Regional Refugee Response for the Ukraine Situation

POLAND

Joint Protection Analysis

October 2023

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Introduction

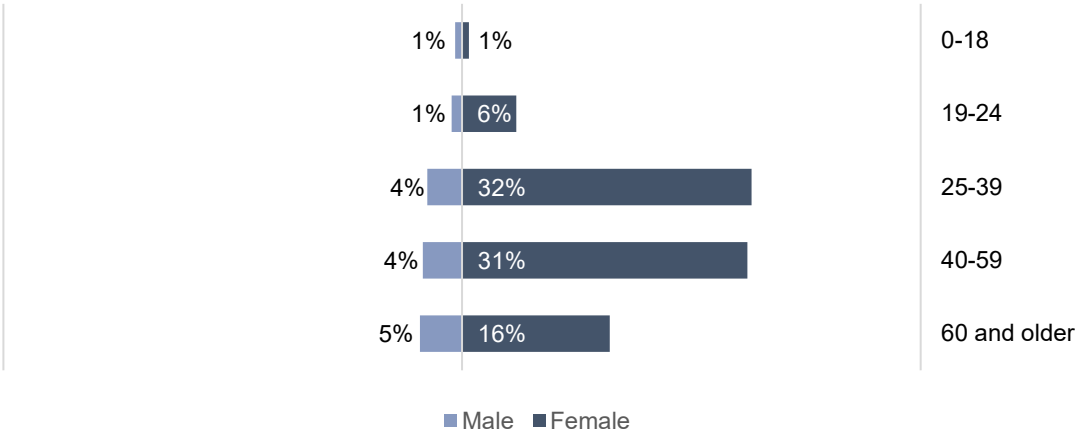
Since the beginning of the escalation of war in Ukraine on 24 February 2022, UNHCR Poland, together with Protection Sector partners, has been actively monitoring protection risks affecting refugees fleeing the hostilities. As part of its continuous efforts to strengthen protection analysis and joint advocacy, the Protection Sector worked with partners in the initial phase of the Ukraine emergency and the first joint interagency product was published in May 2022.[1] A second joint product, issuing recommendations on the application of the Temporary Protection Directive in Poland, was published in December 2022.[2] The Protection Monitoring Task Force, established in March 2023, aims to harmonize protection monitoring tools, join efforts on data collection and produce joint analysis.

Methodology

The information below includes contributions and analysis from the Association for Legal Intervention, Central Roma Council, CLEAR Global, the Danish Refugee Council, European Lawyers in Lesvos, Halina Niec Legal Aid Centre, IOM (International Organization for Migration), the International Orthodox Christian Charities, International Rescue Committee, Oxfam, Polish Medical Mission, the Norwegian Refugee Council, Towards Dialogue Foundation, UN Women and UNHCR.[3]

In 2023, UNHCR conducted a total of 18,161 interviews in several regions of Poland, in which 3,911 (22%) respondents were recently arrived refugees who had crossed the border within the last 30 days.

Age and gender structure of respondents



In addition to Protection Monitoring data, this report includes findings from seven focus-group discussions with 37 refugee women and men from Ukraine and service providers, along with 25 key informant interviews within an age range of 20 to 68, facilitated by UNHCR and partners as part of a GBV safety assessment.

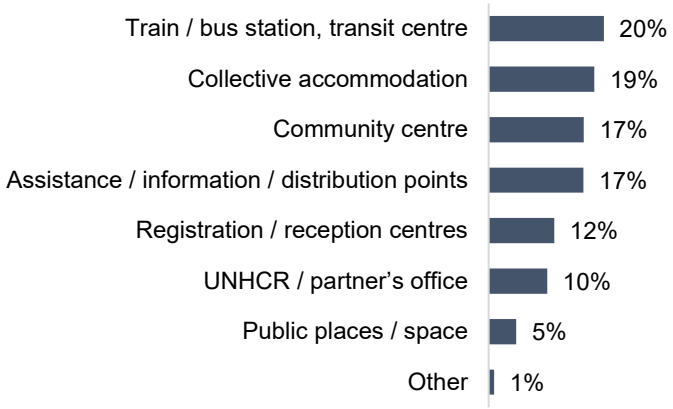
[1] Document - Poland: Protection Analysis (May 2022) (unhcr.org)
[2] Recommendations on the application of the Temporary Protection Directive in Poland (December 2022) - Poland | ReliefWeb

These consultations were also complemented using observational checklists. The various counterparts that took part in the consultations ranged from municipal staff, psychologists, faith-based actors, adolescent and child-care facility educators, experts (anti-trafficking, PSEA, Roma inclusion and persons with disabilities), advocates, as well as staff in collective accommodation shelters. During the same exercise, UNHCR together with partner organization staff, Protection Monitors, and volunteers, held twelve Focus Group Discussions (FGDs) with refugee children aged 10 to 17 and their caregivers, and four Key Informant Interviews (KIIs), to find out more about various risks, challenges, and opportunities that refugee children face in their host communities. In total 58 children took part in this exercise (35 girls and 23 boys).

