



COUNTRY FACTSHEET: POLAND 2014

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Poland during 2014, including latest statistics.

2. Common European Asylum System

During 2014, a number of Acts were adopted and entered into force **transposing EU legislation in the field of asylum**. More precisely, the Common European Asylum re-cast instruments were transposed, these included: the **Qualification Directive** (2011/95/EU), the **Asylum Procedures Directive** (2013/32/EU), the **Reception Conditions Directive** (2013/33/EU) and **Dublin III Regulation** (No 604/2013) establishing the criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person. Also, competent national authorities worked on **a reform** of the Act on granting protection to foreigners within the territory of the Republic of Poland. Such reform is foreseen for mid-2015.

In 2014, the Office for Foreigners was involved in aid plans for Greece and Bulgaria through the delegation of workers to **asylum support teams**. Border Guard officers also participated in the "train-the-trainer" training conducted in **EASO**, entitled "Information on countries of origin" as well as in other EASO-led training.

With regard to **resettlement**, on 9 December 2014, at the Ministerial Conference in Geneva Poland expressed its willingness to be involved in the resettlement program of refugees from Syria. As part of the pilot project carried out in the years 2016-2020, Poland assumes the possibility of adopting 100 displaced persons.

3. Unaccompanied Minors and other Vulnerable Groups

In order to improve the protection of **unaccompanied minors**, during 2014, it was proposed to extend the

range of minors' curators' powers. Under the new proposal, the body receiving the application for the refugee status can request the guardianship court to appoint the curator not only to represent the minor in proceedings related to the refugee status, but also in proceedings for granting assistance with regard to return, integration and social assistance. Such reform is foreseen for mid-2015.

4. European Policy on Legal migration and Integration

4.1. PROMOTING LEGAL MIGRATION CHANNELS

In 2014, a number of measures were taken in order to **improve the provision of information** on legal migration to foreigners.

First of all, following a major reform in this field and the introduction of the new Act on foreigners on 1st May 2014 (see more information in the following sub-sections), the Office for Foreigners launched a **nationwide information campaign "Poland, I live here"**. The campaign aims to explain the new provisions in place. Moreover, information about the ways of legalising the stay, work and the consequences of the illegal stay of foreigners in Poland was published on the websites of the Border Guard Headquarters, the National Labour Inspectorate, the Ministry of Labour and Social Policy as well as the Office for Foreigners. Also, the Ministry of the Interior prepared information for foreigners regarding the conditions to stay as part of the so-called *vademecum*.

In 2014, the [public employment services portal](#) was also launched, with a section dedicated to foreigners. Moreover, following the introduction of some simplifications with regard employment for some third country nationals, information materials about the simplified rules were published in Belarusian, Georgian, Moldovan, Russian and Ukrainian. Finally, information campaigns were organised by the Mazowiecki Voivodeship Office in the countries of origin in the framework of the project "Officials for Foreigners".

4.2. ECONOMIC MIGRATION

With regard to legislative developments in the area, due to entrance into force (on 1st May 2014) of the Act of 12 December 2013 on foreigners, some changes to the rules of **employment of foreigners** were introduced, including a proposal to revise the regulation on the issue of granting work permits to foreigners (foreseen for mid-2015). The main changes relate to: better data collection on foreigners intending to perform or performing work on the territory of the Republic of Poland; improved and more tailor made assistance to unemployed foreigners by the district labour offices; extension of maximum validity term of temporary residence permits; accelerating the procedure for granting residence permits; and introducing of a single residence and work permit in Poland.

With regard to **migrant entrepreneurs**, the new Act of 12 December 2013 on foreigners introduces clear criteria concerning the economic activities, which might be conducted by foreigners.

Concerning **cooperation with third countries in the area of economic migration**, as from January 2014, the citizens of the Republic of Armenia (in addition to citizens of Belarus, Georgia, Russia, Moldova and Ukraine) may take up employment in Poland for six months over the next 12 without a work permit - provided a statement by an employing entity has been registered at a poviata labour office. On 1st December 2014, the agreement between Poland and Moldova on social insurance entered into force. The latter forms the basis of the coordination of insurance in force in Poland and Moldova, and guarantees that the transfer of residence or employment from Polish to Moldova [or vice versa] will not adversely affect the person's situation in the field of social security.

