethnic minorities' representatives on the 4th Report on the Implementation of the Provisions of the Framework Convention of the Council of Europe for the Protection of National Minorities by the Republic of Poland</p>	<p>Comments of the Ministry of the Interior and Administration on the observations submitted</p>
<p>Tatar minority:</p>	<p>Re 1. This observation concerns the part of the Report presenting overall characteristics of the minority.</p>
<p>1. It is surprising that in the Report, the Ministry presents the <i>Życie Tatarskie (Tatar Life)</i> magazine as the main Tatar magazine, while this magazine has not been supported financially by the Ministry for two years.</p> <p>2. There was no mention of the 'Letnia Akademia Wiedzy o Tatarach' (Summer Academy of Knowledge about Polish Tatars) event which has been organised and financed by the Ministry of the Interior and Administration for 20 years now.</p>	<p>Notwithstanding the financing or lack thereof, the magazine mentioned is published and is addressed to the representatives of this minority.</p> <p>Re 2. The observation was taken into account in the Report. The event was omitted by accident.</p>
<p>Slovak Minority</p>	<p>Re 1. <i>The amendment of the Act of 6 January</i></p>

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INTRODUCTION – page 4:

1. The claim that ‘After the European Charter for Regional or Minority Languages (the provisions of which have been already included in applicable legislation) was ratified and entered into force on 1 June 2009, no significant changes in legal regulations for national and ethnic minorities were introduced’¹ is untrue, as the Sejm of the Republic of Poland amended the *Act of 6 January 2005 on national and ethnic minorities and on the regional language*² in 2014, by introducing a significant modification to it. The amendment of the *Act of 30 May 2014 amending the Act on national and ethnic minorities and on the regional language and the Act on government administration departments*³, adopted under the urgency procedure, introduced to the Act the concept of measures related to the ‘civic and social integration of persons belonging to national and ethnic minorities,’ which is in flagrant contradiction to the basic idea of the current Act that focused on ‘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.’ The National and Ethnic Minorities Committee not only did not carry out any consultations with the communities concerned, but also failed to take into account the protests of national and ethnic minorities’ communities, and the meeting of the Committee on 3 April 2014⁴, during which the first

2005 on national and ethnic minorities and on the regional language stemmed from the necessity of adjusting its provisions to enable continuing aid activities in support of the Roma, following the conclusion of the *Programme for the integration of the Roma community in Poland for the period 2004-2013*.

The previous wording of the Act did not provide legal basis for the continuation of measures other than preserving different cultural identity of the Roma community, whose social and economic situation is different than that of other minorities and required supplementing the provisions of the said Act with aspects related to the widely understood

¹ *The 4th Report on the Implementation of the Framework Convention for the Protection of National Minorities by the Republic of Poland*, p. 4.

² [Journal of Laws of 2005 No 17 item 141](#)

³ [Journal of Laws of 2014, item 829](#)

⁴ *The Sejm of the Republic of Poland. The Chancellery of the Sejm, the Office of Sejm Committees. Full record of the proceedings of the meeting of the National and Ethnic Minorities Committee (No 68), 3 April 2014, p. 1–25.*

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reading of the amendments introduced in the Act took place, was organised at 7:00 pm, which made it impossible for a greater number of representatives of national and ethnic minorities to participate in the meeting concerned.

2. The same is true for the following statement. The claim that *'There was ongoing cooperation between national and ethnic minorities and the community using the regional language with state institutions, ensured by the Joint Commission of the Government and National and Ethnic Minorities and in daily contact with authorities responsible for the government policy towards minorities. The issues reported by minority communities to the authorities were dealt with in the spirit of dialogue and mutual understanding,'*⁵ is untrue, as despite repeated requests, the provisions of the *Act of 6 January 2005* were not amended, and the numerous requests by national and ethnic minorities' communities to enable minorities to make use of the resources of the 'National Heritage and Culture' budget heading were not heard. The proposals of changes concerned in particular the provisions of Article 18(4) of the *Act of 6 January 2005 on national and ethnic minorities and on the regional language* which leave local government units free to decide on these matters, as these units 'may' provide resources for the implementation of tasks resulting from the quoted Act, and are not 'obliged' to it. In practice, the situation is the following: local government units implementing tasks in the field of culture allocate resources only for Polish cultural institutions and refuse to allocate these resources for national and ethnic minorities' associations and institutions which run or want to run cultural institutions of national or ethnic minorities. It is therefore a clear example of unequal treatment of Polish citizens of nationality other than Polish, which is contrary to the constitutional principle of equality (Article 35).