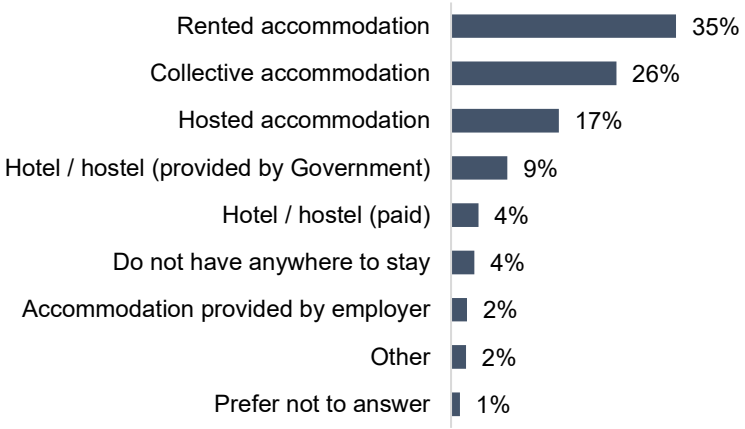
In May 2023, IRC conducted 19 individual interviews (qualitative) with refugees from Ukraine aged 12-17 in Warsaw and Katowice. In the final sample, twelve girls and seven boys participated in the individual interviews, eleven participants aged 12-14, and nine participants were 15-17 years old.

Protection monitoring interviews are frequently conducted at collective sites and distribution points with the aim to assist the most vulnerable, thus findings from the interviews may be biased towards those most at risk. See below disaggregation by place of interview and place of residence of respondents.

Place of interview



Accommodation of respondents



Protection incidents related to status and documentation, were collaboratively collected through incident monitoring initiatives conducted by UNHCR and Protection Sector partners, including European Lawyers in Lesvos, Towards Dialogue Foundation, the International Orthodox Christian Charities, the Central Roma Council, the Norwegian Refugee Council, and the Association for Legal Intervention.

The incident monitoring endeavors were designed to identify and document protection incidents, affecting individuals in relation to the withdrawal of their temporary protection status (and subsequent deactivation of PESEL UKR) and the associated social security entitlements. The primary objective of these efforts was to support evidence-based advocacy and establish response mechanisms and referral pathways for individuals facing protection risks, ensuring that they receive appropriate follow-up from relevant authorities. These protection incidents were collected from June 2023 to August 2023 through in-person interactions during service provision conducted by UNHCR and protection partners, mainly by legal aid providers and protection monitors. Data was collected in accordance with UNHCR data protection principles.

Profile

For this report, we refer to *new arrivals* as persons who reported to have arrived in Poland between 1 January – 30 June 2023. *Early arrivals* refers to persons who arrived in Poland in the period of 24 February 2022 – 30 June 2022.

Based on data findings from protection monitoring exercises, family size and dependency indicates that large families, including single mothers with dependents, and families with members suffering from medical conditions were more prevalent in the early phases of displacement, while there is a significant increase of prevalence of single adults among those who have arrived more recently. More recently arrived refugees may have been able to cope with uncertainties, limited access to services and insecurity in conflict areas for longer but are increasingly unable to face the multifaceted impact of the war in Ukraine.

Data indicates that 14% of those interviewed are elderly persons (over the age of 60 years old) living on their own. Additional focus on this group, including with an aim to identify the availability of community support networks and specific risks affecting this group, is required to ensure that the humanitarian response mitigates protection risks, promotes inclusion, and meets psychosocial needs potentially arising from isolation of elderly persons.

Regarding risks of disability, 51% of the families interviewed reported to have at least one member who reported difficulties as per the Washington Group Questions[4], which has reduced to 40% for new arrivals.

[4] The Washington Group on Disability Statistics, WG Short Set on Functioning (WG-SS)

	Early Arrivals	New Arrivals
Average household size	2.5	2.2
Families with at least one member disability related risks (Washington Group Questions)	51%	40%
HHs with at least one member with serious medical condition	26%	18%
1 person HHs	24%	42%
HHs with elderly living alone	14%	14%
HHs with single female caregiver	44%	26%
HHs with child(ren)	60%	39%
HHs with persons 60+	31%	24%
HHs with only females	46%	47%

Areas of origin by date of arrival to Poland

24 February 2022 – 31 March 2022

1 April 2022 – 30 June 2022

1 July 2022 – 30 September 2022

1 October 2022 – 31 December 2022

1 January 2023 – 31 March 2023

1 April 2023 – 30 June 2023

The correlation between areas of origin and date of displacement reflects the regions most affected by the ongoing war in Ukraine. As indicated in the Protection Analysis issued by the Protection Cluster in Ukraine in July 2023, Donetska, Luhanska, Zaporizka and Kharkivska oblasts in the East are at the centre of the war, with areas of the Khersonska, Odeska and Mykolaivska oblasts in the South also impacted.[5]

[5] Protection Cluster Ukraine, Protection Analysis Update, June 2023.

Accommodation

Among newly arrived refugees interviewed, 27.8% live in collective sites provided by the authorities or privately owned accommodation, 16.6% are hosted by friends or relatives, 10.3% lack a place to stay at the time of the interview, and 10.3% are in government or privately owned hotels or hostels.

Accommodation remains one of the top three priority needs for new arrivals (34.1%), followed by employment (33.6%) and material assistance (31.9%). In contrast, most early arrivals are likely to have already secured housing and gained a certain degree of self-reliance, and prioritize material assistance, followed by medical care and employment.

