



COUNTRY FACTSHEET: POLAND 2013

EUROPEAN MIGRATION NETWORK

1. Introduction

This EMN Country Factsheet provides a factual overview of the main policy developments in migration and international protection in Poland during 2013.

2. Legal Migration and Mobility

2.1. PROMOTING LEGAL MIGRATION CHANNELS

Throughout 2013, the Office for Foreigners continued to provide **information concerning the conditions for entry and stay for foreigners in Poland**. The information is regularly published on the Office's website www.udsc.gov.pl available also in Russian and English. On similar conditions another campaign "Ready, Study, Go! Poland" led by the Ministry of Science and Higher Education was implemented to inform and attract foreign students.

An information campaign, conducted under the slogan "Poland, Here I live" was also carried out in 2013 by the Office for Foreigners. The campaign aimed at disseminating information on the new rights and obligations triggered by the adoption of new legislation on foreigners (to enter into force on 1st May 2014). Actions under the campaign included cooperation with NGOs, development of a dedicated web-site, radio and TV commercials, as well as preparation of simple and clear information materials.

The National Labour Inspectorate also undertook actions aiming at **preventing illegal employment of foreigners**. To this end, a free information brochure was promoted under the title "Legal Employment for Foreigners – Information for Employers", including comprehensive information on the subject (for example, what requirements must be fulfilled in order to employ a foreigner lawfully, how to get a work permit for a foreigner or what categories of foreigners may work without a work permit, etc.).

2.2. ECONOMIC MIGRATION

With regard to **satisfying labour market needs**, in 2013 efforts focused on the development of a monitoring system for skill shortages and redundancies within the labour market. Once completed, the system will enable better identification of the labour market

demand in terms of skill shortages and redundancies¹. Linked to the further development of the monitoring system, during 2013, the Ministry of Labour and Social Policy also supervised the implementation of a project called "Elaboration of integrated prognostic and information system". In relation to **skills recognition**, in 2013, the Ministry of Science and Higher Education prepared a **draft decree concerning the acknowledgment of university diplomas granted abroad**. The decree's objective was to enable the acknowledgment of education levels of refugees, stateless persons and other persons who benefit from international protection.

Concerning **Intra-Corporate Transfers**, the National Labour Inspectorate participated, between July 2012 and June 2013, in an international project called "Posting of workers, development of cooperation between public authorities and social partners". The purpose of the project was to develop cooperation tools between public authorities and social partners across the EU, to strengthen the protection of workers posted temporarily abroad in two sectors, namely construction and agriculture.

With regard to cooperation with partners / third countries for economic migration, Poland signed, in September 2013, a **bilateral social security agreement with Moldova**. The latter applies to employees and self-employed workers. Also, due to Armenia's joining the EU Partnership for Mobility, the Polish Ministry of Labour and Social Policy decided to **provide Armenian nationals with simplified procedures to work in Poland** as already the case for citizens of Russia, Ukraine, Belarus, Georgia and Moldova.

The Ministry of Science and Higher Education also conducted **discussions** in order to **sign further bilateral agreements** and arrangements in the area of **science and higher education**. In January 2013, a bilateral agreement was signed concerning a programme of cooperation with the Ministry of **Education and Science of Mongolia**. By the end of 2013, negotiations were undertaken concerning 13

¹ For details see: www.prognozowaniezatrudnienia.pl

bilateral agreements in the area of science and higher education with the following states: Bosnia and Herzegovina, Ecuador, Greece, Iraq, Jordan, Columbia, Luxembourg, Peru, Serbia, Syria, Turkey, Italy and Macedonia.

2.3. FAMILY REUNIFICATION

No major policy developments were reported in this area in 2013. The new act of 12 December 2013 on foreigners did not introduce changes regarding family reunification rules in Poland².

2.4. INTEGRATION

In 2013, the Ministry of Labour and Social Policy took actions aiming to **strengthen the integration of foreigners in Poland**. This included the preparation of a strategic document called "*Foreigners' integration policy of Poland – goals and guidelines*" by the working group for foreigners' integration within the inter-ministerial Committee for Migration. The document included planned actions aiming to improve language competence of migrants as well as actions related with access to social security, health-care services and accommodation. By the end of 2013, the document was under discussion within the Ministry of Labour and Social Policy.

