

# Country Profile

## Poland

Last profile update: December 2020

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<b>1. Cultural policy system</b>	4
<b>1.1. Objectives, main features and background</b>	4
<b>1.2. Domestic governance system</b>	6
1.2.1. Organisational organigram	6
1.2.2. National authorities	7
1.2.3. Regional authorities	9
1.2.4. Local authorities	10
1.2.5. Main non-governmental actors	10
1.2.6. Transversal co-operation	11
<b>1.3. Cultural institutions</b>	11
1.3.1. Overview of cultural institutions	11
1.3.2. Data on selected public and private cultural institutions	12
1.3.3. Public cultural institutions: trends and strategies	13
<b>1.4. International cooperation</b>	14
1.4.1. Public actors and cultural diplomacy	14
1.4.2. European / international actors and programmes	15
1.4.3. NGO's and direct professional cooperation	15
<b>2. Current cultural affairs</b>	17
<b>2.1. Key developments</b>	17
<b>2.2. Cultural rights and ethics</b>	18
<b>2.3. Role of artists and cultural professionals</b>	19
<b>2.4. Digital policy and developments</b>	20
<b>2.5. Cultural and social diversity</b>	20
2.5.1. National / international intercultural dialogue	20
2.5.2. Diversity education	22
2.5.3. Media pluralism and content diversity	22
2.5.4. Language	23
2.5.5. Gender	23
2.5.6. Disability	24
<b>2.6. Culture and social inclusion</b>	25
<b>2.7. Societal impact of arts</b>	25
<b>2.8. Cultural sustainability</b>	26
<b>2.9. Other main cultural policy issues</b>	27
<b>3. Cultural and creative sectors</b>	29
<b>3.1. Heritage</b>	29
<b>3.2. Archives and libraries</b>	30
<b>3.3. Performing arts</b>	30
<b>3.4. Visual arts and crafts</b>	30
<b>3.5. Cultural arts and creative industries</b>	31
3.5.1. General developments	31
3.5.2. Books and press	32
3.5.3. Audiovisual and interactive media	32
3.5.4. Music	33
3.5.5. Design and creative services	34
3.5.6. Cultural and creative tourism	34
<b>4. Law and legislation</b>	35
<b>4.1. General legislation</b>	35
4.1.1. Constitution	35
4.1.2. Allocation of public funds	35
4.1.3. Social security frameworks	36
4.1.4. Tax laws	36
4.1.5. Labour laws	37
4.1.6. Copyright provisions	37
4.1.7. Data protection laws	38
4.1.8. Language laws	38
4.1.9. Other areas of general legislation	38
<b>4.2. Legislation on culture</b>	39

4.2.1. General legislation on culture .....	39
4.2.2. Legislation on culture and natural heritage .....	40
4.2.3. Legislation on performance and celebration .....	40
4.2.4. Legislation on visual arts and crafts .....	40
4.2.5. Legislation on books and press .....	40
4.2.6. Legislation on audiovisual and interactive media .....	40
4.2.7. Legislation on design and creative services .....	42
<b>5. Arts and cultural education .....</b>	<b>43</b>
<b>5.1. Policy and institutional overview .....</b>	<b>43</b>
<b>5.2. Arts in schools .....</b>	<b>43</b>
<b>5.3. Higher arts and cultural education .....</b>	<b>44</b>
<b>5.4. Out-of-school arts and cultural education .....</b>	<b>45</b>
<b>5.5. Vocational and professional training .....</b>	<b>45</b>
<b>6. Cultural participation and consumption .....</b>	<b>47</b>
<b>6.1. Policies and programmes .....</b>	<b>47</b>
<b>6.2. Trends and figures in cultural participation .....</b>	<b>47</b>
<b>6.3. Trends and figures in household expenditure .....</b>	<b>48</b>
<b>6.4. Culture and civil society .....</b>	<b>48</b>
<b>7. Financing and support .....</b>	<b>51</b>
<b>7.1. Public funding .....</b>	<b>51</b>
7.1.1. Indicators .....	51
7.1.2. Expenditure on government level .....	52
7.1.3. Expenditure per sector .....	52
<b>7.2. Support programmes .....</b>	<b>54</b>
7.2.1. Strategies, programmes and other forms of support .....	54
7.2.2. Artist's funds .....	54
7.2.3. Grants, awards, scholarships .....	55
7.2.4. Support to professional artists' associations or unions .....	56
<b>7.3. Private funding .....</b>	<b>56</b>
<b>Expert Authors .....</b>	<b>57</b>

# 1. Cultural policy system

## 1.1. Objectives, main features and background

The contemporary cultural policy of the Republic of Poland is an intentional and systematic intervention of central and local governments in the field of culture and its industries. Cultural policy is based on the welfare state model and combines the state's responsibility for fostering cultural development and preserving national heritage with market reality and digital revolution. It can be characterised by a high degree of decentralisation, in which a substantial amount of responsibility for supporting and financing culture lies with local authorities. The whole system provides a guarantee for a relatively stable operation of a high number of public cultural institutions.

Both the goals and principles of the cultural policy in Poland are formulated in accordance with standards established by democratic European states. As the other EU member states, Poland is free to develop cultural policies in its own way, without the unification of cultural institutions, setting their own goals and determining priorities. Poland implements this autonomy to the full extent, which can be especially observed in case of assigning new priorities to cultural policies, whose characteristics are strongly determined by the political programme of a ruling party in a given period.

The current goals of Polish cultural policy are:

- Preservation of national and cultural identity;
- Assurance of equal access to culture;
- Promotion of creative output and high-quality cultural goods and services;
- Diversification of cultural offer, taking into account the variety of social groups.

The current principles of Polish cultural policy are:

- Decentralisation of decision-making processes regarding the organisation and financing of cultural activities;
- Fostering community participation in decision-making processes by organising expert panels and initiating public discussions regarding possible solutions for key problems;
- Ensuring the transparency of decision-making processes;
- Applying the principle of subsidiarity: decisions concerning culture are made by those, to whom they pertain. Central authorities cannot make decisions concerning local affairs instead of local governments, unless they have been specifically authorised to do so.

### Background

We can identify two basic periods that characterise the development of Polish cultural policy in the last 75 years. Both are directly linked to the political system implemented in Poland during each period, i.e., the period 1945-1989 was characterised by real socialism and the period from 1989 onwards is characterised by parliamentary democracy and a market economy.

Distinguishing features of the first period include limited sovereignty, a one-party system and a planned economy. Cultural activities were organised under a system characterised by a high level of centralisation, institutionalisation and a monopoly of state property. The decision-making process regarding the development of cultural activities was strongly politicised and the creative arts were subject to political censorship. The principles of cultural policy were created by both the Ministry of Culture and Arts, and the Cultural Division of the Central Committee of the PZPR (Polish Communist Party). At the same time, the growth rate of public cultural expenditure was higher than the growth rate of the GDP, which gave the state legitimacy to act in this field. The "Fund of Development for Culture" was established in 1982 as a means to secure this position. Between 1982 and 1989, expenditure on culture within the overall state budget rose from 1.25% to 1.81%. This relatively high level of public funding for culture enabled wider access to cultural goods and services and a feeling that professional stabilisation for artists' working conditions was being achieved.

In the beginning of the second period – since 1989 – Poland has undergone a process of political and economic transformations, while the state re-established its new responsibilities of a social nature. Those responsibilities were formulated in the preamble to the Constitution of the Republic of Poland.

The major changes which have taken place in the cultural sector since 1989 revolve around the following principles:

- The implementation of the right of freedom of artistic creation, education and use of cultural assets, as well as to conduct scientific research and announce their results, granted by the Constitution (1997).
- The creation of a new legal framework, allowing to organise and conduct cultural activities within a market economy (*Act on Organising and Conducting Cultural Activity of 25 October 1991*, with later amendments and annexes; *Act of Law on Associations of 7 April 1989*, with later amendments and annexes; and a number of other legal solutions).
- Changes in the public responsibilities for culture came in the wake of a more general process of decentralisation of state powers and the subsequent reform of several laws.
- The decentralisation of power of the public administration concerning culture – transferring the majority of cultural institutions from the central government to local governments, operating at three levels: provincial (Voivodeship), district (Poviat) and municipal/communal (Gmina). The responsibility for local cultural activities and the establishment of local cultural institutions is shared between the provincial, district and municipal administrations.
- The privatisation of the majority of cultural industries, previously owned by the central (socialist) state.
- A true eruption of civic organisations in the cultural sector – in the 1990s, foundations and associations started to be formed. However, despite their growing potential, they are still not regarded as real partners of local government administrations or the state in the field of culture (e.g. as agencies to distribute public funds).
- Efforts were made to prepare Poland for gaining access to EU funds, especially the EU's Structural Funds. In this context, emphasis has been placed on developing regional approaches to the development of culture (2003-2004).
- The awareness of the significance of culture as a development factor is increasing in the face of dynamic socio-economic and technological transformations. Categories such as cultural industries and creative industries appear. The concept of the creative economy is being defined, in order to highlight the creative component in production, not only for symbolic goods, i.e. cultural goods. The scope of public funding has been expanded. Currently, it refers to the main cultural domains together with cultural and creative

industries. This can be seen, for example, in the subsidy programs of the Ministry of Culture and National Heritage.(2018).

- Since 2018, after years of absence in both government policy and public debate, the topic of developing a support system for artists, creators and performers is back on the agenda. Currently, government research-based work on a new law on professional artist rights is pending. It is worth noting the participatory nature, which means that artistic circles are broadly included in its development.

Main features of the current cultural policy model (in the profile authors' opinion)

After 1989, culture and its management in Poland underwent substantial changes, as already touched upon above. In the 1990s, the transformation from planned to market economy, as well as administrative reforms, have extorted a series of adaptation processes within the cultural sector, many of which could be described as radical in their nature. Even though those processes could not be considered as the result of strategic thinking regarding cultural development, but rather as by-products of the administrative changes that Poland had undergone, they still brought many positive effects.

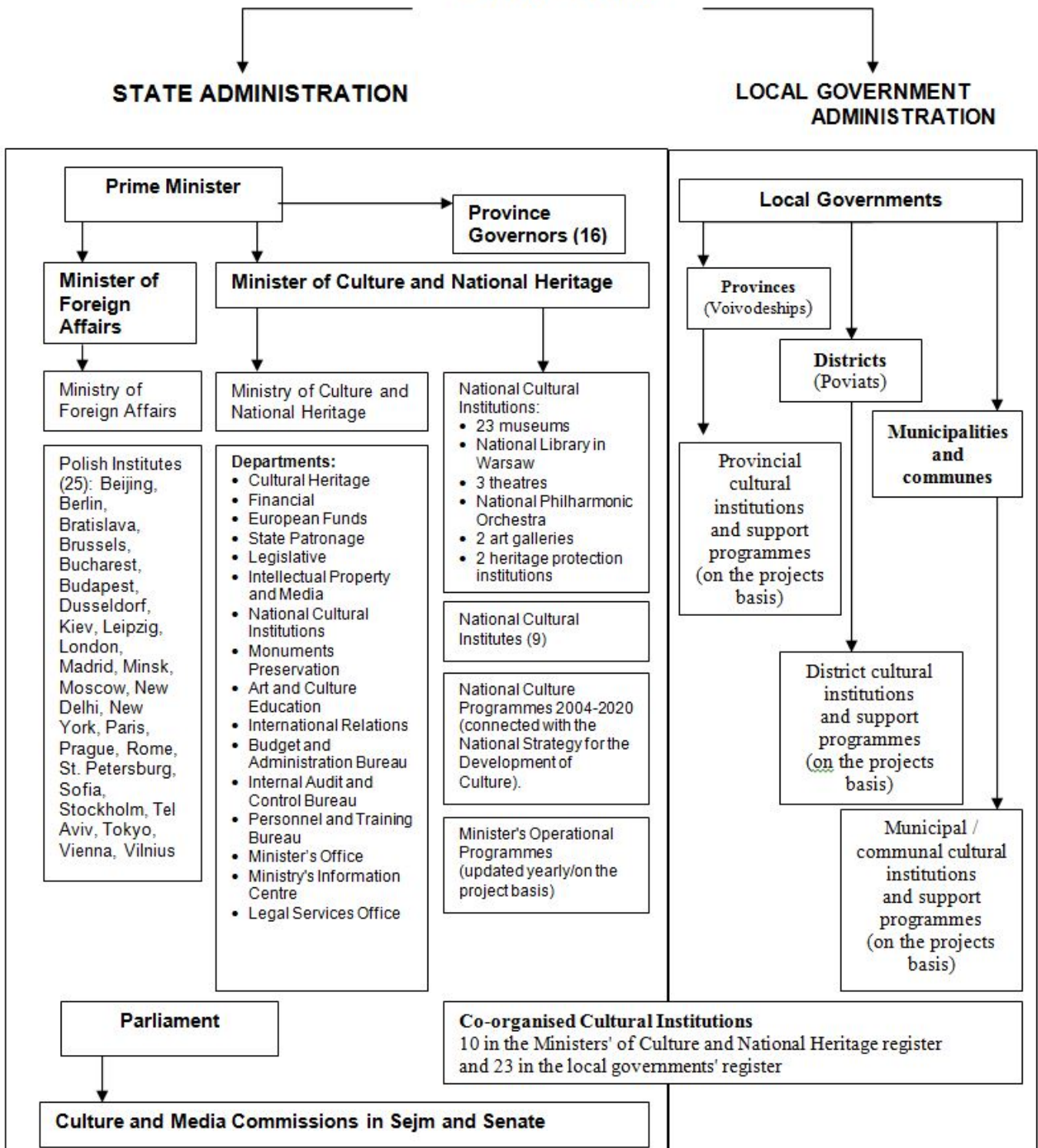
On the one hand, cultural stakeholders, such as artists, creators, performers and producers or managers, engage freely in the discussion regarding innovative methods of cultural management, cross-sectoral partnerships or the economic importance of culture. They operate and create within various cultural fields and industries, expressing their passion through civic engagement and activities, applying new technologies and constantly developing the third sector in Poland. Drawing examples from international models, they actively search for and utilise diverse financial resources, including EU funding and private donations. On the other hand, the decentralisation of cultural administration allowed all levels of local governments to focus on strategic planning in the area of cultural development.

Overall, Poland and its citizens have been successful in adapting to the new political, economic and administrative reality. They actively seek and implement solutions to such contemporary challenges as globalisation or the economic crisis, including those challenges arising from the notion of a globalised culture. Can we expect more? Perhaps yes, however, in the context of those changes, we certainly experience a great amount of satisfaction. Yet, when we look back from 2020's perspective, many more systemic changes in the cultural sector could have been implemented in accordance with the original framework of Polish cultural policy and the new legal system.

## 1.2. Domestic governance system

### 1.2.1. ORGANISATIONAL ORGANIGRAM

## PUBLIC SECTOR



### 1.2.2. NATIONAL AUTHORITIES

The central state administration is the main actor which sets cultural policy objectives and funding principles. The main policy-maker is the Minister of Culture and National Heritage. Nevertheless, other ministers also have the authority to establish cultural institutions (for example, the Polish Army Museum is subordinated to the Ministry of National Defence).

The main tasks of the Ministry of Culture and National Heritage include:

- The preparation of the draft state budget in part at the Minister's disposal;

- Taking care of the national fields of theatre, music, ballet, opera, stage art, fine arts, literature, museology, folk culture, cultural education, and the amateur art movement, and of the cultural exchange with foreign countries;
- Issuing opinions on draft legal acts and developing them in terms of formal and legal matters;
- The execution and coordination of the implementation of tasks resulting from government policy on the protection of monuments;
- Initiating activities to maintain and popularise the national and state traditions;
- The care and supervision of artistic education;
- Carrying out tasks in the field of audiovisual policy.

