

# Applicants with special needs - Poland | DIP EUAA

PDF generated on 2026-01-14 23:30

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## Overview

## Relevant EU legislation

Poland is bound by the recast Asylum Procedures Directive and has transposed its provisions through the Act on granting protection to foreigners on the territory of the Republic of Poland of 13 June 2003 | [Ustawa z dnia 13 czerwca 2003 r. o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej, Dz.U. 2025 poz. 223 z późn.zm.](#)

## National legislation

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Chapter 4 of the Act on Granting Protection to Foreigners provides in detail for proceedings involving unaccompanied minors or other persons with special needs.

## **Competent authority and other stakeholders**

The competent authorities are:

The Border Guard | [Straż Graniczna](#)

Office for Foreigners | [Urząd do Spraw Cudzoziemców](#)

## **Training initiatives**

As part of the professional development program for Border Guard officers, trainings are conducted on issues related to vulnerable groups, entitled *Minors in Administrative Proceedings, and Persons from Vulnerable Groups in Administrative Procedures*. Furthermore, this topic is included in other migration-related courses and related workshops e.g. to the identification of foreigners, the role of authorities in administrative proceedings and human rights issues. These training sessions are conducted periodically in accordance with the annual training program. In 2024, 2 382 Border Guard officers participated in workshops and courses concerning vulnerable groups. These training sessions primarily target front-line Border Guard officers serving in the division responsible for foreigners' affairs.

The Office for Foreigners provides its employees with a number of training courses, both face to face and e-learning, on general and specialized topics in various thematic areas. Office employees who work in centres for foreigners undergo training in working with people requiring special treatment, such as victims of

human trafficking or people with symptoms of post-traumatic stress disorder. Some of the trainings are mandatory, while others are encouraged for employees to expand the knowledge and skills necessary to perform their tasks. Persons providing educational services are trained in the Policy on protection of children from abuse in facilities for foreigners run by the Office for Foreigners. The contract for conducting Polish language, educational and adaptation classes obliges the teachers to have pedagogical preparation. The current contract with the medical operator imposes a limited training obligation on its staff, to the extent related to the implementation of the contract.

## **Special needs in reception**

### **Identification of special needs**

A preliminary identification mechanism is in place when registering an application. Border Guard officers registering an application assess whether an applicant may be a victim of trafficking in human beings or a person subjected to torture by means of a procedure introduced in 2014 on how to handle vulnerable applicants.

The Office for Foreigners is obliged to identify vulnerable persons not only after the lodging of an application but also during all the stages of the asylum procedure. For this purpose, it may be necessary to conduct a medical examination which also includes a psychological assessment.

Vulnerability assessments are based on:

- A medical check-up report produced as a result of an [epidemiological filter procedure](#) carried out in the reception centre in Biała Podlaska and Dębak. Applicants need to fill in a medical history questionnaire, undergo blood tests and chest x-rays.
- A psychological consultation report, which may be requested by an employee of the Department of Social Assistance, Department of Refugee Proceedings.
- Observations made by reception staff.
- Consultations between social workers and a doctors, nurses or psychologists.

## **Referral of applicants with special needs**

Since 16 June 2019, every asylum applicant who is registered in the reception centre is subject to a vulnerability screening to identify the type of social assistance to be provided to them (e.g. type of accommodation, special diets, long-term medical or psychological treatments).

## **Reception and care of applicants with special needs and vulnerabilities**

The categories of vulnerable persons specified in the [Act on Granting Protection to Foreigners](#), Article 68 are the following:

1. Minors
2. Persons with disabilities
3. Elderly persons
4. Pregnant women
5. Single persons with children
6. Victims of trafficking in human beings
7. Persons with medical conditions
8. Persons with mental disorders
9. Victims of torture
10. Victims of psychological, physical, including sexual, as well as gender-based violence, sexual orientation and gender identity.

The Head of the Office for Foreigners shall assess whether the person is vulnerable in the procedure for granting international protection or in the field of social assistance, by ordering a medical or psychological examination ([Act on Granting Protection to Foreigners](#), Article 68(3)).

The person may be considered to be in need of accommodation (in a centre adapted to the needs of people with disabilities, a single room or accommodation intended exclusively for women or women with children), placement in a care establishment for treatment (e.g. nursing or hospice care), placement in foster care or adjusting the diet to their state of health ([Act on Granting Protection to Foreigners](#), Article

68(2)).