Moreover, the Government Plenipotentiary for Equal Treatment drafted a **National Action Plan for Equal Treatment**. The latter sets goals and priorities for equal treatment and puts forward actions to prevent discrimination due to gender, race, ethnic origin, nationality, religion, denomination, world-view, disability, age and sexual orientation.

The issue of **access of foreigners' children to education** in Poland was also tackled by the Civil Rights' Defender who commissioned a study on the access to education in Poland. The latter focussed particularly on: the availability of courses conducted in centres for foreigners applying for a refugee status; the enforcement of the right to attend additional Polish language courses; access to cultural assistants; and the organisation and funding of courses within refugee centres.

2.5. MANAGING MIGRATION AND MOBILITY³

Concerning **visa policy**, visa liberalisation under the Eastern Partnership was **further strengthened in 2013** (in particular involving Moldova, Georgia, Ukraine and Armenia). The Ministry of Foreign Affairs also introduced relevant devices and software to collect bio-metrical data to be used by the visa information system in some regions of the world⁴.

² New Act on foreigners entered into force on 1st May 2014.

³ "Managing migration and mobility" refers to the following themes: visa policy, Schengen governance and border monitoring.

⁴ More specifically in the following cities: Abuja, Addis Ababa, Nairobi, Luanda, Pretoria, Santiago, Lima, Bogota, Caracas, Buenos Aires, Brasilia, Curitiba, Sao Paulo, Almaty, Astana, Tashkent, Jakarta, Singapore, Bangkok, Hanoi.

With regard to **Schengen governance**, Poland restored controls at the internal borders between the 8th and 23rd November 2013 while organising a global forum dedicated to climate policy. This was done through a special decree from the Minister of the Interior.

In relation to **new border control and surveillance developments**, due to the launch of the second generation Schengen Information System, on 9th April 2013, a new IT system was launched within the Border Guard [System ZSEV]. The latter was described as more effective in reading biometrical data from foreign travel documents and in verifying document protections.

3. International Protection and Asylum

As far as **institutional and legislative changes** are concerned, in 2013, Poland planned to amend the **Act of 13 June 2003 on protection to be granted to foreigners on the territory of the Republic of Poland** in order to comply with the transposition requirements of the **recast Qualification Directive (2011/95/EU)**. The proposed amendments include more precise provisions concerning protection against persecution or severe harm incurred in the country of origin, etc.

During 2013, representatives of the Office for Foreigners continued to participate within activities organised by the **European Asylum Support Office (EASO)**, as well as contributing to the implementation of other activities (for example, providing personnel to support teams handling asylum cases, developing the EASO Training Curriculum modules, etc.).

With regard to **relocation**, Poland participated in the first and second editions of a programme for relocation of foreigners from Malta under a pilot programme for intra-EU relocations. Under the **EUREMA II programme, Poland relocated 6 foreigners in 2013 and their family members**.

During the reporting period, a **working group for legal aid to foreigners**, which operates within the inter-ministerial Committee for Migration, was established. The latter was tasked with the development of a system for the provision of legal aid targeted for foreigners applying for refugee status as well as those ordered to leave Poland. The system is to be launched in 2015. In 2013 another strategic document, "Actions in case of a sudden inflow of a great number of foreigners to the Republic of Poland" was drafted. The document describes in detail the state actions in a situation of potential migratory pressure on the eastern sector of the Polish frontier⁵.

4. Unaccompanied Minors and other Vulnerable Groups

No major policy changes were reported in 2013.

⁵ The document was accepted by two inter-ministerial bodies on 24th January 2014.

