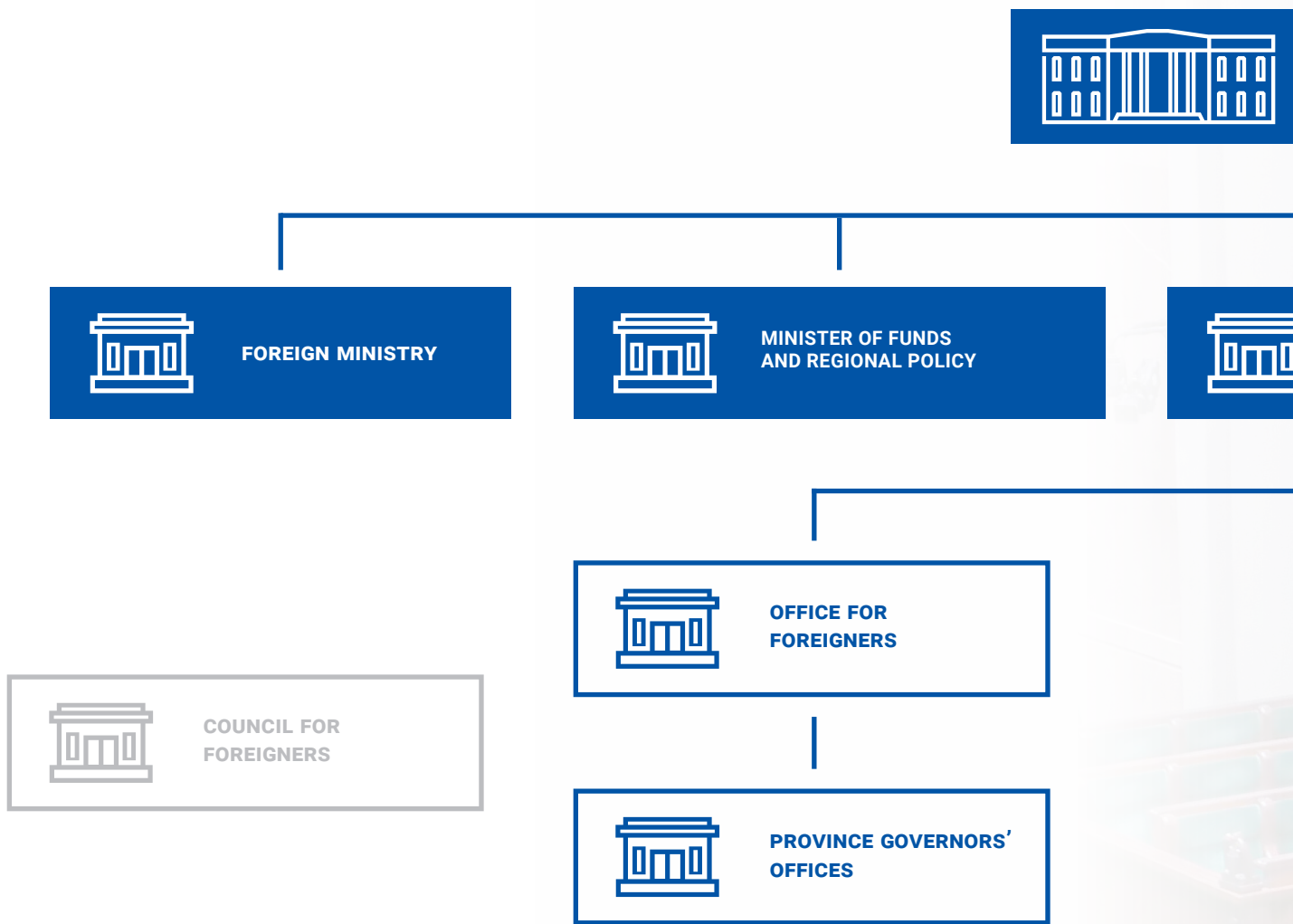


Office for Foreigners

GUIDE

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MIGRATION MANAGEMENT SYSTEM IN POLAND