The Ministry of Culture and National Heritage includes the Minister's Political Cabinet and the following organisational units:

- Department of Cultural Heritage
- Department of Finance
- Department of European Funds and Affairs
- Department of State Patronage
- Department of National Cultural Institutions
- Department of Monuments Protection
- Department of Artistic and Cultural Education
- Department of International Cooperation
- Department of Intellectual Property and Media
- Department of Legislation
- Department of Cultural Heritage Abroad and War Losses
- Department of Corporate Supervision
- General Director's Office
- Internal Audit and Control Office
- Human Resources and Training Office
- Information Centre of the Ministry of Culture and National Heritage

The Ministry of Culture and National Heritage is the founding body and co-owner (with local government units) of 64 cultural institutions. These institutions are located in all sixteen voivodeships (provinces) and consist of theatres, operas, philharmonics, orchestras, museums, as well as cultural and art centres. Among them are institutions of special importance for the Polish heritage, culture and art, such as the Grand Theatre, the National Opera, the National Museum and the National Library (see 1.3.3 for more information).

The Minister of Culture and National Heritage also appoints specific cultural institutions that support a given field of culture. These are, for example: the Institute of Music and Dance, the Book Institute, the Adam Mickiewicz Institute (responsible for the promotion of Polish culture abroad), the Zbigniew Raszewski Theatre Institute, the National Heritage Board of Poland and the Fryderyk Chopin Institute. These institutes conduct regranting and research activities, organise festivals and competitions, cooperate with different stakeholders and international partners, etc.

The Minister's programmes are aimed at co-financing project-related tasks in the field of culture, excluding the permanent cultural activity of entities. These programmes are meant for cultural institutions, non-governmental



organisations, film institutions, schools and universities, local government units, business entities, churches and religious associations. Natural persons are not entitled to submit applications, except for the Monument Protection programme.

The programmes for 2021 covered four main areas: national heritage, education, cultural sectors, and creative sectors. There are 32 programmes, including art education, cultural infrastructure, literature, composing orders, protection of cultural heritage abroad, and film. The projected amount of expenditure in these grant programmes is PLN 225 977 500.00, which is about EUR 49 884 657,80.

Together with the Ministry of National Education and the Ministry of Science and Higher Education, the Ministry of Culture and National Heritage is responsible for arts education at all levels of education.

At the turn of 2020/2021, changes in the structure of the Polish government are planned. The Ministry of Culture and National Heritage and the Ministry of Sport will be formally merged. Sport matters will be handled by a dedicated office - the National Sports Centre - reporting to the Minister of Culture, National Heritage and Sport.

The Cultural Commissions that are located in two houses/chambers of the Parliament of the Republic of Poland (Sejm and Senat) are responsible for legislation in the field of culture. Their role is to:

- Propose candidates for positions in the state cultural policy administration;
- Amend, consider and present opinions for legalisation or legal acts;
- Consider reports and communications of the Minister of Culture;
- Analyse activities in the cultural field; and
- Prepare responses on budget related requests.

The Commission of Culture and Mass Media of the Sejm specifically deals with issues arising in the following fields: creativity, dissemination of culture, protection of cultural heritage, press, radio and television, publishing houses, socio-cultural movement and cultural co-operation on the international forum/foreign cultural co-operation.

### 1.2.3. REGIONAL AUTHORITIES

There are cultural administration bodies located at the voivodeship (regional), powiat (district) and municipal levels.

Each level of local government has a statutory obligation to undertake activities in the area of culture and the protection and care of monuments. The most important element of this obligation is the financing of local government cultural institutions and defining their own cultural policy.

The catalog of initiatives implemented by local governments is wide, including:

- International cooperation in the field of culture;
- Carrying out tasks and projects supporting cultural phenomena, supporting creativity and cultural potentials, and promoting the culture and national heritage sector;
- Coordinating and organising cultural exchange in cooperation with domestic and foreign regions;
- Supporting tasks carried out by institutions and organisations of the cultural sector and entities acting for

the protection of monuments;

- Organising various events, competitions (including grant and prize competitions) and projects.

The most common forms of financing culture by local government units include: subsidies; grants; material or financial assistance; granting patronage; organisation of competitions; public procurement; civic budgets; village council funds; and district funds.

#### 1.2.4. LOCAL AUTHORITIES

*Please find the available information on this subject in 1.2.3.*

#### 1.2.5. MAIN NON-GOVERNMENTAL ACTORS

There are no QUANGO-type organisations in Poland. However, civil society organisations are involved in creating cultural policy.

The Council of Non-governmental Culture Organisations

In March 2007, the Minister of Culture and National Heritage established the Council of Non-governmental Culture Organisations. The Council is a consultative and advisory body for the Minister. The main aims of the Council are to submit proposals and opinions on collaboration forms between the Ministry and the NGOs as well as judgement of legal acts important for NGOs operating in the cultural sector. The Council also prepares the proposals for the use of European Funds in the culture sector. However, many NGO workers are disappointed as this body is composed of representatives of big associations representing the interests of particular creative disciplines and artistic unions. Research organisations and innovative non-governmental projects were neglected within the process of the Council's establishment. The Council's activity is not transparent at all and no comprehensive information on its actions is presented by the ministerial sources.

Many non-governmental organisations and institutions act for the benefit of local societies. They aim at increasing the level of participation in culture and activation of citizens through raising awareness and knowledge as well as supporting creativity. The examples below show the diversity of the actions.

Advocacy groups

There are multiple advocacy groups functioning in Poland, e.g.: Polish Filmmakers' Association; Polish Music Council; Polish Composers' Union; Polish Performing Artists' Union; Polish Visual Artists' Union; Polish Folk Artists' Association; Polish Writers' Union; The Authors' Society; Music Export Poland; and the Coalition of the Summer Literary Festivals. Their main purpose is to associate artists, authors and creators of different professions, to take care of their interests, promote their branches and manage copyright issues.

Social Dialogue Commissions for Culture at the municipal/communal (gmina) levels

The Social Dialogue or Culture Commissions are created by non-governmental organisations and the local authorities as part of the "Cooperation Programme". The role of the Commissions is to act as an initiating and advisory body for local authorities as well as opinion making for major legal acts considering the functioning of NGOs, setting up action programme priorities of collaboration between the NGOs and the local authorities and

nomination of councils' experts responsible for decisions of grants giving bodies on the local level.

### 1.2.6. TRANSVERSAL CO-OPERATION

From 1998 until Poland's accession into the EU in 2004, inter-ministerial co-operation in the field of culture has been extensively organised around the programmes devoted to the preparation of Poland for its membership. The European Committee of the Council of Ministers was formed in March 2004 to operate as a decision-making forum and is responsible for drafting EU integration policy. Afterwards, the transversal co-operation was devoted to the preparation of a few cities in Poland for the competition for the title of European Capital of Culture 2016, which was eventually won by Wrocław.

Other types of cooperation include the International Centre for Training and Research on Cultural Heritage in Danger, which is a joint initiative of the Ministry of Culture and National Heritage and the Ministry of National Defence. This cooperation was initiated by the Minister of Culture and National Heritage in 2017. In the second quarter of 2020, a specialised military centre was launched in Garrison Wrocław, providing training for civilians and military personnel involved in the protection of cultural heritage in an armed conflict. The centre follows the traditions of Poland's involvement in multinational missions, carried out under the patronage of international organisations for the sake of endangered cultural heritage.

Agreements on cooperation in the promotion of Polish culture abroad between the Ministry of Culture and National Heritage and the Ministry of Foreign Affairs entered into force at the beginning of 2019. In the first year of its operation, over PLN 6 million was allocated to the creation of a new programme addressed to national and co-led cultural institutions. Under the programme, projects will be implemented in key countries from the point of view of Polish foreign policy. Under the agreement, both ministries will also coordinate activities under their own financial support mechanisms, as well as strengthen joint communication activities. Moreover, both ministries will conduct training together and ensure the best possible flow of information between their subordinate units.

A programme for digitisation of municipal cultural centres is co-led by the Ministry of Culture and National Heritage and the Ministry of Digitisation. Its main postulate is broadband Internet in each Municipal Cultural Centre. In 2019, only about a thousand facilities — mainly in the larger centres — had access to the high-speed network; another thousand required connection, retrofitting with equipment and training in digital competences. Almost PLN 20 million (EUR 4,4 milion) have been allocated for this purpose.

The Institute of Solidarity Heritage is a new cultural institution established in 2019 by the Ministry of Culture and National Heritage and the Independent Self-governing Trade Union "Solidarity" (NSZZ Solidarność). The mission of the new institution will be to popularise the phenomenon and meaning of "Solidarity" and to research and protect its history and authentic heritage.

## 1.3. Cultural institutions

### 1.3.1. OVERVIEW OF CULTURAL INSTITUTIONS

In Poland, cultural institutions are functioning as public, private and non-profit entities. Non-profit organisations in culture are foundations, associations and trade unions. Private cultural institutions operate most often in the

cultural and creative sectors. The prevailing majority of Polish cultural institutions are public. The Ministry of Culture and National Heritage, as well as other ministries (e.g. the Ministry of Foreign Affairs or the Ministry of National Defence) and local government units have the right to establish cultural institutions. In most cases, the responsibility to maintain funds for cultural institutions rests with local authorities. Cultural institutions, in accordance with the relevant law, create, popularise and protect culture, i.e. a cultural institution supports and promotes creativity, education and cultural education, cultural activities and initiatives, and finally implements tasks for the protection of monuments. For many (often the most well-known) cultural institutions, state subsidies are the most important or one of the most important sources of funds for statutory purposes and the maintenance of the institution.

At present, the Minister of Culture and National Heritage is responsible for co-leading with local government units 64 cultural institutions. These institutions are located in all sixteen voivodeships and include theatres, operas, philharmonics, orchestras, museums, as well as cultural and art centres. These are institutions of special importance for Polish heritage, culture and art such as the Grand Theatre - National Opera, the National Museum and the National Library. Among these 64 institutions are cultural institutes that support a given field of culture. Examples are: the Institute of Music and Dance, the Book Institute, the Adam Mickiewicz Institute (responsible for the promotion of Polish culture abroad), the Zbigniew Raszewski Theatre Institute, the National Heritage Board of Poland or the Fryderyk Chopin Institute. These institutes conduct research activities, often award grants or organise competitions.

Among public institutions, units for which the local government is the founding body are the majority, hence the dominant position of local government expenditure on culture in this type of expenditure on the national scale (see also 7.1.2).

In Poland, there is an uneven geographical distribution of cultural institutions, and thus uneven access to culture. Almost one third of all cultural institutions are located in three voivodeships (Mazowieckie, Małopolskie and Śląskie). Theatres and music institutions, multiplexes and most museums, galleries and art salons are located in cities, and residents of rural areas have at their disposal, above all, common rooms and cultural centres and public libraries.

### 1.3.2. DATA ON SELECTED PUBLIC AND PRIVATE CULTURAL INSTITUTIONS

Cultural institutions, by sector and domain (2018 - 2019)

Domain	Cultural institutions (subdomains)	Public (2018)	Private (2018)	Public (2019)	Private (2019)	Growth
Museums	Museum institutions	740	205	739	220	1,48%
Archives	Archive institutions	33	N/A	33	N/A	-
Visual arts	Public art galleries / exhibition halls	198	127	195	132	0,62%
Performing arts	Theatre and music institutions having a permanent artistic team	152	37	163	25	-0,53%
Libraries	Libraries	7925	1481	7881	1445	-0,87%
Audiovisual	Cinemas	301	199	324	204	5,6%
Interdisciplinary	Socio-cultural centres / cultural houses	3936	3001	3949	306	0,42%

Source:

## Public cultural institutions, by level of government (2018- 2019)

Domain	Cultural institutions (subdomains)	State (2018)	Regional and local (2018)	State (2019)	Regional and local (2019)
Museums	Museum institutions	19,2%	80,8%	18,3%	81,7%
Visual arts	Public art galleries / exhibition halls	13,6%	86,4%	12,8%	87,2%
Performing arts	Theatre and music institutions having a permanent artistic team	6,9%	93,1%	8,0%	92,0%
Audiovisual	Cinemas	3,0%	97,0%	3,1%	96,9%
Interdisciplinary	Socio-cultural centres / cultural houses	0,1%	99,9%	0,1%	99,9%

Source:

Central Statistical Office

### 1.3.3. PUBLIC CULTURAL INSTITUTIONS: TRENDS AND STRATEGIES

The state is the founding body of national cultural institutions and the local government administration (voivodeship, districts and municipalities) of local cultural institutions.

There are 64 national cultural institutions that are led or co-organised by the Ministry of Culture and National Heritage. The full register of the National Institutions of Culture led by the Ministry of Culture and National Heritage is available [on its website](#).

It is clearly visible that local government entities are the dominant founder of cultural institutions in Poland. The state runs a relatively small number of units, focusing primarily on the activities of museums. When it comes to theatres, the overwhelming majority is owned by local governments, mainly cities with poviats rights and voivodships. Libraries are almost exclusively run by local governments, mainly municipal governments. The ownership of galleries and exhibition institutions is distributed among local governments, in particular cities with poviats status, and private ownership. Galleries, next to cinemas, are the most privatized cultural institutions. Local government cinemas are mostly run by municipalities; the same is the case for community centers and related institutions.

The situation related to the COVID-19 pandemic creates additional threats to the functioning of cultural institutions. At the time of writing, a second lockdown of the cultural sector exacerbates the existing shortages of funds for culture. The process of unfreezing and recovering the full capacity to operate depends not only on the epidemiological situation or the demand for the services offered, but above all on the amount of subsidy funds that may be included in the budget plans of the founders of cultural institutions for 2021.

Apart from the current problems, there are systemic issues as well. The financing system of cultural institutions focuses on public expenditure on culture and treats financing from private sources as complementary. The implemented forms of support for culture under this model led to an increase in its structural disease, i.e. the dependence of the functioning of the cultural sector on short-term subsidies and grants, which results in the

lack of stability and the possibility of long-term planning in culture.

Many postulates regarding the financing of cultural institutions were verbalized during a series of debates of the National Conference for Culture (OKK) in 2017, attended by representatives of the artistic and scientific communities and representatives of the government. The mainstream of the debate was related to the joint efforts of the artistic community to ensure financial stability of public cultural institutions in the perspective longer than the financial year, the permanence of the autonomy of the institutions and the need for cooperation of all entities of the organisers. There was a demand to create a new law, and the newly drafted act should take into account the specificity of various types of cultural institutions.

## 1.4. International cooperation

### 1.4.1. PUBLIC ACTORS AND CULTURAL DIPLOMACY

The main institutional actors in the promotion of Polish culture abroad are the Ministry of Culture and National Heritage and the Ministry of Foreign Affairs. Other ministries and agencies that also play an important role in this field are the Ministry of Education and other public or private institutions and organisations such as the Adam Mickiewicz Institute, the Book Institute, the Polish National Tourist Office, the Polish Film Institute, and the Polish Information and Foreign Investments Agency.

The Ministry of Foreign Affairs realises its tasks in the field of international cultural cooperation chiefly through the Polish Institutes based in other countries. Co-operation is also undertaken through Polish embassies and (cultural and science) attachés, and the departments of the Polish Academy of Science in Berlin, Paris, Rome and Vienna.

The Ministry of Culture and National Heritage and the Ministry of Foreign Affairs are responsible for working out the priorities of foreign state cultural policy. The Ministry of Foreign Affairs ratifies the cultural agreements on the government level. Poland has many bilateral agreements with countries from all over the world. The Ministry of Culture and National Heritage supervises the application of these agreements and the implementation of cultural cooperation programmes.

