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# 1. Programme strategy: main challenges and policy responses

Reference: Article 22(3)(a)(iii), (iv), (v) and (ix) of Regulation (EU) 2021/1060 (CPR)

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| **Glossary:****EES** – Entry Exit System**NFM** – Norwegian Financial Mechanism**MAC** – Migration Analytical Centre;**EUAA** – European Union Agency for Asylum**TCNs** – third-country nationals; **MA** – Managing Authority**BG** – Border Guard**SP** – System Pobyt**OfF** – Office for ForeignersThe Programme lays down the strategy for spendings based on the current situation, the status of implementation of EU acquis and experience gained in the implementation of the AMIF 2014-2020.The administrative capacity of the MA to manage the AMIF is sufficient. The MA has experience gained in the 2014-2020 perspective (e.g. the COVID pandemic and the related restrictions), the funds allocated to Technical Assistance are sufficient. The administration's capacities are being monitored and corrective actions will be taken if challenges arise.The Polish system of providing assistance to TCNs is **compatible with the acquis of the Common European Asylum System** and based mainly on the *Act on granting protection to foreigners within the territory of the Republic of Poland.* In the situation of **unpredictable influx of TCNs** (beginning in mid-2021), the greatest challenges faced by the migration authorities included **smooth current handling of TCNs applying for protection, insufficient reception capacities and the necessity to provide comprehensive assistance to TCNs.****In 2017 - 2020, the influx of TCNs applying for international protection decreased** (from more than 12,000 in 2016 to ca. 4,000 in 2019). In the first half of 2022, applications were submitted by 5,100 foreigners. In 2014-2019, the largest number of decisions to grant the refugee status was issued to nationals of Syria – 395, Ukraine – 109, Russia - 81, Iraq – 81 and Turkey – 75, whereas the largest number of decisions to grant subsidiary protection was issued to Russians – 529, Ukrainians – 413, Iraqi - 73, Tajiks – 70 and Syrians – 48. The number of applicants for international protection almost tripled (7,699 persons) compared to 2020. Belarus, Afghanistan and Iraq were the main countries of origin. **The number of applications submitted by unaccompanied minors**, mainly Afghan nationals, **grew** in 2021. Furthermore, Poland recorded one of Europe's highest rates of female and child applicants. Due to to the Russian Federation's armed aggression on Ukraine and mass influx of TCNs from Ukraine, the inflow of potential refugees was estimated at 4-5 million by the end of 2022. **Ukrainian nationals who entered Poland after 24 February 2022 were granted the temporary protection status for 18 months. Thus the number of persons covered by asylum procedures did not rise significantly. Receiving such a large number of persons is a challenge which requires adequate actions.** The AMIF programme will allow co-financing of actions aimed at improving the situation of the target group. Coordination with MAs responsible for other EU funds will be ensured.On average, social assistance during the refugee procedure is used by 4,900 TCNs (2021). The number of places at OfF centres and BG guarded centres is over 3,900, with several hundred additional ones possible to be provided in a crisis situation. To date, support in applying has been provided under AMIF 2014-2020 to ca. 40,000 TCNs. In addition, a number of OfF and BG reception facilities have been adapted to receive, handle and accommodate TCNs under the international protection system. TCNs have been granted procedural and material assistance. Moreover, the AMIF 2014-2020 and NFM were used for financing projects regarding protection against violence of children of TCNs applying for international protection.Despite the expenditure on the infrastructure for TCNs in 2014-2020 as well as on material, educational, social and pre-integration support, these actions require cyclical investments and are in constant demand. It is still necessary to update the knowledge held by the personnel, in particular working with TCNs from vulnerable groups, in the area of social assistance, and to increase employment at the centres. The staff should have up-to-date information on asylum procedures, countries of origin and relevant statistical data. Used to this end are Eurostat data, EUAA tools as well as data from the MAC established under AMIF 2014-2020. Synergies with EUAA tools, platforms and initiatives will be established. Further improvement in TCN reception conditions and further enhancement of the staff's potential are necessary, which will contribute to facilitating the application of the procedures. A challenge in this area is posed also by the prevention of migration pressure and crisis situations as well as solidarity actions such as participation in initiatives aimed at cooperation with third countries in building their migration management capacities, including the development of asylum and reception systems in those countries.Poland has been a destination country for regular migration within the EU for several years, and an attractive destination for economic migrants: 375,342 of first work-related residence permits were issued in 2015, 493,960 in 2016, 596,916 in 2017, 533,646 in 2018, 625,120 in 2019 and 502,342 in 2020 (Eurostat). TCNs account for more than 5% of the labour market, compared to less than 1% in 2013, and the demand for migrant workers is forecast to increase by several, and even between 10 and 20, percent. Poland has recorded a growth in the number of TCNs who take up studies at higher education establishments: 78,259 TCNs studied in academic year 2018/2019, which represented a 7.6% increase over 2017/2018 (72,743 studying TCNs). The number of post-graduate TCN students is also rising, accounting for 5.05% of post-graduate students in Poland as of the end of 2019.**The key challenges listed in *Migration Policy of Poland - Diagnosis of the Initial State* (2021) include low efficiency of the employment and residence legalisation system arising from *inter alia* the excessive length of the procedures and insufficient level of electronisation of the proceedings.** The document highlighted also the need to increase expenditure on the development of ICT systems and the deployment of artificial intelligence technology to support the fight against fraud. According to a 2019 report by the Supreme Audit Office, the public administration had not been prepared for smooth handling of large numbers of TCNs. The report noted the excessive length of the proceedings, insufficient human resources of migration bodies, lack of formalised handling standards and, partially, accommodation shortages.The residence legalisation system is based on tasks performed by respective Voivodes, the Head of the OfF and the BG. Temporary, permanent and long-term residence permits in the EU are issued by Voivodes based on applications submitted by TCNs. The number of applications submitted and permits issued is increasing, and it is expected that the upward trend will continue. Difficulties with increasing the number of TCNs performing deficit skilled professions in Poland result also from restrictions on recognition of diplomas and qualifications earned in countries of origin. These actions were financed under the AMIF 2014-2020 as part of guidance services, but the demand for them was marginal and it is planned to provide the services as required.Faced with the growing number of work/residence permit applications, the infrastructural and human resources of Voivodes and the OfF are insufficient. In this light, **the priorities include further enhancement of administrative capacities and adaptation of those capacities to the needs of TCNs, as well as enhancement of systems, including the SP, infrastructure and staff responsible for legalisation of residence and work permits.** In 2014-2020, **integration activities for TCNs** were conducted by non-governmental organisations, international organisations, local government units, higher education schools and government administration bodies. They included *inter alia* guidance and assistance regarding legalisation of residence; administrative and legal matters; employees' rights; integration; health, psychological and social care; childcare and family reunification; education of children, youth and adults; student support; Polish language courses; increasing TCNs' competencies to facilitate access to the labour market; courses in laws applicable in Poland and living conditions; promotion of self-reliance, including professional activation, assessment and enhancement of competencies, vocational guidance; activities designed to enhance integration with the Polish society and integration promotion actions addressed to the receiving society. Beginning in 2018, every voivodship implemented a comprehensive project involving *inter alia* building permanent organisational structures which contribute to integration, training personnel who work with TCNs, and conducting activities related to professional guidance, education and professional activation of TCNs. **Due to the large number of TCNs arriving in Poland, the actions addressed directly to TCNs will be continued**. In this context, it is important to enhance cooperation between the NGO sector and state administration within the framework of the two-way integration process which involves both migrants and the receiving society. For integration to be successful, administration staff, including office and education workers, must be prepared. Current trends show that the increasing influx of TCNs from culturally and linguistically distant countries (South-East Asia) will require additional integration efforts. It is a challenge to create **a comprehensive TCN integration support system at State and Voivodship level by means of building a TCN integration structure based on unified activities undertaken in respective Voivodships.**Launched in 1998 and modernised under AMIF 2014-2020, the SP is Poland's main ICT system for handling matters regarding TCN entry to, stay in and exit from Poland; the system requires further development. The solutions developed have improved availability of information for persons applying for international protection, and efforts are being continued to accelerate the application handling process. Challenges include further improvement of the SP, provision of digital services, development of information channels for TCNs to facilitate submission of applications and access to information about TCNs' rights and obligations as well as social assistance. Poland also intends to respond to challenges related to ensuring interoperability of large-scale information systems, such as SIS, VIS, EES, ETIAS, ECRIS TCN used in migration procedures, with the country's SP.Research shows that the Polish society is concerned about the impact of TCN labour force on their situation. Neither did Poles find the vision of a multicultural society attractive, but a long-term analysis shows an increase in social acceptance of that phenomenon. Effectiveness of integration actions depends on *inter alia* actions addressed to the receiving society. Those actions should be aimed at increasing awareness of cultural diversity and the resulting benefits, preventing cultural discrimination and conflicts, including the so-called hate speech. It is particularly important to support migrant children and youth at schools to prevent their exclusion from the school community. Actions addressed to the receiving society will be continued.In view of the large influx TCNs, it is important to develop analytical tools for migration management, which includes building information systems, ensuring appropriate tools and resources, and developing competencies of the staff. This will permit better diagnosing and forecasting of migration trends. Those systems will be developed within the **MAC**, which will also serve analyses regarding international protection.All actions will be carried out in synergy with other forms of support, i.e. funds covered by Regulation EU 2021/1060 and national financing. In addition to the AMIF, it is planned to use in this area the NFM (soft expenditure, i.e. training, workshops, study visits), Frontex grant agreements and State budget funding (expenditures on TCNs who are not beneficiaries of the AMIF, NFM or Frontex grant agreements). Furthermore, the actions will be complementary with the Cohesion Funds, primarily the European Social Fund Plus. AMIF funds will be used for granting support at early stages of TCN integration, while the ESF+ will complement the AMIF with funding related to medium and long-term integration, in particular funding of TCN employment and integration on the labour market and granting support to TCN children immediately after their arrival (e.g. access to primary and secondary education, prevention of early school leaving). Furthermore, the European Regional Development Fund will complement AMIF actions e.g. through providing support for (temporary) reception infrastructure, social housing or social infrastructure for migrants, refugees and persons either covered by or applying for international protection. MAs will conduct dialogue in the area of integration in the context of complementarity of relevant funds. Moreover, AMIF actions will be complementary with the Internal Security Fund (particularly in the area of protection of migrant children, prevention of trafficking in human beings, protection of victims of trafficking in human beings, prevention of migrant smuggling and radicalisation) and the Instrument for Financial Support for Border Management and Visa Policy as part of the Integrated Border Management Fund (application of a fingerprint identification system to establish a TCN's identity and status; actions relating to the improvement of visa application processing will be complementary with actions relating to the promotion of legal migration paths). Throughout the implementation of the programme, the complementarity and synergies will be monitored on an on-going basis to avoid overlaps within the Programmes. Poland **is both a transit country on the way to Western European countries and a destination country for TCNs.** The BG is under obligation to take effective measures to enforce compliance with applicable laws by TCNs, enhance the system that provides for controlling the legality of stay in Poland, and the legality of and compliance with standards regarding employment of TCNs in the country. Arranging returns is among **the most effective methods of preventing illegal migration and an important element of the migration and asylum system in Poland and the EU. The obligation to return arises by law (expiry of the residence title) and by means of a decision requiring the return (the decision is issued by the BG). The number of return decisions has been rising** since 2016, with 24,943 decisions issued in 2017, 29,520 in 2018, 29,408 in 2019, 10,972 in 2020, and 10,349 in 2021. Given the large influx of TCNs in 2021, it is forecast that the number of return decisions will be high in the future, which will require support for the migration services and TCNs.The AMIF 2014-2020 was used to arrange forced and voluntary returns, train BG officers and expand the BG's infrastructure used for handling TCNs. It is planned to **continue enhancing the effectiveness and sustainability of returns by means of enhancing the BG's infrastructural capacities, developing and enhancing interoperability of the ICT and database infrastructure, enhancing the competencies of officers and other entities involved in preventing illegal migration and by providing returnees, including vulnerable persons, with access to reintegration assistance.** In view of the expected increase in the number of persons under the return procedure, it will be necessary to ensure free-of-charge legal and interpreting assistance and to build a system for monitoring of enforcement of return decisions.In 2014-2020, actions were taken to further cooperation with third countries, including *inter alia* Vietnam, to ensure effective implementation of returns. **Cooperation with third countries through enhancing their capabilities to implement readmission agreements and other facilities and to provide for sustainable returns will be continued.**The BG has the authority to check the legality of residence and employment. With their number continually increasing, such checks are aimed at discouraging illegal migration which is made stronger by the perspective of employment in the EU, hence BG units responsible for employment legality checks in urban areas must be strengthened. Their tasks will include detecting, preventing and combating illegal migration and streamlining the return procedures. Employment legality checks are also within the remit of the National Labour Inspectorate (*Państwowa Inspekcja Pracy*, PIP), which funds its operations from own resources, complementing the ones undertaken under the AMIF through *inter alia* checks and preventive actions. Actions of both services are complementary. The PIP and BG signed an agreement on the rules of cooperation in 2018. The cooperation involves sharing information on infringements, exchanging experiences, improving control methods and initiatives aimed at improving compliance with law through e.g. joint information campaigns, training as well as meetings and conferences with the participation of TCNs, employers and non-governmental organisations.Actions will also be taken with respect to alternatives to detention, but they have not been and will not be financed from the AMIF. **Alternatives to detention in use include reporting to the BG at defined time intervals, depositing a monetary security, staying at a location assigned in the decision (which is not publicly-financed accommodation).** Those measures **do not involve any significant public funds** and therefore do not need to be financed from the AMIF. In 2021, alternatives to detention covered 95 TCNs (under the Act on granting protection to foreigners within the territory of the Republic of Poland). Vulnerable persons receive financial support from the State budget under Polish law. The AMIF will also be used to implement recommendations made in the Schengen evaluation in the area of returns. Poland does not intend to use **financial instruments** as an additional form of support. |

