
Annex

Country Profile Poland



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State of Play:

Translation practices in ministries and public administrations in Poland:

Polish ministries, public institutions and state-owned enterprises (such as the Industrial Development Agency, the Polish Press Agency etc.) translate their texts either by using their internal resources or by outsourcing the services to external language service providers (LSPs), with outsourcing being the prevailing trend. The estimated volume of outsourced translations amounts to 80 to 90% of the total volume. There is no central translation authority nor office to coordinate the related activities. As a result, there is no central terminology base nor organized management of translation memories (or other language resources).

Due to their specific requirements (e.g. confidentiality), some ministries, such as the Ministry of Foreign Affairs or the Polish Financial Supervision Authority (KNF) have small in-house units providing translation (2 to 7 people). There are also individual in-house translators working e.g. in the departments responsible for international cooperation or implementing international projects or delegated to foreign representation offices or embassies. Part of the translations hence is delivered internally by the staff having appropriate knowledge of the language(s); however, in the majority of the cases, they are specialists/experts in other fields and therefore have to rely on external LSPs. This policy is also due to the translation volumes and the need for highly specialized (legal, medical, technical) translations and/or certification of documents by a sworn translator.

Interesting fact:

The Unit of Sworn Translators and Interpreters at the Ministry of Justice deals with formal licensing of translators and interpreters by e.g. arranging appropriate examinations and keeping a register of persons who have passed the state exam. This unit is also responsible for the recognition of professional qualifications acquired by sworn translators and interpreters in other Member States.

The CEF eTranslation tool is also used, but its use is not widespread yet due to the low awareness of its existence and its potential applications among the public sector employees. The expected human translation quality is also an important factor.

The ministries as well as their subordinate units outsource translation services individually, which results from both budget regulations and potential limitations concerning the organisation and coordination of joint procurement procedures. Typically, the amount of a procurement contract for translation with a ministry varies between 0.4 million PLN to 0.7 million PLN with the highest ones reaching up to 1 million PLN⁸⁴. The contracts are usually concluded for a period of one year and with a single LSP, which does not allow for developing good practices in cooperation between the contracting authority and the LSP, including e.g. terminology management.

Interesting fact:

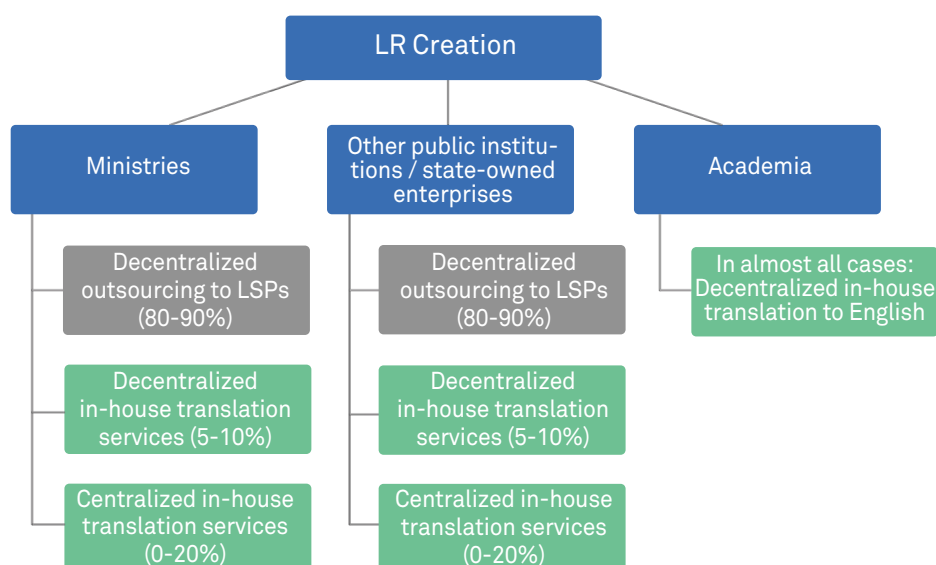
The translation contracts most frequently include both translation and interpreting services, which is often problematic, as LSPs are typically specialized in providing either translation or interpretation services.