In the Ministry of Culture and National Heritage, international cultural cooperation is the responsibility of the Department of International Relations. The main task of the Department is to coordinate international cooperation in the field of culture. It also has the role of cooperating with Polish organisations abroad and of realising international agreements. The Department also supervises the work of the Adam Mickiewicz Institute and the International Cultural Centre in Krakow.

The Adam Mickiewicz Institute is a state cultural institution which aims to popularise Polish culture around the world and cooperate on cultural projects with other countries. The Institute was founded on 1 March 2000 on the basis of a directive issued by the then Minister of Culture and Art. The goal of the Institute's activity is to promote Poland abroad by popularising the historical and contemporary achievements of Polish culture, in accordance with the fundamental guidelines of Poland's foreign policy and cultural policy.

In recent years, an increasing role in cultural relations has been carried out by cultural institutions founded by local government administrations as well as NGOs. Many of these institutions help to influence and shape Polish

cultural relations with other countries.

There are no official statistics in Poland for public spending on intercultural co-operation.

#### 1.4.2. EUROPEAN / INTERNATIONAL ACTORS AND PROGRAMMES

Poland became a party to the UNESCO Convention on the Protection of the World Cultural and Natural Heritage in 1976. Since then, it has been involved in the work of the World Heritage Committee aimed at the preservation and conservation of cultural properties.

In the framework of co-operation with the Council of Europe, the Polish activity is aimed at the enhancement of the protection of monuments on the international level. This means comprehensive Polish involvement in some important Council of Europe projects: European Heritage Days (since 1999) and HEREIN (since 2000).

The European Union Programme Culture 2000, which Poland joined in 2001, created the possibility for the promotion of Polish culture via multilateral co-operation with cultural organisations from other Member States.

Poland is a member of [Visegrad Group](#) (V4), which reflects the efforts of the countries of the Central European region to work together in a number of fields of common interest relating to European integration. The Czech Republic, Hungary, Poland and Slovakia have historically been part of one civilisation. They share cultural and intellectual values and common roots of religious traditions which they wish to preserve and further strengthen.

Poland is also a member of [Ars Baltica](#), which was created in 1989 as a forum for multilateral cultural co-operation with an emphasis on common projects within the Baltic Sea Region. It gives priority to art, culture and cultural history. The intention of [Ars Baltica](#) is to enhance cultural identity in the Baltic Sea Region and also to realise projects of European significance. Its goal is to implement common projects, with the intention that they will become regular networks of individuals and organisations. Co-operation between the members is carried out by meetings, exchanges of information and joint projects. There are ten member countries: Denmark, Estonia, Germany, Finland, Latvia, Lithuania, Norway, Poland, Russia and Sweden.

#### 1.4.3. NGO'S AND DIRECT PROFESSIONAL COOPERATION

Polish NGOs are the main institutions that devote attention to the issue of intercultural dialogue. Moreover, in some cases, they are more committed to the process of establishing partnerships with foreign institutions than with local governmental bodies. The project [Metropolises of Europe](#) confirms the role of NGOs in introducing and implementing modern research in the broad field of culture, including the theme of multiculturalism which seemed to be neglected in Polish cultural policy. The resulting publication entitled "[Metropolises of Europe. Diversity in Urban Cultural Life](#)" is a good example of the involvement of a Polish NGO in the subject of intercultural dialogue.

The [Foundation Pogranicze](#) (Borderland), situated in Sejny, provides various programmes (together with the [Centre Borderland of Arts, Cultures and Nations](#)) for students, artists, cultural activists etc. Sejny is a small town near the Lithuanian border where the atmosphere of multiculturalism is still vibrant. (In the past it was a village inhabited by Jews, Poles, Lithuanians, Russians and Germans - a perfect example of the cultural blend that was characteristic of Poland before World War II). The Foundation is very interested in extending its projects that

result in co-operation with European and world organisations involved in intercultural and trans-national issues. Sejny-based institutions are very active and give support to many initiatives aimed at promoting tolerance and peaceful co-existence of many ethnic and national groups.

Since Polish accession to the EU, direct professional cooperation has been fostered. The various NGOs still play a key role, yet the participation of other entities (e.g. schools, private companies) in international cultural projects is more active. There is a visible trend in recent years regarding cooperation with Eastern European countries (eg. Members of the Eastern Partnership Programme) and also Middle- and Far-East countries. The Euro 2012 was an important incentive for the development of cultural cooperation with Ukraine. This concerns both official programmes realised within the Culture Stadium project and private initiatives. Cultural cooperation with non-EU European countries is supported via Swiss Grants and the Norwegian Financial Mechanism, which are an important source of co-financing of activities based on bilateral cooperation with Switzerland, Norway, Liechtenstein and Iceland.



## 2. Current cultural affairs

### 2.1. Key developments

In 2007, Polish government was formed by the neoliberal and pro-EU coalition of two political parties, Civic Platform (Platforma Obywatelska) and Polish People's Party (Polskie Stronnictwo Ludowe), who stayed in power until 2015. A noticeable result of this eight-year period was a substantial development of cultural infrastructure, in many cases with support of EU's funding (e.g. the construction of a new building for the Karłowicz Philharmonic in Szczecin). The priorities were put on investments, cultural education and broadening access to cultural offer (including readership development and the support for digitalisation programmes). The topic of the socio-economic importance of culture and its industries was widely discussed in the public debate regarding cultural policies. At the same time, the government was reluctant to address several social issues, i.e. alarming financial and professional situation of artists (the first artists' strike under the slogan 'A day without art' was organised in 2012).

Since 2015, the majority in the lower house of the Polish bicameral parliament is held by the right-wing informal alliance "The United Right" (Zjednoczona Prawica), led by the political party Justice and Law (Prawo i Sprawiedliwość). Piotr Gliński, who also holds a position of a Deputy Prime Minister, had been appointed as the Minister of Culture and National Heritage. Since October 6<sup>th</sup>, 2020, after the reconstruction of the government, Gliński is the Minister of Culture, National Heritage and Sport. The priority framework for Polish cultural policies has been set to foster historically-oriented policies, including the preservation of monuments and the promotion of Polish history and identity (e.g. the launch of a long-term programme for the 100<sup>th</sup> anniversary of independence, among others). At the same time, the scope of the state's intervention in the field of culture was extended, covering cultural industries such as video games, design and architecture.

An important step for the Polish cultural landscape was taken in 2018, when the National Conference for Culture organised a series of debates in many Polish cities, inviting representatives of all cultural fields to take part in discussions. These debates had been widely dominated by defining the concept of a "status of a professional artist". As a result, the Ministry of Culture and National Heritage has undertaken a task to create systemic support for professional artists. The project has been publicly consulted and the final bill shall come into force in the beginning of 2021.

During the public debate, some representatives of the cultural sector accused the Minister of Culture of the interference in the internal affairs of public institutions, such as recruitment decisions and programming (conflicts arose surrounding such institutions as the Museum of the Second World War in Gdansk or the Polish Film Institute). Another strong criticism concerned the politicisation of the news broadcasted by public television.

The year 2020 has been dominated by the difficult situation of cultural industries and artists, caused by the COVID-19 pandemic outbreak. The Ministry of Culture and National Heritage has prepared a multistage programme to support culture. So far, PLN 20 million has been distributed among artists and creators in form of social support. The entire budget for counter-measuring the negative economic effects of the pandemic on cultural industries has been estimated at PLN 6 billion. Currently, there is an ongoing process of evaluation of applications for the Culture Support Fund – the programme with a budget of PLN 400 million (EUR 89 000 000)

aiming to cover remunerations of employees of cultural organisations. The government has also launched a new programme to support small movie theatres, film producers and distributors, whose initial budget does not exceed PLN 157 million (EUR 35 million).

In the face of the entirely new reality, such countermeasures were mostly implemented intuitively. Keeping that in mind, extensive research projects regarding the aftermath of the pandemic and its effects on cultural industries deserve a positive recognition. One of such projects, which include both qualitative and quantitative research methods, has been initiated by the Raszewski Theatre Institute in Warsaw and inquires the situation of Polish theatres during the pandemic (the Creative Economy Research Centre of University SWPS participates in the research project, conducting an analysis of the theatre artists' financial and professional situation). The results of the project are expected to provide an objective overview of the situation of the whole theatre sector, estimate loss, articulate needs and create further a strategy.

## 2.2. Cultural rights and ethics

The article 6 of the Polish Constitution imposes an obligation on the State to provide all Polish citizens with equal access to cultural goods, as well as to provide its citizens abroad with help to maintain their relations with national cultural heritage. Furthermore, the article 73 of the Constitution guarantees Polish citizens the right to freedom of artistic expression, to conduct scientific research and publish its results, freedom of education and freedom to use cultural goods. The Constitution also guarantees freedom of conscience and freedom of speech.

In recent years, there were several cases in which these rights have been challenged. In 2017, Teatr Powszechny premiered a spectacle "The Curse", which sparked a controversy for allegedly showing religious symbolism in a negative context. In April 2019, an artist in Poland has been accused of profanation of a religious image by creating a poster of the Virgin Mary with a rainbow halo in support of the LGBTQ+ rights. These cases triggered a public debate regarding the balance between the freedom of artistic expression and blasphemy.

More recently, in May 2020, during the live broadcast of the Eurovision contest, the public television broadcaster replaced fragments of a transgender presenter with commercials. Such actions have been criticized as an attempt to censor the content. The broadcaster denied any allegations, stating that the timing of commercials only coincidentally corresponded with this particular presenter's airtime.

There are several bodies involved in the protection of the freedom of artistic expression and more broadly the right to freedom of speech. The main one responsible for monitoring, diagnosing and preventing the abuse of these rights is the Polish Ombudsman – an independent central office of the Republic of Poland. The office is elected for the term of five years by an act of Sejm and accepted by the Senate. The ombudsman can serve up to two terms. Others include non-governmental organisations, such as the Helsinki Foundation for Human Rights, Amnesty International Poland, Stefan Batory Foundation or Press Freedom Monitoring Center.

The right to equal access to cultural goods in many cases is being exercised by local governments. According to Polish law, local authorities are obliged to organise and manage cultural activities in the form of creation of public cultural institutions, such as libraries and cultural centres.

The right to protect the intellectual and material benefits accruing from scientific, literary and artistic production

is guaranteed by the Act of 4 February 1994 on copyright and related rights. The exercise of these rights are entrusted to the collective management organisations, which in turn are regulated by the Act of 15 June 2018 on collective management of copyright and related rights. According to the information provided by the central government, currently there are 12 collective management organisations in Poland authorized by the Minister of Culture:

- [KOPIPOL](#) (creators of scientific and technical works)
- [REPROPOL](#) (press publishers)
- [SAiW Copyright Polska](#) (book publishers)
- [SAWP](#) (performers)
- [SFP](#) (filmmakers and audiovisual producers)
- [STL](#) (folklore creators)
- [STOART](#) (performers)
- [ZAIKS](#) (authors)
- [ZASP](#) (theater artists)
- [ZPAF](#) (photographers)
- [ZPAP](#) (visual artists)
- [ZPAV](#) (music and audiovisual producers)

## 2.3. Role of artists and cultural professionals

A team led by prof. Dorota Ilczuk has been studying the situation of artists in Poland for many years. These studies were aimed at diagnosing the specificity of the artists' labor market, analysing the professional situation of artists in Poland, exploring international experiences both in monitoring and analysing this area, and various forms of support provided to artists. It also was the first successful attempt in the history of post-war Poland to estimate the number of professionally active artists in Poland. Without knowing the size of the artistic milieu, it was impossible to calculate the costs of the planned support system for artists, and thus to introduce systemic changes in the cultural policy in Poland.

The social and professional situation of artists, authors and creators in Poland is very unstable. This state of affairs has been ignored in the public debate for many years, despite the artistic community's attempt to draw attention to it (with for example the artists' protest 'A Day Without Art' in 2012). In 2017, at the National Conference for Culture (OKK), the debate about artist's support began. The OKK Group of Experts was formed and they started to work on an *Act on the Rights of the Professional Artist*. The project aims to:

- defines professional artists and their rights, enabling the precise adaptation of tools for the needs of this professional and social group;
- regulates the procedures for confirming and updating the rights of a professional artist on the basis of artistic education or achievements confirmed by representative organisations of artistic milieu, as well as revenues from artistic activity;
- defines the rules of access of professional artists with entitlements to the social and health insurance system (each artist pays contributions at the level of those corresponding to the minimum wage);

- creates a dedicated fund to support social and health insurance contributions for the lowest-earning persons with the status of an artist (subsidies from 20% to 80% of the amount of contributions);
- identifies the sources of financing for the above-mentioned fund (the main source are extra-budgetary funds from the so-called reprographic fee, a state budget guarantee);
- creates a mechanism for the artist's card enabling the creation of packages, amenities, discounts and offers addressed to this social group;
- creates the Polish Chamber of Artists as a state legal entity, the Council of which will be composed of representatives of artists' organisations, the Ministries of Culture and Labor and the Social Insurance Institution.

The creation of a new bill would not be possible without the research carried out by the team of the Creative Economy Research Centre, under the supervision of prof. Dorota Ilczuk. As stated above, the team faced the difficult task of estimating the size of the artistic milieu in Poland. There are 59 970 people working in the following industries: music, architecture, visual arts, theatre, film, literature, dance, folk art, and interdisciplinary arts.

## 2.4. Digital policy and developments

According to the [Report on Digitisation of Polish Cultural Resources](#) (prepared for the Congress of Polish Culture 2009), the digital resources of state archives are calculated at approximately 3 million scans; libraries at 300 thousand library units (ca. 1915-1917 million scans); and museums at about 300 thousand reproductions.

The work of digitisation in Poland is characterised by fragmentation and a lack of coordination of the initiatives undertaken. The reasons for this situation include, inter alia, a lack of funding of digitisation at the central level, low levels of awareness on the importance of digitisation of Polish cultural goods among the administrators of the memory institutions, and a lack of awareness of the importance of collecting and permanently storing digital documents for Polish heritage. Moreover, most cultural institutions are not able to finance the laboratory equipment and digitisation from their own budgets, which is why these works are financed on an ad hoc basis, from the structural funds, targeted subsidies or international projects, which does not provide them with continuity and sustainability. Central coordination of the digitisation process is particularly important for libraries, since there is a danger of digitising the same documents in different centres.

One of the obstacles that complicate the process of sharing digital documents in archives and on library websites is the limitations of the *Copyright and Related Rights Act*, database protection and others. Therefore, it seems necessary to modify the existing provisions or create new legal provisions, as well as to popularise the free licenses for the non-exclusive digital publications and to post documents on the Creative Commons license type, developed specifically for the Internet.

## 2.5. Cultural and social diversity

### 2.5.1. NATIONAL / INTERNATIONAL INTERCULTURAL DIALOGUE

Intercultural dialogue is not an priority of cultural policies in Poland. There are no specific state programmes to

support trans-national intercultural dialogue. Some of the activities in this field are covered by the Euroregions. In Poland, there are 16 Euroregions. These are:

- Nysa (1991, Czech Republic, Germany and Poland);
- Sprewa-Nysa-Bóbr (1993, Poland and Germany);
- Pro Europa Viadrina (1993, Poland and Germany);
- Pomerania (1995, Poland, Germany, Sweden);
- Niemen (1997, Poland, Lithuania, Belarus);
- Glacensis (1996, Czech Republic, Poland);
- Karpacki (1993, Poland, Ukraine, Hungary, Slovakia, Romania);
- Tatry (1994, Poland, Slovakia);
- Bug (1995, Poland, Ukraine);
- Pradziad (1997, Poland, Czech Republic);
- Bałtyk (1998, Poland, Lithuania, Sweden);
- Śląsk cieszyński (1998, Poland and Czech Republic);
- Silesia (1998, Poland and Czech Republic);
- Beskidy (2000, Poland, Slovakia and Czech Republic);
- Puszcza Białowieska (2002, Poland and Belarus);
- Łyna-Ława (2003, Poland and Russia).