The proposed amendment of the provisions of the Act was supposed to lead to equity among citizens of nationality other than Polish when it comes to the access to budgetary resources from the Culture and Protection of National Heritage budget heading which currently are not used by national minorities, as running cultural centres is the task of local government units. A minor modification – replacing the words 'may be' with the words 'are' – could cause a significant quality change in the approach to questions related with the preservation and development of cultural identity of national and ethnic minorities and with the preservation and development of the regional language

civic integration (e.g. through enabling projects concerning healthcare, improvement of housing conditions or entering the labour market).

At the same time it should be noted that the notion of 'civic and social integration of persons belonging to national and ethnic minorities' is in no case contrary to 'the preservation and development of cultural identity of national and ethnic minorities and the regional language.'

Re 2. All organisations, including minorities, may use public resources allocated by all public authorities for non-governmental organisations on equal terms.

Re 4. The amount of the increased education subsidy is calculated by an algorithm that uses objective data (such as the number of students declaring their belonging to a national or ethnic minority, and their will to participate in classes provided for under law to students originating from minorities, such as history and geography of the country of origin, learning the native language of the minority; in the case of Roma minority,

⁵ The 4th Report, p. 5.

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of national and ethnic minorities, and result in increasing the previous amount of resources for this aim, causing virtually no additional burdens for the budgets of local governments.

3. The claim that *'The amount of state budget funds allocated for minority-oriented tasks was increased as well'*⁶ is also untrue, as the increase resulting from the growth of gross domestic product in relation to national minorities is not proportionate, namely:

Year	2012	2013	2014	2015	2016
Subsidies for the implementation of tasks for the protection... from the ministry competent for national minorities	461,900	334,790	493,000	441,300	441,300
Other educational expenditure – Ministry of National Education:	15,700		18,649		
Total ⁷ :	477,600	434,790	511,649	441,300	441,300
GDP growth:	1.6%	1.4%	3.3%	3.9%	2.8%

The amount of subsidies in particular years for the Slovak national minority decreased

these measures take different forms, e.g. hiring an assistant, a support teacher, etc.) The amounts are therefore not 'overstated' and correspond to the amounts transferred by the Ministry of National Education to local governments in the area where national minorities reside. It is for the local authority to decide on the allocation of resources to particular educational tasks, pursuant to the locally diagnosed needs (employing additional teachers, improving the standard of a building, purchasing teaching materials, etc.).

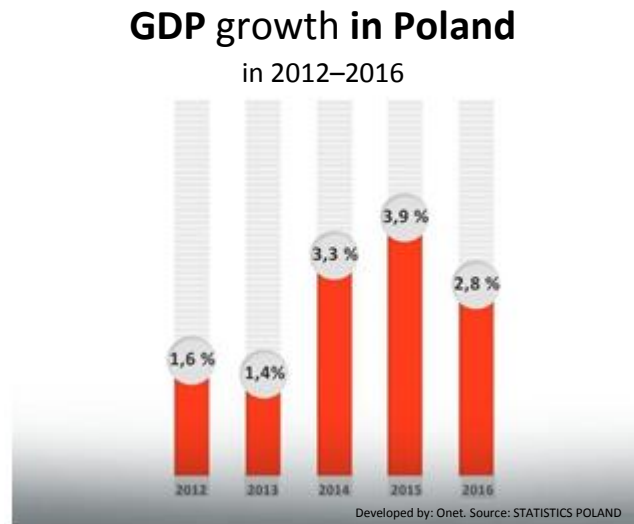
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in the years 2012–2016 by PLN 36,300, i.e. by 9.2%, while the GDP grew 13% at the same time. **Therefore in the years 2012–2016, the amount of funds for the implementation of tasks aimed at the protection, preservation and development of cultural identity of the Slovak national minority decreased effectively by 22.2%.** In the years 2012–2016, the Slovak minority did not receive any specific-purpose subsidy for investment.

⁶ The 4th Report, p. 5.

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⁷ The *4th Report*, tables without pagination.



4. The situation is quite different when it comes to the question of text books. In the years 2012–2016, no Slovak language text book was published, and the data on the education subsidy amount for the Slovak minority are also untrue.

