



PROTECTION BRIEF POLAND

Operational Context

This report presents an overview of the demographic profiles and displacement patterns as well as the main findings regarding protection risks and priority needs of refugees from Ukraine in Poland.

This analysis is based on **1,339 interviews with refugees from Ukraine** conducted by UNHCR as part of its continuous protection monitoring exercise from **1 January 2024 to 28 March 2024**. Interviews were conducted in seven regions (voivodships) in Poland namely, Dolnośląskie, Lubelskie, Małopolskie, Mazowieckie, Podkarpackie, Pomorskie, and Wielkopolskie.

Since the full-scale invasion of Ukraine by the Russian Federation on 24 February 2022, Poland has shown exceptional hospitality to refugees from Ukraine, notably with the activation of the EU's Temporary Protection Directive. Since February 2022, 1,775,245 refugees from Ukraine have registered for temporary protection (PESEL UKR registration) in Poland, with 953,086 persons with an active PESEL UKR registration as of 7 May 2024. Among active PESEL holders, 38% are children and 82% are women and children.¹ Top 5 destination regions in Poland are Mazowieckie, Dolnośląskie, Śląskie, Wielkopolskie and Małopolskie, which account for over 60% of the registered population.

Key Figures



953,086

refugees from Ukraine who are registered in Poland



82%

of refugees under Temporary Protection are women and children



45%

of refugees are either below 18 years old or 60 and older



87%

of households report at least one urgent need



31%

of households have at least one member with a serious medical condition



40%

of households have at least one member who faces some degree of disability

¹ Government opensource data from the Ministry of Digitisation (Ministerstwo Cyfryzacji), *Registered applications for the UKR status due to the conflict in Ukraine*, March 2024, available at: <https://bit.ly/3yDMD2B>.

Profiles of new arrivals

Analysis of some of the main disparities between new arrivals and earlier arrivals² shows that there are more men among new arrivals (19% compared to 12% among earlier arrivals) and a greater number of single households (34% compared to 20% among earlier arrivals). This indicates a continuation of a trend highlighted in the previous Protection Brief published in October 2023.³



It can also be concluded that the number of newly arrived refugees who lack any form of education is also higher among new arrivals (with 8% stating they have no education whatsoever, compared to less than 1% among earlier arrivals). Additionally, higher levels of unemployment in Ukraine are reported among new arrivals (21% compared to 6% among earlier arrivals). Over half of recently arriving respondents originate from Kharkivska, Kyiv city, Lvivska, Dnipropetrovska, and Zaporizka oblasts. Among new arrivals it is further notable that in recent months, the level of difficulties faced when exiting Ukraine is reported at a higher rate by new arrivals (6% compared to 3% among earlier arrivals), additionally, reported difficulties faced upon entering Poland are also higher among new arrivals (5% compared to 1% among earlier arrivals).⁴

Protection risks

A strong sense of uncertainty faced by refugees in relation to their stay and future in Poland, and the impact this has on their emotional well-being, have characterised this reporting period. On 21 February 2024 the Government of Poland introduced amendments to *the Act on Assistance to Citizens of Ukraine in the Context of the Armed Conflict in Ukraine* (hereafter referred to as “the Special Act”) which, *inter alia*, extended temporary protection in Poland until 30 June 2024 only. As a result, in the period from February 2024 (and the period immediately preceding the amendments) to mid-April 2024 when further amendments to the Special Act proposed the extension of temporary protection until September 2025, anxiety and concern among the refugee community related to legal status was palpable.