The activities in the scope of trans-national intercultural dialogue on the local level are partially covered by the Town-twinning programmes and municipality networks such as Eurocities or BaltMet.

Unfortunately, there are no data available on initiatives taken by NGO's in the field of intercultural dialogue. However, this does not mean that such actions are missing. Various grant programmes are available to support cooperation with other countries (e.g. grants from the Polish-American Freedom Foundation or the Foundation for Polish-German Cooperation) and events promoting their culture. There are also events to support the social integration of migrants and festivals held to promote minority culture (e.g. Festival of Jewish Culture in Warsaw - "Singer's Warsaw").

Wrocław, a city with powiat status, was the only one to introduce the [Strategy for Intercultural Dialogue \(2018-2022\)](#). The planned results of the implementation of this programme relate to the following areas:

1. Education – increasing the level of knowledge and strengthening intercultural competences;
2. Integration – building a sense of social belonging;
3. Security – strengthening the safety of residents;
4. Cooperation and communication – creation of cooperation platforms and strengthening of the communication process.

The following is stated in the introduction of the strategy: "The Wrocław Strategy for Intercultural Dialogue for 2018-2022 is a response to the emerging new challenges and social needs resulting from the increasing participation of foreigners in the socio-economic life of Wrocław. Various dimensions of community life create a network of mutual relations between the inhabitants of Wrocław and the migrants who live in Wrocław. The experience of multiculturalism can be a new experience for both Wrocław citizens and foreigners. That is why it is so important to create conditions for building new ties, increasing intercultural competences, which are

necessary for mutual understanding, coexistence and cooperation. Accepting and appreciating the values that other cultures bring to the life of the community is closely related to knowing and understanding one's own cultural identity. "

### 2.5.2. DIVERSITY EDUCATION

The official Polish educational system does not cover issues related to intercultural dialogue and multiculturalism. However, many smaller-scale initiatives are undertaken in this field (usually by NGOs and independent institutions, see chapter 1.4.2).

Poland seems to be a culturally homogenous country. The subject of interculturalism has been seriously neglected in national education. Still, being a part of the larger multicultural European community should encourage educational authorities to incorporate such topics in school curricula. Some elements of intercultural education have been introduced into teaching programmes in the regions which have a significant number of students with origins other than Polish.

The question of interculturalism in arts and cultural education is pointedly connected with the issue of mobility. Schools and universities which participate in European programmes like Socrates, have made a notable contribution to the process of modernisation of Polish education. Activities concerning multilingualism, tolerance etc., as well as creative actions related to such issues become more and more popular among both students and teachers from all types of educational institutions. The growing popularity of intercultural activities facilitates and increases the possibilities of gaining financial, technical and content related support from various institutions.

### 2.5.3. MEDIA PLURALISM AND CONTENT DIVERSITY

The Polish audiovisual market model is based on three categories of broadcasting: public service broadcasters, licensing - social broadcasters, and licensing - commercial broadcasters.

The television market is divided between the public broadcaster TVP and two commercial television stations: Polsat and TVN. Public television offers nationwide and regional programmes operating under the name TVP INFO (sixteen regional centres). Additionally, TVP offers five satellite channels: TVP Polonia (for Poles living abroad), TVP Kultura (culture channel), TVP Historia (history channel), TVP Sport (sports channel) and TVP HD. Other channels can be viewed only via the digital platforms and cable networks, so their range and influence is limited.

TVP Kultura was launched on 24th April 2005. It is aimed at the promotion of various cultural activities, including non-commercial artistic projects. The half of the channel's broadcast material is based on Polish Public Television's (TVP) archival programmes. The rest consists of programmes bought from foreign broadcasting companies.

Public radio and television are mainly financed from public funds (licence fees) and budget subsidies. Advertising is an additional source of financing although some restrictions regarding public media are present.

The major responsibilities of the National Broadcasting Council are set out in the *Broadcasting Act* and are twofold: to award broadcasting frequencies to public radio and television stations and to share income from the

license fees between different public broadcasters. The National Broadcasting Council is also obliged to design, in consultation with the Prime Minister, state policy in the field of broadcasting.

The supervision of the National Broadcasting Council does not prevent the politicisation of public media. A strong political influence on Polish public broadcasting institutions is very visible and commonly discussed.

Several complaints against public broadcasters have been issued which argue that they do not fulfil their public function to support independent and ambitious producers or young creators.

Despite the dynamic development in the field of accessibility to the Internet, Poland still faces the problem of digital exclusion. In developing infrastructure to deliver broadband Internet, Poland, in particular the eastern Polish provinces, lags behind the rest of Europe. The problem is also a lack of media education, which could prepare young people to be more critical and conscious as well as creative and active in using media, especially new technologies.

#### 2.5.4. LANGUAGE

The official national language is Polish. The national interest in protecting the Polish language was expressed through the adoption of *The Polish Language Act in 1999* (see also chapter 4.1.8).

The Polish education system guarantees the right to learn minority languages as mother tongues, since a *Decree of the Ministry of National Education and Sport* on 3 December 2002. Learning a minority language or being taught in a minority language is available at all levels of education and is organised by school directors at the request of parents or legal guardians of a pupil (for older youth - at the request of the student). A minimum of seven pupils is required at primary level to hold a class in a minority language, and fourteen students at secondary level. Minority language teaching is financed from the state budget. National and ethnic minorities and the Kashubian community benefit from increased educational subsidies in accordance with a *Decree of the Minister of National Education and Sport* from 21 December 2006, on the allocation of the overall education subsidy to local governments in 2007.

On 12 February 2009, Poland ratified the European Charter for Regional or Minority Languages. The Convention entered into force on 1st June 2009.

There is currently no debate on minority languages in Poland. Particular projects focused on sustaining minority traditions and languages are financially supported by the Ministry of Culture, for example the publication of periodicals.

#### 2.5.5. GENDER

The gender equality index for Poland is 56.8 on a scale from 1 to 100. This is below the figure of 66.2 for the EU-28, although progress is keeping pace with the average tempo of changes in the EU. Poland's score increased by 4.4 points, which currently results in the 18th position.

The Constitution of the Republic of Poland treats equal rights of men and women and the prohibition of gender discrimination in Article 33.

At the state level, there are no specific regulations, or codex of good practices supporting equality and

diversification in different areas of social life, including culture. Only 29.13% of the Parliament (Sejm) is female. Moreover, there is a very low number of women in government (17%). However, the Minister of Culture Robert Gliński, has two women (Wanda Zwinogrodzka and Magdalena Gawin) and two men in his Ministry's leadership team.

There are no quota schemes and most cultural institutions are managed by men, which is in line with the general trend in Poland and in Europe. Among the lower rank cultural professions, although, there is a relatively high degree of feminisation.

One of the most widespread phenomena that undermine gender equality is the gender pay gap. In Poland it is 7%. The difference between men and women in the "specialist" group of occupation (which includes most of the culture oriented professions) is 12%. The biggest income disparity is among managers, where women earn 23% less than men (Eurostat 2018).

On the other hand, the city of Warsaw, led by mayor Rafał Trzaskowski, has launched a programme dedicated to women in 2019 ("Warszawa dla kobiet"). The main points of the programme are: appointment of a Women's Affairs Officer and a Women's Council, aid and safety programmes, increased in vitro funding, vaccination against HPV and access to medical care without a conscience clause.

At the moment of writing, there are many protests in Poland resulting from the tightening of the abortion law. Women flock to the streets demanding abortion rights and carrying anti-government slogans. The Programme Council of the All-Poland Women's Strike was established. They presented a list of postulates, which initially did not include culture. However, the situation has changed and there is a special working group within the Council of the All-Poland Women's Strike that is dedicated to the cultural matters.

## 2.5.6. DISABILITY

The Polish Ministry of Culture and National Heritage runs the "Accessible Culture" grant programme. The strategic goal of the programme is to support facilitating access to culture, aimed at a wide audience and favouring social integration. These activities should serve to achieve real, systemic and long-term effects in eliminating barriers to access to culture in the following dimensions: spatial, economic, socio-mental and competence, with particular emphasis on the needs of people from localities deprived of direct access to cultural goods and people with special needs, including disabled people.

Third sector organisations play a significant role in facilitating access to culture for disabled people. It is impossible to list all the events and organizations involved in facilitating access to culture for people with disabilities. Foundations such as the Foundation of Culture Without Barriers prepare and disseminate cultural events, texts, movies etc. to people with disabilities. Various cultural outings are organised by the No Barriers Foundation, which also checks the accessibility of cultural institutions for people with disabilities. The Full Culture Foundation is involved in organising events for people with disabilities, such as the Week of People With Disabilities, fairs and picnics.



## 2.6. Culture and social inclusion

There are thirteen national and ethnic minorities recognised by Polish law. They constitute between 3 and 4% of the Polish population. The representatives of national minorities are: Germans, Ukrainians, Armenians, Belarusians, Russians, Latvians, Slovaks, Jews and Czechs. There are also representatives of four ethnic minorities: Karaims, Łemkowie, Roma and Tatars. In addition, some areas of Pomorskie voivodeship are inhabited by the Kashubian community, speaking the regional language. Polish law defines in detail the rights of national and ethnic minorities.

Article 35 of the Polish Constitution ensures that national and ethnic minorities retain freedom to practice their own traditions and customs, and to use their national language.

The *National and Ethnic Minorities and Regional Languages Act* was adopted by the Polish Parliament on 6th January 2005. This is the first legal document that gives a precise definition of national and ethnic minorities in Poland. This Act describes "national minorities" as those groups who identify themselves with an established country/nation i.e., Germans, Ukrainians, Jews etc. It also defines "ethnic minorities" as those who do not have their own country – those who are state-less such as the Roma people. Other points of the legal definition are common for both types of minorities.

This Act is perceived as controversial by many experts, politicians and social activists. Some of its items provoked a discussion about the situation of new minorities e.g. the Vietnamese. The *National and Ethnic Minorities and Regional Languages Act* emphasises that a foreign community can only be recognised as a national and ethnic minority if its ancestors had lived in Poland for at least a hundred years. Currently, the Vietnamese are a significant and continually increasing community in major Polish cities. They do not, however, enjoy equal rights with other, officially acknowledged minorities. The law has been criticised for not including such communities.

The only minority group with parliamentary representation are the Germans (two deputies in the Lower Chamber). Other communities have their representatives in local governments. In a few communes in various regions of the country, German and Lithuanian obtained a status of "auxiliary languages" and public information is published both in Polish and German or Lithuanian.

Although cultural policies of local governments are quite diversified in different cities and regions, while discussing social inclusion it is difficult to ignore that recently some local authorities adopted resolutions against so-called 'LGBT ideology'. These resolutions serve more as political declarations than actual acts of legislature. Nevertheless, they are widely criticised as unconstitutional and openly discriminatory.

## 2.7. Societal impact of arts

National Conference for Culture

The National Conference for Culture is a project of the Ministry of Culture and National Heritage, planned to recognize and implement the needs of Polish artistic milieu.

The conference started in 2017 with five thematic symposia devoted to five areas of art: music, dance, theater, fine arts and folk culture. Plenary sessions were programmed with the participation of authorities, artists and cultural organizers to discuss the most important issues related to the current state of culture in Poland, both in its institutional dimension and from the point of view of an individual artist. The subject of the debate included issues of the relationship between the state and artistic activity, areas requiring regulation and state support, and issues regarding the role of private capital in the development of culture. Outlining the cultural policy framework of the state and local governments has also become the subject of considerations within local communities thanks to a series of six regional symposia.

Such prepared and conducted environmental diagnosis of cultural life in Poland showed the shortcomings in the artists social security system and opened the prospect for new decisions, including legislative ones, as well as for the formulation of good practices and collective agreements. During the conference a team of experts (OKK Experts Group) consisting of scientists, directors of institutions, representatives of trade unions and associations, and the artists themselves was established. Work of experts led to the development of the Act on the rights of the professional artist.

### Dance Congress

On September 16-29, 2020, the final of the 2nd Dance Congress was held in Warsaw, of which the Institute of Music and Dance is the initiator and main organiser. The congress began at the end of 2019 with multi-stage consultations with the Polish dance community, as part of which a congress programme was developed. During the meeting, great emphasis was placed on the benefits of dance for society and on how to strengthen its presence, both in politics and cultural education, and in the everyday life of every human being.

### Alerts on Culture

Since the beginning of the COVID-19 pandemic, the team of experts at Open Eyes Economy HUB has published about 100 expert alerts in many areas, including economy, local governments and education. Among the issues discussed, there was also the topic of culture. The Open Eyes Economy movement is not only about economic concepts developed in academia: its initiators have always emphasised that thanks to artists and culture, complex scientific theories are able to resonate in society. Specialists of the Alerts on Culture series analysed the situation of the entire sector, and presented a number of solutions and ideas for protecting Polish culture and counteracting the deepening crisis.

## 2.8. Cultural sustainability

The sustainable development of culture in Poland is not mentioned in one strategic document at national level, despite the agreements ratified by the Polish Government at international and global level. The document *Poland 2030, Third Wave of Modernity: The 'Long-term National Development Strategy* contains, admittedly, provisions on "strengthening the role of civic, cultural and media education, economic education and education for sustainable development in school, and stimulating cooperation between schools and external institutions, for example entrepreneurs, local government, culture institutions or NGO's. Both the increase in employment and, once the macroeconomic conditions have been sorted out, economic growth and modernisation of the entire economy are the most important levers of Polish development, both in the long-term perspective until 2030 and in the medium term - until 2020".

However, attempts to implement the provisions of the Agenda 21 for Culture are visible mainly in regional and local development programmes, and this is mostly at the level of large and medium-sized cities. Strategies in the field of culture are mainly executive documents for the activities of cultural institutions and support for local creators and artists, and rarely locate culture as the fourth pillar of sustainable local development. Regardless of public legal solutions, there are many grassroots initiatives taken by cultural institutions or non-governmental organisations aimed at implementing sustainable development goals by 2030.

These include, for example, the following:

- Poland's first carbon calculator, which makes it possible to estimate the impact of cultural institutions or events and compensate for the carbon footprint through offsets activities;
- The establishment of the Green Events standard;
- The creation of the Code of Responsible Festivals - organisers of festivals and events created a document promoting responsible relations with the environment, festival community and neighbours;
- Environmental declaration of the Coalition of Summer Literary Festivals;
- "Exchange waste for cultural excursions" - a nationwide campaign to exchange waste for tickets to cultural institutions.

## 2.9. Other main cultural policy issues

### European Capital of Culture

On June 21st 2011, Wrocław was appointed as the European Capital of Culture for 2016. Five cities took part in the final selection (Gdańsk, Katowice, Lublin, Warszawa and Wrocław). The competition provoked a nationwide debate on local cultural policies and their directions. It also forced candidate cities into long-term planning in the field of culture.