The procurement process is often deficient as most emphasis is still put on the price criteria while not taking into account (or not taking into account in a sufficient degree) the quality criteria such as e.g. the experience of an LSP of providing translations in a particular subject area. The requirements regarding the translation industry norms, the use of computer-assisted translation (CAT) tools and the delivery of translation memories (TMs) to the contracting authority are therefore frequently omitted. It should be noted here that this is not necessarily a deliberate action, but often a consequence of the limited knowledge of the language service market and language technologies (LT) on behalf of the procurement units.

⁸⁴ 1 PLN equals 0.23 EUR (oanda.com, October 2019).

Recently, however, a more positive trend can be observed, including the involvement of the Public Procurement Office (Polish acronym: UZP) and the development of corresponding procurement practices: In January 2019, the UZP published the first set of documents describing good practices in proceedings for outsourcing translation services in its Knowledge Base (Industry Practices Forum). It was prepared by the Employers of Pomerania and written by the linguist-lawyer Wojciech Wołoszyk. A revision is planned with the support of the newly established Polish Association of LSPs POLOT. As a consequence, public entities tend to use non-price criteria more often and pay more attention to the actual expertise of the language services provider and guidelines prepared by industry associations, also with regard to interpreting services.⁸⁵ Technological awareness and the use of CAT tools also gradually improve thanks to various actions and assessments by e.g. the Ministry of Foreign Affairs, which currently assesses the suitability of various CAT tools for in-house use or the Polish Air Navigation Services Agency (Polska Agencja Żegluga Powietrznej), which intends to procure software for computer-assisted translation⁸⁶.

The current language data creation infrastructure in Polish public bodies looks as follows:



Open Data in Poland:

The Ministry of Digital Affairs has prepared the Public Data Opening Programme (Open Data Programme) specifying data sharing standards adopted by resolution of the Council of Ministers on 20 September 2016, No. 107/2016. The implementation of the programme is coordinated by the Minister of Digital Affairs (MoDA). Further information can be found online at the Polish Open Data Portal: <https://dane.gov.pl/>. One of the goals of the Open Data Programme consists in building and coordinating a cooperation network, including institutional plenipotentiaries⁸⁷ for Open Data.

The tasks performed by the MoDA also include the development of standards for public data opening with regard to legal, security, technical and API issues, trainings and workshops for administrative staff on data opening, as well as knowledge dissemination. The new project Open Data Plus, which is the successor of the

⁸⁵ Leaflet by Polskie Stowarzyszenie Tłumaczy Konferencyjnych (PSTK).

⁸⁶ Tenders Electronic Daily (TED), Contract Notice: *Poland-Warsaw: Software package and information systems*, 2019.

⁸⁷ Plenipotentiaries are civil servants working in the Ministries, the units subordinated to ministries, the Chancellery of the Prime Minister, and Central Statistical Office appointed for permanent cooperation in the implementation of the Open Data Programme, responsible for the scope and deadlines of data provision by individual offices.

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Public Data Opening Programme, aims to e.g. build new APIs for a number of public databases, opening an analytical central Open Data Laboratory that supports the development of relevant policies in offices and ministries. Related educational activities are carried out by the Open Data Academy.

In July 2019, the Ministry of Digital Affairs also published a corresponding “Data Opening. Good practice guide”. The good practice guidelines are part of the project “Open Data – access, standard, education”, which aims to increase the availability and quality of Open Data and its reuse. The guide describes the basic framework for the process of opening data by referencing relevant legal acts, identifying desired institutional settings, and presenting practical scenarios for data opening in government offices. It focuses on covering the most important legal regulations affecting the opening and usage of public data and shows inter-institutional and non-institutional cooperation models that have worked best in this context. Furthermore, the guide shows how to implement the data opening process effectively and provides guidance on the standards for data openness. The MoDA organises study visits of the plenipotentiaries to other member states to exchange experiences, good practices and information on opening data of the public sector.

