

EWA GODLEWSKA
Lublin

NATIONAL AND ETHNIC MINORITIES IN POLAND IN THE OPINIONS OF THE ADVISORY COMMITTEE OF THE COUNCIL OF EUROPE

The aim of this article is to analyse the Polish legal order, taking into consideration changes introduced since Poland ratified the Framework Convention for the Protection of National Minorities. A review of both positive and negative aspects of the present situation will facilitate the assessment of regulations in force. It will also give us a better insight into problems which are still faced by national and ethnic minorities living in Poland. Due to the scope of the article, it is hardly possible to present the subject matter in a comprehensive way and, therefore, the focus is on issues judged by me to be critical, namely on areas where the most rapid progress can be observed and on those which evoke most controversy and appear to be most difficult in practice.

PRELIMINARY ISSUES

Poland is a state almost uniform in terms of ethnicity. National and ethnic minorities constitute about 3.5% of the population and that percentage is one of the lowest in Europe. According to the 2011 national census, the number of people of homogeneous Polish identity¹ was 36,157 thousand, i.e. 93.9% of the entire population. About 842 thousand people (2.19%) declared both Polish identity and other national or ethnic identities, while 562 thousand (1.46%) declared only non-Polish national or ethnic affiliation. In the latter group, 38 thousand people declared two non-Polish affiliations.²

If we sum up the above figures, in Poland, 96.1% of its population has the Polish identity and the identity of 3.65% is non-Polish. The remaining percentage includes persons whose identity could not be established because of, for instance, their stay abroad for at least 12 months.

¹ In the 2011 national census, for the first time in history, Polish residents could declare complex national and ethnic identities as two questions about their national and ethnic affiliations were asked.

² Narodowy spis powszechny ludności i mieszkań 2011. Raport z wyników [National census of population and housing 2011. Report of results], Central Statistical Office, Warszawa 2012, p. 105.

The biggest minorities are German, Ukrainian and Belarusian. The smallest are Slovak, Czech, Armenian, Tatar, and Karaim minorities.

In accordance with the Polish law, a given group must meet the following conditions to be recognised as a national or ethnic minority: its members have Polish citizenship, its membership is smaller than of the rest of the population of the Republic of Poland; its members significantly differ from other citizens in terms of language, culture and tradition; its members strive to maintain their language, culture and tradition; its members are aware of their own historical national community and wish to express and protect it; the members' ancestors inhabited the present territory of the Republic of Poland for at least 100 years.³

The only difference between national and ethnic minorities is the fact that the first identify themselves with a nation organised in their own state and ethnic minorities do not. At present, 9 groups have the status of national minorities⁴ and 4 groups are recognised ethnic minorities⁵. In addition, the Polish legislator recognised the Kashubian community as having their own regional language. The issue that still evokes strong emotions is that of Silesians. Their status has been disputed for years. Polish authorities consistently defend their position that the status of that group should be considered in a regional and not national context.⁶

At present, Poland is a country actively involved in the protection of national minorities. It is a party to a number of international conventions, the most important of which include the European Charter for Regional or Minority Languages and the Framework Convention for the Protection of National Minorities. The Charter is a European treaty adopted on 25 June 1992 by the Committee of Ministers of the Council of Europe. A few months later, on 5 November, it was opened for signature. The Charter entered into force on 1 March 1998.⁷

The preparation of the Framework Convention lasted until 1991, when, on 8 February, the European Commission for Democracy through Law⁸ submitted its

³ Such a definition is consistent with Article 2 of the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language, *Journal of Laws of 2005*, No. 17, item 141 (as amended).

⁴ They include the following minorities: Belarusian, Czech, Lithuanian, German, Armenian, Russian, Slovak, Ukrainian, and Jewish.

⁵ Those are Karaim, Lemko, Tatar, and Roma groups.

⁶ It is important to note that, according to results of the 2011 census, the Silesian community is the most numerous. 847 thousand people declared such an identity (in response to both questions), including 362 thousand people for whom it was their only identity.

