



International Convention on the Elimination of All Forms of Racial Discrimination

Distr.: General
21 June 2012

Original: English

Committee on the Elimination of Racial Discrimination

Eighty-first session

6–31 August 2012

Consideration of reports submitted by States parties under article 9 of the Convention

Concluding observations of the Committee on the Elimination of Racial Discrimination: Poland

Addendum

Information received from the Government of Poland on the implementation of the concluding observations^{*}

[24 August 2010]

Reply to the recommendations contained in paragraph 4 of the concluding observations (CERD/C/POL/CO/19)

1. The main element of supporting the Roma community in Poland is the Programme for the Roma Community in Poland which was adopted by the resolution of the Council of Ministers on 19 August 2003 and has been conducted continually since 2004 by the Polish Government. The objective of the programme is its multi-annual character – it was drawn up for the years 2004-2013 with a possibility of continuation in the following years. Taking into consideration the experience in the previously carried out programme, the Ministry of Interior and Administration plans to start work in 2011 on drawing up a strategy of integration of the Roma community in Poland for the years 2014-2023. Another important element of supporting the Roma in Poland is the so-called “Roma component” of the Human Capital Operational Programme, financed from the funds of the European Social Fund, which is intended for implementation in 2007-2013.
2. The two programmes are aimed at preventing social exclusion of the Roma minority in Poland and fighting against poverty as well as the problem of transmission of poverty by

^{*} In accordance with the information transmitted to States parties regarding the processing of their reports, the present document was not edited before being sent to the United Nations translation service.

an improvement in using the economic, social and cultural rights, particularly in the field of education, employment and housing.

3. With regard to education, results of the monitoring of the seven-year period of implementation of the Programme for the Roma Community in Poland show that thanks to actions undertaken within the programme the number of children fulfilling the schooling obligation increased – in some voivodeships, all children covered by the said obligation attend school. Furthermore, the attendance as well as school results of the Roma children improved.

4. In 2009 the Ministry of National Education together with the Ministry of Interior and Administration (a department coordinating the country's policy towards the national and ethnic minorities in Poland) accepted a strategy of elimination of the so-called Roma classes. It was intended that since the school year 2009/2010 in Poland there would not be the intake into any of the five Roma classes functioning at that time, whereas pupils from those classes continuing the schooling obligation would receive educational support according to their needs (e.g. in the form of compensatory classes). In the school year 2009/2010 the Roma classes still functioned – until they were completely closed – in two primary schools (in Maszkowice and Ełk). The classes were attended by pupils who, due to their age, should learn on higher educational levels and by children with lowered learning requirements as well as by pupils with big educational arrears who were not promoted to the next class owing to the lack of progress or poor attendance records.

5. The Roma classes are intended to be completely closed in the school year 2010/2011.

6. The Ministry of Interior and Administration as the coordinator of the Programme for the Roma Community in Poland in this year carries out monitoring aimed at examining the scale of the issues connected with sending children of the Roma origin to kindergartens and special schools based on the decisions of psychological and pedagogical counselling centres.

7. Moreover, the Ministry of National Education took up the issue of referring the Roma pupils to special schools and worked out a project of the regulation concerning detailed rules of operation of public psychological and pedagogical counselling centres including the public specialist centres. In this project the following entry was suggested: "In order to issue a decision or an opinion concerning children and teenagers of the Roma origin it is necessary to take into account their unique qualities resulting from the two-cultural character of this community and its bilingualism. In the psychological examination there must be applied non-verbal and culturally unbiased tests. According to the conducted research and interviews with the Roma children, teenagers and their parents it is recommended to make use of the help of teachers supporting education of the Roma children and of assistants of the Roma education." Furthermore, in the project of the above-mentioned resolution in §4 it was suggested that psychological and pedagogical help in kindergartens and schools should be provided particularly on the initiative of an assistant of the Roma education or a teacher supporting education of pupils of the Roma origin.

8. It should be pointed out that in the school year 2008/2009 there were employed 92 Roma education assistants and 119 supporting teachers. In this respect, an important element of the actions taken in the field of raising the level of education of the Roma community is also an issuance of teaching packages and textbooks for those who work with the Roma children and teenagers.

9. Another significant group of tasks relating to education – carried out within the Programme for the Roma Community in Poland – are educational and teaching programmes for Roma parents and children including psychological and pedagogical counselling as well as extracurricular and compensatory classes. Most often by means of

additional compensatory classes in various subjects as well as specialist corrective-compensating and speech-therapy classes the Roma children and teenagers are provided with equal educational opportunities. The data collected from individual voivodeships indicates an increase in the number of children of the Roma origin using different forms of extracurricular classes. In the school year 2008/2009 in this type of activity regularly participated 1,677 Roma children, an average of 3.5% more than in the previous year.

10. There should be emphasized that in the years 2009 and 2010 there were continued actions supporting education of the Roma pupils within the implementation of the educational module of the government Programme for the Roma Community in Poland for the years 2004-2013.

11. In 2009, from the budget of the department, 700 000 PLN were spent on subsidizing 97 educational tasks proposed by 85 entities. The entities which carry out the activities commissioned by the department of education are usually local government institutions supervising schools in which the Roma pupils fulfil their schooling obligation and the Roma associations as well as organizations which operate for the benefit of the Roma community. The funds discussed are mainly spent on financial help enabling the Roma children's systematic attendance at kindergartens and "reception classes" by providing the most needy pupils requiring the biggest financial support with textbooks, school equipment, teaching aids and with accident insurance.

