

# THIRD EVALUATION REPORT ON POLAND

Committee of Experts  
of the European Charter  
for Regional or Minority  
Languages



Adopted on 30 September 2021

The European Charter for Regional or Minority Languages provides for a control mechanism to evaluate how the Charter is applied in a State Party with a view to, where necessary, making recommendations for improving its legislation, policy, and practices. The central element of this procedure is the Committee of Experts, set up under Article 17 of the Charter. Its principal purpose is to report to the Committee of Ministers on its evaluation of compliance by a Party with its undertakings, to examine the real situation of regional or minority languages in the State and, where appropriate, to encourage the Party to gradually reach a higher level of commitment.

To facilitate this task, the Committee of Ministers adopted, in accordance with Article 15, paragraph 1, an outline for periodical reports that a Party is required to submit to the Secretary General. This outline requires the State to give an account of the concrete application of the Charter, the general policy for the languages protected under Part II and, in more precise terms, all measures that have been taken in application of the provisions chosen for each language protected under Part III of the Charter. The Committee of Experts' first task is therefore to examine the information contained in the periodical report for all the relevant regional or minority languages on the territory of the State concerned. The periodical report shall be made public by the State in accordance with Article 15, paragraph 2.

The Committee of Experts' role is to evaluate the existing legal acts, regulations and real practice applied in each State for its regional or minority languages. It has established its working methods accordingly. The Committee of Experts gathers information from the respective authorities and from independent sources within the State in order to obtain a fair and just overview of the real language situation. After a preliminary examination of a periodical report, the Committee of Experts submits, if necessary, a number of questions to each Party to obtain supplementary information from the authorities on matters it considers insufficiently developed in the report itself. This written procedure is usually followed up by an on-the-spot visit by a delegation of the Committee of Experts to the State in question. During this visit the delegation meets bodies and associations whose work is closely related to the use of the relevant languages and consults the authorities on matters that have been brought to its attention. This information-gathering process is designed to enable the Committee of Experts to evaluate more effectively the application of the Charter in the State concerned.

Having concluded this process, the Committee of Experts adopts its own report. Once adopted by the Committee of Experts, this evaluation report is submitted to the authorities of the respective State Party for possible comments within a given deadline. A confidential dialogue may, at this stage, be requested by this State Party. The final evaluation report is made public, together with the comments, if any, which the authorities of the State Party may have made. This document is then transmitted to the Committee of Ministers for the adoption of its recommendations to the State Party, on the basis of the proposals for recommendations contained in the evaluation report.

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## Executive Summary

The European Charter for Regional or Minority Languages entered into force in Poland in 2009 and applies to the following languages: Armenian, Belarusian, Czech, German, Karaim, Kashub, Lemko, Lithuanian, Romani, Russian, Slovak, Tatar, Ukrainian and Yiddish.

The situation of these languages varies considerably and the choice made by Poland to apply the same undertakings to all leads to challenges for the implementation of the Charter. While a legal framework is in place and financial support is provided by the authorities in areas such as education, media or culture, a more proactive and structured approach is needed to ensure the implementation of the ratified provisions. A strategy for the application of the Charter to each language in line with the undertakings ratified and the monitoring recommendations should be developed, in co-operation with the speakers.

Education in regional or minority languages, as provided by the undertakings ratified, remains scarce and teaching them only as a subject is still the most widespread model. A generous subsidy system from the national to the local authorities to support regional or minority language education is in place; however, the way it is designed and implemented needs adjustments to ensure more transparency and efficiency. The provision of textbooks and teacher training remain issues of concern.

Regrettably, amendments to the current legal framework lowering the 20% threshold to 10% and allowing for the use of regional or minority languages in relations with the districts/*powiaty* did not enter into force. The number of municipalities where the regional or minority languages can be used in relations with the administrative authorities or where bilingual place names are displayed remains very low. The approach taken in the case of the administrative extension of the city of Opole sent a very negative signal for the protection of regional or minority languages.

Further efforts are needed in the media field, where the ambitious undertaking to set up a public radio and television channel for each language remains a challenge. Only programmes in regional or minority languages are broadcast and only for some of the languages.

There is a variety of activities which receive financial support from the authorities and promote regional or minority languages or cultures. However, a stable, long-term funding in this respect is needed.

There is a need to further raise awareness in the Polish society about the regional or minority languages and the cultures they represent, as part of the cultural heritage of the country.

This third evaluation report by the Committee of Experts is based on the political and legal situation prevailing at the time of the Committee of Experts' on-the-spot visit to Poland in June 2021.

## Chapter 1 The situation of the regional or minority languages in Poland – Recent developments and trends

1. The European Charter for Regional or Minority Languages (hereafter referred to as “the Charter”) is a treaty of the Council of Europe putting obligations on its States Parties to protect and promote the country’s traditional minority languages in all fields of public life: education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, and transfrontier exchanges. Poland signed the Charter in 2003 and ratified it in 2009. The Charter entered into force in Poland on 1 June 2009 and applies to the following languages: Armenian, Belarusian, Czech, German, Karaim, Kashub, Lemko, Lithuanian, Romani, Russian, Slovak, Tatar, Ukrainian and Yiddish. The languages receive protection under both Part II and Part III (Articles 8-14).

2. Article 15 (1) of the Charter requires States Parties to submit three-yearly reports about the implementation of the Charter.<sup>1</sup> The Polish authorities submitted their third periodical report on 4 October 2019. The report provides information mainly for the period January 2014 – December 2016, which is partly already covered by the previous evaluation report of the Committee of Experts. Additional information has been submitted by the authorities in September 2020. Due to the COVID-19 containment measures, the on-the-spot visit could only be organised in June 2021. This third evaluation report of the Committee of Experts is based on the information contained in the periodical report, additional information received from the authorities, statements made by representatives of the speakers of the minority languages during the on-the-spot visit (14-17 June 2021) and/or submitted in written form pursuant to Article 16 (2) of the Charter.

3. Chapter 1 of this evaluation report focuses on the general developments and trends regarding the regional or minority languages in Poland and the situation of these languages. It examines in particular the measures taken by the Polish authorities to respond to the recommendations made by the Committee of Experts and the Committee of Ministers in the second monitoring cycle and also highlights new issues. Chapter 2 provides a detailed overview of the state of implementation of each undertaking of Poland in respect of the given languages as well as the recommendations addressed to the Polish authorities. On the basis of its evaluation, the Committee of Experts proposes, in Chapter 3, recommendations to the Committee of Ministers to be addressed to the Government of Poland, as provided in Article 16 (4) of the Charter.

4. As far as the detailed legal examination of each undertaking is concerned, the Committee of Experts refers to its **second evaluation report on the application of the Charter in Poland (ECRML (2015) 7<sup>2</sup>)**.

5. This report is based on the political and legal situation prevailing at the time of the Committee of Experts’ on-the-spot visit to Poland in June 2021. This evaluation report was adopted by the Committee of Experts on 30 September 2021. It was made public on 17 December 2021.

### 1.1 General developments in policies, legislation and practice concerning the regional or minority languages in Poland

#### Implementation of the legal obligations arising from the Charter

6. Poland has chosen to apply the same undertakings to all regional or minority languages. As the situation of these languages varies considerably, several challenges for the implementation of the Charter

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<sup>1</sup> Since 1 July 2019, new rules apply according to the Committee of Ministers decisions adopted on 28 November 2018 on the strengthening of the monitoring mechanism of the European Charter for Regional or Minority Languages, whereby states parties submit their periodical report every five years (instead of every three years) and information about the implementation of the recommendations identified by the Committee of Experts in its evaluation report as being for immediate action every two and a half years.

<sup>2</sup> <https://rm.coe.int/CoERMPublicCommonSearchServices/DisplayDCTMContent?documentId=09000016806dc5fc>.

emerge. As already indicated in previous evaluation reports,<sup>3</sup> for languages such as Belarusian, German and Lithuanian, which are used by a high number of people in particular geographical areas where their speakers make up a considerable share or the majority of the local population, undertakings in the fields of court proceedings (Article 9.1), local branches of the state authorities (Article 10.1) and public services (Article 10.3) could also have been selected. On the other hand, the application of Part III to Armenian, Czech, Karaim, Romani, Russian, Slovak, Tatar and Yiddish requires, in light of their low number of speakers, special and flexible measures in order to implement the legal obligations entered into by Poland.

7. Poland has also chosen for some provisions under Part III such as Article 8.1.a, b, c or Article 11.1. a, e, the highest options available, which is a commendable step. Nevertheless, it is clear that more decisive measures need to be taken to fully implement them.

8. As indicated in the previous evaluation report,<sup>4</sup> the Charter implies an obligation to take proactive and positive measures to promote regional or minority languages. While acknowledging the support of the Polish authorities to regional or minority languages in areas such as education, media or culture, the Committee of Experts underlines that a more proactive stance from the national authorities is needed to ensure Poland's compliance with its undertakings ensuing from the Charter. The authorities should develop, in co-operation with the speakers, a strategy for implementing the Charter's provisions for each language, in each domain, based on the undertakings ratified. Simply applying the national legislation and current policy will not lead to achieving full implementation of the Charter. Developing these strategies could serve as an opportunity to up-date and align with the provisions ratified under the Charter the already existing Education Development Strategies for Belarusian, German, Lithuanian and Ukrainian,<sup>5</sup> which, as the authorities indicate, have become mostly outdated after the reform of the education system in Poland. The adoption of a language policy and corresponding specific legislation or measures in certain areas (education, administration, media, etc.), and the establishment or designation of bodies which have responsibility in this field would promote the effective implementation of the Charter's provisions in Poland. This would contribute to overcoming the impression that the Committee of Experts got during the on-the-spot visit, as well as from the periodical report, that responsibility is placed to a too large extent on the minority associations. National authorities should approach the relevant local authorities, inform and support them in the implementation of the undertakings at local level. Bearing in mind the responsibility of the national authorities for Poland's obligations under international law, the implementation should not depend on whether local authorities or other stakeholders take the initiative.

9. In their periodical report, the Polish authorities refer in many instances to the 2014 awareness raising campaign, an initiative which the Committee of Experts welcomed and took into consideration in its previous evaluation report.<sup>6</sup> The Polish authorities could, in co-operation with the speakers, identify the domains where intervention is most needed and put in place a follow-up campaign, taking also into account the undertakings under the Charter.

10. In the previous monitoring cycle, the Committee of Experts and Committee of Ministers recommended that the Polish authorities **establish, in close co-operation with the speakers concerned, a structured policy and take flexible measures facilitating the application of the Charter to the Armenian, Czech, Karaim, Romani, Russian, Slovak, Tatar and Yiddish languages.**

11. While the authorities continue to support these languages in education or culture, as well as various initiatives of associations, neither a structured policy, nor flexible measures facilitating the application of the

<sup>3</sup> 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 26, 1<sup>st</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2011) 5, paragraphs 23-24.

<sup>4</sup> 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 54.

<sup>5</sup> Over the years and even before the ratification of the Charter, the Polish authorities have developed such strategies for Lithuanian (2001), German (2006-2007), Ukrainian (2011) and Belarusian (2014), in co-operation with the representatives of the respective national minorities. The Committee of Experts welcomed this approach and encouraged the Polish authorities to further develop the existing strategies and to adopt new strategies for other languages, taking into consideration the obligations of Poland under the Charter.

<sup>6</sup> 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 50.

Charter to Armenian, Czech, Karaim, Romani, Russian, Slovak, Tatar or Yiddish have been put in place by the Polish authorities.

12. The Committee of Experts reiterates<sup>7</sup> that the Polish authorities should initiate a dialogue with the representatives of the speakers of Armenian, Czech, Karaim, Romani, Russian, Slovak, Tatar and Yiddish with a view to drawing up the aforementioned strategy on the implementation of the Charter in respect of each of these languages, taking into account their specific situation. This strategy should first define at least one municipality where the language has a historical basis and where the Charter provisions will be implemented. Furthermore, the Polish authorities should devise flexible and innovative measures for the actual application of the Charter provisions. Such measures could include the establishment of one central educational institution for each language, the use of the internet for the promotion of the language in education and in the media (e.g. internet radio and newspaper), co-operation with other states where the respective language is used (e.g. regarding teacher and journalist training/exchanges, import of textbooks, exchange of cultural works, retransmission of television and radio programmes) and co-operation with the private sector in the municipalities concerned regarding the implementation of Article 13. Urgent steps are needed to support revitalisation of Karaim, Tatar and Yiddish.<sup>8</sup>

### **Number of speakers of regional or minority languages**

13. The 2021 census was on-going in Poland at the time of the Committee of Experts on-the-spot visit. The Committee of Experts has been informed that the concept and method of asking about ethnic affiliation and language had been discussed by the Joint Commission of the Government and National and Ethnic Minorities. Questions about ethnic affiliation and the language spoken at home will be asked.

14. Bearing in mind the importance of the census for the practical application of the Charter, the Committee of Experts looks forward to its results. It nevertheless underlines that the results of the census should be complemented by collecting and assessing, in co-operation with the speakers, other data concerning the number of users of the regional or minority languages and their geographic distribution. It is difficult to reflect the complete data on the use of regional or minority languages in the census only. In addition, in some cases people are still hesitant in declaring a regional or minority language or they no longer use such a language at home.

### **Awareness and tolerance vis-à-vis regional or minority languages and cultures**

15. In the previous monitoring cycle, the Committee of Experts and the Committee of Ministers recommended that the Polish authorities **strengthen efforts to promote awareness and tolerance in Polish society as a whole vis-à-vis regional or minority languages and the cultures they represent.**

16. According to information received from the Polish authorities, cultural activities and initiatives raising awareness about regional or minority languages and cultures are funded or organised by various institutions. Radio and television programmes of public broadcasters dedicated to national and ethnic minorities, as well as the regional language speakers also contribute to raising awareness of them, particularly at local level, in the areas where they have been traditionally present. There are also broadcasts on the occasion of events, anniversaries, or holidays. The Committee of Experts notes that these programmes are primarily addressed at regional or minority languages speakers. However, the objectives of Article 7.3 and the aforementioned recommendations refer to raising awareness about regional or minority languages in the Polish society as a whole. Reporting about regional or minority languages and cultures should also be part of the mainstream media throughout the country,<sup>9</sup> on a regular basis and reflecting more diverse topics.

17. With regards to education, according to the additional information provided by the authorities, the core curriculum identifies as a goal of general education in primary school strengthening “the individual,

<sup>7</sup> 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 29.

<sup>8</sup> 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraphs 30, 768.

<sup>9</sup> See 5<sup>th</sup> report of the Committee of Experts on the application of the Charter by Slovenia, MIN-LANG (2019) 17final, paragraph 15.



cultural, national, regional and ethnic identity and creating a sense of one's own dignity and respect for the dignity of others". For secondary schools, the focus is on "developing civic conduct, respect for the tradition and culture of one's nation and respect for other cultures and traditions". The contents (specific requirements) being taught on topics related to "regional languages and minority cultures" are included in the core curriculum for social studies ("Knowledge about society"- *Wiedza o Społeczeństwie*), for integrated education in grades 1-3, Polish language, history, geography, music, art. For example, for integrated education in grades 1-3 of primary school, it is foreseen that the pupil "respects the customs and traditions of different social groups and nations, presents and compares people's habits, e.g. regarding holidays across different regions of Poland, as well as in different countries". History includes "elements of family history and regional history". References to local or regional culture appear for the subjects Polish language, art, music. The Committee of Experts notes that the abovementioned references to local and regional culture in the curriculum for Polish language, music or art might, but do not necessarily include teaching about national minorities or regional or minority languages. However, the subject "Knowledge about society", taught in the last year of primary school and secondary education, gives an opportunity to pupils to learn about the regional or minority languages speakers and their rights in the Polish legal system.

18. Representatives of the regional or minority language speakers indicated that little information is provided throughout education about the national, ethnic minorities and the regional language. Reporting about them is also largely absent from mainstream media. Speakers of some regional or minority languages feel that a favourable atmosphere for the use of these languages is missing. Examples of incidents brought to the attention of the Committee of Experts concern especially the German, Lemko and Ukrainian languages. Bilingual place-name signs in German and Lemko continue to be occasionally vandalised. Vandalisation of cemeteries, damages to tombs and historic monuments linked to the Ukrainian minority have also been reported.<sup>10</sup>

19. The Committee of Experts recalls that the way a regional or minority language is protected and promoted is also linked to its perception by majority language speakers. Therefore, awareness raising among the majority is of the utmost importance and requires constant efforts in both education and the media. The aim is for the majority population not only to be informed about, but to value the fact that regional or minority language speakers form part of the linguistic and cultural heritage of the state with their different languages and cultures. The Committee of Experts commends the efforts to provide informative lessons on regional or minority languages in higher levels of obligatory education for all pupils. This example should be developed to cover younger pupils in ways that are adjusted to their age. However, further steps are needed to promote awareness and tolerance toward the regional or minority languages in Poland. The authorities should continue to raise the awareness of the general public in mainstream education, notably in the curricula, teaching materials and teacher training, regarding the regional or minority languages and the contribution of their speakers to the Polish society. Media should be encouraged, while respecting their independence, to pay more attention to these languages and cultures as integral parts of Poland's history and culture. In addition, awareness of regional or minority languages should be raised as a component and as an expected result of journalist training, as well as of teacher training.<sup>11</sup>

## Consultation

20. A Joint Commission of the Government and National and Ethnic Minorities, comprising representatives of the national authorities, as well as of the regional or minority language speakers is in place<sup>12</sup> and meets several times per year. However, representatives of the regional or minority languages speakers indicated that they are not being sufficiently consulted and a continuous dialogue, including on

<sup>10</sup> See also Fourth Opinion of Poland of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC/OP/IV(2019)003), paragraph 71.

<sup>11</sup> See 5<sup>th</sup> report of the Committee of Experts on the application of the Charter by Slovenia, MIN-LANG (2019) 17final, paragraphs 13, 18.

<sup>12</sup> For more information about the Joint Commission, see 1<sup>st</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2011) 5, paragraph 45.

specific issues concerning individual minorities, is missing.<sup>13</sup> The Committee of Experts underlines that, in accordance with the Charter, the needs and wishes of the regional or minority language users must be taken into account.

### **Use of regional or minority languages during the COVID-19 pandemic**

21. During the pandemic, distance education replaced face-to-face education for extended periods of time. According to the authorities, during this time all subjects were taught online. It appears, however, that in some cases, initially regional or minority languages lessons were not always provided.<sup>14</sup> Difficulties related to the equipment were also reported at the beginning of the pandemic, but later overcome, with the help of minority associations. The pandemic had a negative impact on the cultural activities and reduced the possibilities for cross-border co-operation. On the positive side, it showed how internet and social media can benefit the promotion of regional or minority languages. Regrettably, no health-related information was provided in the regional or minority languages by the authorities.<sup>15</sup>

### **Other issues**

22. In the second evaluation report, the Committee of Experts asked the Polish authorities to provide information on further developments in respect of the proposed amendment to the Act on National and Ethnic Minorities and on the Regional Language, which would grant Silesian the status of regional language.

