

POLAND PROTECTION SECTOR MEETING
Meeting Minutes – 17 September 2024, 2 PM

Meeting subject:	Monthly Protection Sector Meeting
Time & location:	2pm, hybrid meeting
Chaired by:	UNHCR and Halina Niec Legal Aid Centre
Minutes prepared by:	UNHCR
Participants:	UNHCR, Halina Niec Legal Aid Centre, HFHR, IRC, ICRC, U.S. Embassy Warsaw, PAH, UNICEF, OXFAM, NRC, IOM, CARE Poland, Right to Protection, PCPM, SIP, Centre of Migration Research - University of Warsaw, PSAR, Operation Mobilisation, Ukrainian House, Towards Dialogue Foundation
Agenda:	<p>Agenda</p> <ul style="list-style-type: none"> i. Welcome and general introduction (UNHCR) – 5 min ii. Updates on child protection (UNICEF) – 20 min iii. Updates on legal protection (HNLAC) – 15 min iv. RRP process briefing (UNHCR) – 5 min v. Results of the Protection Monitoring for Q2 (IRC) – 15 min vi. Needs of the survivors and victims of war crimes in the context of Ukraine and possible referral mechanisms among PWG members (HFHR) – 10 min vii. AOB
AGENDA POINT	DISCUSSION
Introductions and Overview	Participants were welcomed to the monthly Protection Sector meeting on protection and child protection. The agenda was presented.
Agenda point 2	UNICEF provided an update on child protection with a focus on the situation of children without parental care evacuated from institutions in Ukraine. Since the beginning of the full-scale war in 2022, 2365 children have been evacuated to Poland, among whom approx. 900 remains in Poland as of 2024. Currently the relocation process is conducted for children residing in Hotel Ossa (150 children already relocated to Łódź municipality and 28 to Powiat Slupski), Moryń and Garczyn. Regarding the return to Ukraine, the evacuated children in terms of provisions regulating foster care institutions are subject to the Ukrainian law, which according to the recent changes (Resolution

	<p>no. 546) mandates an individual needs assessment before a child can return to Ukraine. The voices were raised that Polish and Ukrainian parties should conduct the assessments jointly, however recently conducted assessments (06/09-13/09/2024) covering a total of 270 children (from Torun, Olsztyn near Częstochowa, Garczyn and Koscierzyna) were facilitated only by the Ukrainian authorities with presence of Polish representatives. UNICEF raised their concerns that the assessments are not thoroughly made and seems rushed. The advocacy is ongoing on that matter to ensure that the best interest of children is considered.</p>
Agenda point 3	<p>HNLAC gave a presentation regarding recent legal developments in Polish and Ukrainian law relevant to protection. The Amendment of the Special Act was marked as crucial as its most important amendments cover: extension of the temporary protection until 30 September 2025 (general extension of TPD mechanism until 4 March 2025 on the EU level, however according to the Directive, TP has a maximum duration of 3 years, thus the amendment of law on the EU level might be necessary), inclusion of non-Ukr children of Ukr citizens, restoring regulations on work permits for Ukr psychologists, additional safeguards for children in foster care (extended period of stay after reaching the age of majority) and inclusion of Ukr children into Polish education system (linked to the social programme 800+). There were also flagged amendments which might be problematic for certain vulnerable categories (men of conscription age, persons from occupied territories, stateless), such as obligation to hold a valid travel document to register for PESEL UKR, abolition of 300PLN and 40PLN benefits and linking 800+ benefit with compulsory schooling. It was highlighted that the amended Special Act provides post-TPD solutions, such as simplified temporary residence procedure (CUKR status) granting access to labour market and social benefits. Among the other relevant legal changes, HNLAC pointed out changes in mobilization law in Ukraine (impact on the number of international protection applications in Poland and region), reintroduction of the exclusion zone adjacent to the PL-BY border, and the upcoming publication of Polish Migration Strategy and Implementation Plan of the PACT, that will hold significant changes in the refugee situation.</p>
Agenda point 4	<p>In light of the upcoming RRP workshops (18-19 September), UNHCR provided a brief update on the RRP process and its main goals and challenges. For the first time the RRP will be covering a period of two years (instead of one) what ensures suitable time for planning and sustainable funding. The RRP includes four strategic objectives, one of which is Protection established to <i>'Support host countries to ensure that refugees have effective access to legal status, protection, and rights, including through a harmonized approach beyond Temporary Protection (TP) arrangements.'</i> Eight representatives of the Polish authorities declared their presence during the workshops, which will allow for a unique discussion enriched with diverse points of view. All participants of the Protection Sector meeting were encouraged to join the workshops online and to share their comments and views.</p>
Agenda point 5	<p>IRC presented the results of Protection Monitoring for Q2 2024. The most urgent needs reported have not significantly change with material assistance, employment and accommodation being the leading issues, however the trend regarding material assistance should be observed as after steady decrease since Q1 2023 it has been rising in Q2 2024. The first recognized risk concerns eviction and/or homelessness which is a result of termination of 40+ programme, relocation to rural areas and a limited access to information regarding housing. Recent survey on homelessness found that 6% of people experiencing homelessness in Poland are Ukrainians, however the number might increase given various definitions of homelessness. It was also highlighted that the risk is directly linked to the one</p>