⁷ The work on that document started to the end of the 1980s. In 1988, a draft Charter was first adopted as Resolution No. 192. The adoption took place during the 23rd session of the Standing Conference of Local and Regional Authorities of Europe. Then the text was adopted at the 14th session of the Parliamentary Assembly of the Council of Europe in the same year. See: G. Janusz, P. Bajda (2000), *Prawa mniejszości narodowych. Standardy europejskie*, Warszawa, pp. 44, 47.

⁸ The Commission was appointed to prepare the text of a document which would regulate issues related to national minorities. On 29 May 1990, it adopted a set of rules concerning national minorities. Another step was the presentation of the draft of the Convention which took place nearly a year later. During the work of the Commission, an idea was born to establish the European Committee for the

own draft. Another important moment was the draft approval by the Committee of Ministers of the Council, which took place at its 95th meeting on 10 November 1994. A few months later, on 1 February 1995, the Framework Convention was opened for signature. The Convention entered into force on 1 February 1998.⁹

Poland is a signatory of both documents. Poland signed the Charter on 12 May 2003 and ratified it on 12 February 2009. A few months later, on 1 June, the Charter came into force.¹⁰ The Framework Convention was signed by Poland on 1 February 1995 and ratified on 20 December 2002. It entered into force on 1 April 2001.¹¹

THE ROLE OF THE ADVISORY COMMITTEE ON THE FRAMEWORK CONVENTION

The control system of the Framework Convention consists in reports prepared by States and submitted one year after the ratification and then every fifth year.¹² Reports are subject to review by the Advisory Committee.

The Committee is, in fact, a group of eighteen independent experts appointed for four years. Their role is to evaluate the implementation of the Framework Convention in State parties on the basis of their reports and to advise the Committee of Ministers. This includes examination of the reports and meetings with interested entities (including minority representatives).

Rules of Procedure of the Advisory Committee¹³ were adopted on 29 October 1998 and approved by the Committee of Ministers of the Council of Europe on

Protection of Minorities. It was supposed to be a body additional to binding legal solutions which would exercise control by e.g. obliging the States to submit periodic reports on the implementation of the Convention or by reviewing voluntary petitions. Cf. J. Barcz (1992), *Ochrona mniejszości narodowych w systemie KBWE na tle standardów europejskich*, "Sprawy Międzynarodowe" No. 7-12, p. 160 and S. Kux (1992), *Międzynarodowe podejście do problemu mniejszości narodowych*, "Sprawy Międzynarodowe" No. 7-12, pp. 10-11.

⁹ G. Janusz, P. Bajda (2000), *op. cit.*, p. 47. More on the preparatory work in: S. Pawlak (2001), *Ochrona mniejszości narodowych w Europie*, Warszawa 2001, pp. 39-41.

¹⁰ <http://conventions.coe.int/Treaty/Commun/ChercheSig.asp?NT=148&CM=8&DF=&CL=ENG> (accessed: 30.12.2012).

¹¹ http://www.coe.int/t/dghl/monitoring/minorities/3_FCNMdocs/Table_en.asp#Poland (accessed: 30.12.2012).

¹² It should be underlined, however, that Article 25 of the Convention mentions only a report submitted one year after the ratification and submission of subsequent reports at the request of the Committee of Ministers of the Council of Europe. On 15 January 2003, the Committee adopted the rule of submitting subsequent reports every 5th year as part of the Outline for State Reports to be Submitted under the Second Monitoring Cycle, in Conformity with Article 25 Paragraph 1 of the Framework Convention for the Protection of National Minorities (Adopted by the Committee of Ministers on 15 January 2003 at the 824th meeting of the Ministers' Deputies) [http://www.coe.int/T/e/human_rights/Minorities/2_FRAMEWORK_CONVENTION_\(MONITORING\)/2_Monitoring_mechanism/2_Outlines_for_state_reports/ACFC-INF\(2003\)_001%20E%20Outline.asp](http://www.coe.int/T/e/human_rights/Minorities/2_FRAMEWORK_CONVENTION_(MONITORING)/2_Monitoring_mechanism/2_Outlines_for_state_reports/ACFC-INF(2003)_001%20E%20Outline.asp) (accessed: 12.04.2011).