# 2. Specific objectives and technical assistance

Reference: Article 22(2) and (4) of the Common Provisions Regulation

|  Selected | Specific objective or technical assistance | Type of action |
| --- | --- | --- |
| [x]   | 1. CEAS | Regular actions |
| [ ]   | 1. CEAS | Specific actions |
| [x]   | 1. CEAS | Actions set out in Annex IV |
| [x]   | 1. CEAS | Operating support |
| [ ]   | 1. CEAS | Emergency assistance |
| [x]   | 2. Legal migration and integration | Regular actions |
| [ ]   | 2. Legal migration and integration | Specific actions |
| [x]   | 2. Legal migration and integration | Actions set out in Annex IV |
| [x]   | 2. Legal migration and integration | Operating support |
| [ ]   | 2. Legal migration and integration | Emergency assistance |
| [x]   | 3. Return | Regular actions |
| [ ]   | 3. Return | Specific actions |
| [x]   | 3. Return | Actions set out in Annex IV |
| [x]   | 3. Return | Operating support |
| [ ]   | 3. Return | Emergency assistance |
| [x]   | 4. Solidarity | Regular actions |
| [ ]   | 4. Solidarity | Specific actions |
| [x]   | 4. Solidarity | Actions set out in Annex IV |
| [ ]   | 4. Solidarity | Operating support |
| [ ]   | 4. Solidarity | Emergency assistance |
| [ ]   | 4. Solidarity | Resettlement and humanitarian admission |
| [ ]   | 4. Solidarity | International protection (Transfer in) |
| [ ]   | 4. Solidarity | International protection (Transfer out) |
| [x]   | TA.36(5). Technical assistance – flat rate (Article 36(5) of the Common Provisions Regulation) |  |
| [ ]   | TA.37. Technical assistance – Financing not linked to costs (Article 37 of the Common Provisions Regulation) |  |

## 2.1. Specific objective: 1. CEAS

### 2.1.1. Description of the specific objective

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| The procedure of providing assistance to TCNs in Poland falls within the responsibility of the **BG** and **OfF**: Procedures and tasks of those entities are regulated under the Act on foreigners, which implements applicable EU asylum and migrations law. A TCN submits an international protection application to the Head of the OfF via the Commander of a Border Guard unit or appropriate local Commander of a BG post. The procedure involves *inter alia* confirming the identity of the TCN, assisting in submitting the application, providing social and medical assistance and conducting pre-integration actions. During the procedure, TCNs remain, depending on how they crossed the border, at BG or OfF facilities, or alternatives to detentions are used. The asylum procedure ends with a decision issued by the Head of the OfF.According to data provided by Statistics Poland, the total number of TCNs who at the end of 2021 held a valid residence permit evidencing the granting of international protection (refugee status and subsidiary protection) or national protection (asylum, authorisation to stay for humanitarian reasons and tolerated stay permit) remained at a stable level similar to that recorded in the previous years which amounted to ca. 5,200–5,600 (it was 5,300 as of the end of 2019). However, **such permits were held by 5,800 people as of 1 January 2022 and one can expect that number to grow dynamically.**The bulk of actions relating to maintaining and correct functioning of that structure rests in Poland on the BG and OfF. Strengthening these institutions through renovations of their facilities and provision of assistance to TCNs was only possible by means of the AMIF 2014-2020, and **it is necessary to continue to strengthen the capacities of both of them.** Actions carried out included maintenance and development of the infrastructure and security, accommodation and reception systems required to handle applicants for international protection, as well as development, improvement and enhancement of the existing structures and systems, including the detention system. Alternatives to detention (reporting to the BG at defined time intervals, depositing a monetary security, staying at a location assigned in the decision ) **have not been financed from the AMIF and it is not planned to financed them under the Programme because, due to their nature, they do not involve any significant public funds.** The BG and OfF systematically **increase the reception capacities** of their facilities. As of February 2022, the BG had **1,979** places at 7 guarded centres, and the OfF had **1,941** places at 9 Centres for Foreigners. Utilisation of those facilities is continually increasing.In 2015, the average application handling time was nearly 4 months, compared to nearly 3 months in 2016, nearly 6 months in 2017, 2018 and 2019, and up to nearly 7 months in 2020. **The procedures can be streamlined** through enhancing the capacities of the migration services as regards collection, gathering, analysis and dissemination of data on asylum procedures and reception capacities, as well as enhancing the potential of the services in TCNs' countries of origin in connection with the rising, including the exchange of knowledge and best practices with EU Member States and third countries. Access to increasingly better tools and the most comprehensive and up-to-date sources possible is of key importance. It is necessary to build the capacities of the migration authorities through exchanging the knowledge and best practices in the area of TCN support, creating the reception and asylum system, and upgrading the IT systems. Optimisation of the resources within the aforementioned scope will contribute to ensuring better quality of decisions issued as part of the above processes. Such actions were supported under the AMIF 2014-2020 and **will be continued** to ensure that the staff have access to the most comprehensive and up-to-date sources of information possible, which will translate directly to faster and more efficient handling of matters.**Support for the capacities of the asylum system in the area of TCN reception infrastructure and services** is the most important issue as regards the asylum system in Poland. The main challenges in this area include **smooth handling of TCNs applying for international protection or covered by temporary protection, streamlining the procedures and addressing the challenge posed by the sudden and unpredicted influx of TCNs in crisis situations**. Migration services must be prepared for further mass influx of TCNs into the territory of Poland, in particular by means of ensuring accommodation through either building or adapting appropriate facilities and providing appropriate support. Ensuring the appropriate level of security at OfF facilities is of equal importance. It is therefore expected to create 100 new places within the reception infrastructure (O.1.3), and 905 places will be renovated or refurbished (O.1.4).It is necessary to **improve services provided to applicants for and beneficiaries of international protection,** such as provision of material support, auxiliary services (including translating and interpreting, education, language training, pre-integration actions), assistance at the border, psychological care, social assistance as well as information and support regarding administrative, judicial and legal procedures, ensuring and monitoring of free-of-charge legal assistance and representation. Legal assistance will be provided to ca. 3,209 people (O.1.1.1), with other forms of support to cover ca. 23,338 people (O.1.1.2). The scope of the aforementioned services should be extended also to the beneficiaries of temporary protection. **It is continually important to properly identify vulnerable groups and to prepare and provide adequate assistance.** Services provided to the target group account for a significant part of the "Asylum" objective.**Enhancing the asylum system and streamlining the procedures is related to the permanent need to improve the existing and implement new technological solutions.** The SP, which is used for keeping the national set of registers, records and lists in TCN matters, is the main tool used by the OfF. The system has been thoroughly modernised from EU funds and is still being modernised due to the constantly changing laws and the resulting critical system updates, increased number of registers and devices used within it. The system requires further expansion, including as regards interfaces with other systems and adaptation to the requirements of Statistical Regulation 2020/851, from which Poland has derogated. The hardware infrastructure supporting that system also requires modernisation and expansion.The constantly changing migration situation, both in the area of asylum (the changing political environment, other countries of origin, legislative changes) and legal migration (the growing number of applications submitted by TCNs in this respect, procedural and legislative changes), as well as staff rotation, make it necessary to **continually increase the staff competencies in order to ensure uniform application of the Union acquis and the Common European Asylum System priorities.** It is estimated that 130 persons will participate in training (O.1.2).**The number of applications submitted by unaccompanied minors increased** in 2017-2020. They do not stay at centres for foreigners but at educational and care institutions which operate within the framework of the care system. Poland has not used AMIF to finance the cost of accommodation of unaccompanied minors under the international protection procedure and does not intend to use such financing at present. In 2020, **women and children accounted for 59% of the applicants, which is among the highest rates in Europe.** Legal provisions provide for **a special procedure with respect to individuals with special needs and children**, and the large numbers of such individuals makes it necessary to develop a special model and measures and procedures to be applied to this category of people. Individuals who apply for international protection in Poland are varying physical and mental shape. Many are not aware of their rights and obligations, nor of Polish procedures. Language barriers and cultural differences may further deepen the sense of helplessness in contacts with the receiving society. **Such assistance was provided under the AMIF 2014-2020 by non-governmental organisations and will be supported in the next financial perspective**. It is estimated that it will cover 2,590 people (O.1.1.3).Streamlining the procedures requires **improving the quality of information on migration trends in Europe** prepared for experts and decision makers. This purpose is achieved through the MAC, the establishment of which was financed under the AMIF 2014-2020. The MAC's core tasks revolve around data and analyses regarding asylum and migration: improvement of the quality of reports, promotion of a wider and effective use of analytics in decision-making processes and identification of main causes of data problems.**Support for the asylum system capacities under the AMIF has been planned as a series of actions taking into account implementation measures a), b) and c).** The following has been planned as part of **implementation measure a):*** **upgrading staff skills and qualification** regarding comprehensive TCN services, inter-cultural communication, identification of vulnerable groups, information on countries of origin, prevention of discrimination, increased staff employment including interpreters; (scope of support - Annex III, points 1(b), 1(h)), indicator O.1.2
* **developing appropriate methods of identification of vulnerable groups and increasing access to personalised actions that meet individual needs of TCNs from vulnerable groups**, such as appropriate medical care, psychological care, strengthened infrastructure and adequate retrofitting the premises with children's products and providing bathrooms/toilets for the disabled, as well as training courses building the capacity of the staff in this area; (scope of support – Annex III, points 1(a), 1(f)), indicator O.1.1.3
* **developing appropriate methods of identification of minors and additional actions and resources adapted to the special needs of unaccompanied minors**, including protection of TCN children against violence and actions aimed at increasing awareness of the above issues among the staff working with TCNs; (scope of support – Annex III, point 1(g))
* **further development of the MAC** in terms of external users in order to improve the quality of the data and ensure better use thereof; conducting research and analyses, and providing expertise in the area covered by the fund’s support. (scope of support – Annex III, points 1(d), 1(e), 1(h))

The following has been planned as part of **implementation measure b):*** strengthening the reception and asylum system: **improving the conditions of reception of TCNs** through **developing the reception and asylum infrastructure** (including ensuring accommodation and boarding), and providing a broader range of support services, i.e. material and non-material support for TCNs applying for international protection and covered by temporary protection (e.g. legal assistance, psychological assistance, education, medical assistance, Polish language courses, pre-integration and social assistance), with particular focus on persons from vulnerable groups; (scope of support – Annex III, point 2(a), 2(b), 2(c), 2(d)) indicators O.1.1.1, O.1.1.2,
* **improving the accommodation conditions in the network of TCN centres and ensuring security to persons staying at those centres,** and, potentially, expanding that network for the needs of persons under temporary protection in Poland through *inter alia* increasing the number of security personnel, conducting renovation, maintenance and modernisation works, adapting and retrofitting the facilities to meet the applicable provisions of law, including ecologically-friendly solutions, comprehensive training of OfF staff and security personnel in security-related matters, study visits as part of exchange of information about solutions implemented in the area concerned in other EU Member States; (scope of support – Annex III, point 2(e)) indicators O.1.3, O.1.4.
* providing **modern information systems** to streamline the performance of the services and support of TCNs, including faster processing of international protection applications and smooth issue of temporary protection certificates through the provision of modern digital services as well as the necessary hardware infrastructure and access thereto. (scope of support – Annex III, point 2(f))