In the field of **higher education and research**, in September 2014, the Minister of Higher Education and Science signed an agreement on cooperation in science and higher education with the Sultan of Oman. On the basis of the abovementioned agreement there will be a possibility to exchange students and researchers, conducting joint research projects and scientific conference. Also, in January 2014 the Polish-Philippine memorandum of understanding on cooperation in the field of higher education was approved by the resolution of the Council of Ministers No. 12/2014. Thanks to the new Stefan Banach scholarship programme and the special scholarship programme "Erasmus for Polish Ukraine", Poland supported students from Ukraine (people living in the areas included in the operations of war, mainly people in the Luhansk and Donetsk Oblasts and Crimea)¹

4.3. FAMILY REUNIFICATION

In Poland family reunification follows the rules laid down in Family Reunification Directive (2003/86/EC). However, the provisions of the Act of 12 December 2013 on foreigners (entered into force in May 2014) include preferential rules, foreseen in the Union law for family reunification in the case of family members of scientists, including scientists moving to Poland from another EU Member State, family members of EU Blue Card holders, family members of EU long-term residents moving with them to another Member State.

4.4. INTEGRATION

The Council of Ministers adopted, in December 2014, an Implementation Plan for the document "Migration Policy of Poland - the Current Stay of Play and Further Actions". One of the recommendations included in the Implementation Plan indicates that foreigners, who apply for long-term resident's EU residence permit as well as for permanent residence permit, must speak the **Polish language**. The recommendation also indicates that foreigners, who want to apply for Polish citizenship, should be able to participate in the courses of the Polish language. These courses should be partially financed by the State (up to 40%). The courses offered should be carried out by specialised and professional teaching centres and should prepare students to take the State exam. During 2014, the Ministry of Labour and Social Policy also worked on creating a programming document on the integration of foreigners in Poland entitled "Foreigners Integration Policy of Poland - Principles and Guidelines".

With regard to the **fight against discrimination**, in 2014, the **National Action Plan for Equal Treatment for 2013–2016** was implemented. The latter sets out the objectives and priorities for equal treatment as well as the measures to counteract discrimination based on sex, race, ethnic origin, nationality, religion, denomination, world view, disability, age and sexual orientation. The plan is the first governmental horizontal strategy for equal treatment in all spheres of social life.

Following the adoption of the new Act on foreigners in 2013, foreigners (staying in Poland on the basis of a temporary residence permit, work permit or visa in order to perform work, of temporary residence permits issued in connection with conducting scientific research or to perform work in a profession requiring high qualifications) have the opportunity to acquire the status of unemployed and therefore have access to **unemployment benefits**, have access to **labour market services** and moreover be covered by health insurance (which means they are entitled to free **health care**).

¹ More on the web site <https://emn.gov.pl/esm/aktualnosci/11915,Nowy-program-stypendialny-dla-studentow-z-Ukrainy.html>.

4.5. MANAGING MIGRATION AND MOBILITY²

In 2014 the Ministry of Foreign Affairs continued the implementation of **Visa Information System (VIS)** in new offices in North and Central America, Asia and Eastern Europe. Further implementations are planned for 29th January 2015 in Eastern Partnership countries. Visas issued under VIS (i.e. including a second biometric feature – fingerprints) accounted for 3.21% of uniform visas issued.

2014 was the first full year when the provisions of **Regulation (EU) No 610/2013** were implemented and possible doubts emerging in the course of ongoing practice in 2014 were clarified during the so-called monitoring visits, the implementation of supporting algorithms as well as through relevant guidelines.

In 2014, the Ministry of the Interior developed and adopted a **series of action plans listing relevant measures to put in place in the event of a sudden and massive influx of foreigners** on the territory of the Republic of Poland. However, so far such a situation has not occurred and therefore the evaluation of the effectiveness of such action plans cannot be assessed in practice. For example, the Action Plan in case of mass inflow of migrants from Ukraine described the characteristics of the Polish border with Ukraine, general procedures adopted by the Border Guard to respond to crisis situations, analysis of possible scenarios (variants) of the development of the situation in Ukraine and relevant/appropriate rules of actions for the Border Guard and for the Office for Foreigners.