### Anti-Counterfeiting Trade Agreement

The Anti-Counterfeiting Trade Agreement provoked a heated discussion about copyright. Although Bogdan Zdrojewski, Minister of Culture and National Heritage, stated that ratification of ACTA by Poland will not influence the existing legal system, it was met with great reluctance. The probability of signing the agreement by the Polish government resulted in a strong social support for the Anonymous Group among Polish Internet users, who feared restrictions on freedom of expression and other rights guaranteed by the Constitution of the Republic of Poland. There have been cases of virtual attacks on governmental websites. Numerous protests took place, of which the largest was held in Krakow, with about 15 000 protesters. During the vote in the European Parliament on ACTA, all Polish MEPs present at the vote spoke against it.

### Smartphones Taxation

In 2014, Polish artists proposed to producers of smartphones and tablets to introduce a tax on mobile devices. Their main slogan was "Do not kill us!". Collective Management Organisations of Copyright wanted to add the smartphones and tablets to the list of so-called "blank discs". These are the media devices in which price includes the fee, which goes to organisations of copyright administration. The idea has not been positively received neither by producers of electronics nor by the Ministry of Culture. However, in its communication the

Ministry of Culture emphasised that the system of charges on blank discs and electronic devices needs to be updated. In 2020, the debate on "blank discs" was resumed due to the ongoing work on the act on the rights of the professional artist. The reprographic fee is supposed to be one of the ways of financing this project.

## 3. Cultural and creative sectors

### 3.1. Heritage

The National Development Strategy Supplement for 2004-2020 emphasises the need for establishing modern solutions to protect and promote Polish heritage. The National Heritage Board of Poland is an institution responsible for such actions (including the protection of twelve Polish cultural heritage objects placed on the UNESCO World Heritage List).

The main objectives of the Heritage Board are to gather and disseminate information on heritage, set standards for its protection and conservation, and aim to raise social awareness on the cultural heritage of Poland in order to save it for future generations in accordance with the strategy for sustainable development.

Other national institutes responsible for heritage preservation and protection are:

- The National Institute for Museums and Public Collections. Its mission is to create development and innovation in the field of managing museums and public collections in Poland. It will be implemented by researching and initiating legislative solutions, providing support to museum institutions in all areas of their activity, creating modern scientific, managerial and educational programmes, gathering and popularising knowledge, and building and updating an integrated information system on museology and collections.
- The State Archives. Its tasks are: shaping the state archival resources; recording, storing, developing, protecting and sharing archival materials belonging to the archival resource; conducting scientific and publishing works in the field of archival science and related fields; and popularising knowledge about archival materials and archives as well as conducting information activities.

Currently, the Ministry of Culture and National Heritage runs subsidy programmes for:

- Memorial sites and permanent memorials in the country. The aim of the programme is to support local governments in providing stable care over the most important memorial sites, which are material testimony to events that are key to national identity.
- War graves and cemeteries in the country. The aim of the programme is to support the care of war graves and cemeteries in the territory of the Republic of Poland, constituting material evidence of key events in the history of Poland related to struggle and martyrdom, as well as to support scientific activities disseminating knowledge about these events
- Protection of archaeological monuments. The aim of the programme is to protect the archaeological heritage by supporting the key tasks for this area, including the identification and documentation of archaeological heritage resources as well as the preparation and publication of the results of archaeological research.
- Protection of cultural heritage abroad. The aim of the programme is to improve the state of preservation and strengthen the protection of cultural heritage located outside the territory of the Republic of Poland, and to disseminate knowledge about it.
- Supporting museum activities. The aim of the programme is to support activities in the field of conservation care of museums, archives and book collections, as well as the presentation of the collections in the form of cognitively attractive exhibition and publishing projects.

- Protection of monuments. The aim of the programme is to preserve the tangible cultural heritage, through the conservation and restoration of immovable and movable monuments, and making them available for public purposes.

## 3.2. Archives and libraries

The National Library of Poland acts as the central library of the country and is one of the most important cultural institutions in Poland. Its mission is to protect national heritage preserved as documents, be it handwritten, printed or electronic (including sound recordings and audiovisual material). As stated on [their website](#): “The primary task of the National Library is to acquire, store and permanently archive the intellectual output of Poles, including the works of citizens living on Polish soil, the most important foreign works, and publications related to Poland and published abroad.”

Currently, the Ministry of Culture and National Heritage runs subsidy programmes for:

- Partnership for the book. The strategic goals of the programme are both to improve access to books in all its formats and to strengthen the culture-forming role of bookstores and libraries.
- Reading promotion. The aim of the programme is to support valuable forms of promoting reading, both by co-financing innovative, wide-ranging programmes promoting common reading practices, and by supporting projects promoting the most significant phenomena of contemporary literature.

## 3.3. Performing arts

There are two institutes responsible for performing arts in Poland:

- Zbigniew Raszewski Theatrical Institute – responsible for documentation, promotion and animation of Polish theatre life. The institute invokes public debate on contemporary Polish theatre, broadens the perspectives of accompanying scientific reflections, and supports research and educational activities.
- [Institute of Music and Dance](#) – established on 1 October 2010 by the Minister of Culture and National Heritage. Its creation was preceded by a sector consultation and a three month preparation of the development strategy with the Polish organisations and institutions active in the field of music and dance. A key mission of the Institute is to act for the development of music and dance culture in Poland.

Currently, the Ministry of Culture and National Heritage runs subsidy programmes for:

- Theatre and Dance. The aim of the programme is to support the most valuable phenomena and trends in contemporary theatre and dance.
- Music. The aim of the programme is to support the most valuable phenomena and trends in Polish and world music culture.

## 3.4. Visual arts and crafts

The Polish Craft Association, which was established in 1933, provides training programmes on environmental standards to promote awareness of these standards amongst small and medium-sized enterprises (SMEs).

Together with 28 regional chambers, 478 guilds and 180 cooperatives it represent the interests of SMEs in view of government and regulatory bodies, public administration, courts and social-economic organisations. The association is very active in the vocational education, as its members offer a wide range of training opportunities (especially in handicraft and artistic professions).

Through the membership in the European Union of Small and Medium-sized Enterprises (SMEUnited), the Polish Craft Association participates in the European social dialogue.

Currently, the Ministry of Culture and National Heritage runs subsidy programmes for:

- National Collection of Contemporary Art of the Minister of Culture and National Heritage. The aim of the programme is to create and develop representative, international collections of contemporary art with the rank of national collections in order to strengthen the exhibition system and the field of visual arts in Poland.
- Visual arts. The aim of the programme is to support the most valuable phenomena in Polish contemporary art and to popularise the most interesting phenomena of Polish and world art in Poland.

## 3.5. Cultural arts and creative industries

### 3.5.1. GENERAL DEVELOPMENTS

State intervention in the functioning of the cultural industries is limited to regulating access of different producers to the marketplace, providing direct subsidies to selected activities and introducing tax incentives and allowances which could facilitate the development of different areas of the industry.

Over the last few years, the number of enterprises whose activities are classified as 'cultural and creative industries' has been systematically growing. In 2018, it reached the level of 117.2 thousand entities operating in various fields of broadly understood culture. The most frequently represented areas of culture in 2018 were: advertising (28.9 thousand entities), books and press (27.0 thousand) and architecture (18.8 thousand).

Most of the entities were organised in the form of micro-enterprises (98.9% of all entities classified as cultural and creative industries). In 2018, there were a total of 116.0 thousand of them, which accounted for 5.6% of all micro-enterprises. In the remaining size classes of enterprises, the share of the cultural and creative industries was as follows: small – 1.9%, medium – 1.3%, large – 1.2%.

In 2018, 241.5 thousand people worked in enterprises classified as the cultural and creative industries (12.5 thousand people more than in 2017), which constituted 2.4% of the total number of people working in non-financial enterprises. Micro-enterprises concentrated 70.5% of working people, large enterprises – 13.4%, small enterprises – 8.1% and medium-sized enterprises – 8.0%.

In 2018, entities included in the cultural and creative industries achieved revenues of PLN 83.3 billion, with total costs amounting to PLN 74.6 billion ([data from the Central Statistical Office](#)).

In recent years, the creative sectors have become one of the areas of interest of the Ministry of Culture and National Heritage. A special programme called Creative Sector was created, which aims to develop the Polish

cultural and creative sectors and to strengthen their competitiveness both in the EU and beyond. The grant programme supports in particular: educational activities related to these sectors, research projects, prototyping, development and export of products.

### 3.5.2. BOOKS AND PRESS

In 2018, the Polish book market accounted for approximately 3% of the European publishing market. At the end of 2017, almost 42,000 publishers in Poland were registered in the ISBN database maintained by the National Library. No more than 2000–2500 of them are active (they publish several books a year). However, the market is still highly concentrated. Almost 97% of the market is in the group of almost 300 entities. About 600-700 companies publish over ten books annually. Most of the other registered publishers publish a very limited number of books ([The Polish Book Institute](#)).

In 2015 Poland, introduced the so-called Public Lending Rights (PLR). These are royalties paid on loans that compensate authors and publishers for losses from the proceeds caused by borrowing books from libraries.

For many years, the major instrument used to support the book market was the 0% VAT rate for publishing and printing, domestic sale of books, newspapers and periodicals bearing ISSN and ISBN numbers, and publications in Braille. From December 2007, VAT for these goods was raised to 5% starting from 2011. Items without ISSN and ISBN numbers have a 8% VAT rate, as well as books, magazines and printed goods imported from abroad. Since April 1st 2020, the VAT rate for e-books and paper books has been levelled to 5% and the rate for e-press and paper press- to 8%. The exception will be regional and local magazines that are published in forms other than electronic. In these cases, the VAT rate of 5% will be maintained. So far, there exist no data on the impact of the VAT raise to the sector.

[The Polish Book Institute](#) finances translations of Polish literature into foreign languages in the framework of the Translation Programme © POLAND.

### 3.5.3. AUDIOVISUAL AND INTERACTIVE MEDIA

In the field of cinema, the new *Cinematography Act* (2005) was a very important step forward. Under this Act, the Polish Film Institute, which acts de facto as a non-departmental public body, was created.

[The Polish Film Institute](#) is the newest film institute in Europe. It is responsible directly to the Minister of Culture and National Heritage. The Institute's board is appointed by the Minister and comprises eleven people chosen from the film community. The Institute's tasks, as specified in the *Act on Cinematography*, are among others: to create conditions for the development of Polish film production and international co-production; to inspire and support the development of all types of Polish film creativity, in particular artistic films, including the development of film projects and the production and distribution of such films; to support film debuts and the artistic development of young filmmakers; to subsidise enterprises in developing film projects, film production, distribution and dissemination of films, and in providing assistance and expert services to public administration and to support the upkeep of film archives. At least 60% of the budget of the Institute is allocated for film production.

As stated on their website: "[Film Commission Poland](#) is a non-profit organisation established in 2012 in order both to improve recognition of Poland and its regions as film locations and to put the potential of the Polish



audiovisual sector to effective use. Its primary purpose is threefold: to coordinate the work of national and regional entities in attracting foreign film productions to Poland; to ensure a cohesive promotion of the audiovisual potential abroad; and to provide support for foreign productions made in the country.”

### 3.5.4. MUSIC

The characteristics of the music market in Poland are similar to those of other countries in the world. The following trends can be observed in both Poland and the rest of the world:

- An increase in the value of the music and system markets, return to the value before the crisis that the market had been facing since the 2000s;
- An increase of the share of independent record labels in the phonographic market;
- Increasing importance of streaming and the Internet in promoting the decisions of creators;
- An increase in the concert market share in artists revenues.

The Polish music market distinguishes itself from the world market in the following ways:

- A greater share of sales of physical carriers in the phonographic market and no clear deviation from these format;
- Great importance of radio and reaching its listeners, which does not change despite the growing importance of streaming platforms and the Internet;
- Relative low popularity of disco polo - a genre that occurs only in Poland;
- Polish artists are definitely more popular than foreign ones. This difference is especially pronounced in the case of hip hop.

Institutional support for the music market in Poland

- Institutional support provided to musicians of a diverse nature and manifested in the activities of public entities (Ministry of Culture and National Heritage, public institutes), market entities (media) and non-governmental entities (associations, foundations, copyright management associations);
- There are two main paths of providing support - direct (programmes, scholarships, competitions, awards) and indirect (promotion, popularization);
- Among public institutions, the main supporting entities are: the Ministry of Culture and National Heritage, institutions supervised by the Ministry of Culture and National Heritage that deal with music, such as the Institute of Music and Dance, Polskie Wydawnictwo Muzyczne, the Fryderyk Chopin Institute, the Adam Mickiewicz Institute as well as municipal and provincial governments.
- Supporting entities from the non-governmental sector are mainly associations and foundations, e.g. the Meakultura Foundation, the Association of Polish Musicians, the Polish Music Foundation, the Association of Independent Polish Phonography, and trade and collective management unions (eg ZAIKS, ZPAV, STOART, SAWP).
- There are also cooperation networks that most often associate with other smaller entities from the non-governmental sector, such as the Music Export Poland Foundation, the Alliance of Independent Music Producers, and the Polish Music Council.

### 3.5.5. DESIGN AND CREATIVE SERVICES

Since 1950, the Institute of Industrial Design promotes effective use of design among Polish businesses and the public sector. The Institute also organises trainings for companies from different sectors, institutions and local governments. It promotes innovation and good design practices through organising exhibitions and competitions such as "Dobry Wzór" (Good Design).

### 3.5.6. CULTURAL AND CREATIVE TOURISM

The Programme for Tourism Development until 2020 states that tourism is an important part of the Polish economy.

The tourism economy can significantly contribute to the improvement of economic, territorial and social cohesion in Poland. The sustainable development of the high-quality tourism sector is one of the directional development priorities of the European Union. This raises the challenge of strengthening the economic and social potential conducive to the growth of the tourism sector, understood as an element of economic competitiveness of European regions. Tourism is a factor in the diversification of the economy, causing the demand for qualified staff, innovative services and modern management tools as well as research and analysis supporting sustainable economic development based on tourism. All this creates new opportunities to view the development of tourism as part of a regional policy that strengthens the competitiveness of a given territory. Unfortunately, there is still a lack of regulation and data focusing on cultural and creative tourism.

## 4. Law and legislation

### 4.1. General legislation

#### 4.1.1. CONSTITUTION

*Article 6* of the Constitution states:

- the Republic of Poland creates the conditions for the dissemination and equal access to culture, which is the source of the Poland's national identity, its continuance and development; and
- the Republic of Poland grants assistance to Poles living abroad in fostering their bond with the national cultural heritage.

*Article 73* directly refers to the field of culture and states that everyone is granted the right of freedom of creation, to conduct scientific research and announce their results, freedom of education and use of cultural assets.

#### 4.1.2. ALLOCATION OF PUBLIC FUNDS

The following Acts provide the legal bases which enable the Minister of Culture to provide subventions for cultural institutions (of which the Ministry is the founding body) and to provide project funding outside the public sector:

- the *Act on Organising and Conducting Cultural Activity of 25 October, 1991* (OJ 110, p.721 with later amendments and annexes); and
- the *Act on Public Finances of 26 November, 1998*.

The following laws enable local governments to grant aid for state administration tasks (financial aid is granted on the basis of an agreement between the Minister of Culture and the local administration units):

- the *Act on the change of some Laws defining the competencies of the national administration bodies of 21 January 2000*; and
- the *Act on the establishment of tasks in the field of culture which are covered by state's patronage of 9 May 2000*.

Tenders in the field of culture do not fall under strict procedural rules specified in the *Act on Public Tendering*. Tenders can be granted through any procedure without the need of agreement from the Head of the Public Tender Office. *Article 71* of the Act allows granting a public tender freely for creative and artistic activities in the field of art and culture and in the case of issues linked with protection of exclusive laws consequential to separate regulations. Cultural institutions are, however, bound by the *Act on Public Tendering* through regulations concerning issues such as:

- the obligation to announce tenders;
- announcement of the outcome of proceedings or in the case of granting a tender freely, announcement of contracting the agreement;
- the obligation to treat all applying subjects equally;

- rules of specifying the subject of the tender;
- exclusion from applying;
- acting as a representative of the tendering party; and
- appointing tender commissions, etc.

