

POLAND

EMN COUNTRY FACTSHEET

2020

MAIN DEVELOPMENTS IN MIGRATION AND INTERNATIONAL PROTECTION, INCLUDING LATEST STATISTICS



OVERARCHING CHANGES

1. Changes to the labour market introduced in connection with the COVID-19 pandemic

Amendments to the law provided special solutions for foreigners in Poland, regulated by [the Act of 2 March 2020 on special solutions related to preventing, counteracting and combating COVID-19, other infectious diseases and crisis situations caused by them](#) with changes (Act of 2 March 2020 on special solutions). The Act regulated the situation of foreigners staying in Poland, allowing legal stay for people who wished to remain or who could not leave Poland due to COVID-19 restrictions.

Extensions were granted until the 30th day following the date of revocation of the last state of pandemic threat for: (1) foreigners whose legal stay would otherwise end during the period of the pandemic threat, including national (long-term) visas, temporary residence permits, (2) short-term stays from at least 14 March 2020 (Schengen visas, documents/residence permits issued by other Schengen States, (3) residence permits or long-term visas issued by other Schengen States) or intra-EU mobility, (4) validity periods of residence cards, foreigners' temporary identity certificates, foreigners' Polish identity documents, 'consent for tolerated stay' documents, (5) documents issued for a specified period to citizens of EU Member States, the European Free Trade Association (EFTA), the Swiss Confederation and members staying with their families, (6) deadlines for submitting applications for legalisation of stay, validity periods of already issued

KEY POINTS



COVID-19 labour market measures allowed foreigners to remain in Poland, either by choice or where they could not leave due to COVID-19 restrictions.



Poland's Migration Policy - directions for action for 2021, was published and provided a diagnosis of the set point was developed, ahead of a new migration policy in Poland.



The 'Solidarity with Belarus' plan contained support for the repressed, a scholarship programme, and facilitated entry to Poland.

work permits, seasonal work permits and declarations on entrusting work to a foreigner.

Dates were postponed for:

- Foreigners to leave the territory of Poland;
- Voluntary returns specified in decisions obliging a foreigner to return.

The regulations allowed foreigners to work under conditions other than those specified in: (1) temporary residence and work permits, (2) temporary residence permits for the purpose of working in a profession requiring high qualifications, (3) work permits, seasonal work permits, (4) declarations on entrusting work to a foreigner, (5) temporary residence permits for the purpose of working as part of an intra-corporate transfer (ICT), (6) temporary residence permits for long-term mobility of a managerial employee, specialist or intern, as part of an intra-corporate

transfer (mobile-ICT), documents attached to notifications of foreigners' intention to use short-term mobility of a managerial employee, specialist or intern, as part of an intra-corporate transfer without the need to obtain new permits, change permits or add new statements to the records.

The Regulation of the Minister of Development, Labour and Technology of 20 November 2020, amending the regulation on cases allowing work to be entrusted to a foreigner without the need to obtain a work permit in the territory of the Republic of Poland, indicated new groups of foreigners for whom employers did not need to obtain work permits:

- Foreigners staying in Poland on the basis of humanitarian visas or visas with the annotation [Poland Business Harbour](#) (programme dedicated to Belarusians);
- Foreigners with the right to practice the profession of doctor/dentist, nurse, midwife or paramedic in Poland;
- Foreigners employed in domestic service by diplomats and consular officials.

2. Work on Poland's migration policy

In 2020, the interministerial Committee on Migration, coordinated by the Minister of the Interior and Administration, continued work on 'Poland's Migration Policy - directions for action for 2021'. The work prepared a diagnosis of the migration situation, and its conclusions were presented during the 17th Conference of the National Migration Network, organised by the Polish EMN National Contact Point. Following adoption of the diagnostic document by the Committee, work continued to define the most important tasks of the State administration in relation to international migration. When that work is complete and approved by the Committee on Migration, the document will be subject to public consultation, with a final version presented to the Council of Ministers for approval.

