



# European Migration Network

## EMN Annual Report on Migration and Asylum – part II Poland 2019

**European Migration Network  
ANNUAL POLICY REPORT ON MIGRATION AND ASYLUM  
POLAND 2019**

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**The European Migration Network (EMN), established by the Council of the European Union in 2008 and co-ordinated by the European Commission, is a network for information collection and exchange on migration and asylum issues, comprised of National Contact Points (EMN NCPs) and national networks of relevant stakeholder organisations. The EMN plays a key role in providing up-to-date, objective, reliable and comparable information on migration and asylum topics to policy makers (at EU and Member State level) and the general public.**

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## INTRODUCTION

In accordance with Article 9 (1) of Council Decision 2008/381/EC establishing the EMN, every year each National Contact Point is required to provide a report describing the migration and asylum situation in the Member State, which shall include policy developments and statistical data.

The EMN Annual Policy Report consists of two parts and a statistical annex. Part I and the statistical annex are intended to inform policy-makers within the European Commission about national developments. Part II, however, is aimed at a wider audience interested in an overview of the asylum and immigration situation in Poland. The Report is structured to provide an overview of all aspects of migration and asylum in Poland, covering the period from 1 January to 31 December 2019.

The information required for drafting the Report was obtained by sending information requests and summarizing responses from the Ministry of the Interior and Administration, the Polish Border Guard, the Office for Foreigners, the Ministry of Foreign Affairs, the Ministry of the Family, Labour and Social Policy, the Ministry of National Education, the Ministry of Science and Higher Education and voivodships' offices.

In order to reflect the opinions of the society and to analyse the discussions in the political environment, the articles, opinions and evaluations published on various news and public policy portals were used, as well as the information available on the websites of other national institutions.

In the paper data were provided by the national data provider and the EU Statistical bureau Eurostat.

All terms used in the Report are compatible with the definitions in the EMN Glossary of Asylum and Migration Terms.

## OVERVIEW OF ASYLUM AND MIGRATION POLICY DEVELOPMENTS & SUMMARY

In Poland in 2019 there were many crucial changes in the position of the Minister of the Interior and Administration. In analysed year there were 3 ministries: Joachim Brudziński till 4<sup>th</sup> of June 2019, Elżbieta Witek till 9<sup>th</sup> of August 2019 and Mariusz Kamiński since 9<sup>th</sup> of August 2019 till now. The parliamentary elections took place in October 2019, but it did not cause any change in the area of policy – the same party (Law and Justice) won the elections. Migration policy hasn't been changed although new Minister Mariusz Kamiński accelerated implementation of new Polish migration policy document. In August 2019, the undersecretary of state responsible for migration policy, Renata Szczech, was dismissed and replaced by Błażej Poboży. Similar procedure was taken within the area of the director of the Analyses and Migration Policy Department in the Ministry of the Interior and Administration. Director Adam Knych was replaced by Jarosław Boguszyński, who has been director till now. In 2019 closer cooperation was established between Ministry and the leading research centres in area of migration which indirectly was a result of successful and fruitful conference “The level of internationalization of higher education institutions and migration policies” organised in November by EMN Poland.

As part of the **holistic approach to migration**, during strategic discussions held in the EU forum, Poland emphasized that in the face of current and future challenges in the field of migration and asylum, our common goal and task for the coming years should be, above all, to build a system that will allow permanent regaining control over flows migratory and will guarantee the security of European Union citizens. Poland presented the opinion that despite the smaller number of migrants than in previous years, the migration situation remains far from optimal. In this connection, we pointed out that the EU must be prepared for a possible seasonal increase in migratory pressure, especially on the Eastern route and the increase in the scale of illegal migration through the Western Balkans, and in the long term also the persistent large scale of illegal migration from the southern neighbourhood, primarily from Africa. We emphasized that Poland from the beginning supported activities undertaken in the spirit of a holistic approach to migration, based on effective protection of external borders, combating crime related to the migration process, including trade and smuggling of people, and strengthening cooperation with third countries. We pointed out that these activities should be aimed at limiting the illegal inflow and system abuse. In this context, as the main priorities for the coming years, we indicated for the EU the further implementation of Integrated Border Management and interoperability, as well as increasing the efficiency of returns. Poland demanded that all actions under the common priorities of migration and asylum policy be supported to the greatest possible extent by the relevant EU Agencies and available EU funds. Poland maintains its commitment in

areas that allow real reduction of migratory pressure, in supporting refugees in regions of origin, supporting partners in the field of border and migration management and combating people smuggling or combating the causes of migration. We emphasized that we also plan to maintain our operational commitment in the Western Balkans (North Macedonia) until the scale of Frontex's activity in the region increases.

Poland considered the issue of **interoperability** as one of the key issues in the context of the ongoing work at EU level. Every effort should be made to ensure that the draft provisions maximize the information exchange architecture, helping to improve the fight against serious crime, terrorism and illegal migration, while respecting fundamental rights. We pointed out that interoperability is a very ambitious and complicated issue, and the assumed time schedule can be difficult to maintain. We should strive for the prompt implementation of new solutions, however adapting the schedule to the real possibilities and conditions of the Member States, if we care about efficiency and quality. Preparations for implementing interoperability at national level are already a big challenge. We emphasized that it is necessary to provide adequate financial and logistical support to Member States at EU level, including training, textbooks (handbooks), mutual exchange of experience, etc. Holistic support of Member States will facilitate the development of practical solutions for the implementation of interoperability at national level and reduce the risk of delays in its implementation.

In the area of **Common European Asylum System**, Poland in 2019 emphasized that currently the biggest challenge in the area of migration policy is to conclude the reform of the Common European Asylum System (CEAS), which in its current form does not constitute an effective and effective response to current migration challenges. Poland postulated that in relation to the asylum reform, our starting point would be to reduce the uncontrolled influx of migrants and to combat secondary movements by sealing asylum procedures, strengthening sanctions against migrants and linking CEAS with border protection management, including return policy. In this context, further work should be carried out as part of the package approach. Abandoning this rule may pose a threat to the coherent and harmonious implementation of regulations, and thus strengthen the impact of secondary movements. It should be noted that the reformed Common European Asylum System should in any case consider the competences of the Member States and not violate their sovereignty. Is this is especially important in the context of the proposal to establish an European Union Agency for Asylum. Future solutions should not allow any intervention by the Agency in the territory of a Member State without its prior agreement. In addition, in our view, only a departure from the mandatory redistribution mechanism can be the basis for achieving progress throughout the entire asylum reform, and the scope of support for Member States under particular migration pressure should take full account of national competences. The concept of mandatory relocation, which is in

no way an effective answer the emerging challenges can no longer be the basis for the future crisis mechanism and the Dublin Regulation. Poland has consistently opposed such solutions. In our view, the automatic relocation mechanism can only contribute to an increased inflow towards the EU, constituting another factor attracting and thus interfering with Member States' security systems. As part of limiting secondary movements, Poland remained in this group of countries that support the sealing of asylum procedures and postulate solutions that guarantee a quick distinction between economic migrants and refugees, including by strengthening the border procedure. We emphasized that it is the strengthened protection of the external borders and sealing of the asylum system, through more informed decision about who has the right to enter the territory of the European Union, lies at the heart of the proper functioning of the Schengen area. In our opinion, the quick initial verification of applications and the effectiveness of return activities is the most telling signal to migrants and smugglers that they cannot influence the choice of the destination Member State and that the European Union guarantees protection only to those who really need it.

Poland remained sceptical of the proposed concept of **temporary arrangements** in terms of responsibility and solidarity. In the presented position, we emphasized that, being aware that the proposal in question is based primarily on the relocation mechanism, despite the assumption of its voluntary nature under the said solution, it is still unclear how its adoption would lead to reducing the factors attracting the EU and the so-called secondary movements and how security will be guaranteed during the relocation process. Poland called for first to focus joint efforts on comprehensive and sustainable activities and to focus on developing a consensus on the balance between solidarity and responsibility as part of systemic solutions. In addition, Poland strongly opposed such possible solutions that would lead to violation of the sovereignty of the Member States in the framework of admission of migrants and critically refers to all pressures, including financial, in this area.

The main objectives of the **Visa Code** reform (which entered into force on 2<sup>nd</sup> of February 2020) are to facilitate legitimate travel for tourist, commercial and business purposes and to establish bonuses for non-EU countries cooperating in the readmission of irregular migrants. Poland welcomed the connection between visa policy and readmission policy (application of the so-called leverage effect - new Article 25a).

In respect of chapter 6 of the study (**Visa, Borders and Schengen**), Poland fully shared the view that an efficiently functioning Schengen area without internal border controls is one of the most important achievements of the European Union. The main condition for its preservation is, however, the high effectiveness of protecting the external borders, as well as effective activities within the external and internal dimensions of migration policy. We consider the most important strategic areas on which we should focus our activities: efficient implementation of the concept of integrated border management;



consistent application of the Schengen acquis by the Member States; full implementation of the new regulation on the European Border and Coast Guard Agency; and firm action to improve the effectiveness of cooperation with third countries in the field of return. As part of the work carried out in 2019, efforts were continued to finalize the adoption and implementation of the new Regulation on the European Border and Coast Guard (the Regulation entered into force on 4 December 2019) and further work on the effective implementation of the European Strategy for Integrated Border Management and national strategies. Poland supported the adoption of the ESGiP Regulation, questioning (in the form of a statement to the protocol) the removal from the proposal of provisions allowing the Agency to support the return of irregular migrants from third countries, and also raising the issue of the negative impact of too fast increase in the capacity of the permanent corps on national capacities to protect external borders. In our position, we emphasized that the implementation of the new Regulation on the European Border and Coast Guard will involve significant financial expenditure on the part of the Member States. It is therefore important that this process is properly supported from the EU level by establishing mechanisms that will allow the optimal use of available EU funds. The new Integrated Border Management Fund should support Member States in the correct and timely implementation of IBM (integrated border management) strategies on a national basis. Support for Member States should ensure that the development of a permanent corps does not negatively affect national capabilities in the field of border protection, this is particularly important in relation to the Member States responsible for protecting sections of the EU's external borders. In 2019, Poland was assessed for the application of the Schengen acquis in the areas of external border management, visa policy, the Schengen Information System (SIS), data protection and police cooperation. The evaluation went smoothly and the evaluation teams did not identify any serious violations of the Schengen acquis. At the same time, it is necessary to take measures to implement the recommendations made and to remove shortcomings (currently recommendations for areas of visa policy and SIS have been adopted). As part of the discussion on the mechanism for assessing the application of the Schengen acquis, Poland was in favour of strengthening it in order to shorten the process and ensure effective implementation by the Member States of the recommendations submitted. At the same time, Poland does not consider it justified to extend the mechanism to include new elements that go beyond the Schengen acquis, primarily to the area of asylum - in our opinion, this would lead to a further extension of the procedure and reduction of its effectiveness.