#### 4.1.3. SOCIAL SECURITY FRAMEWORKS

Within the Ministry of Culture, a Commission for Pension Provisions for Artists was set up to determine the starting date of a creative and/or artistic career for pension purposes. Decisions are made in accordance with the following legal Acts:

- *Act on the Social Security System* of the 15th of October 1998 / DZ.U.Nr.157, poz.887; and
- *Act on Pensions from the Social Security Fund* of the 17th of December 1998.
- Ordinance of the Minister of Culture of March 9, 1999 regarding the establishment of the Commission for Pension Provisions for Artists and a detailed definition of its tasks, composition and mode of operation (Journal of Laws of 1999 No. 27, item 250)

Those concerned must send the Commission a form together with necessary documents confirming the duration and character of their work.

Currently, the retirement age in Poland varies according to gender: 60 years for women and 65 years for men (*Act on Pension from the Social Insurance Fund* of 17 December 1998 as amended).

Artists in a difficult financial situation are eligible to apply for a subsistence allowance granted by the Minister of Culture from the Culture Promotion Fund. The allowance is granted once after the application has been positively verified by the commission appointed by the Minister.

Work is underway to prepare a *Act on the Rights of the Professional* that provides support for professional artists and creators in the field of social security, allowing them to pay preferential contributions. The act was created as a result of ongoing debate from an artistic milieu representing all professions and organisational forms on the occasion of the National Culture Conference.

#### 4.1.4. TAX LAWS

The state has implemented a provision which allows creative artists to deduct 50% of their income from their creative work as expenses for income tax purposes. Tax-payers whose income from creative work exceeds the so called first tax threshold (85 528 PLN of income, after deduction of premiums paid to the pension scheme and health insurance) are not be able to benefit from the 50% deduction.

According to amendments made to the *Income Tax Act* (1993, amendments 2003), deductions of up to 10% are available on donations made by legal persons (organisations, foundations etc.) for "public good purposes". In the case of private persons/individuals, a ceiling of 6% of income has been introduced. Since 1991, state cultural institutions are allowed to receive private donations from individuals or legal persons.

The following tax exemptions are made available for NGO's – including both foundations and associations: goods and services tax (1993); the tax on increase of remuneration within the framework of statutory activities

(1992); property tax which exists within the framework of statutory activities (1991). Foundations are also exempt from paying court fees when registering.

*Law on Income Tax on Individuals* allows an individual to deduct 1% of their income tax as a donation for a chosen public organisation. Starting from the tax year of 2007, tax-payers do not transfer the donations directly to the beneficiaries, but instead pay through the tax revenue offices. That simplifies the procedure.

According to *Act on tax on goods and services* of March 11, 2004:

- cultural institutions are exempt from VAT;
- there is reduced 5% VAT on the sale of books, periodicals and ebooks;
- a 22% VAT is applicable to the sale of CD's.

According to widespread opinion, the tax changes in Poland do not encourage sponsors and donors to adequately support culture. Transparency and new solutions or measures are being called for.

#### 4.1.5. LABOUR LAWS

Issues related to employment in the cultural sector are regulated by the *Labour Code* (Act of 26th June 1974 r., OJ 1998, no. 21, item. 94, with later amendments).

#### 4.1.6. COPYRIGHT PROVISIONS

The *Copyright and Related Rights Act* of 4 February 1994, and amendments adopted on 9 June 2000 in order to make the Act compatible with EU law, are the basic Polish legal acts on the Protection of Copyright and Related Rights. Some of the main areas of change were:

- cancellation of computer amnesty;
- introducing regulations to prohibit the removal of technical security devices installed in computer programmes;
- adoption of new terminology used to designate the rights of authors, artistic performers and producers;
- increase in the number of people entitled to remuneration generated by rental rights;
- granting broadcasters neighbouring rights;
- introduction of statutory definitions for some institutions;
- extension of the period of copyright protection to seventy years and a new model to count the period of protection;
- new levels of protection for phonograms and artistic performances realised before 1974; and
- special protection for works which have not been published during the defined protection period, so called posthumous publishing or critical and scientific publishing, which are already in the public domain.

The *Copyright and Related Rights Act* provides the legal basis to levy fees on blank tapes and copying/reprographic machines. Payments to producers of blank tapes, records, video and other similar machines amounted to 3% of the net price. Fees are distributed according to the following scheme:

- creators receive up to 50% of the total amount of all fees;
- artists and performers receive up to 25% of the total amount of all fees; and

- producers of phonograms and videograms receive ca. 25% of the total amount of fees.

In 2010, Poland was taken off the Watch List – the list of countries where the levels of crime against the rights of intellectual property are particularly high.

#### 4.1.7. DATA PROTECTION LAWS

The *Constitution of the Republic of Poland* states:

- *Everyone shall have the right to legal protection of his private life and family life, of his honour and good reputation and to make decisions about his personal life. (Article 47)*
- *Public authorities shall not acquire, collect or make accessible information on citizens other than that which is necessary in a democratic state ruled by law. (Article 51 point 2)*
- *Everyone shall have a right of access to official documents and data collections concerning him. Limitations upon such rights may be established by statute. (Article 51 point 3)*
- *Everyone shall have the right to demand the correction or deletion of untrue or incomplete information, or information acquired by means contrary to statute. (Article 51 point 4)*

Since the 29th of August 1997, the *Act on Protection of Personal Data* has been in force. Under this Act the Inspector General for Personal Data Protection (GIODO) was established.

On May 10, 2018, the Sejm passed a new law on the protection of personal data, which ensures the application of the regulation of the European Parliament and of the Council (EU) 2016/679 on the protection of personal data in Poland and establishes a new authority competent for the protection of personal data - the President of the Office for Personal Data Protection. The act entered into force on May 25, 2018. Until now, there has not been any significant impact of this law on cultural organisations.

#### 4.1.8. LANGUAGE LAWS

The *Law on the Polish Language* (7 October 1999) introduced particular obligations on the use of the Polish language within the territory of the Republic in legal transactions involving Polish entities, or if one of the parties in a given transaction is a Polish entity. This pertains in particular to the names of goods and services including foreign language advertisements which must be accompanied by a Polish translation. The use of foreign language names is allowed even without translation. However, this law is quite general and does not refer directly to the film or television industry or other cultural activities such as theatre.

#### 4.1.9. OTHER AREAS OF GENERAL LEGISLATION

Work is currently underway on the *Act on the Rights of the Professional*. The mechanisms proposed in the project (see chapter 2.3) give a chance to adapt the current law, in particular in the field of social security, to the specificity of artistic activity, and also answers a number of pressing issues, e.g. regarding the costs of obtaining income from such activities.

According to the project, the artist's status is not obligatory and does not condition artistic or creative activity (amateur or professional) in any way. It can be obtained with the appropriate education or achievements confirmed by a representative artistic association or creative association chosen by the artist. The Act sets out

the conditions for the representativeness of the above organisation in a transparent and pluralistic way. The legislation work is currently pending.

## 4.2. Legislation on culture

### 4.2.1. GENERAL LEGISLATION ON CULTURE

The legal basis for cultural institutions is the *Act on Organising and Conducting Cultural Activity of 25 October, 1991* (OJ 110, p.721 with later amendments and annexes).

*The Amendment Act on Conducting and Organising of Cultural Activity* was signed by the President Bronisław Komorowski in September 2011. This law entered into force on 1 January 2012. It contains two basic theses on the activity of cultural institutions: (1) patronage in culture is an inalienable responsibility of the state and (2) the mission of the government in this field is implemented through cultural institutions, which have to adapt to changes in the world, modify themselves, increase their effectiveness etc.

This law established an opportunity to entrust management of cultural institutions to an entity selected on the basis of the *Act on Public Procurement*. Another important change relates to creation of a new category of cultural institutions: performing institutions. It introduces the concept of "artistic season" as a basis for organisation and implementation of tasks of the artistic institution. The *Amendment Act* provides new roles of appointment of directors, eliminates the possibility of appointment of the director for an indefinite period, specifies the procedures for conducting a contest for the position and conditions of appointment of the director without a contest.

It is essential that a new legal Act regulating the terms of organising and financing cultural activities in Poland is prepared. The one in force at the moment is being strongly criticised. The core of the current Act has been inherited from the planned economy system with its *budgetary rules* which constrains the functioning of modern cultural institutions. The consequence is that Poland has financially unstable institutions managed by directors who are limited in their autonomy. The paradox of the current Act is that it discourages institutions to seek additional sources of financing (income from private sources during a year cause a decrease of public funds in the following one).

Title of the Act	Year of adoption
<i>Press Law of 26 January 1984</i>	OJ 1984, no. 5, item. 24 (with later amendments and annexes)
<i>Act on Organising and Conducting Cultural Activity of 25 October 1991</i>	OJ 1991, No. 114, item. 493 (with later amendments and annexes)
<i>Broadcasting Law of 29 December 1992</i>	OJ 1993, No. 7, item. 34 (with later amendments and annexes)
<i>Copyright Act of 4 February 1994</i>	OJ 1994, No. 24, item. 83 (with later amendments and annexes)
<i>Act on Museums of 21 November 1996</i>	OJ 1996, No. 5, item. 24 (with later amendments and annexes)
<i>Act of 7 November 1996 on Obligatory Library Volumes</i>	OJ 2003, no. 152, item. 722 (with later amendments)
<i>Act on Libraries of 27 June 1997</i>	OJ 1997, No. 85, item. 539 (with later amendments and annexes)

<i>Act on Polish Language of 7 October 1999</i>	OJ 1999, No. 90, item. 999 (with later amendments and annexes)
<i>Act on the Protection of Fryderyk Chopin Heritage of 3 February 2001</i>	OJ 2001, No. 16, item. 168
<i>Act in ratification of the WIPO Performances and Phonograms Treaty (Geneva, 20 December 1996)</i>	OJ 2003, No. 50, item. 422
<i>Act on Academic Degrees and Titles in the field of Art</i>	OJ 2003, No. 65, item. 595
<i>Act of 23 July 2003 on the Protection of Monuments and the Guardianship of Monuments</i>	OJ 2003, No. 162, item. 1568
<i>Act on Cinematography of 30 June 2005</i>	OJ 2005, No. 132, item. 1111
<i>UNESCO Convention on the Protection and Promotion of the Diversity of Cultural Expressions (Paris, 20 October 2005)</i>	OJ 2007, No. 215, item. 1585
<i>Status of Artist Act</i>	In preparation

#### 4.2.2. LEGISLATION ON CULTURE AND NATURAL HERITAGE

The following laws are relevant to the field of cultural heritage:

- the *Act on Museums, 21 November, 1996* (OJ5, p.24, with amendments and annexes);
- the *Act on Protection of Cultural Goods, 15 February, 1962* (OJ 98, p.1 150);
- the *Act on the change of some Laws Defining the Competencies of the National Administration Bodies, 24 July, 1998*; and
- the *Act on Provincial Local Authority, 5 June, 1998*.

#### 4.2.3. LEGISLATION ON PERFORMANCE AND CELEBRATION

There are no detailed legal regulations for theatre, dance, opera, music theatre, music, circus, street arts.

#### 4.2.4. LEGISLATION ON VISUAL ARTS AND CRAFTS

There are no detailed legal regulations for painting, sculpture, photography, video, graphic art, design, ceramics, textiles and decorative arts/crafts. Several references are however found in the *Act on Protection of Cultural Goods of 15 February, 1962* (OJ 98, p.1 150).

#### 4.2.5. LEGISLATION ON BOOKS AND PRESS

The basic Act in this field is the *Act on Libraries* which was passed on 27 of June 1997 and the *Act on Obligatory Library Volumes* passed in 1996. In Poland, there is still no Act directly related to *Public Lending Right*.

In 2007, the Ministry of Culture strived to maintain the preferential VAT rate on books and special periodicals. A decision was taken by the ECOFIN in December 2007 allowing Poland to keep the 0% VAT rate on books and special periodicals for the next three years (until 2010). It was not possible to maintain the 0% VAT rate; therefore from 2011 the VAT rate on books increased to 5% and on press to 8%.

#### 4.2.6. LEGISLATION ON AUDIOVISUAL AND INTERACTIVE MEDIA

Film, video and photography



The *Act on Cinematography* was passed in July 1987. Since then, work has been carried out to develop new market principles, financing models and regulations as amendments to the Act. These amendments are pending.

In its current status, the Act provides for state support to the film industry and its main premise is to ensure the endowment of film production and promotion, as well as popularisation of film culture. In order to achieve these goals, the Act established the Polish Film Institute which is responsible for the fulfilment of Polish cultural policy in the film sector.

The Act determines that the Institute's income is to come from: budgetary subsidies, income from exploitation of films where the Institute is the owner of copyright and donations. In addition, the Act assures the Institute profits from a long list of public and private entities' income in the amount of 1.5% of their particular income sources: from cinema owners' income received from film and commercial projections, from film distributors' income received from the sale and rental of films, from television broadcasters' income from commercials, from operators of digital platforms' income from programme fees, from cable television operators' income from access fees for television programmes, and from the public broadcaster from its annual income.

## Mass media

The media sector in Poland is mainly based on two legal Acts: the *Press Law of 26th January 1984* and *Broadcasting Act of 29th December 1992*, which came into force on March 1, 1993.

The major part of the *Press Law* concerns both the printed press and the audiovisual media sectors. It contains general provisions concerning freedom of expression, access to information, media rights and duties, and the system of the right to reply. It also refers in particular to the legal preconditions to start, register and conduct publishing activity in the printed media market. Since 1989, it has been changed several times, although the regulation of key matters remained untouched.

The *Broadcasting Act* was amended during the last ten years, mainly due to the fulfilment of Poland's international obligations (Poland has ratified the *European Convention on Transfrontier Television* of the Council of Europe and is implementing the EU Directive "Television without Frontiers" according to its EU accession obligations).

Programme quotas, which were finally regulated in a detailed manner in line with EU standards, are outlined in the *Broadcasting Act of 29 December 1992*. According to the final consolidated version of the Act, with amendments, broadcasters of television programmes are obliged to reserve at least 30% of their quarterly transmission time to programmes originally produced in the Polish language.

On 6 August 2010, the new *Broadcasting Act* was passed (OJ 2010, No. 152, item. 1023). It changes the rules of selection of public media authorities. The supervisory boards of the Polish Television and Polish Radio comprise seven people each. Most of the boards' members (ten people) are appointed by open competition. The candidates are proposed by universities and academies. In each of the boards there are also two representatives of ministers: one of the Minister of Finance and one of the Minister of Culture. The members of the supervisory board can be recalled by the National Broadcasting Council (NBC) or the relevant Minister. The boards of public broadcasters are appointed by the NBC at the request of the supervisory board.

In the amendment to the *Broadcasting Act of 2018*, the definition of the mission of public media was clarified by supplementing the catalog of tasks to implement. The manner of implementation of the public mission and the detailed scope of obligations arising from this mission, together with an indication of the method of financing, will be specified in the obligation card, established by way of an agreement concluded between the public radio and television unit and the President of the National Council of Radio and Television.

#### 4.2.7. LEGISLATION ON DESIGN AND CREATIVE SERVICES

There are no detailed legal regulations for architecture or the environment. References to both can be found in the *Act on Protection of Cultural Goods of 15 February, 1962* (OJ 98, p.1 150).