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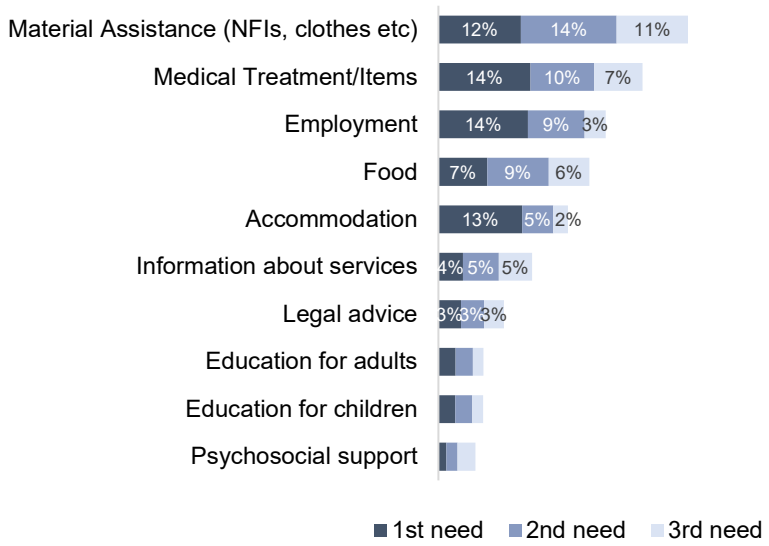
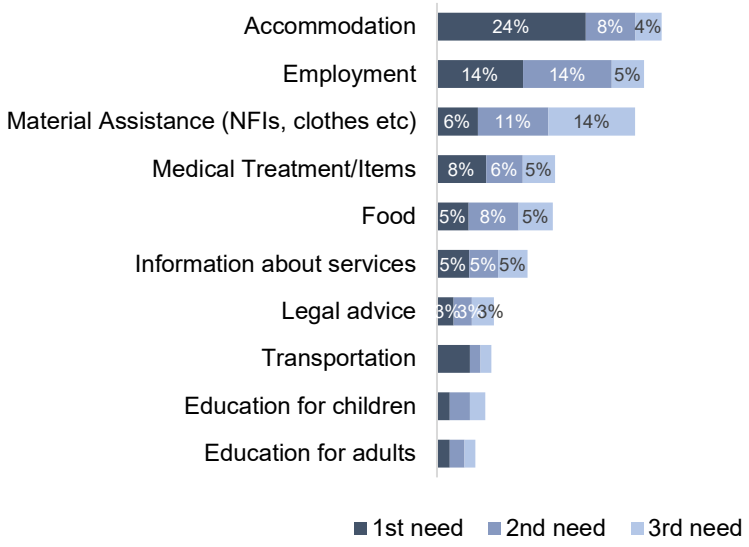
Priority needs

Refugees who arrived between 24 February 2022 – 30 June 2022 (early arrivals)



Refugees who arrived between 1 January 2023 – 30 June 2023 (new arrivals)



Regarding information needs, the three priorities reported are information about access to financial aid (which includes government benefits and subsidies as well as cash assistance programs implemented by humanitarian actors), access to the labor market and medical services. While registration for temporary protection is a rather straightforward and decentralized process, mostly managed by municipalities, 20% of those interviewed report the need for information on their legal status. Interviews with refugees indicate that both uncertainties around the extension of Temporary Protection and incidents relating to the withdrawal of status and deactivation of PESEL UKR could

be factors for this need to still feature so prominently among both early and new arrivals (See below Section on Status and Documentation).

Information need	Overall	Early Arrivals	New Arrivals
Financial aid	45%	46%	43%
Job opportunities	29%	27%	32%
How to access medical care	24%	25%	22%
My legal status in this country	20%	20%	23%
Where to find accommodation	17%	14%	23%
How to obtain documentation and related rights	14%	13%	17%
How to access education	12%	10%	13%
How to access counselling/psychological support	8%	7%	9%
How to re-establish contact with relatives	2%	2%	3%
How to claim asylum	2%	1%	3%
Other	4%	5%	3%
Don't know	6%	5%	8%
Prefer not to answer	0%	0%	1%
None / no information needed	19%	18%	22%

Status and documentation

Protection Sector members have continued to observe numerous cases of unlawful withdrawal of temporary protection and the subsequent deactivation of PESEL UKR, accompanied by an increasing confusion among refugees around the reasons and the procedures to reactivate the status.

As stipulated in Article 11 of the Special act on assistance for Ukrainian refugees, commonly referred to as the Special Act, temporary protection can indeed be withdrawn for stays outside Poland exceeding 30 days, or when an individual benefits from temporary protection in another EU Member State. Consequently, PESEL UKR status is automatically changed to PESEL NUE, denoting the status of a foreigner who is neither a citizen of an EU Member State nor a family member of an EU citizen (as per Art. 4.17a of the Special Act). Reactivating this status to PESEL UKR entails different procedures depending on the specific circumstances.[4]

Between June and August 2023, the Protection Sector documented 91 protection incidents out of 95 incidents reported concerning the deactivation of PESEL UKR status and the subsequent withdrawal of temporary protection, along with one rejection for registration for temporary protection, due to the expiration of the 30-day registration period (Art. 4.2 of the Special Act, as amended in January 2023).

