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POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

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27 December 1985

EAST EUROPE REPORT

POLITICAL, SOCIOLOGICAL AND MILITARY AFFAIRS

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ALBANIA

FINNISH REPORTERS VISIT GREEK MINORITY AREAS

Helsinki HUFVUDSTADSBLADET in Swedish 6 Oct 85 p 11

[Article by Birgitta Ekstrom: "One of the Best Cooperatives in Albania: You Are Greek as Well as Albanian!"]

[Text] The village is called Dervitsani.

"Perhaps at one point a dervish lived here?" said our fellow traveler Nikolaos Papagiannis.

Maybe it's a diminutive form and means Little Derven, I suggested.

"No," said our new acquaintance, Lefteris Kondos, "it means 'the village near the road.'"

Dervitsani is one of the 17 villages which form the Dropolis cooperative, Drinopolis in Greek, in southern Albania, between the cities Saranda and Gjirokastra.

Sixteen Greek-speaking and one Albanian-speaking village make up the cooperative.

We visited Dervitsani on our trip to Albania last August because our group had expressed the desire to visit a linguistic minority in Albania.

Most eager of all was our Greek fellow traveler, Nikos Papagiannis, who lives in Sweden, but the group's two Finland-Swedes latched onto us as well.

Other than those, our group consisted of native Swedes, including Nikos's family.

The Dropolis cooperative includes 8,500 residents. The cooperative was formed in 1956, says Lefteris Kondos.

"In 1963 it became a so-called higher cooperative. We farm 4,000 hectares. The major product is grain; we get 4.5 tons wheat/hectare. The corn yields 8 tons/hectare. Eighty percent of the production process takes place with machines. Furthermore we cultivate tomatoes, potatoes, sunflowers and tobacco for the needs of the cooperative itself, and we also have cattle farming."

"Two thousand people live in Dervitsani. Each family has an average of three children. Here everyone speaks Greek, but the adult population also knows Albanian. However, the colloquial language is Greek. Our guide and interpreter for the whole trip, Victor Ristani, is only allowed to straighten out difficult questions, because Nikos Papagiannis is in his right element and translates from the Greek for us.

Transient Movement is Insignificant

"The transient movement in the country is very minor as regards the linguistic minority," Lefteris Kondos states.

"Not many Albanians move here from other places. If anyone comes to our village he has to learn Greek, because that is what we all speak here."

And, sure, it happens that Albanians who do not speak Greek move here--we have such beautiful girls...They move here and marry. If villagers leave, they are usually highly educated people who have obtained employment elsewhere.

For example, if there are many physicians or veterinarians, we don't need them all, but there are surely places where they are needed.

Here you move to the place of work you are assigned after completed studies and practical training.

Emigration and Illiteracy

The Greeks in Dervitsani say that they have full rights as Albanian citizens. This is not the way it was before the liberation, as they say.

Before the war the minority groups in Albania were among the poorest and least developed in the country.

There were plenty of problems, bread was scarce and water had to be fetched from Libohove a good bit from the village itself. It was very dry in the Dervitsani region.

Emigration became another problem. Out of a village of 140 families 50 emigrated. Ninety percent of the population was illiterate. There were neither linguistic nor tradition-based rights for any minority.

"Everyone received land to farm and the 5-year plans have improved the standard of living. The water problem was resolved in 1950. (No privately owned land exists in Albania; this as a comment on the above, the meaning of which was rather that everyone made a secure living.)

Schooling in the Mother Tongue

Each village has a Greek-speaking school, and three villages have a common higher school. Schooling last 8 years, to which is added a 4-year high school with 1 year of practical training.

In first grade in school the Greek children also learn the Albanian alphabet, and gradually they learn Albanian in school. History, social studies and

language are studied in the mother tongue throughout the school period; some subjects, such as mathematics, are taught in Albanian the last 3 years.

Everyone except the oldest in the village can also speak Albanian.

In Gjirokastra there is a teacher training college for Greek-speaking teachers. In Gjirokastra a newspaper is also published in Greek. Moreover, it is possible to watch Greek television and listen to Greek radio--and one does, too, say the village inhabitants during our interview meeting. In other connections it has previously been shown that social control in the country is good as regards foreign television programs and foreign music, but this may have been mostly in reference to Italian and Yugoslav programs.

Greek-speaking Albanians are not discriminated against when it comes to influential positions.

There are Albanian-Greeks who have occupied ministerial posts and certain chairmanships in the labor party. On the other hand, it is interesting that the country's minorities are not mentioned in the books and summaries I have recently read.

Each village has its own health clinic with a doctor, health workers and dentist. Medical care is free. At present there are 17 physicians to each district in Albania, or as many as four districts had before the liberation.

Comrade Enver's Spirit Lives

People tell us that comrade Enver Hoxha (pronounced Hodja) visited the central community of Grapsi in 1978 and warmly endorsed the continued existence of the Greek minority with its traditions. It has, as have the other Albanians in the country, fulfilled the party's demands and objectives.

Comrade Enver Hoxha died in the spring of 1985, but his spirit is still very much alive among the Albanians in the form of posters and slogans on walls and beside roads.

His name is found on most mountain peaks (lined-up stones?) and he is frequently referred to in various situations.

Northern Epirus, Southern Albania

"Do you feel like Greeks or Albanians," someone in our group asks. Lefteris and Michalis look at one another and shrug. It says in the passports of the Greek-speaking Albanians that they are of Greek nationality but Albanian citizenship.

"When we speak Greek we are Greeks. When we speak Albanian we are Albanians. There is no difference. The most important thing, they say, is that they have the same history and the same traditions, and they have also had the same enemies.

They then refer to comrade Enver; he has written a book about the friendly relations of two nations.

In fact, the state of war between Greece and Albania is still in effect, but negotiations have been initiated in order to normalize conditions formally as well.

There are Greeks who even today regard portions of Albania as "northern Epirus." (On the other hand, large parts of present-day Greece have been called "southern Albania;" this was the case when the Greek war of liberation broke out in 1821 and no unified Greece existed. There is also a famous portrait of Lord Byron in Albanian costume from Byron's Greek journey in 1813, painted by Thomas Philips.)

The Religions Have Been Abolished

We ask about the Orthodox faith, which is highly alive in Greece today. We have already learned that an extensive youth movement took place in 1967, and that it was then decided that religions are no longer needed. Then they were simply abolished.

Today religion is regarded as superstition and extensive work is undertaken among the youth in order to eradicate religion in general. Reference is made to the cooperation of priests with the former upper class and with the Germans during the war.

One believes that the church oppressed the people, in particular women. Furthermore, this concerns not only the Orthodox faith; Islam was just as widespread.

"Faith is a private matter and it can be practiced at home," say the objects of our interview in Dervitsani. In any event, in other connections we have previously heard that gathering several people for prayer or religious service in one's home is not permitted.

What did the old people in the village say about the abolished religion? We ask an old woman in the village, but she dismisses us and hisses: What do you want with me?

Regarding funerals Lefteris Kondos says that they are still solemn and moving arrangements. The deceased is followed to the grave, and the ceremony is even better now than during the time of the church, in his opinion.

Mosque Became Sports Hall

And the churches? Up to 1967 each village had its own church. Many still exist today. Some have cultural historic value and have been preserved as museums or cultural monuments. Others have been converted to houses for cultural politics for young people.

In Shkodra there is said to be a large mosque which has become a court for ball games! But there were also churches in poor repair, and they were torn down. Three churches have been preserved in Dervitsani. They are believed to have architectural value and they have beautiful paintings. We do not have time to see them; they are 45 minutes away, by mountain climbing.

Do the Greeks in the village have any contact with their relatives in Greece?

Yes, during the last 5 years it has been possible to travel to relatives in Greece and relatives are also allowed to come to Albania to visit. We have met such visiting relatives, among others an Albanian family which has come from the United States to Gjirokastra.

Visitors Have Prejudices

"What do Greeks who come here to visit say," we wonder. Lefteris and Michalis smile broadly.

"They have tremendous prejudices when they arrive, but when they return home they write rather favorably in their own press," they say.

"And you, have you visited Greece?"

Yes, Lefteris has travelled with the Cultural Policy Association, and the delegation was met with great warmth and friendship in Greece.

He believes that both Albanian Greeks and Greeks in Greece are fighting for peace and socialism, but the struggle is not conducted in Greece the same way it is in Albania. But he thinks the Greeks in Greece live a stormy and stressful life, from the aspect of human value.

Everyone is only interested in himself and not in society. There people are a little disdainful regarding the Albanian mentality. He is also of the opinion that Greek culture, in particular the young people, is infiltrated by American views. This is also evident from the Greek television they watch, the undercurrents of which they do not understand, however.

We ask whether the Albanian Greeks have their own Greek-language literature and whether it is printed in Albania or imported, but the question is lost in the discussion that breaks out. Someone asks what people in Dervitsani know about Sweden.

The reply is that the Swedes are industrious and peaceful and that all Albanian groups which have visited Sweden have written very favorably about their visit in the Albanian press. They say they appreciate the Swedish policy of neutrality. Albania imports trucks from Sweden--yes, we have encountered them on the roads. We refrain from questioning the Dervitsani residents about their knowledge of Finland and talk instead about our own linguistic minority. It turns out that Lefteris Kondos is a carpenter by profession and has read about the Finnish furniture industry.

Each Village Has an Amateur Theater

We have been sitting in Dervitsani's palace of culture and have been treated to cold water and watermelon, which we eagerly gobbled up in the heat--35 degrees [C] outside, 35 degrees inside; despite many open windows there is no draft.

We again descend to the first floor in order to watch the obligatory photo exhibit with some partisan history and some local history. In every community

people are equally proud of their history and they have a small museum. In the palace of culture there is also a small auditorium which is used for film showings. It has space for more than 400 persons. Every village in the Dropolis cooperative has its own amateur theater. In 1981 the Dervitsani amateur theater toured all of Greece, Lefteris Kondos tells us.

The village also has its own soccer team. They find the practice of selling soccer players to be shocking and conclude that even Sweden practices this custom....

We exit into the square in order to meet more of the village inhabitants, and there is also a group of construction workers from Gjirokasta on their lunch break in the shade of a house.

Little Andreas Papagiannis, 6 years, stands under a large tree surrounded by villagers and members of our travelling group. He is doing his best to interpret between Greek and Swedish, and the curiosity is equally great on both sides. But when the Swedish girls suggest that he should ask the Greeks to sing for them, he refuses. After all, such a silly suggestion one simply can't translate

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ALBANIA

MEDIOCRE LITERARY WORKS CRITICIZED BY NOTED WRITER

Tirana ZERI I POPULLIT in Albanian 27 Oct 85 p 3

[Article by Ismail Kadare: "Raising the Level of Literature"]

[Text] Comrade Ramiz Alia's speech at his meeting with the writers and artists of Korea, and his very important remarks in connection with demands for a higher level in our literature and arts, for a struggle against the average and mediocre level, and especially with respect to the danger which this environment brings about, constitute a broad working program for our artists. Upon its correct comprehension depends, to a substantial degree, the further development of our literature and arts, as well as the continuation, with dignity, of that successful, forty-year old path which has provided them with the love and respect of the entire people.

Let us say, at the beginning, that these remarks by the First Secretary of the Party Central Committee, along with an understandable concern, inspire deep satisfaction among our artists. Requiring a high level of arts and letters means, first of all, respecting them. The contrary would be a sign of their underestimation.

From the time of ancient Rome until our own day, history has known many states and administrations which were interested in literature insofar as they served their immediate interests - often perverse ones, such as the glorification of ruling castes or the creation of mystical, submissive or militaristic psychoses. They were completely contemptuous of artistic level and if great art arose and developed under their regimes, it not only suffered their total scorn, but also attracted their hatred and often their punishment.

It is only the socialist state that can be sincerely interested, in a full and correct manner, in the development of art. It is only in the socialist system that the state and art do not have separate interests, but common ones. The demands for a high artistic level fully attest to this.

This recently renewed demand lies within the logic of the development of our literature and continues the forty-year old policy of the party on art, and it is also in accordance with the teachings of our unforgotten leader, Comrade Enver Hoxha. It is in line with the teachings of Marxism-Leninism.

The statements of the classics of Marxist-Leninism regarding the problem are well known. They include Marx's criticism of the mediocre German literature of his time, Lenin's quip that a thousand average novels are not worth as much as Tolstoy's "War and Peace", and the studies and letters where they express their admiration for the high artistic level of the masterworks of world literature, etc.

Comrade Enver often emphasized the need for a high level in art and literature. At the 8th party congress, Comrade Enver raised the problem of quality as a problem of prime importance.

In raising the problem of level, our literature of socialist realism affirms its development and vitality. If a decline in this level has been observed recently, it has been observed precisely in the framework of the high level of this literature. If Albanian literature of the epoch of socialism had been of a mediocre level, its recent deficiency would not even have attracted attention. But the level has been high since our demands are high. In the final analysis, maintaining the level is as difficult, if not more difficult, than creating it.

Our task is to understand correctly the demands which are made upon us. We must understand them seriously, with that lofty feeling of responsibility which creation dictates for our epoch, our people and our nation. This requires placing the interest of literature, as a national value, above narrow personal interest, which are sometimes petit bourgeois and shabby, and above the misunderstandings, pride and vanity of this or that author or editor.

Let us not conceal the fact that many authors may be offended by the raising of this problem. But there are no middle roads here: they will be offended in order that literature should not be offended. On the other hand, it would be unforgivable to harm literature for the sake of one person or other.

In his speech of 20 December 1974, Comrade Enver, in order to differentiate values in art, said: "Those of great value, the masterworks, remain as immortal and ineradicable monuments throughout the centuries; others, with some sort of mediocre value, are mentioned for a time, while those that are worthless are completely forgotten and no one speaks of them any longer."

Average and mediocre works are inevitable during the process of literary development. It has been and will always be this way. With regard to average works, it must be said that, in contrast to mediocre ones, they often have a relative value and play a helpful role in literature. They sometimes complete various representations of life which literature of a higher level does not succeed in capturing and they sometimes even suggest and explore untreated themes and subjects as well. But these themes, treated at an average level, await reworking by more distinguished writers in order for them to enter the treasury of literature. Thus, it has often happened that even the subjects of masterworks, such as those by Aeschylus, Dante, Shakespeare or Goethe, were treated earlier by average writers, but their names were lost after time knew

as their authors those who treated these subject not in an average manner, but majestically. From this standpoint, it may be said that average works have often been sacrificed for the general good of literature.

But here it must be stressed that creation of the average type, while it does not bring any direct harm as such, nevertheless becomes harmful and even dangerous for the literature of a people when average creation seeks to move up from its place and occupy a guiding position in art. From the moment that this happens, and therefore from the moment that average literature seeks to become, or is proclaimed by literary criticism to be, the norm, the model and the aspiration, it becomes a completely negative phenomenon. In this regard, Comrade Ramiz emphasizes the danger of the "mentality of adaptation to and satisfaction with the average and sometimes mediocre level."

Without exaggeration, it may be said that the literature which accepts the average as a model has sounded its own death-knell.

Have there been attempts to adapt to the average in our literature? Naturally there have, especially in recent times. It is understandable that adaptation should exist among authors of this level, but it is inexcusable when it occurs in literary criticism. And it is a great misfortune if it should happen with readers. Fortunately, however, our readers have been up to now, a major barrier against the mentality of the average. It is the opinion of readers, of the people, which, together with the more advanced opinion of our literature and arts, coincides completely with the demands which the party has recently made on the arts through the First Secretary of the Central Committee.

There have been average creations both within the general framework of literature and within the creative work of a single author. Even our distinguished authors have produced average creations. Let us recall, as examples, works such as the stories "Kenge ne Miniere" [A Song in the Mine] by Dh. Shuteriqi and "Drite" [Light] by Sh. Musaraj, the drama "Zemra" [The Heart] by J. Xoxe, and the novels "Brezat" [The Generations] by Fatmir Gjata, "Buze Jiqenit" [The Lakeside] by S. Spasse, "Trendafil ne Gote" [The Rose in the Glass] by D. Agolli and the novel "Dasma" [The Wedding] by the author of these lines.

Now we should ask, "What would become of these authors if they were satisfied with these works, with their level and with the praise given to some of them by criticism?" Undoubtedly, both they and Albanian literature would lose a great deal. But if they are considered, correctly, renowned Albanian authors, they have this reputation because they trample on their ordinariness every day, do not adapt to it and thus do not damage themselves and literature.

Other famous authors, such as Dh. Xhuvani, V. Koreshti, T. Laco, N. Prifti, N. Lera, S. Drini, etc., struggle against the average aspects of their work. Some have more success and some have less. Some advance, like V. Koreshti in "Dasma e Sakos" [Sako's Wedding], again to give just one example, and some

occasionally remain in one place, like T. Laco in his recent stories. This in accordance with the logic of the living development of a literature which proceeds and seeks, which has joy, but which can also be sad at times.

After Comrade Ramiz Alia's speech, several articles were published in our press in order to draw directives and data from it, but now this has still not been one in an adequate manner. I believe it is neither correct nor serious that some critics, in order to find "averages", search in the most remote districts of the country and among beginning and unknown authors. When the works of better known authors have been criticized, an effort has been made immediately to defend them. This has happened, for example with the novels "Shtepia" [The House] by A. Cerge and "Bashkekohesit" [The Contemporaries] by V. Koci, which were correctly evaluated by criticism as examples of average and schematic literature.

I think that the attempt which has been made in a certain literary organ to oppose criticism is unprincipled. These novels are truly schematic and of an unsatisfactory level, and to insist on presenting them as anything else, as works with value which enrich our national literature, means neither more nor less than harming the developmental process of this literature. It would be well for the artists of average or mediocre level and for the critics who support them to understand that such behavior is inadmissible. It is also unacceptable for socialist ethics and morality when there is boasting about ordinary works by some authors in articles and reviews which appear in organs where they themselves work, as is the case in the newspaper DRITA. Just as foreign to our ethics are the praises of ordinary creations by artists who have various administrative functions.

It is impossible to combat adaptation to the average and the mediocre if the editorial boards of various organs, and especially that of the "Naim Frasheri" publishing house, are not included in such a struggle. But there are cases where this does not occur. Thus, for example, Thanasi Leci, the director of the "Naim Frasheri" publishing house, along with some of his co-workers, instead of heeding the just demands of readers and the whole of our literary opinion on publishing at a higher level, are dominated by a sick pride and show an unjustifiable irritability in the face of any criticism that is made. For them, it is natural that writers and poets should be criticized in print, as long as they are never touched. They hasten to associate themselves with the successes of literature, which is right, but they proclaim themselves independent of its shortcomings.

Their satisfaction with average works, which they consider suitable for publication, their opinion that because they have publishing in their hands they are in a privileged position in relation to authors, and the incorrect idea that they are not the servants of literature, as authors are too, but its incontestable arbiters, have made these administrators lose their sense of self-criticism, which has had a negative influence on publishing.

All of us, authors and publishers, editors and critics, have a responsibility to raise the level of literature. No one can justify himself with any alibi. The Union of Writers and Artists has a special responsibility; the average

writers themselves are responsible if they do not make efforts to raise their level, but the writers of a higher level are equally responsible if they withdraw to the sidelines and look on, saying, "We have our level; this problem does not concern us."

The problem concerns everyone, even readers, whose taste, demands, suggestions and pressure play a greatly positive and extremely sensitive role.

The average and mediocre level also exercises a continual pressure. It seeks to stabilize its position if it has gained one and to regain if it has lost it; it gives way with difficulty if it has been placed in a vacuum. Its final demand is that it should become the master and dictate laws in literature.

It has the most diverse ways of exerting pressure. It utilizes the shortcomings that occur in the texts of literary readers, where despite the notes, mediocrity has firmly established itself, gravely harming the esthetic tastes of thousands of pupils. The psychology of adaptation to the average is often aided by extra-literary factors: bureaucracy, inability, the petit-bourgeois spirit and sentimentality. A typical example is the series publication of works by our authors - a good initiative, but one which was in danger of becoming the reverse of the original intention. From a group of publications which would compromise a major collection of literature of the epoch of socialism, under the aforementioned pressure it extended its criteria to include some average and even mediocre works. Someone may ask, "Why this strictness of criteria? What would happen if we showed more generosity and gave you the satisfaction of a greater number of works?"

There is only one response to such psychoses of weakness: literature is not a charitable institution, nor a means of satisfaction for a number of writers and poets. It is not only a matter of writers and poets. It is, in the first place, a concern of everyone. What can appear to be "harmless generosity," such as calling some author's book a classic when it is nothing of the sort, creates confusion, destruction of equilibrium and a harmful shock, which then take over the whole structure of literature. Thus, with this concession, we would truly make an author's birthday happier, but we would cause grave disorders in this national wealth.

Literature is an important part of our culture and culture is part of the freedom and independence of our country. It is our task to behave toward it with the seriousness with which we behave toward matters which we consider great and cherished.

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CZECHOSLOVAKIA

DAILY ON AFGHAN REVOLUTIONARY COUNCIL DOCUMENT

AU021324 Bratislava PRAVDA in Slovak 26 Nov 85 p 6

[Article signed "zr": "A Program Document of the Revolutionary Council of the Democratic Republic of Afghanistan; On the Nature of the April Revolution"]

[Text] Kabul (zr)--According to a TASS report, an extraordinary session of the Revolutionary Council of the Democratic Republic of Afghanistan [DRA] was held in Kabul on 9 November 1985, which discussed and approved the declaration "On the peoples democratic nature of the April Revolution and its urgent tasks in the current conditions." In his speech, B. Karmal, general secretary of the Central Committee of the People's Democratic Party of Afghanistan [PDPA] and chairman of the DRA Revolutionary Council, noted that this document must become the foundation for all political, economic, and organizational activity of the country's state agencies and social organizations. The Politburo of the PDPA Central Committee called for extensive activity oriented toward explaining the declaration and mobilizing the working people for its implementation.

The 1978 April Revolution, the declaration states, was carried out in the name of the realization of the country's national interests and the satisfaction of the aspirations of broad popular masses.

The revolutionary masses, respecting and strictly adhering to historical, cultural, and religious traditions, proclaimed the DRA and set its nationwide tasks: The defense of the country's independence, sovereignty, and territorial integrity; the further reinforcement of the achievement of the April Revolution; the implementation of its goals and ideals; the ensurance of the extensive and active participation of the country's working people and all patriotic forces in national-democratic, antifeudal, and anti-imperialist changes and in transforming Afghanistan into a developed and prosperous state.

In the past 7 years, the DRA achieved marked successes. Socioeconomic transformations, including the land and water reform, are being carried out. The national economy and the culture of the nations of Afghanistan are developing, and the process of the democratization of the social and political life continues. The revolution has proclaimed the quality of all nationalities and tribes, equal rights for all citizens regardless of social status, nationality, sex, and religious belief. The international standing of Afghanistan has been consolidated, and the DRA's role in the nonaligned movement has increased.

The holding of loya jirgah [loja dzirga], the highest jirgah of the border tribes, and the successful beginning of the elections for local organizations of state power, has demonstrated people's sincere support for and approval of the party's and government's domestic and foreign policy.

These progressive changes, the declaration states, are taking place under conditions when international imperialism and its helpers are carrying out an armed intervention in the DRA's internal affairs, when the revolutionary people must tenaciously fight the domestic and foreign counterrevolution.

The DRA Revolutionary Council notes that the development of the revolution was not smooth. In addition to the difficulties connected with combating the domestic and foreign counterrevolution, the process of the realization of important changes had been complicated by errors and blunders. The new leadership has inherited a backward economy, the majority of the population was illiterate; it has inherited poverty, hunger, unemployment, disease, social relations of the feudal and prefeudal period, and split democratic forces. Long and patient work will be necessary for the country to get onto the path of material and spiritual progress.

The revolution corresponded to the interests of the majority of the Afghan people, and all patriots who identify themselves with its ideals have the right and should take an active part in building a new, democratic Afghanistan. The declaration states that in this one must not permit the occurrence of leftist, extremist, and voluntarist deviations and assessment of reality. An important task is to create a situation throughout the country's entire territory in which all issues could be resolved jointly, without the use of weapons, in an atmosphere of trust, cooperation, and brotherhood, on the basis of national conciliation.

The DRA Revolutionary Council proceeds from the fact that the substance of state power in Afghanistan is contingent upon the national-democratic nature of the April Revolution. It presupposes the broad participation of representatives of all social groups and strata of the population, all true patriots--workers, farmers, middle-sized [stredni] farmers, intelligentsia, soldiers of the armed forces, national entrepreneurs [narodni podnikatelja], and businessmen, spiritual figures, authoritative representatives of all nationalities and tribes in the management of state affairs in the political, socioeconomic, and cultural life. The people's government leans on centuries-old traditions of democracy and supports the form of self-determination through jirgahs or the councils of elders. Only the armed intervention by imperialism and reaction prevents the realization of free elections of new power agencies on all levels. The council appealed to all Afghans, including those who are abroad, to join in building a prosperous and independent Afghanistan.

[AU021325] The Revolutionary Council, it is being stressed further, will also, in the future, strive for further working people to join in the country's management, for heightening material prosperity, improving working conditions and the life of workers and all working people. The greatest importance is being attached to the solution of the agrarian issue in the interest of working farmers, and cooperation in the organizations of farmers cooperatives on a strictly voluntary basis.

increase their combat capability, so that they can fulfill with dignity their sacred duty in the defense of the DRA's national sovereignty and the achievements of the revolution. The reinforcement of the country's defense capability and its proceeding toward national cohesion are the decisive factors for halting the armed intervention into the DRA's internal affairs from without.

The DRA's foreign policy, the Revolutionary Council proclaims, is oriented toward the reinforcement of general peace and toward the development of comprehensive international cooperation. The government's activity rests on the observance of the UN charter and the principles of peaceful coexistence. It is the policy of active and positive nonalignment and strengthening of relations with other states, mainly with the states that are the DRA's neighbors.

Afghanistan is honorably striving to reach a political settlement of problems and conflicts. The friendship with the USSR has withstood all tests of time and has become a priceless achievement of the nations of our country.

The PDPA plays a vanguard role in Afghanistan's revolutionary process. It is the directing and organizing force and expresses the most profound interests of all people. It was establishing and will continue to establish its relations with all patriotic strata of the population and social organizations on an equal and constructive basis of cooperation, trust, and mutual respect. In this historical moment, the Afghan people understand that to realize the noble objectives and tasks of the national democratic revolution one needs unity and cooperation of all inhabitants of Afghanistan, of the country's all-national and patriotic forces.

