

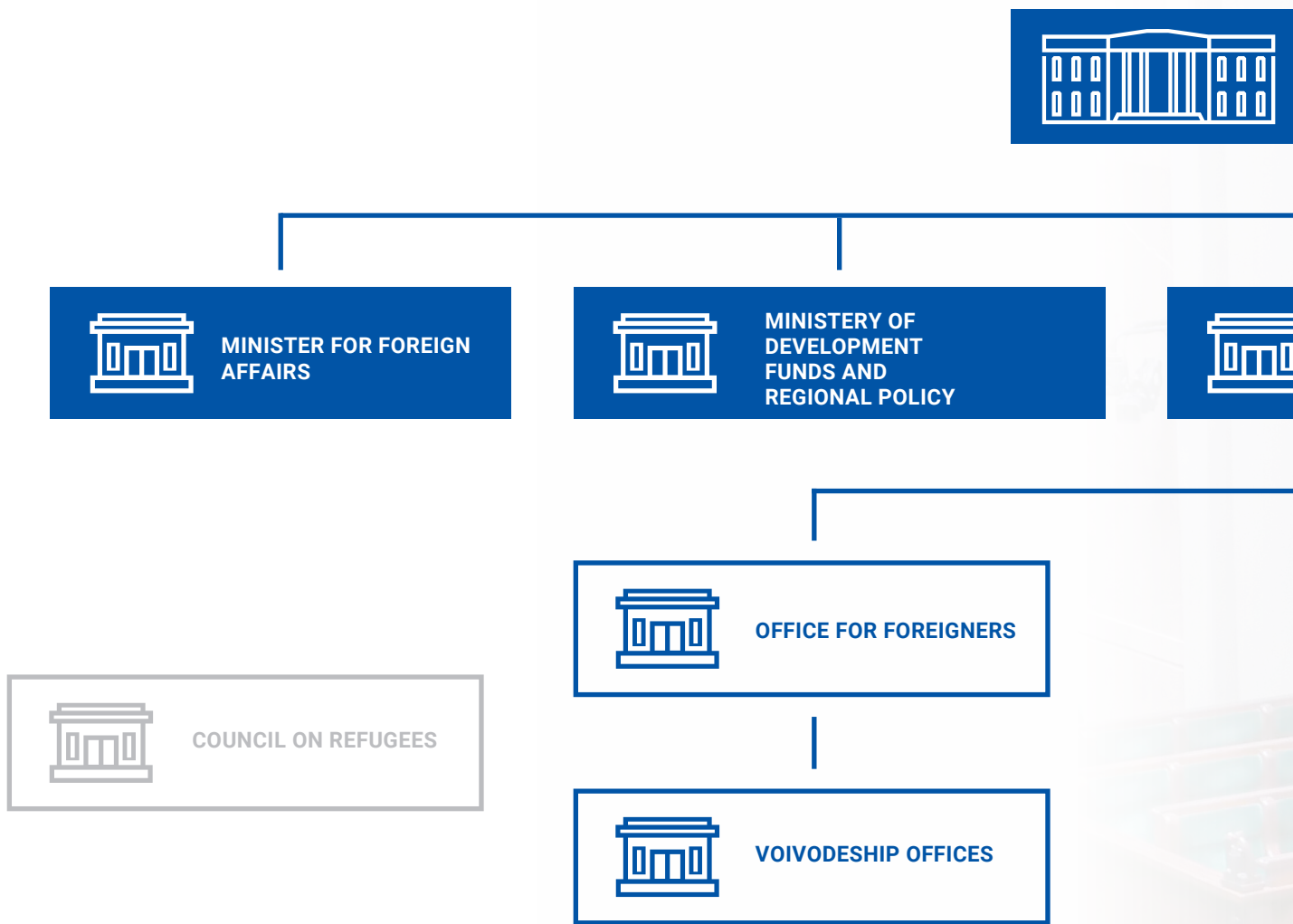
# Office for Foreigners

**GUIDE**



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MIGRATION MANAGEMENT  
SYSTEM IN POLAND





 COUNCIL OF  
MINISTERS

 MINISTRY OF INTERNAL AFFAIRS  
& ADMINISTRATION

 MINISTER OF DEVELOPMENT,  
LABOR AND TECHNOLOGY

 BORDER GUARD

 POLICE

## GENERAL INFORMATION, MISSION AND VISION



### THE HEAD OF THE OFFICE FOR FOREIGNERS

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

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



### OFF IN NUMBERS

The Office employs approx. 400 members of staff.