5. Actions against Trafficking in Human Beings

In May 2013, the Council of Ministers adopted the **National Action Plan against Human Trafficking 2013-2015**. The Plan is composed of six chapters: undertaking preventive actions, supporting and protecting victims, persecuting criminals, increasing qualifications, conducting studies concerning human trafficking/evaluation of actions and international collaboration. The actions planned in the strategic document will be implemented during a three-year period. The following actions listed in the National Action Plan were initiated and conducted in 2013:

- ★ The development, in cooperation with the Police, Border Guard and NGOs, of "*indicators helping to identify human trafficking victims*";
- ★ The development of procedures to be followed by the employees of the Office of Foreigners who handle applications for granting a refugee status in case of initial identification of victims of human trafficking;
- ★ The preparation of new procedures for law enforcement officers involved in cases of human trafficking (including minors).

In August 2013, the Ministry of Interior launched a **website⁶ dedicated to stakeholders involved in the fight against human trafficking**. The main goal of the portal is to develop social awareness on risks related directly with human trafficking, in particular within the so called "risk groups". In June 2013, following the adoption of **EU guidelines on collecting statistics concerning human trafficking**, the activities of an **expert group on statistics** were resumed. During the first meeting of the group, which was held in September 2013, discussions focussed on the possibility of improving the national system for data collection.

6. External Dimension of EU Migration Policy

With regard to **diasporas**, the Ministry of Foreign Affairs' "Plan for the Cooperation with Polish diaspora and Poles abroad in 2013" envisaged changes in the existing concept of cooperation with the Polish diaspora and Poles living abroad. Actions undertaken in 2013 were aimed to maintain ties with Poles abroad and to consider them as an important component of population potential. An important new element was paying special attention to promote the return of Poles to Poland. Within other measures one should mention support for education of Polish diaspora, mobilization of activities in all areas of life in the countries of residence in order to promote the Polish culture, stronger involvement of Polish community and Poles living abroad in economic cooperation with the countries of residence of Polish immigrants. Also in 2013, a programme called "*Conservation and Revitalization of Cultural Heritage*" was implemented

by the Ministry of Culture and National Heritage. The latter aimed to preserve the traditions and values of ethnic and national minorities in Poland.

7. Irregular migration

During 2013, representatives of the Border Guard participated in **several international projects** with Southern Mediterranean as well as Eastern Partnership countries. These projects aimed to strengthen the fight against irregular migration at EU's Eastern and Southern borders. Another element of cooperation on the international forum concerning the prevention of irregular migration is the participation of the national Border Guard in the European Commission Training and Consulting Mission for Moldova and Ukraine (EUBAM).

Moreover, **cooperation in this area was carried out with Europol and Interpol**. The cooperation focused on sharing information concerning irregular migrants and individuals as well as organised crime groups who are involved in irregular migration. Border Guard officers took part in **Frontex activities**, including joint flights, examination of documents, interrogations and controls at airports. Polish experts on border surveillance also participated in nine joint operations coordinated by Frontex. As far as **bilateral cooperation** is concerned, Poland established and implemented, during 2013, **agreements** and other forms of bilateral and multilateral cooperation with third countries⁷ specifically **to strengthen the control of external borders**.

The Boarder Guard and Office for Foreigners conducted actions aiming at ensuring a sustainable and effective **return of foreigners**, inter alia through the exchange of best practices within the Voluntary Return European Network; the provision of information on the possibilities of benefiting from voluntary return; the organisation of seminars and training for staff involved in voluntary return programmes.

8. Provision and Exchange of Information to support Policy Development

Throughout 2013, the exchange of information at EU level was mainly carried out through the national contact points for integration, the EMN and EASO. Poland also exchanged information through bilateral and multilateral meetings with representatives of migration authorities of other Member States (such as, for example, Baltic Sea Labour Forum, the Visegrad Group, etc.).