The following has been planned as part of **implementation measure c):*** **furthering cooperation with third countries to build their capacities to effectively manage migration in the areas of priority importance from Poland's perspective.**

Cooperation will encompass the Southern Neighbourhood States as part of Poland's participation in the Prague Process – the Migration Dialogue Forum EU-former USSR, Eastern African States as part of Poland's participation in the Khartoum Process – the Migration Dialogue Forum EU-the Horn of Africa, Georgia in connection with Poland's participation in the Mobility Partnership EU-Georgia etc. Cooperation is expected with other Member States and ICMPD (International Centre for Migration Policy Development), the latter of which plays the role of a Secretariat for the majority of multilateral initiatives in the area of the external dimension in which Poland participates. Actions in this area will involve implementation of solidarity measures to support Member States through *inter alia* providing technical support to manage asylum and migration, training for migration services, delegating experts, exchanging experiences, study visits, supporting the construction of effective data gathering and processing systems in the area of asylum and migration, as well as other actions to build asylum and migration management capacities in Member States under constant migration pressure or in a crisis situation (scope of support – Annex III, point 2(i)).**Operating support**The beneficiaries of operating support in this field will include the OfF, the BG, Voivodship Offices and, potentially, other immigration service bodies. Within their respective statutory remits, the above units perform duties and carry out tasks relating to the broadly understood smooth support of TCN international protection applicants, including maintenance and management of the reception and asylum system, identification of TCNs and vulnerable groups, conduct of procedures, provision of assistance and benefits etc.Operating support will cover the expenditure on:* **costs of staff** operating the SP and entering data in the system (applications for international and temporary protection, applications relating to social assistance), as well as equipment for those persons. The staff costs will include also the staff at centres for TCNs applying for international protection and covered by temporary protection (reception, social workers, centre maintenance, mentors/interpreters, TCN support personnel and other workers, e.g. educators), as well as equipment for those persons;
* costs of **current maintenance of OfF centres** for international protection applicants;
* costs of **operation of the TCN hotline** run by the OfF and established under the AMIF 2014-2020;
* **costs of support and maintenance of solutions created within the MAC** as well as the www.migracje.gov.pl website developed as part of that project;
* **expenditure on the current operation** of the SP run by the OfF and used by migration services (technical support, current maintenance, system updated, failure prevention and recovery), and on the ICT infrastructure which supports the set of registers; purchase of computer hardware for the staff;
* expenditure on **strengthening the IT staff** tasked with maintenance and development of the ICT infrastructure and operation of applications, and with support for users of workstations where additional elements, such as document and fingerprint readers, are installed. IT support should be quick and flexible, which will ensure efficient performance in the area of issuing of *inter alia* decisions to TCNs.

Utilisation of the support concerned contributes to achieving the AMIF objectives through strengthening of the reception and asylum system, enhancing the technical capacities, competencies and qualifications of Polish migration services and the staff involved in asylum-related actions. |

2.1. Specific objective 1. CEAS

### 2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 1: Output indicators

| ID | Indicator | Measurement unit | Milestone (2024) | Target (2029) |
| --- | --- | --- | --- | --- |
| O.1.1 | Number of participants supported | number | 3,982 | 26,547 |
| O.1.1.1 | including the number of participants who received legal assistance | number | 482 | 3,209 |
| O.1.1.2 | including the number of participants benefiting from other types of support, including information and assistance throughout the asylum procedure | number | 3,500 | 23,338 |
| O.1.1.3 | including the number of vulnerable participants assisted | number | 388 | 2,590 |
| O.1.2 | Number of participants in training activities | number | 19 | 130 |
| O.1.3 | Number of newly created places in reception infrastructure in accordance with Union acquis | number | 0 | 100 |
| O.1.3.1 | including the number of newly created places for unaccompanied minors | number | 0 | 0 |
| O.1.4 | Number of renovated or refurbished places in reception infrastructure in accordance with Union acquis | number | 0 | 905 |
| O.1.4.1 | including the number of renovated or refurbished places for unaccompanied minors | number | 0 | 0 |

2.1. Specific objective 1. CEAS

2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 2: Result indicators

| ID | Indicator | Measurement unit | Baseline value | Baseline value measurement unit | Reference year/years | Target (2029) | Target measurement unit | Source of data | Comments |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| R.1.5 | Number of participants who consider the training useful for their work | number | 0 | participation | 2021 | 104 | number | measurement reported by beneficiaries | Base - no subsequent and related AMIF data |
| R.1.6 | Number of participants who report three months after the training activity that they are using the skills and competences acquired during the training | number | 0 | participation | 2021 | 117 | number | measurement reported by beneficiaries | Base - no subsequent and related AMIF data |
| R.1.7 | Number of persons placed in alternatives to detention | number | 0 | number | 2021 | 0 | number | - | - |
| R.1.7.1 | including the number of unaccompanied minors placed in alternatives to detention | number | 0 | number | 2021 | 0 | number | - | - |
| R.1.7.2 | the number of families placed in alternatives to detention | number | 0 | number | 2021 | 0 | number | - | - |

2.1. Specific objective 1. CEAS

### 2.1.3. Indicative breakdown of programme resources (EU) by type of intervention

Reference: Article 22(5) of the Common Provisions Regulation and Article 16(12) of the AMIF Regulation, Article 13(12) of the ISF Regulation or Article 13(18) of the BMVI Regulation

#### Table 3: Indicative breakdown

| Type of intervention | Code | Indicative amount (in EUR) |
| --- | --- | --- |
| Intervention field | 001.Reception conditions | 11,735,500.00 |
| Intervention field | 002.Asylum procedures | 6,000,000.00 |
| Intervention field | 003.Implementation of the Union acquis | 9,000,000.00 |
| Intervention field | 004.Children in migration | 1,000,000.00 |
| Intervention field | 005.Persons with special reception and procedural needs | 6,000,000.00 |
| Intervention field | 006.Union resettlement programmes or national resettlement and humanitarian admission schemes (Annex III, point 2(g)) | 0.00 |
| Intervention field | 007.Operating support | 1,800,000.00 |

## 2.1. Specific objective: 2. Legal migration and integration

### 2.1.1. Description of the specific objective

|  |
| --- |
| The increase in legal migration of TCNs to Poland observed since 2014 has revealed shortcomings of the Polish migration system, including *inter alia*:* the low level of digitalisation of migration procedures which require direct contacts between migration authorities and customers; the low level of repeatability of typical cases and the structure of administrative proceedings which require strong involvement of human resources, extending the duration of administrative proceedings beyond statutory deadlines;
* rotation and inadequate professionalisation of the personnel handling proceedings in stay-related matters; inadequate provision of the migration authorities with tools that streamline the customer and proceeding support;
* **the migration information channels which are dispersed, duplicated and partially unable to respond quickly to changes in the legal environment and customer needs;**
* **the high level of complexity of applicable law and low inadequate legal awareness of the customers,** hindering their cooperation in the procedures;the language barrier;
* **insufficient recognition of the needs of TCNs from countries with no history of migration to Poland** (China, Nepal, India, Indonesia), which will require preparing the migration services and conducting information and integration actions;
* **unsatisfactory advocacy and educational actions among local communities, institutions, employers and migrants**; insufficient support for migrant children and youth;
* **lack of a uniform structure of TCN integration in respective Voivodships**; inadequate support for the process of integrating TCNs with the receiving society and insufficient actions addressed to the receiving society.

In response to the emerging challenges, **it will be necessary to support the development and implementation of policies that promote legal migration and the implementation of the Union acquis regarding legal migration, including in the area of enforcement of labour standards.**Actions encompassed by this objective are in line with the document *Migration Policy of Poland - Diagnosis of the Initial State*. Work is currently under way to prepare an implementing document which will lay out key tasks regarding international migration. According to the document, in order to facilitate legal entry and stay in the EU, it will be relevant to **build the capacities of the migration authorities in the area of development of the EU acquis** on mobility within the EU and the attractiveness of the EU, and in the area of **the current customer service in the context of the constantly growing influx of TCNs** to Poland, so that excessively long administrative procedures could be prevented. The implementing document will encompass the issue of increased demand for migration workers, including highly qualified ones. In this light, **further actions are being planned to facilitate legal entry and stay in the EU for that group of TCNs**. In view of these challenges it will be important for the OfF and Voivodship Offices to pursue an active information policy in the area of the law and procedures applicable to TCNs' entry and stay in Poland, as dictated by the current needs and with the use of various means of communication. The plans include carrying out ca. 10 information packages and campaigns (O.2.4). Furthermore, due to the two-way process of integration involving actions of the receiving society and the migrants themselves, it is advisable to take actions to intensify the commitment of local authorities and non-governmental organisations. As in the 2014-2020 perspective, no projects encompassing mobility programmes will be implemented in the 2021–2027 perspective. This tool is not used for managing migration to Poland, and neither are family reunification support projects. However, support is planned for 3,300 TCNs (O.2.1) awaiting repatriation and covered by pre-departure measures.The main assumption behind the integration actions is to provide **access to integration services for all TCNs concerned who are staying in Poland legally.** To date, such actions have been conducted under the AMIF 2014-2020 and their evaluation shows that they are **valuable and needed, and therefore should be continued**. Those actions require further support also because of the dynamic increase in immigration in 2014-2021 and the growing number of TCNs. Therefore, 1,328 local and regional authorities will receive support to develop appropriate integration services (O.2.2).**Promotion of integration measures for social and economic inclusion of third country nationals is another area that requires support.**Development of a strategy for integration of TCNs in Poland in the context of the country's regional diversity in terms of the number and categories of TCNs residing in respective Voivodships is a challenge. Adopted by the Council of Ministers in March 2018, *Social and economic priorities of the migration policy* is the applicable document that determines the directions of the migration policy in Poland. It also contains provisions regarding the framework of the TCN integration policy and lays out such priority actions as Polish language courses and one-stop-shop support facilities offering assistance to TCNs in *inter alia* finding accommodation and obtaining information about child education, procedures and Polish law. The need for harmonised integration actions, in particular at the level of regions and large cities where TCNs concentrate, was highlighted also in a report by the National Integration Evaluation Mechanism.In response to the challenges identified in the area of legal migration/integration, a number of initiatives will be undertaken to strengthen the channels for promotion of knowledge of legal migration, better adapt the application handling systems, improve the infrastructure as well as upgrade and develop the ICT systems for handling legal migration, including implementation of e-services, develop the skills and qualifications of the staff, provide a wide range of services adequate to the status of TCNs staying in Poland, and ensure a stronger involvement of regional and local institutions in the integration of TCNs.**Strengthening and developing legal migration and promoting effective integration as part of the AMIF has been planned as a series of actions taking into account implementation measures a), b), c) and d).** The following has been planned as part of **implementation measure a):*** **conducting research and analyses, and providing expertise** in the area covered by the fund’s support; (scope of support – Annex III, point 3(m))
* **information campaigns** in various languages aimed at promoting the knowledge about the rules of entry and stay, creating modern websites for migration authorities, providing digital services, building modern hotline systems and consultation points, conducting information campaigns to popularise migration procedures through various media and events addressed to specific target groups, national and regional information activities addressed to TCNs staying legally in Poland and designed to popularise the knowledge about residence permits, available rights and required obligations, including regarding access to employment and public services; (scope of support – Annex III, point 3(a)), indicator O.2.4
* information activities carried out in Poland and encompassing legal migration, in particular addressed to employment services, public order services, judicial services and higher education establishments; setting up professional helplines and points of information at the migration authorities to provide information on the conditions of entry to and exit from Poland and on performing work by TCNs; (scope of support – Annex III, point 3(a)), indicator O.2.1.
* support in the area of recognition of diplomas and qualifications acquired in countries of origin through *inter alia* informing TCNs as well as training personnel of higher education establishments and employers; (scope of support – Annex III, point 3(d))
* developing resources that enable the recruitment of workers abroad in accordance with the needs of the Polish labour market; assessment of professional skills and qualifications; non-vocational training courses aimed at increasing employability; civic courses; language courses; (scope of support – Annex III, point 3(b),(c)), indicator O.2.1
* actions aimed at strengthening the commitment of local authorities and non-governmental organisations such as projects implemented in partnership between competent authorities and non-governmental organisations; (scope of support – Annex III, point 3(j)), indicator O.2.1