23. According to information in the periodical report, there have been no developments towards recognising Silesian as a regional language. The Polish authorities consider Silesian a dialect of Polish.<sup>16</sup>

24. As far as Hebrew is concerned, the Committee of Experts refers to its assessment in the 2<sup>nd</sup> evaluation report, where it considered that Hebrew is not “traditionally used” in Poland in conformity with the definition of a “regional or minority language” contained in Article 1 of the Charter.<sup>17</sup>

### **Use of the regional or minority languages in education**

25. Poland has undertaken to make available pre-school, primary and secondary education in the regional or minority languages (Article 8.1.a i, bi, ci). This implies the provision of education with the regional or minority language as the language of instruction. As indicated in the previous evaluation reports, teaching the regional or minority language only as a subject or organising bilingual education is not sufficient to fulfil the undertakings that Poland has ratified. In addition, education in the regional or minority language must be made available irrespective of prior requests by families.<sup>18</sup> This means that in practice an offer should be developed in advance, based on previously expressed interest, assessed in cooperation with the speakers, rather than determined at the beginning of each school year on the basis of individual applications made by parents.

26. In the previous monitoring cycle, the Committee of Ministers recommended that the Polish authorities **make available education in Belarusian, German, Kashub, Lemko and Ukrainian as a medium of instruction at pre-school, primary and secondary levels.**

<sup>13</sup> See also Fourth Opinion of Poland of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC/OP/IV(2019)003), paragraphs 166-167 and Resolution CM/ResCMN(2020)12 on the implementation of the Framework Convention for the Protection of National Minorities by Poland, 9.

<sup>14</sup> See also research on *National and Ethnic Minority Organisations in the Pandemic Days*, prepared by Jewish Association *Czulent*, in co-operation with the minority part of the Joint Commission of the Government and National and Ethnic Minorities.

<sup>15</sup> See [COMEX expresses concern over lack of RML communication during health crisis - News about the European Charter for Regional or Minority Languages \(coe.int\)](#).

<sup>16</sup> See also Fourth Opinion of Poland of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC/OP/IV(2019)003), paragraph 29.

<sup>17</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 23.

<sup>18</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 75, 1<sup>st</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2011) 5, for example paragraphs 50, 53, 56.

27. At present, education in Lithuanian continues to be provided. There is also some teaching in Ukrainian, but outside the area where the language is traditionally used.<sup>19</sup> A bilingual teaching model is offered in a few schools for German and Ukrainian. Teaching the minority language as a subject continues to be the main model applying to most languages (usually three lessons per week) although the education levels and the number of schools and pupils differ between languages. Armenian, Belarusian, German, Kashub, Lemko, Russian, Slovak and Ukrainian are taught in the state school system. Czech is taught only to a very limited degree outside the state school system but receives state support. Karaim, Romani, Tatar and Yiddish are not taught at all in the state educational system.

28. The absence of education *in* regional or minority languages is the reason behind the non-implementation of many provisions under Article 8. In addition to the education subsidy (see below), the Polish authorities need to take other measures which gradually lead to the development of education *in* regional or minority languages in practice. This should begin at pre-school level, considering *inter alia* the importance of the very early age in the process of language learning. However, the Committee of Experts notes that currently this level is not covered by the education subsidy. Moreover, the threshold for setting up a group for education *in* the regional or minority languages at pre-school level is set at 14 children, which is too high for regional or minority languages. This number is also higher than for teaching the language as a subject, which can be offered as of three children. Bearing in mind that Poland undertook to provide education *in* the regional or minority language, the Committee of Experts regrets that facilitating this model is not reflected by the national regulations on education. The above-mentioned number is also higher than for schools, where it has been set at seven pupils, irrespective of the model, including for secondary level, a lowering recommended by the Committee of Experts.<sup>20</sup> An offer of education in regional or minority languages has to be developed in advance, and educational materials need to be produced and teachers trained. The national authorities should, in co-operation with the speakers, actively promote such an offer among parents and pupils, as well as the responsible local authorities.

29. During the on-the-spot visit, representatives of regional or minority language speakers raised the issue of access to regional or minority language education for pupils who do not have Polish citizenship or do not belong to a national or ethnic minority or community speaking a regional language. In some cases, schools have been requested to return the corresponding education subsidy for the teaching of regional or minority languages. The Committee of Experts underlines that the Charter protects and promotes “regional or minority *languages*”, not linguistic minorities. Obviously, the measures taken by the parties will have an effect on the communities concerned and their individual members.<sup>21</sup> They are the main addressees of such measures. However, once a language is protected under the Charter and measures for its protection and promotion are in place, it should be possible for everyone interested to benefit and, for example, to join regional or minority language education. Knowledge of regional or minority languages by all children living in a certain area, who are interested in learning it, irrespective of their background, develops their knowledge about the local culture of the area they live in and contributes to the social cohesion of the local community. The Committee of Experts asks the authorities to clarify in their next periodical report the legislation concerning the access to regional or minority language education.

30. A commendable system of subsidies for regional or minority language education has been in place for many years in Poland. In the previous evaluation report, the Committee of Experts urged the Polish authorities to improve the system of delivering these subsidies,<sup>22</sup> to ensure the continuity of education and to regularly monitor local authorities' use of subsidies dedicated to regional or minority education.

31. Overall, the educational subsidy has increased over the years. Adjustments have been made to the calculation method and coefficients, some of them with a view to favouring teaching in the regional or

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<sup>19</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 650.

<sup>20</sup> See Regulation of the Minister of National Education of 18 August 2017 on the conditions and manner of performance by preschools, schools and public educational institutions of tasks supporting national, ethnic and linguistic identity of students from national and ethnic minorities and the community speaking the regional language.

<sup>21</sup> See the Explanatory Report to the ECRML, paragraph 11.

<sup>22</sup> For details on the education subsidies system, see the 1<sup>st</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2011)5, paragraph 48, 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, para 81 and 3<sup>rd</sup> periodical report of Poland MIN-LANG (2019) PR 8, page 28-29.

minority language or bilingual education. According to the national authorities, local authorities do not have complete freedom in deciding how the subsidy is spent. The education subsidy becomes part of the budget of the local authority; however, this has to comply with tasks linked to regional or minority education. According to the national authorities, an audit was carried out in 2016. The national authorities also indicated that the sum allocated as educational subsidy is in fact higher than the minimum needed for education, to serve as an incentive to organise regional or minority language education. According to them, the misunderstandings related to the subsidy come from the fact that municipalities can spend the whole amount for regional or minority language education but are not obliged to do so.

32. Representatives of regional or minority language speakers continue to express concerns regarding the way the education subsidy is used by local authorities. Some seem to allocate only a small part for the regional or minority language education. An increase of the subsidy at central level would not automatically translate into the local authority increasing the amount allocated to regional or minority language education. Moreover, as the subsidy is higher for schools with a low number of pupils, it is difficult for regional or minority language education to develop further. Some changes in the calculation method in fact led to an important reduction of the subsidy for teaching regional or minority languages. According to the speakers, the education subsidy system is too complex, which makes it difficult to understand and follow how the allocated amounts are calculated and spent.

33. The Committee of Experts underlines that there is a need for more clarity and transparency on the way the education subsidy is calculated, as well as on the rules the local authorities are subject to with respect to its use. Otherwise, there is a risk that a generous subsidy supporting regional or minority language education does not fully reach its objectives.

34. Teacher training and textbooks are essential in ensuring the quality of regional or minority language education. In the previous monitoring cycle, the Committee of Ministers recommended that the Polish authorities **provide updated textbooks and other teaching materials for regional or minority language education in accordance with the New Core Curriculum and the basic and further training of a sufficient number of teachers who are able to teach subjects in Belarusian, German, Kashub, Lemko and Ukrainian**. The Committee of Experts encouraged the authorities to ensure that adequate textbooks for teaching regional or minority languages and subjects in these languages are available.

35. According to the periodical report and the additional information provided by the authorities, textbooks and auxiliary materials have been financed in recent years (after 2017) for Armenian, Belarusian, German, Kashub, Lithuanian and Slovak. Publishers are most often the minority associations. As far as Ukrainian is concerned, an agreement between the Ministry of National Education and the John Paul II Catholic University of Lublin foresees the preparation of a Ukrainian language textbook for students of general and technical secondary schools in 2020-2022. Textbooks are also made available on an online platform. The Committee of Experts notes that these textbooks and auxiliary materials concern predominantly the teaching of the language as a subject and mainly target primary school years.<sup>23</sup> The provision of textbooks and teaching materials remains a concern for most of the representatives of the regional or minority language speakers, as the existing textbooks do not cover the needs of minority language education. Older versions of textbooks, if available, are obsolete. According to the Lithuanian speakers, textbooks for subject teaching in the language are missing, especially starting with the fourth grade. The activity of the working group on textbooks set up in 2014 in the Joint Commission<sup>24</sup> did not lead to improvements. Further measures are needed to ensure that textbooks for teaching regional or minority languages, as well as the other subjects in these languages are available.

36. There is no training for teachers who would teach in regional or minority languages, in accordance with the undertakings ratified (Article 8.1.h). As far as teaching the language as a subject is concerned,

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<sup>23</sup> As far as Armenian is concerned, the material produced is an auxiliary material about the Armenians in Poland. An auxiliary material has also been produced about the regional history and culture, in relation to Kashub. Geography of Lithuania for secondary schools is also included in the list of materials. As for Slovak, these are two auxiliary materials for an early age ("Letters and pictures" and "Colouring book").

<sup>24</sup> 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 59.

according to the information provided by the authorities, the necessary qualifications may be obtained through language studies at university<sup>25</sup> or Kashub “ethno-philology”/studies at the University of Gdansk. However, the Committee of Experts learned during the on-the-spot visit that as of 2017 Lemko is no longer offered at university level and that even trained teachers of Lemko are lacking. There is no information concerning Karaim, Yiddish, Romani and Tatar. As far as Kashub “ethno-philology”/studies are concerned, these are not organised every year, as the minimum number of students set by the university (25) is not always reached. In addition, starting from 2020 master studies are needed to work as a teacher, including for pre-school level. Bearing in mind the weak provision of training for teachers of regional or minority languages, the Committee of Experts encourages the authorities to consider exceptions from this regulation for regional or minority languages.

37. The introduction of “ethno-philology and ethnic minorities studies” as a major at universities, to train persons who could work as regional or minority language teachers, journalists of regional or minority language media, and employees of local administrations using regional or minority language was under discussion in the previous monitoring cycle. The Committee of Experts encouraged the Polish authorities to look into possible ways to support the organisation of such studies. To this date, only Kashub “ethno-philology”/studies have been established. The authorities indicate that higher education institutions enjoy curriculum autonomy and it is not possible for the responsible ministry to influence their offer. However, the 2018 Law on Higher Education and Science repealed the “staff minimum”,<sup>26</sup> which could have posed problems for fields of study with a relatively small number of students. The Committee of Experts finds that the authorities should pursue the initiative of “ethno-philology and ethnic minorities studies” and encourage universities to develop it, without interfering in their autonomy, as a fully-fledged MA course, especially bearing in mind the new regulations on teacher qualifications.

38. As far as further training is concerned, methodological advice is available, including for regional or minority language teachers.<sup>27</sup> The Committee of Experts reiterates that methodological advice does not ensure the basic or further training of the teachers required to teach *in* regional or minority languages at various levels of education.<sup>28</sup>

39. With respect to the teaching of the history and culture reflected by the regional or minority language (8.1.g), pupils learning the regional or minority language study the respective “history and culture” as a subject. This rather concerns the history, geography and culture of the “kin-state”, except for Kashub. It is not clear whether the history and culture reflected by Lemko is taught. The Committee of Experts underlines that pupils should also learn about the history and culture linked with the respective minority language in Poland. As far as the other pupils in the area where a language is traditionally used are concerned, they learn about national and ethnic minorities, as well as the regional language only in the framework of subjects such as “Knowledge of society” (see above). This is not sufficient in order to learn about the history and culture linked to a minority language in Poland, as required by Article 8.1.g. Such a learning, by all pupils, contributes to understanding and valuing the respective regional or minority languages and the contributions made by their speakers as an integral part of the cultural heritage of Poland.

40. As regards the monitoring of regional or minority language education (8.1.i), the current mechanisms in place do not meet the requirements of the undertaking. The authorities refer to the educational supervision, which includes monitoring and is carried out by education officers, as planned and *ad hoc* activities.<sup>29</sup> Planned activities follow the tasks defined by the Minister of Education for each school year, while *ad hoc* supervision is linked to complaints. Regional or minority languages education was a

<sup>25</sup> For Armenian, Belarusian, Czech, German, Lemko, Lithuanian, Russian, Slovak and Ukrainian.

<sup>26</sup> Minimum requirements for the number of academic teachers with degree or academic title required to conduct classes in a specific field, level and profile of education; currently, the legislation only requires that a certain proportion of hours (50% or 75%) from the total number of hours of courses provided for in the curriculum, are completed by academic staff having the primary employment in the higher education institution.

<sup>27</sup> In 2016 a new Regulation of the Ministry of National Education on in-service teacher training centres entered into force, replaced in 2019 by a Regulation of the Ministry of National Education on in-service teacher training institutions.

<sup>28</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 130.

<sup>29</sup> The Committee of Experts has already examined in the previous evaluation report the compliance with this undertaking on the role of the education strategies and of the Joint Commission of the Government and National and Ethnic Minorities, see for example, 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraphs 133-135, 360-362.

topic of a planned control in 2017/2018 (*Evaluating the correctness in the performance of tasks of schools and preschools in terms of teaching the language of a national or ethnic minority and the regional language, as well as own history and culture*). The Committee of Experts reiterates that this undertaking requires a mechanism that monitors progress achieved in regional or minority language education and publishes periodical reports.<sup>30</sup> Monitoring involves evaluating and analysing the specific measures taken and the progress achieved regarding regional or minority language education. The purpose of such monitoring is to identify satisfactory measures and methods, as well as the areas where additional efforts are needed. Reports should contain among other things, information on the extent and availability of minority language education, developments in language proficiency, teacher supply and the provision of teaching materials. The regularity of such reports provides the opportunity to assess minority language education over time, thereby making it possible to adjust methods and measures according to the experiences acquired. Their publication makes the system transparent and creates opportunities for representatives of regional or minority language speakers and civil society to take part in a public discussion on the development of minority language education, based on the measures taken and progress achieved. It is possible for existing supervisory bodies to carry out these monitoring functions and integrate them into existing administrative structures.<sup>31</sup>

41. Regarding the facilities for non-speakers to learn regional or minority languages, the authorities finance courses organised by associations or universities, for example for Lemko, Tatar and Yiddish. Otherwise, they do not monitor private companies which organise foreign language courses (German, Russian, Ukrainian). The Committee of Experts is aware that courses of Kashub are offered by the speakers' association, but it is unclear whether they receive financial support from the Polish authorities.

#### ***Use of the regional or minority languages by administrative authorities***

42. In the previous monitoring cycle, the Committee of Ministers recommended that the Polish authorities **reconsider the application of the 20% threshold with regard to the undertakings in Article 10 and create the legal possibility of submitting oral or written applications in the regional or minority languages also in relation to districts and voivodships.**

43. At the time of the second evaluation report, a draft Act amending the Act on National and Ethnic Minorities and the Regional Languages, lowering the threshold to 10% and allowing for the use of regional or minority languages in relations with the districts/*powiaty*, had been prepared and submitted to the Parliament.<sup>32</sup> The draft Act was adopted by the Parliament, but not signed into law by the President, who referred it back to the Parliament for reconsideration. Although work has resumed for some time, the Act was finally withdrawn. There are currently no further initiatives in this respect.

44. It remains legally possible to use regional or minority languages in contacts with local authorities in municipalities where the 20% threshold is met and which are included in the official register of municipalities where an "auxiliary language" is used.<sup>33</sup> There is still no legal possibility for users of regional or minority languages to submit oral or written applications in their languages to districts (local authorities) and voivodships (regional authorities), as required by Article 10.2 which concerns "the local and regional authorities". Additional place names in regional or minority languages may be introduced in municipalities where the 20% threshold is met and in municipalities where it is not met, but the local council must hold a consultation on this topic; in this case, additional place names may be limited to certain parts of the municipality (e.g. villages) where a majority of the voters was in favour. They are all entered into a register of municipalities where place names in minority language are used. Polish legislation does not allow districts (local authorities) and voivodships (regional authorities) to use or adopt place names in the regional or minority languages, as required by Article 10.2 which concerns "the local and regional authorities".<sup>34</sup>

<sup>30</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 134.

<sup>31</sup> See 6<sup>th</sup> report of the Committee of Experts in respect of Germany, CM(2018)142, paragraph 15, 5<sup>th</sup> report of the Committee of Experts on the application of the Charter by Slovenia, MIN-LANG (2019) 17final Slovenia, paragraph 23.

<sup>32</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 93.

<sup>33</sup> See 1<sup>st</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2011) 5, paragraph 75.

<sup>34</sup> See 1<sup>st</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2011) 5, paragraph 80.

45. Only Belarusian, German, Kashub, and Lithuanian are “auxiliary languages”, in a total of 33 municipalities. No new municipalities have introduced regional or minority languages as “auxiliary languages” after 2014. As far as place names are concerned, only place names in Belarusian, German, Kashub, Lemko and Lithuanian have been introduced. The only entry in the relevant register for Lithuanian dates back to 2008 and for Belarusian to 2011. The two entries for Lemko go back to 2008 and to 2011. More recent entries exist for German, dating back to 2014 and Kashub, with entries including in 2019.

46. Except the reference to the 2014 awareness raising campaign, the Committee of Experts has not received information on specific measures taken to encourage the use of regional or minority languages in relations with the administrative authorities and place names, including street names and other topographical names, irrespective of thresholds. Moreover, the case of the enlargement of the city of Opole to the neighbouring municipalities and the removal of already installed place name signs in German (see below) rather shows that the situation has even deteriorated.

47. As already indicated in previous evaluation reports,<sup>35</sup> in order to implement Article 10 the Polish authorities should determine, in co-operation with the regional or minority language speakers, in what areas these are traditionally present in sufficient numbers for the purpose of the undertakings entered into by Poland and apply Article 10 regarding the local and regional authorities concerned, irrespective of thresholds. The Committee of Experts recalls that regional or minority languages are part of the local cultural heritage and should be seen as an added value, even if the current number of speakers is low. Local and regional authorities should be allowed, encouraged and supported in using these languages, particularly in official topographic signage and other municipal signage (welcome signs, tourist information boards, museum, etc.) nature, irrespective of thresholds. Organisational measures and actions encouraging speakers of regional or minority languages to use these languages in relations with administrative authorities are also needed.<sup>36</sup> In addition, regional or minority language speakers should be able to submit oral or written applications in their languages also in relation to districts and voivodships, in accordance with the Charter obligations selected by Poland.