In this report, UNHCR aims to present data and findings in relation to three areas of uncertainty affecting the lives of refugees in Poland directly, and the protection risks which flow from these uncertainties namely; **uncertainties surrounding legal status and documentation, uncertainties related to employment and uncertainties related to accommodation and housing.** The protection risks highlighted in this report are interlaced and may compound other risks. Uncertainty surrounding legal status and accommodation for instance, may increase the pressure on refugees to maintain any source of income, despite facing inequity or mistreatment in the workplace. In turn, lack of security of tenure (especially in relation to closures of collective sites) may lead to increased applications for international protection (among other factors)⁵ as reception facilities for asylum-seekers and refugees may be seen as a more stable form of accommodation. Uncertainties and consequential risks in relation to legal status, accommodation and employment may heighten vulnerability and may spark return decisions which are not truly voluntary but induced by challenges in accessing rights and support in the host country.

² With the aim of gaining a more detailed understanding of the situation and needs of newly arrived refugees (refugees who arrived in Poland less than 31 days prior to the date of the interview), UNHCR introduced a new stratum to the protection monitoring tool in January 2024. Earlier arrivals are refugees who arrived in Poland more than 31 days prior to the date of the interview.

³ Protection Sector, *Poland: Joint Protection Analysis*, October 2023, available at: <https://bit.ly/4bEyn8k>.

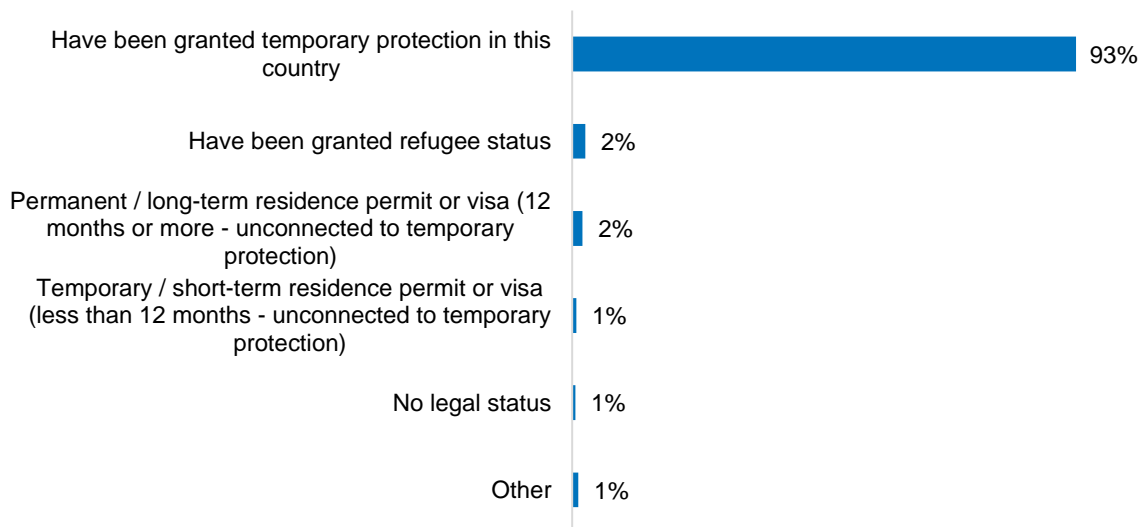
⁴ Difficulties reported upon exiting Ukraine include *inter alia* difficulties due to exit restrictions related to martial law, lack of documentation and challenges related to nationality, lack thereof, race or ethnicity. Difficulties reported entering Poland include *inter alia* issues related to lack of documentation, challenges related to nationality, lack thereof, race or ethnicity and questioning related to having stayed in the Schengen area previously for over 90 days in the last 180 days.

⁵ Rzeczpospolita, *Ukraińiec ucieka przed poborem. Lawina wniosków o ochronę międzynarodową (Ukrainians fleeing conscription: An avalanche of applications for international protection)*, April 2024, available at: <https://bit.ly/3R3Y7mr>.

Legal uncertainty

As a result of uncertainty in relation to the extension of temporary protection, in recent months refugees have searched for alternative pathways to legalizing their stay which would give them more certainty in the mid-term perspective. While most refugees continue to benefit from temporary protection in Poland (93% of respondents arriving more than 30 days before an interview), there is a growing tendency to transition to other forms of legal status. These findings are corroborated by anecdotal reports from UNHCR's legal partners who have reported an increase in queries related to applying for other forms of legal status such as international protection.

