

For over a decade, most European Union countries have been at the epicentre of migration processes. Only the current armed conflict between Russia and Ukraine, according to UNHCR forecasts, will cause an influx of refugees to Poland, i.e. at least 4,300,000 by the end of 2022. Considering the dynamics of these phenomena, still in October 2020, the European Commission proposed a new pact on migration and asylum, proposing new and improved EU asylum and migration system procedures. The dynamics of these events show vividly that problems that seemed to have already been solved have returned with redoubled force. In particular, the protection of the linguistic rights of immigrants who enjoy the status of beneficiaries of international protection (BIP) comes to the fore. This issue has not yet received a systematic approach and elaboration. The protection of language rights is generally considered from the perspective of minority rights. The current policy on minority and regional languages in Europe is limited to the indigenous citizens of particular states and therefore does not cover foreigners who do not have the nationality of the country of permanent residence or who do not have the status of a national minority. Consequently, the personal and collective needs of BIP in the context of their language rights are not recognised. The research project will fill this gap. The planned research aims to create a standard for the protection of BIP's language rights based on global, regional and national regulatory frameworks by answering four fundamental questions:

1. How is the understanding of the minimum of language rights presented in the literature on the subject?
2. What international and regional norms should be considered as the necessary minimum for language rights of BIP on a regional, state and EU basis?
3. To what extent does the status of national minorities match the status of BIP in their possibility to use preferred languages in the public sphere?
4. What legal instruments are designed or should be implemented to protect that minimum for BIP?

The primary function of human rights is the pervasive protection of the fundamental rights of all people. However, the lack of a standard of protection for the language rights of the individual contributes to a failure to respect the cultural and linguistic distinctiveness of BIP in the procedures applied to them. As a result, integration processes often lead to unequal treatment of BIP. European countries do not apply a single, common standard for guaranteeing language rights. Often, immigration policy is not based on the gradual and harmonious integration of BIP but on the assumption of their full assimilation into the host country. This is a discriminatory approach toward BIP. It fails to take any account of the communication and cultural needs of BIP. For example, in the educational systems of countries such as Poland or Latvia, a child must obtain a positive mark in the state language to be promoted to the next grade; these regulations do not consider the lack of previous experience in the chosen language. State language examinations according to rules that do not take into account previous linguistic experience are compulsory under most state educational quality assessment systems, which can pose a severe problem for BIP children. The requirement of knowledge of the state's language can also be a discriminatory factor in hiring or in administrative proceedings.

All this makes the establishment of a minimum of language rights at the transnational level a necessary condition for granting adequate protection to the communicative and cultural needs of BIP for their language rights. The research project aims to set a standard of language rights protection for beneficiaries of international protection in Europe and formulate a new legal approach to the problem of harmonisation of BIP integration into the host society. The point of reference for the considerations will be the existing legal regulations concerning language rights at the level of the universal system of human rights (UN), supranational multilateral regulations, including the law of the EU and the Council of Europe, as well as the case-law of the European Court of Human Rights, the Human Rights Committee and the Court of Justice. The legal regulations in force in Europe and in the EU law will be compared with the federal legislation and the national migration policy of the United States of America. The solutions adopted in this country, both in the sphere of legal solutions and the policy towards immigrants, will be treated as exemplary due to the long-standing experience of integration processes and the application of anti-discrimination practices, as well as various possible variants of solutions in the national policy regulating language rights. As a result, the effectiveness of the current system for the protection of the linguistic rights of BIP will be established, as well as the current needs of this social group concerning language guarantees, to be able to formulate possible future legal solutions (i.e. *de lege ferenda* proposals). The planned outcome of the project will be the creation of a model for the protection of the linguistic rights necessary (minimum) for the use of language in the public sphere and the definition of indicators allowing for a transparent assessment of the degree of protection in order to demonstrate that the required standard of linguistic guarantees is met. In this way, the research project also contributes, from a language rights perspective to the critical international debate on migrants' rights to fill existing legislative gaps in this area in both international and national law.