12. Moreover, there are also subsidized activities aimed at organizing summer camps and play centres, winter camps, scout camps, tourist trips as well as sports and recreational classes. In the school year 2008/2009, 943 Roma children participated in organized holiday (summer camps and play centres, winter camps and other organized forms of holiday). Furthermore, while carrying out the educational tasks of the Programme for the Roma Community in Poland, the Minister of Interior and Administration entrusted non-government organizations with implementation of the scholarship system for the Roma students and exceptionally talented pupils. In the period 2005-2009, approximately 100 students and about 50 extraordinarily gifted pupils were granted scholarships. Only in 2009 the scholarship programme covered 62 Roma students who received monthly grants of 500 PLN each and 14 Roma pupils who obtained one-time scholarships. A significant element of the actions taken for the purpose of integrating the Roma minority and fighting against social exclusion of this group is running after-school clubs which embrace not only young Roma people but also children and teenagers of non-Roma origin and promote a wide offer of additional cultural, music, sports and language learning classes. In 2009, 60 after-school clubs were financially supported in the territory of the whole country.

13. Apart from the foregoing actions conducted within the Programme for the Roma Community in Poland itself, there are also organized reading, writing and Polish language courses for adults. One of the Roma non-government organizations (Bahtale Roma Foundation, Poznań) runs a primary school for adults of the Roma nationality. Within the programme there is also a possibility of financing fees for continuing education or refund of the costs of commuting to an educational institution for people learning in adult schools.

14. Referring to the recommendation of the Committee aimed at making Polish government take actions on the enhancement of the availability of education in two languages, it seems that in the case of the Roma environment in Poland in a longer term we will not be able to talk about implementation to the system of education an obligation of learning the Roma language as a native language of the Roma minority (although there is such a legal and financial possibility used by other minorities). One of the most important reasons is the reluctance of the Roma environment to any form of promotion of their native language in the culture because of the taboo status of their language. This results in both the lack of programme bases and teachers of the Roma origin who could teach this language.

Other reasons are as follows: the multitude of the Roma language dialects existing in Poland and also lack of standardized spelling for this language.

15. The issue of educating the Roma teenagers is a subject matter of the actions taken by the inter-departmental working group related to education of children of different race and culture, organized by the Government Plenipotentiary for Equal Treatment together with the Minister of National Education. The group aims at sharing information and recommending actions which would let them fight against discrimination and isolation of such children in schools and at the same time would facilitate their efficient education. Apart from the representatives of the Minister of National Education and the Bureau of the Plenipotentiary of the Government for Equal Treatment in the works of the group participate representatives of the Centre for Development of Education (formerly the National In-service Teacher Training Centre), the Mazovian Education Office, the Ministry of Interior and Administration as well as the Office for Foreigners.

16. With regard to employment, according to the data collected in 2009, the unemployment rate among the Roma people in individual voivodeships fluctuated from 60 to 90%. Within the Programme for the Roma Community in Poland, 35 Roma people used the subsidized work. A significant supplement of the actions in this field was the organization of trainings improving and changing vocational qualifications as well as vocational consultancy, conducted mainly within the "Roma component" of the Human Capital Operational Programme financially supported from the funds of the European Social Fund.

17. In 2009, within the Programme for the Roma Community in Poland in the field of "standards of living" there were 73 tasks completed by 63 entities. Within this field in 2009, as many as 15 voivodeships carried out a number of tasks, which resulted in renovation of 548 flats. It must be mentioned that across the whole country in comparison with 2008, the dynamics of the renovation works increased by 29.6%. An important supplement of the actions within the scope of improvement in the housing situation of the Roma community was construction of social flats or flats bought in container buildings. The activities resulted in the construction of 35 new flats. Another significant task carried out in 2009 were works on improvement in the sanitary situation related to the installation of sewage and water supply systems in the flats, supply of running water and electric energy. As a result of the actions 37 flats were provided with a plumbing system.

18. However, since the last registration of citizens and flats in 2002 there has not been conducted any statistical research concerning particular ethnic and national groups (including the Roma people) and also research into the situation on the labour market in terms the ethnic origin. The information relating to the demographic and social-economic description of the population of Poland (including situation of the national and ethnic groups on the labour market) will be available on the basis of the next registration of the population which will be prepared in 2011. The registration will take into account an issue of nationality.

19. The tasks, e.g. within the protection of the rights of people belonging to the Roma community, are also carried out by the Human Rights Defender. In 2009, the defender took up field research into the current situation of this community and the level of complying with the rights of its members by public administration authorities. The actions concerned the issues of providing the Roma children and other under-age Roma people with access to education in public schools. Within the last research, in selected local government institutions there were made inspections aimed at e.g. the assessment of the local authorities' fulfilment of their responsibilities for providing children of the said nationality with appropriate, free from the symptoms of discrimination, access to education (such inspections were held in nine communes: Łącko, Bukowina Tatrzańska, Czarny Dunajec,

Bochnia, Dębica, Stalowa Wola, Elk, Suwałki and Zabrze). Special attention was paid to the functioning of the Roma classes the closure of which is monitored by the defender.

20. The difficult situation of the Roma community is a complex phenomenon. Overcoming this issue is a long-lasting process and – apart from funds and proper investments – requires further involvement from the public administration, local communities and – what is especially important – from the persons concerned.