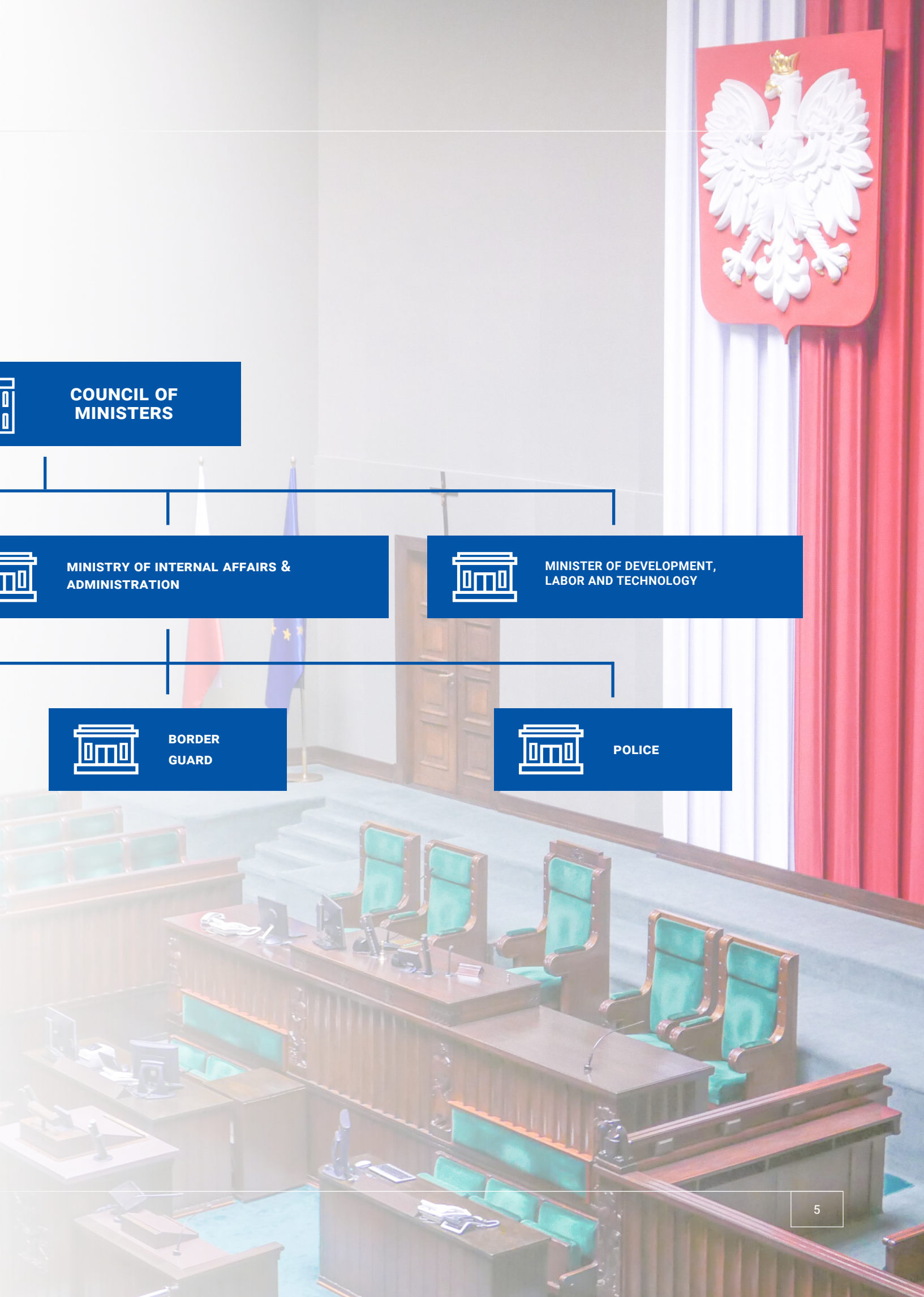
 **COUNCIL OF
MINISTERS**

 **MINISTRY OF INTERNAL AFFAIRS &
ADMINISTRATION**

 **MINISTER OF DEVELOPMENT,
LABOR AND TECHNOLOGY**

 **BORDER
GUARD**

 **POLICE**



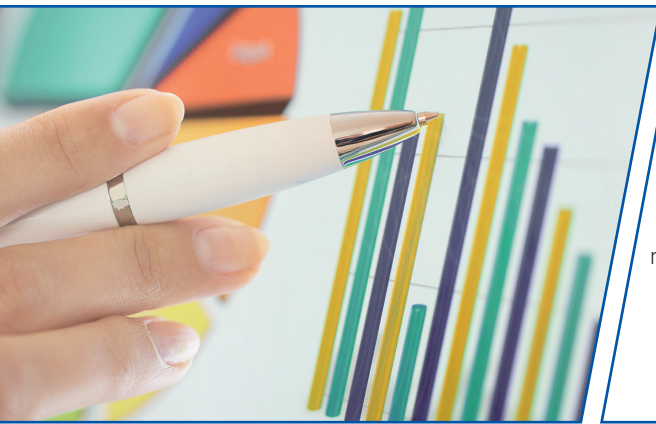
GENERAL INFORMATION, MISSION AND VISION



HEAD OF THE OFFICE FOR FOREIGNERS

The Head of the Office, reporting to the Minister of Internal Affairs and Administration, is a part of the central government, responsible for:

- The administrative handling of foreign nationals' entry, transit, stay, residence and exit;
- The granting of the refugee status to foreign nationals;
- The granting of asylum to foreign nationals;
- The giving of consents for tolerated residence;
- The granting of temporary protection (with an exception of cases reserved for other authorities).



OFF IN NUMBERS

The Office employs approx. 400 members of staff.

It has the Head Office in Warsaw, a local branch in Biala Podlaska, a number of refugee/immigrant reception facilities and an "epidemiological filter".



OUR MISSION

Establish an environment for the safe and professional management of migrations.



OUR VISION

The Office, following the applicable law:

- Implements policies of the government and secures interests of the state;
 - Engages actively in developing Polish laws and practices;
 - Conducts in a fair manner administrative proceedings related to the international protection, providing social assistance and medical care tailored to individual needs of protection seekers, specifically minors;
 - Strives to offer high quality residence establishment procedures for foreign nationals wishing to settle in Poland;
 - Continues to improve its front end, upgrade infrastructure, expand IT systems and extend access to digital services;
 - Works to be an attractive and friendly workplace;
 - Fosters partnerships with other local and international institutions and organizations dealing with migrations;
 - Offers an expert support to states experiencing particularly strong migration pressures;
- Disseminates knowledge about migration issues.

KEY RESPONSIBILITIES

MONITORS PROVINCE GOVERNORS AND REVIEWS APPEALS AGAINST THEIR DECISIONS IN CASES INVOLVING THE LEGALIZATION OF STAY AND RESIDENCE OF FOREIGN NATIONALS BASED ON RESIDENCE PERMITS, VISAS, INVITATIONS, REGISTRATIONS, PERMANENT PERMITS FOR EU NATIONALS AND MEMBERS OF THEIR FAMILIES, ETC.