The incidents predominantly affected Ukrainian citizens falling within the scope of the Special Act from the Mazowieckie, Lubelskie, Małopolskie, Śląskie, Dolnośląskie, Podkarpackie, and Opolskie regions. The instances recorded included temporary protection holders whose PESEL UKR status was deactivated despite stays outside of Poland lasting less than 30 days (50 incidents), or without leaving Poland at all (four incidents). Additionally, in four instances of deactivation, temporary protection holders were recorded as tourists during border checks.

Notably, in most incidents, refugees had their PESEL UKR deactivated without any stated reasons (65 incidents). Indeed, most of the respondents only became aware of the deactivation after their social assistance was discontinued or healthcare services were denied (47 incidents). Refugees learned about the deactivation mainly verbally (29 incidents) from Local Social Welfare Centers (MOPS, GOPS, 14 incidents), the Social Insurance Institute (ZUS, 6 incidents), municipalities (6 incidents), healthcare service providers (5 instances) and Border Guards (2 instances). Importantly, this information was often provided only after refugees approached these entities, and without a decision being issued by the competent authorities.

Organizations have provided legal assistance, referring refugees deprived of their status to the relevant municipal authorities as well as to Border Guards, resulting in swift registration as temporary protection holders and restoration of their status. Despite this, it was noted that restoration of social benefits often takes months following the re-activation of status, enhancing vulnerabilities and risks of the affected refugees. Major consequences reported by persons whose status was deactivated included loss of financial benefits, including PLN 500+, a state monthly financial grant for families with children, (85 incidents)[6], the inability to access the healthcare system (26 incidents), accommodation (three incidents) and education (three incidents). As a result, concerns were raised among refugees about leaving Poland, even briefly, fearing withdrawal of temporary protection and its associated rights.

Concerns on the deactivation of PESEL UKR status and its far-reaching impact on the benefits tied to temporary protection status were also raised by the Polish Commissioner for Human Rights.[7] In response to these concerns, on 3 August 2023 the Polish Government emphasized that temporary protection holders must present a valid residence permit (diia.pl) and declare humanitarian grounds when re-entering Poland.[8]

Gender-based violence (GBV) related risks, including Sexual Exploitation and Abuse (SEA)

According to information gathered by humanitarian organizations during safety assessments conducted in 2022 and 2023, GBV risks for refugees in Poland were identified mostly in relation to securing accommodation and finances/livelihoods. Furthermore, the sector identified remaining knowledge and information needs on availability and accessibility of multi-sectorial GBV services alongside structural barriers against accessing these services such as capacity of service providers and language barriers.

Challenges in securing private or collective accommodation arrangements were mainly linked to fear of eviction, limited awareness of rights, reduced ability to access information, and power imbalances between property owners and tenants. Such

[6] It is important to note that during Parliamentary questions in July 2023, it was highlighted that the 500+ benefit was ceased in case of approx. 140.000 refugees from Ukraine from 1 June 2022 to 31 May 2023: Odpowiedź na interpelację nr 40924 w sprawie problemów obywateli Ukrainy dotyczących nieuzasadnionej utraty świadczenia wychowawczego (Answer to question no. 40924 on the problems of Ukrainian citizens regarding the unjustified loss of child-raising allowance), 7 July 2023.
[7] Letter from the Polish Commissioner for Human Rights, dated 16 June 2023. The Polish Commissioner also raised concern in an initial letter dated 8 March 2023.
[8] Letter from Polish Government in response to the letter from the Polish Commissioner for Human Rights, 3 August 2023.

challenges were reported to increase risks of GBV including SEA against diverse refugee populations including female headed households.

GBV risks including sexual exploitation and abuse (SEA) were also reported to be elevated amongst refugee communities in connection to financial insecurity, unfamiliarity with the national employment system, language barriers affecting the understanding of rights, and increased caregiving burdens experienced mainly by women and girls. Refugees who faced additional discrimination and/or stigma, such as refugees of Roma origin, persons with diverse sexual orientation, gender identities, expressions and sex characteristics (SOGIESC), as well as persons with disabilities, face a heightened risk and require focused support.

Addressing these identified risks and challenges require collaborative efforts from government authorities and humanitarian organizations with active involvement of local women and refugee-led organizations across all sectors. Going forward, the mainstreaming of GBV risk mitigation for identified risks across all sectors will be crucial to ensure the safety and well-being of refugees, especially women and girls making up 64% of the refugee population in Poland[9].

Mental health and psychosocial well-being

In a report published by WHO in December 2022, 10% of respondents reported that emotions and stress caused problems with daily functioning, and over half of those (56%) said they would benefit from mental health support[10].

A September 2023 report from Save the Children and IMPACT initiatives highlighted that children in Poland reported loneliness and worry about missing their families, friends and pets left behind in Ukraine. The report highlighted that for children, their family, particularly mothers and friends, were the most trusted adults for seeking support. The main needs children identified for themselves was to have better access to extra-curricular activities, especially sports, and more leisure time. Although psycho-social concerns affected children's and caregivers' wellbeing negatively, the report found that only a few children and caregivers sought out access to mental health and psychosocial services (MHPSS). However, more than any other group, adolescent girls indicated that they wanted to talk to a psychologist, but they did not know how to contact one or stated that their parents disapproved[11].

