

# POLAND

## EMN COUNTRY FACTSHEET

# 2019

MAIN DEVELOPMENTS IN MIGRATION AND INTERNATIONAL PROTECTION, INCLUDING LATEST STATISTICS



### LEGAL MIGRATION AND MOBILITY

#### WORK-RELATED MIGRATION

On 27 April 2019, amendments to the Act on foreigners entered into force.<sup>1</sup> The Act transposed the Directive on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects, and au pairing (Directive (EU) 2016/801).

The new regulations do not allow proceedings to be initiated on temporary residence or work permits for a foreigner who, on the day of submitting the application, is already in Poland on the basis of a tourist or visitor visa, or has already obtained or applied for a temporary residence permit, or a long-term residence permit for the purpose of scientific research.

In 2019, the Ministry of Family, Labour and Social Policy implemented project entitled Monitoring of Work and Stay for the Earnings of Foreigners in the Territory of the Republic of Poland (MPPC). The project was co-financed by the European Union from the European Regional Development Fund from the Operational Program Digital Poland for 2014-2020 and is correlated with the preparation process of the new document Migration Policy of Poland.

<sup>1</sup> <https://udsc.gov.pl/en/amendment-to-the-act-on-foreigners-2/>

### KEY POINTS



**Implementation of Directive (EU) 2016/801 on the conditions of entry and residence of third-country nationals for the purposes of research, studies, training, voluntary service, pupil exchange schemes or educational projects, and au pairing.**



**The entry into force of amendments to the Act on foreigners.**



**Establishment of the Committee for Combating Trafficking in Human Beings.**

#### STUDENTS AND RESEARCHERS

The amendment to the Act on foreigners introduced a new condition for issuing a national visa or granting a temporary residence permit for the purposes of conducting scientific research, studying, undergoing traineeships and volunteering. The new condition introduced is authorisation of the host entity/university, granted by the Minister of the Interior and Administration.

The new regulations provide for the possibility for scientists and students or PhD candidates with a national visa or residence card stating 'student' or 'scientist' issued by the Polish authorities to perform work on the territory of the Republic of Poland. This was

also designed to cover scientists, students and PhD students using intra-EU mobility in the Polish territory.

The amendment to the Act on foreigners introduced two new types of residence permits: temporary residence permit for (1) interns and (2) volunteers.

New legal solutions saw foreigners allowed to use student mobility for up to 360 days, short-term mobility for researchers, and short-term mobility of the family member of a researcher for up to 180 days in any 360-day period. They also covered long-term mobility of a researcher and long-term mobility of researchers' family members.

On the basis of the Law on Higher Education and Science all foreign students who undertook education in the 2019-2020 academic year are entitled to apply for financial assistance, with the exception of a social scholarship and student loan.

## **FAMILY REUNIFICATION**

Amendment of the Act on Foreigners that entered into force as of 27 April 2019 introduced new prerequisites for the family members of foreigners willing to use the short-term mobility of the researcher on Polish territory. In those cases a family member of the researcher needs to hold a residence permit for family reunification and a residence permit issued by that EU Member State.

## **INFORMATION ON ROUTES TO AND CONDITIONS OF LEGAL MIGRATION**

The main reasons foreigners gave for their stay in Poland in 2019 were willingness to work (73%), family reasons (12%) and study (10%). The largest increase in the number of issued residence permits related primarily to citizens of Ukraine, Belarus, India, Georgia and Vietnam. The highest increase was recorded in the number of issued temporary residence permits (up to a maximum of three years) – up by 35 800 and permanent residence permits – up by 9 000. For more information visit: [www.migracje.gov.pl](http://www.migracje.gov.pl).

In 2019, the brand-new Center for Foreigners Service was opened in the Opole, as part of the Safe Harbor program (Project No. 11 / 7-2017 / OG-FAMI entitled "A friendly office for legal migration" co-financed from the National Asylum Fund Program , Migration and Integration). As part of the project two Information and Advisory Points were created, as well as online consultation platform with the option of registering foreigners for courses, legal and psychological advice. Thus, Opole joined a group of cities with similar Centres (i.a. Warsaw, Cracow, Wrocław, Gdańsk).



## **INTERNATIONAL PROTECTION INCLUDING ASYLUM**

### **IMPLEMENTATION OF THE COMMON EUROPEAN ASYLUM SYSTEM**

In 2019, applications for assuming responsibility within the Dublin procedure were addressed to all countries, unless they concerned representatives of the so-called vulnerable groups. Each proceeding was considered individually. In the event of a positive decision, Greece, Hungary and Bulgaria were asked to provide with a guarantee of compliance with the provisions of the Procedural and Reception Directives towards the foreigner after his transfer to a given country. In the case of the above guarantee, Poland did not carry out the transfer.

### **RELOCATION AND RESETTLEMENT**

In 2019 the Inter-ministerial Committee for ensuring security in the process of resettlement and relocation of foreigners did not introduced any changes to the current state policy. Poland did not in practice resettle foreigners, however supported EU Member States through missions of national experts.



## **UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS**

Poland observed a slight decline in the number of asylum applications received from unaccompanied minors - from 125 applications in 2018 to 105 applications in 2019.