Nine bilateral cooperation agreements have been signed in 2014 with third countries with an objective to strengthen the operational capacity in combatting irregular migration and controlling of external borders.

4.6. EXTERNAL DIMENSION OF EU MIGRATION POLICY

No major policy developments were reported in 2014.

5. Irregular Migration and Return

5.1. THE FIGHT AGAINST FACILITATION OF IRREGULAR MIGRATION

As of 1st January 2014 border checks on pedestrian traffic were introduced at the road crossing point in Kuźnica at the Polish-Ukrainian state border. As a result, trade and cultural exchange has been facilitated and the relationships with Belarusian partners were also strengthened.

It was further reported that during 2014, measures were undertaken in order to modify and update existing statistical databases related to smuggling information.

² "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

As explained in section 4, a series of action plans were also developed in the event of a sudden and massive influx of foreigners. The measures also included actions to assist the Border Guard to fulfil their official duties related to carrying out border checks, securing the green border against illegal crossing, which are performed only by the officers of Border Guard Units responsible for given part of the State border.

5.2. RETURN

The **Act on foreigners** of 12 December 2013 **transposed, into national law**, the provisions of the **Return Directive** (2008/115/EC). The new Act also included some provisions modifying the **voluntary return system**. Following the reform, **the Border Guard is the only institution currently entitled to take a return decision**. The new Act foresees the Border Guard as the responsible body for providing financial assistance for the TCN to voluntarily return to the country of origin/return. Voluntary return assistance for foreigners is implemented by the Border Guard and the Office for Foreigners in cooperation with the International Organization for Migration (IOM) Office in Warsaw on the basis of aforementioned Act and on the basis of the 2005 cooperation agreement in the field of voluntary returns, between the Minister of Interior and the IOM.

In 2014 **readmission agreements** were negotiated with Sri Lanka, Georgia and Ukraine.

6. Actions against Trafficking in Human Beings

In 2014, the Ministry of the Interior coordinated the implementation of the programming document **"National Action Plan against Trafficking in Human Beings for 2013-2015"**.

With the entry into force of the provisions of the Act from 12 December 2013 on foreigners, the tasks of the entities relevant for taking actions aimed at preventing trafficking in human beings have been extended. Among others, the powers of the Border Guard regarding the recognition, prevention, detection and prosecution of the perpetrators of trafficking related crimes have been extended. The 2013 Act on foreigners also indicated that the certificate given to victims entitles the latter to legal residence, receiving benefits (shelter, meal, necessary clothing, etc.) and an immediate release from a removal centre or a detention facility for foreigners.

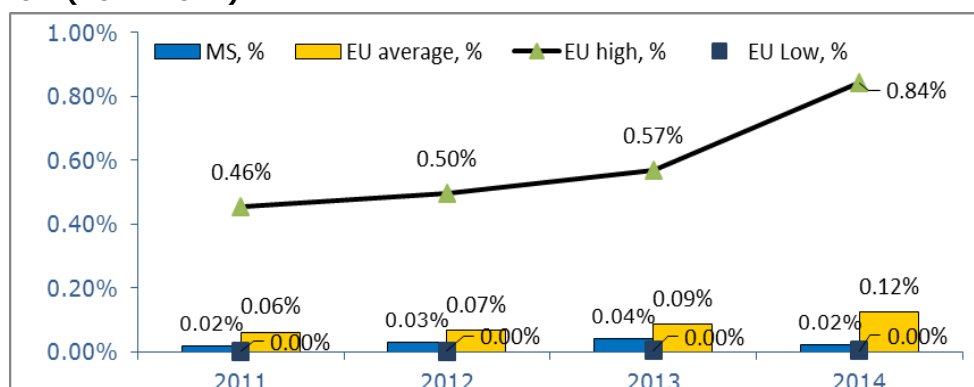
STATISTICAL ANNEX

The Statistical Annex provides an overview of the latest available statistics for Poland on aspects of migration and asylum (2011-2014), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "**N/I**" and when statistics are not applicable, this is indicated as "**N/A**".