Year	2012	2013	2014	2015	2016
Education subsidy	1,417,969.61	1,414,998.39	1,327,614.97	1,463,487.90	1,835,173.29

The amount of the subsidy for particular years as indicated in the 4th Report is definitely overstated. Unfortunately, it is not the case, and the assessment based on the amount of the subsidy transferred is difficult to define, due to the attitude of the local governments. The case concerned in the reporting period, in the years 2012–2016, was discussed numerous times in the Joint Commission of the Government and National and Ethnic Minorities as well as in the Sejm National and Ethnic Minorities Committee. Only a small percentage of the funds transferred to the local government in accordance with the *Regulation of the*

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Minister of National Education of 4 April 2012

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*amending the Regulation on conditions and manner of performance by preschools, schools and public educational facilities of tasks supporting national, ethnic and linguistic identity of students from national and ethnic minorities and the community using the regional language*⁶ is in fact allocated for preserving national, ethnic and linguistic identity of national and ethnic minorities. It is clearly confirmed by the letter from the Małopolska Voivodeship Office in Kraków – the Office of the Voivode of 29 May 2017⁷, from which it results that in 2016, for the aim concerned, PLN 220,719.39 were spent on 166 students, while the commune of Bukowina Tatrzańska could not even estimate the costs allocated for teaching 49 students.⁸ In total, 215 children were covered by the support, for which an amount of up to PLN 250,000 was spent, and from the report it results that in 2016, the amount of subsidy was equal to PLN 1,835,175.29.⁹ It is therefore a grossly overstated amount. In the *4th Report* there are no observations concerning the incorrect use of funds when it comes to teaching the Slovak language. The local government officials' community does not possess any information on additional funds transferred from the budget of the Minister of National Education for teaching national and ethnic minorities' languages and the regional language, and it claims that local governments do not have any resources for teaching the Slovak language, as it is too expensive, and the commune co-funds teaching of this language¹⁰.

5. Coming back to the amount of subsidies transferred by the Ministry of National Education which in the *4th Report* were defined as *Other educational subsidies* and which were allocated for educational activities supporting teaching of the language, culture and geography of the Slovak national minority, it should be pointed out that their allocation was very irregular, which is confirmed by the above-mentioned summary. In the years 2012–2016, the Slovak minority obtained a subsidy for the organisation of trips to the country with which the Slovak minority residing in Poland identifies itself only twice, and when the project was reorganised in 2015 and its name changed to 'Supporting educational initiatives in the multi-cultural school environment,' it ceased to obtain any subsidies at all. The Ministry of National Education, acting in accordance with

⁶ Journal of Laws of 2014, item 263.

⁷ A letter from the Małopolska Voivodeship Office in Kraków No BW-V.6113.13.2017 of 29 May 2017. Archive of the Association of Slovaks in Poland, incoming mail, date of receipt: 15 June 2017.

⁸ In its information on the allocation of the subsidy for the implementation of tasks supporting national, ethnic and linguistic identity of the students belonging to national and ethnic minorities and the community using the regional language, the commune of Bukowina Tatrzańska enlists tasks which were not implemented, e.g. training for teachers conducting Slovak language courses, organisation of trips or civic centre care (the Slovak civic centre in Jurgów was closed by the Commune Office of Bukowina Tatrzańska in July 2006 by means of denying the right to the premises).

⁹ The *4th Report*, tables without pagination.

¹⁰ A statement of the Łapsze Niżne commune council of 19 March 2018 during the presentation of *Wędrówki po obu stronach Dunajca* (Wanderings on both sides of Dunajec) by J. Dudašová-Kriššáková et al. in Spišská Stará Ves.

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the new rules concerning the division of funds for the task concerned, prefers projects of the tasks which are addressed to immigrants, and the main aim of which is their integration, teaching the Polish language and promoting Polishness, which is an activity opposite to the aims of national minorities which concentrate on activities focusing on the preservation of cultural identity of their community.

