

Seminary

**“Legislative experiences of Poland and Kazakhstan in the scope of the territorial self-government and national minority policy”,
Warsaw, Senate of the Republic of Poland, 9 July 2014**

by Andrzej Bisztyga

The seminary was a joint undertaking of the two committees of the Senate of the Republic of Poland and the Embassy of the Republic of Kazakhstan in Warsaw. It was held by the Senate Legislation Committee, Senate Territorial Self-Government and State Administration Committee and a team of the Embassy of Kazakhstan led by Ambassador Dr Yerik Utambaev. The seminary's guests were Members of the Mazylis, Kazakhstan's lower chamber of parliament chaired by Mazylis Deputy Chair – Mr Sergey A. Dyachenko. Besides, the seminary was participated by deputies, senators as well as representatives of business, academic and political communities, interested in and taking action for the development of the relations between Poland and post-Soviet states of Central Asia, including President of Adam Marszałek Publishing House, Dr Adam Marszałek, Doctor of Honoris

Causa, Kyrgyz Russian Slavic University in Bishkek, Kyrgyzstan.

The organization of the seminary had several aims. The main aim of the event was the exchange of experiences between Poland and Kazakhstan in the scope of legislation concerning the activity of both countries' territorial self-governments as well as in the scope of safeguarding freedoms and rights of national minorities. Of no less importance was enabling the Polish participants to learn the specific characteristics of the functioning of Kazak administration, which comes to pursue its tasks within a very extensive area inhabited by approximately 140 nations.

The seminary consisted of two sessions. The first session was focussed on the legislative experiences of Poland and Kazakhstan in the area of territorial self-government, was presided by Chair of the Senate Legislation Committee Dr

Piotr Zientarski. As part of this session there were two speakers: Vice-Rector of the Katowice School of Economics prof. dr hab. Andrzej Bisztyga and Mr Bartosz Mendyk, MA of the Jan Kochanowski University in Kielce.

Professor Andrzej Bisztyga devoted his presentation to local government and territorial self-government in the Republic of Kazakhstan. The speaker presented the origin of the work over Kazak legislation in the scope of local government and territorial self-government commenting on particular legislative solutions concerning the *maslichats* (local representative organs), the *akims* and *akimats* (local administrative and executive organs), scopes of competence, mutual relations between them and their position in the hierarchy of public administration organs. Professor Bisztyga emphasized that local government is not art for art's sake and that it should serve superior purposes, such as the construction of civic society, which will be able to ignite the energy of local communities and the decentralization of public authority with full respect for the unitary structure of the state. Leading territorial self-government from the initial stage and developing it in Kazakhstan would favour the petrification of Kazakhstan's leadership in the region of Central Asia. The scholar indicated the usability of Poland's experiences and self-government solutions in the work on local government reform in Kazakhstan. In his

presentation Mr Bartosz Mendyk, MA raised some aspects of the local government reform in Kazakhstan, underlining the country's specific geographic and demographic conditions which must be taken into consideration when creating relevant legal regulations.

Voices in the discussion in the first session of the seminary were among others: Mazyliis Vice Chair Mr Sergey A. Dyachenko, Deputy Marshal of the Sejm of the Republic of Poland Mr Eugeniusz Grzeszczak, Mazyliis deputies Mr Serikzhan Kanayev and Mr Nurlan Zhazilbekov, Deputy Chair of the Senate Local Government and State Administration Committee Mr Andrzej Matusiewicz, President of the Polish Clusters Union of Employers Mr Krzysztof Krystowski, former Minister of Internal Affairs Mr Krzysztof Janik of the Academy of National Defence and Director of the Office for the City Strategy in Lodz Municipal Office Mr Tomasz Jakubiec. Supporting the thesis presented by Professor Andrzej Bisztyga Mazyliis Deputy Chair Mr Sergey A. Dyachenko acknowledged the will and desire to build in Kazakhstan a modern territorial self-government with a view to reviving social activity in line with the guidelines of the decree of the President of the Republic of Kazakhstan of 2006 and according to the assumptions of the self-government reform of 2012. Deputy Andrzej Matusiewicz outlined the origin of Polish legislation in the scope of

territorial self-government and the stages of construction of a three tier territorial self-government policy in Poland, stating that the process ended in success which may provide patterns for other countries.

The second session regarding Polish and Kazakh legislative regulations of national minority affairs was chaired by Ambassador of the Republic of Kazakhstan in Warsaw Dr Yerik Utembaev. The speakers were prof. dr hab. Andrzej Wierzbicki of the Warsaw University Institute of Political Sciences who discussed the Concept of the Nation of Kazakhstan and national minority rights and President of the Board of The Institute of Eastern Initiatives Ms Agnieszka Słomian, MA who presented the institution of the Assembly of the Nation of Kazakhstan as a space for ethnocultural organisations. Characterising the assumptions of the concept of the Nation of Kazakhstan Professor Andrzej Wierzbicki indicated the need of the creation by state conditions for peaceful coexistence of approximately 140 nations and ethnic groups in Kazakhstan. He believes that the Kazakh model of national minority regulation is characterized by its effectiveness. The Assembly discussed by Ms Agnieszka Słomian is the President of the Republic of Kazakhstan's advisory organ which has its regional branches functioning as a forum of cooperation between national and cultural non-government organisations and local authorities.

The discussion was participated by Mazylis deputy Mr Anatol Makowski, former Ambassador of the Republic of Poland in Kazakhstan Doctor Władysław Sokołowski, Deputy Chair of the Sejm National and Ethnic Minorities Commission Mr Ryszard Galla and Mr Paweł Kowal of the Polish Academy of Sciences.

The seminary was an example of well-conceived international cooperation in that it became a forum of exchanging legislative and practical experiences in the area of territorial self-government and ethnocultural policy. In addition, it appears that after the stage of research into the social and political transformations in post-Soviet countries of Central Asia, the research has reached another phase of studies on the political and legal transformation of the states in this region. Polish research in this field appears to be advanced against the backdrop of respective studies conducted in other European countries and outside Europe. Most importantly, the fact that the seminary was carried out with the participation of scholars, diplomats and parliamentarians of Poland and Kazakhstan is evidence of the growth of mutual interest in the experiences of representatives of the world of science, politics and business of both countries, as well as indicative of the activity of the representation of the Republic of Kazakhstan in Warsaw.