48. As far as the languages identified by Poland as non-territorial language (Armenian, Karaim, Romani and Yiddish) are concerned, the application of Article 10.2.b and 10.2.g raises particular issues. The Committee of Experts invites the Polish authorities to clarify whether there are territories where the number of users justifies the measures specified under Article 10.2.b and if there are any traditional place names in these languages.

### ***Use of the regional or minority languages in the media***

49. In the previous monitoring cycle, the Committee of Ministers recommended that the Polish authorities **take measures to strengthen the offer of broadcasting in all regional or minority languages**.

50. As indicated in the previous evaluation report,<sup>37</sup> Poland has undertaken to facilitate the creation of one public radio station and one public television channel in each regional or minority language. Such radio stations and television channels do not exist for any language. Local branches of the public radio and of the public television broadcast only programmes in some of the regional or minority languages.

51. The Committee of Experts underlines that the current offer, which is particularly limited when it comes to television, is not sufficient to comply with the undertakings ratified by Poland. Moreover, the representatives of the regional or minority language speakers informed the Committee of Experts that some of the programmes are only partly in the regional or minority languages and are broadcast at very inconvenient hours. The broadcasting time indicated by the authorities for some radio programmes is either very early or very late. As for the content, in some cases, only parts of the programmes (e.g. songs) appear to be in the regional or minority languages. The implementation of this undertaking requires further action,

<sup>35</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraphs 96-99.

<sup>36</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 99.

<sup>37</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraphs 101-103.

including funding and possibly regulatory requirements on the part of the authorities, in order to set up the required television channels and radio stations.<sup>38</sup> The authorities also provide information about the programmes in Belarusian, German, Russian and Ukrainian of *Polskie Radio dla Zagranicy*/Poland Radio for Abroad. These programmes are addressed to foreign audiences and they are not considered by the Committee of Experts as a means to fulfil the undertakings concerning regional or minority languages. If they are easily accessible in the areas where the regional or minority language speakers live and reflect topics of interest to them, they can, however, constitute a complementary offer.

52. Programmes in regional or minority languages on private radio stations or television channels are very rare. The National Broadcasting Council indicated not having the same type of support available for commercial broadcasters as for public broadcasters, while the Ministry of Interior and Administration continued to provide funding to associations for the production of radio and television programmes. The Committee of Experts reiterates that the Polish authorities need to look also into licensing requirements for radio stations or television channels in the areas where the regional or minority speakers live, in order to extend the broadcasting of private radio and television programmes in regional or minority languages.

53. Audiovisual works continue to be produced for some languages, with funding provided by the Ministry of Interior and Administration to associations. However, Poland has also ratified Article 11.1.f ii, which refers to general schemes for providing financial assistance to all audiovisual productions in Poland. These have to be designed in such a way that productions in regional or minority languages can qualify for them in practice and have to be actually applied also to such audiovisual productions.<sup>39</sup>

54. Various publications in regional or minority languages or containing articles in these languages are issued and receive financial support from the authorities. In line with its standard interpretation, the Committee of Experts reiterates that in order to be considered as newspapers within the meaning of Article 11.1. e i, a publication has to be published at least weekly and in the regional or minority language.<sup>40</sup> This is, with two exceptions (Belarusian, Ukrainian), not the case. Under certain circumstances, online newspapers may be sufficient. The offer of printed and digital newspapers has to be balanced to cover the needs of all age groups.

55. According to the available information, no training of journalists and other staff for media using regional or minority languages has been organised.

56. According to the periodical report, there are no longer representatives of any regional or minority languages speakers in radio or television programme councils. A new Act on the National Media Council of 22 June 2016 entered into force and the National Broadcasting Council no longer has the competence to elect the boards of companies, supervisory boards and programme councils. The National Media Council does not have any seats reserved for regional or minority language speakers. The Committee of Experts emphasizes that the interests of the regional or minority language speakers need to be represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media, in accordance with Article 11.3.

### ***Use of the regional or minority languages in cultural activities and facilities***

57. Various cultural activities are organised by associations of the regional or minority language speakers and receive financial support from the Polish authorities. In addition to the Ministry of Interior and Administration, funding is also available from the Ministry of Culture and National Heritage. For example, under its *Folk and Traditional Culture* programme, activities related to the Karaim, Kashub, Lemko, Romani, Tatar and Ukrainian languages and/or cultures have been financed in the period 2017 - 2019; under the *Digital Cultures* programme, restoration and digitisation activities involving Yiddish and Lemko have been funded. Other institutions, such as museums, the State Archives, National Library or National Film Archive

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<sup>38</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, para 102.

<sup>39</sup> See, 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 167.

<sup>40</sup> See 1<sup>st</sup> Report of the Committee of Experts in respect of Serbia, ECRML(2009)2, 2nd Report of the Committee.

of Experts in respect of the Slovak Republic, ECRML(2009)8, paragraph 136, 2<sup>nd</sup> report on Armenia, ECRML (2009) 6, paragraph 186.



– Audiovisual Institute organise or fund activities, which also include the regional or minority languages and cultures.

58. In the previous evaluation report,<sup>41</sup> the Committee of Experts urged the Polish authorities to arrange for the functioning of cultural institutions in close co-operation with the regional or minority language speakers. Institutes of National and Ethnic Minorities and the Regional Language/*Instytuty Mniejszości Narodowych i Etnicznych oraz Języka Regionalnego*, a long-term initiative,<sup>42</sup> have not been set up. The authorities indicate that, however, existing organisations of regional or minority language speakers receive earmarked (annual) subsidies to cover staff-related costs, use or lease of premises, accounting, legal and financial services.

59. The representatives of the regional or minority language speakers expressed concerns about the uncertainty of funding and the disadvantages of project-based funding. While welcoming the existing support for the cultural activities, the Committee of Experts emphasises that a more stable foundation and permanent funding are essential for minorities' cultures.<sup>43</sup>

### ***Use of the regional or minority languages in economic and social life***

60. While the 2014 campaign, which promoted the use of regional or minority languages *inter alia* in economic and social life, was already examined in the previous evaluation report, there is no additional information available on further measures taken to encourage the use of regional or minority languages in economic and social field throughout the country (Article 13.1.d).

61. There does not seem to exist a prohibition as such to insert in internal regulations of companies and private documents of any clauses excluding or restricting the use of minority languages in the Polish legislation (Article 13.1.b). However, the Polish authorities refer to the guarantees provided by the Constitution,<sup>44</sup> the 1999 Act on Polish Language, which expressly provides that its provisions shall not infringe on the rights of national and ethnic minorities and the community using the regional language and the 2005 Act on National and Ethnic Minorities and the Regional Language, which provides for the free use of the regional or minority language in public and in private life, as well as the right to disseminate information in the language. In the 2014 awareness raising campaign, employers were informed *inter alia* that it is forbidden to insert in their internal regulations and private documents any clauses excluding or restricting the use of regional or minority languages.<sup>45</sup>

62. According to the Polish authorities, no reports or complaints about practices discouraging the use of minority language have been identified (Article 13.1.c).

63. With respect to activities organised to promote the use of regional or minority languages in the economic and social public sector (Article 13.2.b), the authorities refer to the use of these languages in educational or cultural facilities accessible to all. The Committee of Experts underlines that this provision can cover the promotion of regional or minority languages in a wide range of social and economic activities carried out by enterprises under public control such as railway, urban transport, electricity, water and gas, refuse collection and disposal.

### ***Use of the regional or minority languages in transfrontier exchanges***

64. Transfrontier exchanges are important in promoting regional or minority languages and activities in this field are carried out, including on the initiative of associations. Co-operation agreements with Armenia, Czech Republic, Germany, Lithuania, Russian Federation, Slovak Republic and Ukraine are in force.

<sup>41</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraphs 104-107.

<sup>42</sup> See 1<sup>st</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2011) 5, for example, para 115.

<sup>43</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 106.

<sup>44</sup> Article 27 provides that "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 35(1) of the Constitution of the Republic of Poland ensures Polish citizens belonging to national or ethnic minorities the freedom to maintain and develop their own language.

<sup>45</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, for example, para 319.

According to the authorities, there are no cross-border co-operation agreements in the field of education for the promotion of Lemko, Karaim, Romani, Tatar and Yiddish. It is not clear whether agreements in other fields covered by the Charter exist.

## 1.2 The situation of the individual regional or minority languages in Poland

65. **Armenian** is not used as a medium of instruction. It is taught at primary level, but there is no offer in secondary and technical or vocational education. Moreover, it has not been taught at pre-school level since the 2016/2017 school year. Out-of-school language courses are organised by an Armenian association as “Saturday/Sunday school”. Armenian can be studied at university level. It is not an “auxiliary language” in any municipality (Article 10.2.b), nor are any place names in Armenian in use (Art. 10.2.g). There is no presence of Armenian on public television, nor are there programmes in Armenian broadcast by private radio stations and television channels. Since 2019 the programme *Sami Swoi* of Radio Wrocław has been featuring a section dedicated to the Armenian minority; however, it is unclear if or to which extent this is in Armenian. Armenian continues to be used in the *Awedis* magazine. The Polish authorities continue to provide support to several cultural activities, such as cultural days, book publications, theatre plays staged by pupils attending the “Saturday school”, meetings of children and youth, development and operation of the website Virtual World of Armenians in Poland, “Polish Armenian Portraits” calendar.

66. **Belarusian** is taught at pre-school, primary and secondary school levels. The existing offer, however, does not meet the requirements of the undertakings ratified for these education levels, which are to use Belarusian as the medium of instruction from pre-school to secondary education. However, one school is planning to start teaching in Belarusian. There are concerns among the speakers about the future of Belarusian in education, as villages depopulate and schools merge. Belarusian speakers increasingly live in towns, where there are less opportunities to learn the language. There is no teaching of Belarusian in technical or vocational education, as required by the ratification. Belarusian can be studied at university level, for example in Warsaw, as the study programme at the University of Białystok has closed.<sup>46</sup> As far as public administration is concerned, Belarusian has not been introduced as an “auxiliary language” in any additional municipality. It remains an auxiliary language in five<sup>47</sup> of the nine municipalities where the 20% threshold was met according to the 2011 census.<sup>48</sup> Place names in Belarusian, but no street names or other topographical names, remain in use only in the municipality of Orla/Орля. As far as the media are concerned, there is still no public radio station or television channel broadcasting mainly or exclusively in Belarusian, as required by the undertaking. Several radio programmes<sup>49</sup> in Belarusian are broadcast by *Radio Białystok*, regional station of *Radio Polskie*, amounting to a total of approximately three hours per week. *TVP 3 Białystok*, local branch of *Telewizja Polska*, broadcasts the programme *Tydzień Białoruski* in Belarusian (22 minutes, weekly, one original broadcast and one rerun, news and feature programme, minority issues and Belarus-related topics). The existing offer, both on radio and television, is not sufficient to comply with the undertaking and does not correspond to the situation of the Belarusian language. As far as private broadcasters are concerned (Art.11.1.bii), *Radio Racja* continues to broadcast in Belarusian. However, there are no private TV programmes in Belarusian (art. 11.1.c.ii). The weekly *Niwa* is published in Belarusian (Article 11.1.e). However, the Belarusian speakers again expressed concerns about the funding provided to the weekly, which they indicated decreased over time and is not sufficient to allow the publication to develop.<sup>50</sup> Various cultural activities take place at the initiative of non-governmental organisations or municipal cultural centres, with the financial support of the national authorities; they include song festivals or recitation competitions, book publications, school theatre competition, youth music festival and youth meetings. Cultural activities involving institutions or artists from Belarus take place, such as a theatre festival in Warsaw, a music festival and international book fair in Białystok (Article 7.1.i).

<sup>46</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 122.

<sup>47</sup> See 3<sup>rd</sup> periodical report of Poland MIN-LANG (2019) PR 8, page 51.

<sup>48</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 141.

<sup>49</sup> *Pod Znakiem Pogoni* (daily, 20 minutes, news and feature programme, minority and regional issues), *Pożadlanaja Pieśnia* (weekly, 25 minutes, music and regional topics), *Duchowe Spotkania* (in Belarusian and Ukrainian, weekly, 15 minutes, religious topics), *Przed wyjściem do cerwki* (weekly, 15 minutes, in Belarusian and Ukrainian, religious topics). According to information from the authorities, these make up in total, approximately 184 hours/year.

<sup>50</sup> See 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraphs 163-164.

67. **Czech** is not used as a medium of instruction. It is only taught for one lesson per week in a church-run kindergarten in Zelów. This, however, does not meet the requirements of the undertaking ratified, which is to use Czech as the medium of instruction. There is no offer of Czech in primary, secondary nor technical or vocational education. Out-of-school language courses are organised by the Czech Culture Centre in Zelów. Czech can be studied at university level, for example at the Faculty of Philology of the Jagiellonian University in Kraków. Czech is not an “auxiliary language” in any municipality, nor are place names in Czech in use (Art.10). There are no public or private radio or television programmes in Czech. No audio or audiovisual works in Czech have been produced or distributed in the period under review. There is also no daily or weekly newspaper in Czech. Various cultural initiatives promoting the Czech language and culture are organised and receive funding from the Ministry of the Interior and Administration, such as the children’s theatre festival, presentations of fairy tales and cartoons, films, activities of the Czech Culture Centre in Zelów. However, no translations of works into or from Czech have taken place (Art. 12.1.b, Art. 12.1.c). To a large extent, the promotion of the Czech language and culture is the result of the efforts of the small, but active Czech NGO. More involvement of the authorities is needed for the Charter to be implemented.

68. **German** is taught at pre-school, primary and secondary school levels. Some institutions provide bilingual teaching in Polish and German. However, the existing offer does not meet the requirements of the undertakings ratified for these education levels, which are to make available education with German as the language of instruction. The Committee of Experts underlines that Poland has undertaken to provide education *in* German, which is still not available. German is taught in technical and vocational education, but the number of pupils is low compared to the number of German speakers. German can be studied at university level. As far as the administrative authorities are concerned, German has not been introduced as an “auxiliary language” in any additional municipality during the monitoring period. In addition, the most recent introduction of place names in German date back to 2014.<sup>51</sup> According to the German speakers, four municipalities: Rudnik, Pietrowice Wielkie/Groß Peterwitz (both in Silesia Voivodship), Zawadzkie/Zawadzki and Strzelce Opolskie/Groß Strehlitz (both in Opole Voivodship) submitted in recent years complete applications to the Ministry of the Interior and Administration in order to have German names of localities registered. In the case of Rudnik, this request dates back to 2017. Until the moment of the Committee of Experts’ on-the-spot visit (June 2021), no reply had been received. The extension of the city of Opole by incorporating villages and localities that used to belong to the neighbouring municipalities with a significant German minority has had a negative impact on the position of the German language.<sup>52</sup> As of 1 January 2017, localities in the municipalities of Dąbrowa/ Dombrau, Dobrzeń Wielki/Groß Döbern, Komprachcice/Comprachtschütz and Prószków/Proskau have been included into Opole. Three of the four municipalities belong to the municipalities where German is an “auxiliary language” that may be used in contacts with the authorities. This is not the case of Opole. Following the extension of Opole, the place-name signs in German were removed. Inhabitants in the respective localities lost the possibility to use German in relations with the local authorities. These measures, which have caused strong protest by the German minority, are a very negative sign towards the German speakers<sup>53</sup> and go against Poland’s commitments under the Charter (Articles 7.1.b, 10.2.g). The Committee of Experts recalls that the authorities have undertaken to ensure “the respect of the geographical area of each regional or minority language in order to ensure that existing or new administrative divisions do not constitute an obstacle to [its] promotion”. Therefore, the authorities should reintroduce the place-name signs in German and take measures to ensure that German may be used in contacts with the administrative authorities in charge of the localities concerned. In 2021, a member of the Parliament requested to remove German place name signs at railway stations located in municipalities where these names have been officially introduced. The Committee of Experts notes that the signs at the railway stations have been installed in conformity with Articles 10.2.g and 13.2.b (promotion of the use of regional or minority languages in the public economic sector) and should not be removed. As far as the media are concerned, there is still no public radio station or television channel broadcasting in German, as required by the undertaking. According to the authorities,

<sup>51</sup> German was “auxiliary language” in 22 municipalities, and place names in German were in use in 31 municipalities.

<sup>52</sup> See also Fourth Opinion of Poland of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC/OP/IV(2019)003), paragraphs 115-116, 122-125, 180.

<sup>53</sup> See also Fourth Opinion of Poland of the Advisory Committee on the Framework Convention for the Protection of National Minorities (ACFC/OP/IV(2019)003), paragraphs 122 -124.

*Radio Opole*, *Radio Katowice* and *Radio Olsztyn* broadcast programmes in German.<sup>54</sup> As far as television is concerned, *TVP 3 Katowice* and *TVP3 Opole* broadcast the *Schlesien Journal* in German and Polish (11 minutes, once per week on *TVP3 Katowice* original broadcast and rerun on *TVP3 Opole*, news and comments about minority issues; total of about 9 hours/year). As far as print media are concerned, the *Wocheblatt* continues to be published weekly in German and Polish. Cultural activities, such as song and recitation competitions, literary contests, summer workshops and book publications, receive financial support from the authorities.

69. **Karaim** is absent from pre-school, primary, secondary or technical and vocational education (Art. 8). At university level, classes on Karaim literature and culture are offered at Adam Mickiewicz University in Poznań, in the framework of Turkic studies, but the language as such is no longer taught at this level. Karaim lessons are included in the activities of the annual summer camps organised in Lithuania by the Karaim association. Karaim is not an “auxiliary language” in any municipality, nor are any place names in Karaim in use in any municipality (Art. 10). There are no public or private radio or television programmes in Karaim (Art.11). Texts in Karaim are published in the *Awazymy* quarterly and the yearly *Almanach Karaimski*. Activities preserving and promoting Karaim culture and language, such as collection of Karaim songs, activities of a folklore group, restoration and conservation of manuscripts and old prints, development of an online memory game in Karaim are carried out by the minority association and receive support from the authorities. Internet is used to a large extent in the promotion of activities, which are reflected in video or audio materials available on the website of the minority association. The Committee of Experts reiterates its recommendation in the previous report to support the revitalisation of this language. In co-operation with the speakers, decisive steps should be taken in this sense. Co-operation with Lithuania is, as indicated by the speakers, essential in all efforts related to the Karaim language.