## 5. Arts and cultural education

### 5.1. Policy and institutional overview

The Ministry of Education is responsible for arts education at primary and secondary levels. The programme is insufficient, although in 2008 a positive trend was initiated when the Minister of Education introduced new guidelines increasing the number of music and art lessons at schools. The basic school programme is supported by cultural centres and activities of other institutions, which provide their own arts education programmes.

The reform of the education system from 2017 introduced two levels of education: primary school (lasting eight years) and secondary school (lasting four years), instead of the previous three-level system (six-year primary school, three-year lower secondary school, three-year upper secondary school). Two basic art courses are taught at both levels: music and fine arts. On a primary level, both subjects are compulsory for grades four to seven and account for one hour a week each. On a secondary level, a headmaster of a school can choose between philosophy, music and fine arts as the subject to teach in the first year for one hour a week.

Additionally, secondary schools might expand their curricula to include art history, music history, Latin and ancient culture, or philosophy (eight hours a week), in order to provide students with specialised and advanced knowledge of these topics, if they choose to continue studying arts at a tertiary level. The Polish education system allows students to pass the secondary school-leaving examination in those subjects.

In addition to the aforementioned system, the Ministry of Culture and National Heritage's cultural education programme supports extracurricular cultural activities developed by cultural institutions. The main goal of the programme is to support cultural education activities as an important element of the development of the social capital. The beneficiaries of the programme are chosen on the basis of a call for proposals.

### 5.2. Arts in schools

The art education system in Poland is separated from the general preparatory education system. Some art schools in Poland carry out both curricula, general and artistic, while other schools focus solely on professional artistic education. Students attending art schools focused solely on artistic curriculum are also obliged to attend general preparatory schools on primary and secondary levels.

According to the Ordinance of the Minister of Culture and National Heritage from May 26<sup>th</sup>, 2017, the classification of art schools on primary and secondary levels is as follows:

#### Music schools

1. Public and private primary music schools, which:
  1. carry out regular and artistic curricula, concluded with a final exam in general knowledge and basic musical education,
  2. carry out the artistic curriculum, concluded with a final exam in basic musical education.
2. Public and private secondary music schools, which:
  1. carry out regular and artistic curricula, concluded with a secondary school-leaving examination

(Matura exam) and a professional music diploma exam awarding professional certification,

2. carry out the artistic curriculum, concluded with a professional music diploma exam awarding professional certification.
3. Post-secondary music schools leading to a professional certification.

#### Fine arts schools

1. Public and private secondary fine arts schools, which:
  1. carry out regular and artistic curricula, concluded with a secondary school-leaving examination (Matura exam) and a diploma exam awarding professional certification,
  2. carry out the artistic curriculum, concluded with a diploma exam awarding professional certification.
2. Post-secondary fine arts schools leading to a professional certification.

#### Dance schools

1. Public and private ballet schools (nine-year cycle corresponding to the upper-primary and secondary levels), which carry out regular and artistic curricula, concluded with a secondary school-leaving examination (Matura exam) and a professional diploma exam awarding professional certification.
2. Public and private dance schools (nine-year cycle corresponding to the upper-primary and secondary levels), which carry out artistic curricula, concluded with a professional diploma exam awarding professional certification.

#### Circus arts schools

1. Public and private circus arts schools (three-year cycle) concluded with a professional diploma exam, leading to a professional certification.

In the 2018/2019 school year, there were 534 art schools not leading to a professional certification with 66 899 students (1,8% less as compared to the 2017-2018 school year); 268 schools leading to professional certification with 23 601 students; and 49 post-secondary art schools.

#### Number of art schools and students

	Art schools not leading to professional certification		Art schools leading to professional certification		Post-secondary art schools	
	Schools	Students	Schools	Students	Schools	Students
2016/2017	540	49 958	269	22 887	94	4 845
2017/2018	549	68 098	271	24 125	68	3 893
2018/2019	534	66 899	268	23 601	49	2 420

Source: Central Statistical Office

## 5.3. Higher arts and cultural education

#### Number of students in higher arts education

Full-time/ part-time	TOTAL		Full-time studies		Part-time studies	
	Public	Private	Public	Private	Public	Private
2016/2017	16 055	1 027	14 131	552	1 924	475
2017/2018	16 014	1 178	14 166	659	1 848	519
2018/2019	15 841	972	14 065	525	1 776	447

Source:

Central Statistical Office

In the academic year 2018/2019, there were 21 higher arts education institutions of which 19 were public. The curricula included 72 different fields of study. The total number of students amounted to 16 813 – 1,4% of all students in Poland.

Examples demonstrating the implementation of the Bologna process in Poland are visible especially on the administrative side of education. Many higher education institutions have modified their systems of evaluating students' work. Since the academic year 2004/2005, university graduates receive special supplements to diplomas which contain detailed information about their education process, exam results, qualifications and also the number of gained ECTS points.

Thanks to the implementation of the Bologna agreement, several institutions have been modernised. One of these is the State Accreditation Committee which monitors and evaluates the quality of teaching in public and private universities.

Other positive impacts of the Bologna process include the increasing mobility of Polish students and many pro-European elements have been added to the curricula of arts and humanities faculties.

## 5.4. Out-of-school arts and cultural education

Cultural and arts education, performed outside the school educational system, is based mostly on programmes offered by various cultural institutions. At the state level, the best example is the activity of the National Centre for Culture, which leads multiple educational programmes for children and youth, e.g. "Rhythm" dedicated to dance and music, and "TISZ" based on theatrical education. There are also some projects implemented by NGOs, e.g. [New Horizons of Film Education led by the New Horizons Association](#) or [The Association of the Creative Initiatives "ę"](#).

## 5.5. Vocational and professional training

The professional post-graduation training system in Poland is still very limited. Some professional institutions provide young professionals with training. Orchestra academies for young professional musicians are a good example of such initiatives, where music graduates can perform alongside professional orchestra musicians, who provide them with support and training. However, even those are still scarce. Most of the professional training takes place in schools (secondary and tertiary levels).

For art managers and those who wish to pursue a career in arts administration, the National Centre for Culture and the Ministry of Culture and National Heritage introduced an internship programme, which allows public and

private cultural institutions to hire interns under the governmental regulations. The programme runs twice a year and the standard duration of an internship varies between 160 and 320 hours.

## 6. Cultural participation and consumption

### 6.1. Policies and programmes

The 1996 *Law on Museums* stipulates that free admission to the public must be guaranteed one day per week and that reduced tickets must also be made available (the amount to be determined by the museum directors). Museums have developed cultural education programmes for children and youth. A similar educational obligation is in the remit of public theatres, as one of their statutory aims, although it is rarely implemented.

Cultural centres also play a very special role in promoting participation in cultural life. First of all they provide facilities for amateur art activities and help to organise various events. There is also formal co-operation between schools and the cultural centres as part of a cultural education programme.

The Ministry of Culture and National Heritage runs the Accessible Culture programme. The strategic goal of the programme is to support tasks aimed at facilitating access to culture, aimed at a wide audience and favouring social integration. These activities should serve to achieve real, systemic and long-term effects in eliminating barriers to access to culture in the following dimensions: spatial, economic, social-mental and competence, with particular emphasis on the needs of people from localities deprived of direct access to national resources of cultural goods, cultural institutions and artistic institutions. The second programme of the Ministry to increase participation in culture is Digital Culture. The strategic goal of the programme is the development and digitisation of cultural heritage resources, as well as making available and enabling the re-use of digital resources for popularisation, educational and scientific purposes.

### 6.2. Trends and figures in cultural participation

The data on cultural participation in Poland is being collected by the Centre for Public Opinion Research on annual basis. [The 2018 survey](#) was carried out in January 2019 on a representative data sample of 928 adult citizens of Poland.

According to the report of the Centre for Public Opinion Research, the cultural participation in 2018 in Poland increased as compared to the previous year. In 2018, 56% of respondents declared they have been to a cinema, 44% to attended a concert, 34% attended an exhibition and 24% went to a theatre. The increase of cultural participation continues since 2016.

The percentage of respondents who participated at least once in a particular cultural activity:

	2011	2012	2013	2014	2015	2016	2017	2018
Went to a cinema	44	43	47	45	49	47	49	56
Attended a concert	34	37	37	37	40	39	41	44
Attended an exhibition (gallery, museum)	26	31	28	27	32	31	33	34
Attended a play in a theatre	18	19	20	19	22	19	22	24
Read a book for pleasure	57	59	59	60	63	62	64	67
Used Internet for non-professional purpose	55	63	63	67	66	70	71	73

Attended a sport event	35	39	40	39	36	38	41	43
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There is an apparent correlation between the education level, income per capita and the place of residence, and the rate of participation, with people with higher education, higher income and from bigger cities participating in culture more often. There is also an apparent correlation between age and cinema attendance, with younger people attending more often (92% of respondents between 18 and 24 years old declared that they went to a cinema at least once in 2018).

## 6.3. Trends and figures in household expenditure

Household expenditure on culture in PLN (EUR)

	2006	2007	2008	2010	2013	2017	2018
Newspapers and periodicals	42.48 (11.00)	42.84 (11.3)	41.88 (11.9)	39.24 (9.00)	33.36	28,20	26,40
Books and other publications	15.00 (3.9)	17.04 (4.5)	17.76 (5.05)	20.28 (4.68)	21.36	24,36	24,00
Theatre, music hall, cinema entry fees	11.16 (2.9)	12.84 (3.4)	14.04 (3.99)	19.92 (4.6)	25.20	31,92	34,80
Purchase of stereo appliances	8.64 (2.2)	11.76 (3.1)	10.56 (3.00)	8.16 (1.88)	N/A	N/A	N/A
Purchase of TV sets	22.56 (5.8)	33.24 (8.8)	50.64 (14.4)	42.24 (9.75)	N/A	N/A	N/A
Purchase of video appliances	11.04 (2.8)	10.92 (2.9)	9.72 (2.76)	7.20 (1.66)	N/A	N/A	N/A
Purchase of sound and image carriers	9.96 (2.5)	11.16 (2.95)	10.44 (2.96)	11.28 (2.60)	N/A	N/A	N/A
Radio, TV licence fees	44.52 (11.4)	45.96 (12.1)	40.68 (11.5)	34.56 (7.98)	N/A	N/A	N/A
Cable TV fees	62.52 (16.00)	75.36 (19.9)	93.00 (26.4)	123.72 (28.5)	122.88		
TOTAL	301.44 (77.3)	345.72 (91.4)	381.48 (108.4)	406.56 (94.00)	359.16	351,35	356,40

In 2018, the average percentage share spent on culture and cultural appliances amounted for 2,5% of the total household expenditure, similar to the previous year. The total household expenditure on culture per capita varied between urban and rural areas – 426,72 PLN and 247,08 PLN respectively.

## 6.4. Culture and civil society

Folk culture

Folklore preservation, including traditional arts, is associated mostly with rural areas. In many villages the tradition of regional arts is cultivated and more often operates as a local tourist attraction.



The protection, development and promotion of Polish folk culture are also the main aims of the "Cepelia" Polish Art and Craft Foundation operating since 1984. In particular, it supports research in the field of art, handicrafts and ethnography; arranges exhibitions, shows, concerts, lectures, conferences; establishes, maintains and supports the activities of the exhibition centres, art galleries and outlets selling works of art and handicraft products; supports the publishing of books, magazines, brochures, etc.; and promotes Polish culture and art abroad.

Folklore in its many forms (from arts and crafts to music and dance) is slowly gaining the interest of younger generations. It is no longer perceived as boring and unoriginal. Initiatives to popularise and re-new folk culture are becoming more common. Numerous design and music events using traditional folk patterns, instruments, tools, etc. in a modern way are gaining a wider audience every year.

#### Folk dance

The biggest organisation in Poland active in the field of folk culture and connected with the activity of unprofessional folk groups is the Polish Section of the International Council of Folklore Associations, Festivals and Folk Art (*CIOFF – Conseil International des Organisations de Festivals de Folklore et d'Art Traditionnels*). Poland was one of the initiators of this organisation in 1970. It aims to protect folklore and folk art; foster international cooperation in the field of preservation and popularisation of folklore and folk art; and include the younger generation as much as possible in the implementation of these objectives. According to the CIOFF Annual Report 2015, CIOFF includes 118 members.

There are two professional folk ensembles in Poland: "Mazowsze" Tadeusz Sygietyński State Folk Song and Dance Ensemble and "Śląsk" Song and Dance Ensemble. The former is in a very good financial situation and owns an extremely modern base, which was renovated with the assistance of EU Structural Funds several years ago. There are also many amateur folklore groups and student groups.

#### Folk music

Due to the engagement of local institutions, regional ensembles and ethnographers, traditional music is still present in rural areas. Folk music is increasingly an inspiration for modern musicians who play it in a traditional way or with jazz, rock or even techno arrangements. The festivals of folk music are becoming more and more popular. Since 1999, the Folk Artists Association in Lublin has conducted a national database entitled "Village artistic groups" including over 2 000 music ensembles, bands and theatre groups.

#### Cultural houses and community cultural clubs

Prior to 1989, cultural houses in Poland were leading institutions of the communist cultural politics. It was difficult to find their equivalent in democratic European countries. There were even problems with translating the term itself. No law defines cultural houses. The *Act on Organising and Conducting Cultural Activity* merely states that this is one of the possible forms of organising cultural activity, but does not indicate differences or gives a description. However, cultural houses run by state enterprises were dismantled in the free market economy environment because their costs were seen as unjustified.

Today, cultural houses and centres are creating a new image for themselves as a shelter for amateur art and various programmes aiming at broadening participation in cultural life, with a special focus put on those parts of

the population which are "socially excluded". Together with libraries, they are often the only cultural institutions in the Polish suburbs. Their activities are undertaken in co-operation with and financed by local governments, mostly the municipalities and communes.

The extent to which cultural houses and community cultural clubs are financed by the the government and local administrations is presented in chapter 7.1.3.

An important programme has been launched by the National Centre for Culture. The Culture House + (Dom kulturalny +) aims at creating equal access to culture for the inhabitants of rural areas and improvement of participation in culture. The concept of the programme is to initiate the process of transformation of the existing culture houses into modern local culture centres. The programme consists of three priorities: Training, Development and Infrastructure. An important part of the programme is creating the Support Network – an interactive platform of cooperation and exchange for all culture houses. It aims at having development strategies created on the basis of socio-economic-cultural diagnosis of the given municipality or commune; actively animating the cultural life of local communities; creating possibilities for basic but universal cultural education, etc.

In 2018, there were 4237 cultural centres, houses and clubs (in 2017 – 4230). The majority of them are located in rural areas (63,3%) ([GUS Kultura](#)).

## 7. Financing and support

### 7.1. Public funding

#### 7.1.1. INDICATORS

In 2019, public expenditure on culture and national heritage protection constituted 0.52% of the Gross Domestic Product in Poland (the percentage as the two past consecutive years 2017-2018). At the same time, it should be noticed that the share of the total state budget allocated to culture and national heritage protection decreased from 0.89% in 2017 to 0.59% in 2018, but slightly increased in 2019 to 0,61%, while the expenditure of local governments' entities in this area in relation to the total local governments' expenditure increased from 2.84% to 3.33%.

If not indicated otherwise, all the data has been retrieved from the Polish Central Statistical Office publications and follows their classification. All omissions are deliberate and due to lack of data provided by the CSO.