In accordance with the guidelines of the National Action Plans for the implementation of the UN agenda on women, peace and security for 2018-2021, the border guard included 'victims of sexual violence in armed conflicts' in its definition of vulnerable persons.



## **INTEGRATION**

### **INTEGRATION OF THIRD-COUNTRY NATIONALS**

In 2019 around 2000 foreigners benefited from various forms of professional activation (including training, internships, job placement or vocational guidance, support for geographical mobility, eliminating barriers for people with disabilities) and financial assistance for setting up your own business economic benefits can also be enjoyed by immigrants, re-emigrants who have

already returned to Poland, as well as repatriates planning to return to the country. Support is provided at both national and regional levels.

In mid-2019, the Ministry of the Interior and Administration announced the fourth open call for proposals for integration projects addressed to all organizations and institutions in Poland. In this recruitment, each voivodship was provided with a pool of funds to be used, the size of which depended on the number of foreigners legally residing in the given voivodship. 21 projects were implemented in Poland, for a total amount of over PLN 40 million, financed from the Asylum, Migration and Integration Fund and the state budget. The projects started in mid-2019 and will be implemented until the end of 2022.

## NON-DISCRIMINATION

In August 2019 Poland presented defense of Committee on the Elimination of Racial Discrimination (CERD)<sup>2</sup> its combined twenty-second to twenty-fourth periodic reports of Poland.

## PROMOTING INTEGRATION AT LOCAL LEVEL

Various new integration activities were launched, including: the *Białystok* Centre for Supporting Foreigners, addressed to citizens of Belarus, Ukraine, Russia and Kazakhstan, and run by the *Okno na Wschód* Foundation;<sup>3</sup> in the *Śląskie* Voivodship, a free information and advice centre for foreigners;<sup>4</sup> and in *Lubuskie* Voivodship, a 24-hour automatic helpline for foreigners.<sup>5</sup>

## AWARENESS-RAISING ON MIGRATION

Information materials for foreigners and employers were updated and distributed. The website of the public employment service was translated into four languages (English, Ukrainian, Russian and Belarusian).

## INTEGRATION MEASURES IN COUNTRIES OF ORIGIN AND DIASPORA COMMUNITIES

From 10 May 2019, as part of assistance in voluntary return, foreigners could apply for reintegration assistance. This form of assistance was not available to foreign citizens of countries benefitting from easier access to the Polish labour market, or citizens of European countries benefitting from visa-free travel, except for those who require special treatment (e.g.

<sup>2</sup> See: [https://tbinternet.ohchr.org/\\_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=1290&Lang=en](https://tbinternet.ohchr.org/_layouts/15/treatybodyexternal/SessionDetails1.aspx?SessionID=1290&Lang=en) and [https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/POL/CERD\\_C\\_POL\\_CO\\_22-24\\_36935\\_E.pdf](https://tbinternet.ohchr.org/Treaties/CERD/Shared%20Documents/POL/CERD_C_POL_CO_22-24_36935_E.pdf)

<sup>3</sup> <https://emn.gov.pl/ese/news/15460.The-Foundation-Okno-na-Wschod-started-to-run-a-Centre-for-Supporting-Foreigners-.html>

unaccompanied children, victims of human trafficking, people with health problems, single parents).



## CITIZENSHIP AND STATELESSNESS

### ACQUISITION OF CITIZENSHIP

The president signed the amendment to the Act on the Polish Card - a document confirming that an individual belongs to the Polish nation. The revision was intended to enable all persons with Polish roots living abroad to obtain the Polish Card. It could be issued to persons without Polish citizenship on the date of submitting their application or on receiving their Polish Card, to persons without permanent residence status on the territory of the Republic of Poland, or to stateless persons.

### STATELESSNESS

No significant developments in 2019.



## BORDERS, SCHENGEN AND VISAS

### BORDER MANAGEMENT

In 2019, 12 editions of a joint operation with the Police of the Republic of Northern Macedonia were carried out. On average, each operation lasted 4 weeks and each time officers of the Border Guard, vehicles and specialist equipment in the field of border protection (including thermal imagers and night-vision goggles) participated in it. This cooperation of Polish and Macedonian law enforcement is implemented on a rotational basis.

In 2019, as part of the Polish Aid program, a project for the Ukrainian partner entitled "Strengthening the State Border Service of Ukraine in combating cross-border crime." Was implemented. Its aim was to provide development support, through the implementation of training in thematic areas related to the use of criminal operational analysis to counteract cross-border crimes, including the phenomenon of corruption on the official territory of the Ukrainian border formation.

<sup>4</sup> <https://www.katowice.uw.gov.pl/wydzial/wydzial-spraw-obywatelskich-i-cudzoziemcow/punkt-informacyjno-doradczy-uwzgledniajacy-doradztwo-zawodowe-dla-cudzoziemcow>  
<sup>5</sup> [https://www.lubuskie.uw.gov.pl/wydzia\\_spraw\\_obywatelskich\\_i\\_cudzoziemcow/aktualnosci\\_wydzial\\_spraw\\_obywatelskich\\_i\\_cudzoziemcow/Calodobowa\\_infolinia\\_dla\\_cudzoziemcow\\_uruchomiona/idn:19468.html](https://www.lubuskie.uw.gov.pl/wydzia_spraw_obywatelskich_i_cudzoziemcow/aktualnosci_wydzial_spraw_obywatelskich_i_cudzoziemcow/Calodobowa_infolinia_dla_cudzoziemcow_uruchomiona/idn:19468.html)

## VISA POLICY

2019 saw the introduction of two new purposes for issuing national visas: to undertake an internship or to participate in the European Voluntary Service.

