

**REPORT ON THE SCIENTIFIC CONFERENCE ON
„COMPARATIVE STUDY OF THREE WAVES OF POLISH
EMIGRATION: AFTER WORLD WAR II, IN THE PERIOD OF THE
SOLIDARITY MOVEMENT AND AFTER POLISH ACCESSION
TO THE EUROPEAN UNION”
LUBLIN, 27TH OCTOBER 2015**

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The conference “*Comparative Study of Three Waves of Polish Emigration: After World War II, in the Period of the Solidarity Movement and After Polish Accession to the European Union*” was held at the John Paul II Catholic University of Lublin on 27 October 2015. The organizers of this scientific enterprise were the Department of European Union Law, the Faculty of Law, Canon Law and Administration at the Catholic University of Lublin, Foundation for Development of the Catholic University of Lublin, Konrad Adenauer Foundation and the Centre for the Study of European Law and Migration Policy at the Catholic University of Lublin.

The conference was opened by Krzysztof Wiak, hab. PhD, vice-dean of the Faculty of Law, Canon Law and Administration. The debates were divided into two separate thematic panels.

The first focused on four main issues: the causes, course, directions of migration of Poles and their status in the territory of the host countries in the period after the World War II and the so-called Solidarity Movement. The meeting was chaired by the Catholic University of Lublin professor Elżbieta Szczot, hab. PhD, President of the Lublin Branch of the Polish Association for European Studies. This part of the conference was to include four papers, however, Ms. Jolanta Róża Kozłowska, former Consul

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of Poland in Germany did not deliver her speech on “*Organisational Structures of Polish Emigration in Germany*” due to health issues.

The first paper was presented by Sławomir Łukasiewicz, hab. PhD, Director of the Institute of European Studies, also representing the Institute of National Remembrance in Lublin. He discussed “*Polish Emigration after World War II - Historical and Political Conditions.*” In his speech he presented the historical, legal and political conditions of functioning of Polish political emigration in the West during the Cold War. He focused on issues such as: 1) the presence of Polish diaspora and Polish citizens outside of Poland before 1939 in European and non-European countries, 2) the creation of the main centres of emigration during the World War II due to the presence of legitimate Polish authorities outside the country. He paid much attention to the problem of political life and political structures of Polish migration.

The next paper was presented by Patryk Pleskot, hab. PhD representing the State School of Higher Education in Oświęcim and the Warsaw branch of the Institute of National Remembrance. The speech was on “*Solidarity Emigration - Historical and Political Conditions.*” The speaker referred to two fundamental issues. Firstly, he pointed out the enormity of the phenomenon of the migration of Poles during the Solidarity period (approx. one million people). The greatest number of Polish citizens left the Polish People’s Republic during the period of legitimate „Solidarity” (from August 1980 to December 1981) and in the period of political liberalization in the years 1987-1989. While analysing the presented issues, the speaker pointed out that there were two reasons for migration: economic and earning. However, this wave of emigration also included less numerous, yet very important and influential activists of the Solidarity opposition who left Poland mainly for political reasons. Secondly, the speaker attempted to define the term „solidarity emigration” with regard to Polish emigrants in Australia.

The last issue raised in this part of the meeting was „*Geography of Polish Emigration after World War II and during the „Solidarity” Period.*” The paper was prepared by Janusz Wróbel, hab. PhD representing the Łódź branch of the Institute of National Remembrance. The speaker pointed out that prior to 1939 Polish emigration within the European continent took almost all countries, but only in a few (Germany, France, Belgium

and Denmark) the volume became larger. On the other hand, overseas emigration until 1939 focused mainly on North America and South America. The change occurred during the World War II. In Europe, the Polish emigrants went mostly to the allied powers: France and Great Britain. In contrast, new Polish communities appeared in South Asia and Africa. According to the speaker, in the "Solidarity" period migration trends were basically unchanged. Increased interest in the countries of German language circle (Germany, Austria), Scandinavia (Sweden, to a lesser extent Denmark and Norway) and Southern Europe (France, Italy and even Greece) could be observed.