3. 'Solidarity with Belarus' plan

The Polish Prime Minister announced the plan [Solidarity with Belarus](#), based on the pillars of security, openness and solidarity. Allocated PLN 50 million (approx. €11.2 million) in the first year, the programme will implement five actions: (1) support for repressed people, (2) scholarship programme, (3) facilitating entry to Poland and access to the labour market, (4) access to independent media, and (5) programme for non-governmental organisations (NGOs). On 26 August 2020, the Council of Ministers tabled a Bill to grant

temporary protection for Belarusians arriving in Poland due to human rights violations in their country. On 17 September 2020, the regulation on the temporary suspension or restriction of border traffic at certain border crossing points was amended, allowing Belarusian citizens holding tourist visas to enter Poland. A subsequent amendment in September 2020 allowed all Belarusian citizens to enter the country, regardless of the grounds for their entry. A government proposal for a regulation on granting temporary protection to Belarusians is under consideration. The Association for Legal Intervention compiled a brochure for citizens of Belarus on the possibilities to enter Poland, while the Helsinki Foundation for Human Rights set up a free legal assistance scheme for Belarusians.

4. Regulation of the situation of citizens of the United Kingdom of Great Britain and Northern Ireland after the transition period - the Act of December 10, 2020 amending the Act on the entry into the territory of the Republic of Poland, residence and departure from this territory of citizens of the European Union Member States and their family members and some other acts entered into force on 1 January 2021.

5. Introducing special solutions to the Act on foreigners to eliminate postal applications.



LEGAL MIGRATION AND MOBILITY

WORK-RELATED MIGRATION

Employers using the solutions of the Anti-crisis Act were granted the possibility to change the conditions of work performed by foreigners.

Existing work permits could be extended to 30 days after the date of revocation of the last state of pandemic threat, as could seasonal work permits and declarations on entrusting work to a foreigner.

New measures provided access to seasonal work for foreigners who, in the period following 13 March 2020, held a work permit, seasonal work permit, extended work permit, extended seasonal work permit or extended declaration on entrusting work to a foreigner.

STUDENTS AND RESEARCHERS

There were no specific changes for this category of migrants. Working third-country students or researchers could benefit from COVID-19 related changes (change in working conditions, access to seasonal work, extended permits).

FAMILY REUNIFICATION

There were no specific changes for this category of migrants. Foreigners who came to Poland as part of a family reunification and who were working could benefit from COVID-19 related changes (change in working conditions, access to seasonal work, extended permits).



INTERNATIONAL PROTECTION

Changes included procedural deadlines (e.g. cases for granting international protection), deadlines related to foreigners' temporary identity certificates, procedures for admitting foreigners to migration centres, and suspension of transfers under the Dublin III Regulation.



MINORS AND OTHER VULNERABLE GROUPS

No significant developments in 2020.



INTEGRATION

INTEGRATION OF ADULTS

Act of 14 May 2020 amending certain acts in the field of protective measures in connection with the spread of SARS-CoV-2 virus provided for electronic communication (during the state of pandemic threat and the 30 days following the end of that state) of applications with attachments for integration assistance for foreigners covered by subsidiary protection and agreeing an individual integration programme.



CITIZENSHIP AND STATELESSNESS

No significant developments in 2020.



BORDERS, SCHENGEN AND VISAS

BORDER MANAGEMENT

Legislative changes introduced affected border traffic and checks/control procedures: (1) suspension and restriction of border traffic at external borders for specific border crossings, (2) categories of people and purposes of entry to Poland, (3) temporary reintroduction of border control at internal borders (13 March to 13 June 2020), and (4) air traffic bans.

The Team for Integrated State Border Management was established. Agreements to prevent and counteract irregular migration were signed with Belarus and Kazakhstan.

VISA POLICY

Polish consulates limited the issuance of visas to foreigners authorised to enter Poland, as specified in national regulations ([Regulation on the temporary suspension or limitation of border traffic at certain border crossings](#)), whose scope changed during the year. The requirement for foreign citizens of the countries specified in the regulations on employment promotion and labour market institutions to submit documents in person when applying for a national visa was waived, creating the possibility to submit applications by correspondence.

