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# EESC fact-finding missions on the situation of refugees, as seen by civil society organisations



MISSION REPORT – POLAND  
18 AND 19 JANUARY 2016



*European Economic and Social Committee*

## Mission Report – Poland, 18-19 January 2016

*In December 2015 and January 2016, EESC delegations visited eleven EU Member States to meet civil society organisations working with migrants in order to identify the problems, needs, failures, success stories and best practices of the various actors in the current refugee crisis with the final aim of providing input into EU policy-making. The delegation to Poland was composed of Stéphane Buffetaut (France, Employers Group), Adam Rogalewski (Poland, Workers Group) and Karolina Dreszer-Smalec (Poland, Various Interests Group), supported by Barbara Walentynowicz, EESC secretariat.*

### 1. Conclusions

The increasing refugee flows from the Middle East and North Africa have had no impact on the situation in Poland. According to data from the Polish Office for Foreigners, the numbers of asylum seekers arriving each year has remained relatively stable over the last 5 years (between 6 000 and 15 000 people applied for international protection between 2009 and 2014, with a peak in 2013). The estimated number for 2015 is approximately 10-11 000. Many applicants arrive with their entire families and the gender ratio is 51% (men) to 49% (women).

The main countries of origin of the asylum seekers are (Jan-Oct 2015): the Russian Federation (mostly Chechens): 6100, i.e. around 60% of all applicants, Ukraine (approx. 2000), Georgia and other post-USSR countries. **279 Syrian** refugees arrived between January and October 2015.

The vast majority of asylum application procedures are **discontinued**, due to the absence of applicants in the country after their registration at the border. The rate of positive decisions (even excluding the discontinued cases) is very low. However, for applicants from Syria, Libya, Iraq and Palestine the approval rate is 100%.

Poland is treated by many applicants as a **transit country**. The risks of homelessness and unemployment, as well as the higher financial benefits in Western European countries, discourage refugees from staying in Poland. The language also seems to be a barrier.

On the other hand, many **Ukrainians** move to Poland on the basis of a simplified visa procedure, without having to request international protection. Currently in Poland there are around 50 000 legally resident Ukrainians.

Unlike most EU Member States, in Poland there is no obligation to assign a guardian to unaccompanied minors following the asylum application procedure. A list of such guardians throughout Poland, who could represent the best interests of the child in all situations, would be useful.

In September 2015 Poland agreed to **relocate** (from Greece or Italy) or **resettle** (from outside the EU) **some 6500 refugees** of Syrian, Iraqi and Eritrean origin in 2016-2017. However, the new government

(in office since November 2015) stated that Poland was ready to accept only **400** refugees in 2016. In principle, the other 6100 refugees would have to be admitted in 2017.

The **operational capacity** (refugee centres, basic assistance) to admit 6500 people over two years is easily achievable (requiring some changes in budget allocations) and would not create any disorder. For example, contracts with facilities that can serve as refugee centres (e.g. older holiday resorts) have been signed. In principle, this number of people would have no impact on the labour market. Despite relatively high unemployment (approx. 10%), 43 000 foreigners received work permits in Poland in 2014.

However, Poland does not yet have a well-developed migrant and/or refugee **integration policy** in place. According to a report by the Supreme Audit Office published in November 2015<sup>1</sup>, the assistance system for people benefiting from international protection does not yet empower them sufficiently to live an independent life after the transitional period. Most of those people do not speak Polish well enough, and they face difficulties in finding long-term employment and housing. Since they cannot count on regular state assistance, the refugees are unable to catch up with the rest of society and are at risk of marginalisation.

**Civil society organisations** fill the gap and offer many services or forms of assistance that contribute to integration, such as language courses, legal assistance, information services, cultural activities and interpreting, but a comprehensive state-governed approach is lacking. CSOs are the pioneers of an innovative approach to migration and they can quickly adapt to changing needs. However, the assistance offered by CSOs depends almost exclusively on short-term grants from EU funds, which does not allow them to plan their integration activities in the long term. The sustainable and sound financing of their activities is crucial to keep them viable and capable of maintaining specialist expertise. The NGOs lack coordination in their activities or an umbrella coordinating body.