01

REVIEWS APPEALS AGAINST DECISIONS OF THE BORDER GUARD IN FOREIGN NATIONAL EXPULSION CASES

02

PARTICIPATES IN THE EXCHANGE OF VISA AND OTHER INFORMATION BETWEEN THE EU MEMBER STATES

03

MANAGES CASES INVOLVING THE GRANT OR WITHDRAWAL OF INTERNATIONAL PROTECTION (THE REFUGEE STATUS OR THE SUBSIDIARY PROTECTION), ASYLUM, TEMPORARY PROTECTION AND THE DUBLIN PROCEDURE

04

PROVIDES SOCIAL ASSISTANCE AND MEDICAL CARE TO FOREIGN NATIONALS SEEKING INTERNATIONAL PROTECTION

05

OPERATES IT SYSTEMS REQUIRED BY THE OFFICE

06

If a Province Governor's Office refused to grant a permit for residence (temporary, seasonal or permanent, also for a long-term EU resident) to a foreign national of if the Border Guard has given a foreign an expulsion order, this person may apply to the Head of the Office for Foreigners for a review of their case in terms of legality and present arguments substantiating the cancellation of the foregoing decision.

In other words, the Office as an administrative institution of the second instance.

APPELLATE PROCEEDINGS

It also decides where to give a consent for the issuance of a Schengen or Polish visa as part of visa-related consultations.

VISA-RELATED CONSULTATIONS

THE OFFICE IS RESPONSIBLE MAINLY FOR APPELLATE PROCEEDINGS IN CASES INVOLVING LEGALIZATION OF RESIDENCE OF FOREIGN NATIONALS IN POLAND AND EXPULSION ORDERS.

DATABASE OF FOREIGN NATIONALS

In addition, the Office operates a database of foreign nationals recognized as persona non grata.

MONITORS AND STUDIES RULINGS OF COURTS

Finally, the Office monitors and studies rulings of Polish administrative courts (Provincial and Supreme) and of international tribunals (the Court of Justice of the European Union and the European Court of Human Rights) in cases involving legalization of residence. The Office presents results of these studies to Province Governor's Offices and develops guidelines for the interpretation of the law to ensure that regulations are applied coherently throughout the country.

The handling of proceedings and the issuing of administrative decisions involving international protection is one of the key tasks of the Office.

THE HANDLING OF PROCEEDINGS AND THE ISSUING OF ADMINISTRATIVE DECISIONS

The Applicant will be granted the protection if they are at risk of persecution or loss of life or health, subject to acceptance by Polish public security authorities.

The grant of one forms of international protection (the refugee status or the subsidiary protection) means that the Applicant may stay in Poland.

If the application is refused, the Applicant may appeal to the Council for Refugees and, in the second instance, to the competent Provincial Administrative Court.

GRANTING THE PROTECTION

INTERNATIONAL PROTECTION MATTERS ARE GOVERNED BY THE LAW ON PROTECTION OF FOREIGN NATIONALS IN POLAND AND BY THE GENEVA CONVENTION OF 1951 (CONCERNING THE REFUGEE STATUS) IN CONNECTION WITH THE NEW YORK PROTOCOL OF 1967.

REVIEW OF APPLICATIONS, VERIFICATION OF DOCUMENTS AND EVIDENCE

Applications for the grant of international protection are reviewed by a team of experts in the field of international protection.

Each international protection seeking procedure starts from the filing of an application with a Border Guard unit.

After an initial review, the Guard sends the application to the Office for Foreigners for a more thorough examination.

The main steps of the procedure include an interview with the Applicant, verification of available evidence and a review of situation in the Applicant's country of origin.

SOCIAL ASSISTANCE

This aid is available until the final deciding on the application.

A foreign national may live in a refugee/immigrant reception facility or find an accommodation on their own and pay for it from the cash allowance for the costs of subsistence in Poland provided by the Office.

BENEFICIARIES OF SOCIAL ASSISTANCE

The assistance offered by refugee/immigrant reception facilities includes accommodation, daily meals (compatible with cultural standards of facility guests), regular financial allowances and Polish language courses.