Legal status⁶



Developments regarding legislation on mobilisation in Ukraine reportedly impact the decisions made by refugees residing in Poland and may compound feelings of uncertainty, after a Bill on Mobilisation⁷ was introduced on 30 January 2024. UNHCR's legal partners have reported an increase in the number of queries related to return to Ukraine in order to perform military service⁸, additionally the number applications for international protection by Ukrainians has increased significantly. According to statistics from the Office for Foreigners, from January to April 2024, 1,538 Ukrainian citizens applied for international protection in Poland, including 674 men aged 18-64 (of whom 129 applied in January; 201 in February; 169 in March and 175 in April) while for the same period in 2023 487 Ukrainian citizens submitted applications, including 269 men. In 2023, in total, 1,770 Ukrainian citizens applied for international protection, including 635 men aged 18-64.⁹

Of further note is a variance among men and women refugees holding electronic documentation (diia.pl) as it was highlighted in the results of the comprehensive needs assessment led by UNHCR in 2023¹⁰ that 49% men have diia.pl as compared to 63% of women. Uncertainty surrounding the effects of the mobilisation law and false information circulating on social media may have contributed to this difference.

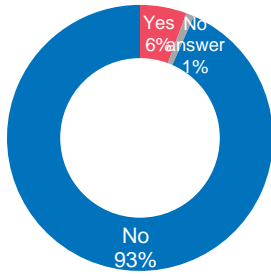
⁶ This graph refers to respondents who arrived in Poland more than 31 days before the interview date, referred to as "earlier arrivals" throughout this report. New arrivals, having arrived from Ukraine less than 31 days before the interview date were not posed a question on legal status and are therefore not included in this graph.

⁷ Available at: <https://bit.ly/453U4Mr>.

⁸ Halina Niec Legal Aid Centre, *Czy obywatel Ukrainy może zostać przekazany na Ukrainę w celu odbycia służby wojskowej?*, available at: <https://bit.ly/3wLvpQm>.

⁹ Data obtained by UNHCR from the Office for Foreigners in April 2024. Annual statistical data available at Eurostat: <https://bit.ly/3UWI4Ji>.

¹⁰ *Poland - Multi-Sector Needs Assessment: Protection Challenges for Refugees from Ukraine*, February 2024, available at: <https://bit.ly/3VkvAR1>.



Presence in a household of at least one HH member who does not have any identification document

UNHCR welcomes the amendments to the Special Act proposed by the Ministry of Interior in April 2024 which *inter alia* extend temporary protection for refugees from Ukraine in Poland until September 2025 and introduce a pathway towards temporary residence permits for refugees as a concrete way to mitigate the uncertainty and anxiety related to legal status.¹¹ UNHCR notes that identity will be confirmed through valid travel documents when applying PESEL UKR and temporary residence permits. While UNHCR appreciates the importance of confirming identity, 6% of respondents report a household member not having any form of documentation, while 26% of respondents report at least one household member missing one form of documentation with the majority of these respondents reporting missing biometric passports (17%) with 13% stating they are unable to renew or replace their documentation in Poland due to the costs, lack of information and long waiting times associated.

UNHCR calls on flexibility on the application of this requirement given the challenges that this poses to persons at risk of statelessness or with undetermined nationality, especially in light of the fact that 6% of respondents report that one of more members of their household do not have any form of identity document. Since the adoption of the law on Mobilisation in Ukraine, beyond the reporting period on which the data in this report is based, the announced suspension of consular services has led to a surge in applications for travel documents at Ukrainian Consulates in Warsaw, Lublin, Krakow, and Gdansk, with UNHCR protection monitors noting further increased waiting times and long queues.