21. One of the objectives of the above-mentioned Programme for the Roma Community in Poland is an improvement in living standards of the Roma people. Moreover, the Roma community is also provided with other programmes aimed at fighting against poverty (e.g. the Strategy of Social Policy for 2007-2013, the multi-annual Programme on the country's help in the field of feeding, the National Programme Social Security and Social Integration for 2008-2010). According to the Government of the Republic of Poland, the solutions which are being carried out now let us state that drawing up and implementation of new programmes on elimination of poverty among the Roma community do not seem to be necessary.

22. In 2011, there will be conducted the national census of residents and flats in Poland. It should be expected that the census's results will update the statistical data concerning the Roma community in Poland.

23. Analysis of international standards shows that it is not possible to collect sensitive data other than information specified in the legal provisions of a particular country. Therefore, there is no possibility of collecting data including information on ethnic origin or conducting research profiled in these terms.

24. However, it seems that the implementation by the Central Statistical Office of the research on the "special" groups of population (probably together with institutions particularly interested in this issue) could be carried out after the end of the national census of population the results of which would be a sampling frame for this type of research.

II. Reply to the recommendation contained in paragraph 6 of the concluding observations

25. For the purpose of efficiently fighting against racial crimes also at the preparation stage for committing the crime, in 2009, Article 256 of the Penal Code was amended. The amendment introduces in § 2 of Article 256 of the Penal Code criminalization of acts as making, gathering, storing, transporting, carrying or sending for the purpose of spreading written, printed, recorded, filmed etc. material containing the message specified in §1 of Article 256 §4 of the Penal Code, introduces the basis of obligatory ruling on the forfeiture of items used or intended for committing the crime defined in §1 or 2, including also items which do not belong to the perpetrator.

26. Police carries out a number of actions aimed at increasing awareness of the problem of discrimination and anti-Semitism. These activities are conducted mainly on the regional basis, but they are coordinated by the General Headquarters of Police by carrying out the officially approved directions of actions of the plenipotentiaries for the protection of human rights for the years 2010-2012 which took the form of a programme.

27. In one of the directions of the activities defined as "Strengthening tolerant attitudes and behaviour," activities such as the following are conducted or under preparation:

(a) Organization of all-Poland workshops devoted to the issue of tolerance and the fight against any kinds of prejudices, in view of the preparations for the EURO 2012 and implementation of applications and recommendations in the practical actions of Police;

(b) Organization of a working meeting with plenipotentiaries of the police chiefs of Police schools for the protection of human rights in order to check the programmes of vocational trainings concerning the scope of the issues within the protection of human rights and working out the methodology of teaching these aspects;

(c) Continuation in the field units of Police workshops making police officers sensitive to the issues of diversity, tolerance and anti-discrimination actions (together with the Ministry of Interior and Administration, the Office for Democratic Institutions and Human Rights, as well as the Helsinki Foundation for Human Rights);

(d) Regular gathering and processing for educational purposes the information on events, occurrences and crimes concerning the issues of discrimination and improper actions of Police (analysis and formulation of the suggestions of actions for the purpose of improvement in the quality and way of the operation of Police, both inside and outside);

(e) Visiting Police units aimed at assuring that the organizational climate is present and rights of police officers, civilian workers of Police and enquirers are obeyed during potential research;

(f) Organization of meetings with the management and police officers directed at discussing current examples of unprofessional behaviour of police officers on and off duty;

(g) Publication of articles in police magazines and other journals within the protection of human rights during actions taken by Police.

28. These activities occur within the existing network of 23 regular plenipotentiaries for the protection of human rights.

29. An important action related to fighting against hatred was and is the system implementation of cascade training, within vocational development for police officers, with curriculum worked out by a special team. The training called the Specialist course in preventing and fighting against hate crimes is carried out within the Law Enforcement Officers Programme on Combating Hate Crimes – LEOP. This programme is coordinated by the Ministry of Interior and Administration and implemented in the Police together with the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe (ODiHR, OSCE). The training includes the issue of recognizing hate crimes, appropriate reaction to them and counteracting such acts. A series of training sessions started with courses for trainers in November 2009 and currently is being carried out on the local level. So far, 39 trainers have completed practical classes and now the trainers teach across voivodeships. The programme is very popular with police officers who after returning to their parent units train their colleagues.

30. During the programme classes on all stages of education for police officers there are discussed anti-discrimination issues (basic course, specialist courses and trainings for graduates of higher education schools and within the direction “internal safety” – within the subject of human rights and ethics of the officers of state service, for police officers and civilian students). Moreover, these classes are not only theoretical, but are also conducted in the so called interactive form based on an anti-discrimination textbook for police officers (worked out by the Pro Humanum in 2009). Additionally, the trainings are devoted to the issues of fighting against hate crimes.