The combat against **irregular migration** including organized smuggling of people, problem depicted in chapter 7, remained in 2019 one of the priorities in the area of internal security. The attractiveness of this form of crime is increased because of the low risk of detecting perpetrators and suffering criminal consequences while at the same time obtaining high profits from criminal proceedings. The

above factors make combating illegal migration a huge challenge, also due to the fact that this form of criminal activity generates other types of serious, organized crime, such as trafficking in human beings, forgery of documents, money laundering or terrorist activities. In accordance with the guidelines of the European Council, countries of origin and transit should continue to strengthen cooperation, strengthen operational support for EU Member States, improve information exchange in this area, and intensify cooperation with third countries. The main objective is to completely disrupt the migrant smuggling network, both inside and outside the EU, while considering the increasingly diverse nature of criminal groups involved in this criminal practice and the high level of adaptability. Poland was of the opinion that the above objectives should be achieved primarily through the full use and development of existing capabilities and tools in the area of police cooperation at the European Union level is an extremely important aspect of effective fight against illegal migration. The EU Security Policy Cycle provides an effective framework for cooperation in this area for EU Member States, EU agencies, third countries and other external partners. This practical cooperation instrument should be constantly developed. Effective policy-making instruments in the area of legal migration are an important element in the fight against illegal migration. Therefore, in Poland's opinion, the effective use of existing instruments, the implementation of pilot projects testing new solutions, the implementation of Mobility Partnership Agreements as well as initiatives combating dishonest brokers combined with supporting ethical recruitment in sectors suffering from a shortage of qualified employees in countries of origin have a chance contribute to the increase of legal migration of third-country nationals to the EU, thereby contributing to reducing illegal flows. Poland emphasized that efficient inter-agency cooperation (Europol, Frontex, Eurojust, CEPOL, Eu-LISA) is important, implemented with care for quick exchange of information, respecting the mandates of individual agencies, in order to ensure comprehensiveness of actions taken while avoiding duplication. In addition, we pointed out that the effective fight against crimes related to illegal migration, such as trafficking in human beings or document forgery, is an important factor disrupting the business model of smuggling networks. Poland emphasized the further development and intensification of cooperation with the countries of the Western Balkans, in particular the improvement of information exchange, full use of existing tools, synergy while avoiding duplication of applied solutions as well as coherence with the activities undertaken by liaison officers active in this region. Poland reminded that for the proper implementation of a fully functioning and comprehensive policy in the area of combating illegal migration, it is also important to ensure that sufficient resources, expertise and judicial support are available, as well as to prioritize financial investigations into migrant smuggling at national level, including through enhanced international cooperation. We pointed out that it also

seems crucial to further ensure adequate training at EU level based on identified needs in order to strengthen a coherent response to challenges in this area.

The issue described in chapter 9 (**Return and readmission**) is particularly important point of Polish migration policy. Poland was positive about strengthening returns and excluding links with the CEAS reform from the general approach adopted by the Council, including in particular the APR (under APR Poland is in favor of a mandatory border procedure). Including references in the square brackets to the reform will allow more ambitious action after it enters into force, while not putting significant pressure on the reform of the asylum system. This will also ensure consistency of position under the Return Directive and APR in the context of the future shape of the border procedure. We emphasized the need to harmonize, simplify and shorten return procedures, including mutual recognition of return decisions, limit the possibility of abuse of appeal and reduce the duration of proceedings.

## 1 LEGAL MIGRATION

### 1.1 WORK-RELATED MIGRATION

The provisions of the Act of February 22, 2019. on amending the Act on foreigners and certain other acts (Journal of Laws of 2019, item 577) established on April 27, 2019 new grounds for refusing to initiate proceedings on granting a temporary residence permit in order to perform work in a profession requiring high qualifications. In accordance with art. 131 points 6 and 7 of the Act on foreigners, it is refused to initiate proceedings regarding granting a permit to a foreigner, referred to in art. 127 (i.e. the Blue Card permit), when on the day of submitting the application for granting this permit the foreigner stays on the territory of the Republic of Poland on the basis of a visa issued for the purpose referred to in art. 60 paragraph 1 point 1 or 2 (i.e. a national or Schengen visa issued by the Polish authorities for tourist purposes or for visiting family or friends), or stays on the territory of the Republic of Poland for tourist purposes or for visiting family or friends, on the basis of a visa issued by other Schengen country. In addition, proceedings are refused if a foreigner on the day of submitting the application applies for a permit referred to in art. 151b (i.e. temporary residence permit for the long-term mobility of the researcher) or has such a permit (adding point 1 letter b after Article 131 point 1 letter a of the Act on foreigners).

The provisions of the Act of February 22, 2019 on the amendment to the Act on foreigners and certain other acts (Journal of Laws of 2019, item 577) established on April 27, 2019 new premises for refusal to initiate proceedings (or discontinuation, if initiated; included in art. 116 point 5 and point 6 of the Act on foreigners) on granting temporary residence and work permit in cases where on the day of submitting the application the foreigner stays on the territory of the Republic of Poland on the basis of a national or Schengen visa issued by the Polish authorities for tourist purposes or for visiting family or friends (i.e. visa referred to in Article 60 paragraph 1 item 1 or 2 of the Act on foreigners) or a visa issued by another Schengen State (short or long-term) for tourist purposes or for visiting family or friends.

The provisions of the Act of February 22, 2019 on the amendment to the Act on foreigners and certain other acts (Journal of Laws of 2019, item 577) established on April 27, 2019 the possibility of granting a temporary residence permit for a graduate of a Polish university who is looking for work or plans to work in the Republic of Poland start business activity (decision related to a decision issued on the basis of administrative recognition in the previous legal regime), i.e. pursuant to Article 186 para. 1 item 6 of the Act on foreigners.

## 1.2 STUDENTS AND RESEARCHERS

In the area of students and researchers many new regulations have been implemented:

- introduction of the institution for approving units conducting studies (Article 144, sections 4-17 of the Act on foreigners) by the minister competent for internal affairs, with the proviso that not all universities are subject to the approval requirement. Universities that are not subject to the approval requirement may be the addressee of the decision of the minister responsible for internal affairs to ban admission of foreigners, as referred to in art. 144a section 1 and n. Of the Act on foreigners.
- Approval of the unit running the studies, if it is subject to the obligation, is a sine qua non condition:
  - ✓ issuing a national visa for the purpose of undergoing first-cycle studies, second-cycle studies or uniform master's studies or studying at a doctoral school with the annotation "student" (Article 60 paragraph 1 point 9, Article 64a paragraph 1 of the Act on foreigners)
  - ✓ granting a temporary residence permit for the purpose of study (Article 144 paragraph 1-3 of the Act on foreigners)
  - ✓ using the so-called student mobility (Article 149b paragraph 1 item 5 of the Act on foreigners)
- introduction of a special guarantee mechanism for a permanent student, not related only to the entry into force of the Act, according to which the foreigner who before the date on which the decision on the approval of the unit conducting the studies (refusal of approval or refusal to extend the approval period or withdrawal of approval) or about the ban on admission of foreigners, has become final and for whom: a national visa was issued for the purpose referred to in art. 60 paragraph 1 point 9 with the annotation "student", or a temporary residence permit has been granted for the purpose of studying, or who has already started using the student's mobility, may continue the studies in connection with which this event occurred (Article 64a (6), Article 144b (2) and Article 149b (15)). In addition, as part of continuing these studies, it is guaranteed to the foreigner that the requirement related to the approval of the unit conducting the studies will not apply in proceedings for issuing further visas for the purpose referred to in art. 60 paragraph 1 point 9 of the Act on foreigners with the annotation 'student' (Article 64a (7)) or granting him subsequent permits for temporary residence for the purpose of study (Article 144b (3)).

- essential exclusion from the provisions governing the granting of temporary residence permits for the purpose of studying foreigners who intend to undergo a preparatory course for undertaking studies in 'studies', i.e. full-time first-cycle studies, second-cycle studies or uniform master's studies or at doctoral school - art. 144 section 2. foreigners pursuing such a purpose of stay on the territory of the Republic of Poland will be able to obtain such permission (pursuant to Article 144 of the Act on Foreigners) only if they have the citizenship of one of the countries specified by the Council of Ministers in the regulation issued pursuant to Article 144 section 18 and 19 of the Act on foreigners (this is an optional statutory delegation; the Council of Ministers should, when issuing this regulation, take into account the needs of the Polish migration policy; until now no such regulation has been issued), otherwise they will have to apply for a temporary residence permit in order to study (Article 187 (1) (a) of the Act on foreigners; analogous solution for national visas).
- new, additional grounds for refusing to initiate proceedings on granting a temporary residence permit for the purpose of studying, due to the fact that foreigners are in certain situations outside the scope of Directive 2016/801 / EU, listed in art. 145a of the Act on foreigners, as amended, i.e. related to the fact that at the time of submitting the application the foreigner has a temporary residence permit for the purpose of performing work under the intra-corporate transfer referred to in art. 139a section 1, granted in order to work in the territory of the Republic of Poland as an apprentice or that he is applying for a permit and a temporary stay for the purpose of performing work in a profession requiring high qualifications (art. 127, Blue Card permit) or has such a permit.
- new specific grounds for refusing a temporary residence permit for the purpose of education in studies, i.e. when the unit conducting studies mainly works to facilitate unlawful entry or stay on the territory of the Republic of Poland for students or doctoral students - art. 147 section 1 point 1 of the Act on foreigners, and also if there are justified doubts as to the credibility of statements made by a foreigner regarding the purpose of his stay on the territory of the Republic of Poland due to evidence available to the authority or objective circumstances indicating that the purpose of the foreigner's stay could be different than declared (Article 147 (1) point 2). Further changes consist in the fact that the premise for refusal will no longer be work or business operations in the territory of the Republic of Poland.
- new grounds for withdrawing a temporary residence permit for study purposes as set out in Article 148 section 1 and 2 of the Act on foreigners. A new legal basis for taking into account the actual cost of residence of a foreigner when determining the amount of monthly financial resources to cover the cost of living in the territory of the Republic of Poland (Article 144 (1)