In view of the issues above, timely access to reliable legal assistance remains a top priority. Recent findings from IRC highlight that 51% of respondents interviewed as part of IRC's protection monitoring exercise report having current legal needs. Of these, 26% specified challenges with navigating the legal system and accessing social benefits and 10% mentioned issues related to legal status.¹²

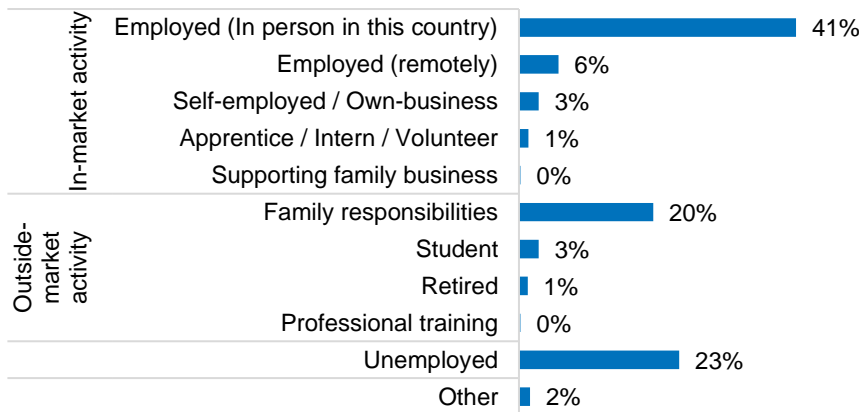
¹¹ UNHCR, *UNHCR Comments and Observations on the Draft Law amending the Act on Assistance to Citizens of Ukraine in the Context of Armed Conflict in Ukraine ("the Special Act")*, April 2024, available at: <https://bit.ly/3Vm7aSh>.

¹² International Rescue Committee (IRC), *Protection Monitoring Report September-December 2023*, March 2024, available at: <https://bit.ly/3WZWoSX>.

Labour exploitation

As per findings from a recent study conducted by Deloitte and UNHCR on the impact of refugees on the Polish economy¹³, between 225 and 350 thousand refugees from Ukraine are estimated to be working in Poland (the employment rate of refugees from Ukraine in Poland is the highest among OECD countries¹⁴). In total, the general government revenue increased by 0.8-1.1% in 2022 and 1.05-1.45% in 2023, as a direct result of the inclusion and active participation of refugees from Ukraine in the Polish labour market, including through paying taxes and opening businesses. In monetary terms, this amounts to a 10.1-13.7 billion PLN contribution in 2022 and 14.7-19.9 billion PLN contribution in 2023.¹⁵

Main activity in Poland (respondents aged 18-59)



20 March 2024, Rzeszow University Open Day and Job Fair ©UNHCR

¹³ Deloitte and UNHCR, *Poland: Analysis of the impact of refugees from Ukraine on the economy of Poland*, March 2024, available at: <https://bit.ly/3VI5tUQ>.

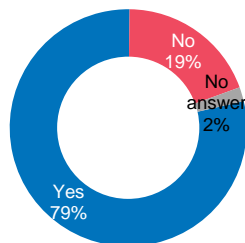
¹⁴ OECD, *International Migration Outlook 2023*, October 2023, available at: <https://bit.ly/4bBNWgX>.

¹⁵ *Supra*. Fn 12.

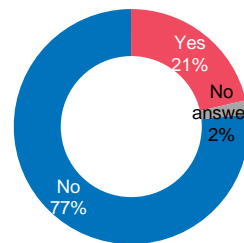
Despite these astounding figures, data from protection monitoring shows that out of refugees who report being employed in person or remotely (40% among all adult refugees and 46% among those aged 18-59):

- 19% report not having a formal contract with their employer;
- 10% report not having regular access or only partial access to their earnings, while 2% report not having access to their earnings at all;
- 21% report working excessively long hours and 2% report their identity documents have been collected and kept by their employer and
- Over half of respondents report working below their level of skills and qualifications.