The following has been planned as part of **implementation measure b):*** **strengthening and developing legal migration to Poland by facilitating efficient integration of TCNs (persons awaiting repatriation).** Actions planned include: non-vocational training courses aimed at increasing employability; orientation courses, Polish language courses, assistance in finding accommodation, provision of essential information on procedures and cultural specificities. (indicators O.2.1 and O.2.4)

 It has been planned to build the capacity of migration authorities through:* **development of human capital**: establishment of a system of specialist training and courses, training of personnel in the area of legal migration, language training, training in the area of multiculturalism and non-discrimination, exchange of information and good practices at national and European/international level; (scope of support – Annex III, point 3(m))
* **construction and development of national information systems** (in the area of legal entry) supporting the administrative procedures, ensuring system interoperability and compliance with EU law and domestic needs, as well as implementation of e-services and development of the infrastructure of authorities that operate in the area of legal migration); (scope of support - Annex III, point 3(m))
* **investments in modern IT systems, support technologies and migration process forecasting systems,** automation and digitalisation of the processes, development of IT tools, modernisation and expansion of the SP and the Domestic Consultation System, ensured compatibility of national databases; (scope of support – Annex III, point 3(m))
* **optimisation of services for TCNs and residence permit procedures** by voivodship offices to reduce the procedure time, also through modernisation of the service infrastructure (purchase of equipment and accessories, renovation and extention where necessary); (scope of support – Annex III, point 3(m))
* **development of the functionality of the Migration Analytical Centre** to better diagnose and forecast migration trends; (scope of support – Annex III, point 3(m))
* **development of the capacity to gather, analyse and disseminate data on migration flows and procedures**, including regularisation of stay and the situation of migrants in the Polish labour market; (scope of support – Annex III, point 3(m))
* **monitoring and evaluation of migration strategies**, integration policies and tools at national, regional and local levels; development of methods of evaluation and indicators demonstrating their effectiveness; research projects; studies into legal migration, testing and implementation of new solutions; (scope of support – Annex III, point 3(m))
* **construction and development of tools that enable quick responses to the changing statistical and analytical needs** in the area of migration and international protection, including support for migration policymakers; (scope of support – Annex III, point 3(m))

Strengthening of the administrative capacity is aimed at facilitating legal entry for the beneficiaries of the aid.The following has been planned as part of **implementation measure c):*** **implementation of joint actions** with selected third countries regarding analysis of migration phenomena with the use of modern information technologies; (scope of support – Annex III, point 3(c), (m))
* **support for third countries** in managing legal migration and integration; (scope of support – Annex III, point 3(b))

The following has been planned as part of **implementation measure d)**:* **expanding integration infrastructure** involving the use of local government structures and enhancing the role of other institutions and organisations, including cultural and educational institutions as well as local institutions; (scope of support – Annex III, point 3(h), (i), (j))
* **establishing a network of Foreigner Integration Centres (FIC)** based on the one-stop-shop formula; (scope of support – Annex III, point 3 (f), (g), (h), (i), (j), (k), (l)). The number of all supported TCNs is estimated to be 150,000 (indicator O.2.3). A vast majority of those people will receive support within the framework of comprehensive projects (integration actions) implemented by local and regional authorities across Poland. Coordination of the actions during implementation of the projects will be ensured. In the 2014-2020 perspective, the Ministry of Family and Social Policy (MFSP) implemented two projects which developed a model of integration of foreigners in Poland and established FICs (pilots in two voivodeships), which was aimed at laying the foundations for a sustainable and systemic solution for integration of foreigners in Poland. The strategy will subsequently be implemented across Poland (indicator O.2.7).
* **educating integration assistants** whose responsibilities will include assisting TCNs at the first stage of integration; (scope of support – Annex III, point 3(k))
* **upskilling the personnel of the system of foster custody** addressed to unaccompanied TCN minors; (scope of support – Annex III, point 3(m))
* **counselling and assistance in matters of regularisation of stay**, administrative and legal issues, workers' rights, prevention of discrimination and hate crime, accommodation and means of subsistence, integration orientation and assistance, health care, psychological and social assistance, child care and family reunification; (scope of support – Annex III, point 3(f), (g), (e)), indicator O.2.3.2
* **providing training options for young people and adults**: language courses at various levels as well as actions designed to improve legal competencies and awareness with the view to facilitate access to the labour market; (scope of support – Annex III, point 3(d),(h)) indicators O.2.3.1, O.2.3.2 and O.2.3.3.
* **increasing independence and self-sufficiency**, strengthening the mechanisms of self-help among TCNs; actions promoting the involvement of persons from the target groups in activities aimed at them and the receiving society; (scope of support – Annex III, point 3(l)), indicator O.2.3.2 and O.2.3.3
* **pre-integration actions,** actions aimed at introducing TCNs into the receiving society and at facilitating adaptation in and integration with the new environment, including access to information about rights and responsibilities, access to services, child care, participation in social and cultural life; (scope of support – Annex III, point 3(f), (h), (i), (k), (l)), indicator O.2.3.2.
* **actions addressed to vulnerable groups**, including women, children, unaccompanied minors, elderly, disabled, victims of human trafficking, beneficiaries of international and temporary protection; (scope of support – Annex III, point 3(a)-)m)), indicator O.2.3.2.
* **actions supporting integration of TCN children** at schools addressed to school communities; (scope of support – Annex III, point 3(l))
* **support for education staff** who support TCN integration; (scope of support – Annex III, point 3(m))
* **actions addressed to TCN students and graduates** regarding legal awareness in the area of legal migration and facilitating integration into the Polish society; (scope of support – Annex III, point 3(f), (h), (i), (k), (l))
* **developing and strengthening consultation platforms for TCNs** and platforms for intercultural and religious dialogue, including enhancing the competencies of the third sector, and supporting the inclusion of TCNs in the civic society and existing consultation platforms; (scope of support – Annex III, point 3(l))
* **actions addressed to the receiving society** and aimed designed to facilitate intercultural dialogue, prevent any forms of discrimination against TCNs at offices, schools, in access to the labour market, health care and interpersonal relations; (scope of support – Annex III, point 3(l), (m)), e.g. joint cultural or educational events creating informal opportunities for foreigners and representatives of the receiving society to meet and cooperate, voluntary service, information campaigns, classes at schools designed to build attitudes of openness and tolerance, actions enhancing the cultural sensitivity and building a positive image of migrants.

As part of implementation measure d), **Poland allows for the inclusion of immediate relatives of persons covered by the integration measures** referred to in Annex III to the extent necessary for the effective implementation of those measures.Actions under the AMIF will be complementary with the ESF+ which will concentrate on *inter alia* integrating foreigners into the labour market and society, on building the capacity of the public administration personnel in the area of TCN employment, and on supporting socio-vocational integration socio-vocational integration of third country nationals. It is planned to finance integration actions also from the European Regional Development Fund. Individual TCN integration programmes specified in the Act in social assistance will continue to be financed from domestic funds only. The other funding will come from own funds of local governments.**Operating support**The beneficiaries of operating support in this area will include migration services, mainly the MFSP, OfF and Voivodeship Offices. Within their statutory remit, they fulfill responsibilities and carry out tasks relating to broadly understood TCN integration.Operating support will cover the expenditure on:* **costs of personnel** handling TCNs, entering data in the system (applications relating to legal migration and social assistance provided);
* costs of the **purchase, support and maintenance of hardware** for the personnel involved in handling and supporting TCNs and operating the SP;
* **costs of operation of the TCN hotline** run by the OfF;
* **costs of support and maintenance of solutions** created within the **MAC;**
* **expenditure on the current operation of the SP** run by the OfF and used by migration services (technical support, current maintenance, system updated, failure prevention and recovery), and on the ICT infrastructure within which the register works.

Utilisation of the support concerned contributes to achieving the AMIF objectives through strengthening of the operating and reception capacities and enhancing the competencies and qualifications of Polish migration services involved in actions in the area of legal migration. |

2.1. Specific objective 2. Legal migration and integration

### 2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 1: Output indicators

| ID | Indicator | Measurement unit | Milestone (2024) | Target (2029) |
| --- | --- | --- | --- | --- |
| O.2.1 | Number of participants who received pre-departure support  | number | 200 | 3,300 |
| O.2.2 | Number of local and regional authorities supported to implement integration measures | number | 95 | 1,328 |
| O.2.3 | Number of participants supported | number | 10,000 | 150,000 |
| O.2.3.1 | including the number of participants in a language course | number | 1,000 | 15,000 |
| O.2.3.2 | the number of participants in a civic orientation course | number | 700 | 10,000 |
| O.2.3.3 | including the number of participants who received personalised professional guidance | number | 650 | 9,000 |
| O.2.4 | Number of information packages and campaigns to raise awareness of legal migration channels to the Union | nuumber | 1 | 10 |
| O.2.5 | Number of participants receiving information or assistance in applying for family reunification | number | 0 | 0 |
| O.2.6 | Number of participants benefitting from mobility schemes | number | 0 | 0 |
| O.2.7 | Number of integration projects where local and regional authorities are the beneficiary | number | 16 | 32 |

2.1. Specific objective 2. Legal migration and integration

2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 2: Result indicators

| ID | Indicator | Measurement unit | Baseline value | Baseline value measurement unit | Reference year/years | Target (2029) | Target measurement unit | Source of data | Comments |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| R.2.8 | Number of participants in language courses who, upon leaving the language course, have improved their proficiency level in the host-country language by at least one level in the Common European Framework of Reference for Languages or national equivalent | number | 0 | participation | 2021 | 10,500 | number | measurement reported by beneficiaries | --- |
| R.2.9 | Number of participants who report that the activity was helpful for their integration | number | 0 | participation | 2021 | 105,000 | number | measurement reported by beneficiaries | --- |
| R.2.10 | Number of participants who applied for their qualification or skills acquired in a third country to be recognised or assessed | number | 0 | number | 2021 | 0 | number | - | - |
| R.2.11 | Number of participants who applied for a long-term residence status | number | 0 | number | 2021 | 0 | number | - | - |

2.1. Specific objective 2. Legal migration and integration

### 2.1.3. Indicative breakdown of programme resources (EU) by type of intervention

Reference: Article 22(5) of the Common Provisions Regulation and Article 16(12) of the AMIF Regulation, Article 13(12) of the ISF Regulation or Article 13(18) of the BMVI Regulation

#### Table 3: Indicative breakdown

| Type of intervention | Code | Indicative amount (in EUR) |
| --- | --- | --- |
| Intervention field | 001.Development of integration strategies | 2,000,000.00 |
| Intervention field | 002.Victims of trafficking in human beings | 500,000.00 |
| Intervention field | 003.Integration measures – information and orientation, one-stop shops | 80,592,268.57 |
| Intervention field | 004.Integration measures – language training | 12,000,000.00 |
| Intervention field | 005.Integration measures – civics and other training | 4,000,000.00 |
| Intervention field | 006.Integration measures – introduction, participation, exchanges host society | 4,000,000.00 |
| Intervention field | 007.Integration measures – basic needs | 2,000,000.00 |
| Intervention field | 008.Pre-departure measures | 500,000.00 |
| Intervention field | 009.Mobility schemes | 0.00 |
| Intervention field | 010.Acquisition of legal residence | 26,000,000.00 |
| Intervention field | 011.Vulnerable persons, including unaccompanied minors | 3,112,000.00 |
| Intervention field | 012.Operating support | 6,600,000.00 |