- (a) and (b)), subject to exclusion if the foreigner is a citizen of a country mentioned in Regulation of the Council of Ministers issued on the basis of art. 113b of the Act on foreigners (Article 144 (1) of the Act on foreigners) - with the proviso that until now the Council of Ministers has not issued a relevant regulation, and its issue is optional.
- introduction of a student mobility institution for a foreigner holding a residence permit referred to in art. 1 clause 2 lit. a Regulation No. 1030/2002, or a long-term visa issued by another Member State of the European Union, with the annotation "student" whose purpose of stay on the territory of the Republic of Poland is to continue or complete the studies undertaken in the territory of another Member State of the European Union and the foreigner is included in the program an EU or multilateral program involving mobility measures or an agreement between at least two higher education institutions providing for intra-EU mobility. The condition of using student mobility is submitting a notification to the Head of the Office for Foreigners by the unit conducting studies based in the territory of the Republic of Poland and the fact that this authority has not issued a decision on opposition within 30 days (Article 149b (1) - (12)).
  - establishing a 60-day deadline for settling the case in the first administrative instance, counted from the date of submission of the application together with all evidence in the form of documents to be required from the party (Article 149 (1a) and (1b) of the Act on foreigners).
  - introduction of the obligation of cyclical controls conducted by the voivode who granted a temporary residence permit in order to study at university check the list of students or the list of applicants for the degree of doctor, which are components of the Integrated Information System on Higher Education and Science POL-on or by the voivode , which ruled in a case in the first instance - in the case when the permit was granted by the Head of the Office for Foreigners in the second instance, the legislator imposed on the province governors the obligation to carry out these checks in the period immediately after March 1 and after June 1 (Article 149 para. 4 and 5 of the Act on foreigners).
  - introduction of additional elements to the certificate issued by the unit conducting studies (Article 148a (1) points 10-12) and imposing an additional obligation to attach a printout of the student's periodic achievement card, if the certificate is to relate to continuation of studies (Article 148a (1) (a) of the Act about foreigners).
  - replacement of the institution of approval of scientific units by the minister competent for higher education and science with the institution of approval made by the minister competent for internal affairs (Article 151 para. 4-8 of the Act on foreigners), subject to leaving in force

before the entry into force of the Amendment Act approvals based on existing regulations (Article 15 (1) of the Amendment Act)

- establishing the requirement to approve a scientific unit is a sine qua non condition:
  - ✓ issuing a national visa for the purpose of conducting scientific research or development works (Article 60 paragraph 1 item 13a, Article 64a paragraph 3 of the Act on foreigners).
  - ✓ granting a temporary residence permit for the purpose of conducting scientific research (Article 151 (1) of the Act on foreigners)
  - ✓ granting temporary residence permit for the long-term mobility of the researcher (Article 157a paragraph 1 of the Act on foreigners)
  - ✓ using the so-called short-term mobility of the researcher (Article 156b para. 1 item 1 of the Act on foreigners).
- simultaneous exclusion of the abovementioned requirement, if before the date on which the decision to refuse approval or the decision to refuse to renew the approval or the decision to withdraw the approval became final, the foreigner has already been granted a temporary residence permit, referred to in art. 151 or art. 151b of the Act on foreigners and it continues scientific research or development work in a given scientific unit (when granting another authorization the requirement related to the approval of a scientific unit is skipped once) (Article 151a (2) and (3) of the Act on Foreigners)
- introduction of the institution of a temporary residence permit for the long-term mobility of a researcher (Article 151b of the Act on foreigners) for a foreigner intending to conduct part of scientific research or development works in a research unit based in the territory of the Republic of Poland in the period preceding 180 days, if he has a residence permit, about which referred to in art. 1 clause 2 lit. a Regulation No. 1030/2002, or a long-stay visa issued by another Member State of the European Union, with the note "scientist"
- resignation from the requirement for the scientific unit to submit a statement in which it undertakes to bear the costs of the researcher's stay on the territory of the Republic of Poland (leaving the requirement for a declaration containing the obligation to reimburse costs related to issuing and executing a decision on the obligation of the foreigner to return - Article 151 para. 1 point 1 letter c of the Act on foreigners)
- introduction of a legal basis for including in the proceedings on granting a temporary residence permit in order to conduct scientific research the actual costs of residence of a foreigner, when determining the amount of monthly financial resources to cover the cost of living in the



territory of the Republic of Poland (Article 151 paragraph 1a and 1b), subject to exclusion if the foreigner is a citizen of a country mentioned in the regulation of the Council of Ministers issued on the basis of art. 113b of the Act on foreigners (Article 151 (1c) of the Act on foreigners) - to date, the Council of Ministers has not issued an appropriate regulation (issuing the regulation is optional)

- adoption of new grounds for refusing a temporary residence permit for the purpose of conducting scientific research (Article 154 (1) (1) and (2) of the Act on foreigners), i.e. refusal to grant a permit also when the scientific unit works mainly to facilitate unlawful scientists entry or stay on the territory of the Republic of Poland and granting another permit, when the circumstances of the case indicate that the preceding temporary residence permit was used for a purpose other than the purpose for which it was granted.
- specifying the specific grounds for withdrawing a temporary residence permit for scientific research and a temporary residence permit for the long-term mobility of a researcher (Article 154a of the Act on foreigners).
- establishing a 60-day period for settling the matter regarding the granting of a temporary residence permit for the purpose of conducting scientific research or a temporary residence permit for the long-term mobility of a researcher in the first administrative instance, counted from the date of submission of the application together with all evidence in the form of documents that should be required from the side (art. 155a of the Act on foreigners).
- introducing a short-term mobility institution for a researcher, if he intends to conduct part of the scientific research or development work in a research unit based in the territory of the Republic of Poland for up to 180 days within a period of 360 days, if he has a residence permit referred to in art. 1 clause 2 lit. a Regulation No. 1030/2002, or a long-stay visa, with the note "scientist", issued by another Member State of the European Union; The condition for using short-term mobility is that the Head of the Office for Foreigners receives a notification from a scientific unit based in the Republic of Poland about the intention of a foreigner to use this form of mobility, and ultimately, the Head of the Office for Foreigners does not issue a decision to object within 30 days (Article 156 paragraphs 1-11 of the Act on foreigners).

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

The main purpose of stay of foreigners in Poland in 2019 was willingness to work (73%), family reasons (12%) and study (10%). In 2019 the largest increase in the number of issued residence permits concerned mainly 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 3 years) - by 35 800 and permanent residence permits - by 9 000.

Handbook for university representatives dealing with the recruitment and service of foreigners: "The process of legalizing the stay of foreigners on the territory of the Republic of Poland for the purposes of education during studies" was prepared and made available on the website of the Office for Foreigners and voivods offices.

### 1.4 OTHER ASPECTS OF LEGAL MIGRATION.

The provisions of the Act of February 22, 2019 on the amendment to the Act on foreigners and certain other acts (Journal of Laws of 2019, item 577) introduced to the Act on foreigners new types of residence permits, including: temporary residence permits for the trainee (Articles 157a - 157f of the Act on Foreigners ) and a temporary residence permit for a volunteer (art. 157g-157 l of the Act on foreigners). As a consequence, new annotations are also provided on the residence cards: "trainee" and "volunteer".

New objectives and conditions for issuing national visas have also been introduced: a national visa for the purpose of an internship (Article 60 (1) point 13a of the Act on foreigners) and for the purpose of participating in European voluntary service (Article 60 (1) (13b) of the Act on foreigners).

The provisions provided for the necessity and procedure for the approval of the internship organizer by the minister competent for internal affairs for the purpose of admitting foreigners for the purpose of undertaking an internship (Article 157a para. 6-18 of the Act on foreigners) and organizational units for which the foreigner is to perform services as a volunteer (157g sections 5-17 of the Act on foreigners). From the day of entry into force of the Amendment Act, the approval of the entity is a prerequisite for issuing a national visa for the purpose of internship (Article 60 (1) point 13a; Article 64a (3) of the Act on Foreigners) and a national visa for participation in the European Voluntary Service program (pursuant to Article 60 paragraph 1 item 13b; Article 64a paragraph 5 of the Act on foreigners) and granting temporary residence permits for the trainee

(Article 157a paragraph 1 of the Act on foreigners) and for the volunteer (Article 157g paragraph 1 point 3 of the Act on foreigners).

## 2 INTERNATIONAL PROTECTION INCLUDING ASYLUM

In 2019, there were not crucial changes in the area of international protection and asylum. Applications for assuming responsibility (as part of the Dublin procedure) were addressed to all countries, unless they concerned representatives of the so-called sensitive groups. Each proceeding was considered individually. In the event of a positive decision, Greece, Hungary and Bulgaria were asked to provide the Polish side with a guarantee of compliance with the provisions of the Procedural and Reception Directives towards a foreigner after his transfer to a given country. In the case of the above guarantee, the Polish side did not carry out the transfer and the case went to the substantive department for the purpose of processing the application for international protection to the appropriate Border Guard unit.