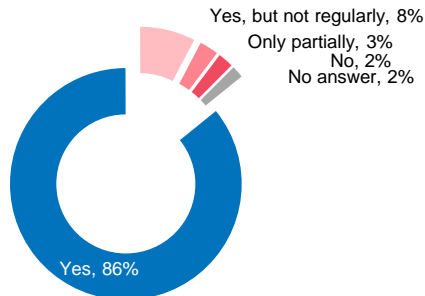
Formal contract with employer



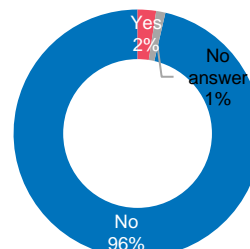
Working excessively long hours



Access to earnings



ID being collected and kept by employer



Focusing on working-age women (aged 18-59), it's notable that while 50% of refugees in this demographic are employed, a significant 22% are not working due to family responsibilities. This highlights the need for better access to childcare and care services for older persons and persons with disabilities to facilitate their participation in the workforce.

Data from protection monitoring is bolstered by findings from participatory assessments conducted by UNHCR at the end of 2023. Between September and November 2023, UNHCR, with the support of local partners, conducted 77 Focus Group Discussions (FGDs) and 12 Key Informant Interviews (KIIs). In total UNHCR interviewed 654 individuals.¹⁶ One of the main themes focused on during the discussions was Livelihoods and Economic Inclusion.

Focus group discussions highlighted difficulties faced by refugees from Ukraine on the labour market. Participants highlighted issues related to employment contracts. Some Polish employers delayed the signing of the contract, did not sign the contract at all or gave contracts that did not reflect the actual number of working hours. Non-formal labour relationships jeopardize the well-being and social security

¹⁶ Interviews were conducted in 6 voivodeships, in locations including collective shelters, community centres, NGOs premises, public institutions, schools, and UNHCR offices. Discussions were moderated by UNHCR staff, Protection Monitors and partner organizations' staff, and had a semi-structured formula.

of refugees. Violations of basic occupational safety and health standards were reported by refugees, increasing health risks for concerned refugees¹⁷. Further, unequal treatment and discrimination were widely reported by refugees who participated in the UNHCR participatory assessments.

“My friends saw a document at the factory describing how many parts employees need to produce. One Ukrainian person should produce 3000 parts and one Polish person 1500 parts monthly. When Ukrainian employees complained, the boss responded that it was in the contract, so they resigned without pay. They only got 200zł for the ticket back to Ukraine.”
- 39-year-old woman from Ukraine, living in Krakow

Recent research by the Polish Economic Institute from February 2024¹⁸ additionally found that refugees from Ukraine may face challenges within the workplace as compared to their Polish colleagues in relation to workload and treatment. Additionally, according to findings by the International Rescue Committee (“IRC”), almost 53% of respondents indicated at least one form of labour exploitation and discrimination in the workplace.¹⁹ Beyond just the workplace, a quarter of respondents as part of UNHCR protection monitoring reported to have been exposed to some form of mistreatment in Poland in the last three months.

Links between labour exploitation and human trafficking risks are unassailable as the Group of Experts on Action Against Trafficking in Human Beings (“GRETA”) reports that the number of persons trafficked to Poland for the purpose of forced labour has increased over the years.²⁰ While data shows that labour exploitation is most salient in the agriculture, construction and food industries,²¹ an often overlooked and undocumented industry is the domestic work industry. Research conducted by CARE in October 2023²² among domestic workers from Ukraine in Poland highlighted that 61% of the respondents experienced unequal treatment, discrimination, harassment or abuse at work in the sector; 51% were forced to work while sick; and 46% reported being forced to work for too long or denied adequate rest and breaks.

¹⁷ Findings in relation to the lack of formal employment contracts are also reported by the Danish Refugee Council (“DRC”) in their protection monitoring report from March 2024. The report underscores that a lack of formalised employment makes it extremely difficult to pursue legal recourse in case of violations. Crucially, it also deprives refugees of access to social insurance in case of any work-related accidents. The report is available at: <https://bit.ly/3ywgo5d>.