Statistical Annex: Immigration and Asylum in Poland (2011-2014)

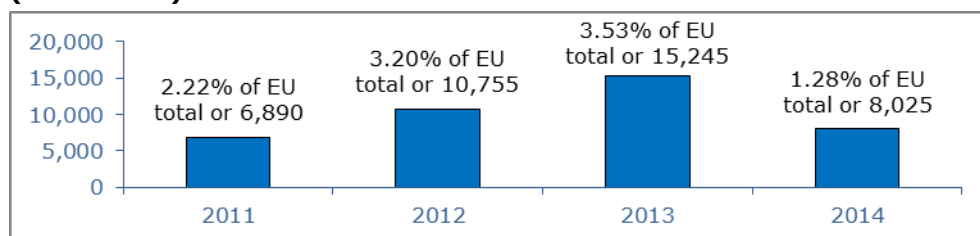
1. COMMON EUROPEAN ASYLUM SYSTEM

Figure 1: Asylum applications as a share of the total population in Poland, EU average and EU high and low (2011-2014)



Source: Eurostat migration statistics (migr_asyappctza), data extracted 20/07/2015

Figure 2: Number of asylum applications and as a share of the total number of applications in the EU (2011-2014)



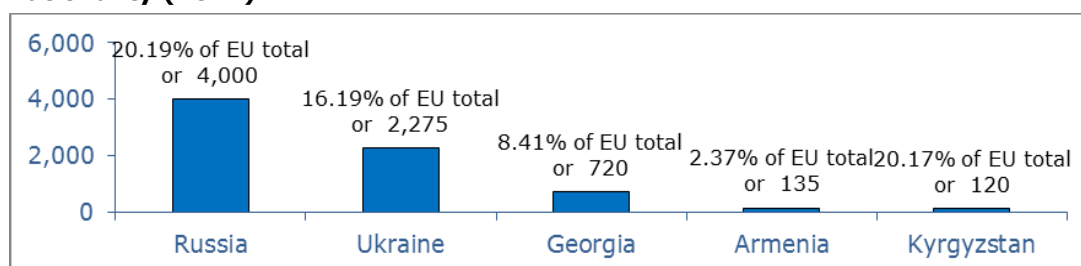
Source: Eurostat migration statistics (migr_asyappctza), data extracted 21/07/2015

Table 1: Asylum applications: Top five third-country nationalities (2011-2014)

| 2011 | | | 2012 | | | 2013 | | | 2014 | | |
|-------------|-------|------------|--------------------|-------|------------|-------------|--------|------------|-------------|-------|------------|
| Nationality | Nr | % of total | Nationality | Nr | % of total | Nationality | Nr | % of total | Nationality | Nr | % of total |
| Russia | 4,305 | 62% | Russia | 6,085 | 57% | Russia | 12,845 | 84% | Russia | 4,000 | 50% |
| Georgia | 1,735 | 25% | Georgia | 3,235 | 30% | Georgia | 1,240 | 8% | Ukraine | 2,275 | 28% |
| Armenia | 215 | 3% | Armenia | 415 | 4% | Syria | 255 | 2% | Georgia | 720 | 9% |
| Belarus | 80 | 1% | Kazakhstan | 120 | 1% | Armenia | 205 | 1% | Armenia | 135 | 2% |
| Ukraine | 65 | 1% | Afghanistan, Syria | 105 | 1% | Kazakhstan | 95 | 1% | Kyrgyzstan | 120 | 1% |

Source: Eurostat migration statistics (migr_asyappctza), data extracted 21/07/2015

Figure 3: Asylum applications: Top five third-country nationalities as a share of EU total per given nationality (2014)



Source: Eurostat migration statistics (migr_asyappctza), data extracted 21/07/2015