Pursuant to the amendment to the Act on foreigners, a national visa with the annotation 'student' and a temporary residence permit for the purpose of studying could be granted, under certain conditions, to foreigners intending to take a preparatory course to study in Poland.

From 4 March 2019 foreigners whose visas type C were refused had the option to appeal to the Voivodship Administrative Court in Warsaw.

In December 2019, visa outsourcing was introduced in India, with 10 service points established.

## SCHENGEN GOVERNANCE

In 2019 Schengen Evaluation mission was conducting expert visit in Poland. Thus, the Council drafted a decision setting out a recommendation on addressing the deficiencies identified in the 2019 evaluation of Poland on the application of the Schengen acquis in the field of the Schengen Information System.



## IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

### MISUSE OF LEGAL MIGRATION CHANNELS

Border guard authorities observed that Ukrainian citizens sometimes possessed several different travel documents in order to bypass the re-entry ban after a decision on obligation to return, or after the expiry of the permissible period in the visa-free travel regulations.

### MIGRANT SMUGGLING AND PREVENTION OF IRREGULAR STAY

The fight against organised human smuggling continued to be a key priority in Polish internal policy. In 2019, the border guard identified the following main channels for the transfer of illegal migrants by land:

- Russia - Estonia / Latvia - Belarus / Lithuania - Poland - other Western European countries, the so-called 'Baltic route'.
- Russia - Ukraine / Belarus - Poland - Germany - other Western European countries.
- Syria and Iraq - Turkey - Greece - Macedonia - Serbia - Croatia - Hungary - Austria - Slovakia -

Czech Republic - Poland (or bypassing Poland) and further to Germany, the so-called 'Balkan route'.

- Turkey - Ukraine - Poland - other Western European countries.
- Vietnam - Ukraine - Hungary / Slovakia - Poland.



## TRAFFICKING IN HUMAN BEINGS

On 15 February 2019, the Minister of the Interior and Administration established the Committee for Combating Trafficking in Human Beings. All Committee members were accorded voting rights, including representatives of non-governmental organisations (NGOs). This Committee approved new National Action Plan against trafficking in human beings for the period 2019-2021.

The Ministry of the Interior and Administration participated in the transnational project 'Paving the way for a harmonised operational framework in the Baltic Sea Region (HOF-BSR).<sup>6</sup>



## RETURN AND READMISSION

### RETURN MIGRATION MANAGEMENT

The number of foreigners transferred to third countries under the simplified readmission procedure fell by 32.8% compared to 2018. Over 90% of transfers were to Ukraine.

The number of foreigners transferred from Poland under the Dublin III Regulation decreased by 26% compared to 2018.

Frontex's 'Scheduled Flight' project was implemented at national level through the organisation of forced returns by air.

From 10 May 2019, the International Organization for Migration (IOM), in partnership with the border guard and the Office for Foreigners, provided assistance in voluntary return.

NGOs involved in monitoring forced returns were given the option for 100% refinancing of all costs related to their monitoring tasks.

### COOPERATION WITH THIRD COUNTRIES

In 2019, 360 border guard officers carried out 12 joint operations with the Macedonian police. Participants in

<sup>6</sup> <https://bsr-trm.com/>

the mission provided direct protection to the Macedonian-Greek border, supporting actions to prevent illegal migration.

In 2019, the project 'Strengthening the state border service of Ukraine in combating cross-border crime' was implemented as part of the Ministry of Foreign Affairs' Polish Aid programme. The project involved the implementation of eight training sessions, in which 76 Ukrainian representatives were trained.

A new liaison officer of the border guard was appointed at the Embassy of the Republic of Poland in Minsk and undertook the function on 27 April 2019.



## MIGRATION AND DEVELOPMENT

### MOBILITY PARTNERSHIPS

As part of the Mobility Partnership, Poland participated in the programme, 'Sustaining Georgia's migration management'. Together with the International Centre for Migration Policy Development (ICMPD), it supported Georgia in capacity-building across all aspects of its national migration services.

As part of the 'Support for young officials and migration researchers from partner countries' programme, Poland organised and financed internship visits for Georgia, Azerbaijan and Tunisia so that they could benefit from its experiences in the collection and processing of migration data.

In cooperation with Germany, the Netherlands and the ICMPD, Poland participated in the 'Restart' programme, supporting the construction of the reception and reintegration system for Azerbaijani citizens returning from EU countries. As part of the partnership with Tunisia, Poland was also involved in the 'Migrant minors' initiative in the education system, supporting the management of migrant education issues.

### NATIONAL ACTIONS

The European Migration Network (EMN) in Poland organised two national conferences. The first, 'Cooperation with third countries in the fight against smuggling and trafficking on human beings' was held in Warsaw on 3-4 June 2019. The second, 'The level of internationalisation of higher education institutions and migration policies' was held in Krakow on 28-29 November 2019.