31. Fulfilling the recommendation of the Commissioner for Human Rights of the Council of Europe contained in the Memorandum addressed to the Government of the Republic of Poland in 2007, concerning the protection of historic buildings and cemeteries of minorities out of respect for them and for the purpose of protecting the joint heritage, the Police carried out local action plans for 2008-2009 directed at special protection of historic buildings and cemeteries of minorities. Those who coordinated the activities were plenipotentiaries Voivodeship Police Headquarters, Warsaw Metropolitan Police for the

protection of human rights. To the basic forms and methods of actions belonged and belong: workshops for police officers and other people employed in the Police (in which also representatives of non-government organizations became involved), participation in training and conferences organized by external entities, drawing up educational materials (brochures, leaflets, guidebooks), running together with non-government organizations informational and educational actions directed to residents as well as organization of informational meetings for people looking after cemeteries and students. The topic relating to anti-discrimination and importance of the protection of memorial sites, historic buildings and cemeteries was included in the trainings and meetings with school children, conducted by police officers dealing with criminal prevention. Due to the too short functioning period of the local plans, yet there is no possibility of objective assessment of the impact of the foregoing actions on the decrease in crimes and pathology. However, police officers' awareness of discrimination, their sensitivity to its manifestations as well as their awareness of the ways of counteracting racially motivated increased. This initiative will be continued and developed in the future. All the time there is carried out cooperation with cemeteries' administrators aimed at eliminating devastation of monuments and cemeteries of minorities. There is also conducted cooperation with churches and religious associations (including particularly protection of sacred buildings) and also with the Voivodship Conservators of Historic Buildings and the National Heritage Board of Poland.

32. Moreover, there were taken other actions of regional character:

(a) Appointment of training teams carrying out practical classes for police officers from the field units concerning tolerance, human rights and fight against stereotypes;

(b) Working out, on the regional level, an educational guidebook relating to hate crimes which was delivered to police officers from the field units in Poland;

(c) Entering into cooperation with research workers of some of the higher education schools within which there is conducted a series of meetings for students concerning human rights, discrimination and hate crimes;

(d) Accomplishment of the programme entitled Integrated Academic Safety System whose main objective is protection of foreign students and practical classes for trainers responsible for conducting trainings within the subject programme on the local level;

(e) Participation in the social campaign called Because I was a stranger related to integration of foreigners in the Polish society;

(f) Entering into cooperation with the Regional Network for Supporting Emigrants in relation to assistance with integration into the Polish society;

(g) Implementation, together with the Polish Radio, of the preventive programme Patrol-Human Rights – an initiative within which there were run 11 radio programmes on human rights – in order to increase confidence in the Police and show the sense in notifying about crimes. Each radio programme comprises two parts:

(i) Preparation of the materials – participation in the preventive patrol;

(ii) Commentary on the recoding in the studio of the radio, and then participation in the live programme. The subject undertaking also concerns the action which promotes a positive image of Police. Moreover, the recorded radio programme serves as a training material. On its basis there are discussed specific actions taken by police officers and difficulties in the field of human rights;

(h) Permanent recognition of nationalist, anarchist and other groups through prompt reactions of police officers in the event of disclosure of activities which endanger any social, nationalist or religious group. Police officers are systematically familiarized with among others discrimination acts described in the police bulletin. During training and briefings, police officers are made sensitive to the delicate character of the issues concerning racial discrimination and necessity to take decisive actions in the event of disclosing or receiving information on acts of intolerance;

(i) Monitoring the issues related to discrimination on the basis of information obtained via the media, the Internet or from residents as well as anonymous information (local Internet sites, commentaries in the electronic media and in the social forums are controlled with particular attention paid to anti-Semitic content);

(j) Taking preventive actions aimed at fighting against racism, racial discrimination and xenophobia in particular by promoting the idea of human rights and educational activities in the field of human rights including the so called international education. During meetings with the society special attention is paid to shaping and developing awareness of all social groups in order to create atmosphere of tolerance and respect for human rights as well as cultural diversity;

(k) Cooperation with representatives of non-government organizations within increasing the standards of protection of human rights including the prevention of discrimination (Polish Humanitarian Organization, Amnesty International, Field Committees for the Protection of Children Rights, the Foundation Ocalenie, Foundation La Strada, among others);

(l) Creation, on the regional level, of guidelines for Police units on the necessity of considering discrimination motives during the qualification of prohibited acts.

33. With regard to improvement in the effectiveness of prosecution and punishment of hate racial crimes, on 16 October 2009, all Public Prosecutors of Appeal received a letter with a request to make the organizational units subordinate to the Public Prosecutor's Offices undertake any possible and more efficient actions in connection with the alarming increase in racial crimes recorded since the beginning of 2008 which at the same time was not accompanied by the rise in the number of detected perpetrators. It was also advised to take actions within the non-penal activities relating to the applications of the Public Prosecutor's Office for banning organizations operating against Polish law and promoting racial hatred and discrimination provided that such organizations would be subject to criminal proceedings conducted against them and the evidence collected during these proceedings would suggest this type of activity. In this field, it is considered to take actions aimed at filing an application for making the political party "National Rebirth of Poland" (Narodowe Odrodzenie Polski) and the nationalist association "Zadruga" (Nacjonalistyczne Stowarzyszenie Zadruga) illegal.

34. The information received from the particular Appellate Public Prosecutor's Offices shows that proceedings concerning racial crimes are subject to monitoring and strengthened internal official supervision. Cases in which there were made legally valid decisions on their discontinuance or on the refusal to start proceedings are systematically checked. Files of the conducted preparatory proceedings concerning racial crimes are each time analyzed with regard to the necessity of filing an application for banning the organizations operating against Polish law. These cases are still monitored by the Department of Preparatory Proceedings of the General Public Prosecutor's Office. Examples of educational activities of the local Public Prosecutor's Offices include:

- The Appellate Public Prosecutor in Katowice submitted to the subordinate Public Prosecutor Offices Final remarks of the United Nations Committee on the Elimination of Racial Discrimination with recommendations to get acquainted with

their contents and to use them on the daily basis. These issues were discussed in the course of internal official consultations. Moreover, there were taken actions aimed at familiarizing police officers with the contents of these recommendations;