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Industrial production must be systematically increased through accelerated development of the state and mixed sectors, establishing cooperative enterprises, and helping home workshops and traders. The state will also in the future increase the role of the national intelligentsia in society's life, and broadly enroll it in the implementation of cultural changes in the acceleration of the country's economic progress. It will step up the nationwide struggle against illiteracy. The incoming generation will be given everything it needs for successful education, and cultural, and physical development.

The DRA Revolutionary Council, it is said further, guarantees and strives to ensure in reality all nationalities and tribes that live on the territory of united democratic Afghanistan, not only legal, but also genuine equal rights in the sphere of the economy and culture. The development of backward peripheral [okrajove] nationalities and tribes in the local state power agencies will be ensured. The policy of trust, peace, and cooperation will continue to be implemented in relations among tribes. The DRA Revolutionary Council is convinced that tribes--in this very complex period for the country--will take an even more active part in state affairs, especially in the defense of the fatherland against attacks from the side of the forces of imperialism and their helpers.

One works consistently and tenaciously also on the reinforcement of the National Patriotic Front by expanding its prerogatives, enrolling in its activities all those that sincerely wish to take part in building new Afghanistan. The further perfection requires the activity of mass organizations, such as trade unions, the Democratic Organization of Afghan Youth, the Democratic Organization of Afghan Women, and the creative unions of the intelligentsia.

The Revolutionary Council affirms that people's power guarantees respect for and the defense of Islam, and ensures total freedom of religious rites. At the same time, the document states, Islam must not be misused for goals hostile to the people, for the benefit of imperialists, colonizers, and their mercenaries.

International imperialism and religious reaction, the declaration stresses, are waging an undeclared war against Afghanistan, a war that is accompanied by an extensive campaign of slander. In order to defend Afghanistan's national sovereignty, territorial integrity, and national independence against intervention from without, the DRA Government had to--on the basis of the norms of international law and the UN charter--turn to the Soviet Union--its reliable, true, and traditional friend. The council confirms that the limited contingent of Soviet troops will leave Afghanistan immediately after the halting of the armed intervention, and the DRA receiving guarantees that this intervention will not be resumed.

The Revolutionary Council, together with the PDPA Central Committee and the DRA Government, the declaration states, are establishing a unified comprehensive defense system, which consists of the army, tsarandol [carandoj] (people's militia), units of the Defenders of the Revolution, civil defense groups, and tribal troops. Every Afghan patriot must help to strengthen the armed forces,

CZECHOSLOVAKIA

RUDE PRAVO ON UK DECISION TO LEAVE UNESCO

AU091219 Prague RUDE PRAVO in Czech 7 Dec 85 p 7

[Commentary by Stanislav Stepanek, RUDE PRAVO's Paris correspondent: "In the Footsteps of Washington"]

[Text] British Prime Minister M. Thatcher officially announced on Thursday [5 December] that Great Britain would leave UNESCO effective 1 January 1986. There is no point in repeating London's arguments. They are the same as those used by the United States a year ago. Hardly anyone believes that M. Thatcher would like to save money in this way. The French right-wing paper FIGARO has admitted that the sums involved are more or less negligible for Great Britain. Anyhow, Great Britain will use the money for so-called bilateral aid, which--once again in accord with Washington--it considers to be more effective for asserting its own interests.

The British Government has let it be heard that it regards the results of the general conference of UNESCO held in Sofia recently as "insufficient." This is interesting: at the conference, the British delegation endorsed all the adopted documents. Apparently, London has now changed its mind. Has it come to its "senses?" More likely, it has been brought to them.

UNESCO was well on its way to coping with the financial difficulties caused by the U.S. withdrawal and the political impact expected by Washington has not taken place. Great Britain is to "put this right" by its withdrawal and will attempt to touch off an avalanche of followers from among American allies. It is not surprising then that reports about the intended withdrawal of the Netherlands appeared soon after the British decision. It is all too obvious that neither the United States nor Great Britain are concerned with reforms to improve UNESCO's operations. Side by side with Washington, London has launched a broad political campaign boycotting an important sphere of international cooperation. No wonder this step has become the target of strong criticism in Great Britain itself, and not only in the ranks of the opposition. Former conservative Prime Minister Edward Heath has called M. Thatcher's decision an "enormous error."

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CZECHOSLOVAKIA

BRIEFS

STROUGAL TOURS IRAQ--Iraq--Lubomir Strougal, premier of the Czechoslovak Government, who is on an official visit to Iraq, left Baghdad this morning with his entourage for Iskandariyah and Babylon. In Iskandariyah, he will visit a tractor factory which, in cooperation with Czechoslovakia, annually produces about 5,000 tractors of the Antar Zetor make. In Babylon, Lubomir Strougal will see world-famous cultural and historical memorabilia, preserved thanks to archaeological research. In the afternoon, the CSSR premier will see the historical and cultural sites of the Iraqi metropolis of Baghdad, which has 4 million inhabitants, and its new buildings. He will also visit the local international trade fair. [Text] [Prague Domestic Service in Czech 0830 GMT 1 Dec 85] /9365

BILAK RECEIVES ETHIOPIAN DELEGATION--Vasil Bilak, CPCZ Presidium member and its secretary, received today the delegation of the Workers Party of Ethiopia led by Ashagre Yigletu, secretariat member and secretary of the party Central Committee. In the discussion they exchanged experiences from their parties' activity and assessed possibilities for further developing relations and co-operation between the parties. Vasil Bilak familiarized the Ethiopian guests with the preparations of the CPCZ for its coming 17th congress. The head of the Ethiopian delegation spoke about the fulfillment of the conclusions of the founding congress of the Workers Party of Ethiopia and achievements scored by the peoples of Ethiopia in overcoming the consequences of the catastrophic drought that afflicted Ethiopia. At the same time he thanked on behalf of the party and state leadership of Ethiopia for the assistance provided by the peoples of Czechoslovakia to the peoples of Ethiopia. In conclusion an agreement was signed on cooperation between the CPCZ and the Workers Party of Ethiopia. [Text] [Prague Domestic Service in Czech and Slovak 1400 GMT 6 Dec 85] /9365

RADIO COOPERATION WITH PARIS--Jan Risko, director of Czechoslovak Radio, and Pierre Henri Dessoux, director general of French radio Radio France', today in Prague signed an agreement on radio cooperation for the next 5 years. The new agreement sets out a considerable broadening of mutual exchange of radio programs and workers. [Text] [Prague Domestic Service in Czech 2030 GMT 6 Dec 85 LD] /9365

HOFFMAN RECEIVES YEMENI TU OFFICIAL--Prague (CTK)--Karel Hoffman, CPCZ Central Committee Presidium member and chairman of the Central Trade Union Council (UROGLN), met in Prague yesterday [26 November] with Ali Seyf Mukbil [name as published], chairman of the Federation of Yemeni Trade Unions of the Arab Republic of Yemen. In a friendly talk they briefed each other on the topical tasks of the two trade union organizations and appraised the possibilities of further developing cooperation. The URO chairman expressed the trade unions' solidarity with the just fight of the Arab people against world imperialism, Zionism, and reaction. A.S. Mukbil expressed thanks for the assistance and support being granted by the Revolutionary Trade Union Movement (ROH) to the working people and trade unions of the Arab countries in their effort to consolidate the action unity of all progressive forces, and to achieve full political and economic independence and democracy. The two representatives then exchanged views on topical issues of the international trade union movement in the fight for the working people's rights, for social progress and world peace. [Text] [Bratislava PRAVDA in Slovak 27 Nov 85 p 2] /9365

INDUSTRY DELEGATION TO IRAN--Tehran, Dec 6 IRNA--Czechoslovak industry minister, Pavol Bahyl [position as received], at the head of an economic delegation arrived here Friday and was received by Iran's minister of heavy industries, Behzad Nabavi, at Mehrabad International Airport. The Czech delegation is to study technological and industrial cooperation with Iran during its stay here. The Czech delegation is to study technological and industrial cooperation with Iran during its stay here. On the objective of the visit, Behzad Nabavi said that the visit is in response to a visit of an Iranian delegation at Prague last year during which the two countries signed an industrial protocol. He added that ways for better exploitation of industrial units such as Arak Machine Manufacturing Company and Tabriz Industrial Research Center for Heavy Industries will be discussed with the Czech delegation here. Nabavi further said that volume of trade between Iran and Czechoslovakia was dollars 180 million in 1985. Bahyl said the Czech delegation was here to follow up the protocol signed between the two countries as well as to review expansion of mutual cooperation between Tehran and Prague. [Text] [Tehran IRNA in English 1356 GMT 6 Dec 85] /9365

CSO: 2020/45

GERMAN DEMOCRATIC REPUBLIC

GOVERNMENT, CHURCH PEACE DOCTRINES CONTRASTED

Stockholm NY DAG in Swedish 30 Oct 85 pp 12-13

[Article by Ingrid Rasch: "Peace Teaching in GDR at Odds With the School"]

[Text] Last spring the West German magazine DIE ZEIT published a full-page article with the headline "Leben und Bleiben in der DDR," [Living and Staying in the GDR.] It was written by East German theologian Joachim Garstecki, one of those responsible for the position of the Protestant Church on peace issues.

The article brought up a subject, which ever since the spring of 1984 had touched and stirred up many GDR citizens in daily life, namely the reactions to the major exodus wave to the West during 1984 in connection with a temporary easing of exit permits.

Garstecki is of the opinion that the disappointment and bitterness which is felt by many people in the GDR when they learn that relatives and friends are about to leave them and the reality of the GDR, has to be transformable into constructive reflection, into a thought-out answer to the question: Well, but why do I choose to remain in the GDR? Is there any room or opportunities to expand the framework for a meaningful life in the GDR, which my friends who have left for the West have disregarded? Does your situation in life depend more on how you yourself act vis-a-vis the society you live in than on the so-called conditions?

Adjustment--Opposition

Toward the end of the article Garstecki gives the discussion a more generally applicable existential meaning. The choice is not between total acceptance of or complete withdrawal from the state which is present everywhere in the DGR existence, he writes. It is possible to find a balance between social and personal life, but one thing is certain, it is only possible if one remains and does not escape.

Does not the same thing apply to people in the West, Garstecki wonders, if the ever-present state is replaced by the ever-present commercialism? It cannot

be necessary to distance oneself from the society one lives in just because one dislikes certain, or even many, sides of it. A better alternative is to find something which it is possible to identify with and then, based on such a positive platform, work for change. There is a constant and necessary balance between adjustment and opposition in every social system, Garstecki seems to mean. Above all, the article puts into concrete form the manner in which the church intervenes and influences the development in the country.

When I continue to talk about the church, by that I mean exclusively the Protestant one. It includes perhaps seven million people, many of them young people drawn to the church because there is room for conversations which cannot be carried out in public anywhere else. This refers especially to issues of peace and disarmament.

Respect

I meet Garstecki at the very end of an immense system of gray-yellow corridors at the premises of the Protestant Church on August Street in East Berlin.

The large peace movement of the eighties in the West has primarily developed from the fear of nuclear war. In the East the emphasis is not quite as one-sidedly on nuclear armament, although it does affect people very strongly, I learn.

"When you live in a city like Berlin, in the border region between the two social systems, you realize daily how absurd and dangerous the thought of creating national security at the expense of one another is," Gerstecki says.

"But we do not just want to be critical. We also want to help form new security policy alternatives. We support the report of the Palme Commission regarding joint security, both the philosophy behind it and the concrete proposal for a nuclear-free corridor in Central Europe. Together with "Action Suehnezeichen," [Action Atonement Token], which is a Christian peace organization acting in both German states, we have worked out a small publication which we call "Sicherheitspartnerschaft und Frieden in Europa" [Security Partnership and Peace in Europe]. It is founded on the ideas of the Palme Commission and stresses the special responsibilities and opportunities of the two German nations. Here in our country we often use a different terminology. We speak of peaceful coexistence, a concept used by Lenin, but we given it approximately the same security-political meaning as the concept joint security."

"Did the church do any to prevent the deployment of new nuclear weapons in the GDR?" I ask.

"Certainly, we wrote to the government and asked it not to meet the Soviet demands for deployment. We cannot see that it is necessary to turn the armament spiral yet another turn just because NATO stations Pershing II's in the FRG. And I must say that the government did not welcome the new nuclear weapons with any enthusiasm."

"In what way can the peace movements in the East and West cooperate?"

Garstecki turns pensive. He says that he dislikes the superior meddlesomeness which is revealed in the West European's habit of asking the East European: What can I do for you?

"Let us once in a while turn the matter around and ask the opposite. Thus, to begin with we must learn to respect each other and our different methods of working."

"But whatever you do, don't legitimize the peace work in the West by emphasizing your contacts with church peace groups in the East," he says with marked decisiveness. There are many in the West who are interested in creating false images of us and our peace work. Either they want to make us dissidents and use us as weapons to combat socialism or else they change us into an extension of the long arm of the state and reject everything we have to say as uninteresting. We are neither. We try to find possible ways to contribute to peace and disarmament in the society we live in and want to live in.

Peace Education

The church devotes much time to attempts to alter the evaluations and the logic which leads to the doctrine of deterrence, that is to say the balance of terror.

It regards it as its special task to create counterbalances to the psychological preparation for war which takes different form in the GDR, all the way from increasingly frequent defense exercises to more systematically undertaken teaching of defense knowledge in school. In 1978 the subject Wehrkunde [Defense Knowledge] was introduced as a special and obligatory subject for the ninth grade.

For 15 years the church has been conducting its own peace teaching in voluntary children's and youth groups. It is difficult, since the church's view of the substance of peace education in many respects is contrary to that of the school. The school regards it as its duty to instill love of the fatherland and socialism in the children. If these values are threatened, it must be possible to defend them. Consequently, the peace must be armed and all citizens, including the children, must become aware of this. In preschool the children are allowed to play with war toys, which was not permitted until the late 1970's.

To the church the central message is love of one's neighbor, including the "enemy," which is why attempts are made to teach the children to resolve conflicts without violence, to respect the ways of thinking of others, to behave critically toward militarism and armament, to conquer the xenophobia. It is also trying to put a halt to the manufacture and sale of war toys.

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HUNGARY

NOMINATION MEETINGS SEEN AS CRUX OF 1985 ELECTION PROCESS

Budapest PARTELET in Hungarian Nos 8-9, 1985 pp 13-17

[Article by Erno Lakatos, head of the Agitation and Propaganda Division of the Central Committee]

[Text] In June the people of our country elected the new Parliament and the members of the councils. This important event in our public life took place under conditions differing in many aspects from those of earlier elections. The population went to the polls under a more difficult and more complicated internal situation, which placed greater emphasis on the harmony expressed in this civic activity. The importance of the elections was further increased by the fact that by applying the electoral law, as amended in 1983, we took one more step toward widening the scope of socialist democracy: mandatory multiple nomination allowed the citizenry to express more concretely and more forcefully their opinions regarding our politics as well as the representation and representatives of our politics.

We are justified, therefore, in stating that these successful elections were, in the strictest sense of the word, tantamount to a plebiscite, they meant that the population--taking advantage of the widest ranging democratic possibilities--said yes to the politics of the Hungarian Socialist Workers' Party and to the program of the Patriotic People's Front as outlined in the election notices. It is, nevertheless, this very fact: the greater political value of elections held under the new conditions, which compels us to evaluate carefully the experiences gained in the course of our work around election politics, to draw from them the most important lessons. The reason for this is not only that we went to the polls for the first time under the amended electoral law and the next time we will have to utilize the experiences gained, but also that in the course of discussions, in which millions of people participated, many questions, comments and proposals of public interest came to the surface and we must not relegate them to oblivion. It behooves the elected representatives of the people as well as the party organizations to work toward a realization of the accepted proposals. Of no lesser importance, however, is that we must learn from the successes as well as from the failures and create even better conditions for the further development of socialist democracy, for the expression of the will of the people and, in the final analysis, for the strengthening of political unity in the service of common goals.

Political preparation was an important aspect of our work in the elections, especially the concrete formulation of the national and local election platforms, and their introduction to and discussion with the citizenry. The nominating conventions, the meetings of the nominees with their constituents, the "strata caucuses" and, especially, the nationally broadest electoral congresses afforded us the opportunity to discuss our political aims in front of the electorate. Mass communication media such as television, radio and the press--true to their proper purpose--made their contributions by not only reporting the events, but by taking an active role in shaping the lively interchange of political thoughts and views, taking in the entire country and emerging with new vigor in connection with the elections. In most instances we could discern a tendency of getting concretely and responsibly involved, in a manner similar to accounts rendered by representatives and council members, in the developmental planning of towns and districts and in the problems of the local population's living conditions and their provision. What is more, we can report that at the nominating conventions interest centered mostly on local affairs which, to a certain extent, was natural, since the gatherings are, above all, forums of the local communities. The greatest difficulty was the result of the fact--and this represented a shortcoming of the political work--that the reporters of the nominating conventions, the party members present and people's front activists were not always able to find a way to point out convincingly the connections between the growth of the hometown and the country's potentials, between the everyday joys and sorrows of a smaller community and national politics. We were able to create a nationwide mood of active political interest so necessary at election times, but the level of concrete political debate left much to be desired, the expounding of national political questions often bogged down in generalities and in many cases the consideration of local problems turned into a discussion of everyday trivia. This, too, showed up the shortcomings of our political mass agitation, to which we must pay more attention.

The modified election process was the subject of considerable national debate at the time the bill was drafted, but especially at the period preparatory to the elections. We were able to make it clear in these debates that the purpose of the modification was to make the elections more democratic, to offer the citizenry an opportunity to express their opinions concretely and to send into state government and people's representative bodies persons most worthy of the citizen's confidence.

The majority of the citizens recognized the advantage of double and multiple nomination. Discussions arose mostly with respect to candidate selection and concerns about the Patriotic People's Front's proposals. This seemed to indicate that the citizenry was ready to take full advantage of the opportunities the elections afforded, that they insisted on the most democratic completion of every essential detail of the elections, that the reasons for the nominations be presented to them clearly and convincingly, and that the wishes of the people be recognized and respected. But we have also learned that in the future we must select the nominees with greater care, investigate their qualifications and abilities more thoroughly and give them wider exposure, thus attaining among the elected a greater proportion of women, young people and laborers than heretofore.

After a less than unanimous reception, the introduction of the nationwide ballot, in essence, was received favorably by the public, since it symbolizes national unity and the solidarity of society's various forces. On the other hand, the ballot's composition caused arguments; many would have welcomed different names on the list of national nominees. It seems that we should have talked more about the national ballot in the course of our propaganda. The younger generations, to be sure--and they form the majority of the voters--do not know our confederates who stood by us in earlier political struggles and who wound up on the national ballot. We must continue paying attention in our political efforts to the character and function of this important new feature of our election process.

The one aspect of the political work in the elections most rewarding and most educational, was the way the nominations were accomplished. The persons responsible for organization, the organizations participating in the election process and the party members considered it important to assure all nominees--regardless of their employment situation--of equal conditions. The nominees espoused the program of the Patriotic People's Front and had an equal right to establish contact with their constituents, impart to them their concepts and gain the citizens' acceptance. However, this did not mean that the nominees' chances, too, were equal, as there were among them persons of note as well as dark horses, some well qualified for political representation, others even better, and many other characteristics differentiated them as well. It would have been wrong--under the heading of equalization of chances--to suppress these differences, to neutralize them by trying to squeeze the nominees' roles into a uniform mold, as the very purpose of the elections was to give the citizenry an opportunity to elect representatives and council members they find best suited for the job based on personality and abilities.

It was, of course, no easy task to find the proper dividing line between creating equal conditions and fostering manifestations of personality differences. It happened that in some locations, with reference to the "no-electioneering" rule, nominees were discouraged from behaving in any but a subdued, impersonal manner, while in other places competition and the initiation of individual actions was encouraged. But it also happened that the nominee, himself, sought refuge behind the protective shield of impersonality, trusting the authority implied in the official nomination, refusing to accept the greater risks of uttering personal thoughts and opinions. Or quite to the contrary: in a few instances individualism and irresponsible personality cult diverted attention from more essential problems, real possibilities and ideas.

Basically it was, after all, not this series of phenomena that caused the sometimes striking contradictions, but the fact that preparations for the nominations, in many locations, did not offer sufficient opportunity to present in a more complete, more authentic fashion the nominees' entire personality, background and fitness. This is also an important theoretical problem, because while making several personal appearances means more and, in general, is a more valuable form of behavior than impersonal conduct cloaked in the garb of official authority, it can, in itself, not offer an adequate basis or sufficient guaranty for optimal elections. Guaranty means putting on

the scale the nominees' total life-work. (*note from typist: in the draft the words total life-work were underlined-JPRS guidelines say no underlining so I did not underline for that reason) Socialist democracy and within it, the further evolution of the election process, too, forms part and parcel of this theory: on the one hand, we have good reason to try to avoid the superficial, manipulative traits of the bourgeois democratic election process, and on the other hand we would also like--partly because of the very results of the elections--for our councils to become harder working bodies, where results are continuously obtained not by spectacular oratory, but by concerted work, studied with fruitful debates.

One of the most important lessons we learned from the nomination process was that it was in the latter where our political work really paid off, where the greatest harmony developed, where they discerned the new situation resulting from multiple nomination, and prepared the best possible conditions for a democratic decision and realistic elections. An essential element of this was the creation of wide ranging publicity. I could mention many instances where the personal appearance of the nominee was considered just one of the options, and they used many other ways and means (local press, election news, brochures, cable television, personal contact with the voters, etc.) to offer the public the best endorsement of the individual starters' credibility: acquainting the voting citizens with the nominees' past accomplishments from every possible angle. At the same time, in some parts of the party organizations, they failed to realize sufficiently to what extent--over and above the publicity aspect--the objectivity of the election results is influenced by the opinions of the political organs. Especially in the case of nominees who had distinguished themselves in earlier struggles and in the efforts of past decades, could the party organs' and party organizations' supportive stance carry considerable weight. Most of them--quite understandably--would have considered it inappropriate and pretentious to personally enumerate in front of the voters the positive aspects of their past activities. Because an incomplete or not quite adequate evaluation of the situation and because of deficiencies in preparation, many party organizations failed to take a stand. Our political work, from this point of view at least, has not been able to contribute to the creation of truly equal opportunities and to as objective electoral decisions as possible.

In our work around the new election process the difficulties stemmed not only from increased requirements in preparation, but also from the unaccustomed new situation and old idiosyncrasies. In several locations the activities and personal aspirations of persons in the higher echelons of officialdom and of those in the higher echelons of officialdom and of those in prestigious positions (whose activities are rated by national or county authorities,) were not offered to public scrutiny and were not submitted to public debate. But in this case, too, restraint and hesitation were unjustified. Participants in the nominating meetings, in determining the nominees' suitability, were setting actually higher standards than in the past. However, the representatives nominees coming from the ranks of public figures, officials of party and mass organizations and county leaders who, by their work, comportment and life style, merited the recognition of those around them, were, with few exceptions, elected. Characteristically, of 1151 town, city and municipal district council presidents only 51 town council presidents and

two city council presidents failed to get elected to council membership. At the same time, we must draw the lesson from several cases: it is not enough for people in public office to embrace, with the best of intentions, our political aspirations, it is equally important that they suitably adapt their methods and style to our democratic conditions.

In a small proportion of the representatives' electoral districts they tried to have persons nominated who, in important matters, represent positions diametrically opposed to our ideals and politics. This, in some locations, occasioned antipathy toward the so-called spontaneous nominations. However, it would be definitely wrong if we were to start out from this point of view in considering the citizens' option to select nominees at the nominating meeting on the spot, as every one of the "final" nominees agreed upon is devoted to our social system and many of them are party members. The so-called opposition-mimicking manifestations found no support among the people, they were everywhere combatted by political means, thus none of them got to be nominated. However, we also found out that some of our activists were unprepared to engage in political debates with them and to unmask their true intentions. Thus in our efforts to convince their few misled young sympathizers, we failed to achieve the desired results. Some of them could not understand why it was necessary to deal harshly with exponents of a small faction whose manifestations are apparently simply critical, but who, in reality, sharply oppose our social system. Persons in close cooperation with bourgeois propaganda organs, blindly at odds with our fatherland, must never be given a role in Hungarian public life.

All of this taught us another lesson. The wider democratization of our election process enables us to perceive the population's opinions and their proposals regarding the persons they wish to send to Parliament and the councils. We have gained considerable skill already in discussing with the population plans for housing improvements at the rural, town and city levels. It is hoped that the favorable effects of the latter will find expression also in more active work on the part of the newly elected bodies representing the citizenry, (that is the representatives and council members) and in the strengthening of their ties to their electors. The state governing organs can justifiably count on the representatives and council members to evaluate their duties and responsibilities meritoriously and critically, to show more initiative, to have more desire to settle public matters and to emphasize in their work a tendency toward asserting local interests as well. However, a keeping in touch with the citizenry and a dialogue can only become more up to date and commensurate with existing requirements if the economic, social and socio-political problems of the rural areas become better supplemented by personal contacts. In the same way as we are already capable of assessing, appreciating and, what is more--categorizing and explaining the various interests--of molding public opinion in connection with the real conditions and material matters of the place of residence, we must also be able to find a more continuous way to study and handle the public's opinions, views and initiatives with reference to personalities. This obviously transcends the writing of regular representatives' and council members' reports and is a rather difficult and sometimes ticklish task. Nevertheless, it is more practical and easier to face that task than to rely solely on the chance that in the course of the few months of the election preparations the voters might,

in any event, give vent to their feelings and might make more or less well informed personality choices.

The situation, too, is more favorable to this than in the past because in the course of the elections it has been proved: it is not alien to socialist public life to give publicity to personal aspirations, to give room to personal character traits, virtues and abilities. The electoral contests did not conflict with our principles, they were not conducted underhandedly in any place, none of the nominees was publicized to the detriment of others. In most cases the voters supported by word and by note the candidate who, by his past life style, work and comportment was able to project the well founded hope that he will be the best person to represent his voters' interests and to take an active part in shaping the country's, the county's, the city's and the village's future. We should not worry either that--as it became obvious throughout the elections--a more pronounced activity on the part of the citizenry might bring with it more frequent disagreements and hotter debates. This is a direct consequence of the fact that our citizens have been afforded greater opportunity to cast their vote, and--by means of alternative personal choices also--to get involved in the shaping of local as well as national politics. At the same time, we must also take into consideration that more debating practice and more persuasive argumentation is needed for the settlement of disputes and the reaching of mutual agreements.