Caregivers furthermore express concerns about the mental health and well-being of children, particularly adolescents given the uncertainty of their future. The IRC child protection monitoring initiative found that a sense of isolation and insufficient integration in Polish society, arising mainly from a lack of language proficiency and presumed cultural differences, which lead to limited contact with Polish peers, is one of the key risks affecting the wellbeing of children. This, along with difficulties to remain in contact with friends in Ukraine or other countries, contributes to a sense of loneliness.

The public health system, on the other hand, has proven to have limited capacity to absorb the increasing demand. Therefore, long waiting times are reported, particularly

[9] Otwarte Dane, Detailed statistics on persons registered in the register of citizens of Ukraine and members of their families, September 2023.
[10] WHO, Survey on Mental Health of Ukrainian Refugees in Poland, December 2022.
[11] Save the Children and Impact Initiatives, Experiences, Needs and Aspirations of Children Adolescents and Caregivers displaced from Ukraine, September 2023.

affecting psychiatric services for children and adolescents, which is a critical need. Language and cultural barriers are also often reported by respondents in relation to the public health system.

Limited availability of MHPSS, including for specialized mental healthcare remains one of the main risk factors for refugees from Ukraine. Based on available reports, women and older people experience the most anxiety as the situation protracts, with potential to resort to harmful coping mechanisms.

Information needs around MHPSS also continue to be a gap, with persons with disabilities reported to face additional challenges vis-a-vis accessing information and services. This is further exacerbated by stigma surrounding MHPSS, which will require concerted efforts to promote trust and bonding amongst community members.

Protection risks affecting children

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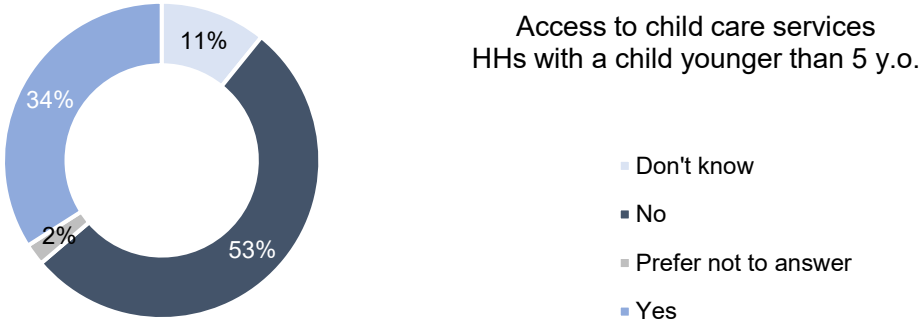
According to the Government of Poland, children represent approximately 40% of all refugees from Ukraine registered in Poland under Temporary Protection status, and have specific protection and developmental needs.

The key issues refugee children face in Poland were identified as access to the national education system, instances of reported discrimination, and limited access to specialized services, especially for children with disabilities.



Limited availability of places in public kindergartens is reported to be hindering access to early childhood education for younger children. During focus group discussions several caregivers with children with disabilities reported difficulties finding rehabilitation services and psychological help for their children due to lack of specialized services or available places.

Poland has a system of compulsory education for all children residing on Polish territory from ages 6-15, and an obligation for children to follow at least part-time education from ages 15-18. However, in March 2022, the Government of Poland issued a ministerial decree[12] exempting Ukrainian children from compulsory education if parents sign a declaration that their children attend online education according to the Ukrainian curriculum. Refugee children from Ukraine can therefore be enrolled in Polish schools, follow online education according to the Ukrainian curriculum or follow a combination of face to face and online education.

School aged children who reported attending both formal Polish education as well as online education according to the Ukrainian curriculum reported during focus group discussions with UNHCR that their reasons for choosing this option was to be better integrate into Polish society and make friends whilst at the same time being prepared for potential return in the future. However, children also reported feeling overwhelmed attending Polish school in the daytime and online learning in the evenings.

Most refugee children in Poland are not enrolled in the Polish education system. According to data from the Centre for Citizenship Education ('CEO Foundation'), at the end of the 2022/23 school year, less than half of refugee children from Ukraine were enrolled in Polish schools, with 78% of secondary school aged children remaining outside the Polish education system.[13] Concerns in relation to isolation and a lack of social networks were reported by children following online education according to the Ukrainian curriculum.

Furthermore, almost 10,000 refugee children dropped out of the Polish education system over the course of the 2022 - 2023 school year, with 144,228 children enrolled in October 2022 to 134,673 children enrolled in April 2023[14]. CEO foundation showed that enrolment of secondary school children in particular, dropped by 8% from October 2022 to April 2023.[15]

[12] Ministerial Decree dated 21 March 2022.
[13] Centre for Citizenship Education (CEO), Ukrainian Refugee Students in the Polish Education System, April 2023.
[14] Otwarte Dane, Statistics on children from Ukraine in Polish schools.
[15] *Ibid*., fn 13.

Parents and caregivers of children enrolled in Polish schools reported that their children are sometimes separated from their Polish peers and placed in Ukrainian classes, taught by Polish teachers. A growing trend of separation and two communities functioning apart has been observed in Polish schools through the establishment of "foreign classes" or seating refugee children together, apart from their Polish peers.[16] These approaches, if sustained, pose a barrier to inclusion and leave little room for social cohesion. Children also highlight instances of bullying and stigmatization in their host communities and at school.