- The Regional Public Prosecutor in Chorzów (Śląskie voivodeship) requested the Department of Education of the Municipal Office in Chorzów and Świętochłowice information on bigger groups of children from national minorities in order to carry out, as part of the preventive activities, meetings with children and teachers during which there would be discussed the issues of crimes committed against the public order, responsibility for them and shaping appropriate attitudes in this field. Such meetings are planned to be held in the school year 2010/2011;
- Within the educational and informational campaign run by the Appellate Public Prosecutor's Office in Szczecin, "Let us oppose violence in families and schools," the Public Prosecutors of the District Public Prosecutor Offices in Gorzów Wielkopolski and Szczecin included the issues resulting from recommendations 6 and 9 in the final remarks of the Committee on the Elimination of Racial Discrimination in the subject matter of the meetings with young people in schools;
- The District Public Prosecutor in Gorzów Wielkopolski taking into account the fact that the racial incidents often occur during sports events, plans to organize meetings with the management of sports clubs and organizations of sports fans as well as participate in the sessions of the Committee on Safety operating within the local-governments. At these meetings there will be presented the recommendations of the Committee on the Elimination of Racial Discrimination;
- The District Public Prosecutor Office in Toruń entered into cooperation with non-government organizations dealing with e.g. fighting against racial discrimination, providing victims of this kind of crimes with help in the territory of Toruń. There were sent letters to the PONAD Association [OVER], the Polish Red Cross, the Crimes Victims Defender and the Marshal's Office in Toruń, informing about the possibility of direct notification of the Public Prosecutor's Office about this type of cases;
- The Regional Public Prosecutor's Office in Wrocław runs explanatory proceedings aimed at potential filing a motion for disbanding the nationalist association "Zadruga". Making an appropriate decision in this case is withheld until the penal proceedings are final and binding;
- The District Public Prosecutor's Office in Warszawa carries out the explanatory proceeding on disbanding the political party "National Rebirth of Poland" with the registered seat in Warszawa and the "National Radical Camp Mazowsze".

35. With regard to training in anti-discrimination actions within the activities of the Department of Ongoing Training and International Cooperation, the Polish National School of Judiciary and Public Prosecution in the period from August 2009 participated in the organization of training conducted by the Academy of European Law (ERA) during which the "European Commission Anti-discrimination Directives 2000/78 and 2000/43" (16-17 November 2009) were discussed.

36. Furthermore, in the period 6 to 8 December 2010, the Polish National School of Judiciary and Public Prosecution will carry out a training for a group of 50 judges on the "Criminal aspects of the fight against racial, ethnical, religious discrimination with regard to sexual orientation or sexual identity: Criminologist, criminological and legal aspects of human trafficking".

37. With regard to prevention of racial hatred, the Racism and Xenophobia Monitoring Team functioning in the Ministry of Interior and Administration, as in the previous years,

monitors racial, xenophobic or anti-Semitic acts. Within this control the Team checks on the way in which this kind of case is examined – starting with the moment the act occurred and finishing in the results of court proceedings – provided that such proceedings come into effect. The Racism and Xenophobia Monitoring Team receives information on this kind of incidents based on the monitoring of the press and the Internet, notifications of non-government organizations as well as on complaints lodged by residents to the Ministry of Interior and Administration. In the period from August 2009 to July 2010, the Team dealt with 56 cases connected with hate crimes, 2 of which were related to people of the Arabic origin and 2 of African descent. The actions on preventing discrimination are also taken by the Government Plenipotentiary for Equal Treatment based on complaints or information from residents and non-government organizations, on the media as well as on their own initiative.

38. There were also taken actions concerning promotion of equal treatment regardless of race, nationality, national and ethnic origin and aimed at breaking stereotypes. On 21 May, 2010 in the Chancellery of the Prime Minister there was held a conference “How to bring up children so that they will not think in a stereotypical way?” The conference was a joint action of the Government Plenipotentiary for Equal Treatment, the Ministry of Labour and Social Policy, the Minister of National Education and church organizations as well as religious associations. The meeting’s objective was to present methods of upbringing and education of children so that young people who do not think in a stereotypical way in the future will be better prepared to function in a diverse, tolerant and open society. The Government Plenipotentiary for Equal Treatment together with the Minister of Sport and Tourism, the Minister of Interior and Administration and the Polish Olympic Committee on 16 October 2009, organized a conference entitled “No to racism in sport.” Its participants were the representatives of all big sports associations operating in Poland, sportspersons, clerks and journalists. The conference closed with the signing by the representatives of the Government of the Republic of Poland and by 44 of the 68 sports associations registered in Poland of the declaration “No to racism in sport.” This declaration refers, among others, to the recommendations of the European Commission against racism and intolerance in countering racism in sport and is a public confirmation of the involvement of the organizers of professional sport in building, by means of sport, an open, tolerant society, free from racism and xenophobia. The message of the conference was enhanced by the match organized on the same day between well-known personalities (politicians, journalists, and actors) and black players in Polish football clubs.

39. The Government Plenipotentiary for Equal Treatment also took actions aimed at encouraging the media to prevent racism, xenophobia and intolerance.