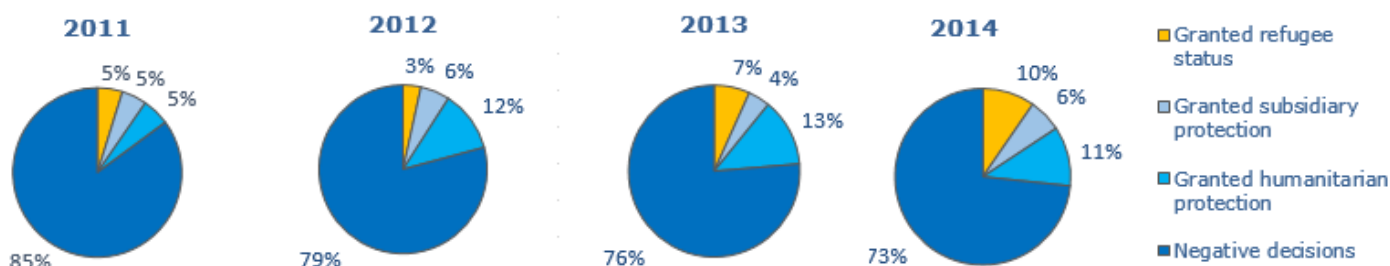
Note: the figure reads as: Poland received 4,000 asylum applications from Russians or 20.19% of all asylum applications launched by Russians in EU in 2014.

Table 2: Asylum applications - First instance decisions by outcome (2011-2014)

| | Total decisions | Positive decisions | Of which: | | Humanitarian reasons | Negative decisions |
|------|-----------------|--------------------|----------------|-----------------------|----------------------|--------------------|
| | | | Refugee status | Subsidiary protection | | |
| 2011 | 3,215 | 475 | 155 | 155 | 170 | 2,740 |
| 2012 | 2,480 | 520 | 85 | 140 | 290 | 1,960 |
| 2013 | 2,895 | 685 | 195 | 120 | 370 | 2,210 |
| 2014 | 2,700 | 720 | 260 | 165 | 295 | 1,980 |

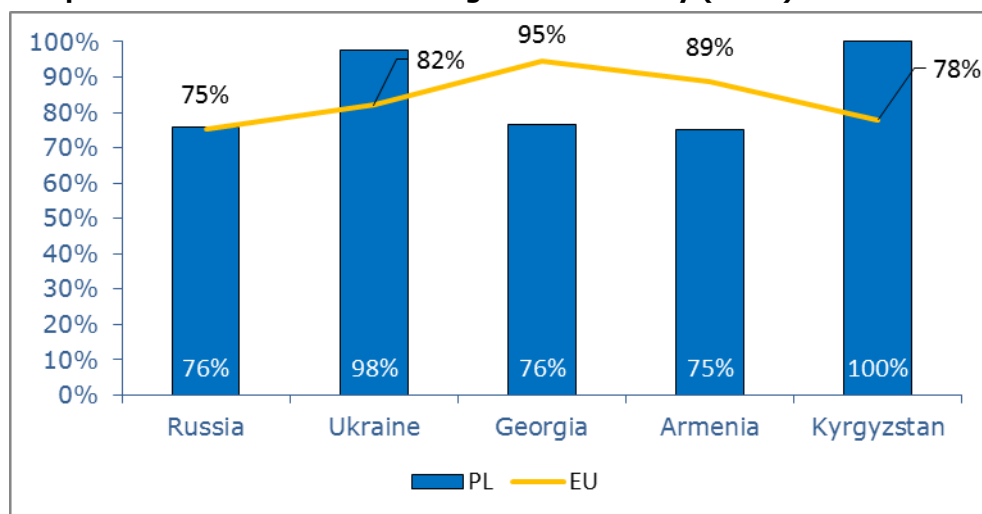
Source: Eurostat migration statistics (migr_asydcfsta), data extracted 22/07/2015.

Figures 4-7: Asylum applications - First instance decisions by outcome (2011-2014)



Source: Eurostat migration statistics (migr_asydcfsta), data extracted 22/07/2015

Figure 8: Negative decision rate for the top five nationalities of applicants at the first instance in comparison with EU for the same given nationality (2014)



Source: Eurostat migration statistics (migr_asydcfsta), data extracted 23/07/2015

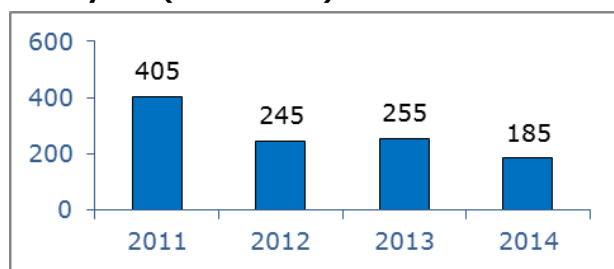
Figure 9: Third-country nationals resettled