¹⁸ Polish Economic Institute, *Refugees from Ukraine in the Polish labour market: opportunities and obstacles*, February 2024, available at: <https://bit.ly/4bBPAiD>.

¹⁹ *Supra*, fn 12.

²⁰ GRETA, *Evaluation Report Poland: Access to justice and effective remedies for victims of trafficking in human beings*, June 2023, available at: <https://bit.ly/4bXpbeO>.

²¹ European Commission Migration and Home Affairs website, accessed in April 2024, available at: <https://bit.ly/4bArHI9>.

²² CARE, *In the Shadows: Domestic Workers in Poland*, October 2023, available at: <https://bit.ly/4dXS78y>.

Lack of security of tenure and risks of premature return

According to data from UNHCR protection monitoring safe and affordable housing and accommodation remains one of the most urgent needs raised by refugees. As, out of the 87% of refugee households who report having at least one urgent need, the most reported needs include: access to employment (39%), accommodation (27%) and healthcare (26%).



21 March 2024, Izabela hosts around 30 persons in two 2-floor individual houses in Ropzyce, ©UNHCR

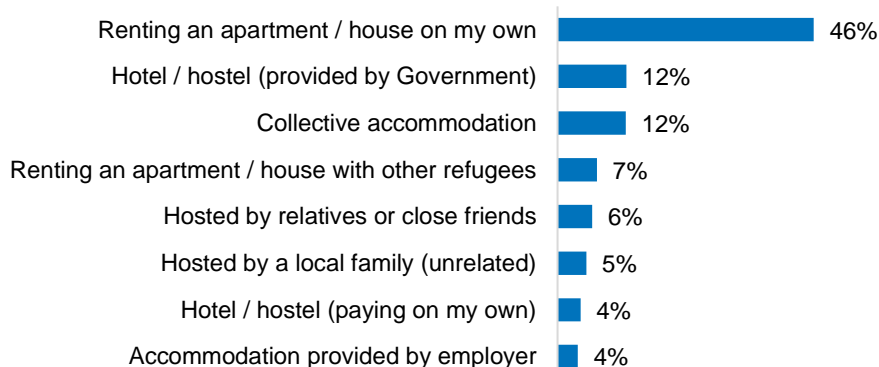
While a significant proportion of refugees from Ukraine have found private accommodation, independently or hosted by family and friends, the rapid increase in demand for housing solutions is occurring in a context of significant pre-existing challenges on the Polish housing market, causing obstacles for many to accessing independent accommodation outside of collective sites or hosting arrangements. An inability to secure long-term housing has a multi-faceted impact on refugees' ability to exercise their other rights including education, employment and social protection.

"I am living here with my wife in a small flat. The only income we have is my Ukrainian pension, which covers only our basic needs. The language barrier and the lack of friends in Poland make us suffer. We miss our house in Kherson, with a big garden with flowers and vegetables. We are planning to go back to Ukraine and maybe settle in the nearest village not occupied by the Russians"

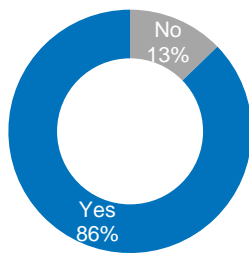
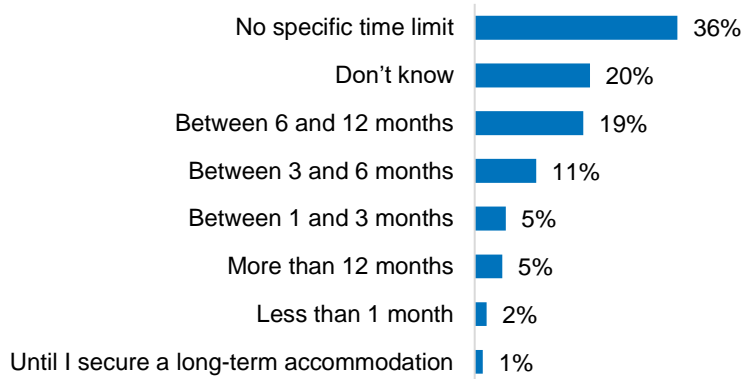
– 65 year old man from Kherson Oblast, living in Lublin