The risks described above are heightened for refugees who face additional discrimination and/or stigma, such as refugee children of Roma origin. The lack of stable access to accommodation, compounded with the language differences, the limited capacities of the Polish school system to absorb refugee children as well as the lack of Roma school mediators have been identified as some of the main barriers to inclusion in the national education systems by Roma-led organizations. This, along with the reluctance of some Roma parents to enroll their children in the national system creates an environment where the risks of having children out of school for long periods is exacerbated.

Reports indicate that children say that their main needs are better access to Polish language classes and to extra-curricular activities, especially sports, and more leisure time while caregivers emphasized their children most urgently need access to extracurricular activities, followed by healthcare services, education and childcare. Furthermore, costs, information barriers, as well as long waiting times and availability of staff were cited by caregivers and service providers as the key obstacles against accessing services.

The IRC child protection monitoring initiative also identified parental neglect as a key risk affecting the wellbeing of children. Some of the interviewed children admitted being neglected by their parents/caregivers, for being too overwhelmed with work or other routine activities, or not showing any interest in children's problems for other reasons, such as their own concerns related to discrimination, lack of livelihoods and uncertainty about the future. Parental neglect combined with financial needs, in its turn, leads to premature transition to adulthood. Several interviewed adolescents (aged 15-17) were interested in finding employment to support their families financially. Psychological consequences of displacement, isolation and parental neglect, such as eating and sleeping problems, anxiety, feeling of loss, and uncertainty about the future have been observed among children. At the same time, some children also reported a positive change since they arrived in Poland. They feel happier and healthier compared to how they felt in Ukraine.

[16] CEO, Refugee Students in Polish Schools, September 2023.

Protection risks linked to employment

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Swift access to status, documentation and the labor market for refugees from Ukraine has substantially reduced labor related protection risks when compared to other refugee populations[17]. However, the impact of displacement on employability and access to qualified jobs is substantial and should not be underestimated, as well as the potential risks for labor exploitation faced by those most in need.

According to an NRC survey conducted in February 2023[18], the largest single share of respondents (49%) indicated that work has been their main source of income, followed by savings (34%) and humanitarian assistance (27%).

For those employed, UNHCR Protection monitoring data shows a dramatic decrease in employment rate prior and after displacement for refugees between 19 and 59 years old, moving from 76% to 57% for refugees who have attained higher education. For the same group, unemployment rose from 4% to 22% after displacement, affecting equally men and women interviewed within this age group.

Access to childcare services remains key to allow single parents with young children to take up employment. As most arrivals from Ukraine are women with children, often fleeing without their partners, the availability of adequate and affordable childcare is a precondition for refugee women's socio-economic integration[19].

While acknowledging that interviews were mostly conducted with adult women given the profile of the population, the impact of displacement on employment seem to affect adult men more, with men more often unemployed after displacement (28% for men vs 21% for women) and less often employed/self-employed (53% vs 57%). According

[17] OECD, What are the integration challenges of Ukrainian refugee women?, May 2023.
[18] NRC, Hidden Hardship: One Year Living in Forced Displacement for Refugees from Ukraine, February 2023.
[19] *Ibid*., fn 17.

to protection monitoring data, refugee men are more likely to find online or remote jobs (13% vs 11%) or run a business (5% vs 2%), and less likely to find employment in person compared to women of the same age and qualifications (35% vs 44%).

For respondents aged 40-59, the impact of displacement is more significant, with an 83% employment rate before the war, which decreased to 48%. The difference is only partially explained by the increase of individuals engaged in family responsibilities (from 7% to 13%) and relates mostly to difficulties finding a job, with unemployment increasing from 4% prior displacement to 27% in Poland post displacement.

Limited access to employment opportunities which adequately match qualifications and aspirations, and language barriers, are cited as the most common obstacles when looking for a job for those unemployed, regardless of educational background. Regarding protection risks, working long hours with low salaries and sometimes in conditions which are not suitable are to be monitored more closely.

In a survey conducted by FRA (European Union Agency for Fundamental Rights) with refugees from Ukraine in the EU, 16 % of the respondents mentioned having to work very long hours and 10 % stated that they had been underpaid or not paid at all. About 8 % said that they could not communicate freely with other workers or anyone else. The same proportion (8 %) said that they had worked without a contract or with a contract that did not cover all working hours.[20]

Human trafficking related risks

Refugees from Ukraine are considered at heightened risk of being exposed to different forms of trafficking due to the profile of the population, compounded by their displacement. The risks of trafficking in persons are deemed to be higher for unaccompanied and separated children; as well as refugees without access to temporary protection, including non-Ukrainians and third-country nationals if unable to confirm their status before the Office for Foreigners. Persons at risk of statelessness, undocumented refugees and individuals who experience obstacles accessing documentation and rights, including minorities, are also exposed to higher risks.

In the early stages of the Ukraine emergency, risks arose mostly from unregistered and unscreened individuals offering travel and accommodation to refugees. With a reduction in the number of arrivals the situation significantly improved. In addition, the fact that temporary protection holders have immediate access to legal employment and social services has significantly mitigated risks of trafficking in persons for refugees from Ukraine. However, refugees who find themselves in urgent need to find income generating activities are at risk of trafficking related labor exploitation. The forms of trafficking that refugees from Ukraine are at risk of include sexual exploitation, forced labor, illegal adoption and forced criminality. There are particular concerns around the risks of online recruitment for the purpose of sexual exploitation of young refugees due to the prevalent use of social media (particularly Viber and Telegram) to seek jobs opportunities among this group, as it has been reported that social media is broadly used by sex traffickers to recruit victims.