The MoDA also popularizes the idea of Open Data by being a partner and member of the jury of the largest hackathon in Europe, which took place in September 2019. In addition, the MoDA set a task related to Open Data monitoring. In particular, an application/a tool was to be created for the portal administrator that would identify products, services or applications that had used Open Data provided on the portal and that would show where such a corresponding product, service or application has been made available. Moreover, an information campaign is planned for winter 2019/20 to raise the awareness of public Open Data available at www.dane.gov.pl.

Language policy in Poland:

Following the Polish Language Act of 1999 of 7 October 1999, the Polish language is the only official language in the territory of the Republic of Poland. Generally, the provisions of the Act shall apply to the protection of the Polish language, the use of the Polish language in implementation of public tasks and the use of the Polish language in the course of trade and implementation of the provisions on the use of the scope of labour law (in the territory of the Republic of Poland). There is a corresponding Council for the Polish Language at the Presidium of the Polish Academy of Sciences. The Council's main task is to provide valuations and assessments on all matters concerning the use of the Polish language in public communication.

The issue of regional languages is regulated on the EU level by the provisions of the European Charter for Regional or Minority Languages ratified by Poland in 2009. In Poland, the Kashubian ethnolect enjoys the status of the regional language, which is regulated by the Act of 6 January 2005 on National and Ethnic Minorities and Regional Language. In some municipalities of the Kashubian region, officials are legally obliged to respond to the letters of the interested parties in the respective ethnolect, if the interested parties wish to do so. There are also repeated efforts to recognize such status for Silesian.

Stakeholders:

Within ELRC, more than 80 potential stakeholders that are involved in the creation or sharing of language resources (LR), related activities and/or policy setting were identified, including in particular LR holders and creators (public bodies as well as language service providers). Thirty of these stakeholders participated in the last ELRC Workshop.

In addition to certified and specialized translators (via LSPs/translation agencies), major providers of language resources in Poland include, for instance, the Chancellery of the Prime Minister, Ministry of Foreign Affairs, the Ministry of Justice, the Ministry of Culture and National Heritage, the Polish Press Agency, the Ministry of Entrepreneurship and Technology, the Ministry of Health, and the Polish National Bank. These institutions could also be considered as the main beneficiaries of the use of eTranslation. So far, with the support of ELRC, more than 20 data sets have been collected, mostly bilingual Polish-English corpora, but also two terminological resources and the monolingual Polish Court Rulings Corpus. The data covered 10 domains, 2M words in the multilingual part and 178M words in the monolingual corpus.

Main challenges for sustainable data sharing:

ELRC identified several challenges and issues that need to be overcome to enable sustainable data sharing, namely:

- General lack of transparency among public institutions related to opening their language data for further reuse.
- The lack of a public-private sector initiative for developing guidelines and good practices for contracting translation services in the public sector to be approved by the Public Procurement Office.
- The shortcomings of the procurement process (in particular the lack of the requirement to deliver the full rights and TMs to the contracting authorities).
- Individual procurement of translation services by each public entity, usually for a short period of time (one year).
- The lack of awareness-raising actions on the purpose of ELRC in relevant public sector events and focused meetings.
- The lack of technological expertise in the public sector especially with regard to the use of CAT tools. As a result, sharing of language resources by public entities is limited to non-TMX formats in almost all cases.
- Technical problems concerning data delivery and the public institutions' lack of awareness on how ELRC can help to solve such issues.

Action plan:

Based on the identified challenges, the following objectives could be defined for Poland. In the order of their priority, these are:

- **Raising awareness of language data as Open Data and a valuable asset. This is to be achieved with the help of the following actions:**
 - Raising the interest in language data among the members of the relevant public bodies and sharing benefits of sharing language data. This is an ongoing activity, since the Polish PS NAP held more than ten public presentations/presentations at ministries and public bodies in the past year. Further presentations and publications are already planned⁸⁸. In addition, more workshops should be conducted (targeting also respective IT and procurement personnel).
 - More OSA (on-site assistance) cases funded under successive tenders as well as greater support for the promotional work and communication activities of the NAPs.
 - Reaching out to the MoDA and integrating language data in the national Open Data policy, digital agenda etc.
 - Proposing to the MoDA to appoint a plenipotentiary for open language data and an eTranslation national contact point at the ministry.
 - Establishing practical guidelines for LRs as Open Data. In this context, the Ministry of Digital Affairs has established a corresponding Open Data Programme and Good practice guide.
 - Emphasizing the role of digital texts in the digital economy (data as the main source for Artificial Intelligence), also illustrating the value and application of Natural Language Processing tools (e.g. for preventing online violence, fake news/disinformation).
 - Emphasizing the role of digital texts as part of national cultural heritage.
- **Increasing interest in MT/LT in public services as part of the national digital policy by:**
 - Establishing synergies with national projects/initiatives
 - Promoting the eTranslation API
 - Providing best practices and use cases of MT applications in public administrations in other EU countries, particularly in trans-border DSIs like EESSI
 - Educating about LT and CAT tools and their benefits
 - Co-organizing Info Days of LT projects like NEC TM Data

⁸⁸ Including, for instance, Translating Europe Workshops in cooperation with the DGT, an article in a professional journal, a presentation at a conference for IT professionals etc.

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- Organising regular communication activities (e.g. a newsletter)
 - Educating NAPs (enabling them to participate in related events of educational value, such as META FORUM or other EU-funded events related to eTranslation, such as the CEF AT Tools and Services workshops and conferences)
 - Cooperating with the National CEF Contact Point at the MoDA
- **Tackling legal concerns by:**
 - Developing and sharing easy-to-apply guidelines for IPR and privacy issues
 - Investigating an idea to implement rights management along with data management (in collaboration with the MoDA)
 - Providing clear anonymisation guidelines
 - Informing and involving the Personal Data Protection Office in the above actions
 - Including presentations on IPR and privacy issues in the agenda of national Translating Europe workshops and other events for translators
 - **Identifying and gaining access to outsourced translations by:**
 - Establishing cooperation between translators/translation units and public procurement units to include relevant clauses for retaining TM and corresponding rights
 - Promoting clear licensing guidelines
 - Promoting clear recommendations on procurement of translation services by public sector bodies in cooperation with the Public Procurement Office.
 - Obtaining financial support (e.g. more OSA cases or Generic Services projects in this area as well as financial support of communication activities such as writing articles or newsletters)
 - **Establishing good data management practices in public services by:**
 - Extending the scope of available public Open Data categories to language data (responsible: Minister of Digital Affairs)
 - Involving the plenipotentiaries in activities supporting their sharing of language data on behalf of their mother institutions
 - Identification of data managers
 - Investigation of data management practices
 - Establishing Data Management Plans based on ELRC findings
 - Establishing cooperation with COTSOES on the national level

References and further reading list:

Act on National and Ethnic Minorities and Regional Language, 2005, <http://prawo.sejm.gov.pl/isap.nsf/DocDetails.xsp?id=WDU20170000823>.

Complete list of plenipotentiaries: <https://www.gov.pl/web/cyfryzacja/pelnomicnicy-ds-otwartosci-danych>.

Complete list of state-owned enterprises: <https://nadzor.kprm.gov.pl/spolki-z-udzialem-skarbu-panstwa>.

HackYeah: <https://hackyeah.pl/>.

Information Campaign to raise awareness on public Open Data: <https://www.wirtualnemedi.pl/artykul/re-sort-cyfryzacji-chce-popularyzowac-w-zakresie-otwartych-danych-publicznych>.

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Open Data Programme, Ministry of Digital Affairs: <https://www.dane.gov.pl/media/resources/20171201/Program-EN.doc>.

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Wojciech Wołoszyk: *First set of documents describing good practices in proceedings for outsourcing translation services* (published by UZP, prepared by Employers of Pomerania), <https://www.uzp.gov.pl/baza-wiedzy/dobre-praktyki/forum-praktyk-branzowych/uslugi-biznesowe-prawnicze,-marketingowe,-konsultingowe,-rekrutacji,-drukowania-i-zabezpieczania/dobre-praktyki-w-postepowaniach-na-uslugi-tlumaczeni-pisemnych-pracodawcy-pomorza>.