### STATISTICAL ANNEX

The Statistical Annex was prepared by the European Commission's Knowledge Centre on Migration and Demography (KCMD) and provides an overview of the latest available statistics for Poland on aspects of migration and international protection (2016-2019), including legal residence, asylum, unaccompanied minors, integration, irregular migration, return and visas. Where statistics were not available at the time of publication, this is indicated in the Annex as "N/A".

A How to Read guide, describing each chart and reporting the sources, is available [here](#).



**GENERAL NOTES**

This four-page statistical annex complements the Country Factsheet with relevant migration-related data organised in nine thematic sections. The dashboard-like layout of the annex allows comparability across countries as well as simultaneous visualisation of different indicators.

Whenever data is not available, the relative chart is left blank or indicated with 'N/A'. Data are provided for the latest available year or the latest available four-year period.

The sum of percentages or of individual values might not add up to 100 or to the total value. This is due to rounding and confidence intervals in the original data. A How to Read guide, describing each chart and reporting the sources, is available on the EMN website.

**COLOUR LEGEND**

Whenever not specified, the following colour legend is adopted. Colours for multiple nationalities are randomly chosen.

■ data relative to Poland

■ data relative to EU

**LEGAL MIGRATION AND MOBILITY**

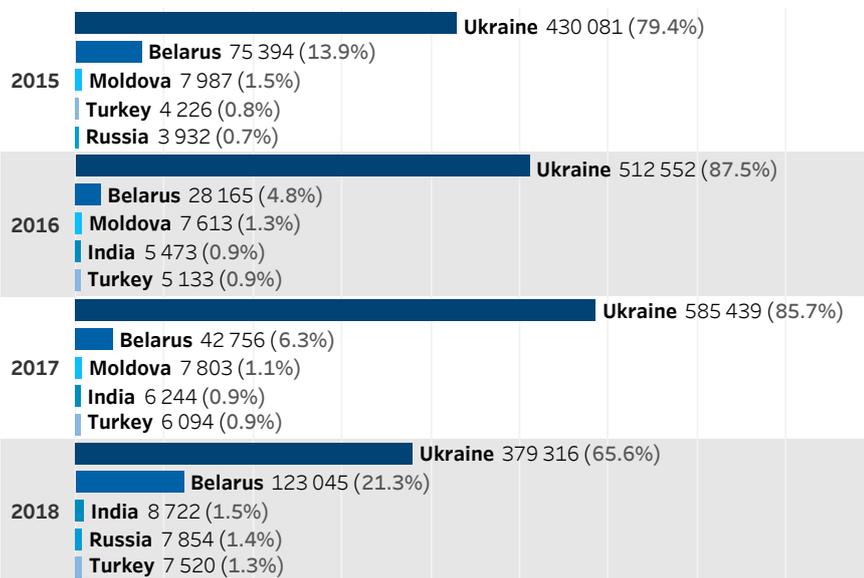
**Third-Country Nationals (TCNs) as % of total population (in the country and in the EU)**

SOURCE: Eurostat (migr\_pop1ctz)



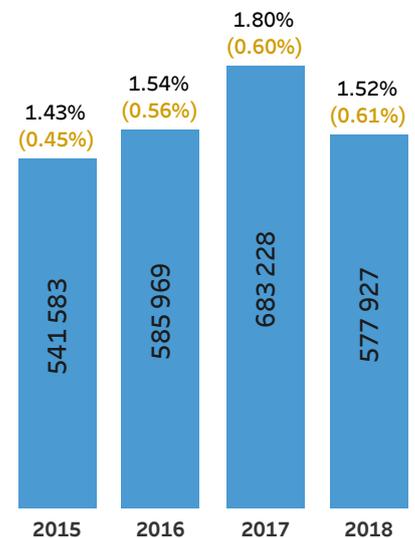
**Top 5 nationalities of number of first residence permits annually issued: number of permits and % of total annual permits**

SOURCE: Eurostat (migr\_resfirst)



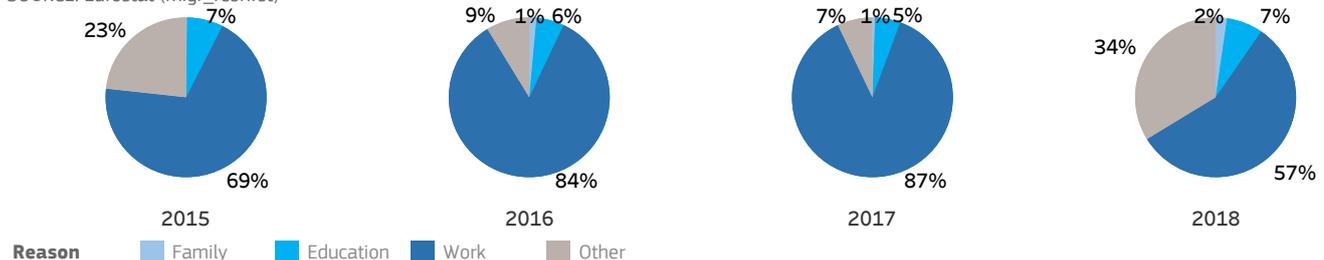
**First residence permits annually issued: tot. num. and % of tot. pop. in the country (and EU)**

SOURCE: Eurostat (migr\_resfirst)