70. **Kashub** is taught at pre-school, primary and secondary school levels. The existing offer, however, does not meet the requirements of the undertakings ratified for these education levels, which are to use Kashub as the medium of instruction. Kashub is studied at university level, with the University of Gdańsk offering Kashub “ethno-philology”/studies. These are not organised yearly, as the minimum of students required by the University is not always reached. Bearing in mind the role of this specialisation also in the training of teachers, the Committee of Experts invites the authorities to look into ways of supporting financially their annual organisation, in order to ensure a stable offer. Kashub remains auxiliary language in five of the 19 municipalities where the 20% threshold was met according to the 2011 census, while place names in Kashub are in use in localities of 26 municipalities, an increase compared to the previous cycle. There are no public radio stations or television channels broadcasting mainly or exclusively in Kashub, as required by the undertaking. The representatives of the Kashub-speakers indicated that often the programmes of public media are *about*, rather than *in* Kashub and the association has to insist on broadcasts in the language. Broadcasting times are also sometimes inadequate. According to the information from the authorities, *Radio Gdansk* and *Radio Koszalin* broadcasts several programmes<sup>55</sup> dedicated to the Kashub speakers, and in which Kashub is used, but it remains unclear to which extent. As far as television is concerned, according to the information from the authorities, *TVP3 Gdansk* broadcasts *Tede Jo* (11 minutes social and cultural magazine, twice a week, in Kashub) and a new programme, *Farwe Kaszeb* (10 minutes, bilingual, with subtitles in Polish, five times per month, broadcast as of March 2019).

<sup>54</sup> *Radio Katowice: Reconciliation and Future* (55 minutes, once per week, total of 141 hours for three years) and *Present* (55 minutes, 2-3 times /month); *Radio Olsztyn: Allensteiner Welle* (25 minutes, weekly, news and feature, minority issues, regional culture and history, total of 22 hours/year); *Radio Opole: Wiadomosci niemieckojezyczne* (daily newscast, regional and minority issues), *Powiedz: Die Musik, Zene, Hudba* (series of short music features), *Czas mniejszosci* (45 minutes, once per week, minority and cultural issues), *Publicystyka niemieckojezyczna* (50 minutes/twice per week, until 2017) The broadcasting time on *Radio Opole* had decreased in 2018 and 2019 compared to 2017. In 2017, *Radio Zachod* broadcast *Stories on the Oder* (10 minutes/week), but it is unclear to which extent the programme was in German. *Radio Wroclaw* broadcasts *Sami Swoi* (50 minutes/week, for national minorities) but it is unclear to what extent German is used.

<sup>55</sup> *Radio Gdansk: Klëka* (20 minutes, four times per week, with a 2-minute recap broadcast, regional issues), *Kashub Magazine* (50 minutes, three times per week; literature reading, economic and social issues, literature; only songs in Kashub), *Kaszubskie Radio Gdansk*, a new programme (50 minutes, once per week, from August to December 2019), *Kashub treasures* (5 hours, music, once per week, aired until April 2019), summer holidays cycles *Na Szago, Plenery*. On *Radio Koszalin* *Kashub news* (3 minutes, once per week, Sunday at 7.50 am), *Weather in Kashub* (1 minute, on Fridays), *Chat about Kashub* (1,5-minute lesson of Kashub, each Saturday during “Studio Bałtyk”, at 6.30 am), *Kashub magazine* (15 minutes, every Sunday, 6.40 pm, rerun Thursday 5 am); in 2017 *FC Gochy*, a radio drama, 20 minutes long, partly in Kashub, was aired twice. In addition, *Radio Słupsk* broadcast in 2017-18 *Na Kaszubach* (three hours in total for two years, but it is unclear to what extent the programme was in Kashub).

According to the periodical report, as far as private radio programmes are concerned, *Radio Kaszëbë*, under a licence to Ziemia Pucka Association continues to broadcast in Kashub. The Kashub – Pomeranian association also receives financial support for producing several radio programmes. As far as private TV is concerned, the periodical report refers to the financial assistance of the authorities for the production of television programmes by Kashub associations, but it is unclear if they broadcast by public or by private channels. The monthly *Pomerania* is published partly in Kashub; supplements in Kashub are also issued (*Najô Ûczba. Stegna*). Cultural initiatives and activities, such as fairy tales academy, language and prose writing competitions, as well as music competitions receive support from the Polish authorities.

71. Teaching of **Lemko** takes place at pre-school, primary and secondary school levels, but it does not meet the requirements of the undertakings ratified for these education levels, which are to use Lemko as the medium of instruction. As far as technical and vocational education is concerned, the additional information provided by the authorities shows no pupils learning Lemko, except one in 2019/2020. According to the representatives of the speakers, as of 2017, Lemko may no longer be studied at university level. Lemko is not “auxiliary language” in any municipality. Place names in Lemko remain in use in the rural municipalities of Gorlice and of Uscie Gorlickie, dating back to 2008 and 2011 respectively (Art.10). As far as media is concerned (Art. 11), there is still no public radio station or television channel broadcasting mainly or exclusively in Lemko, as required by the undertaking. On public media, there is only one programme on *Radio Kraków (Kermesz, 30 minutes, one original broadcast and one re-run weekly, alternatively in Lemko and Ukrainian)*.<sup>56</sup> The programme is also made available online. There is no programme in Lemko on television. As far as private radio broadcasters are concerned, the internet radios *LEM.FM* and *Radio Lemko* are run by associations, with financial support from the authorities. There are no public or private television programmes in Lemko. The bimonthly *Besida* is published in Lemko, while articles in Lemko appear also in the quarterly *Warta* and the monthly *Sami o Sobie*. There is, however, no newspaper in Lemko, as required by the undertaking. As regards culture, financial support is provided by the authorities to the running of a cultural centre, a museum, to the activity of song and dance group, to the organisation of festivals and book publication.

72. Teaching in **Lithuanian** takes place at pre-school, primary and secondary school levels. However, the Lithuanian-speakers highlighted the lack of textbooks for subject teaching in Lithuanian, especially as of the fourth grade. This leads to situations where Lithuanian is used orally for teaching, while pupils use textbooks in Polish. Other textbooks are obsolete and can hardly be used. Exercise books are also missing. The authorities indicate textbooks that have been published in recent years, however, these textbooks are for learning the Lithuanian language rather than for subjects in Lithuanian. According to the additional information from the authorities, no pupils have been studying Lithuanian in technical and vocational education as of the 2016/2017 school year. Lithuanian may be studied at university level, for example as part of Baltic Philology (BA and MA courses) at University of Warsaw, where it is an obligatory part of the curriculum. Lithuanian remains auxiliary language in one municipality, Puńsk/Punskas, where place names in Lithuanian are in use.<sup>57</sup> As far as the media is concerned, there is still no public radio station or television channel broadcasting mainly or exclusively in Lithuanian, as required by the undertaking. One programme in Lithuanian is broadcast by *Radio Białystok, Głos polskich Litwinów* (20 minutes, three times per week, news and features, minority and regional issues; total time of 52 hours/year), as well as one by *TVP3 Białystok, Panorama Litewska*, 7 minutes, twice a week, minority and regional issues; total time of 38 hours/three years). There are no private radio or television programmes in Lithuanian. The biweekly *Aušra* is published in Lithuanian, with support from the authorities. There is, however, still no newspaper in Lithuanian, as required by the undertaking. Activities such as recitation school competitions, children songs competition and folklore fair have received financial support (Art.12.1.a).

73. According to the authorities, Romani-speakers do not agree with their language being taught in school and are, in general, reluctant about the use of the language in public. However, data provided by the authorities also seems to show that a very low number of children learnt **Romani** in kindergarten and primary school in recent school years. This can indicate an interest of at least some Romani-speakers in

<sup>56</sup> Broadcast Sunday at 10.30 pm and Monday after 11 pm, a total of 73 hours for three years for Lemko, according to the authorities.

<sup>57</sup> In one additional municipality, Sejny, the Lithuanian minority makes up 15% of the population, according to the 2011 census, see 2<sup>nd</sup> report of the Committee of Experts on the application of the Charter by Poland, ECRML (2015) 7, paragraph 575.

their language being taught as part of the educational system, which the authorities should further encourage. There are a few public radio<sup>58</sup> and television<sup>59</sup> programmes covering topics related to the Roma minority and Romani culture, but the use of Romani appears to be only occasional and of a too limited extent, compared to the undertaking ratified. There are no private television programmes broadcast in Romani; as far as radio programmes are concerned, the information provided refers only to 2014 and 2015. As regards print media, Romani continues to be used in the bimonthly *Romano Atmo-Cygańska Dysza* and the quarterly *Dialog-Pheniben*. Cultural activities, such as festivals, culture days, theatre staging of stories and fairy tales, received support from the authorities (12.1.a). However, no translations of works into or from Romani have taken place (12.1.b, 12.1.c).

74. **Russian** has been taught at pre-school level (2015/2016 and 2019/2020), and at primary school level. This offer, however, does not meet the requirements of the undertakings ratified for these education levels, which are to use Russian as the medium of instruction. There is no teaching in/of Russian in secondary or technical and vocational education. Russian is not “auxiliary language” in any municipality, nor are any place names in Russian in use (Art.10). A programme in Russian is broadcast by the public channel *TVP3 Białystok (Russian News)*, 10 minutes, twice a month, Russian minority issues, total of 10 hours from 2017-2019). There are no public or private radio programmes in Russian, nor private television programmes in Russian (Art.11 b ii, c ii). The bimonthly *Zdrowstujcie* continues to be published in Russian, which is also used in the monthly *Sami o sobie*. Several cultural initiatives, such as activities of a music group, or various celebrations have received financial support from the authorities.

75. According to the information received from the authorities, **Slovak** is taught only in primary school. It has not been taught in kindergarten since the 2018/2019 school year. The offer, however, does not meet the requirements of the undertaking ratified, which is to use Slovak as the medium of instruction at these levels. Slovak is not taught in technical and vocational education. Slovak can be studied at university level, for example at the Faculty of Philology of the Jagiellonian University in Kraków. Slovak speakers have raised concerns about teacher training and provision of textbooks. Slovak is not “auxiliary language” in any municipality, nor are any place names in Slovak in use in any municipality. In 2017 *Radio Kraków* began broadcasting a programme in Slovak (25 minutes weekly, Sunday, 10 pm), with each episode available also on the website of the radio. The programme was prepared by a journalist of the Slovak National Radio in Bratislava. It continued in 2018 and, after a break, resumed in 2020, once the Slovak association recommended new hosts. There are no private radio or television programmes in Slovak, nor public television programme. The monthly *Život* continues to be published in Slovak. Cultural activities which promote Slovak are organised and are supported by the Polish authorities (culture days, activities of after-school clubs, including language classes, recitation clubs, book publication).

76. **Tatar** is not present at pre-school, primary, secondary, technical or vocational education (Art. 8.1 ai, bi, ci, d iii). Language courses are organised only by the association. At university level, only literature and culture of the Polish Tatars may be studied at the Department of Asian Languages of the Adam Mickiewicz University in Poznań, but the Tatar language is not studied as a subject of higher education (Art. 8.1.e ii). Tatar is not “auxiliary language” in any municipality, nor are any place names in Tatar in use in any municipality (Art.10). There are no public or private radio or television programmes in Tatar, nor any newspaper published at least weekly. There is no indication of audiovisual works produced in Tatar. Several cultural initiatives, such as a festival, a summer academy, book publications and online library, received support from the Polish authorities, but it is unclear to which extent the Tatar language has been used in these contexts.

<sup>58</sup> *Radio Koszalin: Romani newscast* (approximately 2’30”minutes, weekly, news and cultural events), *Roma magazine Romano Dzipen - the life of Roma* (10 minutes, one original broadcast and one re-run weekly, Roma communities and culture-occasional use of Romani), *Radio Opole: Roma brothers* (50 minutes twice per week, according to periodical report, and 100 hours/year, but in 2017 only, according to additional information from the authorities, Roma culture, events) and *Radio Zachod: Following trains of wagons* (10 minutes, weekly, Roma culture, history).

<sup>59</sup> *TVP3 Białystok: We, the Roma* (10 minutes, in Polish according to the additional information from the authorities, a total of 9 hours from 2017-2019); *TVP3 Kraków The Roma Media Academy* (in Polish, magazine, 13 hours in total from 2017-2019). *TVP Katowice, Let’s get to know each other* (13 minutes, broadcast twice per week, in June 2016).

77. **Ukrainian** is taught at pre-school, primary and secondary levels. There is no teaching in Ukrainian in the area where the language is traditionally used, but some exists outside this area. A few schools offer bilingual education. The existing offer does not meet the requirements of the undertakings ratified for these education levels, which are to use Ukrainian as the medium of instruction. Ukrainian is taught in technical and vocational education, but the number of pupils has significantly decreased over the years and is currently very low (only 8 in 2019/2020). Ukrainian can be studied at university level, in eight universities across Poland. Ukrainian is not “auxiliary language” in any municipality, nor are any place names in Ukrainian in use in any municipality (Art.10). There is no public radio station or television channel broadcasting mainly or exclusively in Ukrainian, as required by the undertaking. Several radio stations broadcast programmes in Ukrainian.<sup>60</sup> According to the representatives of the speakers, some of these programmes are broadcast for some periods of time, not as regular long-standing programmes. *TVP 3 Regionalna* broadcasts *Telenowyny* (23 minutes, four times per month, minority issues, Polish-Ukrainian relations, political and cultural events). *TVP3 Białystok* broadcasts *Ukrainian Review* (13 minutes, twice per week, original broadcast and rerun, news and feature magazine, social and cultural issues). There are no private television programmes in Ukrainian. *Nasze Slowo* is published weekly in Ukrainian. The Polish authorities provide support to cultural activities (culture days, a Ukrainian multimedia portal, festivals and competitions for children).

78. **Yiddish** is not present in pre-school, primary, secondary, technical or vocational education (Art. 8.1 ai, bi, ci, d iii). At university level, courses of Yiddish are provided in the framework of the *Jewish Studies* specialisation, for example at the Jagiellonian University in Kraków (Art. 8.1.e ii). Yiddish is not “auxiliary language” in any municipality, nor are place names in Yiddish in use (Art. 10). There are no public or private radio or television programmes in Yiddish (Art. 11 a ii, b ii, c ii). As far as print media is concerned, the monthly *Dos Jidisze Wort – Słowo Żydowskie* is published partly in Yiddish, but this does not meet the requirements of the undertaking 11.1.e i. There are various cultural activities where Yiddish is used, and which receive support from the Polish authorities or are organised by Polish institutions (12.1.a). These include festivals, staging of theatre plays, film screenings, song workshops. Works in Yiddish (such as the 1936 film *Mir kumen on* or text resources) have been digitised and made available online. Translations of works from Yiddish (12.1.b) have also been carried out. The Ester Rachel and Ida Kamińska Jewish Theatre – Centre for Yiddish Culture also organises Yiddish language courses. While welcoming the current activities preserving or promoting the Yiddish language, the Committee of Experts recalls its recommendation in the previous report to support the revitalisation of this language. In co-operation with the speakers, further steps should be taken to include teaching of Yiddish in education and to use it in the broadcasting media, including online.

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<sup>60</sup> For example, *Radio Rzeszów: Skrynia* (50 minutes, twice per week, original broadcast and rerun, variety of topics in relation to minority, culture, etc; 242 hours from 2017-2019), *Wiadomości dla Ukraińców* (news and feature, 30 minutes, four times per week, 308 hours from 2017-2019), and occasional broadcasts for Christmas or Easter. *Radio Białystok: Przed wyjściem do cerwki* (weekly, 15 minutes, in Belarusian and Ukrainian, religious topics) *Ukrainska Dumka* (20 minutes, news and feature, three times/week), *Duchowe Spotkania* (in Belarusian and Ukrainian, weekly, 15 minutes, religious topics). *Radio Kraków: Kermesz* news (5 minutes, twice a week, original broadcast and rerun), *Kermesz* magazine (25 minutes, twice a week, original broadcast and re-run). *Radio Lublin: The Future of Ukraine* (28 minutes, once a week, in Polish and Ukrainian, news and feature magazine, including news from Ukraine), *Cultural news* in Ukrainian (5 minutes, five times per week).

## Chapter 2 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages and recommendations

### 2.1 Armenian

#### 2.1.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Armenian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Poland concerning Armenian <sup>61</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Armenian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Armenian					= 62
7.1.c	resolute action to promote Armenian				=	
7.1.d	facilitation and/or encouragement of the use of Armenian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Armenian</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Armenian at all appropriate stages				=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Armenian to learn it		=			
7.1.h	promotion of study and research on Armenian at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Armenian		=			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Armenian	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Armenian among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Armenian among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Armenian</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Armenian</li> </ul>	=				
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.ai	make available pre-school education in Armenian				=	
8.1.bi	make available primary education in Armenian				=	
8.1.ci	make available secondary education in Armenian				=	

<sup>61</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: [http://www.coe.int/en/web/conventions/\(treaty No. 148\)](http://www.coe.int/en/web/conventions/(treaty%20No.%20148)).

<sup>62</sup> As Armenian is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.



<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Armenian<sup>61</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.diii	provide, within technical and vocational education, for the teaching of Armenian as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Armenian as a university and higher education subject	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Armenian		↗			
8.1.h	provide the basic and further training of the teachers teaching (in) Armenian				=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Armenian and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Armenian is traditionally used, allow, encourage or provide teaching in or of Armenian at all the appropriate stages of education					= 63
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Armenian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Armenian to submit oral or written applications in Armenian to the regional or local authority					=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Armenian					=
10.5	allow the use or adoption of family names in Armenian	=				
<b>Art. 11 – Media</b>						
11.1.aii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Armenian				=	
11.1.aiii	make provision so that public broadcasters offer radio and television programmes in Armenian <sup>64</sup>					
11.1.bii	encourage and/or facilitate the broadcasting of private radio programmes in Armenian on a regular basis				=	
11.1.cii	encourage and/or facilitate the broadcasting of private television programmes in Armenian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Armenian					✓
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Armenian				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Armenian					=
11.1.g	support the training of journalists and other staff for media using Armenian				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Armenian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Armenian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Armenian</li> </ul>	=				
11.3	ensure that the interests of the users of Armenian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media					✓
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Armenian	=				
12.1.b	foster access in other languages to works produced in Armenian by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.c	foster access in Armenian to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				

<sup>63</sup> As Armenian is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.