	<p>recognized in Q1 2023, namely ‘High reliance on free accommodation and on social benefits’. As a result of no proper response, there might be an increase in cases of premature returns to Ukraine, health issues and exploitation. The second recognized risk concerns restrained access to basic services and assistance, which includes severe material and social deprivation, and living in a household with very low work intensity. The results of the monitoring shows that nearly 70% of individuals faced challenges to cover basic needs and that coping mechanisms included cutting back on food or medical expenses. As the main source of living almost 50% of respondents indicated retirement or other social benefits. Consequently, there is a risk of social exclusion and poverty linked with mental health impact and labour exploitation. The report recognized mothers/caregivers with children with disabilities, and children and teenagers as the most affected groups. The former is particularly vulnerable regarding social services experience and access to them, information gaps and difficulties in housing, when the latter faces primarily the issues of bullying and discrimination, fear of military mobilization, and increasing number of youths reporting suicidal intentions.</p>
<p>Agenda point 6</p>	<p>HFHR gave a presentation on the needs of the survivors and victims of war crimes in the context of Ukraine. The Foundation is a part of a larger working group which documents the most serious violations of IHL to ensure that the victims have access to truth (space to share their testimonies), justice and reparation. Until now the group have gathered around 3,000 testimonies. The reported gross violations include among other torture or other cruel, inhuman or degrading treatment, sexual violence, slavery and enforced disappearances. It was highlighted that the victims need to be able to access medical, psychological, legal and social services to ensure their rehabilitation, and flagged that currently in Poland the system of protection and support for victims who are part of the criminal process is not working properly and is effective only in case of child victims. Thus, there is a need for a systemic change including introduction of definition of survivors and victims of serious violations of the international law (currently there are ongoing works in the Ministry of Justice and HFHR will hold a conference in November to gather different perspectives and guidelines on how to proceed on that matter), victims’ identification mechanisms, and recognition of this group as requiring additional support by the state. HFHR encouraged Protection Sector members to create referral mechanisms, exchange information and monitor the needs of survivors and victims for the future advocacy. Protection Sector partners are moreover invited to share their comments, advocacy points and information directly with the HFHR.</p>
<p>AOB</p>	<p>ICRC is collecting testimonies about violations of international humanitarian law during the war in Ukraine, which are further shared in the confidential dialogue with the parties of the conflict. Currently as there are no collective accommodation centers and there is less movement of Ukrainian citizens at the stations, it is difficult to reach persons who arrived from the occupied territories and would like to share their experiences. Therefore, ICRC invited Protection Sector partners to contact their organization in case they are cooperating with targeted persons who would like to give their testimonies about violations and situation on the occupied territories in Ukraine. Protection Sector partners can reach directly to ICRC colleagues who shared their contact details (may be also shared upon request by Poland Protection Sector).</p> <p>PCPM Foundation together with NRC are implementing project targeting Ukrainian refugees in Poland, based on cash protection, vocational trainings and case management. The project will be implemented until the end of the year in several voivodeships.</p>

ACTION POINTS SUMMARY				
No.	Action	Responsible	Deadline	Status
1.	Partners from the Protection Sector are invited to contact the ICRC regarding collecting testimonies of violations of IHL on the occupied territories in Ukraine.	Protection Sector members	N/A	Ongoing
2.	Partners from the Protection Sector are invited to contact the HFHR to share their comments, perspectives and information regarding the needs of the survivors and victims of war crimes in Poland and the legal advocacy in that regard.	Protection Sector members	N/A	Ongoing