Poles are not used to cultural, religious or linguistic diversity. There is a very **strong reluctance** among the majority of Polish society towards accepting refugees, especially Muslims. Muslims are often perceived as a threat to Polish culture and heritage. However, 3000 Muslim Chechens live currently in Poland, without causing any public outcry. This negative attitude, based on fear of the unknown, is alarmingly high among young people.

This fear is reproduced by the majority of the Polish **media** which does not always provide a balanced portrayal of refugees, but instead spreads inaccurate information and repeat stereotypes.

Since the election campaign in September-October 2015, the **attitude** of the governing Law and Justice party (which secured a parliamentary majority on 25 October 2015) has also been negative towards refugees. Anti-refugees sentiments are also visible among opposition parties. There seems to be little political will to comply with European agreements on relocation and facilitating integration of refugees and migrants in general.

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<sup>1</sup> <https://www.nik.gov.pl/aktualnosci/nik-o-systemie-pomocy-spoleszcznej-dla-uchodzcow.html>

The **Catholic Church**, a strong actor in Polish society, does not have a clear position. On one hand, the hierarchy follows the position of Pope Francis, but on the other hand, many rank-and-file priests do not support and do not communicate it.

Some **local governments** like Warsaw, Lublin and Gdańsk have worthy initiatives aimed at welcoming refugees and their integration. They organise inter-departmental cooperation and prepare long-term strategies and financial plans.

## 2. A description of the meetings

### a) Office for Foreigners (OFF)

The Polish Office for Foreigners is the central body of government responsible for the entry, transit and stay of foreigners in Poland, and for granting international protection. Poland's experience in asylum is limited as Poland only ratified the Geneva Convention in 1991. According to data, refugees are not interested in staying long in Poland due to lack of language skills, limited working and housing opportunities as well as inefficient social assistance and social capital (lack of diaspora).

### b) Visit to the open refugee centre in Dębak (managed by the OFF)

The refugee centre is one of four state-owned centres, while the others are leased from private owners. Dębak is located in a former army barracks, in the middle of a forest (2 km away from the suburban train station). The centre was partly under renovation and therefore hosted only 48 asylum seekers (including 15 children) out of its capacity of 120. The centre provides decent accommodation and food, free health care and free Polish language courses. The courses are not obligatory and interest in them is low (except among children). Refugees staying in a refugee centre are entitled to monthly pocket money of PLN 70 (approx. EUR 17) per adult and an additional allowance per child. They are allowed to work 6 months after filing their application. The state offers only basic services and the assistance of NGOs is crucial, as they provide counselling, as well as educational, job seeking-related and cultural activities.

### c) UNHCR Office in Poland and Helsinki Foundation of Human Rights

The current role of the UNHCR in Poland is, inter alia, to advise and monitor border guards, police, social workers, NGOs and legal associations regarding asylum issues.

The Helsinki Foundation of Human Rights is a Polish NGO that acts to protect human rights, and it belongs to the International Helsinki Federation for Human Rights. The HFHR lawyers provide free legal assistance to Polish citizens and to refugees, and monitor the law-making process and the work of public institutions.

The representatives of the two organisations provided some nuanced insights into the government's policy, highlighting for example that the majority of spending goes on border surveillance and administration rather than integration activities, which constitute only 20% of expenditure – even in the draft budget based on the EU allocation for relocated refugees.

Coordination between government bodies and between the government and NGOs, as well as among the NGOs, seems to be limited.

The Polish integration policy is still at an early stage of development, despite being launched four years ago. Refugees' own opinions and suggestions can be the best source of information on integration needs, such as access to information on rights, the labour market, housing, legal assistance, etc.

Recently, there has been a strong increase in negative attitudes towards refugees (and foreigners in general) in Poland. This includes acceptance of hate speech both among politicians and in the media. The dominant narrative is based on fear: of terrorism, diseases, criminality and drawing on the negative experiences of the marginalisation of migrants in Western Europe. This narrative is reproduced by the media at all levels (from the local to the national). The UNHCR sends statements to correct misinformation in the media to the Polish Press Agency. Moreover, they organise training courses for journalists and produce information material.