¹³ Rules of Procedure of the Advisory Committee on the Framework Convention for the Protection of National Minorities, http://www.coe.int/t/dghl/monitoring/minorities/2_Monitoring/PDF_ACFC_RulesProcedure_en.pdf

16 December 1998. The internal structure and activities of the Advisory Committee are laid down there. The Committee is headed by the Presidium composed of the President and two Vice-Presidents. They are elected for a two-year term and may be re-elected. The official and working languages are English and French. Meetings of the Committee are held *in camera*, unless the Committee decides otherwise. The general rule (with few exceptions) is that decisions are taken by the ordinary majority of members present. A representative of the country the report of which is being assessed cannot vote in meetings devoted to its assessment.

In accordance with the adopted rules, the Committee may set up working parties or other subsidiary bodies. It may also request assistance of external experts and consultants. In addition, it can cooperate with other bodies of the Council of Europe.

Since the ratification, Poland prepared three reports in 2002, 2007 and 2012. The Advisory Committee presented its Opinions on the first two reports. The latest one, submitted under the third monitoring cycle, is under examination.

POSITIVE ASPECTS OF POLISH LEGAL SOLUTIONS

Having analysed the two Opinions issued by the Advisory Committee, Poland appears to be a country where the level of the protection of national minorities is high. Since the ratification of the Framework Convention, a number of changes have been introduced to national law expanding that protection substantially. The course of the changes should be assessed positively. The turning point was in 2005 when the Act on National and Ethnic Minorities and Regional Language was adopted and entered into force. That development was appreciated by the Advisory Committee. It has widened language rights, namely minority languages can be used in communication with public administration offices (as supporting auxiliary languages) and topographic signs can be bilingual. At present, such rights can be exercised by communes [the smallest administrative unit] where at least 20% of the population are members a minority.¹⁴

As far as auxiliary languages are concerned, substantial changes can be noticed. In its first Opinion of 27 November 2003, the Advisory Committee urged Poland to make its law compatible with Article 10.2 of the Framework Convention. The reason was that the Polish legal order did not provide for the use of minority languages in dealings with administrative authorities. That situation changed when the Act on National and Ethnic Minorities entered into force. The possibility of using

¹⁴ The legislator specifies additional requirements e.g. the requirement that such a commune is entered in the Official Register of Municipalities where an Auxiliary Language is Used and in the Official Register of Municipalities on whose Territory Names in a Minority Language are Used provided that such a motion has been approved by the Committee for Names of Localities and Physiographical Objects. The legislator banned using names given in 1933-1945 by authorities of the Third Reich and of the Union of Soviet Socialist Republics.

auxiliary languages was positively assessed in the second Opinion of the Advisory Committee which was announced on 20 March 2009.¹⁵ Regulations on bilingual topographic signs were also welcomed.

With the adoption of the Act on minorities, Poland joined the group European States which earlier similarly regulated the status of minorities inhabiting their respective territories.

The Act on minorities also established the Joint Commission of the Government and National and Ethnic Minorities. The Commission has a wide range of consultative prerogatives and is an important link between authorities and representatives of minorities. Before the Joint Commission was introduced there was a Team for National Minorities¹⁶ which, in the opinion of the Advisory Committee, had very limited competences. Its role was primarily symbolic and did not include social dialogue as the Team members were representatives of the government only. The establishment of the Joint Commission was thus a significant qualitative change promising good prospects of lasting cooperation between representatives of both authorities and minorities.¹⁷

The two Opinions issued by the Advisory Committee pointed out other positive changes too. The most important of them include the strengthening of intercultural dialogue, the setting up of the Government structure for combating discrimination, improvements in education, and stronger efforts addressing difficulties experienced by the Roma minority.