STATISTICAL ANNEX

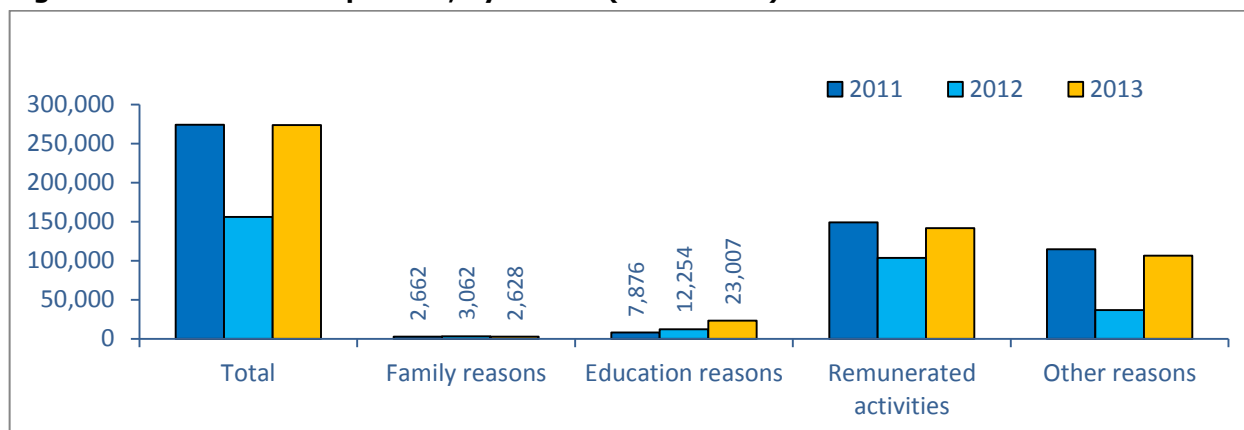
The Statistical Annex provides an overview of the latest available statistics for Poland on aspects of migration and asylum (2011-2013), including residence, asylum, unaccompanied minors, irregular migration, return and visas. Where statistics are not yet available, this is indicated in the Annex as "N/A".

⁶ www.handelludzmi.eu

⁷ Ukraine, Moldova, Tunisia, Montenegro, Kosovo, Serbia, Bosnia and Herzegovina

Statistical Annex: Immigration and Asylum in Poland (2011-2013)

Figure 1: First residence permits, by reason (2011-2013)



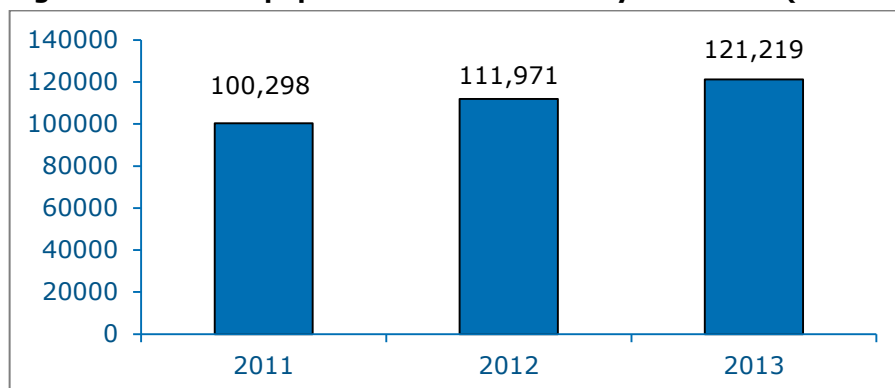
Source: Eurostat migration statistics (migr_resfirst), extracted 28 July 2014; data for 2011 obtained from 2012 statistical annex

Table 1: First residence permits: Top five third-country nationalities (2011-2013)

2011	2012	2013
1. Ukraine – 156,086	1. Ukraine – 107,601	1. Ukraine – 171,769
2. Belarus – 69,622	2. Belarus – 23,284	2. Belarus – 69,958
3. Russia – 24,048	3. Moldova – 4,711	3. Moldova – 6,746
4. Moldova – 6,623	4. Turkey – 3,144	4. Turkey – 4,436
5. Turkey – 3,199	5. Russia – 2,389	5. Russia – 3,868

Source: Eurostat migration statistics (migr_resfirst), extracted 28 July 2014; data for 2011 obtained from 2012 statistical annex

Figure 2: Resident population of third-country nationals⁸ (2011-2013)