Practically all lessons learned in the course of our work around election politics is connected with the new and greater possibilities and higher requirements of the modified election process. It goes without saying that we have not been able, so far, to exhaust all our possibilities and we have not yet completely complied with all the requirements. Time is needed for the new methods to become entrenched and we must also bring into sharper focus some of the details of the election process. Even so, the election campaign that lasted almost two months, ended successfully in a good political atmosphere. The events bore out the aspirations of the Hungarian Socialist Workers' Party, namely that it is possible and even necessary to take further steps in the direction of fomenting social democracy, and necessary and possible, upholding our principles, to enrich our political experience with more and more new elements.

12929/12759

CSO: 2500/60

HUNGARY

MILITARY SERVICE PRECEDING HIGHER EDUCATION DESCRIBED

Budapest MAGYAR HIRLAP in Hungarian 1 Nov 85 p 5

[Article by Istvan Illes: "Pre-Admission Servicemen"]

[Text] It has been almost 10 years since the Hungarian Army terminated the so-called pre-admission units in which prospective university students served. The "boys of Kalocsa" have been assigned among the enlisted men serving in various outfits of the country. At first the university students spoke about many unpleasant experiences when they were discharged. Has the picture changed since then? To find out we went to an artillery outfit in the area between the Danube and the Tisza.

"It was not a dream to be a 'tapos.' They pumped us as much as they could. We swept and scrubbed so much that we thought we had joined some cleaning enterprise and not the army," says Bela Kaslik, soldier, who is a pre-admission student at the Karoly Marx University of Economic Science. "I am lucky that this is all past now. They assigned me from Transdanubia, and here I find no trace of prejudice. They hated us because we entered together with our colleagues and were discharged a half year earlier than the others. But in fact we have to make up these six months later on. But our slighter physical build also was cause for derision, and therefore it was not by accident that they stuck on us the name 'tapos' [down trodden]."

Gabor Pillman and Zoltan Bagi, soldiers, are still filled with consternation when they hear such accounts from their colleagues, although they certainly heard them before. After discharge the two of them--like most of the pre-admission soldiers at the unit--will become students at the Budapest University of Horticulture. The others were out on agricultural work and we did not meet them.

"We joined our unit at the end of August, but from the very first day they treated us like the others. They did not make fun of us because of our pre-admission," they said supplementing each other's remarks. "We were given time and handouts for our orientation. During our basic training period we had two consultations also with lecturers who came from the University. In the near future a course will start in computer operation and in English and German grammar. There is also opportunity for sports. I go in for athletics, and the swimmers are now at a competition."

"It is too good to be true...Are there no problems?"

"There are. For example, there is hardly any hot water in our barracks, and even the cold comes only in a trickle at the most," said Zoltan Bagi. According to the others, this situation is exceptional for there is water everywhere, if not for hours as at home, and one can bathe and wash up. The immediate commanders of the enlisted men, some training commanders--officers and non-commissioned officers--complain of vulgar language. "It seems some do not know anything but dirty words. This used to wear us down, but slowly the ear becomes hardened to it, but to get used to it..."

I also inquired about the youth work at the units. Bela Kaslik, who was the KISZ [Hungarian Communist Youth League] secretary, was satisfied: "More than 80 percent of the pre-admission servicemen are KISZ members. Most of them have already joined the movement here, and some have been considered as leadership members for the newly organized basic organizations. Actual KISZ activities will begin with the completion of agricultural work. I believe that because of the heterogeneous composition the biggest task will be the development of the program."

We discussed the situation of the pre-admission servicemen with Colonel Dezso Bistyak, unit commander, with Major Bela Grof, political deputy, and with Lieutenant Karoly Ecseri, secretary of the KISZ committee. According to them it was the correct move to terminate the separation of the pre-admission servicemen. The commander replied as follows to my objections:

"Problems must everywhere be solved on site and at the unit. We respect the goals of the youth to become engineers, teachers and agronomists. But this--whether you like it or not--has its place: they must be soldiers, and here, for example, they must learn how to handle ordnance. But we want to teach the accompanying military tasks and not force it. We are not always successful in this despite our intentions. And therefore pedagogical instruction has been emphasized in the military schools. The young officers are already familiar with servicemen language. But problems arise with the non-commissioned officers and officers. They are outstanding primarily in their field of expertise, but are less well trained in methods."

"In our experience the major source of conflict is in the fact that everyone must be excellent here in the fulfillment of military tasks for which a sergeant is the "professor" even if his style is inelegant. It is the pre-admission servicemen for the most part who take this hard because their training and knowledge is at least of the same level as that of the trainer, and often higher, but in a different area. In this the commander may prevent many conflicts."

The unit leaders also said that it is not always the fault of the army that the pre-admission servicemen do not have the opportunity to begin progressive preparation for their studies. For many years, for example, it was not possible to arrange for personnel from the Gyula Juhasz Teacher Training College to come and hold consultations with the pre-admission servicemen. The consultants at institutions of higher education are mostly reluctant to visit

the units on Saturdays and Sundays when the soldiers have free time. On the other hand, we have had a cooperative contract for years with the Budapest University of Horticulture. Many former pre-admission soldiers, who are now students, return to the unit to help prepare the young servicemen for their studies. This is the way to go, but both sides should finally move in this direction.

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HUNGARY

FINANCIAL PROBLEMS OF HIGHER EDUCATION

Budapest FIGYELO in Hungarian 24 Oct 85 pp 1, 6

[Article by Katalin Forgacs: "In Search of Sponsors"]

[Text] At some of the more notable universities some educators work evenings in the teaching cooperative. One such teacher was surprised to see a few of his day students attending his lecture. Evening classes are expensive, so he asked the schoolboys why they would pay for classes that were free during the day. The students replied without mincing words that the honored teacher gave substantially better lectures for adequate compensation.

However, it is worth considering what happens to the majority of the students, who do not have the financial means for extra lessons. At the same time, the teachers' point of view is also understandable: no sense explaining...

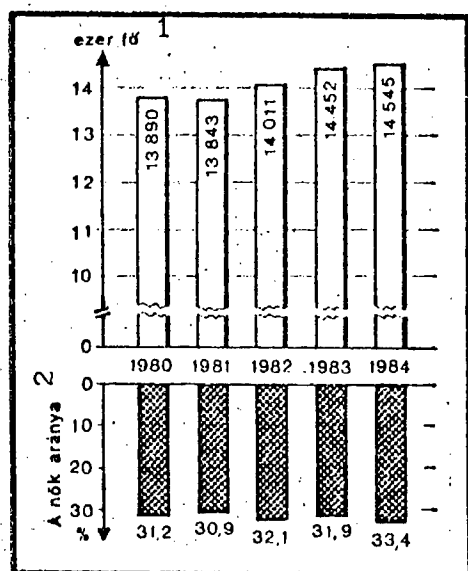
Quality Control for Educators

In the early 1970's Zsuzsa Ferge wrote in VALOSAG TRUTH: "Society's present appraisal of the teaching profession has drifted into error. The relatively low salary level in the profession draws talent away...there are many fair to weak talents...a further error is the public opinion--partly generalized from the performance of a few poor examples...which holds that teachers really do not deserve much more compensation. This further reduces the attractiveness of the profession, thus talented individuals further avoid it..."

Since then the situation has not significantly improved, even though 14,000 educators draw their salaries from higher education. Since 1980, the number of educators at the university level has grown by only 200. (The proportion of women among these educators is approximately one-third.

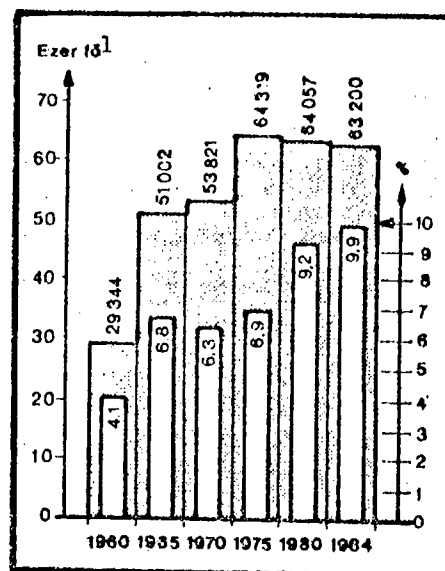
Of the 14,000 educators, only 4 percent are part-time or substitute teachers, the rest are full-time. Two-thirds of these are supervised by the Ministry of Cultural Affairs, and their interests are protected by that ministry's Teachers' Union. Over 4,600 educators work under the supervision of other

Figure 1. The number of university-level educators.



KEY: (1) Thousands of individuals
(2) Proportion of women

Figure 2. The number of university day students and their proportion to the 18-22 age group at large.



KEY: (1) Thousands of individuals

higher authorities, and belong to other appropriate trade unions. (The School of Physical Education is the exception, which also belongs to the Teachers' Union.) At the member institutions of the Ministry of Cultural Affairs, the educators' average salary was 6,490 forints monthly (from ministry statistics). The member institutions of the medical, agricultural, and other ministries do not demonstrate obvious differences in wage structure. It is not surprising, then, that the majority of educators are forced to seek extra employment.

In Pursuit of Extra Money

Csaba Csaki, dean of the Karl Marx School of Economics, said recently for this publication: "The lack of energy and time is evident not only in research and academic publication, but also in the development of course materials so necessary for teaching work. These days the honorarium for writing notes is barely more than the typing fee (FIGYELO No 38, 1985).

In this statement the dean also indicated an interesting and perhaps promising solution. "I am not afraid to say that we are counting on supporters, or, if you please, sponsors who are not indifferent to the quality of future education at our universities."

Yes, but are there and will there be such individuals who feel a responsibility for the intellectual level of future years? This is the key question in any discussion of the quality of educational institutions.

At one time, not very long ago, such a de facto sponsorship system existed, even if it was not so titled. For example, the School of Finance and Public Accountancy was previously bound by much stronger ties to the Ministry of Finance. The Ministry of Foreign Trade supported the School of Foreign Trade in recognition of the strength provided by a well-trained new generation of professionals. Then this system ended, swallowed in part by a reorganization of educational-cultural policy (cf, "Commercial Educators" on p 6). Perhaps we should return to this solution, at least in cases where there is a clearly defined authority and a branch of enterprise for which quality higher education and an unbroken supply of professionals is a primary concern. Naturally, teachers salaries are not the only subject; sponsors are desperately needed to renew the universities' supply of tools and equipment as well.

Who Is Concerned?

The cost of education rises constantly, central funding is ill-equipped to cope with the rise. Information obtained from the Ministry of Finance shows that the Technical University of Budapest, for example, has been forced to allocate some of its own income for building maintenance, despite the fact that this is classically a subsidized expense.

Our theory--that the cost of teaching rises and funding cannot match it--could be demonstrated economically if we could itemize the cost of teaching one student 10, 5 years ago and today, and what portion of that cost was and is subsidized.

Table 1. University funding in 1980 and 1984 (in million forints)

<u>Source</u>	<u>1980</u>		<u>1984</u>	
	<u>Amount</u>	<u>Wages only</u>	<u>Amount</u>	<u>Wages only</u>
Ministry of Cultural Affairs	2653.9	1152.1	3375.0	1518.7
Ministry of Agriculture and Food Industry	720.0	249.1	874.3	366.0
Ministry of Health	493.8	193.1	596.5	238.6
National Office for Sports and Physical Education	27.0	12.7	40.1	18.9
Ministry of Commerce	35.0	13.8	43.9	17.6
Council of Ministers	26.6	9.9	51.3	19.5
Totals	3956.3	1630.7	4981.1	2119.3

Table 2. Projected figures for the higher education institutions under the Ministry of Cultural Affairs, 1985 (in million forints)

<u>Source</u>	<u>Income</u>		<u>Funding Support</u>	
	<u>Total</u>	<u>From non-budgeted contractual work</u>	<u>Total</u>	<u>For Research</u>
Scientific universities	223.2	135.2	1104.5	70.1
Technical colleges and universities	1054.6	877.6	1605.0	111.8

Economics academies	52.1	25.7	280.7	6.8
Educational academies	111.2	0.4	860.6	2.0
Fine Arts Academies	<u>12.9</u>	<u>2.6</u>	<u>208.9</u>	<u>0.6</u>
Totals	1454.0	1041.5	4059.7	191.3

However, since 1980 fundamental changes have been made in the management and information systems of the funding, grants, and income from non-budgeted work. Using the Ministry of Finance report, it is impossible to calculate contract work completed by higher education institutions alone. In similar fashion, no statistics on grants are given under the 1980 reporting system; however, the 1984 report shows not only the amount given the universities, but also a breakdown by profession.

These statistics on the institutions' income, contract work and financial support were available only from institutions associated with the Ministry of Cultural Affairs.

Recently, financial support to research has been granted only for basic research projects. The grants are awarded on a competitive basis through the Ministry of Cultural Affairs and the Hungarian Academy of Sciences, but they are earmarked mainly for hiring outside consultants and buying research tools; thus very little income for full-time teachers comes from these grants. In this context, the directive of the Ministry of Cultural Affairs, which allows only 10 percent of the taxable income of Teachers' Unions to go into the revenue fund, should at least be questioned.

Idea Worth Pursuing

Outside sponsors should therefore be involved in education.

This theory is supported by the experience of numerous universities. The agrarian universities and colleges have belonged to the Ministry of Agriculture and Food Industry since the beginning. The domestic trade sector is a patron of the Academy of Commerce and Hotel Industry, known to benefit out domestic hotel and restaurant trade. And finally, something similar is developing at the Technical University of Budapest.

In electronics and machine industry, modernization of education and the training of an engineering leadership stratum has been incorporated into the joint engineering development program of the Ministry of Industry, the National Technical Development Committee, and industrial enterprises. This task has been emphasized in the overall educational budget.

It has been recognized that these investments are not only effective, but also many times more important than the purchasing of new producing equipment which then must be serviced by these people.

What are the facts? One is the highly significant research and education association agreement--signed in December 1982--concerning domestic data

and telecommunications development. This National Technical Development Committee initiated this contract (cf. "First Arrivals").

Welcome news also comes from another branch of the Technical University of Budapest, the Mechanical Engineering faculty (cf. also "First Arrivals"). Part of the National Medium Range Research Development Plan, the G-6 program, contains independent paragraphs concerning educational development. Stated in overly simplified manner, this means that a fraction of this multi-million-forint program, funded in part by business sources, will go in the form of salary into the pockets of the educators participating in the program.

Some similar solutions should be attempted in other areas: involving in higher education the business sources whose primary interest is the "maintenance" of a given field. Even the statistics show that the engineering colleges and universities were the first to draw upon outside resources: in 1985 their funding amounts to 1.6 billion forints, supplemented by their own income in excess of 1 billion. The self-funding at scientific universities is relatively insignificant, yet higher proportions as for the engineering schools cannot be considered, since science faculties are almost exclusively involved in basic research.

A new technological age is only conceivable if the new knowledge is taught at the highest level. It seems that at engineering schools and at some of the associated industrial enterprises this attitude is gaining ground, even if the deans we visited, very realistically, were not dreaming of some Silicon Valley in the vicinity of Stoczek Street. However, raising the competency level of the faculty is their decided goal. If only their example would be followed elsewhere as well!

"First Arrivals"

Within the framework of the Educational Research Association government authorities and business enterprises have joined to support data and telecommunications research and education in the mechanical engineering department of the Technical University of Budapest.

Among the signers of the agreement and the members of the educational and research association are 8 industrial enterprises and cooperatives and 3 research institutions. The association began in January 1985 with 55 million forints, the sum contributed by the sponsors.

Of this sum, 28 million is allocated for expansion of the research laboratory space available to the university's departments to nearly double the present size. (This consists mainly of additional floors built on the Stoczek Street building of the Technical University of Budapest.) In these so-called project laboratories students will have practice workspace. The remaining 27 million will be spent on needed tools and equipment. This is important since effective engineering training in the electrical engineering department is hardly possible without early exposure, approximately in the students' fourth semester, to the practices of their field and the equipment which defines

their work. The present capacity allows only the most exceptional and active students in every class to work on this equipment. However, if more students had access to the appropriate infrastructure, says the department chairman with conviction, significant creative energy could be released. At the same time, the project laboratory's increased capacity will allow the department's employees to do industrial research and industrial contract projects.

This is also a lifeline to educational activities. For instance, the financial resources of the university's Telecommunications Electronics Institute are divided according to the following approximate proportions:

Table 3. Forms of financing

<u>Source</u>	<u>Forms</u>	<u>Goals</u>
Ministry of Cultural Affairs	Guarantees the institution's basic budget, building maintenance and salary fund. Additionally in the past 3 years has contributed nearly 1 million forints annually for investments	Basic education
Hungarian Academy of Sciences	5-year contracts, nearly 3 million forints annually for the past 3 years. Salaries the academic group	Basic research
National Technical Development Committee, industry, branches of the Postal Service	Research agreements and production contracts with industry, nearly 30 million forints over the past 3 years	Important research topics for industry
Postal Service, Ministry of Industry, National Technical Development Committee, industry	Educational-research association agreement (55 million forints for next 5 years)	New project laboratory

As these statistics demonstrate, next to the funding from the Ministry of Cultural Affairs, the outside sources are of primary importance (As an aside: The most prestigious universities of the world depend at least in part on the tuition they charge. Our educators do exactly this when they teach paid classes for cash: they are the university system "helping itself" in this difficult economic situation.)

The increasingly close connection between education and industry is demonstrated in certain points of the agreements. "The members of the Association may make such recommendations in the Directorate to the Dean of the Electrical Engineering Department as pertain to the education and continuing education of engineers and the development of methods of adjusting

such education to short, medium, and long range programs and to monitoring their effectiveness..."

"The member enterprises (institutions, establishments) of the Association can rely on the educational and research activity of the Technical University of Budapest--Telecommunications Electronics Institute and the Technical University of Budapest--MRT [Hungarian Radio and Television Enterprise, for medium and long range research applications of data and telecommunications in areas that are workable within the unique personnel and equipment restrictions of the aforementioned 2 divisions of the university that are in agreement with the university's academic activity and require no resources which cannot be secured."

Welcome developments can also be reported from the machine building chair of the Technical University of Budapest mechanical engineering faculty. Part of the National Medium Range Research Development Plan is a program which embraces the entire machine industry in "R and D" tasks for development and production of electronic tools in manufacturing automation and precision mechanics." (The program is more commonly known as the "G-6" program.)

The program's main objective is to bring precision machine production to new, qualitatively different, higher levels of precision. Submicrotechnology is the trade name for the production of those high-precision parts which is made possible by computerized engineering and automation and real-time measurement and control systems.

However, let us return to the more narrow subject. One important aspect of the G-6 program is its separate educational development section. This is comparable to the G-1 goal program, involving electronification, which applies to our previous example. Thus we return to the abovementioned machine building chair and a few other university establishments. The budget of the entire program is estimated at 6.5 billion forints. (Nearly one-half of this amount will come from business sources. Almost 800 million forints are projected for "educational tasks," 480 million of this in operating expenses, including salaries. Tools and equipment will be purchased with the remaining amount.

This is judged to be a timely measure, because the investment limitations of previous years have made the purchase of up-to-date equipment very difficult.

How does all this affect the educators? Insofar as they will achieve higher professional distinction in education through program-supported activity, they will receive additional income through their ability to undertake higher-level projects. This is ideal compared to the situation in which educators are compelled to tackle projects far outside their field of interest in order to obtain needed extra income. The dominant system of funding engineering universities in the past 5 years has not allocated central funds for so-called non-budgeted university activities. The individual authorities, in this case the National Technical Development Committee and the Ministry of Industry, would only "delve" into research projects if they were at least 50 percent business funded.

The machine industry research program being discussed basically also relies on business resources, since the entire program is realized through industrial competition for cooperative research projects. The significant difference compared to previous experience in that this program supports broad-reaching, future-oriented efforts.

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HUNGARY

1986 LAW SHIFTING POWER BURDEN TO LOCAL COUNCILS QUESTIONED

Budapest FIGYELO in Hungarian 17 Oct 85 p 3

[Article by Gabor Peteri: "Council Regulation System: Needs Calculation or Standardization?"]

[Text] The new council regulation system that will take effect beginning next year is replacing the financing system that has been in effect for fifteen years with small modifications. The change was motivated by the fact that there have appeared new goals in the management of council development funds as well as changes in local administration. In recent times the councils' planning and decision-making process and support system have received much criticism. The problems have become especially acute since the rate of growth of funds available to the councils has slowed down.

According to views expressed in various professional forums, council administration should expand locally developed resources and, in addition to increasing the share of funds under local control, it should become possible for state subsidies to be used freely. A new attitude, and as a result the outlines of changed financing conditions, can be detected in the economic system of the next mid-range plan period. The uniform settlement-management fund, the increasing proportion of local income, and the cessation of central target subsidies are in equal measure possibilities for simplifying and decentralizing council management within the megyes [counties].

Besides this, perhaps the most important point about the council regulation system is that part of the development subsidies will be distributed in a standardized manner. The introduction of standardization will be a significant change, even though during the first years old relationships will perhaps break down. There has already been an example of this during the current mid-range planning, when the central planners recommended annual redistribution of standard subsidies to the counties while keeping the 5-year average.

Standardization in the new council regulation system means that part of the state subsidies will be given to megye councils without detailed measurement of the needs of the area, in proportion to their population. This "head quota" will then be divided among the local councils according to the needs of various "settlement categories," but similarly in a standardized way. In

order to judge the significance and probable role of this kind of standardized subsidy, it will be worthwhile to become acquainted more precisely with the system of state subsidies for the councils.

Appropriations and Surpluses

Before the new regulation was finalized, the councils made a double model computation in preparation for the 7th 5-Year Plan. From the results of this it can be seen that the proportion of central subsidies extended to council funds grew a little; they amount to 55 percent of the resources. (During the past 4 years this share averaged 42 percent). However, out of this amount of subsidy only 15 percent will be distributed on a standardized basis; distribution of the remaining operating, maintenance, and development subsidies will continue to be distributed according to former procedures without change.

Two-thirds of the state subsidies go to cover operating and maintenance expenses. These expenses are necessary mainly in order to keep council institutions running.

The standards applied in the planning process are rather technical methods of distribution and not uniformly calculated, freely expendable funds in the true meaning of that concept. In no phase of the distribution of subsidies for the operation of budgetary organizations is standardization applied in the sense in which "head-quota" subsidies appear in the new council-regulation system.

The role of standardized subsidies in development subsidies -- as opposed to operating expenses -- is already more important. According to calculations, 40 percent of the 5-year average expenses for all council development funds and half of those in local councils are made up of subsidies distributed in proportion to population. At the local level this is a very important change, especially if we also take into account the fact that for megye councils the proportion of target funds that can be competed for is only 20 percent, so that in principle the great majority is under their own control.

Some 40 percent of the local and megye development funds are distributed to the megye councils in the traditional manner. This sum provides for both megye investments and local target funds, so that in both functions its use is determined by the megye.

In the course of planning, this amount will be distributed to the megyes according to present practice on the basis of needs calculations. This method of distribution -- which formerly was the only form of planning for development resources -- raises numerous questions, and it is my opinion that it is also one of the fundamental problems of the present system of council subsidies.

162 Forms

Needs calculation in the practice of central planning has meant that development funds at the megye level have been determined on the basis of the "needs" of the infrastructure of the area. It was a prolonged bargaining

process to compile the plans -- the 6th 5-Year Plan took more than 3 years to prepare -- as the viewpoints of the national economy (budget), the branches, and the councils had to be harmonized.

The system of needs calculation in the daily practice of council planning has required that each council fill out 162 planning and information forms according to the requirements of central planning -- often many times over -- in such detail that, for example, even the conditions for financing a playground were planned out. This practice of needs calculation gave useful information to central planning only in its first phase; later, decisions were made independently of it in the course of individual bargaining, and the forms only served for reconciliation of megye funds and goals. Because of the varied nature of the local goals, the system of forms containing data abstracted from them was similarly of no use at the megye level.

On the other hand, it is an indisputable advantage of the needs-calculation system that in the case of large investments that occur in only a few places (such as building a hospital) it permits individual evaluation. During the past two plan periods, state developmental contributions determined with needs calculations have shown a very similar ranking of the megyes. So it can be assumed that the requirements for subsidies recognized on the basis of needs have been modified by other viewpoints in the course of compiling the plan. Differing bargaining positions have resulted in the situation that megyes containing cities with megye status and industrial megyes have regularly been able to count on more development funds per-capita than Bekes, Tolna, or Szolnok megyes at the bottom of the list.

In Proportion to Population

On the basis of these unfavorable experiences, the implementation of a standardized principle of distribution in the council regulation system seems more important. And incidentally this kind of standardized distribution in Hungarian council practice is not unprecedented. In the regulation system before 1968, the state contribution to the development funds of municipalities was similarly determined on the basis of a standardized system. Even then, the council planning and management system, which was strongly connected with the departments, had room enough for implementation of a uniform principle of distribution. The standardized subsidy system, moreover, makes possible the achievement of central political and economic goals just as well as does the practice of directed subsidies. This can be achieved by changing the basic principle of distribution. So, for example, the councils formerly -- in the interest increasing their independence -- received their state subsidies in proportion to the receipts of their municipal development funds. Later, subsidies were tied to goals of collective-farm planning. (Settlements with a collective-farm center received twice as much as the national average). During the period of construction of the network of cities, since 1964, however, the amount of standardized subsidies has been determined by the national economic situation.

Today's distribution according to population starts from the premise that monetary demands of council tasks are tied to the number of inhabitants. Subsidies that continually follow population numbers will probably result in a

leveling, as every megye will share uniformly, in the same manner, in some of the central funds. This "uniformity" is actually only the first step toward equal distribution, as the population figure does not reflect exactly the real local needs. The make-up of the population, the relationships among its network of settlements, and existing provisions are all equally conditions that should be taken into account in the course of standardized distribution, for the real needs of the council for subsidies are determined by them.

A Freely Controlled Resource

Other countries also give state subsidies toward tasks of local governments responsible for some parts of the infrastructure. From the point of view of local independence, however, the amount and proportion of the central resources is not as critical as how the redistribution takes place. If state subsidies are distributed on the basis of objective standards, taking into account local characteristics, in such a way that their use is not tied to central goals, then they appear to the councils as a freely controlled resource.

However, this kind of subsidy system presupposes, among other things, use of some unambiguous and precisely quantifiable indicators to take into account differences in requirements according to branches and areas and also conciliation of the basic principles -- not the details -- of distribution. Practice of standardized subsidies according to this also changes the process of compiling a plan. Plan preparation can thus have more of a conceptual nature, less harmful to independence, and less open to bargaining based on subjective viewpoints. From all of this it follows that the present system of standardized distribution, extending to 15 percent of council subsidies and tied to a single indicator, can still be improved significantly.