SCHENGEN GOVERNANCE

Temporary border controls were reintroduced at internal borders between 13 March and 13 June 2020. Regulation of the Council of Ministers of November 10, 2020 on the establishment of the Government Plenipotentiary for Large-Scale Information Systems of the European Union entered into force to implement the Schengen acquis, including national interoperability tools.

Work continued on the draft act implementing the package of legislative changes to the SIS.



IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

MISUSE OF LEGAL MIGRATION CHANNELS

The National Public Prosecutor's Office adopted the following position on 'extorting' visas on the basis of fictitious declarations on entrusting work and invitations: in a situation where both the issuer of the declaration and the foreigner act together to extort a declaration, their behaviour may constitute (elements of) the act specified in Article 272 Penal Code

(fraudulent deception of certifying untruths in a document) and Article 273 (using documents that certify untrue facts).

MIGRANT SMUGGLING AND PREVENTION OF IRREGULAR STAY

The Act of 2 March 2020 on special solutions introduced specific legal solutions to address problems related to the legality of stay of foreigners on the territory of Poland after the announcement of the state of pandemic threat.

latest available statistics for Poland on aspects of migration and international protection (2017-2020), including legal residence, asylum, unaccompanied minors, integration, irregular migration, return and visas. Where statistics were not available at the time of publication, this is indicated in the Annex as 'N/A'.

A How to Read guide, describing each chart and reporting the sources, is available [here](#).



TRAFFICKING IN HUMAN BEINGS

On 10 April 2020, the Council of Ministers approved the National Action Plan against trafficking in human beings for 2020-2021. This was a revised version of the plan first published in 2003.



RETURN AND READMISSION

MAIN NATIONAL DEVELOPMENTS

The Act of 2 March 2020 introduced a number of specific legal solutions to address problems with the time limits for leaving Poland in circumstances of voluntary and forced returns.

COOPERATION WITH THIRD COUNTRIES

An agreement with Belarus on return and reintegration management entered into force. Actions at national level supported the implementation of the EU readmission agreements with Armenia, Belarus, Vietnam, Ukraine, Uzbekistan and Tajikistan.



MIGRATION AND DEVELOPMENT

The 'Polish Migration Policy - diagnosis of the set point' document represented a milestone in the creation of a new migration policy. It describes the migration processes influencing the social and economic situation in Poland.

STATISTICAL ANNEX

The Statistical Annex was prepared by the European Commission's Knowledge Centre on Migration and Demography (KCMD) and provides an overview of the



GENERAL NOTES

This four-page statistical annex complements the Country Factsheet with relevant migration-related data organised in up to nine thematic sections - depending on data availability. The dashboard-like layout of the annex allows comparability across countries as well as simultaneous visualisation of different indicators. Whenever data are not available, the relative chart is left blank or indicated with 'N/A'. Data are provided for the latest available year or the latest available four-year period. For some indicators, data are rounded in the source. The sum of percentages or of individual values might not add up to 100 or to the total value. This is due to rounding and confidence intervals in the original data. A How to Read guide, describing each chart and reporting the sources, is available on the EMN website.



COLOUR LEGEND

Whenever not specified, the following colour legend is adopted. Colours for multiple nationalities are randomly chosen.



data relative to Poland



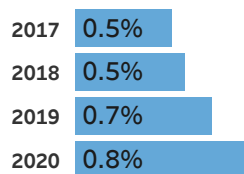
data relative to EU



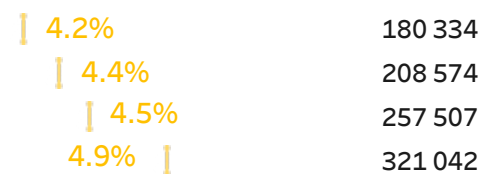
LEGAL MIGRATION AND MOBILITY

Third-Country Nationals (TCNs) as % of total population (in the country and in the EU)

SOURCE: Eurostat (migr_pop1ctz)