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



### OUR MISSION

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



### OUR VISION

The Office, following the applicable law:

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

## KEY RESPONSIBILITIES

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

01

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

02

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

03

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

04

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

05

OPERATES IT SYSTEMS REQUIRED BY THE OFFICE

06

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

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

## APPELLATE PROCEEDINGS

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

## VISA-RELATED CONSULTATIONS



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

## **DATABASE OF FOREIGN NATIONALS**

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

## **MONITORS AND STUDIES RULINGS OF COURTS**

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

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

## INTERNATIONAL PROTECTION

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

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

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

## GRANTING THE PROTECTION

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

## **REVIEW OF APPLICATIONS, VERIFICATION OF DOCUMENTS AND EVIDENCE**

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

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

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

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

## SOCIAL ASSISTANCE

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

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

## BENEFICIARIES OF SOCIAL ASSISTANCE

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

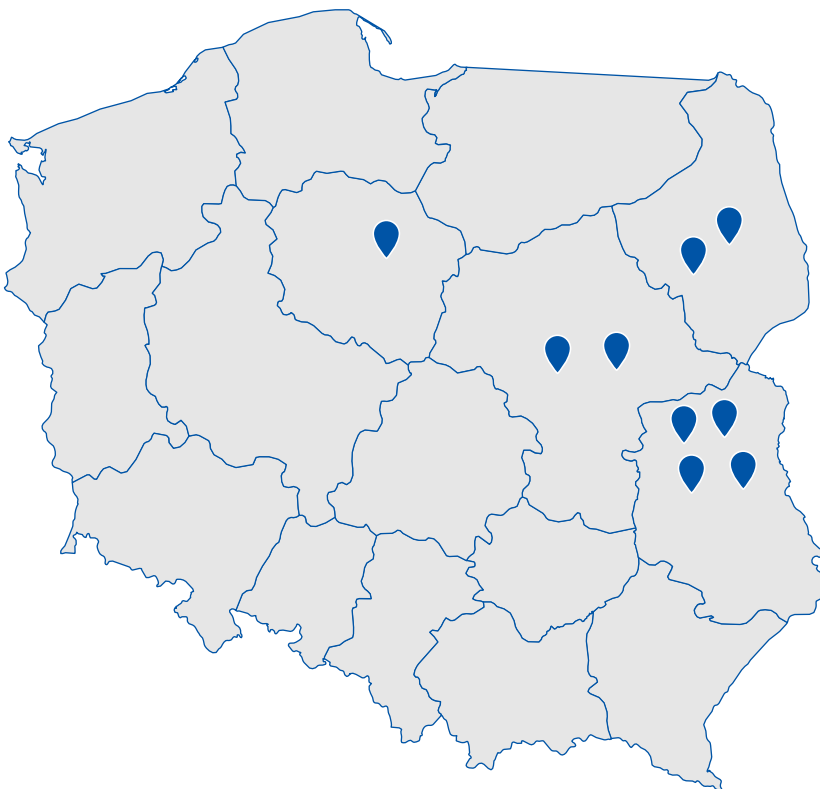
There are 10 centres for foreigners applying for international protection in Poland.

## SCOPE OF SOCIAL ASSISTANCE

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

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

## CENTRES FOR FOREIGNERS



### PODLASKIE

Białystok  
Czerwony Bór

### KUJAWSKO - POMORSKIE

Grupa

### LUBELSKIE

Kolonia Horbów  
Bezwola  
Biała Podlaska  
Łuków

### MAZOWIECKIE

Warszawa Targówek  
Linin  
Dębak-Podkowa Leśna

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

### MEDICAL CARE

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

### EDUCATION

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

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

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

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

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

### INFORMATIONAL AND INTEGRATING ACTIVITIES

Na początku pobytu w ośrodku cudzoziemcy uczestniczą w kursie informacyjnym na temat obowiązujących w Polsce praw, zasad i obyczajów oraz kultury.