The Advisory Committee noted the multifaceted nature of activities undertaken by Polish authorities to counteract racist, xenophobic and anti-Semitic attitudes. It gave positive examples of commemoration events in Jedwabne in 2001 and in Pawłokoma where, in 2006, Presidents of Poland and Ukraine commemorated the Ukrainian villagers killed by Poles during World War II. In 2004, a Team for Monitoring Racism and Xenophobia¹⁸ was established within the Ministry of the Interior and Administration. In the same year, Plenipotentiaries for Human Rights Protection were appointed at all Police Headquarters at the central and voivodship levels and in all police schools. Another important initiative was the National Programme for

¹⁵ Cf. Opinion on Poland, Advisory Committee on the Framework Convention for the Protection of National Minorities, Strasbourg 27 November 2003, ACFC/INF/OP/I(2004)005, and the Second Opinion on Poland, the Advisory Committee to the Framework Convention for the Protection of National Minorities, Strasbourg, 20 March 2009, ACFC/PO/II(2009)002.

¹⁶ The Team worked from 2002 to 2008 continuing the work of the former Inter-Departmental Team for National Minorities. The latter functioned from 1997 to 2001.

¹⁷ The Advisory Committee noted that the Commission, after a period of inactivity in the second half of 2007, resumed regular meetings in 2008 and that in the opinion of national minorities has been working well.

¹⁸ Starting from 23 December 2011, that unit is called the Team for Human Rights Protection. The name was changed along the widening of its competences and the division of the Ministry of the Interior and Administration into the Ministry of the Interior and the Ministry of Administration and Digitisation.

Counteracting Racial Discrimination, Xenophobia and Related Intolerance implemented in 2004-2009. It was aimed mainly at public administration, local authorities and law enforcement bodies. When indicating that the National Programme set a good example, the Advisory Committee recommended its continuation. On 29 October 2009 (that is after the Second Opinion of the Committee was issued), the Prime Minister agreed to continue the programme in 2010-2013.¹⁹

A most significant achievement was also the establishment of the Bureau of the Government Plenipotentiary for Equal Treatment in 2008. The Ordinance establishing the Plenipotentiary obliges it to combat discrimination on the grounds of gender, race, ethnic origin, nationality, religion or belief, political opinion, age, sexual orientation, civil and family status.

At this point, initiatives aimed at combating anti-Semitism in Poland are also worth noting. The Advisory Committee welcomed the support of the Polish authorities to the Museum of Jewish Culture in Tykocin, the Centre for Jewish Culture in Cracow and the initiative to support the construction of the Museum of the History of Polish Jews²⁰ in Warsaw, in a prestigious location in the immediate vicinity of the Monument of the Ghetto Uprising of 1943.

In its Second Opinion, the Advisory Committee underlined the positive role played by the Parliamentary National and Ethnic Minorities Committee “in stimulating public awareness of national minorities’ history, culture, tradition, as well as of their role played in Polish history and in current affairs”²¹.

During the second monitoring cycle, there were also positive changes in education. The Advisory Committee highlighted that the educational subsidy for each pupil/student belonging to a national minority was substantially increased and reached 150% of the applicable amount per student at a public school of the same type and in the same commune. Efforts to improve the situation of Roma children at Polish schools were intensified as well. One form of such activities was the introduction of Roma educational assistants and special scholarships. In addition, efforts were made to integrate Roma children and youth into ordinary schools and separate Roma classes were abolished.

There was also progress in the implementation of aid programmes for the Roma community. Examples include the Pilot Programme for the Roma Community in the Małopolskie Region in 2001-2003, and the ten-year Programme for the Roma Community in 2003-2013. The latter one is comprehensive and covers economic, social, political and cultural life. It aims particularly at improving the living conditions and education opportunities of the Roma community.

¹⁹ Report on the implementation of the National Programme for Counteracting Racial Discrimination, Xenophobia and Related Intolerance in 2004-2009, Warszawa 2010.

²⁰ The opening of the Museum (the date of which was changed several times) is expected in November 2014.

²¹ Second Opinion on Poland, p. 5.