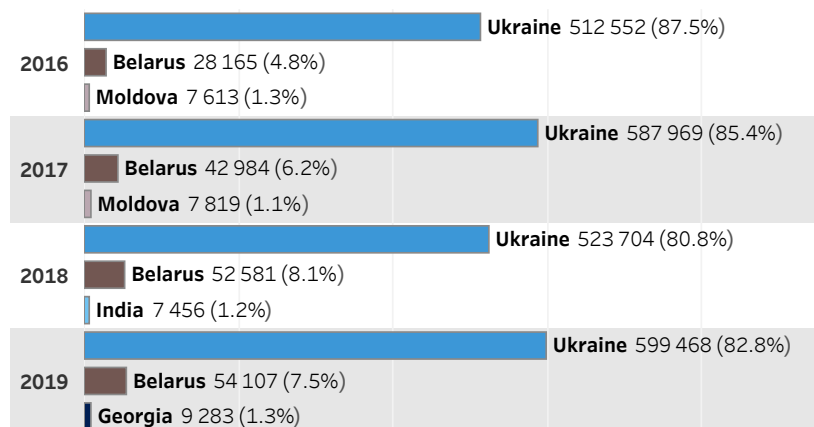


Number of TCNs



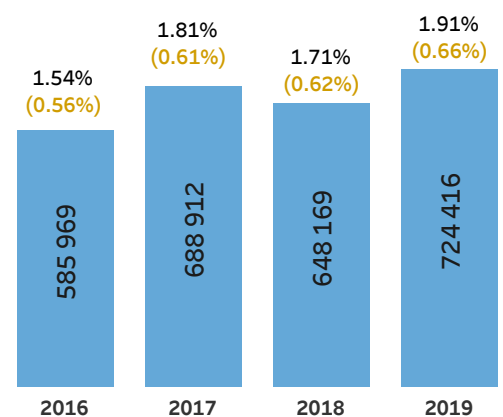
Top 3 nationalities of number of first residence permits annually issued: number of permits and % of total annual permits

SOURCE: Eurostat (migr_resfirst)



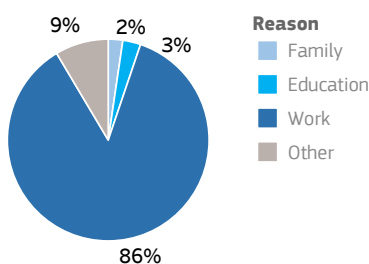
First residence permits annually issued: tot. num. and % of tot. pop. in the country (and EU)

SOURCE: Eurostat (migr_resfirst)



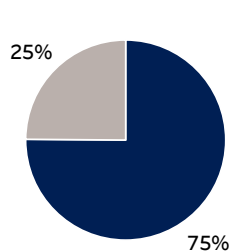
First residence permits annually issued by reason in 2019

SOURCE: Eurostat (migr_resfirst)



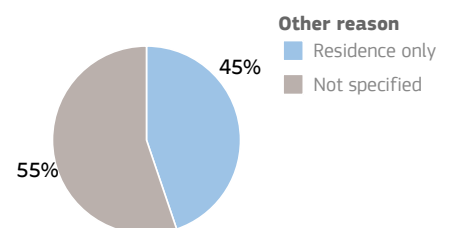
First residence permits annually issued for work reasons in 2019

SOURCE: Eurostat (migr_resocc)



First residence permits annually issued for 'other reasons' in 2019

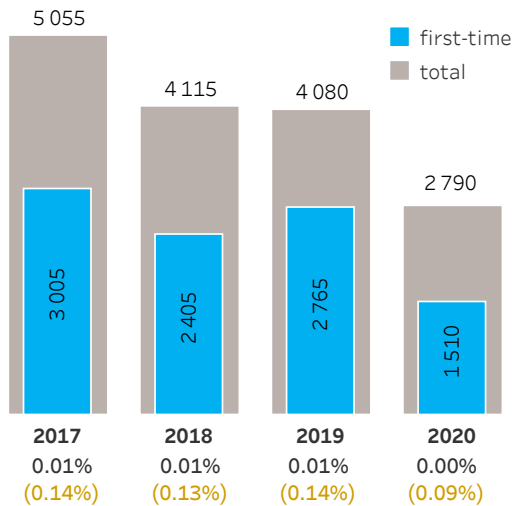
SOURCE: Eurostat (migr_resoth)