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

Article 2:

The claim that 'The Polish government listens closely to the minorities, aiming to create conditions that would ensure harmonious development of their culture and identity, as well as the promotion of openness and tolerance in the Polish society, especially among the youth. Taking appropriate measures to support activities aimed at the protection, preservation and development of cultural identity of national and ethnic minorities is a statutory responsibility of Polish public authorities'¹¹ is untrue. In the years 2012–2016, the Polish Government did not listen to the minorities very carefully, which would '*ensure harmonious development of their culture and identity.*' An example of this is that no efficient action is taken with respect to the requests of national and ethnic minorities in relation to:

- the establishment by the Polish Government of national minorities' cultural institutions,
- the failure to apply the principle of equal treatment in the approach to national and ethnic minorities, a prominent example of which is establishing cultural institutions for one national minority only (the Jewish minority), which could be an example of good practices, if it concerned also other national and ethnic communities living in Poland,
- publishing national minority language textbooks, which was caused by an irresponsible decision of selling the *Wydawnictwa Szkolne i Pedagogiczne* textbook publisher,
- the lack of any policy concerning the training of personnel teaching national minorities' languages,
- introducing to the Act of 6 January 2005 on national and ethnic minorities and on the regional language of the concept of '*civic and social integration of persons belonging to national and ethnic minorities,*' which is in flagrant contradiction to the basic idea of the current Act

¹¹ The 4th Report, p. 30.

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that focused on *'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'*;

- the failure to amend the Act on minorities in the scope requested by national and ethnic minorities.

Article 4(2):

In the *Draft 4th Report* with respect to Article 4(2) the Parties undertook *'to adopt, where necessary, adequate measures in order to promote, in all areas of economic, social, political and cultural life, full and effective equality between persons belonging to a national minority and those belonging to the majority. In this respect, they shall take due account of the specific conditions of the persons belonging to national minorities,'*¹² which is not being carried out. In relation to the Slovak national minority, the Polish Government did not undertake any activities that would ensure an actually equal approach to the protection of their cultural heritage. A specific example of the lack of positive approach in this context is the question of falsifying the memory of former owners of the Korkosz Croft in Czarna Góra, a branch of the Tatra Museum, the commune of Bukowina Tatrzańska, Tatra County, the name of which was changed by a public institution from 'Korkoš' to 'Korkosz', and when it comes to their nationality it claims that they were 'Polish Spiš highlanders'. In the newsletters published from public money there is no mention of the fact that the family was Slovak, but there is a mention of 'an affluent local family,' or 'the world of peasant culture, now almost extinct.'¹³ Also the question of nationality of the former owners of the Sołtys Croft in Jurgów¹⁴, branch of dr Tytus Chałubiński Tatra Museum in Zakopane, the commune of Bukowina Tatrzańska, Tatra County, is treated in the same way. Also their name was changed by a public institution, while the issue of their national identity is not being taken up. A similar situation is encountered in relation to the artefacts of the Slovak material culture collected in the Museum – Orawa Ethnographic Park in Zubrzyca Górna, the commune of Jabłonka, Nowy Targ County¹⁵.

Currently, the Slovak minority residing in Poland does not possess any museum unit.

¹² The *4th Report*, p. 36.

¹³ <http://muzeumtatrzańskie.pl/?venue=zagroda-korkoszow-w-czarnej-gorze>

¹⁴ <http://archiwalna.muzeumtatrzańskie.pl/?strona,menu,pol,glowna,1373,0,1393,ant.html>

¹⁵ <http://www.orawa.eu/aktualnosci/historia>

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Article 5:

In the *Draft 4th Report* with respect to Article 5(1) *'The Parties undertake to promote the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage'*¹⁶ the Polish Government does not support the establishment of national minorities' cultural institutions, and its whole activity is based on supporting minorities through grants for specific projects. This does not guarantee continuity and safety of the activity of individual national minority associations. In the period concerned, one Jewish and several dozens of Polish institutions were established, while none institution of the other national and ethnic minorities was established, which confirms the fact of unequal treatment of citizens of nationality other than Polish. Referring in this context to the granting of specific-purpose subsidies¹⁹ does not relate in any way to activities aimed at *'promoting the conditions necessary for persons belonging to national minorities to maintain and develop their culture, and to preserve the essential elements of their identity, namely their religion, language, traditions and cultural heritage,'* as the amounts concerned are rather symbolic and are allocated for aid in settling the ever more complicated financial and accounting provisions introduced by the body in charge of national and ethnic minorities. Therefore, the subsidy does not finance any meaningful activities, but it only covers the costs of increasing bureaucratic obligations. When it comes to the Slovak minority, in the years 2012–2016, the amounts of subsidies were the following:

Year	2012	2013	2014	2015	2016
Specific-purpose subsidy	28,800,00	30,000,00	30,000,00	30,000,00	30,000,00

In the years 2012–2016, the amount of subsidies in particular years for the Slovak national minority increased by PLN 1,200, i.e. 0.96%, while the GDP grew 13% at the same time. **Therefore in the years 2012–2016, the amount of specific-purpose subsidies for the implementation of tasks aimed at the protection, preservation and development of cultural identity of the Slovak national minority decreased effectively by 11.04%.**

¹⁶ The *4th Report*, p. 40. ¹⁹ The *4th Report*, p. 42.