The Advisory Committee commented also on the financial support for minorities, underlining that in Poland it kept growing steadily.²² In 2006, it amounted to PLN 114,961,749.60, in 2009 to PLN 195,877,902.16 and in 2011 to PLN 253,051,907.89.²³

NEGATIVE ASPECTS OF POLISH LEGAL SOLUTIONS

The two issued Opinions of the Advisory Committee included many negative comments. Some of them concerned the xenophobic or even racist attitudes still present in society. Despite increased efforts of Polish authorities to combat their manifestations, the results are frequently insufficient. The Committee noted cases of anti-Semitic graffiti and vandalised tomb-stones in Jewish cemeteries, incitement to racial hatred on the Internet and shouting anti-Semitic slogans and insults at public gatherings. Another dangerous phenomena is racism in sports facilities (mainly football stadiums), which rarely evoke any reaction on the part of referees or the law enforcement bodies.

As the Polish law strictly forbids all forms of discrimination and racism²⁴, the main complaint of the Advisory Committee addresses the gap between law and practice as well as the failure to provide victims of such crimes with appropriate assistance.

In the opinion of the Advisory Committee, there are still many negative stereotypes in Poland which are present in the media for example. They stigmatise mainly the Roma but also Ukrainians and Germans. In the case of the two latter groups, the Advisory Committee recommended to promote objective treatment of painful historical events.

Another problem are instances of provocative statements insulting members of minorities and statements conditioning respect for minority rights on reciprocity in neighbouring countries.

One of the latest examples confirming the above was a comment made by Jarosław Kaczyński, leader of Law and Justice right-wing party [Polish: Prawo i Sprawiedliwość, PiS], during his visit to Opole on 8 December 2012. He said that

²² It is not always the case. For instance, in its Third Opinion on Austria, the Advisory Committee expressed its concern with the fact that the amount of State subsidies for minorities did not change since 2001. At that time, it amounted to EUR 3,768 million. In 2007, it was EUR 3,843,578.18, and two years later it was EUR 3,803,895.95. Cf. Third Report of the Republic of Austria pursuant to Article 25 (2) of the Framework Convention for the Protection of National Minorities, Strasbourg 2011.

²³ The data comes from the three Reports on Poland submitted so far. The data refers to funds allocated for the support of minority cultures on the basis of the Act of 2005 and do not take include funds granted on general terms.

²⁴ At this point it is worth mentioning Article 32 of the Constitution of the Republic of Poland, Article 6 of the Act on National and Ethnic Minorities and Regional Language, Article 11 of the Labour Code, and Articles 256 and 257 of the Criminal Code.

the German minority in Poland should be guaranteed the same rights as Poles in Germany. At a public meeting, he said: "If Law and Justice comes to power, the following principle will be applied: as many rights for Germans in Poland as for Poles in Germany. The asymmetry will be abolished."²⁵ Kaczyński criticised "extensive privileges" granted to the German minority in Poland while Poles in Germany have been refused to be officially recognised as a minority and that Germany does not implement provisions of the Polish-German Treaty on Good Neighbourly Relations. Kaczyński added: "We cannot consent to Germanisation of Poles in Germany and to building a sense of superiority and arrogance by the German minority. The situation where Polish children are offered attractive educational programmes under the condition they adopt German as the main language of instruction is unbearable".²⁶ He expressed his support for the idea that the 5% election threshold should apply to the German minority but rejected a suggestion to increase the percentage of local minority population from 20% to 51% in the smallest administrative unit to have the right to display bilingual signs.

His statement led to a heated discussion in Poland. Representatives of the German minority in Poland strongly criticised the use of minority issues by PiS in the political game. Also members of the Parliamentary Committee on National and Ethnic Minorities expressed their concern with what Kaczyński said. According to the Committee, such attitudes jeopardise the consensus reached in Polish-German relations.