40. In 2009, as part of the diversity campaign of the European Union, “Against discrimination,” for the sixth time there was organized a journalist contest in which journalists of both the print and electronic media could participate. The first prize in this category went to Marcin Kołodziejczyk from the weekly magazine *Polityka* (Politics) for his article “Cygan ze strachu, Rom z dumy” (Gypsy from fear, Roma out of pride). The prize granted every year aims at honouring authors who, thanks to their work, contribute to a better understanding of the benefits resulting from diversity and equal treatment regardless of religion, belief, disability, age, sexual orientation, race and ethnic origin.

41. Moreover, in 2010, the Government Plenipotentiary for Equal Treatment cooperating with the European Commission will organize the first contest for sports journalists in the print and electronic media for works connected with combating racism in sport, promoting the sport message “fair-play”, free from racism and the language of hatred. The contest will be announced every year.

42. Also within the Polish Advertising Competition, the most significant contest of the marketing communication business, since 2010, there have been awarded Kryształowe

Łomy [Crystal Crowbars] awards “for breaking stereotypes in advertising”. In April 2010, the special award for breaking stereotypes in social campaigns went to Rafał Betlejewski, an author of the all-Poland action *Tęsknię za Tobą, Żydzie* (I miss You, Jew). Since 2011, one of the competition’s categories will be breaking stereotypes of a foundation of discrimination due to race, nationality, ethnics, religion or denomination, political views, age, sexual orientation and marital or family status.

43. Poland is one of four countries which in 2010 will organize Diversity Day as part of the European Union’s Against Discrimination campaign on diversity. The objective of the events and meetings open to the wide public is promotion of equal treatment, diversity and tolerance, and by means of the media participation, leaflets, posters and the Internet campaign – reaching as wide ranges of audience as possible. This event will be held in autumn of 2010 (September/October). In the whole country there are planned information stands, debates, quizzes, a photographic exhibition and artistic shows. Currently there is being formed a list of participants and a programme of Diversity Day. The Ministry of Labour and Social Policy, the Central Council of the Roma People in Poland, the Centre of Armenian Culture, the Foundation of Polish Migration Forum, the Pro Humanum Association, the Never Again Association, the Open Republic Association, among others, have already declared to take part in the event.

44. The Ministry of Labour and Social Policy in the period 2008-2010 carried out the project “Progress, preventing discrimination, promoting diversity”, co-financed by the European Commission Programme for Employment and Social Solidarity PROGRESS (2007-2013).

45. This project responds to the national objectives specified in the framework document according to which it was necessary to take actions on the national, regional and local levels for the purpose of conducting the following priorities:

- Increasing a knowledge of law within equal treatment and possibility in the field of using different forms of support accessible to victims of discrimination;
- Increasing awareness of harmful influence of stereotypes;
- Spreading knowledge of diversity in the Polish society;

46. Within the project there were carried out such actions as :

(i) Training for particular professional groups: 12 one-day training sessions for 250 people devoted to widely understood issues of preventing discrimination and addressed to:

- Teachers;
- Nurses and midwives;
- Police (police officers and civilian workers), and in particular the voivodeship plenipotentiaries for protection of human rights and police officers in the poviat and municipal police headquarters appointed to contact with them, representatives of the units of vocational development of police officers in headquarters and police psychologists;
- Workers of public administration, and in particular human resources departments, the employment offices and the National Labour Inspectorate;

All the training sessions were aimed at teaching their participants basic information, how to recognize any signs of discrimination, what are the methods of fighting against it and preventing this phenomenon. Their objective was also sensitizing the participants to signs of potential discrimination of various social groups. The training concerned the aspects of countering discrimination specified in the project. Moreover,

they were divided according to the actual needs of the representatives of each professional group.

(ii) Meetings: aimed at working out recommendations concerning the formula of social discourse related to preventing discrimination and promoting diversity in Poland. The discourse was defined as an active action aimed at building a social dialogue. The meetings were addressed to representatives of state-run institutions, representatives of non-government organizations and academics as well as journalists.

47. The actions taken within the project aimed at building a wide social dialogue concerning non-discrimination and promotion of diversity in Poland, making the society sensitive to the problems of people being discriminated and strengthening groups and people dealing with these issues.

48. Additional recommendations related to countering discrimination due to race, ethnic and national descent, religion and denomination were formulated at the meetings. These recommendations included demands connected e.g. with the attitude of the public service to racial and discrimination crimes and acts as well as cooperation of social organizations representing interests of foreigners and minorities with public institutions.

49. In the period from August 2009 to July 2010, the Ombudsman undertook on her own initiative – based on signals in the mass media (press, television, Internet) – two activities concerning crimes committed due to hatred towards people of African descent. These actions aimed at checking if the appropriate authorities of the country, namely the Police, the Public Prosecutor's Office and the Courts react in a proper way to this kind of crime, protecting in this way civil rights and liberties of the aggrieved. The activities of the Ombudsman concerned initiation and monitoring of the course of criminal proceedings. In cases finished on the stage of preparatory proceedings (with discontinuance or initiation refusal) there was examined data in order to establish if the proceeding was carried out in accordance with the provisions of the Penal Code and if rights of aggrieved people were obeyed. In the event of detecting improprieties the Ombudsman could submit motions to the superior public prosecutors pointing out the procedurally faulty acts.

II. Reply to the recommendation contained in paragraph 7

50. A response to this recommendation has already partly been included in the reply to the recommendation contained in paragraph 6.

51. In order to prevent anti-Semitic acts and to sensitize in this respect the society, the Government of the Republic of Poland took a number of educational actions.