## 2.1. Specific objective: 3. Return

### 2.1.1. Description of the specific objective

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| Pursuant to the Foreigners Act, the Border Guard is responsible for financing of assistance in voluntary returns and for organising forced returnsIn 2019, the BG issued nearly 30,000 return decisions. **The number of return decisions has been rising since 2016** (with a drop observed in 2020 due to the COVID-19), and the compliance rate is high and amount to more than 75% on average. Decisions with a voluntary departure date account for ca. 90%. The high rate of compliance on the part of TCNs indicates that **voluntary compliance is the primary form of returns**. Assistance in voluntary return, organised by the International Organization for Migration (IOM) and financed by the BG, was used by 412 TCNs in 2019 and by 180 TCNs in 2020. Returns effected under the voluntary return assistance programme account for ca. 2% of all returns. Decisions without a voluntary departure date were issued to 1,020 TCNs in 2019 and 1,022 TCNs in 2020. An increase in the rate of compliance with those decisions, which are enforceable, has been recorded and amounts to more than 80% on average. 160 individuals were transferred to third countries in the simplified procedure under readmission agreements in 2019 (138 individuals in 2020).In accordance with the Foreigners Act, the BG takes also other return measures and issues decisions on the application of alternatives to placing a TCN in a guarded TCN centre. They include actions related to decisions requiring a TCN to return, organisation of forced returns to countries of origin; strengthening of the existing infrastructure used for accommodation, reception or detention of foreigners; active cooperation with Third Countries; development of professional competencies and qualifications of the personnel of the BG and other entities involved in countering illegal migration (e.g. the National Labour Inspectorate).Main challenges identified in this area include problems with **inadequate quality of the infrastructure for TCNs, necessity to ensure appropriate conditions for TCNs' stay at BG premises, securing essential needs,** i.e. medical examinations, material support, **continuous upskilling of the BG personnel in the area of managing TCNs,** particularly TCNs from vulnerble groups, **streamlining administrative procedures leading to organisation of returns, developing and furthering cooperation as well as exchange of operating information between the Border Guard and Third Country migration services and diplomatic missions**.As regards voluntary returns, it is essential to ensure **reintegration guidance and assistance** for TCNs. The BG can organise voluntary returns in cooperation with an entity whose statutory duties include the organisation of voluntary returns. An agreement on cooperation in the area of voluntary returns was signed in 2005 between the Ministry of the Interior and Administration and the IOM. It is now the basis for effecting voluntary returns in Poland.In relation to the increased effectiveness of readmission agreements and bilateral arrangements in the context of the work on the pact on migration and asylum with AMIF funding, Poland plans to support this objective, particularly through furthering **cooperation with third countries** in preventing irregular migration and enabling sustainable returns, including through building their capacities regarding readmission of their own citizens. The new pact on migration and asylum puts a stronger emphasis on furthering cooperation between Member States in implementing returns, including as part of solidarity measures, which could be developed with the AMIF support. To achieve this objective, Poland intends to cover 4,081 persons with the return procedure (R.3.7). Furthermore, the border return procedure proposed in the pact now under negotiations will require ensuring adequate infrastructure for the purpose of detaining or using alternatives to detention with respect to TCNs who were refused international protection on the border and who were required to return. To this end, 30 places will be created at detention centres (O.3.4) and 384 places will be renovated (O.3.5).In response to the challenges identified in the area of returns, a number of actions will be taken to ensure provision of a wide range of assistance services adequate to the status of TCNs, such as providing returnees with free-of-charge legal assistance; strengthening the return monitoring system by independent NGOs; upgrading skills and qualifications of the personnel of migration services (6,000 persons will participate in training (O.3.1)); strengthening the return and reintegration system with a priority given to voluntary returns (1,325 persons will receive reintegration assistance – O.3.3, R.3.6); developing appropriate method of identification of vulnerable groups and providing the necessary support to them; conducting studies, analyses and providing expert opinions within the area covered by the fund's support; strengthening cooperation and mutual support between Member States in the area of effective returns and readmission, including as part of solidarity measures; developing support of returns from third countries; strengthening cooperation with third countries in prevention of irregular migration.The scale and detectability of illegal migration and illegal employment are rising due to the growing influx of TCNs. In response to this phenomenon, the BG plans to create a network of **posts in urban areas** (mainly large cities) which will conduct **tasks relating solely to identifying, preventing and fighting illegal migration within the country's borders, excluding tasks involving border traffic control.** Actions taken in this area will be aimed at **identification and prevention of incentives for illegal migration and illegal employment of TCNs**.Furthermore, the BG performs tasks relating to identification and prevention of incentives for illegal migration and illegal employment of TCNs.**Contribution to the prevention of irregular migration as well as promotion and contribution to effective initial reintegration in third countries under the AMIF have been planned as a series of actions taking into account implementation measures a), b), c) and d).****To avoid overlapping and aim at identifying synergies, cooperation with Frontex will be ensured.**The following has been planned as part of **implementation measure a):*** **renovation and construction works**, i.e. expanding and upgrading the existing infrastructure used for accommodating TCNs at BG centres, as well as services and conditions of accommodation, reception or detention of third-country nationals; (scope of support – Annex III, point 4(a)), indicator O.3.2
* **improvement of conditions** through maintenance, retrofitting and upgrading the standard of the existing infrastructure used for accommodation, reception or detention in accordance with the recommendations of the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment and Punishment - depending on the availability of means and resources (scope of support – Annex III, point 4(a)), indicators O.3.4 and O.3.5
* **providing TCNs with procedural assistance, guidance regarding returns as well as information and guidance during completion of administrative formalities, particularly to vulnerable persons;** (scope of support – Annex III, point 4(e))
* **providing TCNs with medical, psychological, legal and linguistic care, necessary material support and social assistance, particularly to vulnerable persons,** in accordance with the requirements laid down in the Return Directive; (scope of support – Annex III, point 4(e))
* **identification of vulnerable groups,** development and provision of **adequate assistance**; (scope of support – Annex III, point 4(e), (f))
* **conduct of return operations**, voluntary and forced, including readmissions, by air and by land; (scope of support – Annex III, point 4(h)), indicators O.3.3, R.3.6 and R.3.7
* **monitoring** of forced returns by independent non-governmental organisations whose statutes include tasks oriented to respect human rights; (scope of support – Annex III, point 4(c))
* **implementation of the Schengen** **evaluation recommendation** (an any future Schengen evaluation recommendations regarding returns) (scope of support – Annex III, point 4(a)-(m))

The following has been planned as part of **implementation measure b):*** **training of the personnel** in efficient and effective return operations, management and implementation of the procedures (*inter alia* language and specialist training, including thematic training: intercultural communication, anti-discrimination, sensitivity to the needs of vulnerable groups), as well as training in verification and controlling actions taken in the course of inspections of the legality of stay and employment of TCNs in Poland; (scope of support – Annex III, point 4(a), (d)), indicator O.3.1
* **building the capacities of the BG in key urban agglomerations** through establishing (modernising/adapting) and equipping agglomeration facilities. Offering more anonymity, urban agglomerations create incentives for TCNs to stay illegally and to commit other abuses relating to illegal stay and employment. Constructing agglomeration facilities will provide for more effective addressing of the pull factor for illegal migration created by the possibility of obtaining work in the EU and for organisation of forced returns remaining within the BG remit (scope of support – Annex III, point 4(d), (l)). This action is compliant with Directive 2009/52/EC.
* **expanding and upgrading the BG's training facilities** designed to develop professional competencies and qualifications of BG officers and representatives of other services from Members States and Third Countries; (scope of support – Annex III, point 4(a), (k)
* **building the analytical capacities of the State authorities** to ensure better diagnosis and forecasting of irregular migration by building information systems and developing the personnel's competencies; (scope of support – Annex III, point 4(a))
* deploying new solutions and improving the existing ones aimed at **effective monitoring of forced returns** (remaining within the BG's remit; if the Act is amended, the monitoring may cover also voluntary returns), including the purchase of hardware to create and develop information systems and structures; (scope of support – Annex III, point 4(c)), indicator O.3.2
* **preparatory actions regarding returns**, including identification of third-country nationals, issuance of travel documents, family tracing, medical examinations, medical assistance, travel arrangements, pre-return counselling, pre and post-return support, including financial support and assistance in terms of accommodation and food; (scope of support – Annex III, point 4(e), (f), (g)), indicators R.3.6, R.3.7
* **increasing expulsion standards** through the purchase of vehicles for transporting third-country nationals, as well as equipment and services necessary for expulsions, intended for TCNs and BG officers; (scope of support – Annex III, point 4(e)), indicator O.3.2
* **measures implementing the EU Action Plan on returns** and possible follow-up actions aimed at enhancing the effectiveness of the EU system for returning illegal migrants, developed and implemented as part of innovative cooperation with other Member States; (scope of support – Annex III, point 4(l))
* actions aimed at promoting, developing and **furthering cooperation between Member State entities dealing with returns**, in particular organisation of and participation in meetings with representatives of Member States; (scope of support – Annex III, point 4(l))
* **joint actions** conducted by Member State entities, and support for other Member States **in effective implementation of returns**, including as part of solidarity measures; (scope of support – Annex III, point 4(l))
* actions designed to strengthen **the capacity to develop effective and sustainable return policies**, in particular ones that contribute to the exchange of information, best practices and experience, as well as the pooling of Member State resources, and engaging the stakeholders; (scope of support – Annex III, point 4(l))
* actions designed to **improve the capacity to collect, analyse and disseminate data and information on procedures and measures with respect to returns, reception and detention capabilities, forced and voluntary returns, monitoring and reintegration;**  (scope of support – Annex III, point 4(l))
* actions aimed at **evaluating return policies**, with particular emphasis on developing data, indicators, benchmarking, research and evaluation of consequences; (scope of support – Annex III, point 4(l))

Poland has for many years been actively implementing both voluntary and forced returns, thus counteracting illegal migration and enhancing the effectiveness of readmission agreements and sustainability of returns. Since implementing return operations with respect for human dignity and human rights is the main objective in this area, the preferences for voluntary returns over forced ones will be maintained. The following has been planned as part of **implementation measure c):*** **actions regarding assisted voluntary returns, family tracing and reintegration**, while respecting the best interests of the child. They may include: information and promotion actions, return guidance, assistance in voluntary returns and reintegration, enhancing the system of support for vulnerable persons and providing the with access to the necessary assistance; (scope of support – Annex III, point 4(g)), indicators O.3.3. and R.3.6
* reintegration guidance and assistance for TCNs, including financial incentives, training, placements, employment assistance, start-up support for economic activities, medical and psychological assistance; (scope of support – Annex III, point 4(g), (m), (i)), indicators O.3.3. and R.3.6

The following has been planned as part of **implementation measure d)**:* **cooperation with third-country authorities and institutions** regarding returns, both voluntary and forced, including readmissions; (scope of support – Annex III, point 4(k))
* actions taken in third countries to **ensure appropriate assistance to TCNs**; (scope of support – Annex III, point 4(i), (j)). Before the final approval, implementation of projects with or in third countries will be consulted with the Commission (in accordance with Article 16(11) of the AMIF Regulation).
* **building partnership capacities in third countries** in the area of organisation of returns, readmission and reintegration of their own citizens, as well as detention and alternatives to detention meeting international standards, including through supporting cooperation between competent third country institutions and Member State Services and supporting the development of the return monitoring system; (scope of support – Annex III, point 4(k))
* **information and promotion actions in third countries** aimed at raising awareness of legal migration channels and the risks of illegal migration; (scope of support – Annex III, point. 4(k), (m))
* **providing support for building professional staff resources in partner third countries** in the area of prevention of irregular migration (summer schools; internships; study visits, exchange of experiences, training for junior personnel, analysts, students of units that educate personnel for migration services, technical and equipment support ), with particular focus on border management, preventing and combating human trafficking, preventing and combating travel document fraud, with a possible use of regional groups of importance for PL: V4, Council of the Baltic Sea States etc. (scope of support – Annex III, point. 4(k), (m))
* **conducting information campaigns** to provide reliable, specific and balanced information on threats relating to irregular migration and smuggling of migrants in third countries, appropriate legal alternatives to migration and economic opportunities in the country or region of origin, and opportunities offered by programmes of voluntary returns and reintegration from transit countries. (scope of support – Annex III, point 4(k))

**Operating support**The beneficiaries of operating support in this area will include migration services, mainly the BG, whose statutory remit includes the responsibility for assisting in voluntary returns and organising forced returns.Operating support will cover the expenditure on:* **costs of personnel**: IT Project Analysts and Software Testers - BG officers appointed deployed to respective subunits established under decisions of the BG Commander-in-Chief to carry out actions involving *inter alia* preparation of analytical documentation for ICT systems under development, definition of relations between business objects, the lifetime of respective objects, the structure of data in the database and preparation of test scenarios, and execution of test cases for the developed software based on the test scenarios;
* **costs of replacement of hardware or information systems**. The hardware in service at present was purchased in 2013 – 2015 and the technology used in it no longer provides for effective office and administrative activities due to the incompatibility of the newly created databases with the hardware's operating systems and unavailability of consummables;
* **costs of services** such as maintenance of hardware or information systems.