More than half of respondents are renting independently or renting jointly with a group of refugees on the private Polish housing market. However, 12% continue to be hosted in collective sites, 12% are hosted in hotels/hostels by the government and 11% of respondents are hosted by relatives or Polish families. The lack of security of tenure and temporariness of accommodation options and hosting arrangements causes uncertainty among refugees. Among the respondents, 37% stated that they can stay in the current accommodation, until they will secure a long-term housing or have no specific time limit. Still 38% can stay no longer than 12 months in current housing.

Types of accommodation



Possible length of stay in the current accommodation



Rental contract with the landlord

Out of refugees who are renting accommodation the vast majority report having a rental contract with the owner in place (86%), while 13% report not having any form of agreement with the owner of the property. However, as noted by the Danish Refugee Council in their latest protection monitoring results from March 2024²³, a written contract may not sufficiently protect against unfair actions imposed by a landlord such as rent increases or termination without sufficient notice.

As of April 2024, approximately 40,000 refugees reside in collective sites contracted by the Voivodes or municipal authorities.²⁴ Refugees living in this type of accommodation are considered some of the most vulnerable (predominantly persons with specific needs and disabilities, older persons and persons from minority groups, including refugees belonging to the Roma community). The lack of security of tenure related to closures and relocations of collective sites lead to additional pressure on refugees from Ukraine. Amendments to the Special Act in 2023 introduced financial contributions for long-term stays in collective shelters, aiming to prevent evictions leading to homelessness. However, further amendments in 2024 which aim to cease benefits received by hosts (the so-called 40pIn scheme) may increase pressure on government-run sites.

Reduced support without safeguards, in particular for persons with specific needs, may heighten vulnerability and may spark return decisions which are not truly voluntary but induced by challenges in accessing rights and support in the host country. In March 2024 the unexpected and uncoordinated closure of a collective site in Podkarpackie hosting mainly refugees from the Roma community led to large numbers of refugees returning to Ukraine, as they did not see any other options in Poland.²⁵ Key informant interviews conducted by DRC confirm that return to Ukraine is seen as a main coping strategy in the face of eviction.²⁶ In addition, abrupt reduced support and uncoordinated closures and relocations from collective sites may lead to heightened risks of homelessness. According to the Polish Ombudsman and experts from the Commission for the Prevention of Homelessness, refugees facing a housing crisis without legal housing rights in Poland fulfil the definition of being in a homelessness crisis, as defined in *the Act on Social Assistance* dated March 12, 2004.

²³ Danish Refugee Council (DRC), *Protection Monitoring Analysis*, March 2024, available at: <https://bit.ly/3ywgo5d>.

²⁴ Poland Shelter, Housing & Accommodation Sector, *Factsheet on Housing and Accommodation*, January 2024, available at: <https://bit.ly/4dXgh2W>.

²⁵ Tygodnik Powszechny, *Uchodźcy z ośrodka w Widnej Górze na Podkarpaciu z dnia na dzień musieli opuścić schronienie (Refugees from the center in Widna Góra in Podkarpackie had to leave their shelter overnight)*, March 2024, available at: <https://bit.ly/4dYPPG2>.

²⁶ *Supra*. fn. 23.

Calls to Action

Access to stable forms of legal stay

UNHCR recommends the Government of the Republic of Poland to:

- Ensure flexibility in the application of the requirement in the amended *Special Act* to present a valid travel document to access/confirm temporary protection status and to be eligible for a temporary residence permit. Particular consideration should be given to refugees from areas of Ukraine which are under occupation who may face additional barriers in renewing or replacing documentation, as well as persons at risk of statelessness or persons with undetermined nationality. In addition, specific challenges may be faced by adult men between the ages of 18-60 years following the recently announced suspension of access to consular services.
- Amend Art. 195.1.6a of *the Act on Foreigners* to address differential treatment between beneficiaries of temporary protection and persons with refugee status or subsidiary protection regarding eligibility for permanent residence.

