

## Fundamental rights

Polish legislation admits national minorities specific rights. The most important there are: the Constitution of the Republic of Poland, the Election Law, the Association Act, the Law on the Polish language, the Educational Act, the Regulation by the Minister of National Education on education sustaining national, ethnic and linguistic identity of pupils, members of national minorities, the Regulation by the same minister increasing educational subsidies to national minority schools by 20% and 50 % compared to other schools, the Act on Radio and Television, the Penal Code and the Law on the protection of personal information.

Poland has also adopted a number of international laws, which regulate, i.a., the rights of national minorities. They include: the Convention on the Protection of Human Rights and Fundamental Freedoms of November 4, 1950, the International Convention on Elimination of All Forms of Racial Discrimination of March 7, 1966, and the Convention on the Rights of the Child of November 20, 1989.

The major document that regulates national minority rights in Europe is the Framework Convention of the Council of Europe on Protection of National Minorities. Poland ratified the document on 10 November 2000. Our country became the side of the Convention on 1 April 2001. It is important to underline that on 12 May 2003 Poland signed the European Charter for regional or minority languages.

The provisions on the rights of individual national minorities are included in bilateral treaties which Poland has concluded with its neighbours.

The Polish law vests national minorities with the following fundamental rights:

- prohibition of any discrimination and ban on any organisations whose program of activities envisages or allows any form of racial and national hatred;
- freedom to preserve and develop their mother tongues;
- freedom to cherish their customs and traditions and to develop their own culture;
- the right to learn their mother tongue and to be instructed in their mother tongue;
- the right to unrestricted religious practice;
- the right to establish their own educational and cultural organisations, or the ones that protect religious identity;
- election privileges granted to election committees of minority organisations.

### **THE NATIONAL MINORITIES DIVISION IN THE DEPARTMENT OF DENOMINATIONS AND NATIONAL MINORITIES OF THE MINISTRY OF THE INTERIOR AND ADMINISTRATION**

The National Minorities Division was established as a part of the Ministry of the Interior and Administration in January 2000. Its main purpose is to deal with national minority issues, and in particular:

- to propose premises underlying the state's policy towards national minorities, in consultation with the representatives of other ministries;
- to prepare thematic overviews intended for the Parliament and the Senate of the Republic of Poland;
- to collaborate with local governments to ensure that local minority needs are met;
- to maintain on-going contacts with the leaders of individual national minority organisations and to provide them with assistance;
- to accept and examine any complaints regarding state administration decisions regarding national minority issues;
- to prepare opinions on legal acts pertaining to national minorities as part of the intra and interministerial consultation process;
- to prepare meetings of the Team for National Minorities.

### **TEAM FOR NATIONAL MINORITIES**

The Team on National Minorities was established on February 6, 2002 as an advisory body of Prime Minister. It continues the work of Interministerial Team on National Minorities that worked in the period 1997 – 2001.

The Team on National Minorities is composed of the representatives of ministries responsible for: interior affairs and administration, finance, education, labour and social support, justice, foreign affairs, the

Central Statistical Office, Council for the Protection of Memory of Struggle and Martyrdom, the European Integration Committee and Chairman of the Foreigners and Repatriates Office. The chairman of the Team is a vice-minister of the Interior and Administration, the vice-chairman is a vice-minister in the Ministry of Culture, and the secretary is the clerk in a Ministry of the Interior and Administration. National Minorities Division attends the Team. Within the Team was established: Sub-Team on Education of National Minorities (in 2001) and Sub-team for Roma Issues (in 2002).

The Team's main responsibilities are:

- to develop government measures to be taken with a view to creating adequate conditions for national minorities;
- to coordinate activities pursued by the government administration bodies dealing with national minority issues;
- to assess and propose solutions aimed at ensuring the rights and satisfying the needs of national minorities;
- to prevent any infringement of national minority rights;
- to prepare studies on the situation of national minorities in Poland;
- to publish and promote national minority issues and problems among the Polish public opinion.

Ministry of the Interior and Administration  
Department of Denominations and National Minorities  
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