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In the *Draft 4th Report* with respect to Article 5(2) *'without prejudice to measures taken in pursuance of their general integration policy, the Parties shall refrain from policies or practices aimed at assimilation of persons belonging to national minorities against their will and shall protect these persons from any action aimed at such assimilation'*¹⁷ it was not mentioned that the Sejm of the Republic of Poland, **in 2014**, passed the *Act of 30 May 2014 amending the Act on national and ethnic minorities and on the regional language and the Act on government administration departments*¹⁸, to which the concept of *'civic and social integration of people belonging to national and ethnic minorities'* was introduced. These actions were in flagrant contradiction to the basic idea of the current Act that focused on *'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 provisions of this point of Article 5 of the Framework Convention for the Protection of National Minorities. MP Dorota Arciszewska-Mielewczyk (PiS) clearly pointed this out during the meeting of the National and Ethnic Minorities Committee on 3 April 2014 saying *'but it reminds me a little of the discussion of Polish minorities abroad. We are also allergic to all kinds of assimilation, which is often called integration. And then it is an argument used against us that we assimilate so well that we do not need integration, so there is generally the confusion of concepts.'*¹⁹ The concern of MP Dorota Arciszewska-Mielewczyk (PiS) during the meeting of the National and Ethnic Minorities Committee on 3 April 2014 was personally dismissed by MP Marek Ast, deputy head of the National and Ethnic Minorities Committee of Sejm, who ordered her to withdraw the motion, despite the fact that he was then an opposition MP. The claim that *'In its efforts to the benefit of social inclusion, Poland does not refer to any policies or practices aimed at the assimilation of persons belonging to national minorities'*²⁰ is not credible since after the adoption of the amendment there was no *'integration impact, while respecting and enhancing the cultural autonomy of national minorities'*, but rather the negation of the whole existing policy in this area, which took particularly harsh forms in December 2016.²¹ One-sided withdrawal of the government from the current forms of allocation of subsidies for the next year and the way of conducting dialogue with national and ethnic

¹⁷ The *4th Report*, p. 80.

¹⁸ [Journal of Laws of 2014, item 829](#)

¹⁹ *The Sejm of the Republic of Poland. The Chancellery of the Sejm, the Office of Sejm Committees. Full record of the proceedings of the meeting of the National and Ethnic Minorities Committee (No 68) 3 April 2014, p. 12–13.*

²⁰ The *4th Report*, p. 80.

²¹ <http://mniejszosci.narodowe.mswia.gov.pl/download/86/20461/LVIIIKWRI MNiE-protokol-autografy.pdf>

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minorities within the Joint Commission of Government and National and Ethnic Minorities has led to any support from the body in charge of national and ethnic minorities being completely blocked. In the first quarter of 2017, it caused a number of complications in individual minority communities, as well as image and economic losses. Therefore, another claim that *'The fundamental principle of Polish integration policy is to refer to such means and methods that have an integration impact, while respecting and enhancing the cultural autonomy of national minorities according to the principle which is defined as 'integration with respect to diversity'* is completely meaningless.

Article 6:

In the *Draft 4th Report* with respect to Article 6(1) the Polish government committed that *'The Parties shall encourage a spirit of tolerance and intercultural dialogue and take effective measures to promote mutual respect and understanding and co-operation among all persons living on their territory, irrespective of those persons' ethnic, cultural, linguistic or religious identity, in particular in the fields of education, culture and the media*²², which is not implemented, because in the territory inhabited by the Slovak national minority there are no measures taken to encourage *the spirit of tolerance and intercultural dialogue*, and all measures carried out by public entities in the area of education, culture and media are aimed at proving that in the areas of Spiš and Orava the Slovak national minority does not exist. On the other hand, publications issued with public money in a highly one-sided manner ignore the fact that the Slovak national minority does live there. This applies to publications published with local government funds²³, with the support of the local government funds²⁴, as well as those published at the expense of the state and distributed in schools by the state scientific institutions, a clear example of which is the publication of the Institute of National Remembrance *Józef Kuraś 'Ogień' and Zgrupowanie Partyzanckie 'Błyskawica'*, which falsifies the memory of the tragic events that took place in Spiš and Orava in 1945-47 and the persecution of civilians. This does not help to create the atmosphere of *'mutual respect and understanding and co-operation (...) in particular in the field of education.'*

²² The *4th Report*, p. 81.