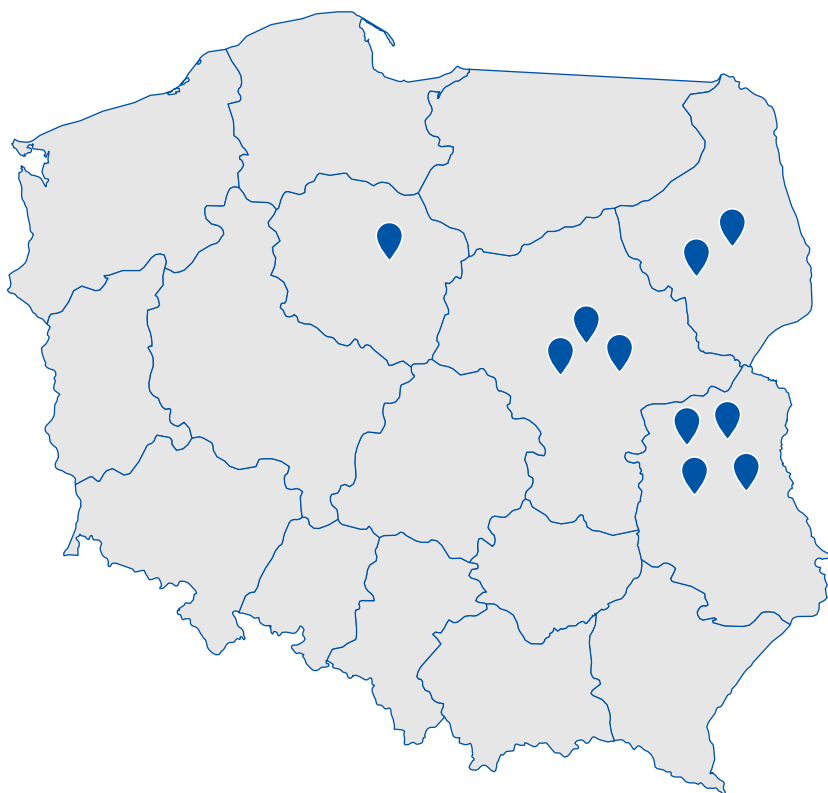
There are 10 centres for foreigners applying for international protection in Poland.

SCOPE OF SOCIAL ASSISTANCE

Each of the facilities is open but the guests are required to observe Polish legal standards and the facility's policies.

The facilities are subject to regular audits by supervisory authorities including, among others, the Polish Supreme Audit Office and the United Nations High Commissioner for Refugees (UNHCR).

CENTRES FOR FOREIGNERS



PODLASKIE

Białystok
Czerwony Bór

KUJAWSKO - POMORSKIE

Grupa

LUBELSKIE

Kolonja Horbów
Bezwola
Biała Podlaska
Łuków

MAZOWIECKIE

Warszawa Targówek
Linin
Dębak-Podkowa Leśna

THE OFFICE CAN PROVIDE SOCIAL ASSISTANCE TO EACH FOREIGN NATIONAL WHO HAS APPLIED FOR THE GRANT OF INTERNATIONAL PROTECTION IN POLAND.

MEDICAL CARE

Foreign nationals seeking international protection in Poland are entitled to medical care. Applicants are screened for their health condition as part of the “epidemiological filter” procedure. The Biala Podlaska facility has a dedicated screening unit financed under a Swiss-Polish cooperation program. This filter has significantly strengthened the verification of Applicants coming from the eastern direction in clinical, epidemiological and sanitary terms.

EDUCATION

Underage foreign nationals covered by applications for the grant of international protection attend public schools.

The Office runs Polish language courses for children, arranges for help in doing lessons and provides for remedial classes. Children starting their mandatory education in Poland may participate in dedicated courses.

A special teaching curriculum taking account of communication needs of the children has been developed (as part of a project co-financed by the Asylum, Migration and Integration Fund) for the simulation of communication contexts at school and for facilitation of the learning of school rules. Teachers of these special courses stay in touch with the regular schools attended by the children, which enables the sharing of information on learning progress and problems as a basis for better tailoring of the remedial education.