In 2019, 4 000 applications for international protection were considered. 265 decisions of the Head of the Office granted one form of protection: refugee status was granted to 117 foreigners, subsidiary protection was granted to 114 people, and to 4 applicants - tolerated stay permit. A further 1 472 foreigners (including 828 residents of Russia) received negative decisions, and proceedings of 1 706 persons (including 1,301 residents of Russia) were discontinued. Decisions granting protection constituted 7% of the total, negative decisions - 43%, and cancellations - 50%. Applicants from the following countries received the most decisions on granting protection: Russia: 80 people (30% of the total, 8% recognition) ; Turkey: 49 people (18% of the total, 88% recognition); Tajikistan: 29 people (11% of the total, recognition 32%); Iran: 19 people (7% of the total, 49% recognition); Iraq: 17 people (6% of the total, 55% recognition); Ukraine: 15 people (6% of the total, 4% recognition); Syria: 11 people (4% of the total, 100% recognition) and Afghanistan: 11 people (4% of the total, 92% recognition). 7 of the above-mentioned citizenships with the largest number of decisions to grant protection were also on the TOP 10 applicants list in 2019: Russia, Ukraine, Turkey, Tajikistan, Afghanistan, Iran and Iraq. The Council for Refugees also issued 12 decisions granting protection: 6 for Russian citizens, 6 for Ukrainian citizens. By form of protection received, these were: 7 refugee statuses, 4 subsidiary protection and 1 tolerated stay. This means that a total of 277 decisions were issued in the territory of the Republic of Poland in 2019 granting one form of protection, of which 96% was issued by the Head of the Office for Foreigners and 4% by the Council for Refugees. In addition, the Council for Refugees referred 32 cases to the Head of the Office for reconsideration, mainly cases of Russian citizens (15 persons), Nigeria and Turkey (4 persons each). The total number of decisions issued by the Head of the Office in 2019 was 4 000, 10% less than in 2018 (4 444 decisions). This is a consequence of the progressive decrease in the number of applications that started in 2017. Proportion of the types of

decisions remained unchanged in the last two years: the percentage of negative decisions fell from 48% to 43%, while the percentage of cancellations increased from 44% to 50%. In addition, the percentage of decisions granting protection fell from 8% to 7%. The average recognition in 2019 was 13% (with and without tolerated stay), while in 2018 with tolerated stay it was 16%, and 15% - when this national form of protection was excluded from the list.

The Head of the Office also issued 106 decisions depriving of protection - deprived of subsidiary protection of 100 Russian citizens, and 6 foreigners (5 - from Russia, 1 - from Belarus) deprived of refugee status.

The number of pending cases in the first instance covering the first and subsequent applications (without resumed proceedings, which were 111 against 294 people in 2019) in the first instance as at 31 December was 993, similar to December 2018 (991 cases pending). 48% of foreigners who had pending cases declared Russian citizenship, 15% - Ukrainian. A further 6% of cases concerned applications submitted by Turkish citizens, another 11% concerned citizens of the former USSR: Tajikistan, Georgia, Belarus and Kyrgyzstan. In turn, in the second instance, 1 426 cases were pending. Nine out of ten appeals against decisions of the Head of the Office were made by citizens of former USSR republics: 61% of cases concerned proceedings against Russian citizens, 15% - Ukraine, 5% - Tajikistan, 2% each from Turkmenistan, Belarus, Kyrgyzstan, Georgia, Armenia and Kazakhstan

On August 31, 2019, the center for foreigners in Grotniki with 120 places was closed.

### 3 UNACCOMPANIED MINORS AND OTHER VULNERABLE GROUPS

#### 3.1 UNACCOMPANIED MINORS

Poland noted the slight decline in the number of asylum application accepted from unaccompanied minors (from 125 applications in 2018 to 105 applications in 2019).

#### 3.2 OTHER VULNERABLE GROUPS

In June 2019, the Border Guard modified the 'Rules of conduct of the Border Guard with foreigners requiring special treatment' operating in guarded centers for foreigners since 2015. This document is an algorithm that defines the rules for identifying foreigners belonging to the so-called vulnerable groups and how to deal with such people. The modification consisted of, among others inclusion in the definition of 'vulnerable persons' of the category' victims of sexual violence in armed conflicts. " This change resulted from the provisions of the National Action Plan for the implementation of the UN agenda on women, peace and security for 2018-2021. The modification of the algorithm was aimed at among others clarifying certain work patterns, in particular releasing from the guarded center foreigners who in the past caused the serious forms of violence.

## 4 INTEGRATION

### 4.1 NON-DISCRIMINATION

The Ministry of the Interior and Administration in 2019 continued to coordinate the implementation of a training program for the Police, devoted to the issue of hate crimes titled 'Training against hate crimes for law enforcement officers – TAHCLE'. The framework of the training carried out for Police officers throughout the country includes the issue of identifying hate crimes, conducting proper actions in carrying out investigations, adequate police responding to such cases and preventing them. National Police Headquarters in cooperation with The Ministry of the Interior and Administration organized trainings in the form of workshops entitled 'Combating crimes committed for racist and xenophobic reasons'. Above mentioned training workshops were addressed to police officers of criminal intelligence investigation services carrying out activities in cases related to hate crimes.

### 4.2 PROMOTING INTEGRATION AT LOCAL LEVEL

WroMigrant consultation points started operating in February 2019 in Wrocław. The program is addressed to migrants both already living there and those who are just coming to Wrocław and aim help them find their place in the city by providing information and legal support in many important everyday and official matters e.g. how to settle formalities, get more information on legalization of stay and work, assigning a PESEL number, renting an apartment. The consultants will also advise on how to take advantage of medical care, the education system and the offer of learning Polish in Wrocław. Information were provided in Ukrainian, Russian, English, German and Polish:

[https://www.wielokultury.wroclaw.pl/wromigrant/?fbclid=IwAR1ZFUD1mPZvfFSC0Rdjb5XN5Nlj5GBkFK2RzjPc9wMRS7qJ5pjdJph\\_Y](https://www.wielokultury.wroclaw.pl/wromigrant/?fbclid=IwAR1ZFUD1mPZvfFSC0Rdjb5XN5Nlj5GBkFK2RzjPc9wMRS7qJ5pjdJph_Y)

On September 3rd 2019, an Information and Advisory Center for foreigners has been launched under the project entitled: "Support for the integration of foreigners in the Śląskie Voivodeship", which were implemented under the Asylum, Migration and Integration Fund. Services will be provided free of charge. The point will operate until May 30, 2022.

### 4.3 AWARENESS-RAISING ON MIGRATION IN THE HOSTING (MEMBER) STATE

Information materials for foreigners and employers were updated and distributed, and the website of Public Employment Services was translated into 4 languages (English, Ukrainian, Russian and Belarusian).

### 4.4 INTEGRATION MEASURES IN THE COUNTRIES OF ORIGIN AND/OR INVOLVING DIASPORA COMMUNITIES

As of 10 May 2019, as part of assistance in voluntary return, foreigners can apply for reintegration assistance. Apart from people who require special treatment (e.g. unaccompanied children, victims of human trafficking, people with health problems, single parents with children), this form of assistance will not be available to foreigners who are citizens of countries benefiting from easier access to the Polish labour market or citizens of European countries benefiting from visa-free travel.



## 5 CITIZENSHIP AND STATELESSNESS

### 5.1 ACQUISITION OF CITIZENSHIP

The President of the Republic of Poland signed the amendment to the Act on the Polish Card - a document confirming belonging to the Polish nation. The main purpose of the revision is to enable all persons with Polish roots living abroad to obtain the Polish Card. It will be issued to persons who do not have Polish citizenship on the day of submission of the application or the date the Polish Card is issued; to persons who do not have permanent residence on the territory of the Republic of Poland; or to stateless persons. Moreover, in case of applying for a Polish Card by a person whose Polish origin was confirmed in accordance with the provisions of the Repatriation Act, the requirement of possessing the citizenship of one of the former Soviet Union states was removed.

In 2019, Polish citizenship pursuant to the provisions of the Act of 2 April 2009 on Polish Citizenship (Journal of Laws of 2018, item 1829) was acquired by 6 683 foreigners, including 2 157 persons by granting citizenship by the President of the Republic of Poland, and 4 526 in administrative mode (recognition as Polish citizen and restoration of Polish citizenship).

In 2019, as a result of arrival on the basis of a national visa for the purpose of repatriation, resulting in the acquisition of Polish citizenship when crossing the border of the Republic of Poland, 872 people settled in Poland (including 551 adults (of Polish and non-Polish origin) and 221 children up to 18 years of age life). In total, in 2019, 348 families came to Poland as part of the repatriation. Accurate information on the number of nationals of individual countries arrived in Poland as part of repatriation in 2019, including by gender and age, is not available at the moment due to the ongoing process of entering data into the IT system and verifying them. Based on partial data and information obtained from other administrative proceedings involving repatriates who came to Poland in 2019, it can be concluded that about 74% of arrivals came from Kazakhstan, about 12% from the Russian Federation and about 8.5 % from Ukraine. Other repatriates came from Georgia, Uzbekistan, Armenia, Belarus, Moldova and Turkmenistan.

Based on preliminary information from the area of activity of the Government Plenipotentiary for Repatriation, it can be indicated that in 2019 there was a significant increase in the number of applications for a national visa for repatriation coming from consulates to the Ministry of Interior and Administration. Last year, 2 544 applications were received, compared to 2018 when 1 179 applications were received. This is due to the dissemination of knowledge about the repatriation procedure and the strengthening of the staff of Polish diplomatic missions in Kazakhstan. In

addition, in 2019, 14 applications were submitted for permanent residence in Poland for members of the repatriate family.

In 2019, the Government Plenipotentiary for Repatriation issued 203 decisions granting housing assistance for the purchase or rental of an apartment. The decisions involved 415 people, for a total amount of PLN 14 364 000. The average cost of assistance per one person was about PLN 34 000. In addition, the Plenipotentiary issued 357 decisions on the granting of one-off assistance for development and current maintenance, reimbursement of travel expenses and school layette. Total above 638 people were included in the decisions. The total amount resulting from the issued decisions is over PLN 7 000 000. The average cost of assistance was about PLN 11 500 per person, which amounted to PLN 45 000 per family.

In 2019, there were two adaptation centers for repatriates:

- Adaptation center for repatriates in Pułtusk run by the Association "Polish Community" under Agreement No. 3/2018 of September 3, 2018, concluded with the State Treasury - Government Plenipotentiary for Repatriation, for the period from September 10, 2018 to 9 September 2020. In 2019, based on the decision of the Government Plenipotentiary for Repatriation to the abovementioned 267 repatriates came.

- Adaptation center for repatriates in Środa Wielkopolska, run by the Association of Parents and Teachers of the Średzki District "EDU-XXI" based on Agreement No. 1/2019 of January 11, 2019, concluded with the State Treasury - Government Plenipotentiary for Repatriation, for the period from January 29, 2019 to January 29, 2021. In 2019, based on the decision of the Government Plenipotentiary for Repatriation to the abovementioned 270 repatriates came.