²³ B. Zgama, R. Kowalczyk (ed), *Jabłonka – stolica polskiej Orawy. Historia i współczesność*, Orava Cultural Centre in Jabłonka, Nowy Targ – Jabłonka 2012; B. Zgama, R. Kowalczyk (ed), *Jabłonka – stolica polskiej Orawy 1945-2014. Historia administracji i życie gospodarcze Jabłonki*, Orava Cultural Centre in Jabłonka, Nowy Targ – Jabłonka 2016.

²⁴ U. Janicka-Krzywda (ed.), *Kultura ludowa Górali Spiskich*, Oficyna Wydawnicza „Wierchy” Mountain Tourism Centre PTTK in Kraków, Kraków 2016.

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In the *Draft 4th Report* with respect to Article 6(2) the Polish government committed to ‘take appropriate measures to protect persons who may be subject to threats or acts of discrimination, hostility or violence as a result of their ethnic, cultural, linguistic or religious identity’²⁵. However, when the Slovak community asked to prevent the spread of hostility by introducing scandalous forms and content used in the work of pupils of grade II b at John Paul II Lower Secondary School in Krempachy: (...) *Do only borders divide?*, prepared under the direction of (...) a history teacher at this school, for the 17th competition ‘Recent History’ organised by the KARTA Centre Foundation, called ‘Poles - Neighbours after World War II: against each other, next to each other, together’, positively assessed by four Polish scientists with professor titles: Prof. **Barbara Engelking** – sociologist, Prof. **Jerzy Kochanowski** – historian, Prof. **Hanna Palska** – sociologist and Prof. **Andrzej Żbikowski**, and published by the KARTA Centre Foundation on its website, the school authorities of all levels did not take any action and approached the matter too leniently, defending the teacher with a clearly chauvinist attitude. Neither the director of John Paul II Lower Secondary School in Krempachy, nor the supervisory authorities of the Board of Education in Kraków intervened, even despite the fact that the paper included slanders on the Polish culture of Slovaks and Slovak teachers working in accordance with the applicable laws in the education system in Spiš about the fact that *in many cases they conducted anti-Polish activity*, without giving any reason whatsoever. This scandalous competition entry was built on the scheme of polar opposition between two categories of ‘us’ – good (Poles) and “them” – bad (Slovaks), which through the use of adjectives and verb forms of alleged actions and events intensify strong emotions, defining unambiguously sympathies and antipathies – positive for ‘us’ and negative for ‘them’²⁶. Taking such starting positions multiplies the existing stereotypes as well as evokes and reinforces hate. The social harmfulness of the thesis ‘*Do only borders divide?*’ presented on the website of the KARTA Centre Foundation is enhanced not only by the fact that the text of the entry includes slanders, which are not supported by any evidence in the collected source material – in interviews conducted by 14-year-old pupils – as well as in the quoted literature, but in particular that the paper received an award by decision of the four above-mentioned Polish university professors, members of the evaluation committee.

²⁵ The *4th Report*, p. 82.

²⁶ The problem was discussed in more detail by Prof. Czesław Robotycki in *Retoryka tekstu regionalistycznego*. In: *Regionalizm – Regiony – Podhale*, Wydawnictwo Muzeum Tatrzańskiego, Zakopane 1995, p. 239–245.

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The *Draft 4th Report* with respect to Article 6(2) on page 104 does not include two registered cases relating to hate crime, namely:

- the case of an e-mail of 7 May 2016 sent to the Slovak Society in Poland by (...) an ONR (*National Radical Camp*) Podhale activist, written using hate speech;
- the case of destruction of bilingual signs at the Slovak Culture Centre in Nowa Biała in Spiš, which took place in August 2015.

Article 8:

In the *Draft 4th Report* with respect to Article 8 the Polish government committed to '*recognise that every person belonging to a national minority has the right to manifest his or her religion or belief and to establish religious institutions, organisations and associations.*'²⁷ With regard to the Slovak community, the Polish authorities, as a party to the agreement, do not ensure the observance of the provisions of the agreement – *Concordat between the Holy See and the Republic of Poland* of 28 July 1993.²⁸ They are not interested in the fact that the Church does not respect the provision of Article 18 of the *Concordat*, which guarantees certain rights to minorities, namely: *In keeping with the need to guarantee pastoral care to national minorities, it falls to the duty of Diocesan Bishops to determine the organisation of the pastoral ministry and catechizing in a language appropriate to such minorities.*²⁹ **Article 9:**

In the *Draft 4th Report* with respect to Article 9(1) the Polish government committed that '*persons belonging to a national minority are not discriminated against in their access to the media*'.³⁰ However, it has not been stated that access to the media (radio and TV) was provided in the period 2012–2016 only for some national and ethnic minorities, with the exclusion of the Slovak minority.

