Ministry of the Interior responds to Ombudsperson's concerns about right to apply for asylum at Belarusian border

On 17 June 2026, the Ministry of the Interior replied to a letter sent by the Polish Ombudsperson on 18 May 2026 concerning the continued suspension of the right to apply for international protection at the border with Belarus. The Ombudsperson argued that the measure was introduced as temporary on 27 March 2025 and has since been renewed every 2 months by the Council of Ministers with the approval of the Sejm (the lower house of the Parliament), noting that the law does not set a maximum number of extensions or a maximum duration for the suspension. In the Ombudsperson's view, this was incompatible with the constitutional principle that restrictions on fundamental rights must be established by statute.

In its reply, the ministry maintained that the restriction remained necessary due to the continued instrumentalisation of migration by the Belarusian authorities and argued that setting a statutory limit on the number of extensions would undermine the measure's effectiveness. It also stated that parliamentary approval for each extension provides sufficient oversight and noted that the measure has been upheld by provincial administrative courts. According to the ministry, between 27 March 2025-21 April 2026, applications for international protection from 475 foreign nationals were not accepted, while applications from 127 vulnerable persons were accepted. During the same period a year earlier, 3,611 people requested international protection at the Polish-Belarusian border.

Source(s)

- Ombudsman | Rzecznik Praw Obywatelskich (22 June, 2026), Pismo do MSWiA ws. zawieszenia prawa cudzoziemców do złożenia wniosku o ochronę międzynarodową. Kolejna odpowiedź resortu [Letter to the Ministry of Interior and Administration regarding the suspension of the right of foreigners to submit an application for international protection. Another response from the ministry], https://bip.brpo.gov.pl/pl/content/rpo-rpd-granica-ochrona-miedzynarodowa-ograniczenie-premier-mswia-odpowiedz
- Ombudsman | Rzecznik Praw Obywatelskich (25 May, 2026), Pismo do MSWiA ws. zawieszenia prawa cudzoziemców do złozenia wniosku o

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