**d) International Organisation for Migration - Poland**

The activities of the IOM focus on promoting legal migration and integration. The IOM office in Poland runs a phone and online information service for migrants and employers. The office aims to support migrants against exploitation, not least through a specialised fund.

Rising anti-immigrant sentiments have also been noted by the IOM. According to a recent poll commissioned by the office, 29% of respondents believed that foreigners were destroying the unity of Polish society and causing degradation of Polish culture. 25% believed that foreigners constituted 10% or more of Poland's population (compared with approx. 1% in reality).

A good practice initiated by the office is the annual "Golden Fans" prize for organisations and individuals who contribute to improving migrants' integration in Poland and provide a positive image of them. NGOs do a lot of useful work, but their funding is unstable.

**e) Meeting with the Commissioner for Human Rights (Ombudsman)**

The discussion with the Ombudsman concerned the attitude of the new Polish government and their political will to actively deal with refugees and their integration, as well as the current negative discourse on this subject. With regard to the growing xenophobia, he highlighted the need for anti-discrimination education and measures to raise awareness of global trends.

State-organised integration programmes do not work properly in practice, as the Supreme Audit Office stated in its report on social assistance for refugees in November 2015. However, many positive developments can be seen at the local level, with several cities preparing their own integration policies and multicultural solutions, despite the lack of a central policy.

An interesting development is the entry into force (in April 2016) of directive 2014/54/EU on measures to facilitate the exercise of rights conferred on workers in the context of freedom of movement within the EU. It requires Member States to set up a body at national level to provide support and legal assistance to EU migrant workers ("equality body"). This could be a starting point

for creating a friendly environment for workers coming from other Member States - but possibly also for other migrants.

**f) Two round table meetings with non-governmental organisations:**

**Meeting at the Warsaw Multicultural Centre – participating organisations: The Other Space Foundation (Fundacja Inna Przestrzeń), Ocalenie Foundation, "Africa – Differently" (Afryka Inaczej) Foundation, Adulis Foundation, Foundation for Somalia, "Refugees Welcome" Association, Institute of Migration Studies Foundation.**

**Meeting at the Institute of Public Affairs – participating organisations: Institute of Public Affairs, Refugee.pl Foundation, Multiocalenie Foundation, "Our Choice" Foundation, Polish National NGO Federation.**

Given that state **integration programmes** are not very effective, NGOs organise most activities, including legal and psychological assistance, counselling and interpretation services, material help (clothes, school manuals and medicines), language courses, support in joining the labour market, advice on starting a business, social education, cultural activities, local community support, clubs for young migrant mothers and other activities geared to the integration and wellbeing of refugees. They also undertake research, advocacy and advisory activities at local and national level. The local level is very important, as this is where integration really takes place.

NGOs are funded almost exclusively through grants from **European funds** (AMIF, ESF) distributed by the Polish government. There is no national funding and the European funds - which should in principle provide additional support - constitute the main source of funding (together with the EEA and Swiss grants).

Furthermore, NGOs face the requirement of providing an own financial contribution, which is difficult to meet. Under the new AMIF fund regulations, NGOs cannot claim some indirect costs beyond coordination costs, which used to be easier under the ERF and EIF. There are too few resources for research and analysis which could help identify the real needs of migrants and refugees.

In the transition period from the ERF and EIF to the AMIF in 2015, there was a half-year gap in funding and many organisations had to drastically limit their activities, with negative consequences for the migrant community (e.g. almost no Polish language courses were organised in that period). The new fund, the AMIF, was supposed to be easier to use but its bureaucratic procedures seem to be more cumbersome now, at least in Poland: e.g. two government bodies are involved in managing the fund - in contrast to one previously.