<sup>64</sup> As Articles 11.1.aii and 11.1.aiii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.aiii.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Poland concerning Armenian <sup>61</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Armenian language and culture in the undertakings which they initiate or for which they provide backing		↗			
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Armenian					=
12.1.f	encourage direct participation by representatives of the users of Armenian in providing facilities and planning cultural activities					=
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Armenian	=				
12.2	In territories other than those in which Armenian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Armenian					= 65
12.3	make provision, in cultural policy abroad, for Armenian and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Armenian	↗				
13.1.c	oppose practices designed to discourage the use of Armenian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Armenian in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Armenian in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Armenian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Armenian in the States concerned in the fields of culture, education, information, vocational training and permanent education		↗			
14.b	for the benefit of Armenian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Armenian is used in identical or similar form				=	

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

79. Pupils learning Armenian also study the history and culture reflected by the language as part of the compulsory curriculum. Other pupils learn about national and ethnic minorities, as well as the regional language only in the framework of subjects such as “Knowledge of society” (see above). This is not sufficient to learn about the history and culture reflected by the Armenian language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g partly fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 11.1.d. According to the information available, no training of journalists and other staff for media using regional or

<sup>65</sup> As Armenian is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.

minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. In 2017, the National Museum in Kielce organised an exhibition dedicated to the Armenian crafts, presenting *inter alia* Armenian manuscripts. This indicates that some of the “bodies organising or supporting cultural activities incorporate the knowledge and use of the Armenian language and culture in the undertakings which they initiate or for which they provide backing”, although a more structured approach is needed in this respect. The Committee of Experts considers the undertaking 12.1. d partly fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Articles 13.1. d and 13.2.b. The Agreement between the Government of the Republic of Poland and the Government of the Republic of Armenia on Cooperation in the Field of Culture and Education of 27 January 1998 is in force and foresees, *inter alia*, support to the teaching and promotion of Polish in Armenia and of Armenian in Poland. The draft implementing programme for the years 2020-2024 contains several provisions which might be useful for promoting the Armenian language in Poland, such as in-service teacher training or training of specialists in fields that both parties consider important, co-operation between schools, joint events, although as regards teaching, it specifically mentions only the teaching of Polish in Armenia. The Committee of Experts considers the undertaking 14.1 a partly fulfilled.

### **2.1.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Armenian in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>66</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. Take steps to develop teaching in/of Armenian at all levels, including by providing the required teacher training and textbooks**
- b. Take measures to increase the use of Armenian in the media (broadcasting media, online and print media, audio-visual works)**

#### **II. Further recommendations**

- c. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to Armenian
- d. Ensure the long-term funding for the cultural activities and institutions of the Armenian speakers
- e. Encourage/facilitate the use of Armenian in economic and social life

<sup>66</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.2 Belarusian

### 2.2.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Belarusian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:				
	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Undertakings of Poland concerning Belarusian<sup>67</sup></b>					
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Belarusian as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Belarusian	=			
7.1.c	resolute action to promote Belarusian		=		
7.1.d	facilitation and/or encouragement of the use of Belarusian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=		
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Belarusian • establishment of cultural relations with other linguistic groups	=			
7.1.f	provision of forms and means for the teaching and study of Belarusian at all appropriate stages			=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Belarusian to learn it				=
7.1.h	promotion of study and research on Belarusian at universities or equivalent institutions		=		
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Belarusian		=		
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Belarusian	=			
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Belarusian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Belarusian among their objectives		=		
7.4	• take into consideration the needs and wishes expressed by the group which uses Belarusian • establish a body for the purpose of advising the authorities on all matters pertaining to Belarusian	=			
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.ai	make available pre-school education in Belarusian			=	
8.1.bi	make available primary education in Belarusian			=	
8.1.ci	make available secondary education in Belarusian			=	
8.1.diii	provide, within technical and vocational education, for the teaching of Belarusian as an integral part of the curriculum			=	
8.1.eii	provide facilities for the study of Belarusian as a university and higher education subject		↘		
8.1.g	ensure the teaching of the history and the culture which is reflected by Belarusian		↗		
8.1.h	provide the basic and further training of the teachers teaching (in) Belarusian			=	

<sup>67</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Belarusian<sup>67</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Belarusian and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Belarusian is traditionally used, allow, encourage or provide teaching in or of Belarusian at all the appropriate stages of education		↗			
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Belarusian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Belarusian to submit oral or written applications in Belarusian to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Belarusian		=			
10.5	allow the use or adoption of family names in Belarusian	=				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Belarusian				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Belarusian <sup>68</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Belarusian on a regular basis	=				
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Belarusian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Belarusian					✓
11.1.e.i	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Belarusian	=				
11.1.f.ii	apply existing measures for financial assistance also to audiovisual productions in Belarusian					=
11.1.g	support the training of journalists and other staff for media using Belarusian				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Belarusian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Belarusian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Belarusian</li> </ul>	=				
11.3	ensure that the interests of the users of Belarusian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media					✓
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Belarusian	=				
12.1.b	foster access in other languages to works produced in Belarusian by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.c	foster access in Belarusian to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Belarusian language and culture in the undertakings which they initiate or for which they provide backing		↗			
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Belarusian					=
12.1.f	encourage direct participation by representatives of the users of Belarusian in providing facilities and planning cultural activities					=

<sup>68</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Belarusian<sup>67</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Belarusian	=				
12.2	In territories other than those in which Belarusian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Belarusian					=
12.3	make provision, in cultural policy abroad, for Belarusian and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Belarusian	↗				
13.1.c	oppose practices designed to discourage the use of Belarusian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Belarusian in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Belarusian in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Belarusian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Belarusian in the States concerned in the fields of culture, education, information, vocational training and permanent education					✓
14.b	for the benefit of Belarusian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Belarusian is used in identical or similar form					✓

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

80. It is no longer possible to study Belarusian at Białystok University. The Committee of Experts therefore considers the undertaking 8.1 e ii partly fulfilled. Pupils learning Belarusian also study the history and culture reflected by the language as part of the compulsory curriculum. Other pupils learn about national and ethnic minorities, as well as the regional language only in the framework of subjects such as “Knowledge of society” (see above). This is not sufficient to learn about the history and culture reflected by the Belarusian language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g partly fulfilled. Belarusian language is offered as a subject in Warsaw. The Committee of Experts therefore considers the undertaking 8.2 partly fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 11.1.d. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. According to the periodical report, the municipal culture centres in Czyże and

Grodek have organised cultural activities promoting the Belarusian language and culture, with the financial support from the national authorities. This indicates that some of the “bodies organising or supporting cultural activities incorporate the knowledge and use of the Belarusian language and culture in the undertakings which they initiate or for which they provide backing”, although a more structured approach is needed in this respect. The Committee of Experts therefore considers the undertaking 12.1.d partly fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1.d and 13.2.b. During the visit, the Committee of Experts was informed that cross-border co-operation has decreased. The Committee of Experts therefore cannot conclude on the fulfilment of Articles 14.a and 14.b.

## **2.2.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Belarusian in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.2.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

- a. Make education in Belarusian available at pre-school, primary and secondary levels, including by providing the required teacher training and textbooks**
- b. Take concrete measures to implement the ratified provisions of Article 10 regarding Belarusian in all those local and regional administrative units where the speakers are traditionally present in sufficient numbers, including where they do not attain the 20% threshold**
- c. Promote awareness and tolerance in Polish society as a whole vis-à-vis the Belarusian language and the culture it represents, as an integral part of the cultural heritage of Poland**

### **II. Further recommendations**

- d. Draw-up, in co-operation with the speakers, an action plan for the implementation of the Charter to Belarusian
- e. Provide for the teaching of Belarusian as an integral part of the curriculum within technical and vocational education
- f. Take concrete measures to facilitate the creation of one public radio station and one public television channel in Belarusian covering the territories in which Belarusian is spoken
- g. Facilitate the broadcasting of private television programmes in Belarusian on a regular basis
- h. Ensure the long-term funding for the cultural activities, institutions, as well as the newspaper of the Belarusian speakers
- i. Encourage/facilitate the use of Belarusian in economic and social life

## 2.3 Czech

### 2.3.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Czech

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:				
	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Undertakings of Poland concerning Czech<sup>69</sup></b>					
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Czech as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Czech	=			
7.1.c	resolute action to promote Czech			=	
7.1.d	facilitation and/or encouragement of the use of Czech, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=		
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Czech</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=			
7.1.f	provision of forms and means for the teaching and study of Czech at all appropriate stages			=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Czech to learn it		=		
7.1.h	promotion of study and research on Czech at universities or equivalent institutions	=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Czech	=			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Czech	=			
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Czech among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Czech among their objectives</li> </ul>		=		
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Czech</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Czech</li> </ul>	=			
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.ai	make available pre-school education in Czech			=	
8.1.bi	make available primary education in Czech			=	
8.1.ci	make available secondary education in Czech			=	
8.1.diii	provide, within technical and vocational education, for the teaching of Czech as an integral part of the curriculum			=	
8.1.eii	provide facilities for the study of Czech as a university and higher education subject	=			
8.1.g	ensure the teaching of the history and the culture which is reflected by Czech			↗	
8.1.h	provide the basic and further training of the teachers teaching (in) Czech			=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Czech and for drawing up public periodic reports of its findings			=	

<sup>69</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).



<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Czech<sup>69</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.2	in territories other than those in which Czech is traditionally used, allow, encourage or provide teaching in or of Czech at all the appropriate stages of education				=	
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Czech	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Czech to submit oral or written applications in Czech to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Czech				=	
10.5	allow the use or adoption of family names in Czech	↗				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Czech				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Czech <sup>70</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Czech on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Czech on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Czech				=	
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Czech				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Czech					=
11.1.g	support the training of journalists and other staff for media using Czech				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Czech</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Czech</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Czech</li> </ul>	=				
11.3	ensure that the interests of the users of Czech are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Czech	=				
12.1.b	foster access in other languages to works produced in Czech by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.c	foster access in Czech to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Czech language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Czech					=
12.1.f	encourage direct participation by representatives of the users of Czech in providing facilities and planning cultural activities					=
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Czech	=				

<sup>70</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Czech<sup>69</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.2	In territories other than those in which Czech is traditionally used, allow, encourage and/or provide cultural activities and facilities using Czech					=
12.3	make provision, in cultural policy abroad, for Czech and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Czech	↗				
13.1.c	oppose practices designed to discourage the use of Czech in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Czech in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Czech in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Czech is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Czech in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Czech, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Czech is used in identical or similar form					=

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

81. Czech is not taught as a minority language in Polish schools. Therefore, teaching of the history and culture reflected by Czech is not provided. The information about national and ethnic minorities, as well as the regional language in the framework of subjects such as “Knowledge of society” (see above) is not sufficient to learn about the history and culture reflected by the Czech language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g not fulfilled. The Committee of Experts has not received any information about practical difficulties to use or adopt names in Czech. It therefore considers the undertaking 10.5 fulfilled. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

### **2.3.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Czech in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>71</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. **Take steps to develop teaching in/of Czech at all levels, including by providing the required teacher training and textbooks**
- b. **Take measures to increase the use of Czech in the media (broadcasting media, online and print media, audio-visual works)**

#### **II. Further recommendations**

- c. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to Czech
- d. Take concrete measures to implement the ratified provisions of Article 10 regarding Czech in all those local and regional administrative units where the speakers are traditionally present in sufficient numbers, even if they do not attain the 20% threshold
- e. Ensure the long-term funding for the cultural activities and institutions of the Czech speakers
- f. Encourage/facilitate the use of Czech in economic and social life

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<sup>71</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.4 German

### 2.4.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of German

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:				
	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Undertakings of Poland concerning German<sup>72</sup></b>					
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of German as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of German			↘	
7.1.c	resolute action to promote German		=		
7.1.d	facilitation and/or encouragement of the use of German, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=		
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using German • establishment of cultural relations with other linguistic groups	=			
7.1.f	provision of forms and means for the teaching and study of German at all appropriate stages			=	
7.1.g	provision of facilities enabling (also adult) non-speakers of German to learn it		=		
7.1.h	promotion of study and research on German at universities or equivalent institutions	=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of German	=			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of German	=			
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to German among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to German among their objectives		=		
7.4	• take into consideration the needs and wishes expressed by the group which uses German • establish a body for the purpose of advising the authorities on all matters pertaining to German		↗		
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.ai	make available pre-school education in German			=	
8.1.bi	make available primary education in German			=	
8.1.ci	make available secondary education in German			=	
8.1.diii	provide, within technical and vocational education, for the teaching of German as an integral part of the curriculum		=		
8.1.eii	provide facilities for the study of German as a university and higher education subject	=			
8.1.g	ensure the teaching of the history and the culture which is reflected by German		↗		
8.1.h	provide the basic and further training of the teachers teaching (in) German			=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of German and for drawing up public periodic reports of its findings			=	

<sup>72</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning German<sup>72</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.2	in territories other than those in which German is traditionally used, allow, encourage or provide teaching in or of German at all the appropriate stages of education					=
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in German	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of German to submit oral or written applications in German to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in German		=			
10.5	allow the use or adoption of family names in German	=				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in German				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in German <sup>73</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in German on a regular basis		=			
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in German on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in German	=				
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in German		=			
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in German					=
11.1.g	support the training of journalists and other staff for media using German				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in German</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in German</li> <li>• ensure the freedom of expression and free circulation of information in the written press in German</li> </ul>	=				
11.3	ensure that the interests of the users of German are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in German	=				
12.1.b	foster access in other languages to works produced in German by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.c	foster access in German to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the German language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of German					=
12.1.f	encourage direct participation by representatives of the users of German in providing facilities and planning cultural activities					=
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in German	=				

<sup>73</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning German<sup>72</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.2	In territories other than those in which German is traditionally used, allow, encourage and/or provide cultural activities and facilities using German					=
12.3	make provision, in cultural policy abroad, for German and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of German	↗				
13.1.c	oppose practices designed to discourage the use of German in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of German in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of German in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which German is used in identical or similar form, or conclude such agreements, to foster contacts between the users of German in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of German, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory German is used in identical or similar form					=

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

82. The extension of the city of Opole by incorporating localities that used to belong to the neighbouring municipalities with a significant German minority, followed by the removal of the place-name signs in German and the disappearance for the respective inhabitants of the possibility to use German in relation with local authorities, contravenes Article 7.1.b. The Committee of Experts considers therefore Article 7.1.b not fulfilled. According to a new interpretation issued by the Ministry of National Education in 2016, students learning a minority language are not allowed to choose the same language as their second foreign language in the 7th grade. Before, taking German as a minority language and a foreign language enabled the pupils to study the language for five hours per week, instead of three as a minority language or two as a foreign language. The German-speakers have expressed their strong disagreement with this approach, which leads to a lowering of the number of hours of German, but their views have not been taken into account. In light of this, in conjunction with the previously mentioned case of Opole, the Committee of Experts considers the “needs and wishes” of the German speakers are not adequately taken into account. It therefore considers Article 7.4 only partly fulfilled. Pupils learning German also study the history and culture reflected by the language as part of the compulsory curriculum. Other pupils learn about national and ethnic minorities, as well as the regional language only in the framework of subjects such as “Knowledge of society” (see above). This is not sufficient to learn about the history and culture reflected by the German language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the

undertaking 8.1.g partly fulfilled. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

#### **2.4.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of German in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>74</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

##### **I. Recommendations for immediate action**

- a. Make education in German available at pre-school, primary and secondary levels, including by providing the required teacher training and textbooks**
- b. Take concrete measures to implement the ratified provisions of Article 10 regarding German in all those local and regional administrative units where the speakers are traditionally present in sufficient numbers, including where they do not attain the 20% threshold, and reinstall the bilingual place-name signs removed as a result of the extension of the city of Opole**
- c. Promote awareness and tolerance in Polish society as a whole vis-à-vis the German language and the culture it represents, as an integral part of the cultural heritage of Poland**

##### **II. Further recommendations**

- d. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to German
- e. Extend the teaching of German as an integral part of the curriculum within technical and vocational education
- f. Take concrete measures to facilitate the creation of one public radio station and one public television channel in German covering the territories in which German is spoken
- g. Facilitate the broadcasting of private radio and television programmes in German on a regular basis
- h. Ensure the long-term funding for the cultural activities and institutions of the German speakers
- i. Encourage/facilitate the use of German in economic and social life

<sup>74</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.5 Karaim

### 2.5.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Karaim

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

<b>The Committee of Experts considers the undertaking*:</b>						
Article	Undertakings of Poland concerning Karaim <sup>75</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Karaim as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Karaim					= 76
7.1.c	resolute action to promote Karaim				=	
7.1.d	facilitation and/or encouragement of the use of Karaim, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Karaim</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Karaim at all appropriate stages				=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Karaim to learn it		=			
7.1.h	promotion of study and research on Karaim at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Karaim	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Karaim	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Karaim among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Karaim among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Karaim</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Karaim</li> </ul>	=				
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.ai	make available pre-school education in Karaim				=	
8.1.bi	make available primary education in Karaim				=	
8.1.ci	make available secondary education in Karaim				=	
8.1.diii	provide, within technical and vocational education, for the teaching of Karaim as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Karaim as a university and higher education subject					↘
8.1.g	ensure the teaching of the history and the culture which is reflected by Karaim					↘
8.1.h	provide the basic and further training of the teachers teaching (in) Karaim					=

<sup>75</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<sup>76</sup> As Karaim is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.



<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Karaim<sup>75</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Karaim and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Karaim is traditionally used, allow, encourage or provide teaching in or of Karaim at all the appropriate stages of education					= 77
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Karaim	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Karaim to submit oral or written applications in Karaim to the regional or local authority					=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Karaim					=
10.5	allow the use or adoption of family names in Karaim	↗				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Karaim				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Karaim <sup>78</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Karaim on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Karaim on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Karaim		↗			
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Karaim				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Karaim					=
11.1.g	support the training of journalists and other staff for media using Karaim				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Karaim</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Karaim</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Karaim</li> </ul>	=				
11.3	ensure that the interests of the users of Karaim are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	=
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Karaim	=				
12.1.b	foster access in other languages to works produced in Karaim by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.c	foster access in Karaim to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Karaim language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Karaim					=
12.1.f	encourage direct participation by representatives of the users of Karaim in providing facilities and planning cultural activities					=

<sup>77</sup> As Karaim is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.

<sup>78</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Karaim<sup>75</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Karaim	=				
12.2	In territories other than those in which Karaim is traditionally used, allow, encourage and/or provide cultural activities and facilities using Karaim					= 79
12.3	make provision, in cultural policy abroad, for Karaim and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Karaim	↗				
13.1.c	oppose practices designed to discourage the use of Karaim in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Karaim in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Karaim in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Karaim is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Karaim in the States concerned in the fields of culture, education, information, vocational training and permanent education					=
14.b	for the benefit of Karaim, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Karaim is used in identical or similar form				=	

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

83. At university level, classes on Karaim literature and culture are offered at Adam Mickiewicz University in Poznań, in the framework of Turkic studies, but the language as such is no longer taught. Therefore, the Committee of Experts considers the undertaking 8.1.e ii not fulfilled. Karaim is not taught as a minority language in Polish schools. Therefore, teaching of the history and culture reflected by Karaim is not provided. The information about national and ethnic minorities, as well as the regional language in the framework of subjects such as “Knowledge of society” (see above) is not sufficient to learn about the history and culture reflected by the Karaim language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g not fulfilled. The Committee of Experts has not received any information about practical difficulties to use or adopt names in Karaim. It therefore considers the undertaking 10.5 fulfilled. The internet website of the Karaim association contains video or audio materials developed as part of the cultural activities of the organisation; recently, a “music map”, with Karaim music recordings, has been developed. The Committee of Experts considers the undertaking 11.1.d partly fulfilled. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking

<sup>79</sup> As Karaim is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.