52. In the period from August 2009 to the present, the Ministry of National Education has undertaken the following activities for the purpose of making the society sensitive (first of all the educational circles including heads of schools, teachers and pupils) within the prevention of anti-Semitism, racism and signs of intolerance, and also in the field of education about the history and culture of Jews including the Holocaust.

53. On the initiative of the Ministry of National Education, its subordinate units and first of all the Centre for Development of Education (formerly the National In-service Teacher Training Centre), Polish teachers took part in seminars, conferences and workshops devoted to the issues of the education about the Holocaust and the issues of counteracting anti-Semitism.

54. It should be emphasized that the vocational development for teachers in this scope is also conducted by, among others, the Jewish Historical Institute, the Institute of National Remembrance, the Museum of the History of Polish Jews, university centres including the Polish Centre for Holocaust Research of the Institute of Philosophy and Sociology of the

Polish Academy of Sciences in Warszawa and the Centre for Holocaust Studies at the Jagiellonian University, the International Centre for Education about Auschwitz and the Holocaust of the Museum of Auschwitz-Birkenau. Polish teachers also participate in trainings and courses organized by foreign educational institutions, first of all by the Yad Vashem Remembrance Authority in Jerusalem, the Anne Frank House in Amsterdam, the United States Holocaust Memorial Museum in Washington, the House of the Wannsee Conference in Berlin.

55. The Ministry of National Education together with the Council of Europe every year within the programme Pestalozzi organize in Poland European workshops for teachers devoted to the issues of education about the Holocaust:

- In 2009 (20-26 September), there was organized a European workshop entitled “Auschwitz and the Holocaust in the context of teaching remembrance in Europe”, in which participated teachers from the European countries including 30 Polish teachers. In response to the needs reported by the participants of the foregoing workshops at the moment the Ministry of National Education together with the Council of Europe and the National Museum of Auschwitz-Birkenau are preparing a European package for teachers which will serve as a practical aid in preparation, conduct and evaluation of the meetings with pupils in the sites of remembrance (publication of the package is planned in autumn of 2010);
- In 2010 (April), in Warszawa took place a European workshop entitled “Education and Remembrance” organized by the Centre for Development of Education;
- In 2010 (May), in Kraków and Auschwitz-Birkenau there was organized a European seminar for people educating teachers entitled “Education for prevention of crimes against humankind”, during which participants worked out specific lesson plans concerning the foregoing topic which can be used in schools as methodological materials.

56. The Centre for Development of Education for years has been cooperating with a number of foreign institutions within education about the history and culture of Jews, including the Holocaust. In 2006, in Poland there was appointed a network of 22 regional coordinators of education about the Holocaust who, in 2009 and 2010, participated in the following activities:

- In the 2nd degree seminar entitled “Judaism – the History and Culture of Polish Jews – the Holocaust”, organized in Jerusalem by the Yad Vashem Authority and the National Museum of Auschwitz-Birkenau;
- During the studio meeting in the USA within the Voluntary Visitor Programme organized by the United States Department of State, together with the Embassy of the United States of America in Poland (2009 and 2010);
- In conferences and trainings for teachers entitled “Anti-Semitism – old and new prejudices” organized together with the Office for Democratic Institutions and Human Rights of the Organization for Security and Co-operation in Europe within promotion of educational materials in Polish version concerning the history of Jews and anti-Semitism, issued by the Anne Frank House in Amsterdam along with the Office for Democratic Institutions and Human Rights / the Organization for Security and Co-operation in Europe and the National Museum of Auschwitz-Birkenau. These trainings which prepare Polish teachers for work with the said materials included, in the regions, about 350 people.

57. Moreover, on the basis of the agreement signed in 2009 on cooperation concerning education about the Holocaust in Poland and France, between Le Mémorial de la Shoah, Musée, Centre de Documentation Juive Contemporaine and the Centre for Development of

Education in March 2010 in Paris there was held a seminar for the foregoing coordinators aimed at entering into cooperation and sharing experience in the field of education about the Holocaust.

58. In the period 2009-2010 there has been continued a comprehensive programme “To retain in our memory: History and culture of two nations” carried out by the Centre for Development of Education together with the Ministry of Education, Culture and Sport of Israel, the Polish Institute in Tel Aviv and the Yad Vashem Authority in Jerusalem which covers not only seminars for Polish and Israeli teachers involved in organization of meetings for young people from the two countries but also serves as support for such meetings (since the launch of the programme in 2002, in the meetings there have participated about 15,000 young people).

59. A dedicated website was created (www.polska-izrael.edu.pl), containing information related to the organization and course of the meetings (examples of good practices, scenarios), and also methodology publications for teachers (including the most recent in Polish and Hebrew, "Keep in the Memory", that includes exemplary scenarios of meetings with young people.)

60. On the occasion of the Day of Remembrance about the Holocaust and preventing crimes against humankind (in Poland it is held on 19 April, the day of the anniversary of the Warsaw Ghetto Uprising) the Centre for Development of Education together with the Association of Children of the Holocaust in Poland under the patronage of the Minister of National Education every year organize the all-Poland competition for schools on the educational project connected with the Day of Remembrance about the Holocaust. During the projects school children meet not only people who survived the Extermination but also those who rescued Jews – decorated with medals “Righteous among the Nations”. Projects awarded in the competition are presented during the ceremony in the Nożyk Synagogue in Warszawa.