The decision to grant a place in the center to a candidate for repatriate and members of his immediate family (spouse and minor children) is issued by the Government Plenipotentiary for Repatriation. The decision indicates the period of stay in the center, not longer than 90 days, which may be extended by another 90 days, in particular if the repatriate did not take up paid work for reasons beyond his control or does not have a new residence. The decision to grant a place in an adaptation center is one of the evidence confirming the conditions for settling in Poland and enables the issuing of a national visa for repatriation for repatriation, and thus the acquisition of Polish citizenship on the day of crossing the border of the Republic of Poland on the basis of this visa.

In repatriate centers, accommodation, meals, assistance in carrying out current life matters are provided (finding of marital status files, assistance in finding a destination to settle in Poland, free internet access, etc.). In addition, repatriates participate in Polish language courses as well as

adaptation and integration classes, during which they receive basic knowledge about the state system, how to deal with current matters in offices, Polish history, Polish traditions and customs. Vocational courses are also available for willing people.

Tab. 1. Number of people who acquired Polish citizenship, 2019

Citizenship	Administrative mode	Granted by President of Poland
AFGHANISTAN	3	1
ALBANIA	4	3
ALGERIA	7	3
ANGOLA	-	1
ARGENTINA	1	-
ARMENIA	27	85
AUSTRALIA	2	6
AUSTRIA	5	3
AZERBAIJAN	5	2
NORTH MACEDONIA	1	2
BANGLADESH	3	3
BELGIUM	-	2
STATELESS	5	9
BELARUS	1196	334
BOSNIA AND HERCEGOVINA	-	1
BRASILIA	3	13
BULGARIA	4	10
CHINA	2	-
CROATIA	1	1
CZECHIA	5	11
DENMARK	15	2
CONGO (-BRAZZAVILLE)	2	-
EGYPT	11	8
PHILIPPINES		
ECUADOR	1	-
FINLAND	3	-
FRANCE	9	6
GREECE	4	2
GEORGIA	5	3
HAITI	1	-
SPAIN	1	2

INDIA	13	13
INDONESIA	-	2
IRAQ	4	3
IRAN	2	3
ISRAEL	4	5
YEMEN	1	1
JORDAN	5	-
CAMBODIA	-	2
CAMEROON	4	3
CANADA	30	3
KAZACHSTAN	17	7
KENIA	-	1
KIRGISTAN	2	1
CONGO (EX ZAIRE)	-	1
COLOMBIA	4	-
KOSOVO	1	2
CUBA	1	-
LIBYA	2	2
LITHUANIA	8	11
LATVIA	1	3
MALTA	-	1
MALAYSIA	1	-
MOROCCO	5	3
MEXICO	2	2
MOLDOVA	37	8
MONGOLIA	8	-
NEPAL	1	2
NETHERLANDS	1	-
GERMANY	151	27
UNDETERMINED	2	3
NIGERIA	3	16
PAKISTAN	4	1
PALESTINE	3	2
PERU	1	1
PORTUGAL	2	1
RUSSIA	232	86
ROMANIA	1	8
SENEGAL	1	1
SERBIA	6	6

SERBIA AND MONTENEGRO	-	2
SIERRA LEONE	-	1
SLOVAKIA	2	7
SOMALIA	-	2
SLOVENIA	4	-
SRI LANKA	-	4
USA	26	22
SYRIA	10	9
SWITZERLAND	1	1
SWEDEN	80	4
THAILAND	-	1
TADJIKISTAN	1	-
TRYNIDAD AND TOBAGO	1	-
TAIWAN	-	1
TUNISIA	24	8
TURKEY	35	25
TURKMENISTAN	8	1
UGANDA	1	-
UKRAINE	2347	1172
URUGUAY	-	1
UZBEKISTAN	7	4
VENEZUELA	2	2
HUNGARY	5	2
UNITED KINGDOM	30	21
VIETNAM	53	112
ITALY	2	7
ZIMBABWE	1	2
<b>TOTAL</b>	<b>4526</b>	<b>2157</b>

Tab. 2. Settlement of repatriates in Poland in 2019

	Number of repatriate families settled	Number of adult repatriates of Polish origin	Number of adult repatriates of non-Polish origin	Number of adult repatriate family members settling on the basis of a permanent residence card	Number of children (to 18 years old)	TOTAL
<b>Poland</b>	348	552	99	5	221	877

## 5.2 STATELESSNESS DETERMINATION, STATUS AND RIGHTS GRANTED

In 2019, there were no changes regarding the determination of statelessness and stateless status.

In total, 14 people from the stateless category acquired Polish citizenship in 2019.

## 6 BORDERS, VISA AND SCHENGEN

### 6.1 BORDER MANAGEMENT AT THE EXTERNAL BORDER

#### 6.1.1 COOPERATION WITH THE POLICE OF NORTH MACEDONIA

The Border Guard intensively engaged in activities consisting in supporting the Police of the Republic of North Macedonia during the migration crisis from 2016 to date. The legal basis for joint actions is the Executive Protocol. In 2019, 12 editions of a joint operation with the Police of the Republic of North Macedonia were carried out. On average, each operation lasted 4 weeks and 30 BG officers, BG vehicles and specialist equipment in the field of border protection (including thermal imaging cameras and night-vision goggles) participated in each case. It is implemented on a rotational basis. In total, 360 Border Guard officers were involved.

The operation is aimed at counteracting the effects of the migration crisis on the Macedonian-Greek border under the so-called Balkan route. Pursuant to the provisions of the Executive Protocol between the Chief of the Border Guard and the Ministry of the Interior and Administration - the Office for Public Security to the Agreement between the Government of the Republic of Poland and the Government of the Republic of Macedonia on cooperation in combating organized crime and other types of signed crime in Warsaw on June 16, 2008, prepared for individual operations, support of the Macedonian Party in particular consists in:

- carrying out activities in connection with the registration of applications for international protection;
- examination of the authenticity of documents;
- preventing illegal crossing of the border outside border crossings.

The geographical area of the joint operation covers up to 261 km from the Macedonian-Greek border line deep into the territory of the Republic of North Macedonia.

The decision on the extension of the support provided by Poland to Macedonian border services through the participation of the Border Guard in joint operations is always taken by the management of the Ministry of the Interior and Administration. Participation in operations of BG officers requires customary working out and signing with the Macedonian partner an appropriate agreement in the form of an appropriate Executive Protocol regulating the issues of operations, on the basis of which the Chief Commander of the Border Guard issues an internal order regarding the conduct of operations, which regulates, among others training and logistics issues.

The experience gathered during the operation shows that such assistance is a great value, especially for small countries, whose police services are not numerous formations, which in addition to migration tasks also carry out other statutory tasks related to, e.g. common crime.

#### 6.1.2 COOPERATION WITH COUNTRIES OF WESTERN PARTNERSHIP

On a bilateral and multilateral level, the BG cooperates with third countries, in particular the Eastern Partnership countries. This cooperation is carried out under the MFA Polish Aid program and through the BG's participation in programs and initiatives of international organizations.

In 2019, as part of the MFA Polish Aid program, a project for the Ukrainian partner entitled "Strengthening the State Border Service of Ukraine in combating cross-border crime." The aim of the project was to provide development support, through the implementation of training, to the staff of the project partner 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. The project involved the implementation of 8 editions of training for representatives of the State Border Service of Ukraine (SBSU). All planned project activities were carried out. In total, 76 representatives of SBSU were included in the project.

Moreover, in 2019 BG was involved in the implementation of projects for third countries implemented by an international organization and a twinning project. The topics of activities under the above-mentioned projects concerned, among others combating illegal arms smuggling, ammunition, risk analysis, cross-border cooperation, integrated border management, verification of travel documents, detection of stolen vehicles, prevention of illegal migration and return policy.

In addition, the BG in 2019 implemented bilateral cooperation with third countries based on the existing forms of cooperation at the regional level (with the Ukrainian partner, e.g. as part of the border plenipotentiary apparatus, implementation of joint patrols, activities of consultation points, with the Belarusian partner between the border plenipotentiary apparatus and exchange of statistical and analytical information) and with a Russian partner (under the border plenipotentiary apparatus). Meetings of heads of border services with the Ukrainian, Belarusian and Moldovan partners were carried out at the central level. At the multilateral level, foregoing forms of cooperation were implemented.



### 6.1.3 NEW BORDER GUARD'S LIAISON OFFICER AT THE POLISH EMBASSY IN MINSK, BELARUS

Main tasks of new officer are:

- implementing the statutory tasks of the Border Guard and playing an important role in the process of BG exchange of information with a Belarusian partner;
- maintaining constant contact with the State Border Committee of the Republic of Belarus;
- actively participating in promoting the image of the Border Guard on the territory of Belarus, through participation in meetings in the diplomatic corps and with representatives of the state administration of the Republic of Belarus.

### 6.2 VISA POLICY, INCLUDING IMPLEMENTATION OF THE VISA CODE AND THE VISA INFORMATION SYSTEM (VIS) OR ANY OTHER VISA RELATED DEVELOPMENTS, IN PARTICULAR IN RELATION TO COOPERATION BETWEEN (MEMBER) STATES' CONSULATES AND THE SET-UP OF JOINT CONSULAR SERVICES FOR VISAS

In the area the most important change was the introduction of new purposes for the issuing national visas: undertake internship and participate in 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 may be granted under certain conditions also to foreigners who intend to take a preparatory course to study in Poland.

On March 4, 2019, the Act of November 9, 2018 amending the Act - Law on proceedings before administrative courts, introducing, in implementation of the judgment of the CJEU, the possibility of appeal against the consul's decision refusing to issue a C visa to the Voivodship Administrative Court in In Warsaw.

Due to the large number of visa applications submitted at Polish branches in India (New Delhi, Mumbai), in order to improve the visa process in 2019, a public procurement procedure was carried out for "Services for receiving visa applications for Polish foreign branches in India". Following the introduction of visa outsourcing, India has 10 visa application points.

Due to the expiry of the visa outsourcing agreement and in order to ensure an efficient visa process in the period from September 2 to 30, 2019, Poland applied to the authorities of Czechia, Hungary and Portugal to establish ad hoc representation.