In addition, the Office provides school starter kits and textbooks for students who do not get such aid from their schools. Apart from that, each refugee/immigrant reception facility offers education and adaptation classes for preschoolers.

Also adults are given opportunities to learn the language. The Asylum, Migration and Integration Fund has financed a comprehensive teaching curriculum and learning aids for international protection seekers. The curriculum offers levels A1 and A2, examination standards, textbooks for the teaching of Polish as a foreign language (taking account of communication contexts specific for the situation of an immigrant) and Polish-Russian and Polish-English phrasebooks. These language courses are accompanied by occupational and socio-cultural education.

INFORMATIONAL AND INTEGRATING ACTIVITIES

The first thing each Applicant is expected to learn at their reception facility is the Polish law, rules, customs and culture. Two facilities (Biala Podlaska and Debak) hold such information meetings for newcomers and the Office for Foreigners has prepared a special briefing booklet titled “Your First Steps in Poland” and an instructional video about Polish refugee/immigration procedures.



EASO

The Head of the Office for Foreigners is a member of the Board of Directors of the European Asylum Support Office (EASO) and attends all meetings of the Board. The Office is also represented in working groups of the Council of the European Union and in committees and expert groups of the European Commission.

Experts of the Office take part in EASO's support missions to countries experiencing strongest migration pressures. The Office delegated 114 members of its staff to work abroad in 2013-2019.

GDISC

The Office is an active participant of the General Directors of Immigration Services Conference (GDISC), an informal platform supporting practical cooperation between European immigration authorities. Poland is a part of the Steering Group (side by side with Austria, France, Germany, Ireland, Italy, the Netherlands, Norway, Sweden, Switzerland and UK).

IGC

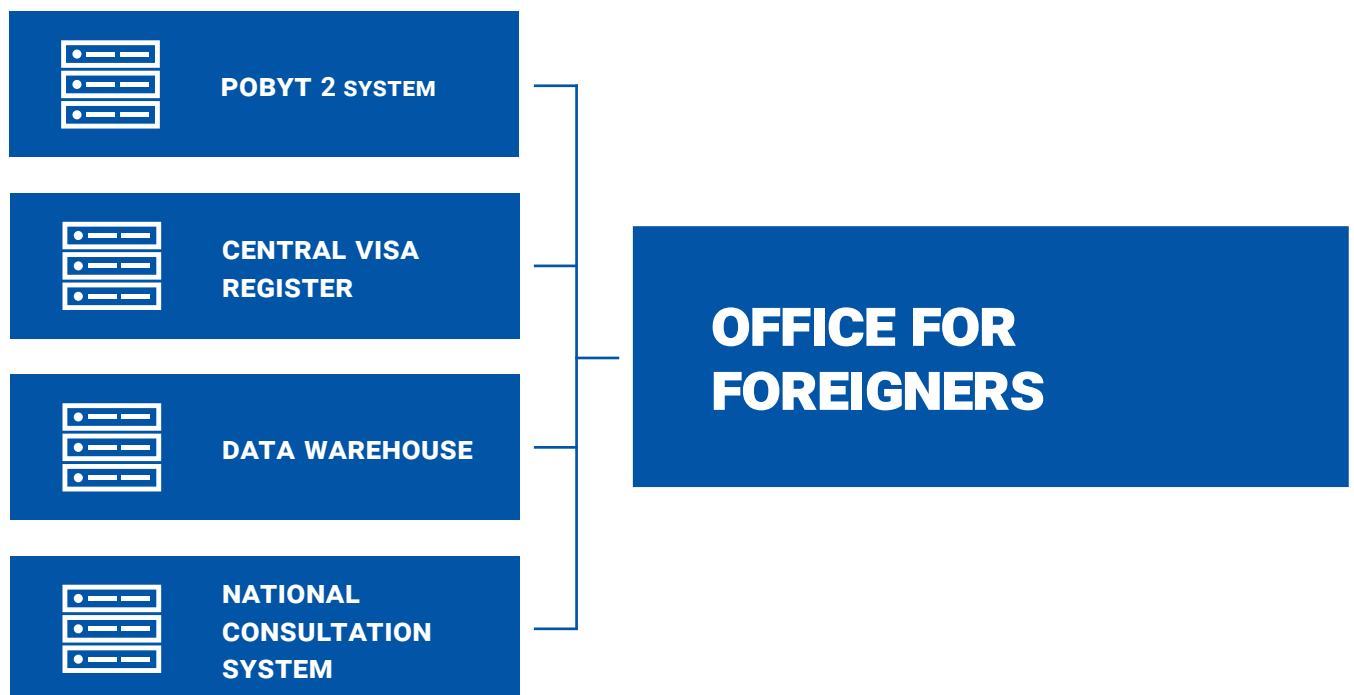
Poland has a status of a member of the Intergovernmental Consultations on Migration, Asylum and Refugees (IGC) established in late 1980's, associating also Australia, Belgium, Canada, Denmark, Finland, Germany, Greece, Ireland, the Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, UK, USA, UNHCR, IOM and the European Commission. As a rule, the member states are represented in high-rank meetings by heads of their migration authorities. Poland is represented by the Head of the Office for Foreigners. Poland has been a Chair of the IGC's Working Group for the Asylum since 2019.