**First residence permits annually issued by reason**

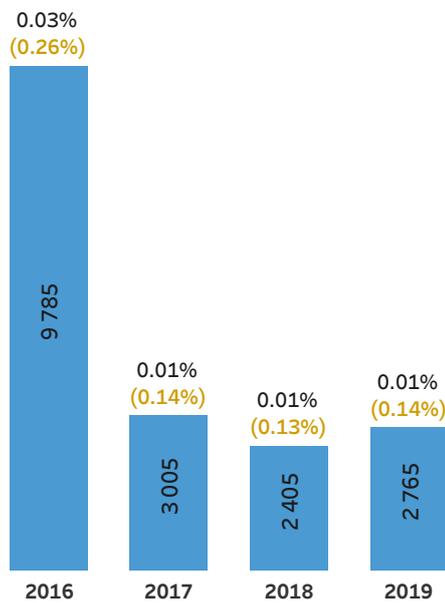
SOURCE: Eurostat (migr\_resfirst)



**INTERNATIONAL PROTECTION INCLUDING ASYLUM**

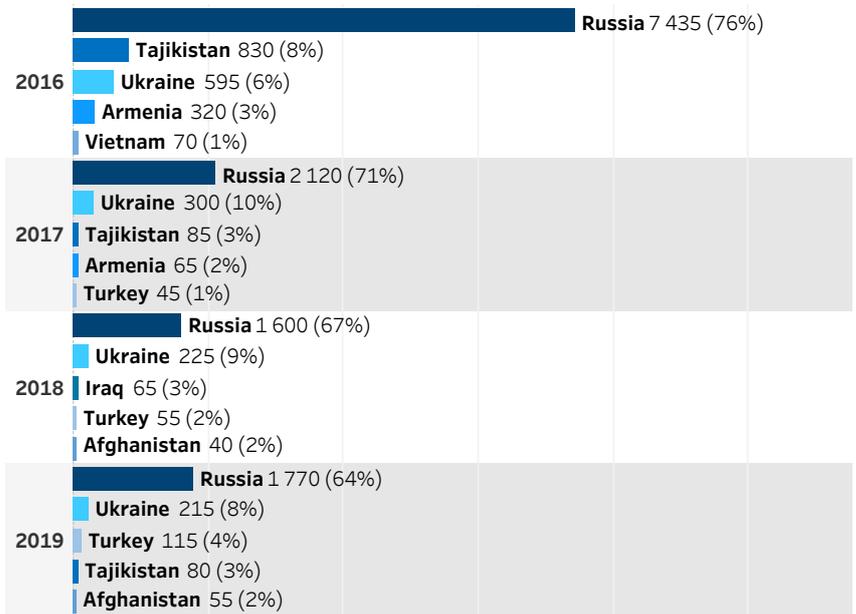
**First-time asylum applications: total num. and as % of population in the country (and in EU)**

SOURCE: Eurostat (migr\_asyappctza, migr\_pop1ctz)



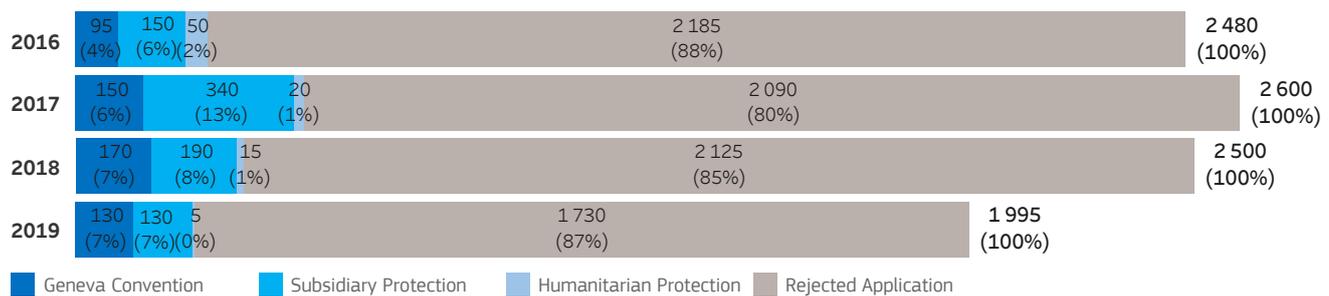
**Top 5 nationalities of annual number of first-time asylum applications: number of applications and % of total first-time annual applications**

SOURCE: Eurostat (migr\_asyappctza)