Despite the fact that the threat of trafficking in persons was considered “high and imminent”, the relevant authorities have recorded a rather limited number of cases

[20] European Union Agency for Fundamental Rights, Fleeing Ukraine: Displaced people’s experiences in the EU, February 2023.

disclosed and involving Ukrainian survivors. In light of reports on presumed victims of trafficking among refugees from Ukraine, who seek assistance and support of Ukrainian services upon their return from EU countries, the low number of disclosed trafficking cases may be the result of some existing barriers in referral mechanism, including lack of trust in the response services available and/or limited knowledge where one should seek assistance.

Minority groups

Refugees who are members of minorities are likely to be exposed to heightened protection risks and difficulties accessing essential services during forced displacement, as a result of a long-term legacy of discrimination, exclusion and marginalization.

Since the onset of the conflict, an indeterminate number of refugees of Roma origin have sought refuge in Poland.[21] Among the millions of people seeking refuge in the European Union and neighboring countries, 100,000 are estimated to be Roma. According to a recent report on the situation of Ukrainian Roma refugees in Poland, there is no reliable and comprehensive data on the exact number, needs and living conditions of Roma in Ukraine.[22] It is estimated that there were between 200,000 and 400,000 Roma living in Ukraine before the recent escalation of war.

Foundation Towards Dialogue indicates that Roma refugees entering Poland come mainly from eastern Ukraine, from the Kharkiv, Donetsk, Odessa and Zhytomyr Regions. As observed by Roma organizations, Roma refugees from Ukraine cross the border in large multigenerational family groups of a dozen or more persons, comprising women, children, older persons and men with disabilities.

This raises different challenges and risks, particularly in securing suitable accommodation, with instances of Roma families with children having to resort to sleeping in train stations, prompting the Polish Commissioner for Human Rights to intervene[23]. As reported by Roma organizations, Roma refugees in Poland are being hosted mainly in accommodation facilities run or administered by authorities, municipalities or municipal departments, or that are set up and run by NGOs.[24] Roma refugees often have to rely longer on accommodation facilities provided by local authorities hosting high numbers of refugees, which may lack proper supervision and monitoring mechanisms vis-à-vis safeguarding standards and protection risks. Within collective sites, segregation between Roma and non-Roma Ukrainian refugees has been observed with the aim of minimizing conflicts and tensions, arising often from a misunderstanding of the Roma culture and discrimination.

Challenges in seeking suitable long-term independent living is reported by Roma organizations, often a consequence of both discriminatory attitudes towards Roma refugees and a maintenance of community cohesion and family unity. Roma families have reported cases of discrimination and bias when trying to secure private housing, with higher levels of refusals and risks of (forced) eviction, compounded by misinformation about eviction and tenancy rights in Poland. High rental costs in urban

[21] European Commission, International Roma Day Statement by Vide-President Jourova, April 2022.
[22] Towards Dialogue Foundation, Human Rights, Needs and Discrimination – the situation of Roma refugees from Ukraine in Poland, September 2022.
[23] Letter from the Polish Ombudsman to the Podkarpackie Voivodeship Office in Rzeszów, 7 November 2022.
[24] Towards Dialogue Foundation, They are not refugees; they are travellers". Situation of Roma Refugees from Ukraine in Podkarpackie Voievodeship. Monitoring report 2022-2023, July 2023.

areas have also discouraged families from pursuing private housing on the rental market, leading to no other option but to remain in collective accommodation, pursue onward movement or return to Ukraine.

Additional challenges faced by refugees of Roma origin include securing employment, accessing information as well as essential services such as healthcare, psychological support, and education. Discriminatory attitudes toward minority groups frequently exacerbate these difficulties, eroding trust in institutional bodies and a deepening sense of marginalization and isolation.

Recommendations

Status and documentation

- The Protection Sector wishes to stress the need to ensure that temporary protection holders who reside in Poland and return after travelling outside of the Schengen area are allowed to re-enter the country and fully enjoy their rights, including automatically restoring their status and entitlements. This should be without prejudice of the time spent abroad, as automatic reactivation of status is foreseen in the Special Act. This should be facilitated without imposing additional hurdles, such as rigorous assessments or supplementary screening procedures, in accordance with the principles set forth in the Council Directive 2001/55/WE.

- Social security payments shall be swiftly restored upon reactivation of PESEL UKR status by the Social Insurance Institution (ZUS), aligning with the provisions outlined in the Special Act.

- The Protection Sector acknowledges the need for access to an appeal procedure and an effective remedy for individuals whose temporary protection status is withdrawn (PESEL UKR deactivation) or who failed to register within the mandated 30-day period following their initial arrival in Poland, in accordance with the Council Directive 2001/55/EC.

- All actors providing information on border crossing to temporary protection holders are encouraged to ensure that persons crossing the border have access to accurate and reliable information on their rights and responsibilities. This information should be provided in their preferred language, including Ukrainian and Russian, and be accessible through various formats and communication channels.

Prevention, risk mitigation and response to gender-based violence

- The mainstreaming of GBV and PSEA remains a long-term task for humanitarian organizations operating in Poland, and thus, efforts should be made to prioritize this during the remainder of 2023 and for 2024, as the risks of refugee women and children in all its intersectionality, are heightened by the continuity of the crisis.