Article 12:

In the *Draft 4th Report* with respect to Article 12(1) the Polish government committed to '*take measures in the fields of education and research to foster knowledge of the culture, history,*

²⁷ The *4th Report*, p. 90.

²⁸ Journal of Laws of 1998, No 51, item 318.

²⁹ Ibid.

³⁰ The *4th Report*, p. 96.

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*language and religion of their national minorities and of the majority.*³¹ Currently, there is no scientific research carried out in relation to the Slovak national minority and the ‘neophilology’ mentioned in the report, which is one of the faculties of study at the Faculty of Philosophy of the Jagiellonian University in Kraków, does not educate students of pedagogy specialisation. These are general language studies educating translators, without any pedagogical preparation. At present, no Polish university carries out scientific research on the Slovak national minority. Therefore, no action is also taken in the field of *fostering knowledge of the culture, history, language and religion* of this national minority. In the previous reports the government stated that such research and action is carried out by an independent academic researcher employed at the Department of Slavonic Philology of the Faculty of Philosophy of the Jagiellonian University in Kraków, which, however, was never true.

In the *Draft 4th Report* with respect to Article 12(2) the Polish government committed that the public authorities will, *inter alia*, ‘*provide adequate opportunities for teacher training and access to textbooks, and facilitate contacts among students and teachers of different communities*’³², which does not match reality. Between 2012 and 2016, the public authorities did not organise any *additional training and further education courses for teachers of minority languages* for the Slovak minority and local governments that have taken over the relevant tasks are not interested in providing methodological consultancy to the Slovak national minority. **Between 2012 and 2014, no Slovak language textbook was published** and therefore *a teacher cannot decide to implement a curriculum using a textbook admitted for use in school by the Minister of National Education, educational materials replacing or supplementing the textbook as well as exercise materials.*³⁶ In the reporting period, the Ministry of National Education did not co-finance the publication of any Slovak language textbook, exercise books or any supporting material. It should be noted that the situation related to textbooks has not been so dramatic since 1989 and there is no indication that it could change since the approach of the Ministry of National Education to the matters of the Slovak national minority is unequivocally negative and the action taken to solve the issues that bother this community is only simulated.

³¹ The *4th Report*, p. 115.

³² The *4th Report*, p. 118.³⁶ 19.

The *4th Report*, p. 1.

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The initiative of the Joint Commission of the Government and National and Ethnic Minorities launched on 28 May 2014 during its 44th meeting – on the basis of which a working group for textbooks for national and ethnic minorities and the regional language was established – has also ended up in failure. However, its activities did not bring any results, as representatives of the government administration (the Ministry of National Education) did not agree to sign publishing agreements that would enable starting work on textbooks, which was definitely declared by the Slovak Community in Poland.

As far as the Slovak minority is concerned, the statement *'The curricula for teaching one's own history and culture as well as the geography of the state with whose cultural area a given national minority identifies itself and the textbooks developed by publishers for these subjects contain a structured presentation of teaching contents in the scope of a given subject, going beyond the scope defined in the core curriculum for general education, taking account of the recommendations of bilateral textbook committees as well as other textbook committees and teams acting pursuant to international agreements on cooperation in the area of education or agreements of UNESCO national committees'*³⁷ is also untrue as it suggests that the reality of teaching the Slovak language is bright. Unfortunately, the statements included in the quote are just wishful thinking or literary fiction. This how the reality should look like, yet – unfortunately – it does not. **Therefore, teachers could not develop curricula for teaching their own history and culture as well as the geography of the state with whose cultural area a Slovak national minority identifies itself since nobody ordered it; the publishers did not develop the textbooks for these subjects since nobody told them to do so, and therefore they cannot contain a systematic presentation of the content of teaching on a given subject as they do not exist physically. Therefore, for obvious reasons, curricula and textbooks must not go beyond the scope defined in the core curriculum for general education, taking account of the recommendations of bilateral textbook committees as well as other textbook committees and teams acting pursuant to international agreements on cooperation in the area of education or agreements of UNESCO national committees!** This is information which in a desperate way tries to hide the real picture of the policy of the Republic of Poland towards the Slovak national minority.