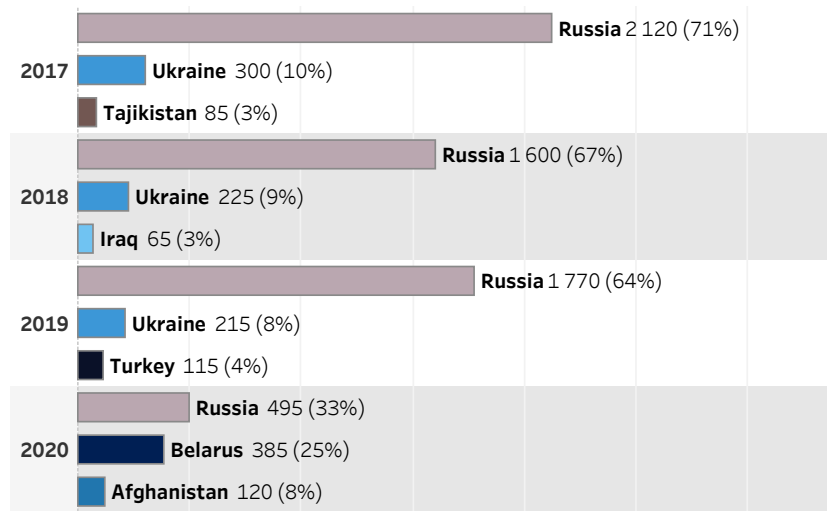


INTERNATIONAL PROTECTION INCLUDING ASYLUM

Total/first-time asylum applications; first-time asy app as % of population in the country (and in EU) SOURCE: Eurostat (migr_asyappctza, migr_pop1ctz)

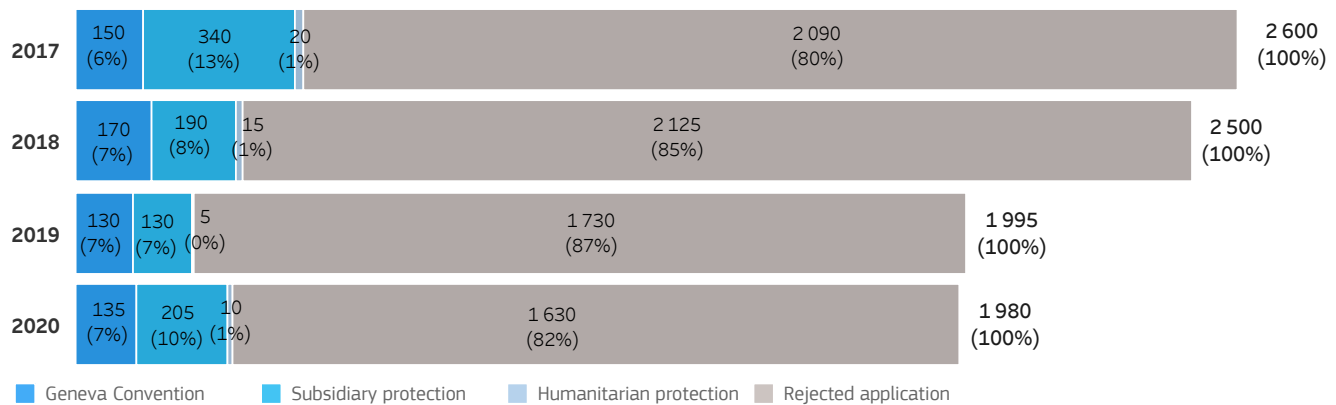


Top 3 nationalities of annual number of first-time asylum applications: number of applications and % of total first-time annual applications SOURCE: Eurostat (migr_asyappctza)