Today's problems of subsidizing of budgetary expenses lead to basic questions of the council regulation system. For many people are inclined to look at the problems of council redistribution and independence in isolation, only on the basis of internal characteristics of the council economy, and to reduce the solutions to questions of the proportions of funds received or the council's rules for their distribution. At the same time, they overlook the fact that the various council tasks -- education, health services, land use, etc. -- must be accomplished in accordance with the financial, operational, and organizational rules of the particular branch of the infrastructure. Thus, for example, the method of pricing characteristic of the branch, the apportionment of expenses to those who receive the income, and the nature of the providing organizations determine the possibilities of the council to manage as well. Consequently, the problems of the council regulation system depend partly on the individual branches of the infrastructure and ultimately on the functioning of the whole economy. Without a solution to the general economic, financing, and organizational problems of the central system of services, fundamental change in the internal relationships of council management cannot be expected.

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CSO: 2500/58

HUNGARY

T-72 TANK DESCRIBED, WITH ILLUSTRATION

Budapest IGAZ SZO in Hungarian Oct 85 pp 18-19

[Article by Major Laszlo Bombay, engineer: "The Pride of the T-Family"]

[Text] The Soviet tank manufacturing began to grow rapidly since the 1930s and the first member of the development was the T-24 built in 1930. After this placement into service of the T-26 light, the T-27 midget, the T-27, the T-38 midget swimming tank, then the T-28 medium and the T-35 heavy tanks followed one another. The T-34 was the model in the T-series which became world famous.

World War II pointed out the huge opportunities in using tanks and the development after the war further increased the role they fulfilled in modern military operations. The appearance of the nuclear and other mass annihilation weapons and the rapid growth of battle technology equipment also defined the growth of tanks. The following members of the T-series were built on the basis of these new principles: the T-54, the T-55 and also the T-62. The model T-72 made the standard in our days is a tank which points to the future, exceeds several times the battle value of its predecessors, and lives up to the requirements of the present as well as the future.

The most important battle characteristics of tanks are: a) fire power; b) armored protection (special protection), and c) mobility. Taking these three factors into consideration let us familiarize ourselves with the T-72.

Fire Power

The biggest difference between it and the previous models is that its fire power has been significantly increased. Its main weapon is the smooth-barrelled 125-mm diameter cannon with which the tank can overcome all armored targets within the targeted fire field. The bullet's muzzle velocity reaches 1,500 m/s and the bullet has high armor-piercing ability. At the same time the probability of hitting the target and target distance also increase. Bullet inventory consists of anti-personnel, under-gage armor piercing bullets and cumulative grenades. The cumulative grenades regardless of the distance of the target can also pierce armors corresponding to three to four times the thickness of their caliber.

The tank's personnel is 3 persons: driver, commander and bombardier. The fourth member of the traditional tank crew, the charge handler is not needed because the charge is served up by an automatic charge-handling equipment. The bullets are of the divided type, the shot and the shell meet each other only in the cannon barrel. The shell's mantle burns up during the firing, only the sole-part made of metal remains.

The accuracy of the cannon's fire is increased by horizontal and vertical stabilizers. These keep the cannon constantly in the given target direction. The bombardier as well as the commander can operate the targeting equipment which is also equipped with telemetry. Thus it has become possible for the commander to take over the firing and handle the targeting and fire activation. The tank can continue to do battle even in the event the bombardier is disabled. The cannon's firing speed is 8 shots per minute. Its firing range is 9,400 meters. In order to decrease firing gas pollution in the manned area a smoke removing device is installed on the cannon's barrel. The thermal insulation cover on the cannon's barrel decreases deformation caused by heat and thus increases the shot's accuracy.

The tank's weaponry also includes the 7.62 millimeter machinegun which is parallel with the cannon and the 12.7 millimeter aerial defense machinegun.

Armored (and Special) Protection

In modern warfare the tank's level of protection is determined by the total construction requirements of fire power and mobility. The smaller the tank's dimensions, the stronger its weapons and the more mobile it is, the better its survival chances are on the battlefield. In another sense the basis of its ability to survive is its reliable armor protection which protects not only from the increased destructive force of the armor piercing weapons but also from the effects of the mass destruction devices. The T-72 also maximally answers these requirements. The tank's armored body and turret can be hermetically sealed. The penetrating radiation generated by the use of nuclear weapons is decreased not only by the armor but also by the lining material located within the tank's armor. In a given case the tank must also operate over contaminated sections of the terrain.

Protection for the operating personnel from the radiological, chemical and bacteriological contamination is providing by the nuclear, biological and chemical protective equipment. Filtering and ventilation equipment provides clean air, and at the same time it also provides a positive pressure differential which prevents the radiological and other contamination from entering the tank. The protective sheets installed with hinges onto the armor body are also part of the protection. These protect the lower part of the armored body and the track against the cumulative-effect, armor piercing weapons.

Mobility

Besides the fire power and the armored protection, mobility is the tank's most important characteristic. This is characterized by the medium speed of the tank, its ability to operate on terrain and the distance it can cover

with one refill of its fuel system. Increased mobility required modernization of the engine, transmission and the track. All these requirements have been solved on the T-72. The diesel engine built into the tank is "omnivorous," so that it can be operated on several kinds of fuel.

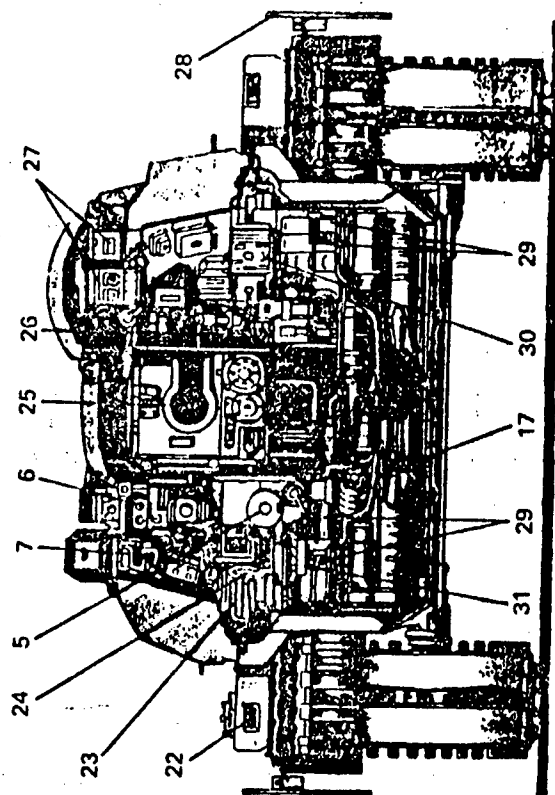
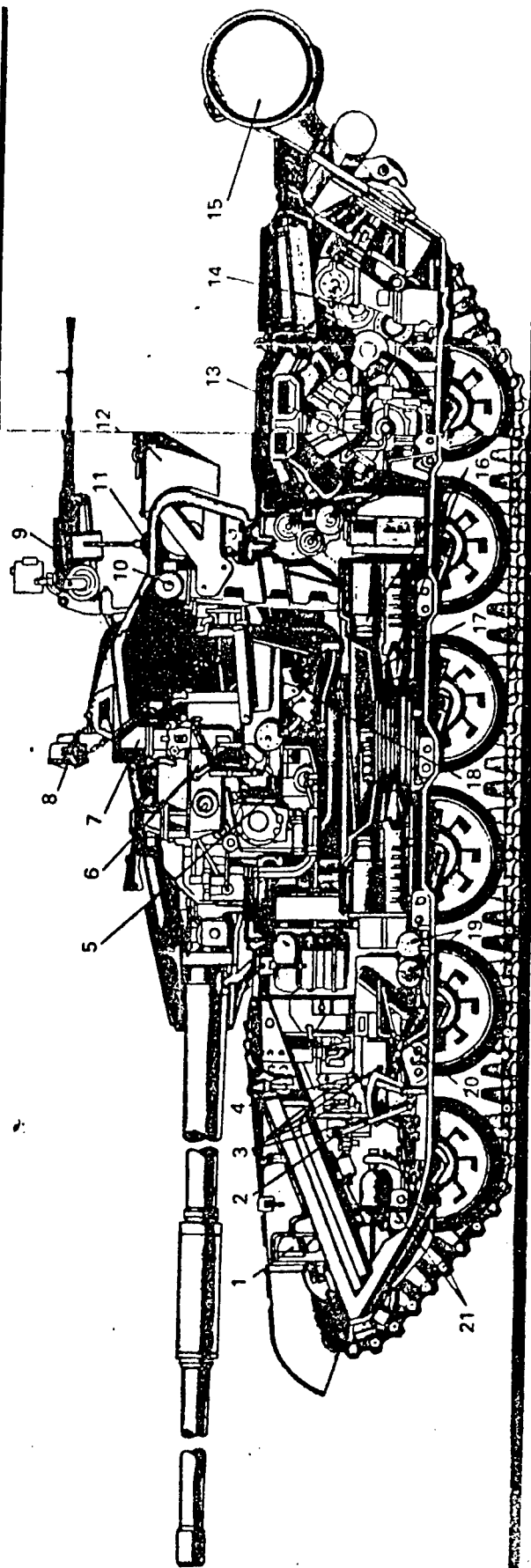
Mobility is also affected by the tank's size. The tank's length is 9.2 meters, its width is 3.2, its height is 2.26 and its ground clearance is 0.47 meters. The tank's weight is 41 tons. The 580 kW engine through the hydraulic transmission can accelerate it to speeds of 50-60 km per hour.

The length of the track chain's ground contact is 4.25 meters, the chain's width is 0.58 meter. This results in a specific ground pressure of only 81.4 kPa. As a consequence of this the T-72 can also operate without the danger of "sinking" over sandy and wet soil. The T-72 is the first model in the T-series on which instead of the large diameter runner rollers smaller diameter ones are used. The well designed track system increases the tank's ability to traverse terrain and to accelerate; at the same time this also provides increased level of protection.

KEY [to Figures on following page]:

- (1) Floodlight of the tank's driver
- (2) Joystick control
- (3) Instruments of the nuclear-biological-chemical defense system
- (4) Transmission control lever
- (5) Artillery height guidance machine
- (6) Guidance telescope and telemetry
- (7) Night sight guidance instrument
- (8) Commander's night sight infrared flood light
- (9) Aerial defense machine gun
- (10) Lifting mechanism of the recharging machine
- (11) Antenna connection
- (12) Storage box for underwater crossing supplies
- (13) Engine
- (14) Gear shift [transmission]
- (15) Reserve fuel barrel
- (16) Ammunition and shells
- (17) Ammunition moving system
- (18) Bombardier's seat
- (19) Chemical immunization equipment for the battle vehicle
- (20) Driver's seat
- (21) Brake pedal
- (22) Attachment box
- (23) Manual turret rotator
- (24) Angle indicator of the turret and of cannon
- (25) Cannon
- (26) 7.62 mm size machine gun parallel with the cannon
- (27) Commander's observation instrument
- (28) Apron sheet (protective sheet against cumulative bullets)
- (29) Machine gun ammunition racks
- (30) Radio transmitter-receiver
- (31) Turret rotating equipment

Longitudinal and Diagonal Cross-Section of the T-72



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HUNGARY

HISTORIA EDITOR DISCUSSES POLICY OF POPULAR PERIODICAL

Budapest MAGYAR HIRLAP (supplement) in Hungarian 12 Oct 85 p 5

[Interview with Ferenc Glatz, department director at the Institute of Historical Studies and chief editor of the journal HISTORIA, by Margit Foldesi: "History and HISTORIA"]

[Text] In the August 18th, 1985 issue of our magazine Professor Gyorgy Ranki discussed research into current events issues that pertain to our nation, and how these affect international relations. Here we asked Ferenc Glatz, department director at the Institute of Historical Studies and Chief Editor of the journal 'Historia', and a noted representative of our historiography, how the relationships between historiography and public awareness are reflected in the columns of 'Historia.' Ferenc Glatz was born in 1941. He completed his studies in history at the Philosophy Department of the Eotvos Lorand Scholarly University. He is the Secretary of the Editorial Board of 'Szazadok' and a working member of the Institute of Historical Studies. Since 1976 he has been a scholarly department director. He is a specialist in the history of education during the 19th and 20th centuries and in methodological questions concerning history writing. Since it was founded, in 1979, he has been the Chief Editor of the journal 'Historia.' He has had long term fellowships in the FRG, the Soviet Union, and in France. He has lectured in numerous places, including Bucharest in 1980, and in 1985 at the World Congress of Historians in Stuttgart.

[Question] What were the societal needs that brought a popular historical journal to life? How was 'Historia' born?

[Answer] During times when the various institutions of society do not fulfill their functions to the fullest extent, and members of society sense this, a general curiosity and sensitivity arises on the level of everyday thought about the paths that led to the present: What were the circumstances leading to the creation of the institutions and politics we have had up to the present? In other words, there is an extraordinary growth of interest in history. Historical experiences are mobilized to influence changes taking place in the present.

In Hungary, everything that began with the dissolution of the personality cult bore consequences that affected the '70s. People began to talk about issues

and to inquire into areas which had previously been forcibly suppressed. These issues touched seriously upon the new circumstances of small Central European nations since the Second World War. Among them was the frank surfacing of what the place of the Hungarians would be in the community of socialist countries? These questions also led to a renewed interest in history.

The third factor that contributed to the birth of a publication with a circulation of 55,000 copies was the need for historical scholarship to be pried out from between the confines of research institutions, so that the new achievements of this scholarship would be disseminated in a popular format.

[Question] Who reads the journal? Who is it aimed at, and who does it actually reach?

[Answer] 'Historia' attempts to approach the relationship between the historian and the public from different points of view. At scholarly meetings we even debate what the role of society--"the consumers" of history writing--is in the development of historiography. When we first brought this up at the theoretical conference it provoked a major controversy. As we see it the new points of view of historical scholarship are already present in virtually all aspects of everyday thought. The historian must therefore endeavor to be accurately familiar with the thinking of the social strata within which he lives and for whom he writes. The average person experiences the changes taking place in the world on a day to day basis, living them in the thousands of minute details of daily life. He reacts daily to the course of new economic and political events. And the flow of events also forces him to constantly compare today to yesterday, his present to his past. In the final analysis we can say that a systematic and continuous historical re-assessment occurs at the level of everyday thought. New points of view grow from this re-assessment, and the historian has to think along the lines of these new perspectives. I don't think it accidental that themes such as the history of everyday life and inquiries into behavior patterns as they relate to health issues should appear in the history writing of the last ten years.

[Question] Which subjects or areas have aroused the most interest?

[Answer] In view of all this one would think that the public is only interested in the history of the present, namely the era since liberation. Not so. Those subjects that people consider important in their own daily interactions, are also what they become interested in when their curiosity turns to the history of the middle ages, and even antiquity. For example, my cherished ex-professor Istvan Hahn, who died last year, was one of the most frequent contributors among 'Historia's' editors because he was always ready to cite examples from the history of ancient societies to help shed light on questions that came up in committee meeting battles and in lengthy hallway discussions. To the inspiration of his students, he was always glad to write about contemporary issues (corruption, enterprises, etc.) in the world of two thousand years ago. Of course, the ability to do this requires the kind of superior professional skill and writing ability which he happened to possess.

Hungarian historical scholarship is internationally recognized as strong. In my judgement, our excellent professional qualifications make it possible to satisfy the diversified interests of our readership. Possibly the most important responsibility of an editor is to accurately gauge the needs of society, and to perceive how best to respond with the professional means at hand: (Which subjects and what new perspectives can be applied to a period already exhaustively studied?)

[Question] Based on all of this how do you appraise the present state of our historical awareness? Can we even talk about a homogeneous historical awareness?

[Answer] As far as I can tell we can never speak about a homogeneous historical awareness. And for me, the years during which we tried to impose a homogeneous historical awareness on society inspire only bad memories. Political, economic, and consequently historical processes are composed of the struggle between many forces and the open expression of numerous opinions; rather than being the products of a struggle between "good" and "evil." In the sense that everyone should have the same attitude as I have about what happened yesterday, or before liberation, or in medieval history; there shouldn't in fact be any so called homogeneous historical awareness. Unfortunately, the ability to put up with differences of opinion--or tolerance, is not one of the strongest properties of our political thinking, and therefore of our historical thinking. And the way things usually are, when the political leadership is intolerant over the decades or even over the centuries, then public awareness is going to be intolerant as well. This even trickles down to us through the letters and calls coming into our editorial offices. One of the most positive motifs of the ideological and cultural-political progress of recent years that I see is that the professional scholarly fields were not required to provide recipes; the scholarly sciences were not asked to reconstruct the past on a daily basis according to a pre-ordained recipe provided by them. Unfortunately I can cite extremist opinions concerning national issues as well as social issues which come to us. As a teacher one must exercise extreme patience when disputing extremism, in order to whittle away at it.

[Question] When writing history how do the goals of scientific objectivity, the national interest, and the shorter range tactical interests of politics inter-relate?

[Answer] Historiography always strives towards objectivity. We don't have the right to assume that those who do not necessarily think in a Marxist framework, or who perhaps have a different opinion from us on specific questions, are motivated by some intentional deviation, or see results differently from us due to a fit of anger.

One of the biggest drawbacks of Marxist thought in Eastern European countries is that at first it always asked why someone else--the opposing debater--is saying something different from me, instead of approaching the opposing point of view by asking: What truth is there, or what possibility of truth is there in that position? Well, this bad legacy also affects debates over "our national interests." It also has an impact on our analysis of the relationship

between politics and the scholarly profession. I view attempts throughout history to unify and align politics with the political administration as bad and as a historically harmful position. In the history of centralized states, the administration has always attempted to portray itself as the sole custodian of legitimate representation of the community. Representation of the national community--be it in economics, culture, or military-political affairs--is not solely the concern of the administration, but also the concern of broader segments of society. I think that the exercise of this has started to take shape during the politics of the past twenty years. But spreading the awareness of this is still not pursued with enough assertiveness. But as much as I hold this one-sidedness to be bad, I see it as equally bad--and a tendency which must be considered a sign of internal social disintegration--when the middle classes as well as the manual laborer classes perceive politics as being exclusively the responsibility of the establishment. One of the consequences of this is that when a small business partnership functions poorly, or if production is down, then the culprit is sought among the political leadership instead of among themselves. I detect a dangerous behavior pattern that has emerged in the history of the last decade, and is becoming an established part of the thinking of certain segments of society. It is a refusal to take responsibility for everything that has happened in the past and continues to happen here. But we should know: that for people to feel responsible for something, it is also necessary that the leadership provide the opportunity for members of society to develop socio-cultural activities. Moreover these activities need not move exclusively in directions envisioned by certain leaders. Thus, if you wish to know, I hold the restoration of this wounded harmony to be among the top priorities of our national interest. Perhaps it seems strange that as a historian my list of issues of national importance does not just include national minorities, their fates, and the conflicts between states. As is also evident in 'Historia' I consider these problems as questions of survival; they are questions which not only society, but also the political administration should become more pre-occupied with. But as a historian it is my conviction that the highest priority task in the course of our national development is the nurturing of those factors which insure internal social cohesion in our society.

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POLAND

LAWS ON HIGHER EDUCATION PUBLISHED

Amendments to Law on Higher Education

Warsaw DZIENNIK USTAW in Polish No 36, Item 167, 12 Aug 85 pp 429-439

[Text of decree: "Decree of 25 July 1985 on Revising the Decree on Higher Education"]

[Text] Article 1. The following revisions are introduced in the Decree of 4 May 1982 on Higher Education (DZIENNIK USTAW No 14, Item 113; and No 39, Item 176, 1983):

1) In Article 4, Section 2, Points 2 and 13, the new wording is:

"2) election of the rector, prorectors, deans, assistant deans and collegial bodies;

"13) provision of the proper conditions for the activities of student, trade-union, social and employee organizations as well as student self-government."

2) Following Article 4, articles 4a and 4 b are to be added, as follows:

"Article 4a. 1. To assure improved bonds between the higher schools and the community as well as the economy and culture of the region, the proper province people's councils may, upon consulting the rectors and senates, appoint social councils for the region's higher schools, or social councils for each higher school, from among political, social, economic and cultural activists, as well as from among academics. Higher-school rectors will take part in the activities of these councils.

"2. Social councils for higher schools will, in particular:

"1) promote the utilization of the potential of higher school or schools for the social, economic and cultural needs of the region;

"2) provide the school or schools with assistance in

its/their activities.

"3 The scope and methods of activity of social councils for higher schools will be determined by the Council of State.

"Article 4b. 1. The Minister of Science and Higher Education shall implement the state's policy on higher education, coordinate in this respect the activities of higher schools and supervise and control his subordinate higher schools. The powers of the Minister of Science and Higher Education with respect to the supervision and control of the subordinate higher schools are defined in Decree provisions. Powers analogous to those of the Minister of Science and Higher Education with respect to the operation and organization of higher schools and their supervision and control belong correspondingly to other concerned ministers with regard to the higher schools subordinate to them.

"2. Higher-school organs and the collegial bodies operating in these schools on the basis of legal provisions or the school statute are placed under the obligation of providing, upon demand by the concerned minister, explanations on all matters relating to the school's activities.

"3. Higher-school organs are placed under the obligation of implementing in toto and on schedule the post-inspection recommendations issued by the concerned minister and the legally empowered inspection offices.

"4. The concerned minister may, by issuing an ordinance, delegate for a specified period of time some of his powers, as ensuing from the Decree provisions, to the organs of higher schools."

3) In Article 6, Paragraph 4, the expression "in the decree" is supplanted with the expression "in the Decree provisions."

4) In Article 7:

a) Paragraph 1 is reworded as follows:

"1. The school operates on the basis of the school statute. The Minister of Science and Higher Education determines the model statute of the higher school."

b) The following Paragraph 1a is added below Paragraph 1:

"1a. The school statute is voted by the senate upon consulting the collegial bodies of the school's organizational units and the political and social organizations active in the school."

c) In Paragraph 3 the word "three" is replaced with the word "two."

d) Paragraphs 4 and 5 are reworded as follows:

"4. The appropriate minister may approve the school statute within 3 months from the date of its reception, upon verifying its conformity with the law and the principles specified in the model statute.

"5. The school statute becomes effective on the day it is approved by the appropriate minister."

5) In Article 8:

a) In Paragraph 2 the expression "the Main Council for Science and Higher Education" is replaced with the expression "The Minister of Science and Higher Education in cooperation with the appropriate ministers, upon consulting the Main Council for Science and Higher Education."

b) In Paragraph 3 the expression "and postgraduate" is to be inserted after the expression "externist," and the following last sentence is added: "The rules for the conduct of externist and postgraduate studies are determined by the Minister of Science and Higher Education."

c) Paragraph 4 is reworded as follows:

"4. The schools also offer special studies and courses as well as, with the consent of the appropriate minister, studies of the open-university type."

d) The following Paragraph 4a is to be inserted below Paragraph 4:

"4a. The organizational units of the school authorized to confer the habilitated doctoral degree may, upon the consent of the Minister of Science and Higher Education, offer doctoral studies."

e) In Paragraph 5 the reference to Article 57, paragraph 2, Point 2, is replaced with a reference to Article 57, Paragraph 1, Point 2.

6) In Article 9 Paragraph 2 is deleted.

7) In Article 10 the following last sentence is inserted in Paragraph 1: "In arts schools proposals for conferring the doctoral degree honoris causa may also originate from the department authorized to perform the qualifying proceedings for the rank of docent."

8) Article 14 is complemented with Paragraph 3, as follows:

"3. The appropriate minister may perform revisions in the school's publishing plan."

9) In Article 15:

a) The following last sentence is inserted in Paragraph 1: "The rector summons law enforcement organs to the school campus if he cannot assure restoration of public order."

b) The following expression is inserted after the expression "natural disaster" in the second sentence of Paragraph 3: "or receipt of notice that a crime has been committed."

10) Articles 17 and 18 are reworded as follows:

"Article 17. 1. the term of office of the Main Council is 3 years and commences on 1 December.

"2. The Main Council consists of representatives of the higher schools subordinate to the Minister of Science and Higher Education, the Minister of Health and Social Welfare, the Minister of Culture and Art, the Minister-Director of the Office for the Maritime Economy and the Main Committee for Physical Culture and Sports.

"Article 18. 1. Members of the Main Council are elected by the school senates. Upon the proviso in Paragraph 2, each senate elects one member to the Main Council.

"2. The Main Council may identify not later than by 30 June of the last year of its term of office the schools whose senates elect jointly one member of the Main Council. In the event the Main Council takes no action during that period, these schools may be identified by the Minister of Science and Higher Education.

"3. Persons employed in schools as professors and docents have passive voting rights. Persons exercising functions of the rector, the prorector, the dean, or the director of a theme-oriented institute operating outside a department lack passive voting rights.

"4. Elections of members of the Main Council occur not later than by 31 October of the last year of its term of office. The Minister of Science and Higher Education is to be informed of the election results.

"5. The Minister of Science and Higher Education presents the elected members to the Chairman of the Council of Ministers, who formally appoints them members of the Main

Council. The Minister of Science and Higher Education may decline to present an elected individual to the Chairman of the Council of Ministers if this is dictated by important social interest, and he then fixes the date for a new election.

"6. If a senate does not elect a member of the Main Council, he is appointed by the Chairman of the Council of Ministers upon the recommendation of the Minister of Science and Higher Education.

"7. In cases specified in Paragraphs 2, 5 and 6 the Minister of Science and Higher Education acts in consultation with the appropriate ministers concerning the schools they supervise."

11) In Article 20 Paragraph 5 is reworded as follows:

"5. Representatives of the academic instructors referred to in Paragraph 2 are elected by their representatives who are sitting on the collegial bodies of the schools named by the Main Council during its expiring term of office. The provisions of Article 18, Paragraphs 2 and 4-7, apply correspondingly."

12) Article 21 is reworded as follows:

"Article 21. 1. The Main Council, on the recommendation of the Minister of Science and Higher Education, determines the:

"1) main directions of scientific research and the training and development of higher-education personnel;

"2) drafts of higher-education research plans; when adopting pertinent resolutions the Main Council is bound by the provisions of longrange plans, national socioeconomic plans and central annual plans.

