

INTERNATIONAL PROTECTION.RIGHTS AND OBLIGATIONS OF INTERNATIONAL
PROTECTION SEEKERS IN POLANDUNIA EUROPEJSKA
FUNDUSZ AZYLU,
MIGRACJI I INTEGRACJIOFFICE 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.





This brochure describes selected rights and obligations that you will have as a party to the procedure for the grant of international protection in Poland. All of them are defined in the Law on Protection of Foreign Nationals in Poland and in the Administrative Proceedings Code. You can find up to date texts of these laws here: <http://prawo.sejm.gov.pl/>



YOUR OBLIGATIONS

As the international protection seeker in Poland, you are required to do the following:

- provide the Office for Foreigners with **information** including, without limitation, your identity, citizenship, age, past experience relevant to the case, relatives, countries and places of former residence, history of international protection applications, traveling routes and rationale for your present application;
- provide the Office for Foreigners with **evidence** proving the circumstances underlying your application (such as your passport or an organization member's card). The Office will collect and examine evidence for your case but it is you who has a thorough knowledge of your situation and related evidence and who is responsible for sharing it with us. The Office may be unable to get to the truth without your help while your contribution will be very important for the consideration of your case. If you have a problem with getting or accessing any evidence (e.g., because it has been lost or destroyed while you traveled), tell us during the interview or other-wise. If you get in possession of new evidence, provide it without delay either in person or by mail. Original documents are preferred. The Office will have translated all relevant ones. The lack of evidence does not preclude the grant of protection;
- inform the Office of each **change of your mailing address**. This is important because the Office will mail you at the last known address. If you fail to update us, letters sent to your old address will be deemed effectively served, which may have unfavorable legal consequences to you (such as the missing of a hearing, a deadline for submission or a decision given in your case);
- appear before each body in charge of the proceedings for a **hearing** or for submission of information. While seeing an immigration officer face-to-face you will have an opportunity to tell your story and your reasons for applying for the protection. You will be also able to clarify all doubts or discrepancies, if any, and/or present evidence.

The hearing(s) will be held in a language of your choice (indicated in your application), in which you can communicate effectively.

The hearing is led by an immigration officer and may be attended by your attorney (if you have one), your custodian (if you are an underage person unaccompanied by a guardian) and an interpreter (if required). Where desirable, considering your individual requirements, the hearing may be attended by a psychologist or a comforting person (a relative, social worker, etc.).

Everything you say will be kept confidential. The Office shall not disclose to your country's authorities any information about the history or results of your protection seeking in Poland.

- Stay in Poland, and not travel to other countries, while the procedure continues. The Temporary Certificate of Identify of a Foreign National (the "Temporary ID") that you will be given will not let you cross the border.

Do not forget to ask the Head of the Office for a new Temporary ID before the old one expires.



YOUR OBLIGATIONS

Visit: <https://udsc.gov.pl/uchodzczy-2/uchodzczy/wzory-wypelnionych-wnioskow/wniosek-o-wymiane-tztc/>



YOUR RIGHTS

You, as the Applicant, have the following rights during the proceedings:

- You have the right to receive, free of charge, legal information on the legislation applicable to, and on proceedings before public administration body concerning, the granting and withdrawing of international protection. Such information is provided by personnel of the Department for Refugee Proceedings of the Office for Foreigners.
- You have the right to an **attorney** to represent you during the proceedings. You will be responsible for the attorney's fees, if any.
- You have the right to **access your case files** at each step, and after the completion, of the proceedings. You, your attorney (if any) and any person that you authorize may copy, photograph, or take notes of, the documentation of the case.
- Even if you are covered under the proceedings by an application made by a member of your family (spouse, parent, etc.), you may have **your own reasons** for leaving your country of origin. If you do, tell the Office because such information can be crucial for the result of the proceedings.

If you are covered by an application made by your spouse, you have the right to **withdraw** from it and file an **application of your own** at any step of the proceedings. Your spouse will not be allowed to get access to the documentation of your individual case without your written consent.

If **you have turned 18** (became an **adult**) recently but, as a minor (child), have been covered by an application filed by your parent, you have the right to **withdraw** from it, file an **application of your own** and present your reasons for seeking the protection. In this case communicate your intention to the Office.

- If your case has not been finally closed within 6 months from the date of your application (it is still considered by the Office for Foreigners or by the Council for Refugees), you have the right to a **certificate of eligibility for employment** in Poland. Apply in writing to the Head of the Office for Foreigners. You should get it within 7 days from filing the application.
- You have the right to **social assistance** (including medical care, accommodation at a refugee/immigrant reception facility, pocket money, education, a Polish language course) for the duration of the proceedings before the Office for Foreigners and/or the Council for Refugees. Visit <https://udsc.gov.pl/uchodzczy-2/pomoc-socjalna/>
- If you have been refused, or deprived of, international protection, you have the right to **legal assistance free of charge**. See <https://udsc.gov.pl/urząd/bezplatna-pomoc-prawna/informacja-ogolna/> for a complete list of providers of such services.