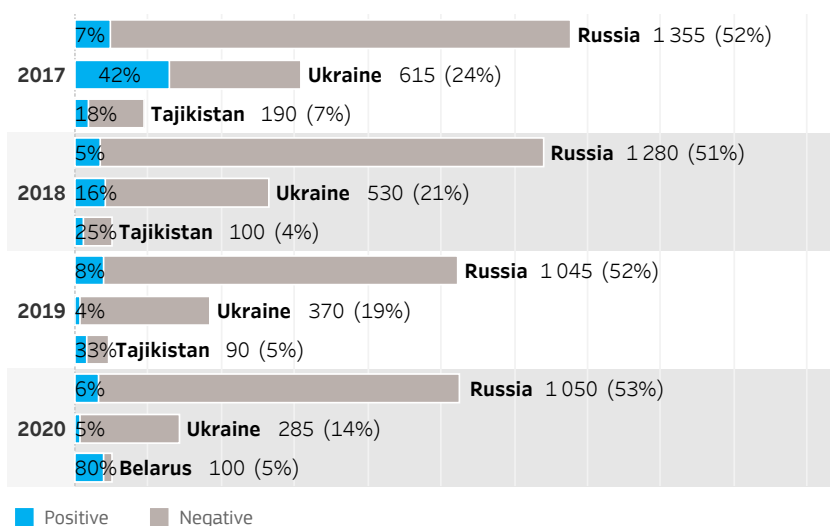
Number of first-instance asylum decisions by outcome (% of total decisions)

SOURCE: Eurostat (migr_asydcfsta)



Top 3 nationalities of annual number of first-instance decisions: number of decisions (% of total decisions in the country) and % of positive outcome

SOURCE: Eurostat (migr_asydcfsta)





UNACCOMPANIED MINORS

Unaccompanied minors applying for asylum in the country (and % of total applications from unaccompanied minors in EU)

SOURCE: Eurostat (migr_asyunaa)



Unaccompanied minors as % of first asylum applications (in the country and in EU)

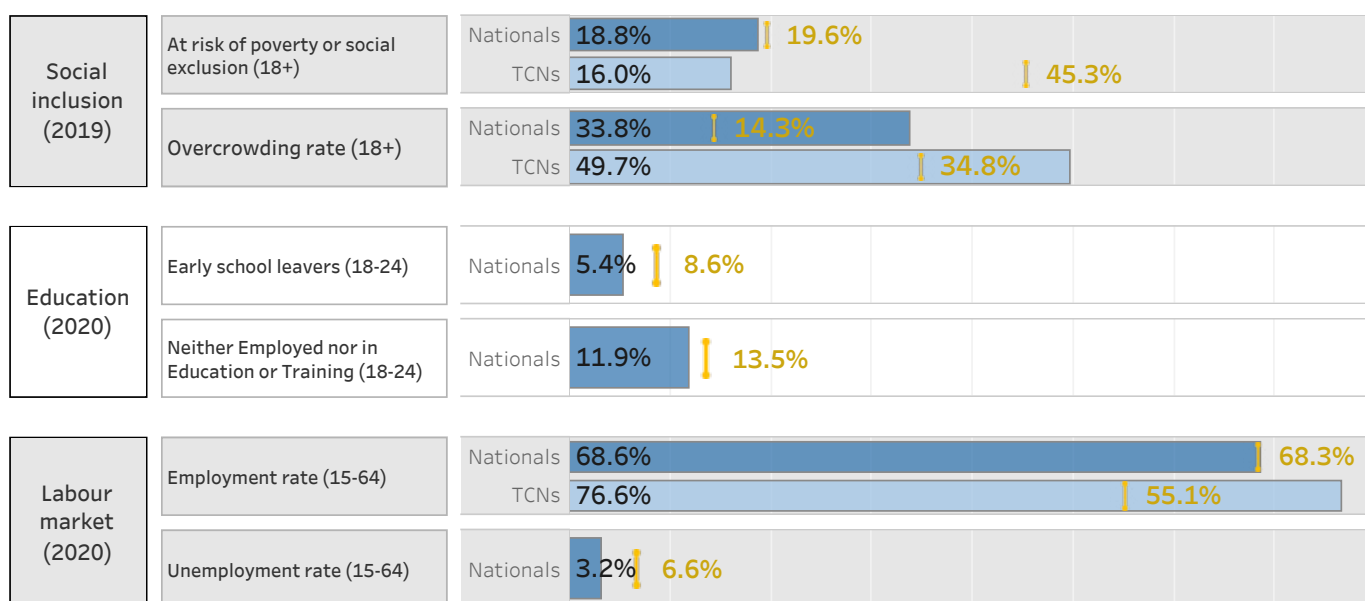
SOURCE: Eurostat (migr_asyunaa)



INTEGRATION

Integration indicators for nationals of the country (blue) and Third-Country Nationals (TCNs - light blue) in the country (when available). The same indicator is provided in yellow for EU. Data are relative to the last available year.