- On GBV and SEA identified risks, the Protection Sector recommends that all actors, including government authorities, humanitarian actors, and women-led and refugee-led organizations, promote the availability and accessibility of multi-

sectoral services including for mental and psycho-social support, safety/shelter, security, health, and legal aid for survivors of GBV.

- In this respect, the Protection Sector encourages all stakeholders to continue promoting knowledge and awareness on available GBV services amongst diverse refugee communities through methods preferred by diverse community members, including persons with disabilities, and continue to coordinate, systematically track and follow up on referrals and actions to allow further evidence-based programming on GBV.

- The Protection Sector acknowledges the need to implement an integrated approach towards tackling GBV, with an emphasis on empowering individuals at risk and survivors of GBV, with a particular focus on female headed households, and proposes all actors promote the socio-economic inclusion of such individuals combined with childcare, education, MHPSS and language support.

- The Protection Sector stresses the need for all actors to undertake concerted efforts to reduce stigma and discriminatory behavior against refugee groups at risk of exclusion, who remain at heightened risk of GBV including minorities, persons living with disabilities, elderly and refugees with different sexual orientations, gender identities, expressions, and sex characteristics by actively mainstreaming their needs and priorities in GBV prevention, risk mitigation and response programming.

- All recommendations to mitigate GBV risks will require establishing safe, confidential and sensitive feedback mechanisms across all sectors, based on the diversified needs of the community members, alongside the provision of response to the feedback received and promoting analysis, reporting and understanding.

Mental Health and Psychosocial Support

- The Protection Sector recommends promoting community-based psychosocial support activities and scalable interventions targeting refugee groups with a particular focus on children, adolescents, older persons and women-headed households.

- Concerted efforts are required from all Sector members to promote trust and bonding amongst community members and expand group MHPSS interventions aimed at strengthening social links and psychosocial support including recreational, arts, sports activities and cultural / community events which also bring together refugee and host community members.

Child Protection

- The Protection Sector recommends promoting meaningful participation through consultations with children and youth by government, humanitarian, and civil society actors, in the design and implementation of child protection programming.
- The Protection Sector recommends providing child-sensitive information on rights, entitlements and specialized services to caregivers, children and adolescents.
- The Protection Sector recommends the promotion and facilitation access of refugee children to early childhood education facilities to allow caregivers to access livelihoods, but also to enhance inclusion and social cohesion.
- The Protection Sector recommends an increased focus on the inclusion of refugee children in the Polish education system and the facilitation of social cohesion and inclusion in classrooms through multi-faceted support to the education system, including to schools, teachers, parents and refugee learners.
- The Protection Sector recommends that humanitarian organizations tailor programs focused on psychological and psychosocial assistance to children, with a particular focus on the evolving needs and situation of adolescents and youth.

Protecting refugees of Roma origin

- The Protection Sector recommends that all actors, including government and local authorities, collective site managers, and humanitarian organizations, collaborate closely with Roma organizations to more effectively address the distinct needs (including reception and accommodation needs) and protection challenges encountered by refugees of Roma origin.
- The Protection Sector acknowledges the need to implement an integrated approach to ensure effective equal access without barriers to information, and quality healthcare and social services, especially for those minority groups that are most at risk or those living in marginalized or remote locations, in line with the Council Recommendation of 12 March 2021 on Roma equality, inclusion and participation (2021/C 93/01).

Employment

- The Protection and Economic Inclusion Sectors are recommended to enhance support to the government of Poland in the promotion of awareness-raising sessions on Polish Labor Law together with humanitarian actors to prevent child labor and risks related to illegal work and/or labor exploitation.
- The Protection and Economic Inclusion Sector are to promote close collaboration with the Labor Inspector Office and jointly promote reporting mechanisms among refugees.

- The Protection Sector and Economic Inclusion Sectors are recommended to seek collaboration with Trade Unions to jointly advocate for the labor rights at the workplace.

- The Protection Sector recommends that humanitarian organizations provide refugees who may be overqualified and performing low-skilled work with individualized career counselling, if possible and appropriate, in combination with MHPSS services.

Prevention and response to trafficking

- The Protection Sector takes note of the Trafficking in Persons Report[25] and in line with the 3P framework (prosecution, protection and prevention) recommends a multi-sectoral approach jointly with the government, the private sector, humanitarian community, survivors and survivor-led organizations, to further investigations and prosecutions, support victim identification and protection efforts, and develop targeted prevention programs.

- The Protection Sector recommends strengthening awareness among the refugee community on legal status and entitlements in accordance to changing legislation on temporary protection to ensure the refugee population understands their legal status and is adequately equipped on where and how to report.

- Based on the recently published GRETA report [26] the Protection Sector reiterates recommendations and calls upon the Polish authorities to strengthen safe reporting and effective complaint mechanisms for workers, to ensure that victims of abuses or exploitative situations can refer their case without fear of repercussion. Protection Monitoring data clearly indicates a high risk of labor exploitation for refugees fleeing Ukraine, which a lack of adequate labor inspections and reporting mechanisms may compound.

[25] US Department of State, Trafficking in Persons Report 2023, June 2023.
[26] Council of Europe GRETA, Evaluation Report Poland, June 2023.

Organizations contributing

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