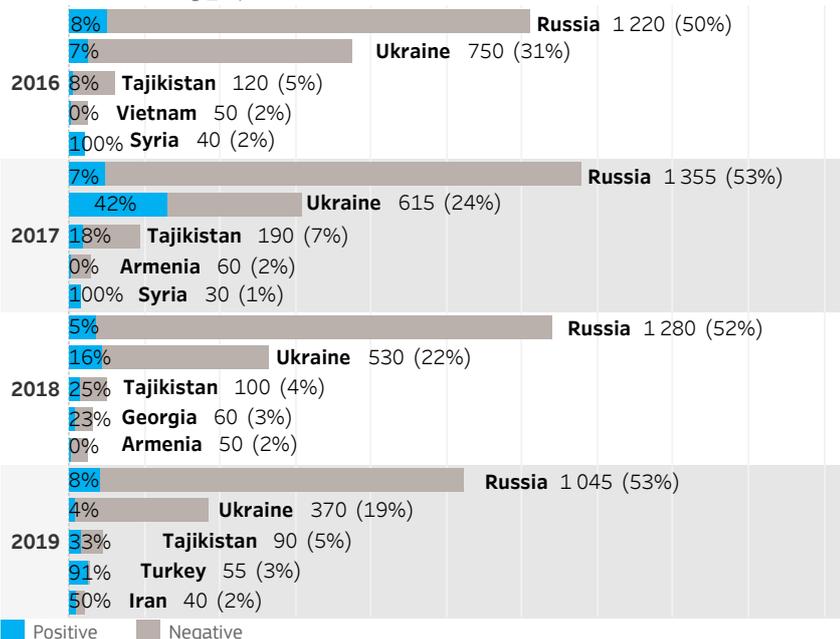
**Number of first-instance asylum decisions by outcome (% of total decisions)**

SOURCE: Eurostat (migr\_asydcfsta)



**Top 5 nationalities of annual number of first-instance decisions: number of decisions (% of total decisions in the country) and % of positive outcome**

SOURCE: Eurostat (migr\_asydcfsta)



**Third-Country Nationals resettled: absolute number and as % of total resettled in EU**

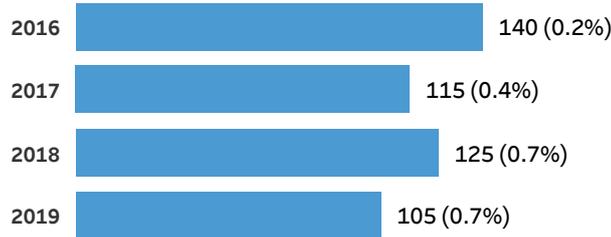
SOURCE: Eurostat (migr\_asyresa)

0 or not available

### UNACCOMPANIED MINORS

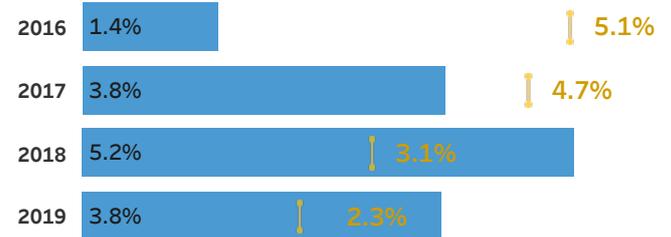
#### Unaccompanied Minors applying for asylum in the country (and % of total applications from Unaccompanied Minors in EU)

SOURCE: Eurostat (migr\_asyunaa)



#### Unaccompanied Minors as % of first asylum applications (in the country and in EU)

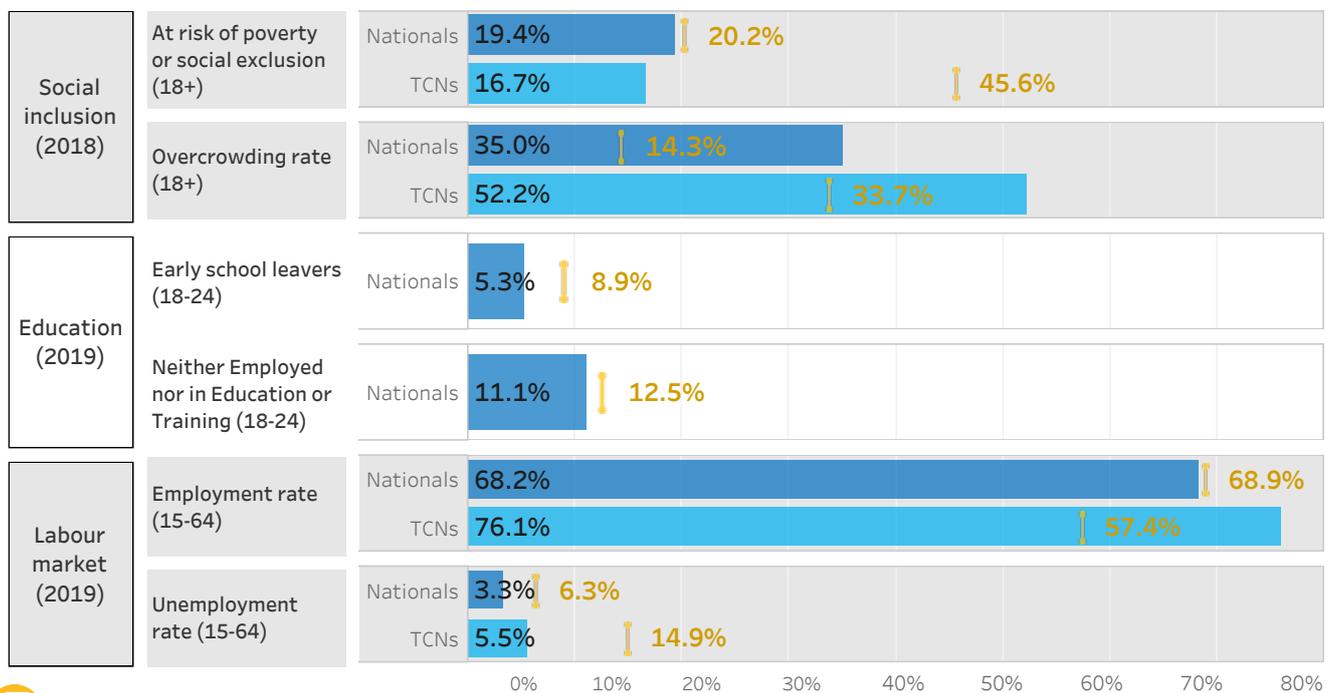
SOURCE: Eurostat (migr\_asyunaa)



### INTEGRATION

Integration indicators for nationals of the country (blue) and Third-Country Nationals (TCNs - light blue) in the country (when available). The same indicator is provided in yellow for EU. Data are relative to the last year available.

