

POLAND PROTECTION SECTOR MEETING

Meeting Minutes – 9 February 2023, 2 PM

Meeting subject:	Monthly Protection Sector Meeting
Time & location:	2pm, hybrid meeting
Chaired by:	UNHCR, HFHR
Minutes prepared by:	UNHCR
Participants:	Halina Niec Legal Aid Centre, WHO, Fundacja Q, Fundacja dla Migrantów „Dobry Start”, REACH, PAH, SIP, Oxfam, Safe Passage, CARE, Roma Council, Voice, FDDS, IRC, ICRC, PUI, IMC, DRC, Project HOPE, Faros Elpidas, Action Against Hunger, Americares, NCM, Plan International, CLEAR Global, Jaw Dikh Foundation and Centre of Migration Research, IOM, UNICEF, La Strada, Faros Elpidas, Loop, Clear Global, HIAS, Lutheran World Federation, A2, Polish Red Cross, HIACV, Save the Children, Mercy Corps, Habitat, PCK, Support to Life, Corus International, Soleterre, Two Birds, Caritas, Happy Kids, IFRC, University of Warsaw, Unbreakable Ukraine Foundation
Agenda:	Agenda <ul style="list-style-type: none">• PS: Introduction – 5 min• PS/CP: The impact of the amendments to the Special Act on unaccompanied and separated children (UNHCR/UNICEF) – 15 min• CP: Presentation of the 2022 Report on the Situation of Children in Poland (FDDS) – 30 min• TCNs: Changes in issuing certificates confirming the right to temporary protection for TCNs (IOM) – 10 min• AOB – 15 min
AGENDA POINT	DISCUSSION
Introductions and Overview	Participants were welcomed to the twenty-fourth Protection Sector meeting for the Refugee Response on Poland. The agenda was presented. An update on the status of action points from the previous meeting was provided.
Agenda point 1	UNICEF and UNHCR provided an overview of the impacts of the amendments to the Special Act on assistance to citizens of Ukraine on unaccompanied and separated children. The recent amendments are particularly reflected in Article 27 of the Special Act, according to which evacuated children should not be placed in the Polish foster care unless the best interest of the child is at stake, and Article 25, envisaging new provisions concerning temporary guardians. Specifically, in case a person who came to Poland with an evacuated child

	<p>could not take care of the child for any reason, the court shall appoint someone else as a temporary guardian. The supervision of social support centers (OPS) and powiat centers for family support (PCPR) over rights and obligations of temporary guardian should focus on appropriate care and upbringing conditions for children. Entities providing accommodation and meals for evacuated children and their caregivers can now apply for co-financing to the powiat. However, the PCPR or OPS's control is a prerequisite for granting the financial support. Lastly, any placement of Ukrainian child in a foster care needs to be approved by the voivod or municipality authority (depending on the type of alternative care). In line with key advocacy messages published in December 2022 both in English and in Polish, the Protection Sector encourages adherence to international standards and that children in need of alternative care should ideally be in an individualized family-based care situation which is in the best interest of the child per international guidance, hence discouraging the creation of parallel systems when establishing care arrangements for children from institutions transferred from the Ukraine.</p>
Agenda point 2	<p>FDDS shared the outcomes of the 2022 Report on the Situation of Children in Poland (soon available in English), which covers the situation of all children in Poland focusing on risks and threats, including the impact of poverty, physical and mental health, disabilities, violence, bullying, sexual abuse and children in legal proceedings. The report is based on official statistics gathered by public institutions, compared with data from social research. The report investigates also the challenges faced by Ukrainian children, its findings being that children evacuated from institutional care from Ukraine do not have equal protection and should enjoy the same rights as Polish children. FDDS highlighted moreover the concerning absence of information concerning enrolment rates of children from Ukraine in Polish schools or in Ukrainian online learning. The level of education, dependent upon support provided with Polish language, a support which varies from school to school, remains a challenge. In taking further action to systematically protect children from harm, it is important, among others, to introduce child protection services, pay special attention to the mental health of children and adolescents, introduce child safeguarding standards in all settings, improve interdisciplinary cooperation, improve the competences of professionals, assess all new legislation in terms of its impact on children.</p>
Agenda point 3	<p>IOM presented the recent changes in issuing temporary protection certificates to TCNs. From January 25, 2023, applications for a temporary protection certificate can be submitted by post (Office for Foreigners, ul. Taborowa 33, 02-699 Warsaw), by e-mail (Opiekowaczasowa@udsc.gov.pl), electronically via the ePUAP platform or in person at the Office for Foreigners. Applications for temporary protection should include: i) a copy of the travel document with confirmation of entry into the territory of Poland on or after February 24, 2022; ii) a copy of the document proving legal permanent residence or international protection granted by Ukrainian authorities before February 24, 2022; iii) a statement on the impossibility of safe return to the country or region of origin; iv) copies of documents regarding kinship with persons entitled to temporary protection in the case of children or other close relatives who lived together as one family. The conditions and amounts of benefits granted to beneficiaries of temporary protection are similar to those offered to asylum seekers. Beneficiaries of temporary protection indeed have the right to work without a work permit and to conduct business activities. At their request, access to free health care, accommodation or financial assistance is provided by the Office for Foreigners. IOM's assistance to TCNs includes legal advice through the Infoline (+48 22 490 20 44) or in person, comprising support to</p>

applications for temporary protection or temporary protection certificates, short-term accommodation for vulnerable cases (until the end of February), career counselling and free language classes in Polish and in English. Lastly, IOM was informed that around 1300 temporary protection certificates were issued in autumn 2022, however, a gap in data was highlighted on rejections and challenges faced by TCNs and persons being denied/asking for temporary residency permits given the absence of a formal administrative procedure. Furthermore, there is no data available for TCNs covered by TPD. In its key advocacy messages the Protection Sector advocates for the inclusion of all categories covered by article 2 (1) of the Council Implementing Decision 2022/382, – including refugees and stateless persons previously residing in Ukraine, who currently have access to a more limited set of assistance – to be included within the Special Act on Assistance to Citizens of Ukraine.

ACTION POINTS SUMMARY				
No.	Action	Responsible	Deadline	Status
1.	RRP 2023 Poland Chapter to be shared	UNHCR	asap	Ongoing
2.	GBV referral pathway: inputs to be provided, including services and assistance to TCNs	All partners	asap	Ongoing