## 7 IRREGULAR MIGRATION INCLUDING MIGRANT SMUGGLING

The migration crisis that affected European countries, despite the reduced impact intensity, still largely determines the context of the migration situation analysis on a European scale, including in Poland. The distribution of migration routes, the variability of pressure on their individual sections is a natural effect of migrants (even more so of migrant smugglers) seeking the most convenient ways to reach destination countries. Physical dams and legal, set at Community and national level, mobilize migrants to look for alternative routes that are less (still) exposed to the risk of disclosure.

The Polish territory is a good example in this context, as it is still seen as a transit area for most migrants. Such migration phenomena as the increased threat of illegal migration across the Polish-Ukrainian border, smuggling of hidden people in vehicles or illegal migration by air from Greece can be qualified in whole or in part as a result of the situation in southern Europe. The secondary effect of saturating the territory of the European Union with migrants who used the Mediterranean-Balkan channel to get through is also the phenomenon of residence tourism noted in Poland.

It should also be pointed out that EU Member States are and will remain an attractive migration destination, and this process is also increasingly including Poland. It is becoming a place of inflow and settlement of an increasing number of migrants, also from geographically and culturally remote areas.

### 7.1 ILLEGAL MIGRATION AT THE POLISH-UKRAINE BORDER

In 2019, the number of third-country nationals who crossed the state border contrary to the provisions to the Republic of Poland on the Polish-Ukrainian border outside the border crossing points decreased in 2019 compared to 2018. The Border Guard recorded outside the crossing points on the Polish-Ukrainian border 148 third-country nationals, compared to 230 in 2018, a decrease of 36%. The largest number of people were Turkish citizens (45), while the others came from Iraq (27), Ukraine (26 - most in connection with tobacco smuggling), Afghanistan (11), Bangladesh (5), Albania (4), and Algeria (4), India (4), Lebanon (3), Morocco (3), Tajikistan (3), Pakistan (2), Russia (2), Belarus (1), Bosnia and Herzegovina (1), Dominican Republic (1), Gambia (1), Georgia (1), Yemen (1), Mali (1), Moldova (1) and Turkmenistan (1).

Turkish citizens (not including Ukrainian citizens) have been the most frequently detained group of foreigners on the Polish-Ukrainian section of the state border for three years. The above is favored by the possibility of Turkish citizens traveling to Ukraine on the basis of identity cards,

increasing the number of air connections between these countries, as well as the unstable economic situation in Turkey.

In 2019, officers of the Border Guard recorded 22 events on the "green border" section, in which 45 Turkish citizens were detained for crossing the state border contrary to the provisions to the Republic of Poland, which represents 30% of all third-country nationals detained outside the border crossing points on the Polish-Ukrainian border section. Turkish citizens are also the largest group among foreigners detained by the Ukrainian services trying to get to Poland illegally.

Detained Turkish citizens indicate that they most often come to Ukraine by air to Odessa or Kiev, then they move towards Lviv, from where they set off to the border with the intention of crossing it illegally. Turkish citizens treat Poland mainly as a transit country, while the destination of their migration is primarily Germany, due to the large Turkish diaspora there.

In many cases, illegal migration was organized. Border Guard officers noted events in which helpers / organizers of foreigners' smuggling were also disclosed. They were often (legally resident in the European Union) countrymen of illegal migrants who were expecting in the area of the state border with the task of transporting people deep into the country hub to Western Europe.

The next largest group of foreigners were Iraqi citizens (27 people). Detention occurred mainly in the first half of 2019 - as early as in January the number of people discovered on the Polish-Ukrainian section of the state border was higher than in the whole of 2018 (19 people). The most numerous group of illegal migrants who crossed the border illegally from Ukraine to Poland stated 14 people. Two foreigners (a Syrian citizen and a Tunisian citizen) who arrived in the region of the state border by passenger cars were waiting for the reception of migrants.

The first arrests in connection with illegal border crossing should also be noted since 2015 Afghan citizens from Ukraine to the Republic of Poland. Altogether 11 people were detained in two events (from March and October 2019). In March 2019, there were 7 people who arrived on the territory of Ukraine at different times and waited for the cross-border crossing even after several months. In the described event, 3 Polish citizens who came to pick up illegal migrants were also detained.

In the context of the Polish-Ukrainian border, there were a 34% increase in the number of people who attempted to enter Poland illegally at border crossing points - 877 third-country nationals (2018 - 656). The vast majority of them (95%) came from Ukraine (833 people), while the others came from Turkey (9), Moldova (6), Dominican Republic (5) and Syria (3). This increase was mainly due to the recording of Ukrainian citizens who, during border checks, presented imitations of cash to cover the costs of staying on the territory of the Republic of Poland.

## 7.2 ILLEGAL MIGRATION OF VIETNAM CITIZENS

The illegal migration of Vietnamese citizens has for years been one of the main migration threats noted by the Border Guard. This migration is mainly economic, and significant numbers are an important pull factor and the functioning of the diaspora of the Vietnamese community in France, Germany and in Poland.

The migration of Vietnamese citizens to Poland is both transit (some migrants are transferred further to the Czech Republic, Germany, France, Great Britain, Norway, Switzerland or the Netherlands) and destination. After reaching Poland (in case it is the destination) foreigners are in the vast majority transported to Warsaw or near Wólka Kosowska, where the largest Asian shopping center is located in Poland. There, they are "distributed" for further travel or (above all) to work in sewing rooms, gastronomic establishments or beauty salons. In 2019, Vietnamese citizens constituted the seventh group of foreigners recorded by BG officers in the field of illegal migration (after the citizens of Ukraine, Russia, Georgia, Belarus, Moldova and India). In total, 326 foreigners from Vietnam (425 in 2018) were recorded, of whom more than half were persons disclosed in connection with illegal stay on the territory of the Republic of Poland (168).

In 2019, the smuggling routes used by Vietnamese citizens remained broadly unchanged. However, the intensity of their use has changed. Three main routes are identified:

### 1. Southern route - Vietnam - Ukraine - Slovakia / Romania / Hungary

Transit through the Czech Republic to Germany (periodically it runs through Poland). It is currently the most frequently chosen route by the citizens of Vietnam foreigners after crossing, for example, the Ukrainian-Romanian border, they are waiting for further relocation. Apart from the citizens of Ukraine, Romania, Slovakia and Hungary, the drivers involved in the transport of migrants are also Polish citizens. Foreigners are most often transferred in groups of a few to a dozen or so people, mostly in passenger cars or minibuses. Illegal travel in secret constitutes a significant threat in this context in vehicles, which was also reported by German services. The route has two possible options. In the first of these, foreigners are transferred from Ukraine directly to Germany (bypassing Poland), while in the second through Poland, where they change to passenger cars and continue their journey. A characteristic feature of the trail is the transfer of citizens from Vietnam in the company of people from other countries. The factor that affects the modification of the southern route is the periodic activity of services

at individual internal borders. When the activity of services on the Czech-German border increases, the channel runs through the south of Poland.

## **2. Baltic route - Vietnam - Russia - Latvia / Belarus - Lithuania - Poland or western EU countries**

Until recently, it was the most popular trail. Travel from Vietnam to Russia on the route Hanoi - Moscow is by plane. The Vietnamese travel legally to Moscow with their passports, and only at a later stage they use the help of organized criminal groups. As a rule, they cross the EU external border on the so-called green section directly from Russia to Latvia or Estonia. Alternatively, they are brought from Russia to Belarus, from where they also try to cross the section of the "green border" between Belarus and Lithuania. For several years, this channel has been served by Chechen criminal groups, which are commissioned by Vietnamese organizers who are permanently resident in Moscow. It is most often the Chechens act as guides leading Vietnamese migrant groups across the "green border" in the directions indicated above. The next stage is to collect migrants from Estonia, Latvia or Lithuania and transport them to the destination country, usually Poland. Chechen groups that organize drivers (citizens of Poland, the Russian Federation, Latvia, Lithuania and Ukraine) also dominate here. At this stage, migrants are transferred using passenger cars. Cases were also noted when migrants were hidden in cargo spaces of truck sets, tankers, goods trailers or caravans. The most critical section of the border in the context of illegal migration of Vietnamese citizens remains the Polish-Lithuanian section, due to the lack of border control. In 2019, however, there was a more than two-fold decrease in the number of detained Vietnamese citizens in connection with illegal border crossing to Poland from Lithuania (34 people; 73 in 2018).

## **3. Eastern route - Vietnam - Ukraine - Poland or western EU countries.**

A characteristic feature of this route is that it is not used very often, due to a higher risk of being detained by Polish or Ukrainian services as well due to difficult terrain and weather conditions (e.g. risk of leaving marks). From time to time, criminal groups directly from Ukraine to Poland smuggling along the "green border" sections in an attempt to create "smuggling channels". Generally, after a group of migrants are detained by the Border Guard, a decision is made to change the section or the channel ceases to operate. In 2019, there were no incidents related to illegal crossing to the Republic of Poland with the participation of Vietnamese citizens on the Polish-Ukrainian border.

### 7.3 SMUGGLING OF MIGRANTS IN CLOSED VEHICLE SPACES

The actions of EU / Schengen Member States in the form of barriers at the borders, as well as legal instruments aimed at limiting the inflow of foreigners from the south have significantly contributed to the search by migrants for alternative ways of entering Western European countries, especially those who are "stuck" in Greece and the Balkan countries. One of them is the travel modus operandi in enclosed vehicle spaces. Events of this nature were recorded in 2019 by most EU / Schengen Member States, including Poland.

Within the discussed modus operandi, two expressive routes leading through Poland can be distinguished. The first leads from the Middle East through Turkey, Greece, followed by Bulgaria, Romania, Hungary or Albania / Macedonia, Serbia, Hungary / Romania, followed by Slovakia and / or the Czech Republic. The second route leads from Russia through the Baltic States. The first route is used primarily by citizens of South Asia, the Middle East and North Africa. (Afghanistan, Pakistan, Algeria, Iraq, Iran, Bangladesh, India), while the route through the Baltic States is characteristic for Vietnamese citizens.

In 2019, the Border Guard identified 95 foreigners in 29 events, the action of which clearly indicated the use of concealment in the vehicle as a means of illegal migration. Compared to 2018, there was a decrease in disclosures of the number of foreigners by nearly 25% (from 126 people). Most events took place in the first half (57 persons disclosed). In addition, 16 illegal migrants were detained, detained in circumstances other than during transport, but the testimonies and circumstances of the detention showed that they most likely got to Poland in hiding.