SOURCE: Eurostat (ilc_peps05, ilc_lvho15, edat_lfse_01, edat_lfse_23, lfsa_ergan, lfsa_urgan)



CITIZENSHIP AND STATELESSNESS

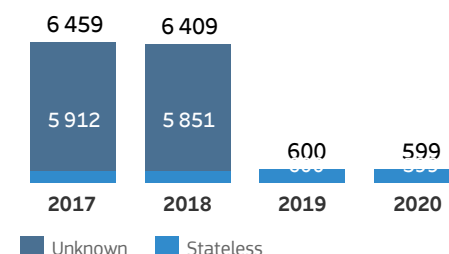
Third-Country Nationals who have acquired citizenship as a share of total Third-Country Nationals (in the country and in the EU) and in absolute number

SOURCE: Eurostat (migr_acqs, migr_acq)



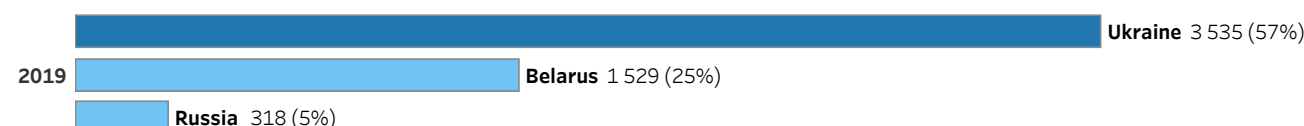
Stateless, unknown citizens and recognised non-citizens (RNC) - where present

SOURCE: Eurostat (migr_pop1ctza)



Top 3 nationalities by number of citizenship acquisition in 2019: absolute number and % of total acquisitions in the country by Third-Country Nationals

SOURCE: Eurostat (migr_acq)

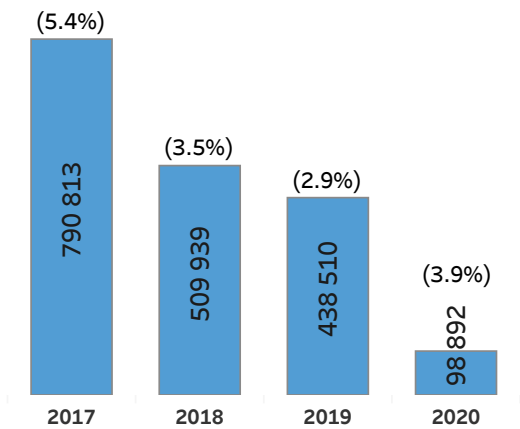




BORDERS, SCHENGEN AND VISAS

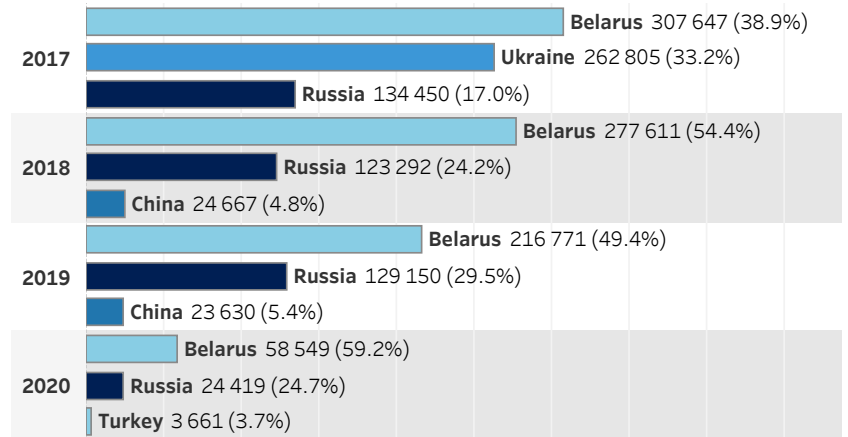
Short-term visa issued (% of Schengen)