Source: Eurostat migration statistics (migr_asyresa), data extracted 23/07/2015

2. UNACCOMPANIED MINORS

Figure 10: Unaccompanied minors applying for asylum (2011-2014)



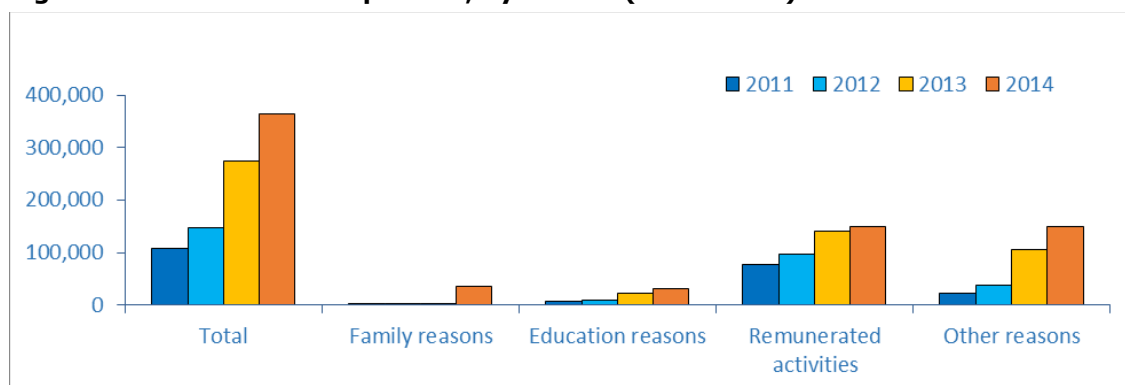
Source: Eurostat Asylum applicants considered to be unaccompanied minors by citizenship, age and sex Annual data (rounded) [migr_asyunaa], data extracted 23/07/2015; * Data from 2013 and 2014 EMN Annual Policy Report on Immigration and Asylum, Statistic Annex

Table 3: Unaccompanied minors (2011-2014)

| | 2011 | 2012 | 2013 | 2014 |
|---------------------------------------|------|------|------|------|
| Unaccompanied minors (total)* | 57 | 222 | 30 | 25 |
| Unaccompanied minor asylum applicants | 405 | 245 | 255 | 18 |

3. EUROPEAN POLICY ON LEGAL MIGRATION AND INTEGRATION

Figure 11: First residence permits, by reason (2011-2014)



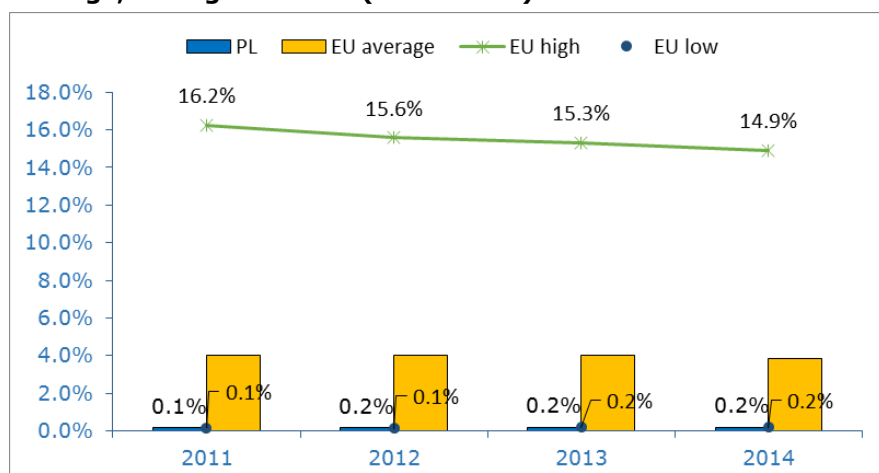
Source: Eurostat (migr_resfirst), data extracted 23/07/2015 EMN Annual Policy Report on Immigration and Asylum 2014, Statistic Annex