In total, 111 people were detained in 2019. Of the detainees, 54% were Afghan citizens (60). The other migrants came from Vietnam (31), Pakistan (5), Syria (5), Algeria (3), Bangladesh (2), Iraq (2), Iran (2) and India (1).

In 2019, migrants in hidden spaces were disclosed along the border with Slovakia (52), Lithuania (28), Czech Republic (18), Germany (9), Ukraine (2) and within the country (5). Trucks were most often used. Most migrants were transported in groups of 5-10 persons (54 persons) and 2-4 persons (47).

Determining the exact route of migrants' hiding was not always possible. In 9 events involving 23 foreigners, it was found that migrants got into the vehicles in Serbia. In addition, one event was recorded in which migrants traveled from Bosnia and Herzegovina (3 people) and Greece (1 person). Additionally noted 1 event with 3 Vietnamese citizens traveling from Romania.

The scale and extent of the phenomenon as well as the level of danger are indicated by information from neighboring countries. Some of the events noted there take place near the Polish border, which indicates a completed or planned trip through the territory of the Republic of Poland.

In 2019, German services detained illegal crossing in hiding on the Polish-German internal border in close proximity to it 56 foreigners (54 in 2018). Intensification of smuggling activities has occurred in the 4th quarter. While in earlier years there were mainly cases of the smuggling of Vietnamese citizens, in 2019 the German side pointed to the increased threat of illegal migration of citizens of Afghanistan, Iraq, Iran and Syria. The trend applies to both the border with Poland and the Czech Republic.

#### 7.4 ILLEGAL MIGRATION BY AIR

The air route from Greece has for some time been an alternative to land route for migrants (most often from Turkey) to reach EU / Schengen countries.

The vast majority of Poland is a transit country for these migrants, and Germany, the Netherlands, Sweden or Italy most often indicate as the destination of migration. In 2019, 54 people were identified after their arrival from Greece, a decrease of 51% compared to the same period of 2018 (then 111 people were disclosed). Thus, the number of disclosed migrants is similar to that recorded in 2017 (59 people). However, the structure of citizenship of foreigners using the indicated modus operandi did not change. They were mainly citizens of Syria (16) and Iran (13), in addition Turkey (4) and Afghanistan (4) among others. As in the previous period, the majority of events were recorded in the BG Warsaw-Modlin (19) branch and in the Katowice-Pyrzowice (11) branch, which was absent in this context until 2018.

On a regional scale, the phenomenon of illegal air migration is also monitored by the Czech services. Only in the first two months of 2019, 19 illegal migrants from Athens were disclosed at Prague airport. Most of them are citizens of Iraq and Syria. Everyone used forged documents, mainly Bulgarian passports and identity cards (German, French and Italian). This tendency is also part of the increase in the number of cases of illegal entry by air in the Czech Republic (168 people in January-May 2019, an increase of 22% compared to the same period of 2018).

The German services, in turn, recorded a 36% increase in cases of illegal air entries from Greece (912 people) compared to 2018 (670). In the last quarter of 2019, the number of disclosures increased despite a decrease in the number of air connections. This increase can be partly linked

to the introduction of "intelligent controls", i.e. intensified control activities at all borders, carried out by the Federal Police from 07/11/2019.

The scale of the phenomenon is also evidenced by the effects of the actions of the German police as part of controlling secondary movements by air. In connection with the actions taken by German officers - document advisers at Greek airports, in 2019 it was disclosed 35% more non-flying cases (approximately 8 750 compared to approximately 6 500 in 2018). The main destination airports were: Frankfurt am Main (1 571) and Munich (1 154). On the other hand, citizens of Syria, Afghanistan and Turkey were most often disclosed and Iraq. At the same time, 2 892 people were not allowed to depart from Greece to other European cities: Brussels (369), Vienna (289), Paris (258), Rome (212), Milan (178), Amsterdam (174) and Naples (162).

The Lithuanian border guard also informed about the threat, especially during seasonal flights (March-October) from Athens to Vilnius. At the time, mainly Iranian, Syria and Turkish citizens were recorded who after arrival from Greece presented false documents for inspection. Many of them, after arriving in Lithuania, usually went through the territory of Poland to the countries of Western Europe, most often to Germany (indicated modus operandi was already identified in 2018). Annual Lithuanian services revealed fewer incidents (18) than in 2018 (49).

## 7.5 EXPRESSION OF POLISH RESIDENCE TITLES – THE PHENOMENON OF RESIDENTIAL TOURISM

In 2019, 47 foreigners were identified as perpetrators of the crime the so-called ‘Residence tourism’ (251 people in 2018). They were most often recorded inside the country, mainly in voivodship offices, while in the Mazowieckie Voivodship Office the decrease in this number was most noticeable (4 persons in relation to 127). The perpetrators were citizens of India (7), Uzbekistan (7), Algeria (4), Iraq (4), Philippines (3), Iran (3), China (2), Lebanon (2), Egypt (2), and Russia ( 2), Turkey (2), Vietnam (2) and one each from Morocco, Libya, Jordan, Nigeria, Pakistan, Kazakhstan and Bangladesh.

The largest number of foreigners were detained by officers of the Maritime (15), Nadwiślański (11) and Silesian Border Guards (10), followed by Bieszczadzki (5), Karpacki (5) and Nadbużański (1).

The most commonly used modus operandi is a trip to Poland based on visas issued by other Schengen countries for tourist purposes or visits. They were, among others French (9), German (6), Dutch (4), Spanish (4) and Latvian (4) visas. Aliens on entry on the territory of the Schengen countries, they directed directly to Poland to submit an application for a residence permit to the



voivodship office or its delegation. Foreigners most often traveled by air or land from Germany. In some cases, the exact route could not be determined.

In 2019, the Border Guard also identified cases in which there were indications that the submission of an application for a stay in Poland by a foreigner was apparent, and these people did not intend to stay on the territory of the Republic of Poland. Thus, this action was part of the threat from the area of residence tourism, however, not meeting all the definition criteria. These foreigners were detained / disclosed during the transfer to Poland or illegal crossing of the Polish border. In the course of further actions, it was established that they submitted applications to one of the voivodship offices in Poland and that proceedings regarding legalization of stay in Poland were pending. In the cases indicated, it could not always be clearly stated whether the perpetrators had previously entered Poland legally on the basis of visas issued by another Schengen State or illegally on the basis of the contested documents with the direct intention of submitting an application for a residence permit. Nonetheless, there were serious grounds for presuming that some of them might have been associated with 'residence tourism'. After a successful attempt to submit an application for a stay in Poland, the foreigners did not wait for the administrative procedure to be completed, but went to other EU / Schengen member countries, where they intended to stay. In these cases, there was also a decrease in the number of disclosures (122 compared to 238 in 2018)

Phishing scams may also take other forms that have already been frequently noted by the Border Guard. These are primarily: fictitious marriages, fictitious taking up education in Poland, as well as extorting permanent residence permits by falsifying documents certifying Polish origin. Such threats were also observed in 2019 and the first months of 2020 at the Katowice-Pyrzowice air border crossing (fictitious marriage), as well as in the Kujawsko-Pomorskie Voivodship Office (fictitious undertaking of education in Poland).

## 7.6 OTHER CASES

Amendments were made to the Act of 12 December 2013 on foreigners, including on the introduction of the institution of approval of units conducting studies for the admission of foreigners (so-called university certification).

The purpose of the system of the so-called system of foreigners and some other acts of the so-called system introduced by the Act of February 22, 2019 "Certification of entities" by the Minister of the Interior and Administration, through individual services and obligatory visa consultations, is to prevent and counteract illegal migration, under the guise of studying at universities - the

phenomenon of the functioning of scientific entities whose real purpose is to facilitate entry and stay for foreigners. During the above procedures are examined premises for the activities of the unit conducting studies, consisting in the admission of foreigners, in terms of the threat to national defense or security or the protection of public safety and order, as well as the interests of the Republic of Poland. The activities of the Border Guard in this respect refer to units conducting studies and scientific units, internships organizers, as well as organizational units for the needs of which foreigners are to perform services as volunteers. Verification of the listed entities consists in collecting all relevant information regarding, among others the nature, scope of operations, contracts concluded between the entity and the foreigner, the manner of organizing studies, or acquiring foreigners and establishing contact with them.

## 8 TRAFFICKING IN HUMAN BEINGS

### 8.1 NATIONAL STRATEGIC POLICY DEVELOPMENTS

On the 15th of February 2019 the Minister of the Interior and Administration established the Committee for Combating Trafficking in Human Beings. All Committee members have voting rights, including representatives of non-governmental organisations.

Moreover, the Ministry of the Interior and Administration participated in the transnational project Paving the Way for the Harmonized Operational Framework in the Baltic Sea Region (HOF-BSR). The project was financed by the Government Offices of Sweden and the Swedish Institute. The main output of the project is the transnational referral mechanism for victims of human trafficking in the Baltic Sea Region (available online at <https://bsr-trm.com/>).

### 8.2 IMPROVING IDENTIFICATION OF AND PROVISION OF INFORMATION TO THIRD-COUNTRY NATIONAL VICTIMS OF HUMAN TRAFFICKING

In 2019, training ventures continued, in line with with a four-level training system for Border Guard officers in the field of human trafficking in force in the Border Guard, approved on 29th of December 2010 by the Chief Commander of the Border Guard (from level I-basic to level IV-expert).

1171 BG officers were trained from level I. The total number (for 2011-2019) of BG officers trained with basic knowledge about combating and preventing trafficking in human beings is 14 364.

In turn, as part of level II, in 2019: 28 BG officers were trained, and from level III - 10. In total (for the years 2011-2019), 372 BG officers were trained from levels II and III. Whereas, within level IV, 35 officers of the Border Guard took part in the workshop of human trafficking coordinators.

In addition, in 2019, 450 BG officers were trained on the issues of 'Algorithm of conduct in the event of a suspected offense of trafficking in human beings to the detriment of a minor' (so far, 3 760 BG officers have been trained from the so-called 'Small Algorithm').