"2. The Main Council issues opinions on:

"1) drafts of longrange and periodic plans for the development of higher education;

"2) principles for the organization of studies;

"3) principles and admission limits for the first year of studies;

"4) principles for drafting study plans and curriculums;

"5) directions and principles of personnel and social policies in higher education;

- "6) principles of financing the scientific research conducted in schools and principles of cooperation in this respect between schools and other research centers;
- "7) proposals for the allocation of funds among schools;
- "8) recommendations for establishing, disbanding, merging and changing schools;
- "9) principles of cooperation between schools and foreign countries;
- "10) drafts of normative acts relating to the organization and functioning of higher education, as voted by the Sejm or the Council of Ministers, as issued on the basis of this Decree by the Minister of Science and Higher Education;
- "11) other matters presented by the Minister of Science and Higher Education."

13) The following Article 22a is inserted under Article 22:

"Article 22a. The Chairman of the Council of Ministers may, upon the recommendation of the Minister of Science and Higher Education, void resolutions of the Main Council if these infringe the laws or run counter to important social interests."

14) In Article 23 the term "as well as" is replaced with a comma, and the expression "and Article 22a" is inserted at the end.

15) Chapter 4 in Part I is deleted.

16) In Article 26 the following Paragraph 3a is inserted under Paragraph 3:

"3a. The outside organizational units of a school may be affiliates, outreach departments and consultation offices";

17) In Article 29:

a) Paragraph 1 is reworded as follows:

"1. The department, the organizational unit of an extradepartmental or interdepartmental nature, the outside organizational unit, and the clinic in a medical academy, are established by the appropriate minister upon the recommendation of the rector in consultation with the senate."

- b) In Paragraph 3 the expression "with the exception of outside organizational units and clinics in the medical academies" is inserted after the expression "within the framework of a department";

18) Articles 35 and 36 are reworded as follows:

"Article 35. The term of office of the school's bodies is 3 years. It commences on 1 September and ends on 31 August.

"Article 36. 1. The senate's membership consists of:

- "1) the rector as the chairman;
 - "2) the prorectors;
 - "3) the deans and the directors of the theme-oriented institutes operating outside the departments;
 - "4) one representative each from the faculties (and extradepartmental institutes), who is a professor or a docent; to be elected by the faculty (or institute) council;
 - "5) two to four representatives of the other academic instructors;
 - "6) one representative each delegated by the branches of the party and allied political parties active at the school;
 - "7) the director of the main library, insofar as this figures in the statute of the school;
 - "8) the director of the military training program;
 - "9) one representative of the trade union operating on the school's campus;
 - "10) one representative each of the national student and youth organizations operating on the school's campus;
 - "11) the chairman of the student body self-government at the school.
2. The procedure for the election and recall of the representatives of academic instructors mentioned in Paragraph 1, Point 5, is determined by the school statute.
3. At least 70 percent of the membership of the senate will consist of professors and docents. If, pursuant to Paragraph 1, the share of this category is lower, the share of the senate's members who are representatives of

faculty councils increases correspondingly; the number of these representatives is determined by the school statute.

4. If the number of professors and docents at a school is such that the school cannot assure their 70-percent membership in the senate, the membership of the senate is determined by the school statute.

19) Article 37 is deleted.

20) In Article 38 the expressions "docents and habilitated Ph. D.'s" is replaced with "and docents";

21) Article 39 is reworded as follows:

"Article 39. The following take part in the senate's sessions in an advisory capacity: the administrative director, the quaestor and the director of the main library unless he is a senate member, and also a representative of student dormitory self-government";

22) Article 41 is reworded as follows:

"Article 41. 1. The rector is elected by the senate.

"2. The candidates for the rectorship -- two to four -- are nominated by the senate and their names are submitted to the appropriate minister not later than by 30 April of the last year of the term of office.

"3. The appropriate minister may, within 14 days from the date the list of candidates is submitted, present objections against the candidacy of an individual or individuals nominated by the senate and designate a date for the nomination of a new candidate or candidates for the rectorship..

"4. The election of the rector is performed by 31 May of the last year of the term of office from among at least two candidates nominated in consonance with Paragraphs 2 and 3.

"5. The person elected by the procedure specified in Paragraph 4 is appointed to the post of the rector by the appropriate minister.

"6. If the senate does not present a list of candidates in compliance with Paragraphs 2 and 3, or if it fails to elect a rector, the rector is appointed by the appropriate minister";

23) In Article 43:

a) Paragraphs 2 and 3 are reworded as follows:

"2. The prorector may be a professor or a docent.

"3. Prorectors are elected by the senate upon the recommendation of the rector-elect, presented with the approval of the appropriate minister. The provisions of Article 41, Paragraphs 5 and 6, apply correspondingly."

b) Paragraphs 4 and 6 are deleted.

24) In Article 44:

a) In Paragraph 1:

-- Points 3 and 4 are reworded as follows:

"3) the other professors and docents working in the department;

"4) a representative of the military training program."

-- The following Points 5-7 are inserted:

"5) two representatives of the other academic instructors, elected by these at a general meeting;

"6) one representative each delegated by the branches of the party, the allied political parties and the trade union active within the department;

"7) one representative each of the departmental branches of national student and youth organizations, as well as the chairman of the faculty office of student self-government."

b) Paragraph 2 is reworded as follows:

"2. The provisions of Article 38 apply correspondingly to the faculty council";

25) The following Article 44a is inserted under Article 44:

"Article 44a. The provisions of Article 44 apply correspondingly to the composition of the council of the theme-oriented institute operating outside the departments";

26) In Article 45 the expression "docent or habilitated Ph. D." is replaced each time with "or docent";

27) Article 46 is reworded as follows:

"Article 46. 1. The dean is elected by the faculty council.

"2. Candidates for the deanship -- two to four -- are nominated by the faculty council and their names are given to the rector-elect within 14 days from the date of his election.

"3. The rector-elect may, in cooperation with the appropriate minister, within 14 days from the date on which he is notified of the names of the candidates, object to the candidacy of an individual or individuals nominated by the faculty council and designate the period within which new candidates for the deanship should be nominated.

"4. The election of the dean takes place by 30 June of the last year of the term of office, from among at least two candidates nominated.

"5. The person elected by the procedure specified in Paragraph 4 is appointed by the rector to exercise the duties of the dean.

"6. If the faculty council does not submit a list of candidates pursuant to Paragraphs 2 and 3, or if it does not elect the dean, the dean is appointed by the rector with the consent of the appropriate minister."

28) In Article 47 Paragraphs 2 and 3 are reworded as follows:

"2. The assistant dean may be a professor or a docent.

"3. Assistant deans are elected by the faculty council upon the recommendation of the dean-elect, given with the consent of the the rector-elect. The provisions of Article 46, Paragraphs 5 and 6 apply correspondingly."

29) Article 49 is reworded as follows:

"Article 49. The director and deputy director of the theme-oriented extradepartmental institute are elected by the institute council. The provisions of Articles 46-48 apply correspondingly"

30) Article 50 is reworded as follows:

"Article 50. 1. The directors and deputy directors of the institutes not mentioned in Article 49 as well as chair, laboratory and clinic directors are appointed by the rector from among the school's professors and docents upon the recommendation of the dean, following consultation with the department (institute) council.

"2. The directors (heads) of other organizational units of the school and their deputies are appointed by the rector."

31) In Article 54 Paragraph 2 is deleted.

32) Article 56 is deleted.

33) Article 57 is reworded as follows:

"Article 57. 1. The senate, as the collegial body of the school, in particular:

"1) votes the school statute and the academic rules;

"2) determines the main directions of the activities of the school;

"3) makes recommendations on study plans and instructional and upbringing curricula;

"4) makes recommendations on draft agreements with other schools or other institutions and organizational units on matters relating to the conduct of joint activities;

"5) makes recommendations on the school's material-financial plan and considers reports on its fulfillment;

"6) accepts the rector's annual report on the activities of the school;

"7) determines the size and scope of the school's economic or service-providing activities;

"8) adopts, on the rector's recommendation or on its own initiative, resolutions commenting on other matters pertaining to the school and its activities."

"2. The tasks ensuing from Paragraph 1, Point 3, do not apply to the plans and programs for military activities and defense training.

"3. The specific competences of the senate are defined in the school statute;

34) Article 58 is deleted;

35) Article 59 is reworded as follows:

"Article 59. 1. The rector directs the school's activities.

"2. The rector, in particular:

- "1) represents the school off campus;
- "2) convenes sessions of the senate and chairs its deliberations, except sessions at which the rector's performance is evaluated;
- "3) is the superior of all employees of the school as well as the superior and mentor of all students;
- "4) takes decisions on the operations of the school that do not lie within the scope of competences of its other organizations;
- "5) exercises current supervision over the school administration;
- "6) assures adherence to laws on the school campus;
- "7) acts to assure proper operating conditions for the school;
- "8) acts to meet the social, living, health and cultural needs of students and school personnel;
- "9) takes decisions on matters relating to cooperation with foreign centers;
- "10) determines the scope of activities of the prorectors;
- "11) submits to the appropriate minister for confirmation course plans and instructional and upbringing curricula;
- "12) concludes agreements with other schools or institutions and organizational units on matters concerning the conduct of joint activities;
- "13) determines the school's financial-material plan;
- "14) assures proper staffing of the positions of academic instructors and others at the school;
- "15) conducts periodic evaluations of the performance of the organizational units of the school and their personnel;
- "16) exercises control over the activities of the school's organizational units;

"17) decides on matters specified in the decree and statute of the school.

"3. In administering the school the rector cooperates with the branches of the party and allied political parties operating at the school, as well as with the campus branches of national student and youth organizations and student self-government. On matters relating to student upbringing the rector acts in cooperation with the campus branches of the party and allied political parties, as well as with the campus branches of national student and youth organizations and student self-government, while on matters relating to personnel policy he acts in cooperation with the branches of the party and allied political parties operating at the school.

"4. Under the rector operates the rector's collegium as the rector's consultative and advisory body whose tasks include issuing recommendations on matters presented by the rector. The rector's collegium includes:

"1) the rector as the chairman;

"2) the prorectors;

"3) the heads of the branches of the party and the allied political parties located at the school as well as of the trade union;

"4) the administrative director."

36) In Article 60:

a) In Point 1 the expression "and recalled" is deleted;

b) Point 4 is reworded as follows:

"4) opines on draft study plans and instructional and upbringing curricula."

c) Point 5 is deleted.

d) Points 6 and 8 are reworded as follows:

"6) opines on the recommendations of the dean concerning the assignment of instructional tasks to non-school persons;

"8) opines on recommendations concerning research sabbaticals for personnel and oversees the effectiveness of their utilization."

37) Article 61 is deleted.

38) In Article 62:

a) Paragraph 1 is deleted.

b) Points 8a-8d, whose wording is given below, are inserted under Point 8 in Paragraph 2:

"8a) determines draft study plans and instructional and upbringing curricula;

"8b) assures the proper staffing of the positions of academic instructors and others;

"8c) performs periodic evaluations of the organizational units of the faculties and their personnel;

"8d) exercises supervision over the activities of the organizational units of the faculties."

c) Paragraph 3, worded below, is added:

"3. The provisions of Article 3, Paragraphs 3 and 4, apply correspondingly;

39) In Article 63 the expression "and rights" is to be inserted each time after the term "competences" and the expression "which are not organizational units of the faculties" is to be supplanted each time by the term "extradepartmentally operating";

40) In Article 70 Paragraph 2 is deleted.

41) In Article 84 Paragraph 1 is reworded as follows:

"1. The school's material-financial plan, together with the financial plans of the units organizationally linked to the school, is determined by the rector upon consulting the senate. The rector presents to the senate for consideration the annual report on the fulfillment of the school's material-financial plan."

42) In Article 87 the expression "aliens and their course work" is supplanted each time by the expression "persons who are not Polish citizens and their course work."

43) In Article 89:

a) In Paragraph 1 the expression "the faculty (or theme-oriented institute) council is supplanted each time by the expression "the dean (the director of the theme-oriented institute)."

b) In Paragraph 3 the expression "the school senate" is supplanted each time by the expression "the rector";

44) Article 90a, whose text is given below, is inserted under Article 90:

"Article 90a. A student may receive permission to repeat a year or semester of studies not more than once during his attendance of the school, unless the reason for failure to earn credits is prolonged illness or other particularly important reasons";

45) In Article 96, Paragraphs 1 and 2, the expression "the faculty council" is each time supplanted by the expression "the rector in cooperation with the appropriate minister";

46) In Article 100, Paragraph 2, the expression "and the campus branches of national student and youth organizations" is inserted in the second sentence following the term "student";

47) In Article 105 the expression "blue-collar and professional" is inserted each time before the expressions "student internships";

48) In Article 115 Paragraph 2 is reworded as follows:

"2. The appeal is submitted within 14 days from the date the verdict is transmitted to a peer jury of higher instance or to a disciplinary appeals commission, in compliance with the procedure for transferring the case specified in Article 106, Paragraph 2";

49) The following Article 119a is inserted under Article 119:

"Article 119a. 1. In the event a student commits a socially particularly harmful transgression and proceedings for violation of public order are instituted against him/her, the dean or, in the event of his inaction, the rector suspends the student for the duration of the period specified in the student's rights.

"2. In the event a student commits a socially particularly harmful transgression and is sentenced by penal proceedings or by proceedings on the grounds of violation of public order, the rector or, in the event his passivity, the appropriate minister may, depending on the nature of the transgression and the degree of culpability, after consulting the disciplinary body, delete the student's name from the enrollment list.

"3. The decision of the dean or rector to suspend a student's rights may be appealed by the student to, correspondingly, the rector or the appropriate minister, while the decision of the rector to delete the student's name from the enrollment list may be appealed to the appropriate minister within 14 days after that decision is handed down.

"4. The decision of the minister to delete a student's name from the enrollment list, taken pursuant to Paragraph 2, may be appealed to the Supreme Administrative Court on the basis of and through the procedure specified in the Code of Administrative Proceedings."

50) In Article 120:

a) In Paragraph 2 the clause "with respect to aspects of the instructional and upbringing process and social and living conditions" is inserted at the end."

b) Paragraph 3 is reworded as follows:

"3. The Minister of Science and Higher Education determines:

"1) by means of an ordinance, the principles for the formation and operation of student self-government organs.

"2) the general bylaws of student self-government."

c) Paragraph 4 is deleted;

51) Article 121 is reworded as follows:

"Article 121. The proper organs of student self-government act as consultative bodies in all matters relating to the process of education and upbringing, material assistance, rewards for academic accomplishments and allocation of funds earmarked for student purposes";

52) In Article 122 the following Paragraph 3 is added:

"3. The provisions of Article 121 apply to the national student and youth organizations active on the campus of the school";

53) Article 124 is reworded as follows:

"Article 124. 1. National, local and campus student organizations and associations as well as their branches (elements) operate on the basis of the legal provisions governing the associations as well as pursuant to the provisions of this Decree.

"2. The science, arts and sports clubs that are not statutory elements of national student and youth organizations operate upon the rector's prior approval of their formation; the rector ['s office] is the agency registering and keeping a record of these clubs";

54) In article 125 the expression "and important social interests" is inserted at the end.

55) Articles 126, 128 and 129 are reworded as follows:

"Article 126. The registering agency may disband a student organization or association if its activities conflict with the law or important social interests.

"Article 128. The Minister of Science and Higher Education determines by way of ordinances, in cooperation with the supreme bodies of national student organizations, the principles for the formation, the procedure for the registration and the conduct of recordkeeping of science, arts and sports clubs as well as the principles and procedure for their disbanding.

"Article 129. Students have the right to organize on-campus rallies and demonstrations meeting the regulations governing assemblies. The school rector has in this respect, on the basis of these provisions, the same rights as those of a basic-level local agency of state administration [law enforcement], and in the event of inaction of the rector, these rights are exercised by the province-level local agency of state administration competent to handle socioadministrative affairs."

56) Article 132 is reworded as follows:

"Article 132. 1. Persons hired as academic-instructional personnel must have a high ethical level and:

"1) possess academic or artistic qualifications, teaching qualifications and upbringing and other abilities corresponding to the academic orientation and general scope of activities of the school;

"2) accept fully the Constitutional systemic principles of the Polish People's Republic and guide themselves by them in their activities: the opinion in this respect is issued by the head of the organizational unit at which the applicant is employed (or studying), in cooperation with the appropriate agencies of the party and the allied political parties.

"2. Applicants accepted for the first time for any research-instructional position ranking below the position of docent must first depose the following oath: 'Being fully aware of my obligations, I do solemnly swear that, as an academic instructor, I shall actively participate in the research and

instructional activities of the higher school and contribute to educating and raising students into idealistic enlightened citizens of the Polish People's Republic as a socialist state, and consistently improve my own instructional and academic qualifications. In my conduct I shall guide myself by the good of the State and the Constitutional principles of the Polish People's Republic. I shall carry out my duties conscientiously.'

"3. Hiring for the position of docent is preceded by the deposition of the following oath by the applicant:

"'Being fully aware of my obligations, I do solemnly swear to:

"'-- educate and form students into idealistic and enlightened citizens of the Polish People's Republic economy and culture;

"'-- educate and form young academic cadre capable of assuring the development of science, culture and national economy;

"'-- actively participate in the research and academic activities of the higher school;

"'-- in my entire conduct guide myself by the good of the State and the Constitutional principles of the Polish People's Republic as well as maintain the dignity of the academic instructor and the good name of the school.'

"4. The provisions of Paragraph 3 also apply to hiring for the position of professor a person who has not previously been employed as a docent by the same school";

57) In Article 133:

- a) In Paragraph 1 the expression "results of their performance" is supplanted with expressions "comprising the results of their research, instructional, formative and organizational performance and their civic attitude," and the following sentence is added: "Evaluations also are performed prior to the expiration of the period of employment of the research-instructional employee."
- b) In Paragraph 2 the expression "results of performance" is deleted and the expression "conducted by the collegial bodies specified in the school statute" is supplanted with the expression "conducted by the rector";

58) In Article 138:

- a) The original text is designated as Paragraph 1 and in Point 2 the expression "or" is supplanted with the expression "as well as."
- b) Paragraph 2 is added, worded as follows:

"2. The principles of attaining and crediting work seniority are determined by the Council of Ministers."

59) In Article 144:

- a) In Paragraph 1 the expression "in particular" is supplanted with the expression "coparticipation in implementing the school tasks defined in Article 132, and in particular," and in Point 2 the expression "and upbringing" is inserted after the expression "teaching."
- b) In Paragraph 2 the expression "the docent and other research-instructional employees" is supplanted with the expression "and the docent."

60) In Article 148:

- a) Paragraph 2 is reworded as follows:

"2. The average salary of research-instructional personnel is raised annually to an extent not lower than the planned increase in the average wages of employees of the sphere of material production in the socialized economy."

- b) The following Paragraph 2a is added under Paragraph 2:

"2a. The principles of comparison of the level of remuneration referred to in Paragraph 2 are determined, by way of an ordinance, by the Minister of Labor, Wages and Social Services, in cooperation with the Minister of Science and Higher Education";

- 61) In Article 151, Paragraph 3, the expression "the docent and other research-instructional personnel with habilitated doctoral degrees" is supplanted by "and the docent";

62) Article 152 is reworded as follows:

"Article 152. 1. The research-instructional employee may, allowing for the proviso of Paragraph 2, obtain extra employment with the consent of the rector.

"2. The Minister of Health and Social Welfare determines the principles for the acceptance by the research-instructional personnel of medical academies of extra employment at cooperative health-service centers, as well

as for their exercise of private practice in the medical professions;

- 63) In Article 160, Paragraph 2, the expression "occurs" is supplanted by the expression "may occur";
- 64) In Article 163, Paragraph 2, the expression "and they also take no part in proceedings for the conferral of an academic degree or rank" is deleted;
- 65) In Article 164:

a) Paragraph 2 is reworded as follows:

"2. The appointment to the position of assistant is for a period of 2 years."

b) The following Paragraph 2a is inserted under Paragraph 2:

"2a. The appointment to the position of senior assistant is for a period of 3 years and may be renewed only once for a subsequent period of 3 years."

c) Paragraph 3 is reworded as follows:

"3. The combined period of employment in the positions of assistant and senior assistant may not exceed 8 years. In the scientific disciplines specified by the Minister of Science and Higher Education, upon consulting the Main Council, the employment of senior assistants may be extended for an additional 3-year period."

d) Paragraph 4 is reworded as follows:

"4. The appointment to the position of adjunct professor is for a period of 3 years and may be renewed twice for the subsequent 3-year periods."

e) Paragraphs 5 and 6 are reworded as follows:

"5. The adjunct professor who has earned a habilitated doctoral degree may be, in warranted cases, particularly when this concerns interests of the school or the scientific discipline or requirements and conditions for teamwork research, with the consent of the appropriate minister, appointed for an indefinite period.

"6. The employment of the adjunct professor on whom it has been resolved to confer a habilitated doctoral degree is subject to being extended until a decision on this matter is taken by the Central Certification Commission for Academic Personnel, and in the event that said resolution is approved, it is extended for an additional 6 months."

f) The following Paragraph 6a is inserted under Paragraph 6:

"6a. The appropriate minister names to the habilitated doctor the school or other organizational unit engaging in research activities in which he is to be employed in the position of docent or in another position corresponding to his qualifications."

g) In Paragraph 7 the reference to "Paragraphs 1, 2 and 4" is supplanted by a reference to "Paragraphs 1-4";

66) In Article 165:

a) In Paragraph 1 the first sentence is reworded as follows: "Appointments to the position of professor and docent are performed by the appropriate minister upon the request of the rector combined with a recommendation by the faculty council and the senate, or upon the minister's own initiative after consulting the rector."

b) In Paragraph 2 the expression "or upon own initiative after consulting the dean" is inserted at the end;

67) In Article 167:

a) In Paragraph 1 the expression "or to the position of research-instructional employee to another organizational unit engaging in research activities" is inserted after the expression "to another school."

b) In Paragraph 4 the expression "(the senate of the school from which the transfer is made and the academic council of the unit to which the transfer is made)" is inserted after the expression "the senates of both schools" and the expression "(the council of the concerned faculty and the concerned academic council)" is inserted at the end.

c) The following Paragraph 4a is inserted under Paragraph 4:

"4a. If so required by personnel training needs in a given region of the country, the appropriate minister may transfer, for a period of up to 2 years, a research-instructional employee without his consent to another higher school, with the right of resuming the previously held position. Such transfers may occur only once for a given position held."

d) In Paragraph 5 the expression "or an organizational unit engaging in research activities" is inserted in the second sentence after the expression "The school";

68) In Article 168, Paragraph 1, the expression "the school or its transformation" is supplanted by the expression "the school, a transformation of its structure or a change in the scope of its activities."

69) In Article 169:

a) In Paragraph 1:

-- in Point 4 the expression "or a docent" is supplanted by the expression "a docent, a senior licensed curator or a senior licensed documentalist," and the expression "on universal retirement benefits" is supplanted by the expression "on retirement benefits of employees and their families";

-- in Point 5 the expression "or docent" is supplanted by the expression "docent, senior licensed curator or senior licensed documentalist"; the expression "or a docent" is supplanted by the expression "or a docent, a senior licensed curator or a senior licensed documentalist"; and the expression "on universal retirement benefits" is supplanted with the expression "on retirement benefits for employees and their families";

-- Point 7 is reworded as follows:

"7) If the instructional or formative activity or other forms of public activity remain in glaring contrast with the basic obligations of the school employee, and particularly with the operating principles and tasks of the school as defined in Articles 1-3 and the requirements defined in Article 132, the termination for these reasons of the employment relationship with the person employed in the position of professor requires the consent of the Chairman of the Council of Ministers."

-- the following Point 8 is added:

"8) in the event of refusal to swear the oath."

b) The following Paragraph 1a is inserted under Paragraph 1:

"1a. In cases defined in Paragraph 1, Point 7, the professor may, with the consent of the appropriate minister, transfer to retired status despite failure to meet the requirements ensuing from the provisions governing retirement benefits for employees and their families."

c) Paragraph 2 is reworded as follows:

"2. In cases defined in Paragraph 1, Points 2, 3, 7 and 8, decisions on terminating the employment relationships are taken -- and in cases defined in Paragraph 1, Points 1 and 4-6, confirmed -- by the office empowered to make appointments to the position concerned."

70) In Article 170:

a) In Paragraph 1 the following Point 1a is inserted under Point 1:

"a) abandonment of work;"

b) Paragraph 2 is reworded as follows:

"2. An employment relationship with an adjunct professor, a senior assistant or an assistant may not be renewed if the employee, for reasons dependent on himself, fails to make sufficient progress in his academic growth or fails to achieve satisfactory results in his instructional and upbringing work. Such circumstances should ensue from evaluations performed in accordance with the procedure defined in Article 133. The concerned employee is notified of the results of his evaluation."

c) Paragraph 3 is deleted.

71) Article 171 is reworded as follows:

"Article 171. 1. In the event that, through the procedure defined in Article 133, a research-instructional employee is found to fail explicitly in the performance of his instructional, formative or research duties, his employment relationship can be terminated upon giving him a 3-month advance notice.

"2. The decision to terminate the employment relationship is taken by the office authorized to make appointments to the position concerned or by the appropriate minister";

72) The following Article 171a is inserted under Article 171:

"Article 171a. 1. "In cases of termination of an employment relationship originally contracted by means of an appointment, the research-instructional employee has the right to appeal to the Supreme Administrative Court on the principles and through the procedure defined in the Code of Administrative Proceedings.

"2. In other cases of claims relating to the employment relationship of research-instructional employees, the pertinent provisions of the Labor Code apply";

73) In Article 178:

a) In Paragraph 1 the expression "for a period of 5 years and may be extended for additional 5-year periods" is inserted after the expression "occurs" and the sentence "Positions to which indefinite appointments may be made are determined by the Minister of Science and Higher Education" is added.

b) The following Paragraph 1a is added under Paragraph 1:

"1a. A person with a doctoral degree may, in particularly justified cases, be appointed to the position of senior lecturer for an indefinite period, upon the consent of the appropriate minister."

c) In Paragraph 2 the expression "defined" is supplanted by the expression "other than defined in Paragraph 1";

74) Article 179 is reworded as follows:

"Article 179. For instructional employees who hold their positions by virtue of an appointment the provisions of the following regulations apply correspondingly: Article 132, Paragraphs 1 and 2; Article 133; Article 144, Paragraph 1, Points 2-4, and Paragraph 3; Article 145, Paragraphs 1-3 and 7 and 8; Article 146, Paragraphs 1 and 3-5; Articles 148-150; Article 151, Paragraphs 1, 2, 4 and 5; Articles 152-157; Article 158, Paragraph 1, Point 1 (for senior lecturers and lecturers) and Point 2 for other employee categories, as well as Paragraphs 2-5; Articles 159, 162; Article 64, Paragraph 7; Articles 167 and 168; Article 169, Paragraph 1, Points 1-4 and 6-8, and Paragraphs 2 and 3; Article 170, Paragraph 1, Points 1-3, 5 and 6, and Paragraphs 2 and 4; and Articles 171 and 171a."