The Advisory Committee pointed out that the right to use the *auxiliary* language is limited. Although the introduction of auxiliary or supporting languages was a substantial achievement, the regulation applies to local self-government authorities only. The law does not provide for the right to use the minority language in contacts with the police, health care services, the post office or the State administration at the local level. In the opinion of the Advisory Committee, it is important that Polish authorities are more flexible in this respect. From analyses of opinions on other member states of the Council of Europe it follows that in many cases, the potential use of auxiliary languages is substantially greater. In Poland, there is still one more basic obstacle to exercising the right to use auxiliary languages. The Advisory Committee noted that, in accordance with the statutory requirements, a given municipality is entered in the Official Register of Municipalities where an Auxiliary Language is Used upon a resolution of the local Council. Thus the number of persons who declared their affiliation with a minority is 20% of all residents is not enough for a commune to be automatically entered in the Register. The required percentage is but a preliminary condition. In many other countries, municipalities or communes may exercise the right to officially use a minority language without meeting additional conditions.

The situation of the Roma minority is a separate issue. As it was already mentioned, it has substantially improved. However, despite increased efforts, the Roma

²⁵ After <http://www.nto.pl/apps/pbcs.dll/article?AID=/20121208/POWIAT01/121209592> (accessed: 23.12.2012).

²⁶ *Ibidem*.

people are still the minority particularly threatened with exclusion and social marginalisation. In the opinion of the Advisory Committee, of serious concern are health, employment and housing. Much progress has been achieved in education and a manifestation of which is, for instance, the almost complete abolition of separate Roma classes. Nevertheless, incidents of discrimination against that minority take place. In its Second Opinion, the Advisory Committee gave the example of the primary school in Maszkowice, where Roma children attending one of the few remaining segregated Roma classes were required to use a separate entrance to the building. In another case, a Roma educational assistant was not allowed to enter the teachers' room.²⁷ Another concern of the Advisory Committee has been that the Roma minority is not represented in elected bodies at all at any level within the State.

The status of Silesians is another issue repeatedly raised by the Advisory Committee. The dispute between State authorities and representatives of that group who want Silesians to be recognised as a minority was even brought to the European Court for Human Rights in Strasbourg.²⁸ The Advisory Committee does not have the authority to resolve the issue of Silesians but many a times it has called for a broader dialogue and a more open attitude on the part of the Polish government. In its Second Opinion, the Committee expressed its positive opinion about the 2008 initiative of the Parliamentary Committee on National and Ethnic Minorities to organise a public hearing on the identity, language aspirations and national identification of Silesians.²⁹ However, not much has changed since then. The Silesian issue is not a priority for the Parliamentary Committee. The problem has not met with a wide interest of the Parliament as a whole either. Recently, it was proposed to recognise the language of Silesians as a regional language like the Kashubian language but many experts point to formal difficulties. The Silesian language is treated as a dialect and *dialect* is a concept different from *regional language*.³⁰ In addition, the Silesian issue evokes much emotion and one may get an impression that there is an irrational worry about negotiating it.

CONCLUSIONS

In the light of the Advisory Committee's Opinions issued so far, Poland appears to be a country where national minorities are well established and their rights are respected in most cases. Minorities participate in social dialogue and are an increas-

²⁷ Cf. Second Opinion..., p. 16.

²⁸ See: The case of Gorzelik and others v. Poland, European Court of Human Rights, Complaint No. 44158/98.

²⁹ More in: Sprawozdanie z 30. posiedzenia Sejmowej Komisji Mniejszości Narodowych i Etnicznych z dnia 3 grudnia 2008.

³⁰ Pursuant to Article 1 of the European Charter for Regional or Minority Languages, "regional or minority languages" quote: "means languages that are: (i) traditionally used within a given territory of a State by nationals of that State who form a group numerically smaller than the rest of the State's population; and (ii) different from the official language(s) of that State; it does not include either dialects of the official language(s) of the State or the languages of migrants [...]".

ingly important partner for Polish authorities. Their status improved significantly in 2005 when the Act on National and Ethnic Minorities and Regional Language came into force. The introduction of language rights related to the use of auxiliary languages in public administration and bilingual topographic signs was a positive development. The Joint Commission of the Government and National and Ethnic Minorities was established and several major projects were implemented to combat discrimination, et cetera. Access to education and the media as well as the right to spell surnames and names consistently with their pronunciation in the native language do not provoke much controversy. There is some concern with little participation of minorities in public life, in particular at the central level. The situation at the local level is much better but it refers to some minorities only. Representatives of German, Ukrainian, Belarusian, Lemko and Lithuanian minorities were elected to local councils at all levels, i.e. commune/municipality, powiat (county) and voivodship (province/region) levels.

