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Poland...It's a funny place

During the summer months I had some time to reflect on administrative absurdities in Poland. One that immediately springs to mind is the fact that construction and engineering companies currently have about 3 billion zlotys in claims against the Roads Authority. Although part of these claims is probably exaggerated, it is still likely that a large part of this money will in fact have to be paid to those who worked on the roads. But the authorities in Poland often seem to believe that it is most prudent not to make any decisions and just wait and see what happens. For the civil servant it is of course always safer when a court (preferably an appeal court) makes the decision for him.

The fact that the taxpayer (in some cases the EU taxpayer) not only has to pay for the roads, but also for the lawyers and the courts that are having to do the work of the civil servant, seems to be of no consequence. Even politicians like to bring part of the political debate to the courtroom in the form of libel cases, and those poor judges have to deal with all of this, and we - the taxpayers - have to pay. Another interesting case is that of a Polish businessman who owned some property in Warsaw. In 2002 this land was expropriated in order to build roads in a new development. In 2003 the businessman filed a request for compensation to which he is entitled based on the waste management act.

A year later the mayor of Warsaw decided to discontinue the procedure. The businessman appealed to the voivodship governor, who backed the Warsaw mayor of Warsaw. In 2005 the Administrative Court in Warsaw overturned the decision of the mayor of Warsaw and determined that the businessman was entitled to compensation for the land that was taken from him. In 2006 the mayor put the process on hold, which was overturned by the voivodship governor in 2008. In 2010 the mayor decided against compensation and in the same year the voivodship governor sent the whole case back to the court of first instance to be reviewed again.

According to the city authorities, the businessman can expect a decision no later than March 2014. One can only wonder what the meaning is of Art. 35 of the Administrative Code, which puts a maximum term on difficult administrative decisions of two months. A friend of mine recently asked the city to grant him an easement on his driveway, which is owned by the city; he has been waiting for a reply for over a year. When we called the city, the civil servant replied she had too much work and was alone doing it and that we just had to wait.

What can you do, file a complaint against a civil servant who still has to make a decision in a matter that is important to you? The best case though is the one of a lawyer friend of mine who was working on an inheritance case. The court had asked the hospital for medical files, for which the hospital issued an invoice of PLN 13 to the court (the cost of copies). The court actually took an official decision to pay the invoice, and sent a copy of this decision to all four participants in the case costing PLN 16 in stamps, not counting the time spent on making the decision, signing the paper, putting it in the envelope.... Still, we all love doing business in Poland and most of the chamber's members are pretty successful at that. ★



Staf Beems

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The aristocratic lady and her dog

"You know", the lady told me in beautiful French, "at the Eastern border we have Russia as our neighbour, at the North we have the sea, at the south we have Czechoslovakia and in the West we see the East Germans." Who was this lady? She was living close to our house in Saska Kępa in Warsaw in 1975. One evening I met her for the first time when I was walking my dog. It was January, it was cold; it was that typical Polish weather. Grey, foggy, not pleasant at all. The first time I met her I only said 'Dzien Dobry', as that was in those days my best Polish. She did not even answer; she only nodded in a friendly way. She walked her dog too. After a few similar evenings, she started to talk.

In Polish of course which was too difficult for me. Without having discussed it with her, it appeared that we both had agreed to walk our dogs around 10 o'clock in the evening. I tried to answer: English, Deutsch, but surprisingly, she only spoke French. I have never known her name, neither she mine. To me she was Pani and I was Monsieur.

I know in which entrance she disappeared, but not on which floor she lived. When we were walking, we talked about her past. For sure she must have been an aristocratic lady. She was very elegant. The way she moved and her knowledge of French. Being brainwashed by our intelligence service in the Netherlands you could easily think that she was a Polish spy who wanted to catch me in her net. But being proud of my own brains I knew that this was not the case. At the Embassy we had French newspapers and magazines and I asked my father to get magazines like Paris Match by diplomatic mail.

During our walks I had the French newspapers and magazines under my coat and before handing them over to her we looked like two naughty children checking whether nobody was watching us. She fumbled the papers under her coat and we continued our walk. She confirmed that you could not trust anybody, she warned me about enthusiastic neighbours who wanted to be informants for the Polish authorities. When we left Poland in 1976 and the lady and I made our last walk we both cried. Of course, I was happy that I was going for another challenge in another world, but I left her in her hopeless world with, in those days, almost no prospects.

She stayed in that depressing flat, and her dog was her only reason to walk. Her husband had died, she had a daughter in Gdansk with a grandchild, but she lacked time, money and inspiration to travel. Her whole psyche was missing inspiration. I hope that she experienced the changes that came after 1989, but I doubt that they would have changed anything for her. She had no money, a small pension and no future. In later years when I heard Edyta Górniak sing the famous Jacques Brel song Ne me quitte pas [in Polish Nie opuszczaj mnie], it made me think about the aristocratic lady and her dog in communist Poland. ★