Operating support related to the costs of BG personnel and maintenance/replacement of hardware and information systems will help ensure integrated and coordinated approach as part of actions aimed at achieving the AMIF objectives through strengthening of operating and technical capacities as well as competencies and qualifications of Polish migration services engaged in actions in the area of returns. |

2.1. Specific objective 3. Return

### 2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 1: Output indicators

| ID | Indicator | Measurement unit | Milestone (2024) | Target (2029) |
| --- | --- | --- | --- | --- |
| O.3.1 | Number of participants in training activities  | number | 900 | 6,000 |
| O.3.2 | Number of items of equipment purchased, including number of ICT systems purchased or updated | number | 36 | 243 |
| O.3.3 | Number of returnees who received reintegration assistance | number | 199 | 1,325 |
| O.3.4 | Number of places in detention centres created | number | 0 | 30 |
| O.3.5 | Number of places in detention centres refurbished or renovated | number | 0 | 384 |

2.1. Specific objective 3. Return

2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 2: Result indicators

| ID | Indicator | Measurement unit | Baseline value | Baseline value measurement unit | Reference year/years | Target (2029) | Target measurement unit | Source of data | Comments |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| R.3.6 | Number of returnees voluntarily returned | number | 0 | number | 2021 | 1,325 | number | measurement reported by beneficiaries | The end goal is returnees with AMIF support |
| R.3.7 | Number of returnees who were removed | number | 0 | number | 2021 | 4,081 | number | measurement reported by beneficiaries | The end goal is people expelled with AMIF support |
| R.3.8 | Number of returnees subject to alternatives to detention | number | 0 | number | 2021 | 22 | number | measurement reported by beneficiaries | The end goal is people transferred with AMIF support |

2.1. Specific objective: 3. Return

### 2.1.3. Indicative breakdown of programme resources (EU) by type of intervention

Reference: Article 22(5) of the Common Provisions Regulation and Article 16(12) of the AMIF Regulation, Article 13(12) of the ISF Regulation or Article 13(18) of the BMVI Regulation

#### Table 3: Indicative breakdown

| Type of intervention | Code | Indicative amount (in EUR) |
| --- | --- | --- |
| Intervention field | 001.Alternatives to detention | 0.00 |
| Intervention field | 002.Reception/detention conditions | 13,000,000.00 |
| Intervention field | 003.Return procedures  | 8,000,000.00 |
| Intervention field | 004.Assisted voluntary return  | 4,000,000.00 |
| Intervention field | 005.Reintegration assistance | 1,600,000.00 |
| Intervention field | 006.Removal/Return operations | 8,122,422.00 |
| Intervention field | 007.Forced-return monitoring system | 300,000.00 |
| Intervention field | 008.Vulnerable persons/unaccompanied minors | 3,000,000.00 |
| Intervention field | 009.Measures addressing incentives for irregular migration | 8,000,000.00 |
| Intervention field | 010.Operating support | 600,000.00 |

## 2.1. Specific objective: 4. Solidarity

### 2.1.1. Description of the specific objective

|  |
| --- |
| Poland has not decided to participate in the resettlement and humanitarian admission scheme or humanitarian admission of vulnerable persons under Article 19 of the AMIF Regulation (2021/1147).Poland has not decided to participate in the scheme for transfer of applicants for international protection or of beneficiaries of international protection (transfer in/transfer out).  |

2.1. Specific objective: 4. Solidarity

### 2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 1: Output indicators

| ID | Indicator | Measurement unit | Milestone (2024) | Target (2029) |
| --- | --- | --- | --- | --- |
| O.4.1 | Number of staff trained | number | 0 | 0 |
| O.4.2 | Number of participants who received pre-departure support | number | 0 | 0 |

2.1. Specific objective: 4. Solidarity

2.1.2. Indicators

Reference: Article 22(4)(e) of the Common Provisions Regulation

#### Table 2: Result indicators

| ID | Indicator | Measurement unit | Baseline value | Baseline value measurement unit | Reference year/years | Target (2029) | Target measurement unit | Source of data | Comments |
| --- | --- | --- | --- | --- | --- | --- | --- | --- | --- |
| R.4.3 | Number of applicants for and beneficiaries of international protection transferred from one Member State to another | number | 0 | number | 2021 | 0 | number | - | - |
| R.4.4 | Number of persons resettled | number | 0 | number | 2021 | 0 | number | - | - |
| R.4.5 | Number of persons admitted through humanitarian admission | number | 0 | number | 2021 | 0 | number | - | - |

2.1. Specific objective: 4. Solidarity

### 2.1.3. Indicative breakdown of programme resources (EU) by type of intervention

Reference: Article 22(5) of the Common Provisions Regulation and Article 16(12) of the AMIF Regulation, Article 13(12) of the ISF Regulation or Article 13(18) of the BMVI Regulation

#### Table 3: Indicative breakdown

| Type of intervention | Code | Indicative amount (in EUR) |
| --- | --- | --- |
| Intervention field | 001.Transfers to another Member State (relocation) | 0.00 |
| Intervention field | 002.Support by a Member State to another Member State, including support provided to EASO | 0.00 |
| Intervention field | 003.Resettlement (Article 19) | 0.00 |
| Intervention field | 004.Humanitarian admission (Article 19) | 0.00 |
| Intervention field | 005.Support, in terms of reception infrastructure, to another Member State | 0.00 |
| Intervention field | 006.Operating support | 0.00 |

## 2.2. Technical assistance: TA.36(5). Technical assistance – flat rate (Article 36(5) of the Common Provisions Regulation)

Reference: Article 22(3)(f), Article 36(5), Article 37 and Article 95 of the Common Provisions Regulation

### 2.2.1. Description

|  |
| --- |
| **It is expected to use the entire allocation available under AMIF** for the work relating to the preparation, management, monitoring, assessment and control of the AMIF. The Technical Assistance funds will be spent in the following types of intervention:·**preparation, implementation, management, monitoring and control of the fund as well as financial flows and payments**, including financing of personnel salaries, administrative costs of units, costs of project monitoring and control, participation in foreign trips and meetings, organisation of training for the programme beneficiaries and partners; legal analyses, ·**information and communication**, including financing of the production of information brochures and posters, promotion materials and maintenance of the website;·**evaluation and studies, data collection**, including evaluation of the programme, updates and development of the database;·**capacity building** through *inter alia* increasing professional qualifications of the personnel, participation in training and courses;·**organisation of training/meetings for Applicants/Beneficiaries**;·**material support**, including office appliances, office supplies and didactic aids.Text field [3 000] (Technical assistance under Article 37) of the Common Provisions Regulation - not applicable |

2.2. Technical assistance: TA.36(5). Technical assistance – flat rate (Article 36(5) of the Common Provisions Regulation)

### 2.2.2. Indicative breakdown of technical assistance under Article 37 of the Common Provisions Regulation

#### Table 4: Indicative breakdown

| Type of intervention | Code | Indicative amount (in EUR) |
| --- | --- | --- |
| Intervention field | 001.Information and communication | 900,000.00 |
| Intervention field | 002.Preparation, implementation, monitoring and control | 11,748,000.43 |
| Intervention field | 003.Evaluation and studies, data collection | 379,865.50 |
| Intervention field | 004.Capacity building | 379,865.50 |

# 3. Financing plan

Reference: Article 22(3)(g) of the Common Provisions Regulation

## 3.1. Financial allocations by year

#### Table 5: Financial allocations by year

| Type of allocation | 2021 | 2022 | 2023 | 2024 | 2025 | 2026 | 2027 | Total |
| --- | --- | --- | --- | --- | --- | --- | --- | --- |
| Initial allocation |  | 31,180,525.00 | 43,929,567.00 | 43,983,696.00 | 44,189,965.00 | 40,440,491.00 | 33,145,678.00 | 236,869,922.00 |
| Mid-term review |  |  |  |  |  |  |  |  |
| Work programme under Thematic Facility I |  |  |  |  |  |  |  |  |
| Work programme under Thematic Facility II |  |  |  |  |  |  |  |  |
| Work programme under Thematic Facility III |  |  |  |  |  |  |  |  |
| Transfer (to a State) |  |  |  |  |  |  |  |  |
| Transfer (from a State) |  |  |  |  |  |  |  |  |
| Total |  | 31,180,525.00 | 43,929,567.00 | 43,983,696.00 | 44,189,965.00 | 40,440,491.00 | 33,145,678.00 | 236,869,922.00 |

## 3.2. Total financial allocations

#### Table 6: Total financial allocations by fund and national co-financing

| Specific objective (SO) | Type of action | Basis for calculation Union support (total or public) | Union contribution (a) | National contribution (b)=(c)+(d) | Indicative breakdown of national contribution | Total (e)=(a)+(b) | Co-financing rate (f)=(a)/(e) |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Public (c) | Private (d) |
| CEAS | Regular actions | Total | 32,835,500.00 | 10,945,166.67 | 9,945,166.67 | 1,000,000.00 | 43,780,666.67 | 74.9999999943% |
| CEAS | Actions set out in Annex IV | Total | 900,000.00 | 100,000.00 | 10,000.00 | 90,000.00 | 1,000,000.00 | 90.0000000000% |
| CEAS | Operating support | Total | 1,800,000.00 | 0.00 | 0.00 | 0.00 | 1,800,000.00 | 100.0000000000% |
| CEAS total |  |  | 35,535,500.00 | 11,045,166.67 | 9,955,166.67 | 1,090,000.00 | 46,580,666.67 | 76.2880880425% |
| Legal migration and integration | Regular actions | Total | 25,999,999.57 | 8,666,667.00 | 7,166,667.00 | 1,500,000.00 | 34,666,666.57 | 74.9999989687% |
| Legal migration and integration | Actions set out in Annex IV | Total | 108,704,269.00 | 12,078,253.00 | 10,000,000.00 | 2,078,253.00 | 120,782,522.00 | 89.9999993377% |
| Legal migration and integration | Operating support | Total | 6,600,000.00 | 0.00 | 0.00 | 0.00 | 6,600,000.00 | 100.0000000000% |
| Legal migration and integration total |  |  | 141,304,268.57 | 20,744,920.00 | 17,166,667.00 | 3,578,253.00 | 162,049,188.57 | 87.1983808231% |
| Return | Regular actions | Total | 40,422,422.00 | 13,474,140.67 | 12,974,140.67 | 500,000.00 | 53,896,562.67 | 74.9999999954% |
| Return | Actions set out in Annex IV | Total | 5,600,000.00 | 622,223.00 | 0.00 | 622,223.00 | 6,222,223.00 | 89.9999887500% |
| Return | Operating support | Total | 600,000.00 | 0.00 | 0.00 | 0.00 | 600,000.00 | 100.0000000000% |
| Return total |  |  | 46,622,422.00 | 14,096,363.67 | 12,974,140.67 | 1,122,223.00 | 60,718,785.67 | 76.7841805226% |
| Solidarity | Regular actions | Total |  |  |  |  |  |  |
| Solidarity | Actions set out in Annex IV | Total |  |  |  |  |  |  |
| Solidarity total |  |  |  |  |  |  |  |  |
| Technical assistance – flat rate (Article 36(5) of the Common Provisions Regulation) |  |  | 13,407,731.43 |  |  |  | 13,407,731.43 | 100.0000000000% |
| Grand total |  |  | 236,869,922.00 | 45,886,450.34 | 40,095,974.34 | 5,790,476.00 | 282,756,372.34 | 83.7717360849% |

## 3.3. Transfers

### Table 7: Transfers between shared management funds1

| Transferring fund | Receiving fund |
| --- | --- |
| ISF | BMVI | ERDF | ESF+ | Cohesion Fund | EMFAF | Total |
| AMIF |  |  |  |  |  |  |  |

1Cumulative amounts for all transfers during programming period.

### Table 8: Transfers to instruments under direct or indirect management1

| Instrument | Transfer amount |
| --- | --- |

1Cumulative amounts for all transfers during programming period.