Public expenditure on culture per capita by the level of governance in EUR, 2006-2019

Year	State*	Local authorities	TOTAL public expenditure per capita	Average exchange rate**
2019	15.41	58.19	73.60	1 EUR = 4,2980 PLN
2018	13.82	56.25	70.07	1 EUR = 4,2623 PLN
2017	20.37	45.28	65.65	1EUR = 4,2576 PLN
2016	15.42	39.78	55.20	1 EUR = 4.3625 PLN
2015	12.21	43.03	55.24	1 EUR = 4.1839 PLN
2014	10.80	47.95	58.75	1 EUR = 4.1852 PLN
2013	10.23	43.13	53.36	1 EUR = 4.1472 PLN
2012	10.89	43.46	54.35	1 EUR = 4.0882 PLN
2011	9.49	42.92	52.41	1 EUR = 4.1198 PLN
2010	9.58	46.33	55.91	1 EUR = 3.9603 PLN
2009	10.11	40.55	50.66	1 EUR = 4.1082 PLN
2008	9.34	34.00	43.34	1 EUR = 4.1724 PLN
2007	9.59	34.64	44.23	1 EUR = 3.5820 PLN
2006	n.a.	n.a.	36.65	1 EUR = 3.8312 PLN

Source:

Own calculations based on data provided by Central Statistical Office

Notes:

\* State expenditure refers to the funding provided by central government; local authorities expenditure refers to the funding provided by local and regional governments; public expenditure refers to the total amount of both, state and local governments expenditure.

\*\* Given by the National Bank of Poland.

## 7.1.2. EXPENDITURE ON GOVERNMENT LEVEL

In 2019, the public expenditure on culture and national heritage on both state and local government units' levels, amounted to 11 918 million PLN (2 773 million EUR). The majority of cultural financial support has been provided by local administrations, amounting to 9 538 million PLN (2 219 million EUR), which constitutes 80% of the total public expenditure. The remaining 20% – 2 380 million PLN (554 million EUR) – has been distributed from the state budget.

Total expenditure in millions, rounded

Year	State	Local administrations	TOTAL
2015	1 965 PLN	6 723 PLN	8 565 PLN
(470 EUR)	(1 607 EUR)	(2 047 EUR)	
2016	2 411 PLN	6 462 PLN	8 873 PLN
(553 EUR)	(1 481 EUR)	(2 034 EUR)	
2017	3 332 PLN	7 170 PLN	10 332 PLN
(782 EUR)	(1 684 EUR)	(2 427 EUR)	
2018	2 116 PLN	8 903 PLN	11 019 PLN
(496 EUR)	(2 089 EUR)	(2 585 EUR)	
2019	2 380 PLN	9 538 PLN	11 918 PLN
(554 EUR)	(2 219 EUR)	(2 773 EUR)	

% share of total

Year	State	Local administrations	TOTAL
2015	21,5%	78,5%	100.0%
2016	27.2%	72.8%	100.0%
2017	30.6%	69,4%	100.0%
2018	19.2%	80.8%	100.0%
2019	20,0%	80,0%	100.0%

Expenditure on culture and protection of national heritage from the budgets of local government units amounts to approximately 80% (in 2019 - 79.7%, in 2018 - 80.8%) of public expenditure allocated for this purpose. The largest share in local government public expenditure was recorded by municipal governments (47.9% in 2019), municipalities of cities with poviats status (in 2019 31.8%), voivodships (18.8% in 2019), and poviats (1.5% in 2019).

## 7.1.3. EXPENDITURE PER SECTOR

According to the Central Statistical Office, in 2019 the largest part of the expenditure of the state budget was allocated to the operation of museums (32.6%) and has increased as compared to the previous year. The

expenditure allocated to the centres of culture and art has dropped from 11,5% in 2018 to 10,3% in 2019.

From the local administrations' budgets, the majority of expenditure was spent on the activities of cultural centres and establishments, clubs and community centres, with an increase from 30,7% in 2018 to 31,8% in 2019. A significant portion of the budget was also allocated to libraries, noting a slight decrease from 17,6% in 2018 to 17,2% in 2019.

The structure of state budget expenditure on culture and protection of national heritage in 2014-2019

State	2019	2018	2017	2016	2015
TOTAL in EUR	553 792 462	496 515 966	782 577 039	552 618 911	469 609 694
Museums	32,6%	30,7%	19,1%	45,1%	28,8%
Centres of culture and art	10,3%	11,5%	7,2%	8,1%	11,6%
Theatres	8,5%	9,0%	6,1%	7,1%	9,7%
Protection and restoration of historic monuments	8,1%	9,1% (6.4)	9,0% (4.6)	10,3% (5.1)	14,4%
Archives	8,5%	7,6%	5,2%	5,8%	7,7. %
Philharmonic halls, orchestras and choirs	3,8%	3,9%	2,8%	6,6%	4,9%
Libraries	4,7%	5,0%	3,7%	4,3%	6,0%
Radio and television activities	1,4%	1,0%	30,1%	n.d.	n.d.
Other	22,1%	22,2%	21,2%	17,9%	16,9%

The levels of expenditure for different cultural institutions and forms of cultural activity have remained more or less consistent in comparison to previous years, but an increase in spending on activities related to national heritage is noticeable. In 2019, the highest amount of state expenditure on culture was allocated to museums 32,6% (30,7% in 2018, 19,1% in 2017; 45,1% in 2016; 28,8% in 2015;). In 2019, local government spending priorities in the cultural sector, similarly to past years, were cultural houses and centres and clubs, representing a share of 31,8% (30,7% in 2018, 30,9% in 2017; 30,2% in 2016) and libraries 17,2% (17,6% in 2018, 19,4% in 2017; 20,1% in 2016). Local government spending on museums significantly decreased from 17,6% in 2018 to 11,6% in 2019 (12,2% in 2017; 11,8% in 2016).

Throughout recent years, the trend remained steady: state expenditure was focused on museums, while local government spent most on cultural houses and libraries.

The structure of local government units expenditure on culture and protection of national heritage in 2014-2019

Local administrations	2019	2018	2017	2016	2015
TOTAL in EUR	2 219 148 441	2 088 801 821	1 684 117 813	1 481 329 513	1 606 993 475
Cultural centres and establishments	31,8%	30,7%	30,9%	30,2%	29,4%
Museums	11,6%	17,6%	12,2%	11,8%	12,2%
Centres of culture and art	3,3%	3,7%	3,8%	3,9%	3,6%
Theatres	9,5%	9,3%	10,5%	10,9%	10,2%
Protection and restoration of historic monuments	5,9%	6,4%	4,8%	3,8%	3,7%

Philharmonic halls, orchestras and choirs	3,3%	3.3%	3.6%	4.2%	5.6%
Libraries	17,2%	17.6%	19.4%	20.1%	19.0%
Other	17,4%	18.3%	15.0%	15.1%	16.4%

## 7.2. Support programmes

### 7.2.1. STRATEGIES, PROGRAMMES AND OTHER FORMS OF SUPPORT

The whole system of public support to cultural institutions and events, together with a variety of incentives for private sector support, plays an enormous role providing indirect support to creativity. While there are a few support schemes for individual artists such as awards which are funded by public authorities, direct support for creative artists is nevertheless quite limited. Poland still lacks an overall system of social support for artists and creators, who deal with many obstacles and disadvantages in comparison with other groups of employees. Currently, however, work is underway on the *Act on the Rights of the Professional Artist*, which will solve these issues (also see chapter 2.3).

The Ministry of Culture and National Heritage's programmes aim to co-finance tasks in the field of project-related culture, excluding permanent cultural activities. They are addressed to cultural institutions, non-governmental organisations, film institutions, schools and universities, local government units, business entities, churches and religious associations and their legal entities.

### 7.2.2. ARTIST'S FUNDS

In connection with the crisis situation resulting from the COVID-19 pandemic, artists may apply for social assistance from the Culture Promotion Fund, which is managed by the Ministry of Culture and National Heritage. Social assistance is a one-time payment of funds. The amount of the allocated funds depends on the commission's decision.

At the Ministry of Culture and National Heritage, there is also the Commission for Retirement Provision for Artists, whose task is to recognise the activity as creative or artistic and to set the date of its commencement, based on documents confirming the duration and nature of the activity.

The Fund to Support Artistic Creation is generated mostly by income from the sale of artworks for which copyright has expired (the so called "dead hand" funds). According to the regulation of the Minister of Culture and National Heritage from 24th February 2003, producers and editors are obliged to pay 5% of the gross income from the sale of the above mentioned artworks. The Fund supports artists in three ways: scholarships (six and twelve months), subsidies for publishing and one-off grants. In accordance with the decision of 17 May 2010, the Ministry of Culture will also provide social assistance from the Fund to creators with artistic achievements. This is a one-off allowance, granted on the basis of application, for the artists in a difficult social or health situation.

The new act on the rights of the professional artist will bring a huge change in terms of social security for artists and creators. Each person performing artistic work will be able to apply for entitlements allowing them to pay social taxes on preferential terms and obtain social assistance (also see chapter 4.1.3).

### 7.2.3. GRANTS, AWARDS, SCHOLARSHIPS

#### Fellowships and scholarships

Thesaurus Poloniae is a three-month fellowship programme of the Ministry of Culture, implemented by the International Cultural Centre in Cracow. It is addressed to individuals who carry out research on culture, history or the multicultural heritage of Poland, both past and present, and broadly understood Central Europe. Both individuals who deal with the management and preservation of cultural heritage in practical terms and those who carry out theoretical research in the area of heritage, history, sociology, ethnography and anthropology are invited to participate in the programme.

Thesaurus Poloniae is divided into two categories: a senior programme for university professors and senior lecturers and a junior programme for PhD holders and doctoral students. A successful candidate for the programme will be granted a monthly fellowship (PLN 3 500/EUR 850 for senior candidates and PLN 2 500/EUR 600 for junior candidates) and a one-off grant to cover the purchase of books and other research aids (PLN 1 500/EUR 400). Each year, the International Cultural Centre organises two calls for applications for eligible candidates for the fellowship award. Three fellowships are awarded in each call.

Creative scholarships and scholarships in the field of dissemination of culture, founded by the Minister of Culture, are awarded to people involved in artistic creativity, dissemination of culture and protection of monuments for the implementation of a specific project in the following categories and areas:

1. Creative scholarships: literature; visual arts; music; dance; theatre; film; caring for monuments; folk art.
2. Scholarships for projects related to the dissemination of culture: animation and cultural education; cultural management and supporting the development of cultural staff.

The Ministry of Culture and National Heritage provides also:

- scholarships for secondary-schools for artistic accomplishment, for those having extraordinary school merits and that are recognised in national or international competitions. Candidates are chosen by school headmasters;
- scholarships for arts academy students for artistic accomplishment at school. Candidates are chosen by rectors;
- and recruits candidates for foreign artistic scholarships implemented on the basis of bilateral Cultural and Scientific Cooperation Programmes.

#### Awards

The annual Award of the Minister of Culture and National Heritage has been awarded since 1997 to artists, creators and other people working in the field of culture for all their activities or for outstanding achievements in a given year in the field they represent. This prestigious distinction allows the Minister of Culture and National Heritage to highlight the most important trends and phenomena that appear in Polish culture by honouring the people who create and represent them.

The Culture Medal – Gloria Artis is awarded to those who are outstanding in the field of artistic creativity,

cultural activity and protection of culture and national heritage.

The Oskar Kolberg Award is awarded yearly in recognition of life-long activity or for outstanding achievements in the field of folk culture, including individual creativity (fine arts, folk literature, music, dance), folk music groups, research activity, documentation, animation and dissemination of folk culture.

#### 7.2.4. SUPPORT TO PROFESSIONAL ARTISTS' ASSOCIATIONS OR UNIONS

Artists' unions have the legal status of associations, which means they have the right to conduct their own economic activities. Many unions use this right to run their own galleries. Throughout the 1990s, the situation of unions/associations deteriorated due to "the pains" of market transformation and the fact that they no longer received subsidies from the state budget. Some associations have re-adjusted to the new market requirements and are able to continue operating. Many of the associations are engaged in the distribution of royalties.

In the newly planned *Act on the Rights of the Professional Artist*, trade unions will have a special task. As representative organisations, they will confirm whether a given artist is entitled to the rights resulting from being a professional artist.

### 7.3. Private funding

There are two ways of supporting culture by entrepreneurs and private persons in Poland: sponsorship and patronage. Sponsorship is the act of providing support in return for marketing benefits. Patronage, on the other hand, is a disinterested activity. CSR (corporate social responsibility) is also developing more and more, causing large companies to start actively operating in the area of culture. In recent years, crowdfunding platforms have appeared in Poland. Both individuals and organisations use them. However, this is not a certain type of fundraising. Whether a project is financed in this way is influenced by so many factors that it is impossible to take care of all of them. Nevertheless, many artists choose this method of financing because it gives freedom of creative expression and independence when publishing their works.

The National Centre for Culture initiated (together with PKPP Lewiatan) the creation of the *Cultural Sponsoring Code*. The code has been officially signed by the Minister of Culture Bogdan Zdrojewski, the CEO of Lewiatan - Lech Pilawski and the President of Warsaw Stock Exchange Ludwik Sobolewski on 5 December 2011. The code is a set of rules for sponsoring cultural events for both sides. The code has no legal force, it acts only as guidance and its usage is completely voluntary.

The starting point for the *Cultural Sponsoring Code* was a report entitled "Sponsoring of Culture" prepared in December 2010 by TNS OBOP on the commission of the National Centre for Culture and PKPP Lewiatan. The research covered 401 cultural institutions of various types and from various regions (PAPI method) and 400 companies with over 10 employees (CATI method). From the summary of the report, one can draw a conclusion that sponsoring in the field of culture is not a strongly rooted form of support in Poland. Out of the 400 questioned companies, only 126 supported cultural projects in 2009.

Institutions, on the other hand, are strongly dependent on public financing, which influences the ability to obtain funds from other sources – both international (e.g. EU programmes) and private. In 2009, 2 out of 3 cultural institutions interviewed benefited from sponsoring. For NGOs, the majority appreciates the benefits of



sponsoring (77%), yet many seem to have problems with successfully gaining private co-financing. This is due to the lack of interest of private entrepreneurs in culture. They admit that they rarely initiate cooperation. Moreover, the sponsoring funds are earmarked mostly to projects with strong media potential: music and theatre festivals, concerts and events as well as exhibitions. Educational projects seem to be further down sponsors' priority lists. Sponsors very rarely engage in projects in the field of cultural heritage.

#### Financing of private audio-visual media

The market of private audio-visual media is very diverse. It can be divided into three groups: broadcasters, media concerns and social/religious stations. The first type finances its activities almost completely from advertisements. The only noticeable additional incomes are SMS services. The second type has more diverse income sources, yet advertisement still plays a key role. An example of the third type is TRWAM religious television, owned by Lux Veritas Foundation. The annual reports of Lux Veritas do not state the exact structure of income for the television. However, it is possible to assume that a significant share is constituted by viewers' donations and voluntary work.

It is worth mentioning that the National Broadcasting Council, responsible for licensing, does not require annual financial reports from private media, even though it has that right.

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Dorota Ilczuk is an economist, Professor and theoretician of management in culture and creative industries. She is a precursor of the development of the Economics of Culture as a scientific discipline. She is also Head of the Creative Economy Research Centre and Head of the Master programme in Cultural Studies: Manager - Agent - Producer (MAP) at the SWPS (University of Social Sciences) in Warsaw. She is the founder and long-term President of the Pro Cultura foundation, as well as a member of the European Cultural Parliament and Scientific Council of the Public Library of the City of Warsaw. Furthermore, she holds the position of Vice Chair of the Assembly of Compendium Experts (ACE). Ilczuk is interested in the civil society issues, creative economy, labour market of artists and the role of producers in the creative economy. She conducts classes in cultural economics, creative industries and cultural policies.

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