In Poland, historical experience has a huge impact on the situation of many minorities. That experience to a large extent determines local relations and perception of minorities. It is also the source of issues which have not been resolved yet. One of them is the lack of regulations on the return of property to Polish citizens belonging to Ukrainian and Lemko minorities who, in 1947, were forcibly resettled to northern and western parts of Poland by the communist regime.

Intolerance, discrimination, stereotypical perception of minorities and their marginalisation are still important issues. Some solutions applied in Poland differ from European standards. In case of the latter ones, there is a tendency to liberalise the law. One of its manifestations is the lowering of percentage requirements related to language rights.³¹ However, the Polish Act on national minorities is one of the youngest and normalisation of mutual relations takes time. The States which are currently liberalising their laws on national minorities can draw on their longer experience in that area. Generally, the approach and policy of Polish authorities should be assessed positively. In the light of the two Opinions of the Advisory Committee, it is not the Polish legislation which is a problem but a gap between law and practice. Thus it is not a change of law which is necessary but increased efforts to ensure that the existing rights can be exercised more fully and freely.

³¹ Austrian and Czech solutions are examples. In Austria, in 2001, the Federal Constitutional Tribunal (case ref. No.: G 213/01-18 and V 62, 63/01-18) decided that the 25% clause be replaced with a 10% threshold. The Czech law was liberalised in the same year. In the Act on the Rights of Members of National Minorities and on Amendment of Certain Other Acts (O právech příslušníků národnostních menšin a o změně některých zákonů, Sbirka Zákonů České Republiky No. 273/2001), the 20% requirement was reduced by half.

ABSTRACT

Poland now belongs to a group of countries which actively engage in the protection of national minorities. Poland is a party to numerous international conventions including the most important Framework Convention on the Protection of National Minorities. Since its ratification Poland submitted three reports in 2002, 2007 and 2012, in accordance with the monitoring procedure. The Advisory Committee issued its opinions on the first two. The latest report is under examination. In the light of the opinions issued, Poland appears to be a country where national minorities are well established and their rights are respected in a majority of cases. In 2005, the Act on National and Ethnic Minorities and Regional Language entered into force and since then their legal status improved significantly. The introduction of the right to use "auxiliary" minority languages in dealings with public administration and bilingual topographic signs were positive changes. The Joint Commission of the Government and National and Ethnic Minorities was established and several crucial projects with a view to counteract discrimination were implemented.



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INSTITUTE FOR WESTERN AFFAIRS
ul. Mostowa 27, 61-854 Poznań, Poland
phone: +48 61 852 28 54
fax: +48 61 852 49 05
e-mail: wydawnictwo@iz.poznan.pl

Migracje polityczne na ziemiach polskich (1939-1950)

[Political migrations on Polish territories
(1939-1950)]

Piotr Eberhardt

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During World War II and immediately after it, Polish lands were the site of massive forced relocations of civilian population. In total, nearly 30 million Poles, Germans, Jews and Ukrainians were resettled. Ruthlessness winners of consecutive stages of the war forced inhabitants who did not meet some criteria, be it of ethnicity, religion or social class, to leave their homeland, sometimes forever. Despite the passage of many decades, the issue is not only of a cognitive significance. It is a tool recurrently used in both domestic and international politics.

In a critical and eloquent way, Piotr Eberhardt analyses major forced political migrations which took the form of displacement, deportation, expulsion, escapes, or repatriation. He carefully tries to determine their scale, geographical directions, as well as their demographic and geopolitical consequences. Complex historical and demographic issues are communicated in a clear and concise way. Using abundant data, the author identifies the initiators and principal executors of resettlement policies. Numerous excellent number tables, maps and charts help the reader understand the scale and course of the processes described.