Table 4: First residence permits: Top five third-country nationalities (2011 – 2014)

| 2011 | 2012 | 2013 | 2014 |
|-----------------------------|-----------------------------|-----------------------------|-----------------------------|
| 1. Ukraine – 156,086 | 1. Ukraine – 107,601 | 1. Ukraine – 171,769 | 1. Ukraine – 210,402 |
| 2. Belarus – 69,622 | 2. Belarus – 23,284 | 2. Belarus – 69,958 | 2. Belarus – 76,883 |
| 3. Russia – 24,048 | 3. Moldova – 4,711 | 3. Moldova – 6,746 | 3. Russia – 13,696 |
| 4. Moldova – 6,623 | 4. Turkey – 3,144 | 4. Turkey – 4,436 | 4. Vietnam – 9,068 |
| 5. Turkey – 3,199 | 5. Russia – 2,389 | 5. Russia – 3,868 | 5. Turkey – 5,152 |

Source: Eurostat migration statistics (migr_resfirst), data extracted 23/07/2015; 2014 provided by PL EMN NCP

Figure 12: Resident population of third-country nationals as a share of total population in Poland, EU average, EU high and low (2011-2014)



Source: Eurostat migration statistics (migr_pop1ctz), data extracted 23/07/2015

4. IRREGULAR MIGRATION AND RETURN

Table 5: Number of third-country nationals refused entry at external borders (2011 – 2014)

| Third country nationals: | 2011 | 2012 | 2013 | 2014 |
|---|--------|--------|--------|--------|
| Refused entry at external borders | 20,225 | 29,705 | 40,385 | 20,125 |
| Found to be illegally present | 6,875 | 8,140 | 9,280 | 12,050 |
| Ordered to leave | 7,750 | 7,995 | 9,215 | 10,160 |
| Returned following an order to leave | 7,050 | 6,845 | 8,465 | 9,280 |

Source: Eurostat migration statistics (migr_eirfs)(migr_eipre)(migr_eiord)(migr_eirtn) , data extracted 24/07/2015

Table 6: Third-country nationals returned (2011-2014)

| | Returned as part of forced return measures | Returned voluntarily | Returned through an Assisted Voluntary Return Programme |
|--------------|--|----------------------|---|
| 2011 | 625 | 5,519 | 1,164 |
| 2012 | 512 | 6,143 | 764 |
| 2013 | 1,223 | 7,106 | 1,994 |
| 2014* | 901 | 8,101 | 1,502 |

Source: EMN Country Factsheet 2013 and *EMN Annual Policy Report on Immigration and Asylum 2014, Statistic Annex

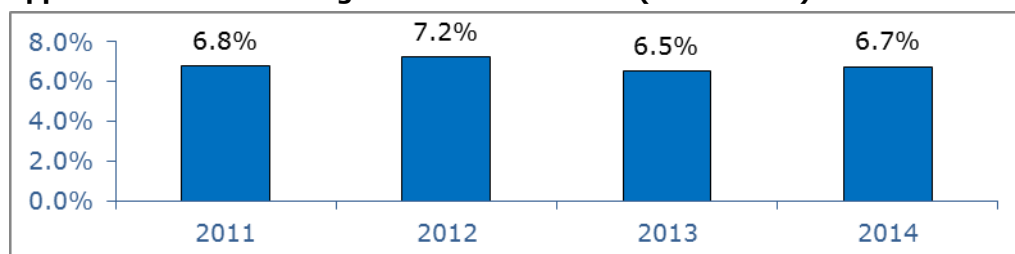
5. SECURING EUROPE'S EXTERNAL BORDERS

Table 7: Number of Schengen visas applications (2011 – 2014)

| | 2011 | 2012 | 2013 | 2014 |
|---|---------|-----------|-----------|-----------|
| Uniform visas (short-stay visas) | 912,988 | 1,091,395 | 1,126,150 | 1,125,520 |

Source: DG Migration and Home – Complete statistics on short-stay visas issued by the Schengen States

Figure 13: Uniform visa applications received in Poland as a share of the total number of uniform visa applications in all Schengen states consulates (2011-2014)