11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

## **2.5.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Karaim in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>80</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

<b>a. Draw up, in co-operation with the minority, an action plan for the revitalisation of Karaim</b>
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### **II. Further recommendations**

- b. Take measures to develop teaching in/of Karaim at all levels
- c. Take measures to increase the presence of Karaim in the media (broadcasting media, online and print media, audiovisual works)
- d. Ensure the long-term funding for the cultural activities and institutions of the Karaim minority

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<sup>80</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.6 Kashub

### 2.6.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Kashub

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:				
	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Undertakings of Poland concerning Kashub<sup>81</sup></b>					
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Kashub as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Kashub	=			
7.1.c	resolute action to promote Kashub		=		
7.1.d	facilitation and/or encouragement of the use of Kashub, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=		
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Kashub</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=			
7.1.f	provision of forms and means for the teaching and study of Kashub at all appropriate stages			=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Kashub to learn it				=
7.1.h	promotion of study and research on Kashub at universities or equivalent institutions		=		
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Kashub			=	
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Kashub	=			
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Kashub among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Kashub among their objectives</li> </ul>		=		
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Kashub</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Kashub</li> </ul>	=			
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.ai	make available pre-school education in Kashub			=	
8.1.bi	make available primary education in Kashub			=	
8.1.ci	make available secondary education in Kashub			=	
8.1.diii	provide, within technical and vocational education, for the teaching of Kashub as an integral part of the curriculum		=		
8.1.eii	provide facilities for the study of Kashub as a university and higher education subject	=			
8.1.g	ensure the teaching of the history and the culture which is reflected by Kashub		=		
8.1.h	provide the basic and further training of the teachers teaching (in) Kashub				↗
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Kashub and for drawing up public periodic reports of its findings			=	

<sup>81</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Kashub<sup>81</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.2	in territories other than those in which Kashub is traditionally used, allow, encourage or provide teaching in or of Kashub at all the appropriate stages of education					=
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Kashub	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Kashub to submit oral or written applications in Kashub to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Kashub		=			
10.5	allow the use or adoption of family names in Kashub	↗				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Kashub				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Kashub <sup>82</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Kashub on a regular basis	=				
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Kashub on a regular basis					✓
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Kashub					✓
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Kashub				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Kashub					=
11.1.g	support the training of journalists and other staff for media using Kashub				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Kashub</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Kashub</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Kashub</li> </ul>					=
11.3	ensure that the interests of the users of Kashub are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Kashub	=				
12.1.b	foster access in other languages to works produced in Kashub by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.c	foster access in Kashub to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Kashub language and culture in the undertakings which they initiate or for which they provide backing	↗				
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Kashub					=
12.1.f	encourage direct participation by representatives of the users of Kashub in providing facilities and planning cultural activities	↗				
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Kashub	↗				

<sup>82</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Kashub<sup>81</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.2	In territories other than those in which Kashub is traditionally used, allow, encourage and/or provide cultural activities and facilities using Kashub					=
12.3	make provision, in cultural policy abroad, for Kashub and the culture it reflects	↗				
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Kashub	↗				
13.1.c	oppose practices designed to discourage the use of Kashub in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Kashub in economic and social life		=			✓
13.2.b	in the public sector, organise activities to promote the use of Kashub in economic and social life		=			✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Kashub is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Kashub in the States concerned in the fields of culture, education, information, vocational training and permanent education					= 83
14.b	for the benefit of Kashub, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Kashub is used in identical or similar form					= 84

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

84. In light of the new requirements for teacher qualifications (MA studies, which are not available for Kashub), the Committee of Experts considers the undertaking 8.1.h not fulfilled. The Committee of Experts has not received any information about practical difficulties to use or adopt names in Kashub. It therefore considers the undertaking 10.5 fulfilled. While the periodical report refers to the financial assistance of the authorities for the production of television programmes by Kashub associations, it is not clear if programmes in Kashub are broadcast by private television channels. There, the Committee of Experts cannot conclude on the fulfilment of the undertaking 11. 1 cii. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 11.1.d. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account by the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 12.1.b and 12.1.c. According to the periodical report, the Municipal Centre of Sport, Culture and

<sup>83</sup> Kashub is a regional language traditionally spoken only in Poland, therefore the undertaking is not applicable.

<sup>84</sup> Kashub is a regional language traditionally spoken only in Poland, therefore the undertaking is not applicable.

Recreation in Chmielno hosted a recitation competition of Kashub literature; the Museum of Kashub-Pomeranian Literature and Music in Wejherowo/Wejrowò and the *Florian Ceynowa* Museum of the Puck Region organised a competition for authors writing in Kashub, with financial support from the Ministry of the Interior and Administration. The National Museum in Gdansk included concerts, shows, performances reflecting the Kashub culture when organising the Folk's Artist's Day in 2018 and 2019. This indicates that "bodies organising or supporting cultural activities incorporate the knowledge and use of the Kashub language and culture in the undertakings which they initiate or for which they provide backing". The Committee of Experts therefore considers the undertaking 12.1. d fulfilled. In 2017, on the Kashub Unity Day, the State Archive in Szczecin organised a screening of a documentary and lecture dedicated to Kashub customs, in co-operation with the local branch of the Kashub Pomeranian Association. The Józef Piłduski Museum in Sulejów prepared, in co-operation with the Kashub Pomeranian Association, materials in Kashub, among other languages, in a campaign celebrating the Polish National Independence Day. The Committee of Experts therefore considers the undertaking 12.1.f fulfilled. According to the information from the Kashub speakers, the local library in Wejherowo/Wejrowò is collecting, keeping a copy of and presenting or publishing works produced in Kashub. The Committee of Experts therefore considers the undertaking 12.1.g fulfilled. Several institutions representing Poland abroad organised events promoting Poland's culture, which included also the Kashub language and culture (for example, a Kashub song and dance group was invited at the Polish Culture Days organised in Kaliningrad, in 2018; lessons of Kashub and Polish were provided at an event on European Day of Languages organised in the Netherlands, in 2018; a "Kashub Night" was part of the Polish Film Week organised by the Polish Institute in Sankt Petersburg, offering film screening and a lecture on Kashub history, language, culture; film screening and discussions on Kashub language and culture were also organised by the Polish Institute in Tel Aviv). The Committee of Experts therefore considers the undertaking 12.3 fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

## **2.6.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Kashub in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered "fulfilled" (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>85</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

- a. **Make education in Kashub available at pre-school, primary and secondary levels, including by providing the required teacher training and textbooks**
- b. **Take concrete measures to implement the ratified provisions of Article 10 regarding Kashub in all those local and regional administrative units where the speakers are traditionally present in sufficient numbers, including where they do not attain the 20% threshold**
- c. **Take concrete measures to facilitate the creation of one public radio station and one public television channel in Kashub covering the territories in which Kashub is spoken**

### **II. Further recommendations**

- d. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to Kashub

<sup>85</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

- e. Facilitate the broadcasting of private television programmes in Kashub on a regular basis
- f. Facilitate the creation of one weekly or daily newspaper in Kashub
- g. Ensure the long-term funding for the cultural activities and institutions of the Kashub speakers
- h. Encourage/facilitate the use of Kashub in economic and social life



## 2.7 Lemko

### 2.7.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Lemko

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:				
	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Undertakings of Poland concerning Lemko<sup>86</sup></b>					
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Lemko as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Lemko	=			
7.1.c	resolute action to promote Lemko		=		
7.1.d	facilitation and/or encouragement of the use of Lemko, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=		
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Lemko • establishment of cultural relations with other linguistic groups	=			
7.1.f	provision of forms and means for the teaching and study of Lemko at all appropriate stages			=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Lemko to learn it		=		
7.1.h	promotion of study and research on Lemko at universities or equivalent institutions			=	
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Lemko				=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Lemko	=			
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Lemko among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Lemko among their objectives		=		
7.4	• take into consideration the needs and wishes expressed by the group which uses Lemko • establish a body for the purpose of advising the authorities on all matters pertaining to Lemko	=			
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.ai	make available pre-school education in Lemko			=	
8.1.bi	make available primary education in Lemko			=	
8.1.ci	make available secondary education in Lemko			=	
8.1.diii	provide, within technical and vocational education, for the teaching of Lemko as an integral part of the curriculum			=	
8.1.eii	provide facilities for the study of Lemko as a university and higher education subject			↘	
8.1.g	ensure the teaching of the history and the culture which is reflected by Lemko				=
8.1.h	provide the basic and further training of the teachers teaching (in) Lemko			=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Lemko and for drawing up public periodic reports of its findings			=	

<sup>86</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Lemko<sup>86</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.2	in territories other than those in which Lemko is traditionally used, allow, encourage or provide teaching in or of Lemko at all the appropriate stages of education		=			
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Lemko	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Lemko to submit oral or written applications in Lemko to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Lemko		=			
10.5	allow the use or adoption of family names in Lemko	=				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Lemko				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Lemko <sup>87</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Lemko on a regular basis	↗				
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Lemko on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Lemko	=				
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Lemko				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Lemko					=
11.1.g	support the training of journalists and other staff for media using Lemko				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Lemko</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Lemko</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Lemko</li> </ul>	=				
11.3	ensure that the interests of the users of Lemko are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Lemko	=				
12.1.b	foster access in other languages to works produced in Lemko by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.c	foster access in Lemko to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling		=			
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Lemko language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Lemko					=
12.1.f	encourage direct participation by representatives of the users of Lemko in providing facilities and planning cultural activities					=
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Lemko	=				

<sup>87</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Lemko<sup>86</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.2	In territories other than those in which Lemko is traditionally used, allow, encourage and/or provide cultural activities and facilities using Lemko		=			
12.3	make provision, in cultural policy abroad, for Lemko and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Lemko	↗				
13.1.c	oppose practices designed to discourage the use of Lemko in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Lemko in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Lemko in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Lemko is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Lemko in the States concerned in the fields of culture, education, information, vocational training and permanent education					=
14.b	for the benefit of Lemko, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Lemko is used in identical or similar form					=

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

85. Lemko is no longer offered at university level. The Committee of Experts therefore considers the undertaking 8.1. e ii, not fulfilled. In light of the changes in the media environment since the entry into force of the Charter, the Committee of Experts has taken a more flexible approach to Articles 11.1.a, b and c and considers digital and online media content under Articles 11.1.bii and 11.1.cii of the Charter. As internet radios in Lemko exist, the Committee of Experts considers the undertaking 11.1.b ii fulfilled. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 12.1.b. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

## 2.7.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Lemko in Poland

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>88</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### I. Recommendations for immediate action

- a. **Make education in Lemko available at pre-school, primary and secondary levels, including by providing the required teacher training and textbooks**
- b. **Take concrete measures to implement the ratified provisions of Article 10 regarding Lemko in all those local and regional administrative units where the speakers are traditionally present in sufficient numbers, even if they do not attain the 20% threshold**
- c. **Promote awareness and tolerance in Polish society as a whole vis-à-vis Lemko and the culture it represents, as an integral part of the cultural heritage of Poland**

### II. Further recommendations

- d. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to Lemko
- e. Further develop the offer of Lemko education outside the territories where the language is traditionally used, at all appropriate stages
- f. Provide for the teaching of Lemko as an integral part of the curriculum within technical and vocational education
- g. Take concrete measures to facilitate the creation of one public radio station and one public television channel in Lemko covering the territories in which Lemko is spoken
- h. Facilitate the broadcasting of private television programmes in Lemko on a regular basis and the creation of a weekly newspaper in Lemko
- i. Ensure the long-term funding for the cultural activities and institutions of the Lemko speakers
- j. Encourage/facilitate the use of Lemko in economic and social life

<sup>88</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.8 Lithuanian

### 2.8.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Lithuanian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:					
	Undertakings of Poland concerning Lithuanian <sup>89</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b>						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Lithuanian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Lithuanian	=				
7.1.c	resolute action to promote Lithuanian		=			
7.1.d	facilitation and/or encouragement of the use of Lithuanian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Lithuanian • establishment of cultural relations with other linguistic groups	=				
7.1.f	provision of forms and means for the teaching and study of Lithuanian at all appropriate stages		=			
7.1.g	provision of facilities enabling (also adult) non-speakers of Lithuanian to learn it					=
7.1.h	promotion of study and research on Lithuanian at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Lithuanian	=				
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Lithuanian	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Lithuanian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Lithuanian among their objectives		=			
7.4	• take into consideration the needs and wishes expressed by the group which uses Lithuanian • establish a body for the purpose of advising the authorities on all matters pertaining to Lithuanian	=				
<b>Part III of the Charter</b>						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.ai	make available pre-school education in Lithuanian	=				
8.1.bi	make available primary education in Lithuanian	=				
8.1.ci	make available secondary education in Lithuanian	=				
8.1.diii	provide, within technical and vocational education, for the teaching of Lithuanian as an integral part of the curriculum					✓
8.1.eii	provide facilities for the study of Lithuanian as a university and higher education subject	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Lithuanian		=			
8.1.h	provide the basic and further training of the teachers teaching (in) Lithuanian					✓

<sup>89</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Lithuanian<sup>89</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Lithuanian and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Lithuanian is traditionally used, allow, encourage or provide teaching in or of Lithuanian at all the appropriate stages of education					=
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Lithuanian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Lithuanian to submit oral or written applications in Lithuanian to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Lithuanian		=			
10.5	allow the use or adoption of family names in Lithuanian	=				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Lithuanian				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Lithuanian <sup>90</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Lithuanian on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Lithuanian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Lithuanian					✓
11.1.e.i	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Lithuanian				=	
11.1.f.ii	apply existing measures for financial assistance also to audiovisual productions in Lithuanian					=
11.1.g	support the training of journalists and other staff for media using Lithuanian					✓
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Lithuanian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Lithuanian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Lithuanian</li> </ul>	=				
11.3	ensure that the interests of the users of Lithuanian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media					✓
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Lithuanian	=				
12.1.b	foster access in other languages to works produced in Lithuanian by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.c	foster access in Lithuanian to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Lithuanian language and culture in the undertakings which they initiate or for which they provide backing		↗			
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Lithuanian					=
12.1.f	encourage direct participation by representatives of the users of Lithuanian in providing facilities and planning cultural activities					=

<sup>90</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Lithuanian<sup>89</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Lithuanian		↗			
12.2	In territories other than those in which Lithuanian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Lithuanian					=
12.3	make provision, in cultural policy abroad, for Lithuanian and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Lithuanian	↗				
13.1.c	oppose practices designed to discourage the use of Lithuanian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Lithuanian in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Lithuanian in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Lithuanian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Lithuanian in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Lithuanian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Lithuanian is used in identical or similar form					=

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

86. According to the information provided by the authorities, no pupils have been studying Lithuanian in technical and vocational education as of the 2016/2017 school year. However, it is not clear whether Lithuanian is still offered as an integral part of the curriculum in technical and vocational education. The Committee of Experts can therefore not conclude on the fulfilment of the undertaking 8.1.d iii. The authorities refer to obtaining the necessary qualifications for teaching through language studies at university; however, it is not clear how the teachers teaching in Lithuanian are trained, especially in the context of the new requirements for teacher qualifications. The Committee of Experts can therefore not conclude on the fulfilment of the undertaking 8.1.h According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. The Centre *Borderland of Arts, Cultures and Nations* in Sejny has organised a bilingual exhibition about the communities in the nearby villages, as well as workshops; it issued a bilingual publication about the

community living in the border area, and developed an educational programme for primary schools, which also included classes about the Lithuanian language as cultural heritage (“Sejny treasury”, “Sejny alphabet”). This indicates that some of the “bodies organising or supporting cultural activities incorporate the knowledge and use of the Lithuanian language and culture in the undertakings which they initiate or for which they provide backing”, although a more structured approach is needed in this respect. The Committee of Experts therefore considers the undertaking 12.1.d partly fulfilled. Taking into consideration the collection of books in Lithuanian of the National Library, the Committee of Experts considers the undertaking 12.1.g partly fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

## **2.8.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Lithuanian in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>91</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

- a. Take concrete measures to implement the ratified provisions of Article 10 regarding Lithuanian in all those local and regional administrative units where the speakers are traditionally present in sufficient numbers, including where they do not attain the 20% threshold**
- b. Ensure the necessary textbooks for teaching in Lithuanian at all levels**
- c. Take concrete measures to facilitate the creation of one public radio station and one public television channel in Lithuanian covering the territories in which Lithuanian is spoken**

### **II. Further recommendations**

- d. Facilitate the broadcasting of private radio and television programmes in Lithuanian on a regular basis
- e. Facilitate the creation of one weekly newspaper in Lithuanian
- f. Ensure the long-term funding for the cultural activities and institutions of the Lithuanian speakers
- g. Encourage/facilitate the use of Lithuanian in economic and social life

<sup>91</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).



## 2.9 Romani

### 2.9.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Romani

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

<b>The Committee of Experts considers the undertaking*:</b>						
Article	Undertakings of Poland concerning Romani <sup>92</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b>						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Romani as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Romani					= 93
7.1.c	resolute action to promote Romani		=			
7.1.d	facilitation and/or encouragement of the use of Romani, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Romani</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Romani at all appropriate stages				=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Romani to learn it				=	
7.1.h	promotion of study and research on Romani at universities or equivalent institutions				=	
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Romani					=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Romani	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Romani among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Romani among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Romani</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Romani</li> </ul>	=				
<b>Part III of the Charter</b>						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.ai	make available pre-school education in Romani				=	
8.1.bi	make available primary education in Romani				=	
8.1.ci	make available secondary education in Romani				=	
8.1.diii	provide, within technical and vocational education, for the teaching of Romani as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Romani as a university and higher education subject				=	
8.1.g	ensure the teaching of the history and the culture which is reflected by Romani				✓	
8.1.h	provide the basic and further training of the teachers teaching (in) Romani				=	

<sup>92</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<sup>93</sup> As Romani is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Romani<sup>92</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Romani and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Romani is traditionally used, allow, encourage or provide teaching in or of Romani at all the appropriate stages of education					= 94
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Romani	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Romani to submit oral or written applications in Romani to the regional or local authority					=
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Romani					=
10.5	allow the use or adoption of family names in Romani	=				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Romani				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Romani <sup>95</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Romani on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Romani on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Romani					✓
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Romani				=	
11.1.f.ii	apply existing measures for financial assistance also to audiovisual productions in Romani					=
11.1.g	support the training of journalists and other staff for media using Romani					✓
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Romani</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Romani</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Romani</li> </ul>	=				
11.3	ensure that the interests of the users of Romani are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media					✓
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Romani	=				
12.1.b	foster access in other languages to works produced in Romani by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.c	foster access in Romani to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Romani language and culture in the undertakings which they initiate or for which they provide backing		↑			
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Romani					=
12.1.f	encourage direct participation by representatives of the users of Romani in providing facilities and planning cultural activities					=

<sup>94</sup> As Romani is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.