## **Reception facilities and other housing arrangements**

Specific housing arrangements (for unaccompanied minors (UAMs), elderly people, single mothers and single women, and people requiring specialized care and other vulnerable groups) are available in Poland.

For the time being there is no policy defining separate accommodation for LGBTIQ applicants, however, they can always choose to apply for cash benefits to cover the costs of their stay in Poland on their own instead of living in a centre.

In Poland, 6 out of 9 reception centres managed by the Office for Foreigners are adapted for people with disabilities (e.g. entrances, some rooms and some bathrooms). Applicants with disabilities have continuous medical and psychological assistance and support from staff. Additional equipment that is required, such as wheelchairs, crutches and hygiene products, are free (if in stock) or subsidised (in the case of a wheelchair) by the Office for Foreigners. Applicants for international protection who have a severe or bedridden disability and who cannot be taken care of in a reception centre (e.g. without relatives or other support people), will be referred to specialised care and treatment facilities, providing round-the-clock long-term care.

## **Detention of vulnerable persons and applicants with special reception needs**

According to the law, families with children can be detained (in a dedicated detention centres in Lesznowola), whereas victims of violence, applicants with disabilities or UAMs cannot be detained (Article 88(a)(3) of the [Act on Granting Protection to Foreigners](#)). Similarly, applicants for whom detention constitutes a threat to life or health cannot be detained.

## **Reception of unaccompanied minors**

Chapter 4 of the [Act on Granting Protection to Foreigners](#) provides in detail for proceedings involving unaccompanied minors or other persons with special needs.

Article 62 of the [Act on Granting Protection to Foreigners](#) provides that a Border Guard which has accepted a declaration by an unaccompanied minor of its intention to lodge an application for international protection or an application for international protection by an unaccompanied minor, must bring the unaccompanied minor into a foster family or an emergency care and education facility until a decision is issued by the guardianship court.

Pursuant to the [Act on Granting Protection to Foreigners](#), the Head of the Office covers the costs of stay of unaccompanied minors in a professional foster family acting as a family emergency shelter or in an emergency care and educational facility, as well as the costs of medical care, from the date of submission of the application for international protection until the end of the proceedings.

## **Reception facilities and other housing arrangements**

### **Housing arrangements**

Unaccompanied children seeking international protection in Poland are not accommodated in reception centers for refugees. They are placed in care facilities that provide 24-hour care and upbringing for children who are wholly or partially deprived of parental care. The Ministry of Family and Social Policy is responsible for organizing foster care in Poland.

### **Specific needs and safety**

Unaccompanied minors are entitled to foster care in Poland which is provided under the Act on Family Support and the Foster Care System ([Ustawa o wspieraniu rodziny i systemie pieczy zastępczej z dnia 9 czerwca 2011 r.](#), Dz.U.2025.0.49). Their stay in Poland is legal during the asylum procedure. A guardian is appointed to unaccompanied minors who apply for asylum.

## **Age assessments**

If there are any doubts about the person's age, unaccompanied minors may, upon their consent or upon the consent of a statutory representative, be subject to medical age assessment examinations (Article 32 of the [Act on Granting Protection to Foreigners](#)). In the absence of consent to undergo the examinations, and when therefore the examination cannot be conducted, the applicant claiming to be a minor shall be considered to be an adult.

The applicant is informed by the Border Guard about:

- The possibility of determining their age by means of medical examinations;
- The manner in which medical examinations are to be carried out;
- The importance of the outcome of medical examinations in the procedure for granting international protection;
- The effect of refusing to undergo a medical examination.

Medical examinations for age assessment must be carried out in a manner that respects the dignity of the applicant, using the least invasive testing technique possible.

If it is not possible to obtain an unambiguous result of the medical examination, the applicant shall be considered a minor.

## **Access to education**

Minors gain access to education immediately after arrival in Poland and during the school year. Admission to kindergartens and the first year of primary school are straightforward processes. Children entering later stages of education must be assessed and assigned to the appropriate class, taking into account the education level completed in the country of origin.

## **Access to healthcare**

Moreover, medical and psychological care for unaccompanied foreign minors placed in foster care is provided by medical professionals in the locality where they are accommodated. This care is coordinated by the medical operator contracted by the Office for Foreigners. Medical appointments are made and coordinated through the medical operator's hotline, where the guardian of the unaccompanied minor receives information about the date and location of the appointment and how to fill prescriptions.

## **Transition to adulthood**

When an unaccompanied minor reaches the age of majority, they begin to act on their own behalf within the frame of international protection procedures without the need for custodian representation. No specific status applies.