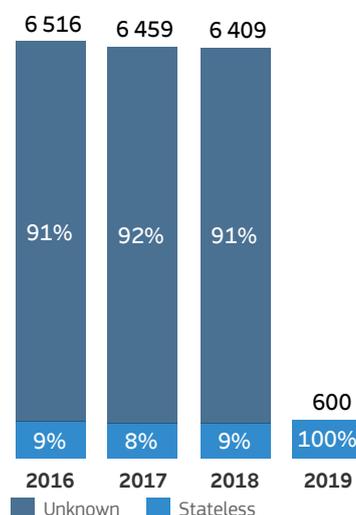
SOURCE: Eurostat (ilc\_peps05, ilc\_lvho15, edat\_lfse\_01, edat\_lfse\_23, lfsa\_ergan, lfsa\_urgan)



### CITIZENSHIP AND STATELESSNESS

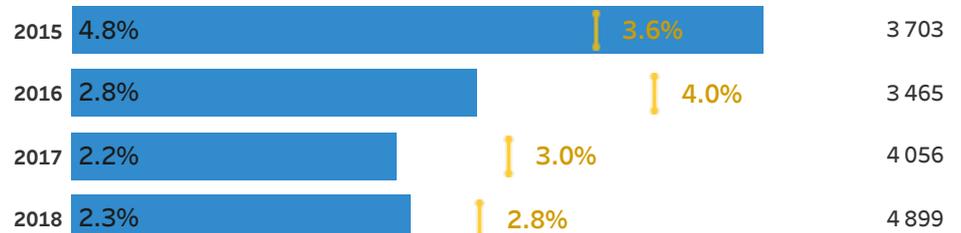
#### Stateless, Recogn. Non-Citizens (RNC) and Unknown Citizens

SOURCE: Eurostat (migr\_pop1ctza)



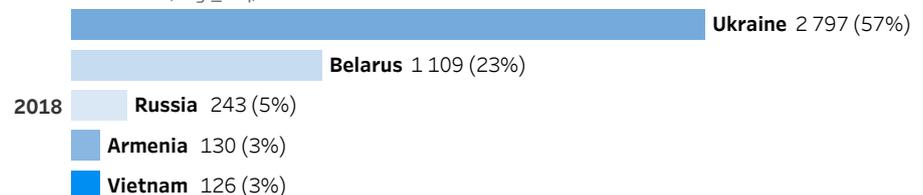
#### Third-Country Nationals who have acquired citizenship as a share of total Third-Country Nationals (in the country and in the EU) and in absolute number

SOURCE: Eurostat (migr\_acqs, migr\_acq)



#### Top 5 nationalities by number of citizenship acquisition in 2018: absolute number and % of total acquisitions in the country by Third-Country Nationals

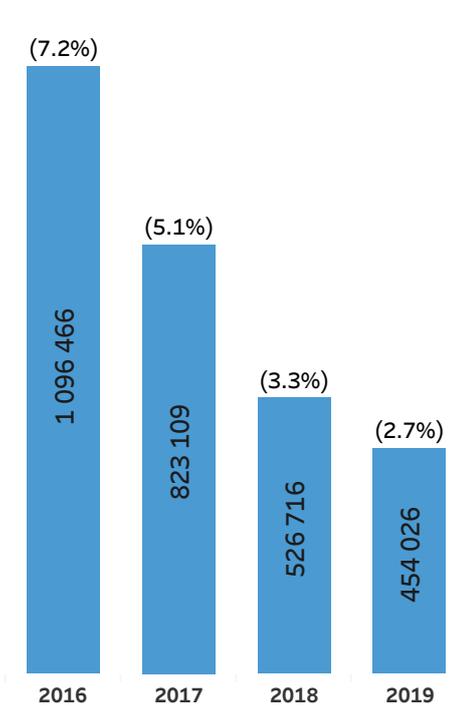
SOURCE: Eurostat (migr\_acq)