It should be noted that 2019 was the last year in force of the Border Guard officers training system in the field of trafficking in human beings. From 2020, the current level I trainings will be implemented by training centers in Koszalin and Kętrzyn, as part of basic training or non-

commissioned training (training will be provided to those entering service). On the other hand, previous trainings from Levels II and III will be implemented on the basis of weekly specialist courses containing two workshop days (implemented at the SG Central Training Center in Koszalin). Trafficking Coordinators will continue to participate in training workshops resulting from the provisions of the National Action Plan against Trafficking in Human Beings.

In September 2019, Poland organized and financed internship stays in the area of preventing and combating trafficking in human beings in support of young officials and migration researchers from partner countries, Georgia and Azerbaijan.

### 8.3 COOPERATION WITH THIRD COUNTRIES

There is a joint investigation team with the British side focused on combating trafficking in human beings from the area of the exploitation of forced marriage. Regarding preventive activities, BG officers, including coordinators for combating and preventing trafficking in human beings from regional BG Offices participated in 2019 in preventive undertakings related to the prevention of trafficking in human beings, holding training meetings with junior high school, high school, high school and teaching staff. Training was also carried out with the local staff of the State Labor Inspectorate, Crisis Intervention Centers, MOPS, MOPR and probation officers, office workers etc. A total of 5500 were trained (mainly pupils and students).

## 9 RETURN AND READMISSION

### 9.1 ENHANCING RETURN MIGRATION MANAGEMENT INCLUDING COOPERATION AMONG EU MEMBER STATES ON RETURN PRACTICES

The number of foreigners transferred to the third countries under simplified readmission procedure fell by 32.8% compared to 2018. Most transfers were conducted to Ukraine (over 90%). The number of foreigners transferred from Poland under the Dublin III Regulation also decreased by 26% compared to 2018. The Scheduled Flight project carried out by Frontex was implemented at the national level in the organization of forced returns by air. From 10 May 2019 the International Organization for Migration in partnership with the Polish Border Guard and the Office for Foreigners provides in a joint project assistance in voluntary return. Non-governmental organizations involved in the monitoring of forced returns in Poland were given the possibility of 100% refinancing of all costs related to the implementation of monitoring tasks.

### 9.2 MAIN NATIONAL DEVELOPMENTS IN THE FIELD OF RETURN, INCLUDING RETURN DECISION, (ASSISTED) VOLUNTARY RETURN, (ALTERNATIVES FOR) DETENTION, ETC.

From May 10, 2019, assistance in voluntary return is provided as part of a project implemented by IOM in partnership with the Border Guard and the Office for Foreigners. The costs of providing assistance in voluntary return are currently co-financed from the funds of the Asylum, Migration and Integration Fund (in the period of 30 June 2015-10 May 2019 related costs with the financing of assistance in voluntary return, they were entirely covered by the state budget from the part managed by the Minister of the Interior, from the resources being at the disposal of the Chief Commander of the Border Guard). In addition, the FAMI co-financing enabled IOM to organize reintegration assistance under this project for foreigners benefiting from voluntary return assistance. It should be noted that foreigners who meet the criteria set out in this project may apply for reintegration assistance.

### 9.3 RETURN OF IRREGULAR MIGRANTS

Non-governmental organizations dealing with monitoring of forced returns in Poland have been given the possibility of 100% refinancing of all costs related to the implementation of tasks related to monitoring. The stimulating factor was the increase in the participation of representatives in such activities.

#### 9.4 STRENGTHENING COOPERATION WITH THIRD COUNTRIES OF ORIGIN AND TRANSIT ON RETURN AND REINTEGRATION MANAGEMENT

In 2019, 360 border guard officers carried out 12 joint operations with the Macedonian police. Participants of the mission provided support in the direct protection of the Macedonian-Greek border, supporting actions aimed at preventing illegal migration.

In 2019, as part of the Ministry of Foreign Affairs Polish Aid program, a project entitled "Strengthening the State Border Service of Ukraine in combating cross-border crime" was implemented. The project involved the implementation of 8 editions of training for representatives of the State Border Service of Ukraine, 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, he began his function on 27 April 2019.

Thanks to the delegation of a BG officer as EURLO to Hanoi (Vietnam) - in 2019 the mode of transferring citizens of Vietnam with valid passports (found this is reflected in the working protocol of the bilateral meeting). The change allowed to shorten from 21 to 15 days the deadline for providing information to the Vietnamese Party regarding the organized return of a foreigner.

Thanks to the delegation of a SG officer as EURLO to Hanoi (Vietnam) in 2019, the efficiency of implementing the readmission agreement with Vietnam increased. In 2018, 68% of applications for identification were considered positive, in 2019 this efficiency was 96% (EURLO officer began posting on November 1, 2018, however, the effects of cooperation are visible in 2019).

Due to the excellent effects of training for the State Migration Service of Ukraine (SMSU) in the area of return of foreigners, the Border Guard continued, at the request of the Ukrainian Party, training for SMSU and organized a series of workshops for graduates of the National Academy of the State Border Guard of Ukraine Bogdan Chmielnicki. Trainings were also organized for migration and border services: Vietnam, Belarus, Tajikistan, Kyrgyzstan and Uzbekistan.

##### Training for Ukraine:

- for representatives of the State Migration Service of Ukraine.

Training for multipliers "Migration management with particular emphasis on return-related activities", four editions of training were organized in Poland,

- 5 editions of workshops for graduates of the National Academy of State Border Guards of Ukraine Bogdan Chmielnicki based on the didactic and accommodation base of the BG Specialist Training Center in Lubań.

The trainings were modeled on the training program adopted for Polish officers of the Border Guard from the department responsible for foreigners and concerned mainly methods of identifying persons and organization of return of foreigners.

#### Training for Vietnam:

- 1 training in Poland for 10 representatives of the Immigration Department of the Ministry of Public Security of the Socialist Republic of Vietnam

In connection with the arrangements contained in the Working Protocol, signed in Warsaw on April 12, 2019, 10 representatives of the Immigration Department of the Ministry of Public Security of the Socialist Republic of Vietnam were invited to Poland to participate in workshops on procedures and practices related to the return of immigrants in the European Union and in Poland.

The main idea of the action entitled "Strengthening the capacity of Vietnamese migration services to combat illegal migration" was the further development of mutual relations between the Republic of Poland and the Socialist Republic of Vietnam in strengthening cooperation between the authorized services and the institution responsible for migration issues.

#### Training for Belarus:

Cooperation with the Belarusian partner began with a meeting of BG representatives with representatives of the Department of Citizenship and Migration of the Ministry of the Interior and of the State Border Committee of the Republic of Belarus that took place on May 23-24, 2019 in Minsk. At the meeting, the Parties agreed that on the territory of the Republic of Poland as part of the pilot project there would be workshops for the management and executive staff of the abovementioned services.

- at the BG Specialist Training Center in Lubań, training was held for the executive staff of the border and migration services of Belarus "Strengthening the capacity of the migration service and border Republic of Belarus in the field of migration management." The workshop was attended by 5 representatives of the Citizenship and Migration Department of the Ministry of the Interior of the Republic of Poland and 5 officers of the State Border Committee of the Security Council.

- Migration management workshops for 5 representatives of the management of the Citizenship and Migration Department of the Ministry of the Interior were held in Warsaw and 5 representatives of the management of the State Border Committee of the Republic of Belarus.

#### Training for Uzbekistan:

According to the working arrangements adopted on April 1-6, 2019 during the visit in Poland, the delegation of the Republic of Uzbekistan, the Border Guard prepared a workshop proposal addressed to 10 representatives of Uzbekistan's services and institutions competent in matters of preventing illegal migration.

- a training was held at the headquarters of regional BG office in Lubań "Strengthening the capacity of Uzbek border and migration services to combat illegal migration". The subjects concerned issues related to identification and return, including combating illegal migration, confirmation of identity, forced returns, administrative procedures for foreigners, forgery of documents and socio-cultural identification of foreigners. The main idea of the pilot workshop was the development of mutual relations between the Republic of Poland and the Republic of Uzbekistan in the scope of strengthening cooperation between authorized services and institutions responsible for matters related to counteracting illegal migration.

#### Training for Tajikistan:

As a result of the arrangements made during the visit of the BG representatives in Dushanbe in September 2018, training for officers of the State Committee for National Security and Border Guard Forces of the Republic of Tajikistan has been planned

- the subjects of the training, which took place in 2019 in Warsaw, concerned related issues with identification and returns, including combating illegal migration, confirmation of identity, forced returns, administrative procedures for foreigners, forgery of documents and socio-cultural identification of foreigners.

#### Training for Kyrgyzstan:

As a result of working arrangements adopted during the visit of the delegation of the Kyrgyz Republic in Warsaw on November 20-23, 2018 and during the visit of SG representatives in Kyrgyzstan on September 22-27, 2019, an action was initiated to train 10 representatives of the Kyrgyz Party in the field of migration management.

- in 2019, workshops for representatives of the State Migration Service at the Government of the Republic of Kyrgyzstan took place in Szklarska Poręba and Warsaw. 10 representatives of the abovementioned took part in the training "Strengthening the capacity of Kyrgyzstan's border and migration services to combat illegal migration". The training was carried out by experts from the Border Guard and external institutions.



## 10 MIGRATION AND DEVELOPMENT

### 10.1 MOBILITY PARTNERSHIPS, INCLUDING PARTICIPATION IN THE EU MOBILITY PARTNERSHIPS (MPS)/COMMON AGENDAS ON MIGRATION AND MOBILITY (CAMMS) UNDER THE GLOBAL APPROACH TO MIGRATION AND MOBILITY (GAMM)

As part of the Mobility Partnership, Poland participated in the Sustaining Georgia's migration management program in which, in cooperation with the International Centre for Migration Policy Development (ICMPD), supported Georgia in building the capacity of national migration services in all aspects of migration management. In addition, as part of the Support for Young Officials and Migration Researchers from Partner Countries program, Poland organized and financed internship visits for citizens of Georgia, Azerbaijan and Tunisia in the collection and processing of migration data. In addition, in cooperation with Germany, the Netherlands and ICMPD, Poland participated in the Restart program 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.

### 10.2 NATIONAL ACTIONS TO SUPPORT MIGRATION AND DEVELOPMENTS.

The European Migration Network in Poland organized two national conferences: "Cooperation with third countries in fight against smuggling and trafficking on human beings" held in Warsaw on June 3-4 and "The level of internationalization of higher education institutions and migration policies" held in Krakow on November 28-29.

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