SOURCE: DG Migration and Home Affairs



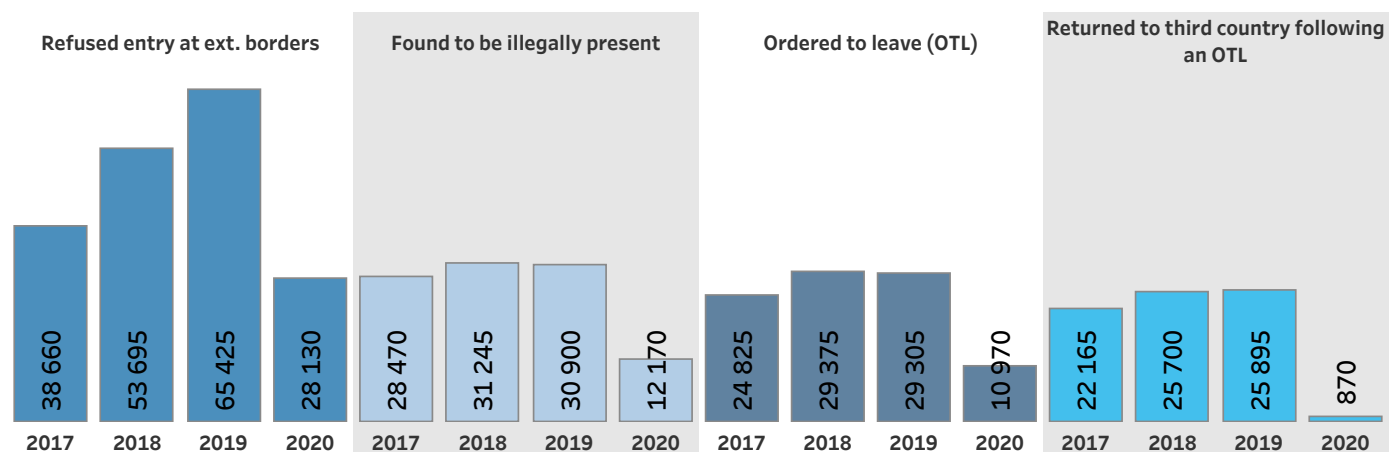
Short-term visa issued in top 3 consulate countries (% of total issued)

SOURCE: DG Migration and Home Affairs



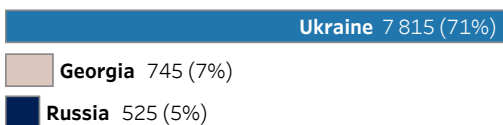
IRREGULAR MIGRATION

SOURCE: Eurostat (migr_eirfs, migr_eipre, migr_eiord, migr_eirtn)



Top 3 nationalities ordered to leave the country, 2020

SOURCE: Eurostat (migr_eiord)



Top 3 nationalities returned to third countries, 2020

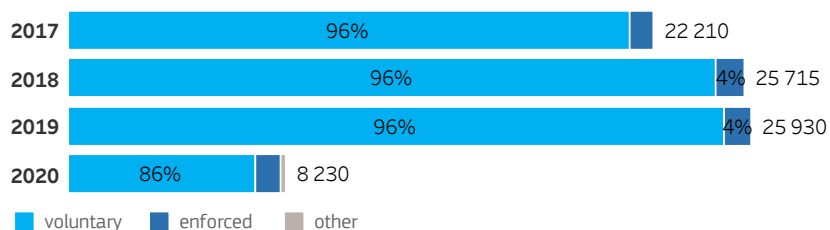
SOURCE: Eurostat (migr_eirtn)



RETURN AND READMISSION

Number of Third-Country Nationals who left the territory by type of return (in %) and total returns

SOURCE: Eurostat (migr_eirt_vol)



TRAFFICKING IN HUMAN BEINGS

Number of residence permits issued to victims of trafficking in human beings

SOURCE: Eurostat (migr_resoth)