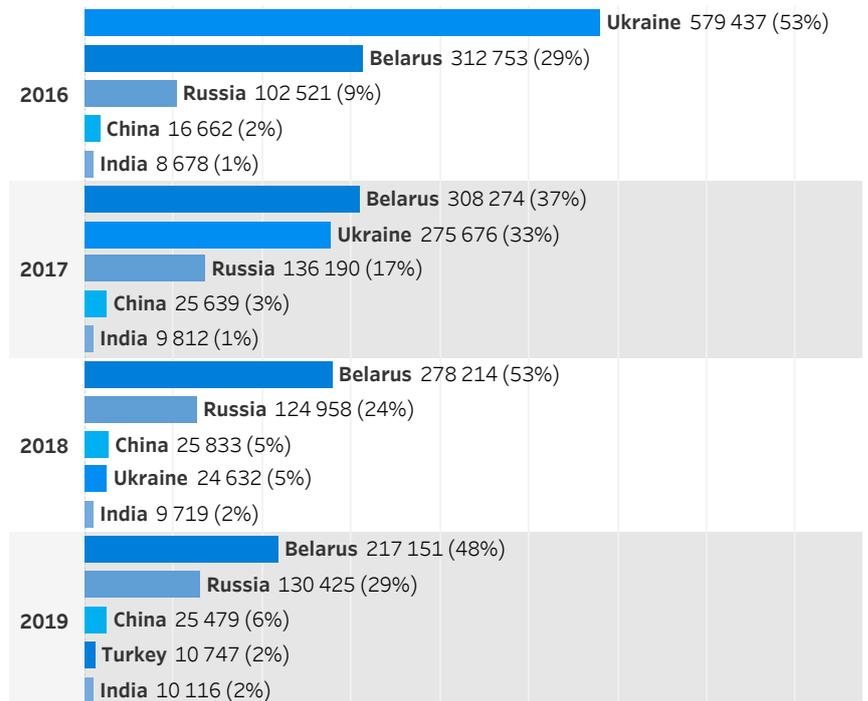
## BORDERS, SCHENGEN AND VISAS

SOURCE: DG Migration and Home Affairs (complete statistics on short-stay visas applications to Schengen States)

Lodged short-term Visa app. (% of Schengen)

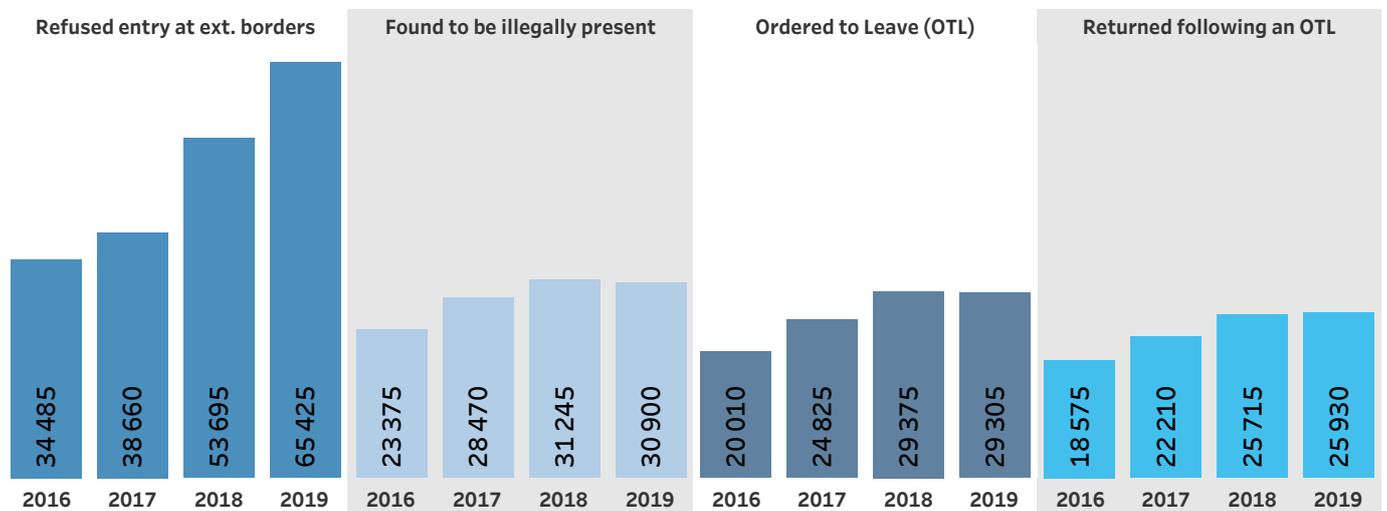


Lodged short-term Visa applications in top 5 consulate countries (% of total app.s)



## IRREGULAR MIGRATION

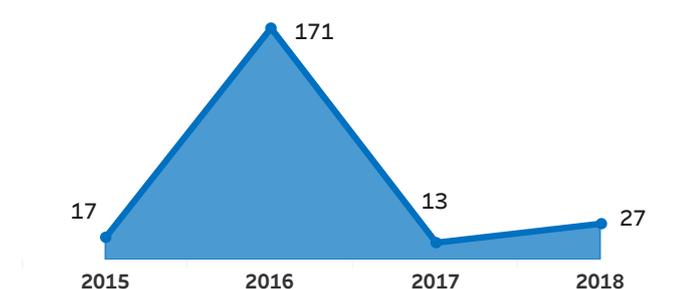
SOURCE: Eurostat (migr\_eirfs, migr\_eipre, migr\_eiord, migr\_eirtn)



## TRAFFICKING IN HUMAN BEINGS

Number of residence permits issued to victims of Trafficking in Human Beings

SOURCE: Eurostat (migr\_resoth)



## RETURN AND READMISSION

Number of Third-Country Nationals who left the territory by type of return

SOURCE: Eurostat (migr\_eirt\_vol)