W dwóch ośrodkach recepcyjnych mieszczących się w Białej Polsce oraz Dębaku organizowane są spotkania dla nowoprzybyłych cudzoziemców, podczas których przekazywane są wszelkie niezbędne informacje.

UdSC przygotował także specjalny informator „Pierwsze Kroki w Polsce” oraz film instruktażowy na temat procedury uchodźczej.

## INTERNATIONAL COOPERATION



### EUAA

The Head of the Office for Foreigners currently serves as a member of the Management Board of the European Union Agency for Asylum (EUAA). Representatives of the Office regularly take part in meetings organised by the above-mentioned agency and in the work of working groups of the Council of the European Union as well as of committees and expert groups of the European Commission.

The office's specialists also participated in EASO support missions carried out in the countries most affected by migration pressures. A total of 114 UdSC representatives worked abroad between 2013 and 2019.

### GDISC

The Office is intensively involved in the GDISC (General Directors of Immigration Services Conference), an informal platform that promotes practical cooperation between European immigration offices. Among others, Poland is a member of the GDISC Steering Group (along with Austria, France, Germany, Ireland, Italy, the Netherlands, Norway, Sweden, Switzerland and the UK). Poland takes over the presidency of the group in 2023.

### IGC

Poland has the status of a member state of the Intergovernmental Consultation on Migration, Asylum and Refugees (IGC), a forum that has been active since the late 1980s and which now also includes Australia, Belgium, Canada, Denmark, Finland, Germany, Greece, Ireland, the Netherlands, New Zealand, Norway, Spain, Sweden, Switzerland, the United Kingdom and the USA, as well as UNHCR, IOM and the European Commission. Member States are generally represented at high-level meetings by the heads of migration services. Poland is represented at them by the Head of the Office for Foreigners. From 2019, Poland is chairing the Asylum Working Group of the forum.

