

President

Open letter to:

Mr Mateusz Morawiecki, Prime Minister of Poland

Mr Przemysław Czarnek, Minister of Education and Sciences of Poland

Members of the Parliament of Poland

Mr Jerzy Bauriski, Ambassador Extraordinary and Plenipotentiary, Permanent Representative of Poland to the Council of Europe

Strasbourg, 9 December 2021

Honourable Officials of the Republic of Poland,

The Council of Europe [Conference of INGOs](#), is committed to implementing the Council of Europe's standards on [education](#). Among the more than 300 international NGOs which make up our Conference, many have a high-level expertise on education and are important stakeholders in education around the world. Many of them that have members in Poland are raising their concern on the situation in the country.

We were informed about the recent adoption by the government of the draft amendments to the 'Draft law amending the Act – Law on School Education and certain other acts'. We also know that the draft is being examined by Sejm.

The Conference of INGOs is concerned to learn that even after the public consultation organised by the governmental body since 21 July 2021, the majority of stakeholder organisations maintain the same criticism regarding the first draft, transmitted to SEJM on 30 November 2021.

As we follow closely the recent developments in Poland, we note that the main concerns still remain in the second draft:

- the process of centralisation of education through the increase of powers of superintendents (Polish: Kuratorzy);
- the limitation of powers exercised by unions, parents and local governments administering schools;
- the bureaucratisation, and de facto limitation of access to schools of NGOs and other organisations.

These trends strongly undermine the democratisation and inclusive governance of the schools.

... / ...

If the purpose of the changed Education Law is to strengthen the quality of education in Polish schools and solve educational issues in the country, the proposal needs to be further discussed and debated within society, teachers, parents, youth, local governments and bodies that administer particular schools, Civil Society Organisations, and experts maintaining [participatory](#) standards of the Council of Europe.

An accountable government should improve its draft in the light of the proposals made by the relevant stakeholders and parties concerned. Such democratic and participatory approach is crucial in the context of strong political and social polarisation in Poland which constitutes the Conference of INGOs' concern. The shrinking civic space towards those who promote an antidiscrimination approach in the schools, civic and human rights for all, is a regrettable phenomenon in Poland for several years. In addition, the initiatives of public authorities at the central level make cooperation between schools and civil society organisations in the field of education for democratic citizenship difficult or almost impossible to happen. It is unquestionably a threat for freedom in inclusive and democratic governance at the local level.

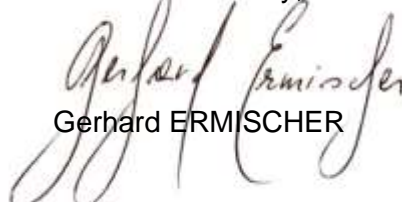
Poland is committed to implementing the Council of Europe hard and soft law, and more specifically the Council of Europe [Guidelines](#) for civil participation in political decision making. In this perspective as well, I would like to bring to your attention the [Revised Code](#) of Good Practice for Civil Participation in the Decision-Making Process elaborated and adopted conjointly by the Conference of INGOs and the Congress of Local and Regional Authorities of the Council of Europe.

The Republic of Poland signed the Council of Europe [Charter](#) on Education for Democratic Citizenship and Human Rights which stipulates in its article 10 that the "Member states should foster the role of non-governmental organisations and youth organisations in education for democratic citizenship and human rights education, especially in non-formal education. They should recognise these organisations and their activities as a valued part of the educational system, provide them where possible with the support they need and make full use of the expertise they can contribute to all forms of education". This Charter was adopted by all the Council of Europe member States in 2010 through [Recommendation](#) CM/Rec(2010)7 of the Committee of Ministers to member states on the Council of Europe Charter on Education for Democratic Citizenship and Human Rights Education.

In addition, the Council of Europe's [Reference Framework](#) of Competences for Democratic Culture constitutes a reference document for the quality of the education in the Council of Europe member States.

We strongly hope that after the good established and inclusive participatory process at all stages of the law-making process, as well the requirement of membership of the Council of the Europe to align the draft with the Council of Europe quality standards in education, the proposed changes in Education Law will NOT lead to the politicisation of schools, will NOT reduce the role of local authorities and will NOT threaten pluralism of pupils', parents' and teachers' opinions.

Yours sincerely,



Gerhard ERMISCHER