VISEGRAD GROUP

Representatives of the Office are actively involved in the work of the Visegrad (V4) Group, an informal regional forum of cooperation of four Central European states (Poland, Czechia, Slovakia and Hungary). The Migration Crisis Response Mechanism established by ministers of interior of the Group is an important part of cooperation at this level.

OTHER

The Office signed agreements on the tightening of cooperation with its counterparts from Hungary, Finland, Mongolia, Germany and Switzerland in years 2011-2017. The cooperation involves the exchange of experience and best practices in matters related to legal migration, international protection, sharing of migration and asylum statistics, and improvement of professional qualifications of their personnel (through mixed participation in training courses and seminars). The staff of the Office has also supported migration services of Azerbaijan, Kosovo, Macedonia, Bosnia and Herzegovina by sharing their experience.



The Office operates the following IT systems:

- The “Pobyt 2” System, a national database of registers, records and documents related to cases involving foreign nationals;
- The National Consultation System for visa-related consultations;
- The Data Warehouse containing statistics;
- The Central Visa Register for the management of visa applications.

The systems are used by authorities including Province Governor’s Offices, the Police, the Border Guard, the Foreign Ministry, the Ministry of Internal Affairs and Administration, the Home Security Agency, the Intelligence Agency, the Central Anti-corruption Bureau, the Prison Service, the Military Counterintelligence Service.

The Office has developed the Data Warehouse as a tool for the processing of the contents of the “Residence 2” System for statistical, analytical and research purposes. Also foreign funding is used for development of the IT systems.

These statistical data, including up to date details of residence legalization and international protection seeking cases, can be found on the Office’s portal: migracje.gov.pl. All statistical data can be easily filtered based on criteria such as case type, years from/to, sex, age, country of origin, and the case handling authority. The information can be viewed as maps, diagrams or tables.



UNIA EUROPEJSKA
FUNDUSZ AZYLU,
MIGRACJI I INTEGRACJI



OFFICE FOR
FOREIGNERS

„Bezpieczna przystań”

Projekt „Opracowanie i wdrożenie długofalowej strategii komunikacyjnej Urzędu do Spraw Cudzoziemców” współfinansowany z Programu Krajowego Funduszu Azylu, Migracji i Integracji.

Wyłączna odpowiedzialność za wyrażone opinie spoczywa na autorze i Komisja Europejska oraz Ministerstwo Spraw Wewnętrznych i Administracji nie ponoszą odpowiedzialności za sposób wykorzystania udostępnionych informacji.