75) In Article 181 Paragraph 2 is reworded as follows:

"2. For persons holding the positions of scientific associates at the school the provisions concerning research-instructional employees apply correspondingly, with the exception of Article 131, Paragraph 3; Articles 141-143, 145, 146; Article 151, Paragraphs 2-4; and Article 163."

76) In Article 193 the term "aliens" is supplanted by the expression "persons who are not Polish citizens", and the expression "issued after consulting the Main Council and in cooperation with trade unions" is deleted.

77) In Article 198:

a) In Paragraph 1, Point 2, the expression "in cooperation with the appropriate ministers" is added at the end.

b) In Paragraph 3 the last sentence is deleted.

c) Paragraph 4 is reworded as follows:

"4. the senate of the school or the Main Council may request the rector or the Minister of Science and Higher Education to recommend to the disciplinary agency that it conduct clarificatory proceedings";

78) In Article 199:

a) Paragraph 1 is reworded as follows:

"1. In the course of the clarificatory proceedings the rector may, upon consulting the disciplinary spokesman, suspend the school employee from performance of official duties if so indicated by the gravity and credibility of the accusations and if continued exercise of these duties by the accused would complicate the clarification of the matter."

b) In Paragraph 2 the expression "also in the absence of a recommendation from the disciplinary spokesman" is deleted and the sentence "This right also belongs to the rector" is added at the end.

c) Paragraph 4 is reworded as follows:

"4. The accused has the right to appeal the rector's decision to suspend him to the appropriate minister. The accused has the right to appeal to the [higher] disciplinary commission under the Main

Council the decision of the disciplinary commission to suspend him/her.

79) In Article 202, Paragraph 1, the following second sentence is added: "The initiation of disciplinary proceedings sets in with the moment the disciplinary spokesman recommends penalization."

80) In Article 212 the expression "upon obtaining an opinion from the Main Council" is deleted;

81) Articles 219 and 225 are deleted;

82) In Article 229a the expression "and introduce separate regulations in this respect" is added at the end;

83) The expression "Minister of Science, Technology and Higher Education," employed in various cases is supplanted by the expression "Minister of Science and Higher Education," used in the same cases.

Article 2. Higher-school rectors shall, within 6 months from the date of promulgation of the model statute by the Minister of Science and Higher Science and Higher Education, submit to the appropriate ministers proposals for the approval of school statutes. Until the new statutes become effective, the provisions of previous statutes remain in force to the extent to which they do not conflict with the law.

Article 3. The official terms of the Main Council for Science and Higher Education, the Council for Higher Medical Education, the Council for Higher Arts Education and the Council for Higher Education in Physical Culture, operating on the day this Decree becomes effective, end on the day of 30 November 1985.

Article 4. The provisions of Article 21, Paragraph 2, Point 10, of the Decree on Higher Education, as revised in the present Decree, apply, to the extent specified in Article 1, Point 4, a), and Point 50, b) as of the day of the election of the Main Council for Science and Higher Education and the beginning of its official term, pursuant to the provisions of this Decree.

Article 5. 1. The collegial bodies of higher schools shall, until the school statutes become effective through the procedure defined in the provisions of this Decree, operate on the basis of their membership as defined in this Decree but without elected members, with the proviso of Paragraph 2 below.

2. The professors and docents acting as currently elected senate members retain their membership, regardless of their number, until the school statutes become effective.

Article 6. 1. Persons exercising on the day this Decree becomes effective the functions of higher-school heads and their deputies, as well as of directors and deputy directors of organizational units of the schools exercise

these functions until the expiration of their term of office, with the proviso of Paragraph 2 below.

2. The appropriate minister or rector may, by 30 November 1985, declare in writing that he does not confirm the exercise of functions by one or more individuals referred to in Paragraph 1 above; in this case such an individual or individuals exercise his/their functions only until 30 November 1985 and, in the case of a rector, another person is appointed by the appropriate minister for the remainder of the official term; in the case of a prorector, by the appropriate minister upon the recommendation of the rector; and in the case of the other posts, by the rector upon the consent of the appropriate minister.

Article 7. The previous student self-government regulations are abrogated as of the day on which this Decree becomes effective. On that day also the official terms of the institutional, departmental and institute student self-government organs are considered as expired.

Article 8. Student organizations and associations shall submit requests for their registration pursuant to the provisions of this Decree within 6 months from its effective date.

Article 9. 1. The employment relationship of research-instructional personnel, scientific associates and instructional personnel that had existed prior to the effective date of this Decree becomes by virtue of law, with the proviso of Paragraphs 2-5 below, an employment relationship contracted pursuant to the provisions of this Decree.

2. The employment relationship of adjunct professors appointed for 5 years prior to the effective date of this Decree lasts until the end of that period, provided that the total period of employment in the position of adjunct professor may not exceed 9 years. The provisions of Article 1, Point 65, d), apply correspondingly.

3. The employment relationship of adjunct professors with habilitated doctoral degrees, appointed for an indefinite period prior to the effective date of this Decree, remains unchanged.

4. The employment relationship of adjunct professors with doctoral degrees, appointed for an indefinite period prior to the effective date of this Decree, lasts for 5 years from the date of their appointment, and the total period of employment in the position of adjunct professor may not exceed 9 years. The provisions of Article 1, Point 65, d), apply correspondingly.

5. If, pursuant to Paragraph 1 above, the termination of employment relationship occurs prior to 31 December 1985, the period of employment may be extended to that date. In such cases the period of subsequent employment is correspondingly shortened.

Article 10. 1. The period of employment considered in Article 1, Point 65, c), is figured on the basis of previous regulations and the provisions of this Decree.

2. The period of employment in the position of adjunct professor following 31 August 1982 is credited to the period of employment considered in Article 1, Point 65, c), and Article 9, Paragraphs 2 and 4.

Article 11. In the Decree of 29 March 1962 on Assemblies (DZIENNIK USTAW, Item 89, No 20, 1971; Item 115, No 12, 1971; and Item 113, No 14, 1982):

a) The designation "Paragraph 1" is deleted.

b) Paragraph 2 is deleted.

Article 12. In the Ordinance of 27 October 1932 of the President of the Republic on the Law of Associations (DZIENNIK USTAW, Item 808, No 94, 1932; Item 30, No 4, 1946; Item 293, No 41, 1949; Item 335, No 45, 1949; Item 401, No 44, 1950; Item 489, No 53, 1950; and Item 276, No 41, 1964), in Article 9, e), the expression "academic associations founded in accordance with the regulations governing academic schools and" is deleted.

Article 13. In the Decree of 21 July 1983 on Special Legal Regulations in the Period of Overcoming the Socioeconomic Crisis and on the Revisions of Certain Decrees (DZIENNIK USTAW, Item 176, No 39, and Item 318, No 71) the following revisions are introduced:

1) Articles 4 and 13 and Paragraph 2 in Article 15 are deleted;

2) In Article 16 the expression "and for student assemblies" is deleted.

Article 14. The Minister of Science and Higher Education shall publish in DZIENNIK USTAW the definitive text of the Decree on Higher Education with allowance for changes ensuing from the regulations announced prior to the day of issuance of the definitive text and upon perserving the sequential numbering of articles, paragraphs and points.

Article 15. This Decree becomes effective on the day of its publication.

Chairman of the Council of State: H. Jablonski
Secretary of the Council of State: J. Szymanek

Amendments to the Law on Academic Degrees

Warsaw DZIENNIK USTAW in Polish No 36, Item 168, 12 Aug 85 pp 439-445

[Text of decree: "Decree of 25 July 1985 on Revisions in the Decree on Academic Degrees and Titles"]

[Text] Article 1. [1.] The following changes are introduced in the Decree of 31 March 1965 on Academic Degrees and Titles (DZIENNIK USTAW, Item 192, No 32, 1973; and Item 113, No 14, 1982):

1) Article 2 is reworded as follows:

"Article 2. Doctoral and habilitational degrees are conferred by faculties and institutes of higher schools, scientific centers of the Polish Academy of Sciences, scientific research institutes, and the autonomous centers of research-instructional type empowered to confer them, hereinafter referred to as "organizational units."

2) The following Articles 2a-2e are inserted under Article 2:

"Article 2a. 1. The right to confer doctoral degrees may be received by an organizational unit which:

"1) employs at least eight persons with academic titles [or persons with doctoral] degrees having the rank of docent and representing the academic orientation with respect to which the unit is competent to confer degrees, provided that the number of employees with academic titles or with the habilitated doctoral degree is not smaller than five;

"2) has had its level of academic activity positively evaluated by the Central Certification Commission for Academic Personnel, hereinafter referred to as the Central Certification Commission, upon the recommendation of the office authorized to decide on granting the right to confer decrees.

"2. The right to confer habilitated doctoral degrees may be received by an organizational unit which:

"1) employs at least 12 persons with academic titles or holding the rank of docent with a habilitated doctoral degree, representing the academic orientation with respect to which the unit is competent to confer degrees, provided that the number of persons with academic titles is not smaller than six;

"2) has had its level of academic activity positively evaluated by the Central Certification Commission, upon the recommendation of the office authorized to decide on granting the right to confer decrees.

"3. The right confer academic decree applies only to the scientific diciplines which, in a given organizational unit, are represenhted by at least five employees holding scientific titles or habilitated doctoral degrees.

"4. For persons referred to in Paragraph 1, Point 1, and Paragraph 2, Point 1, the organizational unit employing them is their principal workplace.

"Article 2b. 1. The right referred to in Article 2a is granted in cooperation with the Central Certification Commission by:

- "1) the Minister of Science and Higher Education in cooperation with the Main Council for Science and Higher Education, with respect to higher-school organizational units, upon the recommendation of the minister exercising supervision over the particular higher school concerned;
 - "2) the Scientific Secretary of the Polish Academy of Sciences [PAN], with respect to the PAN's institutions, in cooperation with the Minister of Science and Higher Education;
 - "3) The Minister of Science and Higher Education, with respect to other organizational units, upon the recommendation of the minister exercising supervision over a particular organizational unit.
- "2. In particularly warranted cases the right to confer scientific degrees may be granted to an organizational unit that does not meet the criteria specified in Article 2a, Paragraph 1, Point 1, and Article 2, Point 1, on formulating new criteria for exercising that right. The provisions of Article 2c apply correspondingly.
- "3. The list of the organizational units authorized to confer academic degrees is, together with appellations of the academic degrees conferred as well as with a list of the fields of science and scientific disciplines with respect to which academic degrees may be conferred, issued by the Minister of Science and Higher Education.
- "4. The principles and procedure for submitting recommendations for the granting of academic degrees are defined by means of an ordinance by the Minister of Science and Higher Education in cooperation with the Scientific Secretary of the Polish Academy of Sciences and the Central Certification Commission.

"Article 2c. 1. The right to confer academic degrees becomes legally suspended as of the day on which the number of the employees of an organizational unit who hold an academic title or the habilitated doctoral degree decreases below the minimum specified in Article 2a, Paragraph 1, Point 1; Paragraph 2, Point 1; and Paragraph 3.

- "2. The handling of the completion of the proceedings for doctoral and habilitated doctoral degrees that were initiated prior to the day referred to in Paragraph 1 will be decided upon by the Minister of Science and

Higher Education in cooperation with the Central Certification Commission.

- "3. The organizational unit exercising the right to confer academic degrees shall immediately notify the Minister of Science and Higher Education and, if the unit is part of the Polish Academy of Sciences, the Scientific Secretary of the Polish Academy of Sciences, about any changes in its level of employment that affect this right.

"Article 2d. 1. The Central Certification Commission periodically evaluates the academic level of doctoral and habilitational dissertations and, if the need arises, also the level of academic activity constituting the basis for the conferral of academic degrees by an organizational unit, and also the validity of the resolutions adopted in this respect. These evaluations shall be performed by the Central Certification Commission on its own initiative or on the recommendation of the Minister of Science and Higher Education, or by another minister exercising supervision over the higher school, research institute or autonomous research-instructional center, and by the Scientific Secretary of the Polish Academy of Sciences with respect to that center.

- "2. If the evaluation referred to in Paragraph 1 is negative, the Central Certification Commission immediately notifies accordingly the concerned organizational unit as well as the office granting the right to confer academic degrees; within 6 months from the day that notification is made, said office may:

- "1) revoke the right;

- "2) curtail the right by placing the organizational unit under the obligation of submitting all of its resolutions to confer doctoral degrees for approval to the Central Certification Commission;

- "3. In the event the right is revoked, activities relating to the completion of current doctoral and habilitational degree proceedings will be handled by organizational units specified by the office referred to in Paragraph 2.

- "4. The office which has revoked or curtailed the right is obligated to reconsider the matter if the concerned organizational unit submits additional information that had not been known when the right was revoked or curtailed;

- "5. Recovery of the right or another revocation of the right occurs on the principles and through the procedure applicable when that right had been originally conferred;

"Article 2e. In the absence of an organizational unit needed to handle doctoral or habilitational degree proceedings, and also in the event that the unit authorized to confer academic degrees in a particular field cannot handle the related proceedings owing to the absence of the minimum number -- as specified in Article 2a, Paragraph 3, of persons holding academic titles or the habilitated doctoral degree in the discipline corresponding to the scope of the doctoral or habilitational dissertation concerned, the Central Certification Commission may, acting upon a recommendation by a faculty council (or an academic council) or upon its own initiative, in cooperation with the Minister of Science and Higher Education or with the Scientific Secretary of the Polish Academy of Sciences when the latter's centers are concerned, consent to complementing the membership of the faculty council (or academic council, of the organizational unit concerned) with persons who are not members of that council. Such persons have the rights of a member of the faculty (academic) council in matters relating to the proceedings for a doctoral or habilitational degree."

3) In Article 4, Paragraph 1:

- in Point 2 the expression "and" is supplanted by a comma;
- in Point 3 the period is supplanted by a comma;
- the following Point 4 is added:

"4) displays an irreproachable attitude as a citizen."

4) In Article 6, Point 3, the expression "and in units of the research-instructional type" is deleted.

5) Article 7 is reworded as follows:

"Article 1. 1. Organizational units authorized to confer habilitated doctoral degrees may, upon the approval of the Minister of Science and Higher Education, offer doctoral studies.

"2. Stationary doctoral students have the rights of employees. The provisions of Article 12, Paragraph 2, do not apply to such persons."

6) The following Article 7a is inserted under Article 7:

"Article 7a. Persons preparing to complete doctoral studies may be granted academic stipends."

7) Article 9 is reworded as follows:

"Article 9. Eligible applicants for habilitation proceedings have to be persons with doctoral degrees who:

"1) have scored substantial academic accomplishments;

"2) submitted a habilitation dissertation

"3) display an irreproachable attitude as citizens."

8) In Article 10:

a) Paragraphs 2 and 3 are reworded as follows:

"2. The habilitation dissertation should be a specially written work published in part or in its entirety; publishing is construed here as making this work accessible in some other way to the academic community, and particularly to specialists in the discipline concerned. It may also be a monothematic series of autonomous original articles published in academic or scientific periodicals and representing part of the academic accomplishments of the applicant for the habilitated doctoral degree, attained subsequent to his earning the doctoral degree.

"3. The habilitation dissertation may be an original and implemented project, design or technological accomplishment, if it is linked to the solution of a major academic or scientific problem."

b) The following Paragraphs 4-6 are added:

"4. The habilitation dissertation may be a part of a teamwork project, if the work on a particular problem represents the personal contribution of the applicant for the habilitated doctoral degree, meeting the requirements defined in Paragraph 1.

"5. The faculty council (academic council) may waive the duty of submitting the dissertation in the published form referred to in Paragraph 2 if it has been accepted for publication. In this case the publication represents a requirement for the approval by the Central Certification Commission of the resolution of the faculty council (academic council) to confer the habilitated doctoral degree.

"6. The obligation to publish does not apply to habilitation dissertations dealing with subjects covered by state or official secrets."

9) In Article 11:

a) The designation "Paragraph 1" and the expression "and in units of the scientific research type" used in Point 3 are deleted.

b) Paragraph 2 is deleted.

10) The following Articles 11a -- 11g are added under Article 11:

"Article 11a. 1. Doctoral and habilitation proceedings culminate in resolutions of the faculty council (academic council).

"2. The resolutions referred to in Paragraph 1 are valid if they are adopted by secret balloting in the presence of at least one-half of the persons authorized to vote, and if a majority of the votes supports the resolution.

"Article 11b. 1. Persons authorized to vote on matters relating to the conferral of academic degrees are:

"1) As regards doctoral degree proceedings:

"a) members of the faculty (or academic) council who hold academic titles and docents having the

"b) persons invited to complement the membership of the council (pursuant to Article 2e);

"c) the applicant's dissertation adviser and members of the dissertation committee;

"2) As regards habilitation proceedings:

"a) members of the faculty (or academic) council who hold academic titles and docents having the doctoral or habilitated doctoral degree;

"b) persons invited to complement the membership of the council (pursuant to Article 2e);

"c) members of the dissertation committee.

"2. The dissertation adviser may be a person who holds an academic title or a docent having the doctoral or the habilitated doctoral degree.

"3. Members of the doctoral dissertation committee may be persons who hold academic titles or docents having the doctoral or habilitated doctoral degree, while members of the habilitated doctoral dissertation committee may be persons who hold academic titles or docents having the habilitated doctoral degree.

"Article 11c. 1. Applicants for academic degrees have the right to appeal the resolutions of the faculty council (academic council) when these decline to:

- "1) commence doctoral proceedings;
- "2) accept the doctoral dissertation;
- "3) confer the doctoral degree;
- "4) commence habilitation proceedings;
- "5) admit to the habilitation examination;
- "6) confer the habilitated doctoral degree.

"2. The appeal is submitted to the Central Certification Commission through the mediation of the faculty council (academic council) within a month from the day the claimant is notified of the contents of the resolution. The council transmits the appeal to the Central Certification Commission together with its opinion and the minutes of degree proceedings within 3 months from the date the appeal is made.

"3. On considering the appeal, within not more than 6 months, the Central Certification Commission either sustains the resolution being appealed against or waives it and transmits the matter for reconsideration to the faculty council (academic council) of another organizational unit.

"4. The Central Certification Commission transmits notice of its decision to the person making the appeal as well as to the concerned faculty council (academic council).

"Article 11d 1. The resolution to confer an academic degree becomes valid if no objection thereto is made by:

"1) The minister exercising supervision over the concerned higher school, scientific research institute or autonomous center of the research-instructional type which conducts the doctoral proceedings.

"2) The Scientific Secretary of the Polish Academy of Sciences, if the doctoral proceedings are conducted at an institution of the Polish Academy of Sciences.

- "2. The objection may be offered within 2 months from the day the resolution to confer the doctoral degree is transmitted together with the minutes of doctoral proceedings.
- "3. In the event that a organizational unit's right to confer academic degrees is curtailed, as specified in Article 2d, Paragraph 2, Point 2, or the objection defined in Paragraph 2 above is offered, the resolution to confer an academic degree becomes valid the moment it is confirmed by the Central Certification Commission.
- "4. The resolution or objection referred to in Paragraph 3 above should be submitted to the Central Certification Commission together with the minutes of doctoral proceedings within a month from the day the resolution is adopted or the objection offered.
- "5. The confirmation of the resolution to confer an academic degree in cases referred to in Paragraphs 1-4 above is decided upon by the Central Certification Commission within 6 months from the day the resolution is received.

"Article 11e. 1. A resolution to confer a habilitated doctoral degree becomes valid the moment it is confirmed by the Central Certification Commission. The provisions of Article 11d, Paragraph 4, apply correspondingly.

- "2. The confirmation of a resolution to confer the habilitated doctoral degree is decided upon by the Central Certification Commission within 6 months from the date of receipt of the resolution together with minutes of habilitation proceedings.
- "3. In the event of failure to confirm a resolution to confer a habilitated doctoral degree, the faculty council (academic council) may, within 3 months from the date it is notified of this decision, propose to the Central Certification Commission that it reconsider the matter.
- "4. Before the final decision is taken on the matter referred to in Paragraph 3 above, the Central Certification Commission may promote an exchange of views among members of the concerned dissertation committee.

"Article 11f. If the Central Certification Commission fails to decide on these matters within the period specified in this Decree, it is dutybound to notify the concerned organizational unit

of the reasons for the delay and specify a new deadline for deciding on the matter.

"Article 11g. 1. The resolution to confer a doctoral or a habilitated doctoral degree may be invalidated in the event it is found that the doctoral or habilitation dissertation substantively violates the auctorial property rights of other persons.

"2. The provisions of Paragraph 1 above do not apply if more than 10 years have elapsed since the conferral of the doctoral or habilitated doctoral degree.

"3. The proper agency for invalidating a resolution to confer an academic degree is the Central Certification Commission.

"4. Proceedings to invalidate a resolution are initiated ex officio or on the recommendation of:

"1) the person whose auctorial rights are violated, or his/her legal heirs;

"2) the faculty council (academic council) which had adopted the original resolution to confer the degree, or the faculty council (academic council) of the organizational unit employing the person on whom the academic degree was conferred;

"3) the minister supervising the concerned higher school, scientific research institute or autonomous center of the research-instructional type, or the Scientific Secretary of the Polish Academy of Sciences.

"5. Notice of the initiation of proceedings to invalidate the resolution to confer the academic degree is sent by the Central Certification Commission to the person whom the accusations concern: that person has the right to submit written explanations and offer evidence in his/her defense. Notice of the initiation of invalidation proceedings also is sent to the faculty council (academic council) which had conferred that degree.

"6. Notice of the invalidation of the resolution to confer the academic degree is sent by the Central Certification Commission to the faculty council (academic council) which had conferred that degree."

11) The original text of Article 12 is now designated as Paragraph 1 and the following Paragraph 2 is added:

"2. An employee who is neither an academic instructor nor a research-instructional employee but who is preparing a doctoral or habilitation dissertation is entitled to a paid leave of a duration equal to 28 work days in order to work on the doctoral or habilitation dissertation, as well as to a paid work release for the purpose of conducting the defense of his/her doctoral or habilitation dissertation."

12) In Article 14:

- a) Paragraph 1 is deleted;
- b) In Paragraph 2, Point 2, the expression "engaging in doctoral studies" is replaced with the expression "recruiting for doctoral studies, conducting and accomplishing these studies, the scope of employee rights";
- c) Paragraph 3 is reworded as follows:

"3. The Minister of Science and Higher Education, in cooperation with the Scientific Secretary of the Polish Academy of Sciences, defines the specific conditions and procedure for conducting doctoral and habilitation proceedings as well as the scope of doctoral and habilitation examinations."

13) Article 15 is reworded as follows:

"Article 15. 1. The provisions of this Decree regarding the conferral of academic degrees apply to higher military schools and military scientific research institutes, with allowance for the following particular regulations:

- "1) the right to confer academic degrees in the military sciences is granted to the faculties or other organizational units of higher military schools and military research institutes or their organizational units by the Minister of National Defense after consulting the Council for Higher Military Education; in justified instances the right to confer academic degrees in the military sciences can be granted to the academic councils of higher military schools;
- "2) in cases referred to in Article 4, Paragraph 3, the Minister of National Defense may permit studies for the doctoral degree in the military sciences upon consulting the Council for Higher Military Education.
- "3) the agency of appeal in cases relating to the resolutions adopted on doctoral or habilitation proceedings in the military sciences is the Council for Higher Military Education;

"4) the agency confirming the resolution to confer the habilitated doctoral degree in the military sciences is the Council for Higher Military Education;

"5) the Certification Commission of the Council for Higher Military Education guides itself in its activities by the principles and procedure binding on the Central Certification Commission;

"6) the principles for acknowledging the academic degrees in the military sciences that have been earned abroad as the equal of the academic degrees granted in this country are defined by the Minister of National Defense;

"7) the binding list of the academic disciplines in the field of the military sciences is determined by the Minister of National Defense in cooperation with the Minister of Science and Higher Education;

"8) the regulations referred to in Article 14, Paragraph 3, regarding higher military schools and military scientific research institutes, are issued by the Minister of National Defense.

"2. The powers, referred to in Paragraph 1, of the Minister of National Defense and the Council for Higher Military Education, belong correspondingly to the Minister of Internal Affairs and the Higher Education Council of the Ministry of Internal Affairs with respect to specialist scientific disciplines dealing with state security and public order as well as with fire safety.

14) In Article 17 the following Paragraph 6 is added:

"6. An academic title may be granted to a person who fully accepts the Constitutional systemic principles of the Polish People's Republic and guides himself/herself by them in his/her activities."

15) In Article 18:

a) Point 3 of Paragraph 2 is reworded as follows:

"3) the minister exercising jurisdiction or supervision over a scientific-research institute, when this concerns a person employed at that institute -- on the recommendation of the academic council of that institute;"

b) Point 2 of Paragraph 3 is reworded as follows:

"2) the Council for Higher Military Education or the Council for Higher Education at the Ministry of Internal Affairs with respect to, correspondingly, candidates for an academic title in the field of the military sciences or of specialist scientific disciplines concerning state security and public order as well as fire safety;"

c) In Paragraph 4 the expression "or a unit of the research-instructional type" is deleted.

16) Chapter 3 is reworded as follows:

"Chapter 3

"The Central Certification Commission for Academic Personnel

"Article 20. The Central Certification Commission operates under the Chairman of the Council of Ministers.

"Article 21. 1. From 180 to 260 eminent scientists holding academic titles are appointed to membership in the Central Certification Commission.

"2. Participation by representatives of main academic disciplines in the Central Certification Commission should be assured.

"3. Members of the Central Certification Commission are appointed by the Chairman of the Council of Ministers upon the recommendation of the Minister of Science and Higher Education in cooperation with the Scientific Secretary of the Polish Academy of Sciences and the ministers supervising the organizational units employing these persons.

"4. The term of office of the Central Certification Commission is 3 years. In warranted cases the Chairman of the Council of Ministers may prolong the term of office of the Central Certification Commission, but for not longer than one year.

"Article 22. 1. Candidates for members of the Central Certification Commission for its new term of office are identified through a poll conducted by the Central Certification Commission among all persons holding academic titles. Each of these persons has the right to nominate one or two candidates representing the same or allied academic discipline.

"2. The Minister of Science and Higher Education in cooperation with the Scientific Secretary of the Polish Academy of Science and on guiding himself by the results of the poll submits to the Chairman of the Council of

Ministers a list of candidates for membership in the Central Certification Commission.

