Regional Refugee Response for the Ukraine Situation

POLAND PROTECTION SECTOR MEETING

Meeting Minutes – 29 May 2025

Meeting subject:	Monthly Protection Sector Meeting
Time/ location:	2pm (Hybrid: online/conference room)
Chaired by:	UNHCR, HNLAC
Minutes prepared by:	UNHCR
Participants:	HNLAC, UNHCR, SIP, ELIL, IOM, IRC, Plan International Poland, PAH, ICRC, Caritas Polska (30 participants)
Agenda:	Agenda 1. Opening remarks 1. Feedback on the protection sector training 2. Presentation of 2024 Impact Report by Association for Legal Intervention 3. Update on legal developments - HNLAC 4. Discussion and brainstorming on Protection Sector Advocacy messages 5. AOB
AGENDA POINT	**DISCUSSION**

Agenda point 1	UNHCR and HNLAC welcomed participants to the fourth Protection Sector (PS) meeting in 2025. The following was further shared with participants: • Thanks were extended to members for participating in the webinar 'Introduction to Protection' organized by the Protection Sector and its sub-sectors. The webinar included sessions on protection, coordination, child protection, GBV, TIP and volunteer guidelines. 135 participants took part in the webinar, including volunteers and RRP partner agency staff. **Action Point:** The evaluation is still open, and members are encouraged to share their feedback. So far, 34 evaluations have been received. • Members were thanked for taking the time to provide feedback through the Protection Sector Survey. The survey aims to enhance coordination efforts in 2025 and 2026 and to make the protection sector more inter-active. **Action Point:** All responses received will be compiled, analyzed, and the findings will be shared during the next Protection Sector meeting in July. • The agenda of the meeting was then introduced. • The minutes and presentations are regularly uploaded on ODP and can be accessed here.
Agenda point 2	Katarzyna Słubik from the Association for Legal Intervention (SIP) presented its 2024 Impact Report, highlighting key legal and advocacy achievements, with a focus on protection and access to rights for migrants, asylum seekers, and refugees in Poland. • **Ukrainian Response and Strategic Litigation**: The report highlighted important legal rulings concerning individuals fleeing from Ukraine. Notably, a **Supreme Administrative Court ruling (I OSK 2263/23, 13 September 2024)** addressed the issue of insufficient entry records maintained by the Border Guard and ruled that other forms of evidence should be accepted when assessing eligibility for social benefits. • **Legal Assistance**: In 2024, SIP provided legal support to **1,607 individuals**, resulting in **56 positive protection decisions** (including refugee status, subsidiary protection, humanitarian stay). Beneficiaries included representatives of vulnerable groups such as LGBTQI+ activist from Turkmenistan, member of political opposition in Belarus, or a single mother discriminated against on racial and religious grounds in China. SIP's work also emphasized the **protection of unaccompanied children**, successfully facilitating the family reunification of a 15-year-old boy from Liberia with his mother. • **Detention and Compensation Litigation**: SIP pursued litigation to challenge the detention of vulnerable individuals, including families and children. In 2024 alone, 162,000 PLN was obtained in compensation for unlawful detention. Six new applications were submitted to the European Court of Human Rights (ECtHR), including a case involving a detained unaccompanied refugee child. Compensation claims **doubled in 2024**. SIP also contributed to capacity-building by co-

	developing a **Migration Academy and a "Handbook for Judges and Migration Law Practitioners"**, in collaboration with UNHCR. • **Legal Precedents**: Positive Supreme Court rulings on detention from 2023 have already influenced **eight lower court decisions in 2024**, signaling a growing trend of jurisprudential alignment on the rights of detained refugees and migrants. • **Access to Territory and Border Monitoring**: SIP continues to monitor the situation at the Polish-Belarusian border, particularly the Terespol border crossing. While SIP welcomed recommendations by the **UN Committee** on Economics, Social and Cultural Rights to Polish authorities, these have not been implemented. SIP also engages with the **Committee of Ministers of the Council of Europe**, particularly in follow-up to the **M.K. and Others v. Poland** judgment. SIP continues to submit evidence and intervene when official narratives misrepresent conditions at the border. The full report can be accessed at: https://interwencjaprawna.pl/wp-content/uploads/2021/01/Mamy-wplyw_podsumowanie-dzialan-SIP_2024.pdf
Agenda point 3	Legal updates delivered by Katarzyna Przybysławska (HNLAC) focused on the following: • **Asylum Suspension in Practice**: A recap was provided on the provisions introduced under the amended legislation concerning the suspension of the right to seek asylum, tied to the concept of the "instrumentalization of migration." Poland is the second EU Member State, after Finland, to introduce such measures. While the legal grounds for revoking refugee status have been expanded, no such cases have been reported to date. • **Extension of New Legislation**: On 21 May 2025, the Polish Sejm (lower chamber) approved the extension of the temporary restriction on the right to apply for international protection at the border with Belarus for an additional 60 days, effective from 26 May. The rationale cited includes ongoing "instrumentalization" and threats to national security. The extension was approved with 366 votes in favour and 17 against in the Sejm. According to Border Guard data, only 29 individuals have so far been allowed to apply for international protection under the special exemptions, including vulnerable cases such as two 17-year-olds from Yemen and Syria, and a 77-year-old from Russia. • **Special Acts and Temporary Protection**: There continues to be significant public and institutional interest in the potential extension of temporary protection (TP). Clarification is expected by mid-June. At present, there is no legal basis for applying for CUKR Post-TPD 3-year residence permit, due to pending secondary regulations. It is anticipated that developments will follow the upcoming presidential elections. • **Relocation and Dublin Cases**: A growing number of individuals are reportedly transitioning from Temporary Protection to international protection procedures. One recent case involved a Ukrainian national relocated to Poland, who then applied for asylum. The Office for Foreigners (UDSC) indicated that, under the Dublin Regulation, the individual could be returned to the first country of entry where TP was granted. Similar cases may arise in the near future. • **UNHCR Recommendations**: UNHCR has recently issued updated guidance on the continued use of TP. The recommendation can be found at: UNHCR Recommendations on the continued use of Temporary Protection arrangements and Guiding Principles for Transition in relation to the Ukraine Refugee Situation | Refworld

	The presentation can be accessed here Further legal updates will be shared in upcoming Protection Sector meetings.
Agenda point 4	UNHCR shared a proposal to develop **Protection Sector Advocacy Messages** aimed at strengthening the collective voice of the protection sector on key protection concerns. Initial thematic areas for potential advocacy focus were outlined - **International Protection** (including e.g.: access to territory and asylum, alternatives to detention, support to asylum seekers and refugees) and **Temporary Protection** (i.e. extension, granting, withdrawal of temporary protection, evacuated children, access to social protection, Roma refugees from Ukraine, persons with disabilities, older people), with **matters related to both** IP and TP such as: Gender-based Violence, Child Protection, Counter-Trafficking and Prevention and reduction of statelessness, and members were invited to contribute their suggestions and ideas. Contributions should be submitted via email no later than one week prior to the next Protection Sector meeting, to allow time for consolidation into a single advocacy document.
Agenda point 5	The next Protection Sector meeting is scheduled for 10 July, 2pm.