<sup>95</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Romani<sup>92</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Romani		↗			
12.2	In territories other than those in which Romani is traditionally used, allow, encourage and/or provide cultural activities and facilities using Romani					= 96
12.3	make provision, in cultural policy abroad, for Romani and the culture it reflects	↗				
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Romani	↗				
13.1.c	oppose practices designed to discourage the use of Romani in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Romani in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Romani in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Romani is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Romani in the States concerned in the fields of culture, education, information, vocational training and permanent education					=
14.b	for the benefit of Romani, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Romani is used in identical or similar form	=				

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

87. Romani is not taught as a minority language in Polish schools. Therefore, teaching of the history and culture reflected by Romani is not provided. The information about national and ethnic minorities, as well as the regional language in the framework of subjects such as “Knowledge of society” (see above) is not sufficient to learn about the history and culture reflected by the Romani language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g not fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 11.1.d. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. Several cultural institutions included Romani language and culture in their activities. For example, the theatre *Stefan Jaracz* in Olsztyn staged a play in Romani during a festival; the State Archive in Gorzow organised an event dedicated to a poet writing

<sup>96</sup> As Romani is a non-territorial language according to the ratification by Poland, this undertaking is not applicable.

in Romani; the national museums in Gdansk, Kielce and Poznan organised exhibitions or events dedicated to the Romani language and culture. This indicates that some of the “bodies organising or supporting cultural activities incorporate the knowledge and use of the Romani language and culture in the undertakings which they initiate or for which they provide backing”, although a more structured approach is needed in this respect. The Committee of Experts therefore considers the undertaking 12.1.d partly fulfilled. Taking into consideration the collection of books in Romani of the National Library the Committee of Experts considers the undertaking 12.1.g partly fulfilled. As part of the *Kinopolska* festival, the Polish Institute in Paris organised the screening of a film about a Roma poet. The Polish Institute in London organised an exhibition of a Roma artist. The Committee of Experts therefore considers the undertaking 12.3 fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

## **2.9.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Romani in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>97</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

### **I. Recommendations for immediate action**

<p><b>a. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to Romani</b></p>
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### **II. Further recommendations**

- b. Take steps to introduce teaching in/of Romani at all levels, in co-operation with the speakers
- c. Take measures to increase the use of Romani in the media (broadcasting media, online and print media, audiovisual works)
- d. Ensure the long-term funding for the cultural activities and institutions of the Romani speakers

<sup>97</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.10 Russian

### 2.10.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Russian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:					
	Undertakings of Poland concerning Russian <sup>98</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Russian as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Russian	=				
7.1.c	resolute action to promote Russian				=	
7.1.d	facilitation and/or encouragement of the use of Russian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Russian • establishment of cultural relations with other linguistic groups	=				
7.1.f	provision of forms and means for the teaching and study of Russian at all appropriate stages				=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Russian to learn it				=	
7.1.h	promotion of study and research on Russian at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Russian					=
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Russian	=				
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Russian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Russian among their objectives		=			
7.4	• take into consideration the needs and wishes expressed by the group which uses Russian • establish a body for the purpose of advising the authorities on all matters pertaining to Russian	=				
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.ai	make available pre-school education in Russian				=	
8.1.bi	make available primary education in Russian				=	
8.1.ci	make available secondary education in Russian				=	
8.1.diii	provide, within technical and vocational education, for the teaching of Russian as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Russian as a university and higher education subject	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Russian		↗			
8.1.h	provide the basic and further training of the teachers teaching (in) Russian				=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Russian and for drawing up public periodic reports of its findings				=	

<sup>98</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Russian<sup>98</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.2	in territories other than those in which Russian is traditionally used, allow, encourage or provide teaching in or of Russian at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Russian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Russian to submit oral or written applications in Russian to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Russian				=	
10.5	allow the use or adoption of family names in Russian	=				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Russian				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Russian <sup>99</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Russian on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Russian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Russian				=	
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Russian				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Russian					=
11.1.g	support the training of journalists and other staff for media using Russian				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Russian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Russian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Russian</li> </ul>	=				
11.3	ensure that the interests of the users of Russian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Russian	=				
12.1.b	foster access in other languages to works produced in Russian by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.c	foster access in Russian to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Russian language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Russian					=
12.1.f	encourage direct participation by representatives of the users of Russian in providing facilities and planning cultural activities					=
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Russian		↑			

<sup>99</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Poland concerning Russian <sup>98</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.3	make provision, in cultural policy abroad, for Russian and the culture it reflects					=
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Russian	↗				
13.1.c	oppose practices designed to discourage the use of Russian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Russian in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Russian in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Russian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Russian in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Russian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Russian is used in identical or similar form					=

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

88. Pupils learning Russian also study the history and culture reflected by the language as part of the compulsory curriculum. Other pupils learn about national and ethnic minorities, as well as the regional language only in the framework of subjects such as “Knowledge of society” (see above). This is not sufficient to learn about the history and culture reflected by the Russian language in Poland as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g partly fulfilled. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 12.1.b. Taking into consideration the collection of books in Russian of the National Library the Committee of Experts considers the undertaking 12.1.g partly fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

### **2.10.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Russian in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>100</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. Take steps to develop teaching in/of Russian at all levels, in the area where the language is traditionally spoken, including by providing teacher training and textbooks**
- b. Take measures to increase the use of Russian in the media (broadcasting media, online and print media, audiovisual works)**

#### **II. Further recommendations**

- c. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to Russian
- d. Take concrete measures to implement the ratified provisions of Article 10 regarding Russian in all those local and regional entities where the speakers are traditionally present in sufficient numbers, even if they do not attain the 20% threshold
- e. Ensure the long-term funding for the cultural activities and institutions of the Russian speakers
- f. Encourage/facilitate the use of Russian in economic and social life

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<sup>100</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).



## 2.11 Slovak

### 2.11.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Slovak

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

<b>The Committee of Experts considers the undertaking*:</b>						
Article	Undertakings of Poland concerning Slovak <sup>101</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b>						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Slovak as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Slovak	=				
7.1.c	resolute action to promote Slovak				=	
7.1.d	facilitation and/or encouragement of the use of Slovak, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Slovak</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Slovak at all appropriate stages				=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Slovak to learn it				=	
7.1.h	promotion of study and research on Slovak at universities or equivalent institutions		=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Slovak		=			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Slovak	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Slovak among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Slovak among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Slovak</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Slovak</li> </ul>	=				
<b>Part III of the Charter</b>						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.ai	make available pre-school education in Slovak				=	
8.1.bi	make available primary education in Slovak				=	
8.1.ci	make available secondary education in Slovak				=	
8.1.diii	provide, within technical and vocational education, for the teaching of Slovak as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Slovak as a university and higher education subject	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Slovak		↗			
8.1.h	provide the basic and further training of the teachers teaching (in) Slovak				=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Slovak and for drawing up public periodic reports of its findings				=	

<sup>101</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Slovak<sup>101</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.2	in territories other than those in which Slovak is traditionally used, allow, encourage or provide teaching in or of Slovak at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Slovak	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Slovak to submit oral or written applications in Slovak to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Slovak				=	
10.5	allow the use or adoption of family names in Slovak	↗				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Slovak				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Slovak <sup>102</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Slovak on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Slovak on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Slovak		↗			
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Slovak				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Slovak					=
11.1.g	support the training of journalists and other staff for media using Slovak				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Slovak</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Slovak</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Slovak</li> </ul>	=				
11.3	ensure that the interests of the users of Slovak are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Slovak	=				
12.1.b	foster access in other languages to works produced in Slovak by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.c	foster access in Slovak to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Slovak language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Slovak					=
12.1.f	encourage direct participation by representatives of the users of Slovak in providing facilities and planning cultural activities					=
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Slovak	=				

<sup>102</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Slovak<sup>101</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.2	In territories other than those in which Slovak is traditionally used, allow, encourage and/or provide cultural activities and facilities using Slovak					=
12.3	make provision, in cultural policy abroad, for Slovak and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Slovak	↗				
13.1.c	oppose practices designed to discourage the use of Slovak in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Slovak in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Slovak in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Slovak is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Slovak in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Slovak, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Slovak is used in identical or similar form					=

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

89. Pupils learning Slovak also study the history and culture reflected by the language. Other pupils learn about national and ethnic minorities, as well as the regional language only in the framework of subjects such as “knowledge of society” (see above). This is not sufficient to learn about the history and culture reflected by the Slovak language in Poland as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g partly fulfilled. The Committee of Experts has not received any information about practical difficulties to use or adopt names in Slovak. It therefore considers the undertaking 10.5 fulfilled. A radio programme broadcast by Radio Wroclaw in 2017 appeared on a CD and was distributed to the subscribers of the monthly *Zivot*. In light of this, the Committee of Experts considers the undertaking 12.1.d partly fulfilled. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

### **2.11.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Slovak in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>103</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. **Take steps to develop teaching in/of Slovak at all levels, including by providing the required teacher training and textbooks**
- b. **Take measures to increase the use of Slovak in the media (broadcasting media, online and print media, audiovisual works)**

#### **II. Further recommendations**

- c. Draw up, in co-operation with the speakers, an action plan for the implementation of the Charter to Slovak
- d. Take concrete measures to implement the ratified provisions of Article 10 regarding Slovak in all those local and regional entities where the speakers are traditionally present in sufficient numbers, even if they do not attain the 20% threshold
- e. Ensure the long-term financial support to the cultural activities and institutions of the Slovak speakers
- f. Encourage/facilitate the use of Slovak in economic and social life

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<sup>103</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.12 Tatar

### 2.12.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Tatar

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:				
	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Undertakings of Poland concerning Tatar<sup>104</sup></b>					
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Tatar as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Tatar	=			
7.1.c	resolute action to promote Tatar			=	
7.1.d	facilitation and/or encouragement of the use of Tatar, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=		
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Tatar • establishment of cultural relations with other linguistic groups	=			
7.1.f	provision of forms and means for the teaching and study of Tatar at all appropriate stages			=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Tatar to learn it			=	
7.1.h	promotion of study and research on Tatar at universities or equivalent institutions			=	
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Tatar		=		
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Tatar	=			
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Tatar among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Tatar among their objectives		=		
7.4	• take into consideration the needs and wishes expressed by the group which uses Tatar • establish a body for the purpose of advising the authorities on all matters pertaining to Tatar	=			
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.ai	make available pre-school education in Tatar			=	
8.1.bi	make available primary education in Tatar			=	
8.1.ci	make available secondary education in Tatar			=	
8.1.diii	provide, within technical and vocational education, for the teaching of Tatar as an integral part of the curriculum			=	
8.1.eii	provide facilities for the study of Tatar as a university and higher education subject			=	
8.1.g	ensure the teaching of the history and the culture which is reflected by Tatar			✓	
8.1.h	provide the basic and further training of the teachers teaching (in) Tatar			=	
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Tatar and for drawing up public periodic reports of its findings			=	

<sup>104</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Tatar<sup>104</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.2	in territories other than those in which Tatar is traditionally used, allow, encourage or provide teaching in or of Tatar at all the appropriate stages of education				=	
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Tatar	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Tatar to submit oral or written applications in Tatar to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Tatar				=	
10.5	allow the use or adoption of family names in Tatar	↗				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Tatar				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Tatar <sup>105</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Tatar on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Tatar on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Tatar				=	
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Tatar				=	
11.1.fii	apply existing measures for financial assistance also to audiovisual productions in Tatar					=
11.1.g	support the training of journalists and other staff for media using Tatar				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Tatar</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Tatar</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Tatar</li> </ul>	=				
11.3	ensure that the interests of the users of Tatar are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Tatar				=	
12.1.b	foster access in other languages to works produced in Tatar by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.c	foster access in Tatar to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Tatar language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Tatar					=
12.1.f	encourage direct participation by representatives of the users of Tatar in providing facilities and planning cultural activities					=
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Tatar		=			

<sup>105</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

The Committee of Experts considers the undertaking*:						
Article	Undertakings of Poland concerning Tatar <sup>104</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
12.2	In territories other than those in which Tatar is traditionally used, allow, encourage and/or provide cultural activities and facilities using Tatar					=
12.3	make provision, in cultural policy abroad, for Tatar and the culture it reflects	↗				
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Tatar	↗				
13.1.c	oppose practices designed to discourage the use of Tatar in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Tatar in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Tatar in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Tatar is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Tatar in the States concerned in the fields of culture, education, information, vocational training and permanent education					=
14.b	for the benefit of Tatar, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Tatar is used in identical or similar form				=	

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

90. Tatar is not taught as a minority language in Polish schools. Therefore, teaching of the history and culture reflected by Tatar is not provided. The information about national and ethnic minorities, as well as the regional language in the framework of subjects such as “Knowledge of society” (see above) is not sufficient to learn about the history and culture reflected by the Tatar language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g not fulfilled. The Committee of Experts has not received any information about practical difficulties to use or adopt names in Tatar. It therefore considers the undertaking 10.5 fulfilled. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 12.1. b and 12.1.c. The Polish Embassies in North Macedonia, Kazakhstan and Kyrgyzstan carried out a project (*Traditions and Contemporaneity of Tatars – Polish Muslims*) dedicated to the Tatars in Poland. The Committee of Experts therefore considers the undertaking 12.3 fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b

fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

### **2.12.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Tatar in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>106</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

<b>a. Draw up, in co-operation with the minority, an action plan for the revitalisation of Tatar</b>
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#### **II. Further recommendations**

- b. Take measures to develop teaching in/of Tatar at all levels
- c. Take measures to facilitate the use of Tatar in the media (broadcasting media, online and print media, audio-visual works)
- d. Encourage the use of Tatar in public signage
- e. Ensure the long-term financial support for the cultural activities and institutions of the Tatar minority

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<sup>106</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).



## 2.13 Ukrainian

### 2.13.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Ukrainian

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

Article	The Committee of Experts considers the undertaking*:				
	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Undertakings of Poland concerning Ukrainian<sup>107</sup></b>					
<b>Part II of the Charter</b> <i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>					
<b>Art. 7 – Objectives and principles</b>					
7.1.a	recognition of Ukrainian as an expression of cultural wealth	=			
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Ukrainian	=			
7.1.c	resolute action to promote Ukrainian		=		
7.1.d	facilitation and/or encouragement of the use of Ukrainian, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=		
7.1.e	• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Ukrainian • establishment of cultural relations with other linguistic groups	=			
7.1.f	provision of forms and means for the teaching and study of Ukrainian at all appropriate stages			=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Ukrainian to learn it			=	
7.1.h	promotion of study and research on Ukrainian at universities or equivalent institutions	=			
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Ukrainian	=			
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Ukrainian	=			
7.3	• promote mutual understanding between all the linguistic groups of the country • promote the inclusion of respect, understanding and tolerance in relation to Ukrainian among the objectives of education and training • encourage the mass media to include respect, understanding and tolerance in relation to Ukrainian among their objectives		=		
7.4	• take into consideration the needs and wishes expressed by the group which uses Ukrainian • establish a body for the purpose of advising the authorities on all matters pertaining to Ukrainian	=			
<b>Part III of the Charter</b> <i>(Additional undertakings chosen by the state for specific languages)</i>					
<b>Art. 8 – Education</b>					
8.1.ai	make available pre-school education in Ukrainian			=	
8.1.bi	make available primary education in Ukrainian			=	
8.1.ci	make available secondary education in Ukrainian			=	
8.1.diii	provide, within technical and vocational education, for the teaching of Ukrainian as an integral part of the curriculum		=		
8.1.eii	provide facilities for the study of Ukrainian as a university and higher education subject	=			
8.1.g	ensure the teaching of the history and the culture which is reflected by Ukrainian		↗		
8.1.h	provide the basic and further training of the teachers teaching (in) Ukrainian			=	

<sup>107</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Ukrainian<sup>107</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Ukrainian and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Ukrainian is traditionally used, allow, encourage or provide teaching in or of Ukrainian at all the appropriate stages of education	=				
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Ukrainian	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Ukrainian to submit oral or written applications in Ukrainian to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Ukrainian				=	
10.5	allow the use or adoption of family names in Ukrainian	=				
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Ukrainian				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Ukrainian <sup>108</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Ukrainian on a regular basis					✓
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Ukrainian on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Ukrainian					✓
11.1.e.i	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Ukrainian	=				
11.1.f.ii	apply existing measures for financial assistance also to audiovisual productions in Ukrainian					=
11.1.g	support the training of journalists and other staff for media using Ukrainian				✓	
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Ukrainian</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Ukrainian</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Ukrainian</li> </ul>	=				
11.3	ensure that the interests of the users of Ukrainian are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media				✓	
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Ukrainian	=				
12.1.b	foster access in other languages to works produced in Ukrainian by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.c	foster access in Ukrainian to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling					✓
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Ukrainian language and culture in the undertakings which they initiate or for which they provide backing					=
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Ukrainian					=
12.1.f	encourage direct participation by representatives of the users of Ukrainian in providing facilities and planning cultural activities					=

<sup>108</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Ukrainian<sup>107</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Ukrainian		↗			
12.2	In territories other than those in which Ukrainian is traditionally used, allow, encourage and/or provide cultural activities and facilities using Ukrainian	↗				
12.3	make provision, in cultural policy abroad, for Ukrainian and the culture it reflects				=	
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Ukrainian	↗				
13.1.c	oppose practices designed to discourage the use of Ukrainian in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Ukrainian in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Ukrainian in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Ukrainian is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Ukrainian in the States concerned in the fields of culture, education, information, vocational training and permanent education	=				
14.b	for the benefit of Ukrainian, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Ukrainian is used in identical or similar form					=

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

91. Pupils learning Ukrainian also study the history and culture reflected by the language as part of the compulsory curriculum. Other pupils learn about national and ethnic minorities, as well as the regional language only in the framework of subjects such as “Knowledge of society” (see above). This is not sufficient to learn about the history and culture reflected by the Ukrainian language in Poland as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g partly fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 11.1. b ii, 11.1.d, 12.1 b and 12.1 c. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. Taking into consideration the collection of books in Ukrainian of the National Library, the Committee of Experts considers the undertaking 12.1.g partly fulfilled. Cultural activities are organised also outside the area where Ukrainian is traditionally used (for example, the Bytowska Watra festival or the days of Ukrainian Theatre

in Olsztyn). The Committee of Experts considers the undertaking 12.2 fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

### **2.13.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Ukrainian in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>109</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

#### **I. Recommendations for immediate action**

- a. **Make education in Ukrainian available at pre-school, primary and secondary levels, including by providing the required teacher training and textbooks**
- b. **Take concrete measures to implement the ratified provisions of Article 10 regarding Ukrainian in all those local and regional administrative units where the speakers are traditionally present in sufficient numbers, even if they do not attain the 20% threshold**
- c. **Promote awareness and tolerance in Polish society as a whole vis-à-vis the Ukrainian language and the culture it represents, as an integral part of the cultural heritage of Poland**

#### **II. Further recommendations**

- d. Draw-up, in co-operation with the speakers, an action plan for the implementation of the Charter to Ukrainian
- e. Extend the teaching of Ukrainian as an integral part of the curriculum within technical and vocational education
- f. Take concrete measures to facilitate the creation of one public radio station and one public television channel in Ukrainian covering the territories in which Ukrainian is spoken
- g. Facilitate the broadcasting of private radio and television programmes in Ukrainian on a regular basis
- h. Ensure the long-term financial support to the cultural activities and institutions of the Ukrainian minority
- i. Encourage/facilitate the use of Ukrainian in economic and social life

<sup>109</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).