"3. If the need arises to assure representation by the main academic disciplines, the Minister of Science and Higher Education, may, in cooperation with the Scientific Secretary of the Polish Academy of Sciences place on the list of candidates for membership in the Central Certification Commission persons whose candidacy did not emerge as a result of the poll.

"Article 23. 1. The Presidium of the Central Certification Commission is the office representing that commission in its outside contacts.

"2. The Presidium of the Central Certification Commission consists of:

"1) the chairman of the Central Certification Commission;

"2) the vice chairmen;

"3) the secretary;

"4) the section chairmen;

"5) members.

"Article 24. 1. The chairman of the Central Certification Commission, the vice chairmen and the secretary are appointed by the Chairman of the Council of Ministers upon the recommendation of the Minister of Science and Higher Education, in cooperation with the Scientific Secretary of the Polish Academy of Sciences.

"2. The section chairmen and the members of the Presidium of the Central Certification Commission are selected through election from among members of the Central Certification Commission.

"3. The chairman of the Central Certification Commission, the vice chairmen and the secretary may be subject to permanent appointment.

"Article 24a. The organization and operating procedures of the Central Certification Commission, the scope of activities of its bodies, and the rules for the remuneration of its permanently officiating members are determined by the Chairman of the Council of Ministers.

"Article 24b. The tasks of the Central Certification Commission include, in

particular:

"1) with respect to matters relating to academic degrees:

- "a) issuance of opinions concerning the conferral, suspension, curtailment or revocation of the right to confer academic degrees;
- "b) evaluation of the performance of the organizational units authorized to confer academic degrees, of the level of doctoral and habilitation dissertations and of the correctness of the conduct of doctoral and habilitation proceedings;
- "c) confirmation of the resolutions of faculty councils (academic councils) conferring habilitated doctoral degrees, consideration of requests for reconsidering the matter in the event of nonconfirmation of these resolutions;
- "d) decision on appeals against resolutions of faculty councils (academic councils) regarding doctoral and habilitation proceedings;
- "e) confirmation of conferred habilitated doctoral degrees;

"2) with respect to matters concerning academic titles -- issuance of opinions on recommendations for the conferral of academic titles;

"3) with respect to matters concerning the appointment to docent rank of persons lacking the habilitated doctoral degree -- evaluation of the qualifications of candidates lacking the habilitated doctoral degree."

17) The title of Chapter 4 is reworded as follows:

"Chapter 4

"Special, Interim and Final Provisions"

18) Article 25 is reworded as follows:

"Article 25. The provisions of the Code of Administrative Proceedings do not apply to the matters within the scope regulated by this Decree."

19) The following Articles 28a and 28b are added after Article 28:

"Article 28a. Whenever this Decree refers to the faculty council, this also is construed to mean the senate in single-faculty schools;

"Article 28b. The provisions of this Decree apply correspondingly to aliens who are candidates for academic degrees or titles."

- 20) The expression, employed in various cases, "the Minister of Science, Higher Education and Technology" is replaced by the expression, used in the same cases, "the Minister of Science and Higher Education."

Article 2. 1. The organizational units that are, on the basis of previous regulations, authorized to confer academic degrees, retain this authorization for 2 years since the effective date of this Decree.

2. After the period referred to in Paragraph 1 above expires, the right to confer academic degrees is granted by the procedure and on the principles defined in this Decree.

Article 3. The currently operating Central Certification Commission for Academic Personnel shall continue its operations until the end of the official term for which it was appointed.

Article 4. The Minister of Science and Higher Education shall publish in DZIENNIK USTAW the definitive text of the Decree on Academic Degrees and Academic Titles, with allowance for the changes ensuing from the regulations promulgated prior to the date of issuance of the definitive text and upon adhering to a sequential numbering of articles, paragraphs, points and letters.

Article 5. This Decree becomes effective on the day of its publication.

Chairman of the Council of State: H. Jablonski
Secretary of the Council of State: J. Szymanek

Ministry of Science and Higher Education

Warsaw DZIENNIK USTAW in Polish No 36, Item 169, 12 Aug 85 pp 445-447

[Text of decree: "Decree of 25 July 1985 on the Office of the Minister of Science and Higher Education"]

[Text] Article 1. The Minister of Science and Higher Education is the supreme organ of state administration as regards the development of science, academic and science personnel, and higher education.

Article 2. The Minister of Science and Higher Education:

- 1) assures the conditions indispensable to the development of discrete fields of science;
- 2) organizes the education and upbringing of academic personnel at a high merit-based, civic and ethical level and assures the indispensable academic, organizational and material conditions for its development;
- 3) provides the conditions for the education and upbringing of students with the object of preparing them for participation in the development of the socialist state and the national economy and culture;

- 4) organizes health care and social services for academic youth;
- 5) provides higher schools with every assistance in their activities and development.

Article 3. 1. The scope of activities of the Minister of Science and Higher Education includes matters relating to:

- 1) development of science
- 2) upbringing, education and advanced training of academic personnel;
- 3) conferral of academic degrees and academic titles;
- 4) higher-level education and upbringing of students;
- 5) advanced professional training of employees with higher educational background by higher schools;
- 6) overall supervision of the nation's archival resources;
- 7) publishing policy as regards scientific and academic-instructional publications;
- 8) subjects defined in separate decree provisions.

2. As regards the development of science the Minister of Science and Higher Education:

- 1) prepares draft assumptions of the state's policy on science;
- 2) prepares forecasts for the development of science;
- 3) coordinates matters relating to the funding, implementation and monitoring of the central research programs entrusted to him as well as of -- in cooperation with the Polish Academy of Sciences -- the basic and applied research not comprised in these programs;
- 4) assures the provision of material conditions for the development of research laboratories.

3. As regards higher education, the Minister of Science and Higher Education:

- 1) offers recommendations concerning the establishment, disbanding, mergers and transformations of higher schools;
- 2) prepares, in accordance with the provisions of longrange plans, national socioeconomic plans and central annual plans, drafts of:
 - a) main directions of scientific research and the training and development of personnel in the field of higher education;
 - b) research plans for higher education;

3) determines:

- a) longrange and periodic plans for the development of higher education;
- b) principles for the organization of studies;
- c) directions and principles of personnel and social policies in higher education.

4. With respect to the higher schools subordinate to him the Minister of Science and Higher Education:

1) determines:

- a) the principles and limits of admissions to the freshman year;
- b) the principles for drafting study plans and curriculums;
- c) specific principles for the funding of the scientific research conducted at higher schools and principles for cooperation between higher schools and units of the national economy and other institutions;
- d) principles for cooperation between higher schools and foreign centers.

2) confirms study plans, curricula and upbringing programs;

3) performs the allocation of funds and material resources among higher schools.

5. The scope of activities of the Minister of Science and Higher Education includes:

- 1) participation in the drafting and implementation of longrange plans, national socioeconomic plans and central annual plans;
- 2) foreign cooperation;
- 3) organization of a science information system.

6. The Minister of Science and Higher Education implements the tasks ensuing from this decree with allowance for the competences of other supreme and central agencies of the state administration as well as the Polish Academy of Sciences.

Article 4. 1. As part of his exercise of supervision and control over the higher schools subordinate to him the Minister of Science and Higher Education may:

- 1) inspect the activities of the schools and demand appropriate explanations from school offices and collegial bodies operating in schools pursuant to the provisions of the decree on higher education or the school statute, hereinafter referred to as "other collegial bodies";
- 2) in the event of inertia in implementing the findings of the inspection, issue to school offices recommendations to eliminate the identified violations of the law or of important social interests.

2. To assure a fuller participation of higher schools in the cause of a broad development of science, culture and the national economy, as well as in consideration of important social interests, the Minister of Science and Higher Education may, upon consulting the rector and the senate, impose on a subordinate higher school the duty of implementing a particular scientific or instructional task, on indicating the material resources for its implementation; he may also introduce appropriate revisions in the school's material-financial plan.

3. With the object of streamlining employment at higher schools and adapting their organizational structure to the scope of their instructional, upbringing and academic tasks, the Minister of Science and Higher Education may, upon consulting the rector and the senate, define the standards for staffing a school or its discrete organizational units, as well as introduce changes in the school's organizational structure.

4. In the event of a glaring violation of the law or of important social interests at a subordinate higher school, the Minister of Science and Higher Education recommends to appropriate offices of the school the elimination of the identified violations before a fixed deadline; in the event that deadline expires without anything effective being done, he may, depending on the nature of these violations:

- 1) waive or halt the implementation of a resolution or decision of the school's offices or bodies;
- 2) recall from his/her post the person exercising the duties of a top administrator or deputy, or of the director or deputy director of an organizational unit at the school, or a person who is an elected member of a collegial organ or other collegial body;
- 3) suspend for a time the constituent rights of a collegial organ or other collegial body at the school or disband it;
- 4) suspend for a definite period instructional activities or operation or disband an organizational unit at the school;
- 5) suspend the applicability of specified provisions of the school statute and at the same time define the operating procedure on matters regulated by these provisions.

5. Decisions of the Minister of Science and Higher Education on matters referred to in Paragraph 4 above may be appealed to the Supreme Administrative Court on the principles and through the procedure defined in the Code of Administrative Proceedings.

Article 5. Implementing the state's policy so far as the scope of his activities is concerned, the Minister of Science and Higher Education coordinates the activities of other agencies of state administration and exercises supervision over his subordinate state organizational units and state enterprises for which his office is the parent agency.

Article 6. Within the scope of his competences the Minister of Science and Higher Education:

- 1) cooperates with supreme and central bodies of state administration and the Polish Academy of Sciences;
- 2) cooperates -- to the extent and on principles defined by separate regulations -- with the Main Council for Science and Higher Education, the Central Certification Commission for Academic Personnel, trade unions, scientific associations and other social organizations.

Article 7. 1. The Council of Ministers shall, by way of an ordinance, define the particular scope of action of the Minister of Science and Higher Education.

2. The organizational structure of the Ministry of Science and Higher Education and the organizational units subordinated to the Minister of Science and Higher Education are defined in the statute granted by the Council of Ministers.

Article 8. The Decree of 29 March 1972 on the Establishment of the Office of the Minister of Science and Higher Education (DZIENNIK USTAW, Item 70, No 11, 1972; and Item 280, No 55, 1984) is hereby abrogated.

Article 9. This Decree becomes effective on the day of its publication.

Chairman of the Council of State: H. Jablonski
Secretary of the Council of State: J.Szymanek

R&D Organizations

Warsaw DZIENNIK USTAW in Polish No 36, Item 170, 12 Aug 85 pp 447-457

[Text of decree: "Decree of 25 July 1985 on Research and Development Organizations"]

[Text] In order to deepen the integration of science with practice, accelerate progress in science and technology and enhance their effect on the country's socioeconomic development, the following is hereby established:

Chapter 1

General Provisions

Article 1. 1. R&D organizations as construed by this Decree are the state organizational units that constitute entities from the legal, organizational and economic-financial standpoints and that are established with the object of conducting scientific research and research-and-development work whose results should find application in particular fields of the national economy and societal life.

2. R&D organizations are:

- 1) scientific research institutes;
- 2) R&D centers, central laboratories and other organizational units whose main purpose is to conduct the activities referred to in Paragraph 1 above.
3. R&D organizations are legal entities.
4. The provisions of this Decree do not apply to the scientific institutes of higher schools and the institutions of the Polish Academy of Sciences.

Article 2. 1. R&D organizations provide conditions favorable to the creative and professional growth of their staffs as well as to shaping socialist labor relations and principles of social coexistence.

2. The tasks of R&D organizations include in particular:

- 1) the conduct of scientific and R&D work and the adaptation of its results to practical applications;
- 2) the dissemination of the findings of scientific research and development work;
- 3) active refinement of methods of conducting scientific research and R&D work;
- 4) the conduct of complementary activities, particularly as regards training; scientific, technical and economic information; inventions and the protection of industrial and intellectual property;
- 5) the preparation of analyses and assessments of the status and development of discrete fields of science and technology, as well as the drafting of proposals for utilizing in this country the achievements of world science and technology.

3. R&D organizations may perform the production of apparatus and equipment as well as undertake other economic or service-providing activities for domestic and export needs insofar as they belong within the scope of their activities.

4. R&D organizations granted the right to confer academic degrees as well as appropriate material-technical conditions may offer postgraduate studies.

Article 3. A R&D organization may be established if:

- 1) there arises a need to conduct in a given field the activities referred to in Article 2, Paragraph 2;

2) the following requirements, corresponding to the organization's nature and scope of action, are met:

- a) a sufficient number of employees with suitable qualifications;
- b) adequate research and laboratory apparatus, information potential and technical equipment and other indispensable material-technical conditions.

Article 4. 1. The nature and scope of activities of the R&D organization, its appellation and seat, and the agency exercising supervision over it, are defined in its founding act.

2. The agency founding the R&D organization provides it with the means needed to conduct the activities defined in its founding act.

3. The specific nature and scope of activities of the R&D organization are defined in its statute, granted by the agency exercising supervision over it.

4. The organizational structure of the R&D organization, corresponding to the nature and scope of its activities, is defined in the organizational regulations determined by its director.

Article 5. 1. The R&D organization may, by means of an agreement, join an association of state enterprises or associate itself with other R&D organizations.

2. The R&D organization may join a joint stock company and, by means of a contract with other domestic or foreign organizational units, engage in joint undertakings and establish experimental plants or other joint organizational cells.

3. The conditions for the formation of organizational units operating jointly with foreign organizations as well as their operating principles are determined by separate regulations.

Chapter 2

Formation, Mergers, Splitting, Transformation and Disbanding of R&D Organizations

Article 6. 1. The formation of a R&D organization with an inter-ministerial or intersubsector scope of activities takes place by means of a resolution of the Council of Ministers.

2. The formation of a R&D organization other than that defined in Paragraph 1 above occurs in cooperation with the Minister-Director of the Office for Science and Technology Progress and Applications and the Minister of Finance, by way of an ordinance issued by the appropriate minister, director of a central office, the chairman of Narodowy Bank Polski and the province governor acting to implement a resolution of the province people's council.

3. The formation of a R&D organization by an association of state enterprises occurs by way of an agreement concluded among the interested state enterprises and with the consent of the Minister-Director of the Office for Science and Technology Progress and Applications. Joint R&D organizations are formed and registered as limited responsibility companies pursuant to provisions of the Commercial Code.

Article 7. 1. R&D organizations may be merged, split up, transformed or disbanded through the procedure governing their formation.

2. The merger, splitting, transformation or disbanding of a R&D organization may occur if the organization fails to implement the tasks for which it was established, if it is not implementing these tasks efficiently, or if this is dictated by the prospect of lasting and measurable economic advantages.

3. The merger, splitting, transformation or disbanding of a R&D organization is ordered by its parent agency, upon the recommendation of the supervising agency, the Minister-Director of the Office for Science and Technology Progress and Application or the director of the R&D organization itself.

4. The Council of Ministers defines, by way of an ordinance, the specific conditions and procedure for the merger, splitting, transformation and disbanding of R&D organizations.

Article 8. 1. To promote a comprehensive solution of scientific and technological problems, accelerate the application of the results of R&D work to economic practice and conduct up-to-date manufacture of products or provision of services of major importance to the national economy, organizations of a multifunctional nature, hereinafter referred to as "science and production centers," may be established.

2. The formation of a science and production center also occurs through the merger of R&D organizations with other state economic organizations, particularly with production, design and experimental organizations.

3. A science and production center is a particular type of a multiplant state enterprise of basic importance to the national economy, and it operates pursuant to the provisions governing state enterprise, on applying the proviso of Paragraphs 5 and 6 below.

4. The R&D organizations that are part of a science and production center may operate as autonomous units conducting their own accounting on principles binding for R&D organizations.

5. The Council of Ministers, by way of an ordinance, defines:

- 1) the particular principles and procedure for forming science and production centers and the agencies authorized to establish them;
- 2) the applicability to science and production centers of the provisions of this Decree, with allowance for their special nature.

6. The Council of Minister may, by way of an ordinance, adapt to the particular nature of science and production centers the provisions governing state enterprises and the workforce self-government at these enterprises.

7. The science and production centers existing on the effective date of this Decree become science and production centers as construed by this Decree if, within 12 months from the effective date of this Decree, they adapt their organizational structure to the requirements ensuing from this Decree; in the event of failure to meet this condition, such science and production centers are subject to being shut down.

8. The Council of Ministers defines, by way of an ordinance, the particular principles and procedure for adapting the organizational structure of the units referred to in Paragraph 7 above to the requirements ensuing from this Decree, and the principles and procedure for disbanding the units referred to in the last sentence of Paragraph 7 above.

Article 9. 1. The R&D organization is subject to being entered in the registry of R&D organizations, hereinafter referred to as "the registry."

2. The registering agency is the court. The proper court for conducting the registration by the procedure defined in the provisions of the law concerning the structure of civil courts, is named by the Minister of Justice.

3. The application for entering a R&D organization in the registry is submitted together with: a copy of the organization's founding act as well as other documents whose submission is required by the implementing regulations issued on the basis of this Decree.

4. The registering agency verifies the legal conformity of the contents of the documents representing the basis for making an entry in the registry.

5. The registry is accessible to persons who have a legal interest in it, with the exception of data that are covered by state or service secrets.

6. The R&D organization becomes a legal entity once it is entered in the registry.

7. The Council of Ministers defines, by way of an ordinance, the principles and procedure for keeping the registry of R&D organizations, the data subject to being entered in that registry, the requirements to be met by the application for registration, the procedure for making entries, revisions and deletions in the registry, and the principles for providing access to the registry as well as the requirements for issuing copies and extracts from that registry.

Chapter 3

Principles of the Management of R&D Organizations

Article 10. 1. The R&D organization manages independently its allotted or acquired part of public property, and it manages itself independently within the framework of the resources it owns, on guiding itself by the principle of utilizing them efficiently.

2. The agency exercising supervision over the R&D organization may deprive that organization of parts of its allotted or acquired property only in the event of a merger or breakup or a transformation conducted pursuant to the provisions of this Decree.

3. In the event of dissolution of the R&D organization, the allocation of its property is decided upon by the agency exercising supervision over it.

4. The R&D organization may dispose of its fixed capital; this is done pursuant to the corresponding provisions applying to state enterprises.

5. The basis for the economic management of the R&D organization is its material-financial plan determined by its director.

6. The R&D organization may avail itself of credit on terms specified in separate regulations.

Article 11. 1. The R&D organization performs transactions in its own behalf and to its own account.

2. The R&D organization defrays its current operating expenditures from its income.

3. The R&D organization is responsible for its own obligations.

4. The R&D organization is not responsible for the obligations of the State Exchequer or other legal entities. The State Exchequer is not responsible for the obligations of the R&D organization.

5. The R&D organization may derive income from the application and dissemination of the results of its activities, and it may share in the resulting economic benefits pursuant to provisions defined in separate regulations.

Article 12. The R&D organization generates and disposes of funds designated for:

- 1) the reproduction and development of its own material base;
- 2) own research (work);
- 3) material incentives;
- 4) social and housing services;
- 5) defraying eventual losses.

2. Funds of R&D organizations that remain unutilized during a given calendar year are transferred to the next year.

Article 13. Depending on its financial possibilities and in accordance with the binding regulations governing emoluments, the R&D organization independently determines the extent of funds to be disbursed on emoluments.

Article 14. 1. The R&D organization may engage in foreign-trade activities on principles defined in separate regulations.

2. The R&D organization disposes of the foreign exchange earned as a result of foreign cooperation.

Article 15. The Council of Ministers defines, by way of an ordinance, the detailed principles of the financial management of R&D organizations.

Article 16. 1. In cases warranted by the subject matter and nature of their activities and the thematics of their research work, R&D organizations may conduct their financial management in accordance with the principles provided for in the budget law.

2. The R&D organizations referred to in Paragraph 1 above are, upon the recommendation of their supervising agencies, named by the Minister-Director of the Office of Science and Technology Progress and Applications in cooperation with the Minister of Finance.

3. The provisions of Article 5, Paragraph 1, and Articles 10-15 do not apply to the R&D organizations referred to in Paragraph 1 of this Article.

Chapter 4

Organs of the R&D Organization

Article 17. The organs of the R&D organization are:

- 1) the director;
- 2) the scientific council;
- 3) the general meeting of personnel;
- 4) the workforce council.

Article 18. 1. The director directs the R&D organization and, in particular:

- 1) determines the plans of activity of the R&D organization;
- 2) implements personnel policies, cooperating in this respect with the party organization and the allied political parties operating at the R&D organization;
- 3) administers the assets and is responsible for the performance of the R&D organization;
- 4) represents the R&D organization;
- 5) takes decisions on all matters concerning the R&D organization, excepting those that belong in the scope of activities of other organs of that organization.

2. The director of the R&D organization is appointed by the agency exercising control over that organization, upon consulting the scientific council and the workforce council. The director is appointed for a period of 5 years or for an indefinite period. In the event that the person appointed to the post of director is not a staff member of the R&D organization, appointment to that post entails establishing an employment relationship with that organization.

3. The post of director of a R&D organization may be exercised by a person who:

- 1) holds an academic title or an academic degree or distinguishes himself/herself by his/her fund of knowledge and creative contributions to the field encompassed in the scope of activities of the R&D organization;
- 2) shows ability for organizing scientific work;
- 3) displays a high ethical level and fully accepts the Constitutional systemic principles of the Polish People's Republic.

4. The search for the candidate for the post of director of a R&D organization is organized by the supervision-exercising agency.

5. The search for the post of director is conducted by a search committee appointed by the supervision-exercising agency.

6. The search committee consists of representatives of the supervision-exercising agency, the scientific council, the workforce council, the trade union and the party and the allied political parties active at the R&D organization. The statute of the R&D organization may provide for the participation of representatives of scientific and socio-professional societies, as well as of other organizational units, in the membership of the search committee, and particularly of representatives of scientific institutions and of the bank financing the activities of the R&D organization.

7. The Minister-Director of the Office of Science and Technology Progress and Applications defines the specific principles for the conduct of the search.

Article 19. The director of the R&D organization is recalled by the agency exercising supervision over that organization, upon consulting the scientific council and the workforce.

Article 20. 1. The deputy directors, the chief accountant and the heads of the organizational cells of the R&D organization are appointed and recalled by the director upon consulting the scientific council and the workforce council.

2. The deputy directors and the heads of the organizational cells are appointed for a 5-year period or for an indefinite period.

3. The deputy director for science may be a person holding an academic title or a habilitated doctoral degree.

4. The provisions of Point 3, Paragraph 3, Article 18, apply correspondingly to the deputy directors.

5. The statute of the R&D organization may provide for:

- 1) [establishing] the post of scientific secretary of the R&D organization, to whom the provisions of Paragraphs 1, 2 and 4 above apply correspondingly;
- 2) appointing a collegium or other advisory-consultative bodies under the director; the members of these bodies are appointed by the director.

6. The director of the R&D organization may appoint plenipotentiaries for implementing specific tasks and determine the scope and period of their powers.

Article 21. 1. The director halts the implementation of a workforce resolution if it is inconsonant with the law. The director notifies the workforce council correspondingly within 3 days. The decision of the director to halt the implementation of a resolution of the workforce should be issued in writing and provide the legal and factual rationale.

2. In the event a dispute arises between the director and the workforce council in cases referred to in Paragraph 1 above, the dispute is resolved by the supervision-exercising agency within not more than 14 days from the date a request for considering the matter is transmitted thereto.

Article 22. 1. The scientific council is the initiating, consultative and advisory body of the R&D organization as regards the conduct of scientific activities and R&D work, as well as in matters relating to the development of science, research and technology personnel.

2. In particular, the tasks of the scientific council include:

- 1) outlining -- within the framework of the statutory tasks of the R&D organization -- the longrange directions of research, development and application activities;
- 2) issuing opinions on draft plans of activity of the R&D organizations and on the principal research, development and application projects, as well as evaluating the results of these projects;
- 3) considering reports on science, research and development activities as well as on patenting and licensing activities;
- 4) issuing opinions on the draft statute of the R&D organizations and on proposals for revising it;
- 5) issuing opinions on recommendations for granting stipends and scholarships;
- 6) issuing opinions on the qualifications of candidates for the posts of science and research-and-technology associates as well as -- upon the recommendation of the director of the R&D organization -- periodically evaluating the science and technology contributions of these persons;

7) offering recommendations for the conferral of academic titles and, within the limits of its rights, conducting doctoral and habilitation degree proceedings;

8) issuing opinions on candidates for the post of director and deputy directors of the R&D organization as well as offering recommendations for the recall of persons holding these posts.

3. The specific requirements that must be met by the scientific councils of R&D organizations authorized to confer academic degrees are defined by separate regulations.

Article 23. 1. Those appointed to membership in the scientific council may be:

1) among the personnel of the R&D organizations -- persons holding an academic title or an academic degree as well as persons employed in the posts of professors or docents;

2) outside the personnel of the R&D organization -- persons holding an academic title or a habilitated doctoral degree, as well as other persons distinguished by their fund of knowledge and practical contributions to the field comprised within the scope of activities of the R&D organization.

2. Members of the scientific council, whose number is determined by the statute of the R&D organization, are appointed by the supervision-exercising agency for a period of 5 years upon the recommendation of the director of the R&D organization. In particularly warranted cases a member of the scientific council may be recalled prior to the expiration of the period for which he was appointed.

3. The operating principles and procedure of the scientific council are defined in its bylaws, adopted by a majority of two-thirds of the members of the council. The proportion of council members lacking an academic title or degree may not exceed 25 percent of the total number of members.

Article 24. 1. The scientific council elects its chairman and vice chairmen by secret balloting.

2. The chairman of the scientific council may be a person holding the academic rank of professor or a habilitated doctoral degree.

3. The provisions of Paragraph 2 above apply correspondingly to the vice chairmen of the council.

4. The post of chairman of the scientific council may not be linked to the post of director or deputy director of the R&D organization.

Article 25. 1. The following take part in sessions of the scientific council:

1) the director of the R&D organization and his deputies;

2) representatives of:

- a) the workforce council;
- b) the party and the allied political parties;
- c) the trade union;
- d) scientific and socio-professional societies.

2. The number of the representatives referred to in Point 2, Paragraph 2, is specified in the bylaws of the scientific council.

3. Sessions of the scientific council may be attended by invited experts as well as by representatives of the organizational units cooperating with the R&D organization.

Article 26. 1. The competences of the general meeting of the personnel include:

- 1) election of the workforce council for a term of 3 years;
- 2) voting the statute of the workforce council;
- 3) performing an annual evaluation of the activities of the workforce council.

2. The resolutions of the general meeting of the personnel are passed by an ordinary majority of votes, and their validity requires a quorum of at least one-half of the personnel of the R&D organization.