Source: National contributions to EMN Annual Policy Reports

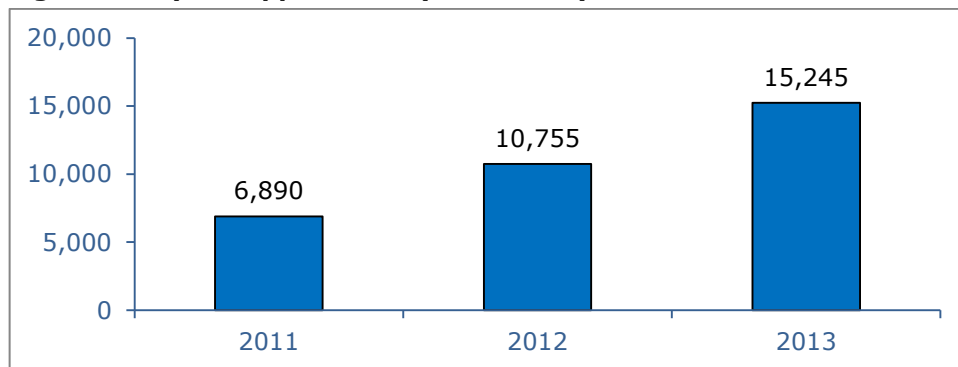
Table 2: Resident population: Top five third-country nationalities (2011-2013)

2011	2012	2013
1. Ukraine – 10,803	1. Ukraine – 13,427	1. Ukraine – 13,906
2. Unknown – 4,252	2. Unknown – 8,798	2. Unknown – 8,769
3. Russia – 4,148	3. Russia – 4,204	3. Russia – 4,286
4. Belarus – 3,481	4. Belarus – 3,849	4. Belarus – 4,040
5. Vietnam – 2,947	5. Vietnam – 2,629	5. Vietnam – 2,663

Source: Eurostat migration statistics (migr_pop1ctz), extracted 4 June 2014

⁸ Data on the TCN resident population are provided on the basis of the valid residence cards.

Figure 3: Asylum applications (2011-2013)



Source: Eurostat migration statistics (migr_asyappctza), extracted 4 June 2014

Table 3: Asylum applications: Top five third-country nationalities (2011-2013)

2011	2012	2013
1. Russia – 4,305	1. Russia – 6,085	1. Russia – 12,845
2. Georgia – 1,735	2. Georgia – 3,235	2. Georgia – 1,240
3. Armenia – 215	3. Armenia – 425	3. Syria – 255
4. Belarus – 80	4. Kazakhstan – 130	4. Armenia – 205
5. Ukraine – 65	5. Afghanistan – 105	5. Kazakhstan – 95

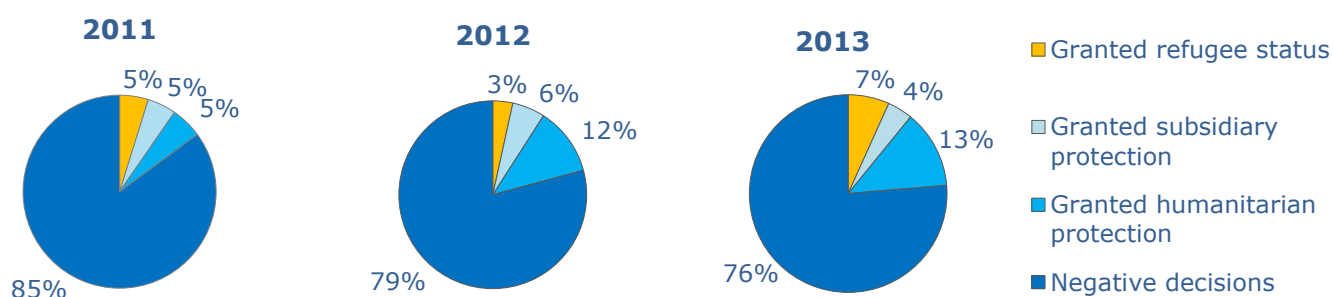
Source: Eurostat migration statistics (migr_asyappctza), extracted 4 June 2014

Table 4: Asylum applications - First instance decisions by outcome (2011-2013)

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

Source: Eurostat migration statistics (migr_asydcfsta), extracted 4 June 2014

Figures 4-6: Asylum applications - First instance decisions by outcome (2011-2013)