UNHCR recommends civil society organisations and sectors to:

- Enhance legal counselling through group awareness activities or informational videos via official communication channels to dispel misinformation and alleviate some of the uncertainty.
- Increase mobile outreach to ensure refugees across Poland, including refugees in remote areas, are able to access information on their legal status and their rights, with particular consideration for those who are not digitally literate.

Access to safe and decent employment

UNHCR recommends the Government of the Republic of Poland to:

- Launch multilingual awareness campaigns and conduct free workshops with NGOs on labour rights.
- Distribute simplified documentation in key locations such as job centres and refugee support organisations. Improve awareness reporting mechanisms for those facing exploitation on the labour market.
- Implement an anonymous reporting system, strengthen whistleblower protection laws, and expand multilingual hotlines for reporting labour exploitation. Empower community leaders to help identify and report violations.
- Develop subsidized childcare services for refugee parents, encourage employers to provide on-site childcare facilities, and advocate for flexible work policies for refugee parents.
- Expand language training programs for workplace proficiency, offer free translation and interpretation services, and educate employers on accommodating language barriers.
- Allocate more resources to the Labor Inspectorate, train inspectors on labour exploitation risks unique to refugees, and establish partnerships between the Labor Inspectorate and NGOs.
- Recognize companies committed to fair employment, and encourage corporate social responsibility policies focusing on refugee labour inclusion and safety in the workplace.

- Introduce stricter regulations and licensing for employment agencies and conduct regular audits of agencies.
- Develop specific initiatives for youth employment protection, with particular consideration for refugee youth from minority groups. Strengthen legal frameworks and oversight to ensure that youth are not exploited, particularly in informal labour sectors.

Access to dignified accommodation and long-term housing options

UNHCR recommends the Government of the Republic of Poland to:

- Promote access to social benefits and social housing schemes for refugees, secure continued care for vulnerable refugees and provide transparent information to avoid risks of homelessness and premature return decisions.
- Observe a transition period ahead of the phase out of the 40pIn scheme allowing for relocations with clear safeguards in place in order to mitigate risks, in particular heightened risks faced by persons with specific needs such as persons with disabilities and elderly persons.
- Meaningfully engage with (private) hosts and refugees hosted, providing clear information on their rights and options.
- Ensure specific regard is given to persons with specific needs in the implementation of the self-reliance programme proposed in *the Special Act* amendments.
- Invest further efforts to expand long-term low-income and affordable housing solutions aimed at persons in housing need, including refugees.
- Ensure the responsibilities of voivodships in ensuring accommodation and housing for refugees are clearly defined, and that clear and dignified referral pathways to safe and vetted accommodation options are in place.

Previous Briefs and UNHCR Dashboard



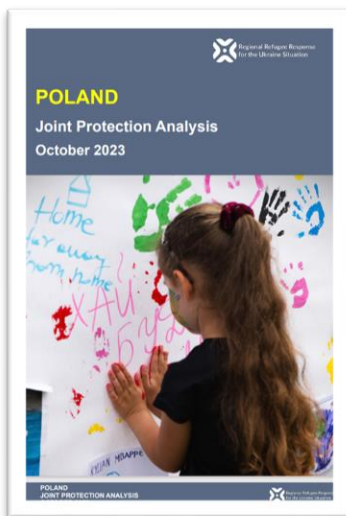
Poland Protection Monitoring Brief #1 (June to August 2022)



Poland Protection Monitoring Brief #2 (August to November 2022)



Poland Protection Monitoring Brief #3 (23 November - 31 March 2023)



Poland joint protection analysis October 2023



UNHCR Poland protection monitoring dashboard

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