According to Polish law, refugee status or subsidiary protection does not expire upon reaching the age of 18.

## **Detention of unaccompanied minors**

Unaccompanied minors who have applied for international protection cannot be detained (Article 88(a)(3) of the [Act on Granting Protection to Foreigners](#)). Instead, the Border Guard must request the local court to place the minor in a custodian-educational institution, where they have access to healthcare and education.

## **Special procedural guarantees**

## **First instance determination for applicants with special needs**



Article 69 of the [Act on Granting Protection to Foreigners](#) states that the asylum procedures involving applicants with special needs must be carried out:

1. In conditions that ensure the applicant's freedom of expression and in a manner adjusted to his/her psychophysical condition;
2. Within a timeframe adjusted to his/her mental and physical condition and taking into consideration the dates of his/her medical appointments
3. At the applicant's place of residence, where justified by his/her health condition.
4. In the presence of a psychologist or medical doctor and, where needed, with an interpreter and a case officer of the sex indicated by the applicant.

## **Access to information**

In Poland, third-country nationals seeking international protection receive asylum-related information through the Border Guard and the Office for Foreigners, as outlined in various legal provisions. There is no information provision tailored to specific needs and there are no specific information leaflets for applicants in need of special procedural guarantees.

According to Article 29(1) of the [Act of 13 June 2003 on granting protection to foreigners](#), the Border Guard is required to provide information in languages understandable to applicants at border crossings, guarded centres, and detention centres for foreigners. This information covers the possibility of submitting an application for international protection and includes the use of an interpreter. Furthermore, Article 30(1)(5) of the Act requires that applicants be provided with comprehensive information when submitting their application, including details on the procedure, their rights and obligations, consequences of withdrawing an application, and contact information for organizations like UNHCR and those offering legal or social assistance.

This information is provided at various stages of the asylum process, beginning

when the applicant submits their application for international protection. As specified in Article 26(7), the application form includes instructions for completing it. Article 27(3) ensures that the applicant's spouse is informed before giving consent to be included in the application. Applicants also receive specific information as outlined in Article 32(3) before undergoing a medical examination to verify claims of being a minor.

The Border Guard provides written information through leaflets and brochures at border crossings and, guarded centres, and detention centres. This includes information about the legal basis for granting protection, the procedures for submitting an application, the EURODAC and Dublin regulations, social and medical assistance, free legal assistance, and detention, as detailed in Article 29(1) of the Regulation 604/2013 and Article 4(1) of Regulation 604/2013. The authority conducting return proceedings must inform the third-country national of the possibility of applying for international protection as described in Art 304 of the [Act on Foreigners of 12 December 2013](#).

The Office for Foreigners is required to inform applicants of their rights and obligations during the international protection interview. Additionally, the Office is obliged to provide information on free legal assistance to applicants who have received a negative decision on their application. Individuals granted international protection must be informed of their rights and obligations as beneficiaries. Applicants can request free legal information to case workers.

The Office for Foreigners also delivers orientation courses to those applicants who benefit from the office's social assistance. These activities are held in centers for foreigners, in the foreigner's service point in Warsaw and online. During these courses applicants are introduced to key aspects of life in Poland, including norms, customs, traditions, education, healthcare and employment. The orientation courses are divided into two age groups; children aged 10-17, who attend sessions in the centres for foreigners; and adults aged 18 or more, who can participate in the centres for foreigners, in the foreigner's service point in Warsaw and online. The

courses are conducted in languages understood by the target participants, primarily English and Russian.

The orientation courses include an in-depth discussion of topics to facilitate a more effective integration of participants into Polish society, as well as the discussion of the challenges that they may face after arriving in the country. The topics debated during the classes are adapted to the needs of a given group. The following issues are covered in the courses for adults: Polish norms and customs, history and culture, family relations, customs and social forms, cuisine, access to medical care, legal protection, education and employment, as well as basic hygiene principles, including those relevant in epidemic situations. Classes for children cover topics such as: Polish traditions and customs, education, sport, literature, music, films and fairy tales for children and basic hygiene rules, including epidemic conditions.

An information brochure titled "First steps in Poland" is available in Polish, English, Russian, Ukrainian, Belarusian, Dari and Pashto. The brochure can be downloaded from the Office's website and physical copies are also available in the centres for foreigners and the foreigners' service point in Warsaw. The brochure is divided into 4 sections: information about Poland (basic information about the country, its history, climate, cuisine and customs), the international protection procedure (step-by-step guidance on the asylum process from submitting an application to receiving a final decision, and what the applicant should pay attention to), social assistance (types of assistance available to applicants and guidance on how to address formalities), and information on next steps following the granting of international protection.