The second panel of the conference was devoted to the problem of migration of Poles after Polish accession to the European Union. The meeting was chaired by Edyta Krzysztofik, PhD, the Catholic University of Lublin. During the session three groups of issues were discussed. The first was connected with the concept of the EU citizenship and the problems in exercising citizens' rights of migrant citizens. The topics discussed concerned the implementation of civil rights, workers' rights and the protection of families with particular emphasis on the rights of children of migrant citizens.

The first paper on "*Citizenship of the European Union and Migration Rights of Citizens of the Member States*" was presented by Renata Maria Pal, PhD, the Catholic University of Lublin. It was an introductory paper and it concerned the issue of the EU citizenship, fundamental from the perspective of the basics of movement within the EU. In general, the Speaker discussed the rights of citizens.

Another issue that was raised during the meeting was the status of a migrant worker. Continuing the discussion on the problems presented, Edyta Krzysztofik, PhD presented in general the concept of the migrant worker and pointed out the problems that accompany this category of entities when they perform work in the territory of the host country.

The next paper on "*Polish Seasonal Migration to Germany as the Structure of Long Duration*" was presented by Maria Piechowska, M.A., the Centre for Migration Research, University of Warsaw. The analysis focused on the causes, extent and nature of seasonal migration of Polish citizens to Germany. The conducted research confirmed that Germany is a country attractive to migrating Polish citizens. The accession to the EU has not

changed fundamentally the current trends. Seasonal migrations, according to the Speaker, are attractive due to several reasons: low costs of the trip; the knowledge of the German language is not required, since in most cases the employment concerns working in agriculture; small distance and the possibility of quick return to the country.

Another paper "*The Place of Residence of the Child as a Condition of Jurisdiction in Cross-Border Family Cases in the European Union*" was delivered by Marcin Sokołowski, PhD, the Adam Mickiewicz University. The presented topic raised important issues that arise during the exercise of the freedoms of the internal market. The speaker explained the concept of the "European family law", by which one should understand the technical cooperation between the courts of the Member States of the EU. He indicated the normative basis referring to the protection of child rights in the EU and the case law of the CJEU in this respect.

The second group of issues discussed during the second panel of the conference were the issues referring to the freedom of establishment. Speakers discussed the principles of starting and running a business in the host country with special emphasis on the German legislation.

Michał Chajda, PhD, the Bielsko-Biała School of Finances and Law, delivered a lecture on "*Bank Licensing Policy in the System of the Uniform European Passport*". The subject of the speech was the issue of bank licensing in Poland and in Germany based on the principle of the so-called uniform European passport. This allows German banks to conduct cross-border banking activities in Poland and also Polish banks to conduct such activities in Germany, which is important for e.g. the functioning of Polish citizens in Germany, which was, after all, the main idea of the conference. The foundations of the legal functioning of cross-border banking in both countries were provided by the adaptation of Polish and German provisions to standards set at the beginning by the so-called Second Banking Directive.

The next issue was presented by Małgorzata Ganczar, PhD, the Catholic University of Lublin. The paper was on the practical question of "*Starting a Business in Germany*." The author emphasized that the rules of running a business in Germany are similar to those that are currently in force in Poland. It should be registered, receive a tax identification number, have a bank account, keep the accounts and pay taxes. According to

the Speaker, the most frequently selected forms of business are: delegation, independent branch, self-employment or partnership (civil) or a limited liability company.

The last lecture "*The Role of Poland and Germany in Shaping Humanitarian Migration Policy of the European Union*" presented during this session moved the discussion in the direction of a really relevant problem, i.e. the EU migration policy and the refugee problem. Anna Kosinska, PhD, the Catholic University of Lublin, analysed selected rulings of the Court of Justice of the European Union in the area of asylum law, issued as preliminary rulings at the request of the German national courts. She emphasized that thanks to the activity of the German national courts in requesting preliminary rulings, the Court, through its judicial activism, interpreted the directives on asylum, and at the same time formulated the standards of conduct in the qualification procedure of foreign nationals to international protection or deprivation of such protection.

Both sessions ended with rich discussion. Important issues were highlighted, such as the historical conditions for the directions of migration, the attitude of Polish society towards migrating people and the problems connected with the return to the country. In this scope the position of professor W. Matwiejczyk, Catholic University of Lublin should be emphasized, as he presented the problem of migration from the socio-moral perspective.