# 4. Enabling conditions

Reference: Article 22(3)(i) of the Common Provisions Regulation

## Table 9: Horizontal enabling conditions

| Enabling condition | Fulfilment of enabling condition | Criteria | Fulfilment of criteria | Reference to relevant documents | Justification |
| --- | --- | --- | --- | --- | --- |
| 1. Effective monitoring mechanisms of the public procurement market | Yes | Monitoring mechanisms are in place that cover all public contracts and their procurement under the Funds in line with Union procurement legislation. That requirement includes:1. Arrangements to ensure compilation of effective and reliable data on public procurement procedures above the Union thresholds in accordance with reporting obligations under Articles 83 and 84 of Directive 2014/24/EU and Articles 99 and 100 of Directive 2014/25/EU; | Yes | Link to the Act:http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190002019/U/D20192019Lj.pdf Link to annual reports on the functioning of the public procurement system:https://www.uzp.gov.pl/baza-wiedzy/analizy-systemowe/sprawozdania-o-funkcjonowaniu-systemu-zamowien-publicznych | In accordance with the obligations under applicable directives, the PPO prepares, every three years, reports on monitoring of the public procurement system based on data provided by contracting entities in their annual reports on public contracts awarded, data from the e-Zamówienia Platform, data from the TED and information on findings of inspections conducted by the PPO President. |
| 2. Arrangements to ensure the data cover at least the following elements: a) quality and intensity of competition: names of winning bidder, number of initial bidders and contractual value; b) information on final price after completion and on participation of SMEs as direct bidders, where national systems provide such information; | Yes | Link to the Act: http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190002019/U/D20192019Lj.pdf Link to annual reports on the functioning of the public procurement system:https://www.uzp.gov.pl/baza-wiedzy/analizy-systemowe/sprawozdania-o-funkcjonowaniu-systemu-zamowien-publicznych | The PPO has access to all data required within the framework of the basic conditionality (the data comes from the EC's TED database, from annual reports submitted to the PPO President by contracting entities, and from the Public Procurement Bulletin database). |
| 3. Arrangements to ensure monitoring and analysis of the data by the competent national authorities in accordance with Article 83(2) of Directive 2014/24/EU and Article 99(2) of Directive 2014/25/EU; | Yes | Link to the Act: http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190002019/U/D20192019Lj.pdf Link to annual reports on the functioning of the public procurement system:https://www.uzp.gov.pl/baza-wiedzy/analizy-systemowe/sprawozdania-o-funkcjonowaniu-systemu-zamowien-publicznych | In accordance with the obligations under applicable directives, the PPO prepares, every three years, reports on monitoring of the public procurement system based on data provided by contracting entities in their annual reports on public contracts awarded, data from the TED and information on findings of inspections conducted by the PPO President. |
| 4. Arrangements to make the results of the analysis available to the public in accordance with Article 83(3) of Directive 2014/24/EU and Article 99(3) Directive 2014/25/EU; | Yes | Link to the Act: http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190002019/U/D20192019Lj.pdf Link to annual reports on the functioning of the public procurement system:https://www.uzp.gov.pl/baza-wiedzy/analizy-systemowe/sprawozdania-o-funkcjonowaniu-systemu-zamowien-publicznych | On its website, the PPO publishes annual reports on the functioning of the public procurement system and periodic Information Bulletins. |
| 5. Arrangements to ensure that all information pointing to suspected bid-rigging situations is communicated to the competent national bodies in accordance with Article 83(2) of Directive 2014/24/EU and Article 99(2) of Directive 2014/25/EU. | Yes | Link to the Act: http://isap.sejm.gov.pl/isap.nsf/download.xsp/WDU20190002019/U/D20192019Lj.pdf Link to annual reports on the functioning of the public procurement system:https://www.uzp.gov.pl/baza-wiedzy/analizy-systemowe/sprawozdania-o-funkcjonowaniu-systemu-zamowien-publicznych | If an inspection by the PPO raises any suspicions that there the procurement procedure could involve bid rigging, the PPO sends relevant information to the Office of Competition and Consumer Protection (UOKiK). The PPO and UOKIK have also signed an agreement on cooperation between the two institutions and exchange of information and experiences. Notwithstanding the foregoing, institutions and contracting authorities may contact the UOKIK directly if they suspect big rigging. |
| 3. Effective application and implementation of the Charter of Fundamental Rights | No | Effective mechanisms are in place to ensure compliance with the Charter of Fundamental Rights of the European Union ("the Charter") which include: 1. Arrangements to ensure compliance of the programmes supported by the Funds and their implementation with the relevant provisions of the Charter; | No | none | The common procedure applies to verification of compliance with the CFR both at the stage of submitting an application for co-financing and during project implementation. Suspicions regarding non-compliance and/or actions of the Beneficiary or IB/IA/MA with the CFR are reported to respectively IB/IA/MA/EU Funds Officer (in the case of programmes financed under EMFF, AMIF, BMVI and ISF there is a relevant equivalent). The competent institution analyses the matter, takes verifying actions and decides whether the report is substantiated. If it is confirmed that the CFR has been breached, depending on the character of the matter, the competent institution transmits the breach notification to relevant services, i.e. Commissioner for Human Right, National Labour Inspectorate, Patient's Rights Ombudsman and/or relevant law enforcement agencies. The programme's MA is responsible also for conducting information policy in the aforementioned area. The Polish side believes that the requirement is met in accordance with the position dated 7 July 2022, but in the absence of the EC response to that position, the status of the requirement has been marked as not met. |
| 2. Reporting arrangements to the monitoring committee regarding cases of non-compliance of operations supported by the Funds with the Charter and complaints regarding the Charter submitted in accordance with the arrangements made pursuant to Article 69(7). | No | none | The procedure involves the Programme MA's obligation to prepare annual summary information on all reports of project non-compliance with the CFR and complaints for consideration by the Programme MC. The MC decides whether any further relevant preventive actions need to be taken with respect to teh cases reported. The Polish side believes that the requirement is met in accordance with the position dated 7 July 2022, but in the absence of the EC response to that position, the status of the requirement has been marked as not met. |
| 4. Implementation and application of the United Nations Convention on the rights of persons with disabilities (UNCRPD) in accordance with Council Decision 2010/48/EC | Yes | A national framework to ensure implementation of the UNCRPD is in place that includes: 1. Objectives with measurable goals, data collection and monitoring mechanisms; | Yes | Link to the document:https://dziennikustaw.gov.pl/MP/rok/2021/pozycja/218 https://isap.sejm.gov.pl/isap.nsf/download.xsp/WMP20220000767/O/M20220767.pdf | The framework of the national policy for ensuring implementation of the UNCRPD is formed by the Strategy on the rights of persons with disabilities 2021-2030 adopted by the Council of Ministers on 16 February 2021, which lays down the objectives and actions to be achieved within a specific period with indicators and entities responsible, as well as mechanisms for monitoring of the objectives and actions and data collection in this respect. Furthermore, as regards implementation of the process of de-institutionalisation of social services, including for persons with disabilities (PwDs), the relevant strategic document is also the Strategy for the development of social services, public policy by 2030 (with the perspective by 2035) adopted by the Council of Ministers on 7 June 2022 (SRUS). Therefore, adoption and implementation of the SRUS allows implementation of the objectives in the area of de-institutionalisation specified in the Strategy on the rights of persons with disabilities 2021-2030 and ensures monitoring of the implementation of the indicators regarding this area for PwDs. |
| 2. Arrangements to ensure that the accessibility policy, legislation and standards are properly reflected in the preparation and implementation of the programmes; | Yes | Link to the document:https://dziennikustaw.gov.pl/MP/rok/2021/pozycja/218 https://isap.sejm.gov.pl/isap.nsf/download.xsp/WMP20220000767/O/M20220767.pdf | The criterion will be met by way of requiring the MA to take the following actions: (1) indicate specific UNCRPD articles relating to the scope of support planned for teh programme,(2) ensure UNCRPD compliance of all processes and procedures at every stage of the programme implementation, i.e. programming, selection and implementation of projects, as well as project control, monitoring and evaluation, which will be reflected in *inter alia* the content of the procedures/guidelines/rules defining the manner of execution of individual processes relating to implementation of the programme,(3) evaluate projects in terms of the UNCRPD compliance criterion,(4) ensure application of accessibility standards by way of Guidelines setting forth accessibility standards for investments financed under the cohesion policy,(5) carry out information/awareness building actions relating to UNCRPD compliance,(6) introduce into the programme implementation system a procedure for reporting suspicions and complaints regarding non-compliance of interventions/actions with the UNCRPD. |
| 3. Reporting arrangements to the monitoring committee regarding cases of non-compliance of operations supported by the Funds with the UNCRPD and complaints regarding the UNCRPD submitted in accordance with the arrangements made pursuant to Article 69(7). | Yes | Link to the document:https://dziennikustaw.gov.pl/MP/rok/2021/pozycja/218 https://isap.sejm.gov.pl/isap.nsf/download.xsp/WMP20220000767/O/M20220767.pdf | The criterion will be met by way of obligatory annual reporting of cases of non-compliance of interventions/actions with the UNCRPD and complaints regarding non-compliance with the UNCRPD to the Monitoring Committee.The MC will be informed about the character and number of complaints and cases of non-compliance of interventions supported by the programme with the provisions of the UNCRPD and about related actions taken by the competent institutions. In the event of systemic or recurring breaches, following the submission of a report by the MA, the MC may take a number of actions to prevent those breaches in the future.The scope of the MC's prerogatives in this respect will be defined in the MC rules based on the minimum powers defined for the MC of all programmes, including (1) the possibility of appointing a working group to investigate a given matter/problem identified, (2) continuation of analyses in order to prepare detailed recommendations regarding the most recurring breaches, and (3) intensification of awareness and information actions. |

# 5. Programme authorities

Reference: Article 22(3)(k) and Articles 71 and 84 of the Common Provisions Regulation

## Table 10: Programme authorities

| Programme authority | Name of the institution | Contact name | Position | E-mail |
| --- | --- | --- | --- | --- |
| Managing authority | European Funds Department, Ministry of the Interior and Administration | Maciej Kaczorowski  | Director of the European Funds Department, Ministry of the Interior and Administration (MIA) (MIA) | fundusze.kontakt@mswia.gov.pl |
| Audit authority | Head of the National Revenue Administration | Dominik Zalewski | Director of the Department for Audit of Public Funds, Ministry of Finance | sekretariat.DAS@mf.gov.pl |
| Body which receives payments from the Commission | Minister competent for public finance | Dorota Jaworska | Director of the Paying Authority Department, Ministry of Finance | sekretariatIP@mf.gov.pl |

# 6. Partnership

Reference: Article 22(3)(h) of the Common Provisions Regulation

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| In the course of early preparatory work on the AMIF Programme, consultations were held with a wide group of entities responsible for migration-related issues, including specifically competent public services and institutions at central and voivodeship levels. During further work, also no-governmental, intergovernmental and international organisations were requested to submit action proposals and comments. Furthermore, the following groups were invited to take part in the consultations: ·regional, local and city authorities, including Municipality of Kępno, "Obszar Metropolitalny Gdańsk-Gdynia-Sopot" Association, Lublin City Family Support Centre, Wrocławsk Integration Centre;* economic and social partners, including Socio-Economic Association Absolwent, European Foundation for the Development of Medicine and Education Euromed, Association for Education "POMOST", Foreign Language Foundation "Linguae Mundi", Caritas Polska, Education and Entrepreneurship Foundation, Countrywide Job Office Convention – OKAP;
* bodies representing civil society, including environmental partners, non-governmental organisations, and bodies responsible for promoting social inclusion, fundamental rights, rights of disabled persons, gender equality and non-discrimination, including Ukrainian Information Centre Foundation, Foundation for Multicultural Centre, Other Space Foundation, Foundation for Development Beyond Borders, Voluntary Centre Association, Multiocalenie Foundation, Foundation for Somalia, Polish Migration Forum Foundation, Foundation for Social Variety, International Foundation for Migration, Ocalenie Foundation, West Pomeranian Foundation for Environmental Integration, Socio-Cultural Association Ethnos, 17-tka Association, Immigrant SUpport Centre, Ukraine Foundation, Polish-Ukrainian Cooperation Foundation "U-WORK", Europe-East Integration Association, Amnesty International, Nomada Association for Multicultural Society Integration, NOMADA Association, Institute of Public Affairs Foundation, Empowering Children Foundation, Legal Intervention Association;
* research organisation and higher education establishments, including Academy of Management and Administration in Opole, Central Institute for Political and Legal Analyses, Collegium Humanum – Warsaw Management University, Innovation Institute Foundation, Innovation Incubator Foundation, Institute of Labour and Education, Ignatianum Academy, Rule of Law Institute Foundation, Alcide De Gasperi University of Euroregional Economy in Józefów, John Paul II Catholic University of Lublin (KUL).