In 2024, the Office for Foreigners developed the Refugeebook application, available in 5 languages. Among other topics, the app includes content relating to social assistance, the international protection procedure and basic information about Poland. This tool allows users to receive up-to-date information relevant to third-country nationals through news updates and notifications.

## **Personal interview**

The conditions in which the interview is conducted are tailored to the needs and preferences of vulnerable applicants. In exceptional situations (e.g. serious illness), an interview can be held in the applicants' place of residence.

When needed, applicants for international protection can be assisted by a psychologist or a medical doctor.

## **Legal assistance**

An adult who is unable to represent his or her own interests due to a mental or physical health condition may have a guardian appointed by a court. Free legal aid is also available from selected organisations at the second instance of the procedure.

## **Guarantees for unaccompanied minors**

There are several legal provisions in the [Act on Granting Protection to Foreigners](#) which address the specific needs of unaccompanied minors during the international protection procedure (e.g. Articles 26, 32, 33(b)), while Chapter 4 addresses specifically proceedings involving unaccompanied minors.

## **Making, registering and lodging an asylum application**

Article 26 of the [Act on Granting Protection to Foreigners](#) sets out that unaccompanied minors' applications can be submitted by a guardian established by the court or by a representative from an NGO. Article 61 of the Act also provides that when a Border Guard is addressed by an unaccompanied minor that wishes to apply for international protection, the Border Guard must request the court to appoint a guardian. The court is obliged to appoint a guardian within 3 days.

Asylum interviews for unaccompanied minors are conducted by specially trained staff, in the presence of a guardian, a psychologist and, if requested, of person of their trust.

## **Information provision**

Third-country nationals seeking international protection in Poland receive asylum-related information from the Border Guard and the Office for Foreigners, as stipulated in various legal provisions.

Unaccompanied minors are provided with information in a child-friendly manner by the case officer assigned to their case, in cooperation with their guardian. The case officer's information does not cover the right to healthcare services or medical screenings.

## **Best interests of the child in the Dublin procedure**

There is a specific procedure for assessing the best interests of the child within the Dublin procedure. To the greatest extent possible, and in a way appropriate to the age and maturity of the minor, the minor's point of view is taken into account. Minor representatives' and family members' statements are also analysed, along with information provided by other Member States or persons involved (social workers, NGOs). Observations by case officers of the general involvement of a family member in the process of reunification also play a role in the assessment process. Final decisions are taken individually on the basis of the documents, information and observations collected.

UNHCR has reported that [NGOs](#) cooperate with the Border Guards and the Dublin Unit in assessing the best interests of unaccompanied minors.

## **Personal interview**

According to Article 65 of the [Act on Granting Protection to Foreigners](#), before the personal interview, the Head of the Office must inform the unaccompanied minor of the factual and legal circumstances which may affect the outcome of the procedure for granting international protection and of the possibility of requesting that the personal interview be held in the presence of an adult designated by the minor.

The personal interview must be conducted in a language which the unaccompanied minor understands, in a manner appropriate to his or her age, maturity and mental development, taking into account the fact that he or she may have limited knowledge of the actual situation in the country of origin.

An unaccompanied minor shall be interviewed in the presence of:

1. A case officer;
2. An adult designated by him or her, if this does not hinder the proceedings;
3. A psychologist or pedagogue who draws up an opinion on the mental and physical condition of the minor.

The presence of the legal representative or guardian appointed by the court is mandatory.

## **Legal representation during the asylum procedure**

As set by the [Act on Granting Protection to Foreigners](#), when an unaccompanied minor wants to apply for international protection, the Border Guard officer responsible must request the court to appoint a guardian. The court is obliged to appoint the guardian within 3 days.

Applications by unaccompanied minors are lodged in the presence of either a court-appointed guardian or a representative from an international or non-governmental organisation that provides assistance to foreigners. The NGO representative can only represent a minor during the asylum interview, whereas the guardian represents the child throughout the entire asylum procedure.

There are no special legal requirements to become a guardian, other than being an adult with legal capacity. Since December 2017, the Border Guard has maintained a list of NGO workers who have declared their willingness to act as guardians.

## **Legal assistance and counselling**

Guardians for unaccompanied minors are appointed by a court. They are usually lawyers or representatives of an international or non-governmental organisation that provides assistance to foreigners.