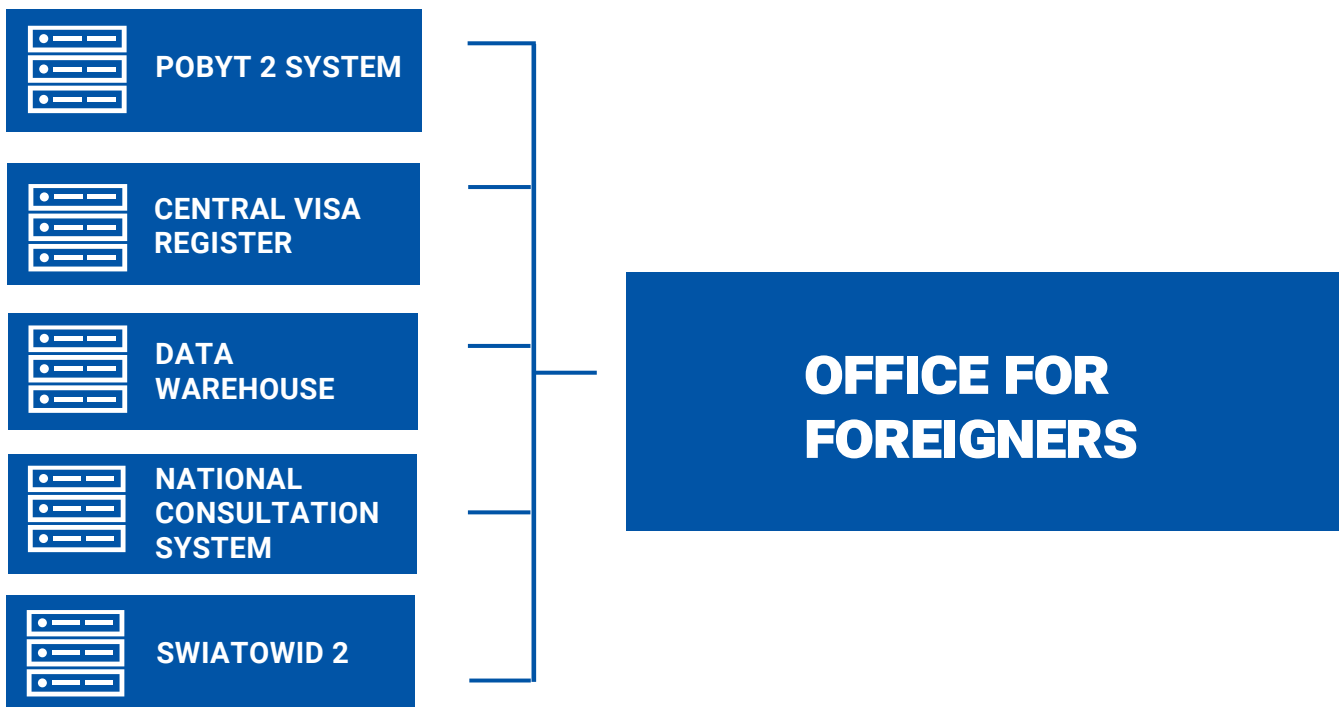
### VISEGRAD GROUP

Representatives of the office are also actively involved in the Visegrad Group – an informal regional form of cooperation between four Central European countries - Poland, the Czech Republic, Slovakia and Hungary. One of the key elements of cooperation at this level is the Migration Crisis Response Mechanism set up by the V4 Group Interior Ministers.

### OTHER

Between 2011 and 2017, the Office for Foreigners signed enhanced cooperation documents with Hungary, Finland, Mongolia, Germany and Switzerland. It concerns, among others, the exchange of experiences and best practices on issues related to legal migration and international protection, the exchange of statistical data related to the migration and asylum, or the improvement of the professional skills of their staff by enabling them to mutually participate in training courses and seminars. Office personnel have also used their experience to support the migration services in Azerbaijan, Kazakhstan, Kosovo, Kyrgyzstan, Macedonia and Bosnia and Herzegovina.

Currently, the Office acts as the coordinator of the National Contact Point of the European Migration Network (EMN NCP) in Poland, which also includes representatives of the Ministry of Interior and Administration, the Ministry of Family and Social Policy, the Border Guard Headquarters and the Central Statistical Office. In carrying out the tasks of the EMN NCP, the Office for Foreigners cooperates with the European Commission as well as NCPs in EU Member States, as well as with other actors (e.g. OECD, IOM).



The Office for Foreigners runs the following IT systems:

- System Pobyt - National collection of registers, records and lists on matters of foreigners
- National Consultation System – visa consultation
- Data warehouse – statistical data
- Central Visa Register – visa applications
- Swiatowid 2 – country of origin information

They are used by other institutions, including voivodeship offices, the Police, Border Guard, the Ministry of Foreign Affairs, the Ministry of the Interior and Administration, the Internal Security Agency, the Intelligence Agency, the Central Anti-Corruption Bureau, the Prison Service and the Military Counterintelligence Service.

The Office has developed a statistical tool, the Data Warehouse, which allows the data collected in the Pobyt system to be used for statistical, analytical and scientific purposes. Foreign funding is also being used to develop IT systems.

Statistical data can be found on [migration.gov.pl](http://migration.gov.pl), a web portal prepared by the Office. In addition, the website provides up-to-date information on the legalisation of residence and the granting of international protection to foreigners. All statistics can be conveniently filtered according to the type of case, years, gender and age of applicants, country of origin of foreigners and the authorities conducting the proceedings. Data can be displayed in the form of maps, charts and tables.



UNIA EUROPEJSKA  
FUNDUSZ AZYLU,  
MIGRACJI I INTEGRACJI



OFFICE FOR  
FOREIGNERS

## „Bezpieczna przystań”

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

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