Source: DG Migration and Home affairs – Complete statistics on short-stay visas issued by the Schengen States

Table 8: Top five countries in which the highest number of visa applications for Poland was lodged

| 2011 | | 2012 | | 2013 | | 2014 | |
|----------------|---------|-------------------|---------|-------------------|---------|-------------------|---------|
| Country | Nr | Country | Nr | Country | Nr | Country | Nr |
| Ukraine | 379,214 | Ukraine | 455,526 | Ukraine | 538,181 | Ukraine | 566,976 |
| Belarus | 244,770 | Belarus | 292,860 | Belarus | 272,172 | Belarus | 323,707 |
| Russia | 212,270 | Russia | 262,636 | Russia | 227,114 | Russia | 147,118 |
| China | 10,746 | Kazakhstan | 13,209 | China | 13,107 | China | 14,160 |
| Turkey | 7,414 | China | 12,345 | Kazakhstan | 12,827 | Kazakhstan | 79,41 |

Source: DG Migration and Home affairs

6. ACTIONS AGAINST TRAFFICKING IN HUMAN BEINGS

Table 9: Number of traffickers arrested as suspects and traffickers convicted

| | 2011 | 2012 | 2013* | 2014* |
|---|------|------|-------|-------|
| Convictions | N/I | N/I | 24 | 17 |
| Arrested / otherwise involved in a criminal proceeding | N/I | N/I | 47 | 49 |

Source: *2013 and 2014 EMN Annual Policy Report on Immigration and Asylum, Statistic Annex

7. ASYLUM AND MIGRATION EU FUNDING SOURCES (2007-2013 AND 2014-2020)

Table 10: Asylum, Migration and Integration Fund (AMIF) allocation to Poland in euro per area

| Areas | AMIF 2014-2020 |
|---------------------------------------|-------------------|
| Asylum | 12,700,000 |
| Legal Migration and Integration | 39,506,044 |
| Return | 12,700,000 |
| Technical Assistance | - |
| Special cases (resettlement/transfer) | - |
| TOTAL | 69,393,621 |

Source: DG Migration and Home affairs

Table 11: Internal Security Fund (ISF) allocation to Poland in euro per area

| Areas | ISF 2014-2020 |
|----------------------------------|--------------------|
| ISF Borders | 49,113,133 |
| ISF SA Frontex | 24,155,847 |
| ISF SA Consular cooperation | - |
| ISF Borders Emergency Assistance | - |
| ISF Police | 39,294,220 |
| TOTAL | 112,563,200 |

Source: DG Migration and Home affairs

Table 12: SOLID funds allocation in euro and share of total funds allocated to Poland (2007-2013)

| SOLID FUNDS | 2007 | 2008 | 2009 | 2010 | 2011 | 2012 | 2013 | TOTAL |
|--|------------------|------------------|------------------|------------------|------------------|------------------|------------------|--------------------------|
| European Refugee Fund (ERF) | N/A | 1,784,686 (2.4%) | 2,193,399 (2.2%) | 2,584,355 (2.7%) | 3,043,309 (3.1%) | 2,641,391 (2.5%) | 2,362,110 (2.1%) | 14,609,253 (2.5%) |
| European Return Fund (RF) | N/A | 1,703,835 (3.1%) | 1,992,690 (3.2%) | 2,593,072 (3.2%) | 3,098,932 (2.8%) | 3,980,509 (2.6%) | 4,731,601 (2.7%) | 18,100,640 (2.9%) |
| European Fund for the Integration of TCN (EIF) | 1,234,523 (1.9%) | 1,640,870 (2.1%) | 2,159,084 (2.2%) | 2,410,686 (2.2%) | 2,818,302 (2.1%) | 3,797,491 (2.3%) | 3,661,002 (2%) | 17,721,957 (2.1%) |
| External Borders Fund (EBF) | 3,020,245 (2.1%) | 2,935,000 (2.2%) | 3,374,227 (2.1%) | 2,581,897 (1.3%) | 3,156,378 (1.3%) | 3,978,321 (1.2%) | 4,902,833 (1.2%) | 23,948,902 (1.5%) |

Source: DG Migration and Home affairs