## 2.14 Yiddish

### 2.14.1 Compliance of Poland with its undertakings under the European Charter for Regional or Minority Languages concerning the protection and promotion of Yiddish

Symbols used to mark changes in the evaluation compared to the previous monitoring cycle: ↗ improvement ↘ deterioration = no change

<b>The Committee of Experts considers the undertaking*:</b>						
Article	Undertakings of Poland concerning Yiddish <sup>110</sup>	fulfilled	partly fulfilled	formally fulfilled	not fulfilled	no conclusion
<b>Part II of the Charter</b>						
<i>(Undertakings which the state must apply to all regional or minority languages within its territory)</i>						
<b>Art. 7 – Objectives and principles</b>						
7.1.a	recognition of Yiddish as an expression of cultural wealth	=				
7.1.b	ensure that existing or new administrative divisions do not constitute an obstacle to the promotion of Yiddish					= 111
7.1.c	resolute action to promote Yiddish				=	
7.1.d	facilitation and/or encouragement of the use of Yiddish, in speech and writing, in public life (education, judicial authorities, administrative authorities and public services, media, cultural activities and facilities, economic and social life, transfrontier exchanges) and private life		=			
7.1.e	<ul style="list-style-type: none"> <li>• maintenance and development of links, in the fields covered by this Charter, between groups in the State using Yiddish</li> <li>• establishment of cultural relations with other linguistic groups</li> </ul>	=				
7.1.f	provision of forms and means for the teaching and study of Yiddish at all appropriate stages				=	
7.1.g	provision of facilities enabling (also adult) non-speakers of Yiddish to learn it		=			
7.1.h	promotion of study and research on Yiddish at universities or equivalent institutions	=				
7.1.i	promotion of transnational exchanges, in the fields covered by this Charter, for the benefit of Yiddish				=	
7.2	eliminate any unjustified distinction, exclusion, restriction or preference relating to the use of Yiddish	=				
7.3	<ul style="list-style-type: none"> <li>• promote mutual understanding between all the linguistic groups of the country</li> <li>• promote the inclusion of respect, understanding and tolerance in relation to Yiddish among the objectives of education and training</li> <li>• encourage the mass media to include respect, understanding and tolerance in relation to Yiddish among their objectives</li> </ul>		=			
7.4	<ul style="list-style-type: none"> <li>• take into consideration the needs and wishes expressed by the group which uses Yiddish</li> <li>• establish a body for the purpose of advising the authorities on all matters pertaining to Yiddish</li> </ul>	=				
<b>Part III of the Charter</b>						
<i>(Additional undertakings chosen by the state for specific languages)</i>						
<b>Art. 8 – Education</b>						
8.1.ai	make available pre-school education in Yiddish				=	
8.1.bi	make available primary education in Yiddish				=	
8.1.ci	make available secondary education in Yiddish				=	
8.1.diii	provide, within technical and vocational education, for the teaching of Yiddish as an integral part of the curriculum				=	
8.1.eii	provide facilities for the study of Yiddish as a university and higher education subject	=				
8.1.g	ensure the teaching of the history and the culture which is reflected by Yiddish				↗	
8.1.h	provide the basic and further training of the teachers teaching (in) Yiddish				=	

<sup>110</sup> In order to facilitate readability, the provisions of the Charter appear here in a shortened and simplified form. The complete version of each provision can be consulted on the website of the Treaty Office: <http://www.coe.int/en/web/conventions/> (treaty No. 148).

<sup>111</sup> As Yiddish is a non-territorial language according to the ratification by Poland, the undertaking is not applicable.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Yiddish<sup>110</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
8.1.i	set up a supervisory body responsible for monitoring the progress achieved in the teaching of Yiddish and for drawing up public periodic reports of its findings				=	
8.2	in territories other than those in which Yiddish is traditionally used, allow, encourage or provide teaching in or of Yiddish at all the appropriate stages of education					= 112
<b>Art. 9 – Judicial authorities</b>						
9.2.a	not to deny the validity of legal documents solely because they are drafted in Yiddish	=				
<b>Art. 10 – Administrative authorities and public services</b>						
10.2.b	possibility for users of Yiddish to submit oral or written applications in Yiddish to the regional or local authority				=	
10.2.g	use or adoption, if necessary in conjunction with the name in the official language, of place names in Yiddish				=	
10.5	allow the use or adoption of family names in Yiddish	↗		=		
<b>Art. 11 – Media</b>						
11.1.a.ii	encourage and/or facilitate the creation of at least one public radio station and one public television channel in Yiddish				=	
11.1.a.iii	make provision so that public broadcasters offer radio and television programmes in Yiddish <sup>113</sup>					
11.1.b.ii	encourage and/or facilitate the broadcasting of private radio programmes in Yiddish on a regular basis				=	
11.1.c.ii	encourage and/or facilitate the broadcasting of private television programmes in Yiddish on a regular basis				=	
11.1.d	encourage and/or facilitate the production and distribution of audio and audiovisual works in Yiddish					✓
11.1.ei	encourage and/or facilitate the creation and/or maintenance of at least one weekly or daily newspaper in Yiddish				=	
11.1.f.ii	apply existing measures for financial assistance also to audiovisual productions in Yiddish					=
11.1.g	support the training of journalists and other staff for media using Yiddish					✓
11.2	<ul style="list-style-type: none"> <li>• guarantee freedom of direct reception of radio and television broadcasts from neighbouring countries in Yiddish</li> <li>• do not oppose the retransmission of radio and television broadcasts from neighbouring countries in Yiddish</li> <li>• ensure the freedom of expression and free circulation of information in the written press in Yiddish</li> </ul>	=				
11.3	ensure that the interests of the users of Yiddish are represented or taken into account within bodies guaranteeing the freedom and pluralism of the media					✓
<b>Art. 12 – Cultural activities and facilities</b>						
12.1.a	encourage production, reproduction and dissemination of cultural works in Yiddish	=				
12.1.b	foster access in other languages to works produced in Yiddish by aiding and developing translation, dubbing, post-synchronisation and subtitling	=				
12.1.c	foster access in Yiddish to works produced in other languages by aiding and developing translation, dubbing, post-synchronisation and subtitling				=	
12.1.d	ensure that the bodies organising or supporting cultural activities incorporate the knowledge and use of the Yiddish language and culture in the undertakings which they initiate or for which they provide backing		↗			
12.1.e	ensure that the bodies organising or supporting cultural activities have at their disposal staff who have a full command of Yiddish	=				
12.1.f	encourage direct participation by representatives of the users of Yiddish in providing facilities and planning cultural activities		↗			

<sup>112</sup> As Yiddish is a non-territorial language according to the ratification by Poland, the undertaking is not applicable.

<sup>113</sup> As Articles 11.1.a.ii and 11.1.a.iii constitute alternative options, the Committee of Experts will not evaluate the implementation of Article 11.1.a.iii.

<b>The Committee of Experts considers the undertaking*:</b>						
<b>Article</b>	<b>Undertakings of Poland concerning Yiddish<sup>110</sup></b>	<b>fulfilled</b>	<b>partly fulfilled</b>	<b>formally fulfilled</b>	<b>not fulfilled</b>	<b>no conclusion</b>
12.1.g	encourage and/or facilitate the creation of a body responsible for collecting, keeping a copy of and presenting or publishing works produced in Yiddish	=				
12.2	In territories other than those in which Yiddish is traditionally used, allow, encourage and/or provide cultural activities and facilities using Yiddish					= 114
12.3	make provision, in cultural policy abroad, for Yiddish and the culture it reflects	↗				
<b>Art. 13 – Economic and social life</b>						
13.1.b	prohibit the insertion in internal regulations of companies and private documents of any clauses excluding or restricting the use of Yiddish	↗				
13.1.c	oppose practices designed to discourage the use of Yiddish in connection with economic or social activities	=				
13.1.d	facilitate and/or encourage the use of Yiddish in economic and social life					✓
13.2.b	in the public sector, organise activities to promote the use of Yiddish in economic and social life					✓
<b>Art. 14 – Transfrontier exchanges</b>						
14.a	apply bilateral and multilateral agreements with the States in which Yiddish is used in identical or similar form, or conclude such agreements, to foster contacts between the users of Yiddish in the States concerned in the fields of culture, education, information, vocational training and permanent education					=
14.b	for the benefit of Yiddish, facilitate and/or promote co-operation across borders, in particular between regional or local authorities in whose territory Yiddish is used in identical or similar form				=	

\* The Committee of Experts of the European Charter for Regional or Minority Languages evaluates the compliance of States Parties with their undertakings under the Charter as follows:

**Fulfilled:** Policies, legislation and practice are in conformity with the Charter.

**Partly fulfilled:** Policies and legislation are wholly or partly in conformity with the Charter, but the undertaking is only partly implemented in practice.

**Formally fulfilled:** Policies and legislation are in conformity with the Charter, but there is no implementation in practice.

**Not fulfilled:** No action in policies, legislation and practice has been taken to implement the undertaking.

**No conclusion:** The Committee of Experts is not in a position to conclude on the fulfilment of the undertaking as no or insufficient information has been provided by the authorities.

### Changes in the evaluation compared to the previous monitoring cycle

92. Yiddish is not taught as a minority language in Polish schools. Therefore, teaching of the history and culture reflected by Yiddish is not provided. The information about national and ethnic minorities, as well as the regional language in the framework of subjects such as “Knowledge of society” (see above) is not sufficient to learn about the history and culture reflected by the Yiddish language in Poland, as required by Article 8.1.g. The Committee of Experts therefore considers the undertaking 8.1.g not fulfilled. The Committee of Experts has not received any information about practical difficulties to use or adopt names in Yiddish. It therefore considers the undertaking 10.5 fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 11.1.d. According to the information available, no training of journalists and other staff for media using regional or minority languages has been organised. The Committee of Experts therefore considers the undertaking 11.1.g not fulfilled. According to the information available, there are no mechanisms in place ensuring that the interests of the regional or minority language speakers are represented or taken into account in the bodies responsible for guaranteeing the freedom and pluralism of the media. The Committee of Experts therefore considers the undertaking 11.3 not fulfilled. The *Estera Rachel and Ida Kamińska Jewish Theatre in Warsaw - Centre for*

<sup>114</sup> As Yiddish is a non-territorial language according to the ratification by Poland, the undertaking is not applicable.

*Yiddish Culture* organises numerous cultural activities which incorporate the knowledge and use of Yiddish. The Committee of Experts considers the undertaking 12.1.d partly fulfilled. Yiddish speakers participate in the planning and organisation of such cultural activities. The Committee of Experts considers the undertaking 12.1.f partly fulfilled. A special component dedicated to “Poles and Jews – common heritage and future” has been included in the “Public Diplomacy” open competitions of the Polish Ministry of Foreign Affairs since 2019 and events promoting the Jewish culture have been organised abroad. These include the 2019 Singer’s Warsaw festival in New York, the YIDDISH Festival of the Culture of Polish Jews organised in Georgia in 2019 and a conference promoting the Jewish heritage in Poland organised in London. Therefore, the Committee of Experts considers the undertaking 12.3 fulfilled. On the basis of the information received from the authorities on the Polish legal framework and its interpretation, and in the absence of any complaints on this matter, the Committee of Experts considers the undertaking 13.1.b fulfilled. The Committee of Experts does not have sufficient updated information to conclude on the fulfilment of Article 13.1. d and 13.2.b.

#### **2.14.2 Recommendations by the Committee of Experts on how to improve the protection and promotion of Yiddish in Poland**

The Committee of Experts encourages the Polish authorities to comply with all undertakings under the European Charter for Regional or Minority Languages which are not considered “fulfilled” (see under 2.1.1 above), as well as to continue to comply with those that are fulfilled. In doing so, the authorities should take particular account of the recommendations set out below. The recommendations by the Committee of Ministers of the Council of Europe on the application of the Charter in Poland<sup>115</sup> remain valid in their own right. Recommendations made in the monitoring procedure of the Charter aim to support the authorities in the implementation process.

##### **I. Recommendations for immediate action**

**a. Draw up, in co-operation with the minority, an action plan for the revitalisation of Yiddish, in particular by introducing teaching in/of Yiddish at all appropriate levels**

##### **II. Further recommendations**

- b. Take measures to facilitate the use of Yiddish in the media (broadcasting media, online and print media, audiovisual works)
- c. Encourage the use of Yiddish in public signage
- d. Ensure the long-term financial support of the cultural activities and institutions promoting Yiddish
- e. Encourage/facilitate the use of Yiddish in economic and social life

<sup>115</sup> CM/RecChL(2015)6 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805c2662](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805c2662)); CM/RecChL(2011)4 ([https://search.coe.int/cm/Pages/result\\_details.aspx?ObjectId=09000016805cb864](https://search.coe.int/cm/Pages/result_details.aspx?ObjectId=09000016805cb864)).



### **Chapter 3 [Proposals for] Recommendations of the Committee of Ministers of the Council of Europe**

The Committee of Experts, while acknowledging the efforts the Polish authorities have undertaken to protect the regional and minority languages spoken in their country, has in its evaluation chosen to concentrate on some of the most important deficiencies in the implementation of the Charter. The recommendations forwarded by the Committee of Experts to the Committee of Ministers should not, however, be interpreted as diminishing the relevance of the other, more detailed observations contained in the report, which remain valid in their own right. The recommendations proposed by the Committee of Experts are drafted accordingly.

The Committee of Experts of the European Charter for Regional or Minority Languages, in accordance with Article 16 (4) of the Charter, proposes on the basis of the information contained in this report, that the Committee of Ministers makes the following recommendations to Poland.

The Committee of Ministers,

In accordance with Article 16 of the European Charter for Regional or Minority Languages;

Bearing in mind the instrument of ratification deposited by Poland on 12 February 2009;

Having taken note of the evaluation made by the Committee of Experts of the Charter with respect to the application of the Charter by Poland;

[Having taken note of the comments submitted by the Polish authorities on the content of the report of the Committee of Experts;]

Bearing in mind that this evaluation is based on information submitted by Poland in its third periodical report, supplementary information given by the Polish authorities, information submitted by bodies and associations legally established in Poland and on the information obtained by the Committee of Experts during its on-the-spot visit;

Recommends that the Polish authorities take account of all the observations and recommendations of the Committee of Experts and, as a matter of priority:

1. strengthen efforts to promote awareness and tolerance in Polish society as a whole in relation to the regional or minority languages and the cultures they represent;
2. reconsider the application of the 20% threshold with regard to the undertakings in Article 10 and create the legal possibility of submitting oral or written applications in the regional or minority languages, also in districts and voivodships;
3. make available education with Belarusian, German, Kashub, Lemko and Ukrainian as the medium of instruction at pre-school, primary and secondary levels;
4. provide the basic and further training of a sufficient number of teachers for regional or minority language education, as well as updated textbooks and other teaching materials;
5. take measures to strengthen the offer of broadcasting in all regional or minority languages;
6. establish, in close co-operation with the speakers concerned, a structured policy and take flexible measures facilitating the application of the Charter to Armenian, Czech, Karaim, Romani, Russian, Slovak,

Tatar and Yiddish. The Committee of Ministers invites the authorities of Poland to submit their fourth periodical report by 1 June 2022.<sup>116</sup>

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<sup>116</sup> See Committee of Ministers' Decisions CM/Del/Dec(2018)1330/10.4e, and "Outlines for the periodical reports on the implementation of the European Charter for Regional or Minority Languages to be presented by the States Parties", CM(2019)69-final.

## Appendix I: Instrument of Ratification



Poland

### **Declaration contained in the instrument of ratification deposited on 12 February 2009 - Or. Engl.**

The Republic of Poland declares that it shall apply the Charter in accordance with the Act on national and ethnic minorities and on regional language, dated 6 January 2005.

**Period covered: 01/06/2009 -**

Articles concerned : 1

### **Declaration contained in the instrument of ratification deposited on 12 February 2009 - Or. Engl.**

The Republic of Poland declares, in accordance with Article 3, paragraph 1, of the European Charter for Regional or Minority Languages that, within the meaning of the Charter, minorities languages in the Republic of Poland are: Belorussian, Czech, Hebrew, Yiddish, Karaim, Kashub, Lithuanian, Lemko, German, Armenian, Romani, Russian, Slovak, Tatar and Ukrainian.

The regional language is the Kashub language. The national minorities languages are Belorussian, Czech, Hebrew, Yiddish, Lithuanian, German, Armenian, Russian, Slovak and Ukrainian. The ethnic minorities languages are Karaim, Lemko, Romani and Tatar. The non-territorial languages are Hebrew, Yiddish, Karaim, Armenian and Romani.

**Period covered: 01/06/2009 -**

Articles concerned : 3

### **Declaration contained in the instrument of ratification deposited on 12 February 2009 - Or. Engl.**

The Republic of Poland declares, in accordance with Article 2, paragraph 2 of the Charter, that the following provisions of Part III of the Charter will be applied for the languages listed above:

#### Article 8

Paragraph 1 a (i), b (i), c (i), d (iii), e (ii), g, h, i,  
Paragraph 2;

Article 9

Paragraph 2 a;

Article 10

Paragraph 2 b, g,

Paragraph 5;

Article 11

Paragraph 1 a (ii), (iii), b (ii), c (ii), d, e (i), f (ii), g,

Paragraph 2,

Paragraph 3;

Article 12

Paragraph 1 a, b, c, d, e, f, g,

Paragraph 2,

Paragraph 3;

Article 13

Paragraph 1 b, c, d,

Paragraph 2 b;

Article 14

Subparagraphs a, b.

**Period covered: 01/06/2009 -**

Articles concerned : 2

The Committee of Experts of the European Charter for Regional or Minority Languages is an independent body that evaluates the compliance of the States Parties with their undertakings and, where appropriate, encourages them to gradually reach a higher level of commitment.

The European Charter for Regional or Minority Languages, adopted by the Committee of Ministers of the Council of Europe on 25 June 1992 and entered into force on 1 March 1998, is the European convention for the protection and promotion of regional and minority languages. It is designed to enable speakers to use them both in private and public life and obliges the States Parties to actively promote the use of these languages in education, courts, administration, media, culture, economic and social life, and cross-border co-operation.

Regional or minority languages are part of Europe's cultural heritage and their protection and promotion contribute to the building of a Europe based on democracy and cultural diversity.

*The text of the Charter is available in over 50 languages.*

**[www.coe.int/minlang](http://www.coe.int/minlang)**

**[www.coe.int](http://www.coe.int)**

The Council of Europe is the continent's leading human rights organisation. It comprises 47 member states, including all members of the European Union. All Council of Europe member states have signed up to the European Convention on Human Rights, a treaty designed to protect human rights, democracy and the rule of law. The European Court of Human Rights oversees the implementation of the Convention in the member states.