All the organisations highlighted their difficulties with the short-term financial programming of the AMIF in Poland. The European fund covers a 6-year period, but is divided into grants for short 1-2 year periods, announced at short notice. The funding should also cover institutional capacity-building of NGOs, not least in order to guarantee stable employment conditions.

### **Best practices of NGOs:**

- Brochures with basic information about Poland (society, medical care, school system) prepared in Arabic and distributed on planes carrying Syrian refugees to Poland, including special brochures for children;
- Multicultural education in schools (beginning with nursery schools) and workshops, offered by foreign educators who present their own culture in Polish;
- Mentoring for refugees by established refugees;
- Housing programmes: NGOs match people with spare rooms in their homes with refugees (with a symbolic fee to cover costs; those costs can also be covered using micro-donations) or they negotiate long-term rentals with preferential conditions on the commercial market and make them available to refugees (Social Rental Agency);
- Awareness-raising presentations at regular meetings in the local community (i.e. not organised for that particular purpose), e.g. during parents' meetings at schools;
- Organising activities for children and adults in neighbourhoods where migrants live, in order to build relationships – without mentioning this expressly as the purpose;
- Comprehensive service points, offering all types of assistance (legal, professional, language courses) in one place, at low cost owing to the involvement of volunteers;
- Internet migrant radio, with programmes in different languages; it can be listened to by the diaspora of the same language in other countries.

The Warsaw Multicultural Centre is an independent body managed by the local government of Warsaw in close cooperation with a coalition of specialised NGOs and is a good example of a successful bottom-up initiative.

### **g) Round table meeting with social partners:**

**Employers' organisations: Lewiatan; Pracodawcy RP**

**Trade Unions: All-Poland Alliance of Trade Unions (OPZZ); Independent Self-governing Trade Union "Solidarity" (NSZZ Solidarność); Forum of Trade Unions (FZZ)**

The participants concluded that the arrival of approx. 6000 relocated refugees would have no visible impact on the labour market in Poland. Discussing employment of foreign nationals in general, they drew attention to the potential risks of exploitation and discrimination, such as undeclared work and social dumping. Effective controls are necessary, including unannounced labour inspections. Border Guard inspections, which can be unannounced, reveal high numbers of irregular workers (3500 out of 17000 controlled in 2015). There is a legal loophole concerning foreign agencies employing mainly workers from Ukraine, who are excluded from the scope of labour inspections. This loophole leads to exploitation of those workers on the labour market.

Exchange of best practice between social partners in different Member States (e.g. via regional networks) is a very useful tool in building capacity in diversity management and anti-discrimination measures. Integration programmes should include, beside language tuition, measures to help refugees join the labour market and recognition of their foreign qualifications.

It is important, though not easy, to create a positive attitude towards migrants within the workplace and beyond in order to prepare them, as well as local workers, for their integration.

#### **h) Meeting with the Polish Migration Forum and the Polish Teachers' Union (ZNP)**

The Polish Teachers' Union (ZNP) is a member of the All-Poland Alliance of Trade Unions (OPZZ) and is the only trade union dealing exclusively with the teaching profession. The Polish Migration Forum is a civil society organisation, created in 2007 to promote the rights of migrants in Poland. They develop intercultural dialogue initiatives, including for schools. The main subject of this meeting was integration of migrant children in the school system.

Schools need to be prepared for the arrival of multicultural pupils; preparation only in the form of providing classrooms and pencils is not sufficient, as ZNP wrote in its open letter to the Minister of Education.

Teacher training does not currently include multicultural issues, such as dealing with diversity and tackling discrimination. Teachers should beware of a "folklorist" approach to other cultures, but show pupils the similarities between young people's interests and the problems they face. Also, parents should be given fact-based information.

The bottom-up initiative of "cultural assistants" (assisting teachers of non-native pupils) has received formal recognition and there are trained assistants but often they are not used, due to there being no obligation to do so. Local authorities prefer to spend resources on other school-related projects. Children and young people are easily influenced by simplified reasoning and media hype. Hate speech is present even in nursery schools. A remedy can be offered through multicultural education for nursery schools, using characters based on real life stories.