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The statement that *the Ministry of National Education supports non-governmental organisations and associations by granting funding for the implementation of educational projects (seminars, workshops, educational publications, youth meetings, competitions for schools) for the benefit of students of national and ethnic minorities*³³ should be reformulated and it should be clarified that it supported sporadically, and after combining the measure in question with the problems of migrants, it ceased. Therefore, it is no longer an *annual* support and definitely it cannot be assumed that *as a result of international school cooperation and youth exchange projects co-financed by the Ministry of National Education the respect for national and cultural identity, as well as elimination of barriers, stereotypes and prejudice rooted in mentality and culture are assumed to be one of the permanent priorities.*

It should also be noted that the bilateral agreements between the Republic of Poland and the Slovak Republic currently do not take into account the needs of the Slovak national minority, in particular the agreement – the *Programme of Cooperation between the Ministry of National Education and Sport and the Ministry of Schooling of the Slovak Republic for 2003–2006*, signed in Warsaw on 20 December 2002, and the *Agreement between the Government of the Republic of Poland and the Government of the Slovak Republic on Cooperation in the fields of Culture, Science and Education*, drawn up in Bratislava on 23 March 2000. The initiative of the Slovak national minority to update the agreements was not accepted by the Ministry of National Education, mainly due to the fact that Poland currently has two ministries (the Ministry of National Education and the Ministry of Science), which are not able to agree and refer to the demands.

Article 18:

In the *Draft 4th Report* with respect to Article 18(2) the Polish government committed to take '*where relevant (...) measures to encourage transfrontier co-operation*'³⁴, which, however, makes no reference to the Slovak national minority. It is true that '*Polish-Slovak cooperation has strengthened within the Tatry Euroregion*'.⁴⁰ However, the *Tatry Euroregion* has not prepared any programme for national and ethnic minorities, and all activities are carried out on general principles that are extremely difficult for minorities, in particular in terms of financing the submitted projects.

³³ The *4th Report*, p. 123.

³⁴ The *4th Report*, p. 136. ⁴⁰ 41.

The *4th Report*, p. 1.

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Lithuanian Minority	
<p>1. In the “Framework Convention” on page 18, as part of the presentation of the Lithuanian minority, teaching in Lithuanian is described. A similar text can be found on the websites of the Ministry of the Interior and Administration at the following address: http://mniejszosci.narodowe.mswia.gov.pl/mne/mniejszosci/charakterystykamniejs/6480,Charakterystyka-mniejszosci-narodowych-i-etnicznych-w-Polsce.html#litwini.</p> <p>The statistical generalisations used there may be misleading and are not in line with the feelings of the Lithuanian minority. In addition, the figures may also be inconvenient for you, as the next report will show a significant decrease in the number of schools due to the liquidation of lower secondary schools (<i>gimnazja</i>).</p> <p>In my opinion and, as I think, in the opinion of most Polish Lithuanians, there are four schools in Poland where it is possible to learn in Lithuanian. They include:</p> <ol style="list-style-type: none">1) Darius and Girenas Primary School and Lower Secondary School in Puńsk,2) 11 March General Upper Secondary School in Puńsk,3) ‘Žiburys’ Primary School and Lower Secondary School in Sejny,4) Primary School in Widugiery. <p>Additionally, in several educational establishments in Podlaskie Voivodeship it is possible to learn Lithuanian as an additional language (six schools, including one lower secondary school) and there is one school in Suwałki, where Lithuanian is taught in a mixed group at a class level.</p> <p>There are also two preschools (one in Puńsk, the other in Sejny) with Lithuanian as the language of instruction. However, preschools should not be compared with schools as the way of teaching in such an establishment is completely different compared to schools.</p> <p>In addition, it should be noted that the preschool, primary school and lower secondary school in Puńsk are institutions with Polish and Lithuanian instruction languages, which means that there are separate classes/groups, where Polish rather than Lithuanian is the instruction language.</p> <p>It seems to me that such a way of presenting information about teaching in Lithuanian as I described above would be better for both sides.</p>	<p>Re 1. The report provides data on the number of schools and pupils from national or ethnic minorities as presented by the Ministry of National Education on the basis of data from the School Education Information System.</p>