The AMIF Programme was drafted on the basis of information obtained from key institutions, also ones which had already been invilved in the implementation of actions under the AMIF in the financial perspective 2014-2020, including *inter alia* Office for Foreigners, Border Guard, Ministry of Finance, Ministry of Justice, Voivodes, **non-governmental, intergovernmental, international and other organisations.** The PP AMIF was sent for public consultations by virtue of publication on the Ministry's European funds website together with a request for comments. This was meant to allow organisations which were potentially interested in conducting AMIF activities to provide additional/missing information/actions and comments. Subsequently, the document was transmitted for intraministerial and interministerial consultation. As a result of the consultation process, the MA received a number of substantive and editorial comments. With the comments analysed, partners' recommendations included and relevant editorial changes made, the updated AMIF Programme was transmitted for approval to the **Inter-Ministerial Team for the European Home Affairs Funds (IMT),** similarly to the funds implemented in the financial perspective 2014-2020. On obtaining opinions from members of the Team, the document was transmitted to the European Commission.  **The good consultation and cooperation practice will be continued during the Programme implementation with the bodies indicated in Regulation (EU) 2021/1060 (CPR).**The 2014-2020 Monitoring Committee, which was responsible for two funds: AMIF and ISF 2014-2020, included representatives of institutions of key importance for its operations, including the Ministries of: Finance, Justice, Foreign Affairs, Family and Social Policy (with the responsibility for integration and legal migration in Poland), Development Funds and Regional Policy, Border Guard Headquarters and National Police Headquarters, State Fire Service Headquarters, Internal Security Agency and Office for Foreigners. The participation of different institutions in the Monitoring Committee 2021-2027, responsible for three funds: AMIF, BMVI and ISF 2021-2027, will ensure complementarity with other financial mechanisms in accordance with Regulation (EU) 2021/1060. Furthermore, representatives of the third sector organisations concerned will be invited to take part in the Monitoring Committee as part of partnership in the implementation and subsequent evaluation of the AMIF Programme.Moreover, in order to ensure that the partnership principle is implemented more effectively, the Managing Authority plans to engage partners which are most representative for a given environment - adequately to the subject scope of a given programme. In accordance with Article 8 of Regulation (EU) 2021/1060 (CPR), invitations were sent to the following bodies/organisations: - Joint Government and Local Government Commission - Social Dialogue Council - Public Benefit Works Council - International organisations – IOM Poland, UNHCR – Representation in Poland - Government Plenipotentiary for Disabled Persons- Government Plenipotentiary for Equal Treatment- Conference of Rectors of Academic Schools in Poland- Main Board of Research Institutes The aforementioned bodies were asked to name at least one representative to be officially nominated as members of the Monitoring Committee. The Joint Government and Local Government Commission names a representative of regional/local public authorities. The Social Dialogue Council names a representative of the social/economic partners. The Public Benefit Works Council names a representative of the civil society to ensure representation in accordance with Article 8 of Regulation (EU) 2021/1060 (CPR) and Article 4 of Regulation of the European Parliament and of the Council (EU) 2021/1147 establishing the Asylum, Migration and Integration Fund. The Conference of Rectors of Academic Schools in Poland names a representative of academic schools. The Main Board of Research Institutes names a representative of research institutes. Depending on the subject range of the work of the Monitoring Committee, the representatives named can consult competent members of their organisations to provide relevant answers to issues raised. The rules and scope of cooperation with the partners will be laid down in the Rules of the Monitoring Committee. The Rules will be consulted with the Committee members and will also provide for the manner of involvement of the partners in the decision-making process.Participation of the partners under the partnership principle will be taken into account at all stages of implementation of the programmes. The participation involves also support for the Managing Authority at the stage of programming, implementation, monitoring and evaluation of the programmes for the years 2021 - 2027, in particular through:- participation in the work of the Monitoring Committee- providing opinions on AMIF, BMVI and ISF programmes and on amendments to the programmes- analysing the progress in implementing the programmes and achieving their objectives- providing opinions and approvals regarding project selection criteria- participating in the process of evaluation of the programme implementation- analysing actions in the area of communication and visibility. |

# 7. Communication and visibility

Reference: Article 22(3)(j) of the Common Provisions Regulation

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| The AMIF 2021-2027 Communication Strategy comes as a part of the Communication Strategy For European Migration, Borders and Security Funds (hereinafter "the Strategy") and concerns the manner of communication with target groups for the purpose of supporting the Programme's visibility.The Strategy is in line with the national Strategy for Communication of European Funds 2021-2027 managed by the Ministry of Development Funds and Regional Policy (MDFRP), and it will be implemented in cooperation with the MDFRP.Communication about the AMIF Programme involves communicating its objectives, results and impacts regarding:* the system of providing protection to foreigners in Poland in accordance with the principles of the Common European Asylum System;
* support of legal migration to Poland and effective integration and social inclusion of third-country nationals;
* prevention of illegal migration.

The Strategy is provided in Annex to the MA Procedures Manual. Communication actions are carried out by the MA, IB and beneficiaries.**Communication Officer**The MA has appointed the officer for Communication of European Migration, Borders and Security Funds who, in cooperation with the National Coordinator in the MDFRP, conducts actions to support the visibility and promotion of the funds. Within the INFORM EU networ, the Officer is responsible for cooperation with the EC, attends meetings and training, and is responsible for the website content.**Objectives of communication actions**The communication actions are aimed at:* informing about and encouraging to use the funds available under the Programme;
* increasing the awareness of the importance of the European Funds;
* informing the general public about actions and results of the Programme, including the positive impact of EU support in the AMIF area;
* supporting the beneficiaries in implementing their projects.

**Target groups*** Beneficiaries: institutions with the monopoly on migration management (Border Guard, Office for Foreigners, Voivodeship Offices, Ministry of Family, Labour and Social Policy);
* Potential beneficiaries: bodies that use AMIF support and implement projects: other public finance sector units, international organisations, non-governmental organisations, recipients of direct support under projects implemented;
* General public: persons and entities that benefit from the effects of the projects implemented, whether consciously or not.

**Communication channels*** Communication channels will be selected on the basis of their effectiveness and specific objectives. Examples of channels:
* bilingual (Polish and English) websites dedicated to home affairs funds: www.fundusze.mswia.gov.pl and www.gov.pl/web/DFE-MSWiA;
* information and promotion events;
* European Funds portal (MDFRP);
* network of European Funds Information Points (MDFRP);
* social media: MIA and MDFRP.

It will be important for communication to use the beneficiaries' communication capacities. Among materials prepared to support the beneficiaries in promoting the projects are a downloadable guide and graphic templates.Tools used in communication and individual target groups:* Beneficiaries: the MA's website, project supervisor, social media, the European funds portal, information and promotion events
* Potential beneficiaries: the MA's website, social media, the European Funds portal, EFIPs
* General public: social media, the MA's website, the European Funds protal

**Monitoring and assessment**The communication actions are subject to evaluation and monitoring in terms of their quality, relevance and effectiveness. Provisions governing the obligation to ensure visibility of EU financing will be included in agreements signed with beneficiaries and will be monitored.Monitoring and assessment indicators:Number of meetings for beneficiaries and applicants (unit: number)* Baseline value - 0
* Milestone value (2024) - 14 (including one joint meeting for the ISF, the AMIF and the BMVI)
* Target value (2029) - 43 (including three joint meetings for the ISF, the AMIF and the BMVI)

Number of visits to the MA's website covering the ISF, the AMIF and the BMVI (unit: number)* Baseline value - 0
* Milestone value (2024) - 115,200
* Target value (2029) - 241,200

Number of responses to inquiries about financing possibilities (unit: number)* Baseline value - 0
* Milestone value (2024) - 30
* Target value (2029) - 70

**Budget**Communication actions of the MA and the IB will be financed from Technical Assistance. The estimated AMIF communication and visibility budget is EUR 1,000,000, including for the following purposes:1. Information and training meetings – 81%2. Meetings and conferences regarding the AMIF, the BMVI and the ISF – 6%3. Production of information materials - 13%The budget will be updated depending on the results achieved.  |

# 8. Use of unit costs, lump sums, flat rates and financing not linked to costs

Reference: Articles 94 and 95 of the Common Provisions Regulation

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| Intended use of Articles 94 and 95 of the Common Provisions Regulation | Yes | No |
| From the moment of adoption onwards, the programme will use reimbursements of Union contribution based on unit costs, lump sums and flat rates in accordance with Article 94 of the Common Provisions Regulation | [ ]   | [x]   |
| From the moment of adoption onwards, the programme will use reimbursement of Union contribution based on financing not linked to costs in accordance with Article 95 of the Common Provisions Regulation | [ ]   | [x]   |

# Appendix 1: Union contribution based on unit costs, lump sums and flat rates

## A. Summary of the main elements

| Specific objective | Estimated proportion of the total financial allocation within the priority to which the SCO will be applied in % | Type(s) of operation covered | Indicator triggering reimbursement (2) | Unit of measurement for the indicator triggering reimbursement | Type of SCO (standard scale of unit costs, lump sums or flat rates) | Amount (in EUR) or percentage (in case of flat rates) of the SCO |
| --- | --- | --- | --- | --- | --- | --- |
| Code(1) | Description | Code(2) | Description |

(1) This refers to the code in Annex VI of the AMIF, BMVI and ISF Regulations.

(2) This refers to the code of a common indicator, if applicable.

Appendix 1: Union contribution based on unit costs, lump sums and flat rates

## B. Detailed information by type of operation

## C. Calculation of the standard scale of unit costs, lump sums or flat rates

#### 1. Source of data used to calculate the standard scale of unit costs, lump sums or flat rates (who produced, collected and recorded the data; where the data are stored; cut-off dates; validation, etc.):

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#### 2. Please specify why the proposed method and calculation based on Article 94(2) CPR is relevant to the type of operation.

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#### 3. Please specify how the calculations were made, in particular including any assumptions made in terms of quality or quantities. Where relevant, statistical evidence and benchmarks should be used and, if requested, provided in a format that is usable by the Commission.

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#### 4. Please explain how you have ensured that only eligible expenditure was included in the calculation of the standard scale of unit cost, lump sum or flat rate:

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#### 5. Assessment of the audit authority(ies) of the calculation methodology and amounts and the arrangements to ensure the verification, quality, collection and storage of data.

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# Appendix 2: Union contribution based on financing not linked to costs

## A. Summary of the main elements

| Specific objective | The amount covered by the financing not linked to costs | Type(s) of operation covered | Conditions to be fulfilled/results to be achieved triggering reimbursement by the Commission | Indicators | Unit of measurement for the conditions to be fulfilled/results to be achieved triggering reimbursement by the Commission | Envisaged type of reimbursement method used to reimburse the beneficiary or beneficiaries |
| --- | --- | --- | --- | --- | --- | --- |
| Code(1) | Description | Code(2) | Description |

(1) This refers to the code in Annex VI of the AMIF, BMVI and ISF Regulations.

(2) This refers to the code of a common indicator, if applicable.

## B. Detailed information by type of operation

# DOCUMENTS

| Title of document | Type of document | Date of document | Local reference number | Commission reference number | Files | Date sent | Sender |
| --- | --- | --- | --- | --- | --- | --- | --- |
| Detailed self-assessment of the fulfilment of Horizontal Condition 4 regarding implementation and application of the United Nations Convention on the rights of persons with disabilities (UNCRPD) in accordance with Council Decision 2010/48/EC | Additional information | 10 Nov 2022 |  | Ares(2022)7850990 | Detailed self-assessment of the fulfilment of Horizontal Condition 4 | 14 Nov 2022 | Dargiel, Katarzyna |
| METHODOLOGY AMIF – output and result indicators (Annex VIII) | Additional information | 10 Nov 2022 |  | Ares(2022)7850990 | Methodology AMIF - output and result indicators | 14 Nov 2022 | Dargiel, Katarzyna |
| Programme snapshot 2021PL65AMPR001 1.2 | Data preview before sending | 14 Nov 2022 |  | Ares(2022)7850990 | Programme\_snapshot\_2021PL65AMPR001\_1.2\_pl.pdfProgramme\_snapshot\_2021PL65AMPR001\_1.2\_en.pdfProgramme\_snapshot\_2021PL65AMPR001\_1.2\_pl.pdf - Machine Translated | 14 Nov 2022 | Dargiel, Katarzyna |