61. In the school year 2009/2010 on the initiative of the Minister of National Education there was formed a coalition of organizations and institutions involved in promoting knowledge of the latest history called Year of the Contemporary History and there was created a website presenting innovative educational materials and suggestions of actions addressed to teachers and schools. Within these actions there should be noticed a documentary project of the National Centre for Culture and the Institute of National Remembrance entitled “Życie za życie” [Life for Life] telling stories of the Poles who died rescuing Jews. This project encourages teachers and school children to find witnesses of the Holocaust in their own local environment and to provide documentation for their reports. Groups of Polish young people in large numbers participate in the March of the Living organized in Poland since 1988 on the Day of Remembrance of the Victims of the Holocaust (Hebrew: Yom Ha'Shoah) held in Israel according to the Jewish Calendar. Every year participants of the March go along the so called Death Road from KL Auschwitz I to KL Auschwitz II-Birkenau, to commemorate the victims of the Holocaust. Since 2006 the Ministry of National Education has been dealing with cases connected with participation of Polish young people in the March of the Living, including with subsidizing the travelling costs of the groups to/from Oświęcim. Every year there can be observed a growing number of young Poles interested in taking part in the March. An important element of this event is a possibility of continuation and expansion of meetings of young people from Israel and the Diaspora participating in the March with young Poles. During these meetings Jewish young people have a chance of getting to know contemporary Poland. On 12 April 2010 in this year's March on the occasion of the Day of Remembrance of the Victims of the Holocaust took part about 8 500 people of many nationalities and denominations who arrived in Poland from over 60 countries and regions, including from Israel, the USA, Canada, Australia, the Republic of South Africa, South America, France, Germany, Belgium,

Hungary, the Czech Republic and Slovakia. From Poland there were approximately 1,500 school children and students.

62. On 27 January 2010, in the territory of the Memorial and Museum Auschwitz-Birkenau there were held ceremonies commemorating the 65th anniversary of liberating the KL Auschwitz-Birkenau. Within the ceremonies there was held an educational conference entitled Auschwitz – remembrance, responsibility, education, organized by the Ministry of National Education. At the invitation of Katarzyna Hall, Minister of National Education, Professor Władysław Bartoszewski, Chairman of the International Auschwitz Council, and Piotr Cywiński, Director of the National Museum of Auschwitz-Birkenau, in the educational conference and the commemorating ceremonies took part the Ministers of Education from 35 European countries and member states of the Task Force for International Cooperation on Holocaust Education, Remembrance and Research. The ministers were accompanied by experts, representatives of government institutions, education institutions and memorial sites. The ministers in charge of education and upbringing had a chance of presenting their experience, and actions and programmes carried out in their countries related to education about Remembrance of the Holocaust. The meeting of the Ministers of Education from so many countries was an extraordinary opportunity to emphasize the importance of the message accepted at the conference (the text is enclosed as annexes 1 and 2). It is planned to issue a publication containing speeches given during the conference with a DVD version of a film recording the anniversary ceremonies which will be disseminated on a large scale in the educational circles.

63. The Minister of Interior and Administration also supports development of cultural identity of the Jewish minority by carrying out a number of actions such as: financing the press including magazines, book publications, organization of ceremonies, conferences, meetings, language courses and also by supporting current activities of the organizations and institutions of the Jewish minority. In total, on the above-mentioned activities in 2010 there will be spent the amount of 840 300 PLN. Accomplishment of these actions aims at e.g. increasing knowledge of the general public of history, culture and everyday lives of Polish Jews, which also serves as breaking negative stereotypes and building openness, respect and tolerance towards representatives of this minority. The subsidy was granted, among others, for the purpose of issuing magazines, namely *Midrasz*, *Słowo Żydowskie* and *Almanach Żydowski 2010-2011* (Midrash, Jewish Word, Jewish Almanach 2010-2011) and the publications: *Żydzi w walce 1939-1945: Opór i walka z faszyzmem tom II*, *Zapomniana dekada* and *Bajka* (Jews in the war 1939-1945: Resistance and fight against fascism, volume II; Forgotten Decade and Fairy Tale), organization of the XIII Day of Jewish Book, the VIII International Seminar of Jewish Culture and Yiddish Language, the Yiddish language courses (in Warszawa and Łódź), the solemn ceremony of the 67th anniversary of the Warsaw Ghetto Uprising, the ceremony of the 60th anniversary of the foundation of the Social and Cultural Organization of Jews in Poland, financial support of the activities of the Jewish choir. The Ministry of Interior and Administration takes actions aimed at verifying every information having anti-Semitic character provided by Jewish organizations or received as a result of the monitoring conducted by the Monitoring of Racism and Xenophobia Team of the Department of Control, Complaints and Petitions of the Ministry of Interior and Administration. The Team also monitors in this respect actions taken by Police and closely cooperates in this field with the General Public Prosecutor's Office and the Ministry of Justice.

64. With the Monitoring of Racism and Xenophobia Team of the Department of Control, Complaints and Petitions of the Ministry of Interior and Administration cooperates inter alia: the Foundation for the Preservation of Jewish Heritage in Poland which looks after Jewish cemeteries by informing about crimes committed there.

65. With regard to the punishment of anti-Semitic acts, out of the anti-Semitic cases which occurred in the period from August 2009 to July 2010, and which were controlled by the Monitoring of Racism and Xenophobia Team of the Department of Control, Complaints and Petitions of the Ministry of Interior and Administration, in one case there was passed a sentence.

66. It is significant that since July last year to the present, the Ombudsman has not received any complaints from people belonging to the Jewish minority or concerning this minority.