3. General meetings of personnel are convened by the workforce council at least once a year; in addition, the council is dutybound to convene such a meeting upon the recommendation of the director or the scientific council as well as of one-fifth of the personnel.

Article 27. 1. The active right to elect members of the workforce council belongs to every employee of the R&D organization.

2. The passive right to elect members of the workforce council belongs to any employee of the R&D organization who has worked in that organization for at least 3 years. This requirement does not apply to the personnel of newly established organizations.

3. Specific principles and procedure for electing members of the workforce council as well as principles for the loss of mandate or recall of a council member are defined in the statute of the workforce council.

Article 28. 1. The competences of the workforce council include:

- 1) adopting resolutions concerning the principles for the utilization of funds for social-service and housing purposes;
- 2) issuing opinions on the draft statute of the R&D organization and on proposals to revise it;

- 3) issuing opinions on the merger, breakup, transformation and dissolution of the R&D organization;
- 4) expressing its opinions on:
 - a) annual plans of the R&D organization;
 - b) annual reports of the director on the performance of the R&D organization and on its balance sheets;
 - c) candidates for the post of director and deputy directors of the R&D organization;
 - d) other matters relating to the activities of the R&D organization, with the exception of matters belonging in the competences of the scientific council.
- 5) issuing opinions on the director's recommendations concerning:
 - a) joining the R&D organization to an association;
 - b) joining the R&D organization to a joint stock company;
 - c) joint projects and the formation of joint organizations.

2. The resolutions referred to in Point 1, Paragraph 1 above, are of a binding nature to the director.

3. The director of the R&D organization makes accessible to the workforce council indispensable information on the activities of the R&D organization, together with appropriate documentation, and provides the material and organizational conditions for its operation.

4. The workforce council cooperates with trade unions, political and youth organizations, and other socio-professional and socio-occupational organizations active at the R&D organization.

Article 29. 1. The termination of the employment relationship with a member of the workforce council during its official term as well as within a year following the expiration of that term requires the consent of that council, with the exception of cases in which:

- 1) the employment relationship is terminated without prior notice;
- 2) dismissal is ordered on the basis of a verdict of the disciplinary commission.

2. The working conditions and emoluments of members of the workforce council cannot be altered to their disadvantage during the period defined in Paragraph 2 above.

3. Activities within the workforce council are of a prosocial nature.

4. Members of the workforce council retain the right to be paid for the time during which they do not carry out their work owing to the implementation of council tasks during working hours.

Chapter 5

Supervision of the Activities of the R&D Organization

Article 30. 1. The R&D organization is subject to supervision exercised by the agency named in the act ordering its establishment.

2. The supervising agency monitors and evaluates the activities of the R&D organization and the performance of the director.

3. In the event it finds that a decision of the director of the R&D organization is contrary to the law, the supervising agency halts its implementation and places the director under the obligation of altering or withdrawing it.

4. The decision, referred to in Paragraph 3 above, of the supervising agency may be appealed to an administrative court on the principles and through the procedure specified in the Code of Administrative Proceedings.

Article 31. 1. The supervising agency may place the R&D organization under the obligation of incorporating tasks in its plan, or it may assign to it a task outside the plan, if so required by the needs of national defense, in the case of a natural disaster or with the object of implementing international obligations, or if the task is comprised in the national socio-economic plan or the central annual plan.

2. In cases referred to in Paragraph 1 above the supervising agency provides the R&D organization with the resources for implementing the task in question, unless the task is implemented in return for a financial consideration, on the basis of a contract.

3. In the event the R&D organization suffers damage owing to the implementation of the task imposed by the supervising agency, that agency is dutybound to repair the damage.

Chapter 6

Personnel of R&D Organizations

Article 32. The R&D organization may employ:

- 1) scientific associates;
- 2) research-and-technology associates;
- 3) engineers and technicians;
- 4) administrative and business-office personnel;
- 5) library personnel and science documentation workers;
- 6) health service personnel;

7) blue-collar workers;

8) service and other personnel.

Article 33. 1. Scientific associates and research-and-technology associates may be employed by organizational units that are not R&D organizations but that conduct or coordinate scientific work.

2. The units referred to in Paragraph 1 above are identified by the Minister of Science and Higher Education in cooperation with the Minister-Director of the Office of Science and Technology Progress and Applications.

3. The provisions of Articles 34-49, 55-61, 69, 70 and 72-75 apply correspondingly to the scientific associates and research-and-technology associates employed in the units referred to in Paragraph 1 above.

4. A scientific council may be called into being in any of the organizational units referred to in Paragraph 1 above.

Chapter 7

Scientific Associates

Article 34. 1. A scientific associate may be a person holding the academic qualifications required by this Decree, who has high ethical standards and who fully accepts the Constitutional systemic principles of the Polish People's Republic.

2. The principal duty of the scientific associate is to implement the aims and tasks of the R&D organization, and in particular to conduct research and development activities promoting a steady development of science and technology.

Article 35. 1. A scientific associate may be a person employed in the post of:

1) professor;

2) docent;

3) adjunct professor;

4) senior assistant;

5) assistant;

6) junior assistant.

2. The statute of the R&D organization may also provide for establishing posts of contract (contractually hired) professors and docents.

3. Persons holding the position of contract professor or contract docent may not perform the duties of the deputy director for science or the scientific secretary of the R&D organization.

4. Persons hired for the position of docent hold the habilitated doctoral degree or the doctoral degree and a record of appropriate technological, design or invention-related accomplishments, confirmed by the Central Certification Commission for Academic Personnel.

5. The Minister-Director of the Office for Science and Technology Progress and Applications defines, in cooperation with the Minister of Science and Higher Education and upon consulting the Central Certification Commission for Academic Personnel, the disciplines in which persons holding the doctoral degree in an appropriate field of science as well as a record of eminent practical accomplishments may be hired for the position of docent.

6. A person lacking a academic title or degree who has a record of eminent and creative practical or scientific accomplishments may be hired for the position of contract professor or contract docent with the consent of the scientific council.

7. The procedure for the qualifying proceedings prior to employment in cases referred to in Paragraph 6 above is determined by the Minister-Director of the Office for Science and Technology Progress and Applications in cooperation with the Minister of Science and Higher Education and upon consulting the Central Certification Commission for Academic Personnel.

Article 36. 1. Scientific associates include library science graduates and science documentation graduates.

2. Library science graduates and science documentation graduates are correspondingly employed in the following positions:

- 1) senior licensed curator or senior licensed documentalist;
- 2) licensed custodian or licensed documentalist;
- 3) adjunct professor of library science or adjunct professor of science documentation;
- 4) library assistant or science documentation assistant.

Article 37. The employment relationship with a scientific associate is established on the basis of an appointment or an employment contract.

2. Scientific associates employed in the positions of professor and docent are appointed for an indefinite period; the appointment is made by the supervising agency upon the recommendation of the director of the R&D organization.

3. The employment relationship with scientific associates other than those referred to in Paragraph 2 is based on concluding a labor contract.

4. Establishing an employment relationship with a scientific associate for whom the R&D organization is a place of additional employment occurs on the basis of an employment contract.

5. Scientific associates are subject to periodic evaluations of their scientific and technological contributions, performed by the scientific council in accordance with the principles and procedure defined by the Minister-Director of the Office for Science and Technology Progress and Applications.

6. The recall of a scientific associate from the duties entrusted to him at the R&D organization does not entail the termination of employment relationship.

Article 38. 1. The duties of the scientific associate include the implementation of the statutory tasks of the R&D organization, in particular by means of:

1) creative scientific activity consisting in the solution of scientific problems so as to benefit social and economic practice;

2) practical application of the results of scientific research;

3) upgrading personal qualifications;

4) disseminating the achievements of science through, among other things, publishing activity and active participation in scientific life;

5) training of junior personnel;

6) participation in the organizational work of the R&D organization relating to scientific, instructional or artistic activities, and at R&D organizations supervised by the Minister of Health and Social Welfare, also participation in medical care and prophylactic and diagnostic treatment as well as in other service-providing activities in behalf of the social health protection system.

2. The provisions of Point 5 of Paragraph 1 above do not apply to the scientific associates holding the positions of senior assistant, assistant and junior assistant.

3. The Minister of Health and Social Welfare defines the nature and scope of the medical care, prophylactic and diagnostic activities and other services referred to in Point 6 of Paragraph 1 above, provided by the R&D organization in behalf of the social health protection system, as well as the principles for remunerating these activities and services.

Article 39. An appointed scientific associate who assumes for the first time the position of docent or professor deposes the following oath: "Being

fully aware of my duties, I do solemnly swear to take an active part in the scientific research, development, organizational and popularizing activities of the R&D organization, to systematically upgrade my personal scientific and professional qualifications, to guide myself in my conduct by the good of the State and the Constitutional principles of the Polish People's Republic and to guard the dignity of the scientific associate."

Article 40. 1. The employment relationship with an appointed scientific associate is subject to being terminated after a 3-month advance notice upon own request of the scientific associate as well as in cases of:

- 1) permanent incapacitation for scientific work, due to illness and confirmed by a decision of the medical commission for disability and employment;
- 2) eligibility for retirement pursuant to the provisions governing the retirement pensions of employees and their families, with the exception of the case defined in Point 2 of Paragraph 2 below;
- 3) failure to perform basic duties, as established by the procedure defined in Paragraph 5 of Article 37;
- 4) dissolution of the R&D organization.

2. The employment relationship with an appointed scientific associate is subject to termination without advance notice in the following cases:

- 1) in the event of incapacity for work owing to illness if the duration of that illness exceeds one year; in particularly warranted cases, after the medical commission finds improvement in state of health and the possibility of return to work, the period of illness-caused absence from work may be extended for more than a year, but for not longer than 2 years;
- 2) with the end of the calendar year in which the associate ends the 70th year of his life;
- 3) in the event of a glaring failure to perform the principal duties of the scientific associate, as established through the procedure defined in the provisions of Paragraph 5 of Article 37; the termination for this reason of the employment relationship with the scientific associate requires the consent of the Chairman of the Council of Ministers.

3. The employment relationship with an appointed scientific associate is subject to dissolution at any time with the consent of both parties.

Article 41. The employment relationship with an appointed scientific associate is legally terminated in the event of:

- 1) punishment through disciplinary proceedings in the form of dismissal from work;

- 2) sentencing to deprivation of civil rights or of the right to exercise one's profession;
- 3) deprivation of academic rank;
- 4) sentencing to deprivation of freedom -- after a month from the date of sentencing;
- 5) abandonment of work;
- 6) refusal to swear the oath.

Article 42. Appointed scientific associates bear disciplinary responsibility for any glaring violation of their duties or for conduct detrimental to the dignity of the scientific associate.

Article 43. 1. The following bodies decide on disciplinary matters concerning appointed scientific associates:

- 1) in the first instance -- disciplinary commissions appointed by the supervising agencies;
- 2) in the second instance -- a higher disciplinary commission appointed by the Minister-Director of the Office for Science and Technology Progress and Applications.

2. Members of the disciplinary commissions, including the chairman and the vice chairmen, are appointed for a period of 4 years.

3. Disciplinary commissions operate in teams of three persons each.

4. The Council of Ministers defines by way of an ordinance the specific principles for the formation and organization of disciplinary commissions, the appointment of commission members and disciplinary spokesmen, the disciplinary proceedings and the execution of disciplinary penalties as well as their pardoning and erasure from the record.

Article 44. In cases not regulated by this Decree the provisions applying to research-instructional personnel in higher schools apply correspondingly to scientific associates.

Chapter 8

Research-and-Technology Personnel

Article 45. The principal duty of the research-and-technology associate is to implement the purposes and tasks of the R&D organization, and especially to take an active part in the solution of scientific and technological problems, to explore the practical applications of such solutions and to participate in their application and dissemination.

Article 46. 1. A research-and-technology associate is a person holding the post of:

- 1) chief research-and-technology specialist;
- 2) senior research-and-technology specialist;
- 3) research-and-technology specialist.

2. Persons eligible for the position of chief research-and-technology specialist have the doctoral degree or grade-2 professional specialization or the rights defined in the decree on patent attorneys.

3. Persons eligible for the position of senior research-and-technology specialist have:

- 1) grade-1 professional specialization, in the professions in which specialization has been introduced by separate regulations;
- 2) a higher-school diploma and properly documented substantial research, design or patent accomplishments, organizational, economic or artistic accomplishments or their equivalent in the professions in which specialization has not been introduced, as well as at least a 5-year record of work in the specialty concerned.

4. Persons eligible for the position of research-and-technology specialist have:

- 1) a higher-school diploma and properly documented research, project, design, patent, or technological accomplishments, organizational, economic or artistic accomplishments or their equivalent, and
- 2) a 5-year record of work in the specialty concerned.

Article 47. The duties of the research-and-technology associate include the implementation of the statutory tasks of the R&D organization, in particular by means of:

- 1) participation in the solution of the scientific problems being worked on by the R&D organization;
- 2) adaptation of research results to practical needs;
- 3) conduct of work in the field of project and structural design, technologies, organization and medical techniques, and participation in its practical application;
- 4) conduct of experimental work;
- 5) conduct of work relating to the protection of industrial property, auctorial rights and invention rights;

- 6) participation in the organizational work relating to the activities referred to in Points 1-4 above.

Article 48. The employment relationship with a research-and-technology associate is established on the basis of an employment contract.

Article 49. The Council of Ministers defines, by way of an ordinance, the procedure for the qualifying proceedings prior to employment in research-and-technology positions, as well as the principles for granting qualification-category pay allowances to these employees and the size of these allowances.

Chapter 9

Engineer and Technician Personnel

Article 50. 1. Engineer and technician personnel are employed on the basis of employment contracts.

2. The duties of engineer and technician personnel include in particular:

- 1) implementation of tasks relating to the servicing of the work ensuing from the activities of the R&D organization;
- 2) conduct of the experimental and laboratory work carried on by the R&D organization;
- 3) implementation of the tasks relating to the repair and maintenance of research equipment and other technical facilities owned by the R&D organization.

Article 51. The qualifications of engineer and technician personnel required for holding particular job positions are defined by the regulations governing remuneration.

Chapter 10

Administrative and Business Office Personnel

Article 52. 1. Administrative and business office personnel are employed on the basis of employment contracts.

2. The duties of administrative and business office personnel include in particular:

- 1) administering the assets of the R&D organization;
- 2) solving the economic problems of the R&D organization and handling matters relating to shaping legal relations with other organizations;

- 3) performing work relating to planning, financing and reporting on the activities of the R&D organization;
- 4) providing administrative and social services to the employees of the R&D organization.

Article 53. The qualifications of administrative and business office personnel are defined in the regulations governing remuneration.

Chapter 11

Other Personnel

Article 54. 1. The employees referred to in Points 5-8 of Article 32 are hired on the basis of employment contracts.

2. The duties of the employees referred to in Paragraph 1 above include the implementation of tasks defined in separate regulations or ensuing from their professional or occupational specialization, or defined in the organizational rules of the R&D organization.

3. The qualifications of the employees referred to in Paragraph 1 above are defined by separate regulations or by the regulations governing remuneration.

Chapter 12

Rights of Employees of the R&D Organization

Article 55. 1. The principles for the remuneration of employees of the R&D organization, as well as their qualifications as required pursuant to the provisions of Articles 51 and 53 and Paragraph 3 of Article 54, are defined by way of an ordinance by the Council of Ministers.

2. Employees of the R&D organization are entitled to the following seniority pay allowances:

- 1) for scientific associates and research-and-technology employees -- 3 percent of monthly base pay after 3 years of work, increased by 1 percent for each additional year of work, until 20 percent after 20 years of work;
- 2) for other employees of the R&D organization -- 5 percent of monthly base pay after 5 years of work, increased by 1 percent for each additional year of work, until 20 percent after 20 years of work.
3. The Minister-Director of the Office for Science and Technology Progress and Applications defines, in cooperation with the Minister of Labor and Social Services, the principles for crediting the periods of work warranting pay allowances referred to in Paragraph 2 above.

4. For longtime work in a R&D organization, employees are entitled to the following anniversary awards:

- 1) after 20 years of work -- 75 percent of monthly pay;
- 2) after 25 years of work -- 100 percent of monthly pay;
- 3) after 30 years of work -- 150 percent of monthly pay;
- 4) after 35 years of work -- 200 percent of monthly pay;
- 5) after 40 years of work -- 300 percent of monthly pay.

5. The provisions of Article 4 become effective on 1 January 1987. Until that date eligible employees continue to receive anniversary awards on the basis of heretofore binding principles.

Article 56. 1. The working time of employees of the R&D organization is 40 hours weekly, with the exception of blue-collar workers, service personnel, motor vehicle drivers and security personnel, unless special regulations provide for a different work norm.

2. Provisions governing the working time of employees of the public health service apply correspondingly to the working time of the employees of the R&D organizations supervised by the Minister of Health and Social Welfare.

3. Work schedules are determined by work regulations.

4. If so required by the needs of the R&D organization, its employees may work overtime and, in special instances, also at night as well as on days off, on the principles defined in the Labor Code.

5. The provisions of Paragraph 4 above do not apply to pregnant women as well as to persons caring for children up to 8 years old.

Article 57. Employees of the R&D organization may accept outside employment with the consent of the director of that organization.

Article 58. Employees of the R&D organization who work under arduous or noxious conditions are entitled to pay allowances defined in separate regulations.

Article 59. Provisions applying to higher-school personnel apply correspondingly to personnel of the R&D organizations as regards the right to railroad ticket discounts and severance pay upon retirement with a pension or an annuity.

Article 60. Provisions applying to the research-instructional personnel at higher schools apply correspondingly to the scientific associates of the R&D organization as regards remuneration for sick leave or other justified absence from work, the granting of vacation leaves, the right to unpaid or paid sabbaticals for research, artistic or academic upgrading purposes, and

also health leaves, the right to extra dwelling area, extra pension or annuity allowances and the relocation of appointed scientific associates and lump-sum relocation payments.

Article 61. 1. Provisions applying to the research-instructional personnel at higher schools with respect to the granting of vacation leaves apply correspondingly to the research-and-technology associates holding the position of chief research-and-technology specialist or senior research-and-technology specialist.

2. In particularly warranted cases the agency supervising the R&D organization may, upon the recommendation of the organization's director, grant to an employee holding the position of chief research-and-technology specialist or senior research-and-technology specialist the right to additional dwelling area exempt from fees for additional dwelling area. Said employee retains this right also following his retirement with a pension or an annuity.

Chapter 13

Changes in Binding Regulations; Special, Interim and Final Regulations

Article 62. The following revisions are introduced in Article 18 of the Decree of 26 February 1982 on the Statute of Narodowy Bank Polski (DZIENNIK USTAW, Item 57, No 7):

- 1) the original text of Article 18 is designated as Paragraph 1;
- 2) the following Paragraph 2 is added:

"2. Narodowy Bank Polski may exercise the functions of the supervising agency as construed by the Decree on Research and Development Organizations, with respect to the organizations linked to the bank's own activities."

Article 63. 1. Scientific research institutes and other R&D organizations that are not scientific research institutes, including the R&D centers and central laboratories operating on the day this Decree becomes effective, become R&D organizations as construed by this Decree, upon being entered in the registry referred to in Paragraph 1 of Article 9. Until that time they continue to operate on the basis of previous regulations. The application for registration should be submitted no later than within 3 months from the effective date of this Decree.

2. In the event of a lawful judicial verdict refusing registration, or in the event that it is established through separate proceedings that a scientific research institute or other R&D unit does not meet the requirements specified in this Decree or cannot perform effectively its statutory tasks, the supervising agency commences proceedings leading toward its dissolution as a R&D unit.

Article 64. 1. Experimental plants constituting state agricultural enterprises are as of 1 July 1986 transformed into experimental plants of the R&D organizations specified by the parent agencies of these plants, and are hereinafter referred to as "experimental plants."

2. The experimental plants incorporated in R&D organizations became the plants of these organizations but keep their own separate accounting systems.

3. The parent agencies referred to in Paragraph 1 above define the principles and procedure for incorporating experimental plants in R&D organizations.

4. The provisions governing financial management at state agricultural enterprises apply to the experimental plants. The Council of Ministers may, by way of an ordinance, adapt these provisions to the operating specifics of the experimental plants.

5. Employees of experimental plants are covered by the provisions governing collective labor agreements for state agricultural enterprises or the plant remuneration system, except that the agency supervising the R&D organization that includes an experimental plant may extend wholly or partially to the scientific associates and research-and-technology personnel of that plant the provisions of this Decree concerning that personnel.

6. A workforce council may operate at an experimental plant. The specific principles and operating procedures of that council as well as the scope of its competences are defined in the statute of the workforce council of the R&D organization.

7. Regulations governing the workforce council of the R&D organization apply correspondingly to the workforce council of the experimental plant.

Article 65. The provisions of Paragraphs 2 and 4-7 of Article 64 also apply correspondingly to the experimental agricultural plants of R&D organizations that are established following the effective date of this Decree.

Article 66. 1. The directors of the R&D organizations referred to in Paragraph 1 of Article 63 shall, within not more than 3 months from the effective date of this Decree, convene general personnel meetings with the object of electing the workforce council, in accordance with the provisions of this Decree.

2. Until such time as the workforce council gets constituted, its competences belong to the director of the R&D organization.

Article 67. The scientific councils of the scientific research institutes and other R&D units referred to in Paragraph 1 of Article 63, existing on the effective date of this Decree, shall operate until the end of the term of office for which they were appointed, upon adapting their membership and activities to the requirements of this Decree.

Article 68. Until the director of a newly formed R&D organization is appointed, the supervising agency appoints, for a period of not more than 6 months, the acting director of that organization.

Article 69. 1. Persons not meeting the requirement of Paragraph 4 of Article 35 but holding the doctoral degree and the position of docent on the effective date of this Decree retain that position.

2. Persons referred to in Paragraph 1 above who act as deputy directors for science on the effective date of this Decree but who do not meet the requirements of Paragraph 3 of Article 20, may exercise their official duties in that position for a period of not more than 5 years.

Article 71. 1. The service relationship, the rights and duties ensuing therefrom, and the disciplinary responsibility of the personnel in active military service as well as of the personnel of the Citizens' Militia, the Security Service and the firefighting services, who perform duties at the R&D organizations supervised by the Minister of National Defense or the Minister of Internal Affairs, are defined in separate regulations.

2. A requirement for appointing personnel in active military service as well as the personnel of the Citizens' Militia, the Security Service and the firefighting services to the positions of scientific associates and research-and-technology associates is the possession of the qualifications defined in this Decree as well as in separate regulations.

Article 72. The regulations currently in force apply to the disciplinary proceedings commenced prior to the effective date of this Decree, unless the provisions of this Decree are more favorable to the accused.

Article 73. The provisions of this Decree apply to the labor relationships contracted prior to the effective date of this Decree.

Article 74. Disputes and claims relating to the employment relationship of scientific associates are, regardless of the form in which that relationship was established, subject to resolution through the procedure specified in the Labor Code.

Article 75. Persons attending the doctoral study programs existing on the effective date of this Decree have the right to complete their doctoral studies as originally envisaged and upon retaining the rights they are entitled to.

Article 76. 1. The Council of Ministers defines, by way of an ordinance:

- 1) the scope of applicability of the provisions of this Decree to the R&D organizations supervised by the Minister of National Defense and the Minister of Internal Affairs;
- 2) the rules for the establishment, transformation and dissolution of R&D organizations as well as for their activity.

2. The Minister of National Defense and the Minister of Internal Affairs exercise with respect to the R&D organizations under their supervision the rights of the Minister-Director of the Office for Science and Technology Progress and Applications referred to in the provisions of Paragraph 2 of Article 16, Paragraph 7 of Article 18, paragraph 2 of Article 33, Paragraphs 5 and 7 of Article 35, Paragraph 5 of Article 37 and Point 2, Paragraph 1, of Article 43. The Minister of National Defense exercises the rights referred to in Paragraphs 5 and 7 of Article 35 with respect to the military sciences upon consulting the Council for Higher Military Education.

3. The Council of Ministers may, by way of an ordinance, define the scope of applicability of the provisions of this Decree to the R&D organizations engaging wholly or to a large extent in scientific research for the needs of the defense and security of the State but supervised by ministers other than those mentioned in Paragraph 1 above, and it may also define separate rules for the transformation, dissolution and activity of these organizations.

Article 77. The Council of Ministers may extend, by way of an ordinance, the provisions of this Decree to the R&D organizations established on the basis of international agreements with respect to matters not regulated by these agreements.

Article 78. 1. Upon the recommendation of the Minister of Science and Higher Education or the Scientific Secretary of the Polish Academy of Sciences the Council of Ministers may, by way of an ordinance, extend suitable specific provisions of this Decree to the institutes of higher schools and institutions of the Polish Academy of Sciences.

2. Upon the recommendation of the supreme authorities of cooperative associations, trade unions, or political, social, religious or other organizations, the Council of Ministers may, by way of an ordinance, define the scope of applicability of this Decree to the R&D departments of these organizations and unions.

Article 79. 1. Upon the recommendation of the director of a multiplant state enterprise its parent agency may, acting in cooperation with the Minister-Director of the Office for Science and Technology Progress and Applications and the Minister of Labor, Wages and Social Welfare, extend the provisions of Chapters 6-12 of this Decree to the R&D laboratory operating as an organizationally separate unit of that enterprise and engaging in the activities referred to in Article 2.

2. The Council of Ministers may, by way of an ordinance, adapt the principles of financial management at specified multiplant state enterprises at which the organizationally separate R&D laboratories referred to in Paragraph 1 above are operating to the specific nature of these enterprises, and in particular, it may extend to these R&D laboratories all or some of the provisions of Chapter 3.

Article 80. 1. The regulations governing the activities of state enterprises apply correspondingly to matters not regulated by the Decree on

R&D organizations, with the exception of the organizations referred to in Article 16.

2. The provisions of Articles 55 and 58 of this Decree do not apply to the R&D organizations using the plant remuneration systems defined in the Decree on the Principles of Forming Plant Remuneration Systems.

Article 81. The implementing regulations issued on the basis of the decree referred to in Article 82 remain effective until supplanted with regulations issued on the basis of the present Decree, insofar as they do not conflict with it, but for not longer than 6 months from the effective date of this Decree.

Article 82. The Decree of 17 February 1961 on Scientific Research Institutes (DZIENNIK USTAW, 1975, Item 41, No 7) is hereby abrogated.

Article 83. This Decree becomes effective on 1 January 1986.

Chairman of the Council of State: H. Jablonski
Secretary of the Council of State: J. Szymanek

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END