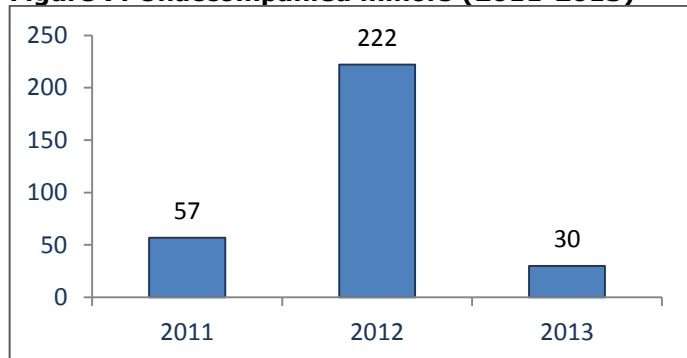


Source: Eurostat migration statistics (migr_asydcfsta), extracted 4 June 2014

Table 5: Third-country nationals relocated and resettled (2011-2013)

	2011	2012	2013
Third-country nationals relocated	0	0	6
Third-country nationals resettled	0	0	0

Source: Eurostat migration statistics (migr_asyresa), extracted 6 June 2014 and Commission Staff Working Document -Accompanying the 5th Annual Report on Immigration and Asylum 2013

Figure 7: Unaccompanied minors (2011-2013)

Source: National contributions to EMN Annual Policy Reports and; EMN, A Descriptive Analysis of the Impacts of the Stockholm Programme 2010-2013

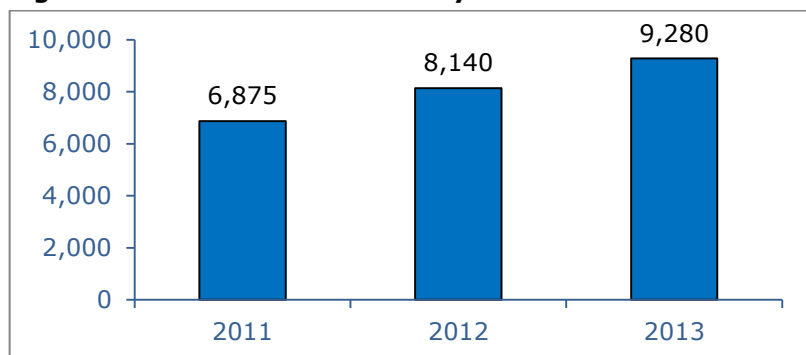
Table 6: Unaccompanied minors (2011-2013)

	2011	2012	2013
Unaccompanied minors (total)	57	222	30
Unaccompanied minors not applying for asylum	14	16	4
Unaccompanied minor asylum applicants	43	206	26

Table 7: Number of third-country nationals refused entry at external borders (2011-2013)

	2011	2012	2013
Third-country nationals refused entry at external borders	20,225	29,705	40,385

Source: Eurostat migration statistics (migr_eirfs), extracted 4 June 2014

Figure 8: Number of third-country nationals found to be illegally present (2011-2013)

Source: Eurostat migration statistics (migr_eipre), extracted 4 June 2014

Table 8: Third-country nationals returned (2011-2013)

	Third-country nationals ordered to leave	Returned as part of forced return measures	Returned voluntarily	Returned through an Assisted Voluntary Return Programme
2011	7,750	625*	5,519*	1,164*
2012	7,995	512	6,143*	764
2013	9,215	1,223*	7,106*	1,993*

Source: Source: Eurostat migration statistics (migr_eiord), extracted 4 June 2014 and Commission Staff Working Document -Accompanying the 5th Annual Report on Immigration and Asylum 2013; * Information provided by EMN National Contact Point

Table 9: Number of visas issued by type (2011-2013)

	2011	2012	2013*
Total visas	1,173,582	1,344,112	1,404,816
Schengen visa (short-stay visas)	895,076	1,075,284	1,109,901
National visa	278,506	277,073	294,915

Source: Commission Staff Working Documents on the Annual Report on Immigration and Asylum and EMN, A Descriptive Analysis of the Impacts of the Stockholm Programme 2010-2013; *2013 Data provided by EMN PL National Contact Point.