Legal assistance and representation - Poland

Overview

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Relevant EU legislation

Poland is bound by the recast Asylum Procedures Directive (APD), the recast Reception Conditions Directive and the Dublin III Regulation and has transposed their provisions through the following acts:

- 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.]
- The Act on Foreigners of 12 December 2013 [Ustawa z dnia 12 grudnia 2013 r. o cudzoziemcach, Dz.U.2021 r. poz. 2354 z późń. zm.]

National legislation

Poland transposed the recast Asylum Procedures Directive, the recast Reception Conditions Directive and the Dublin III Regulation through the:

- 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.]
- The Act on Foreigners of 12 December 2013 [Ustawa z dnia 12 grudnia 2013 r. o cudzoziemcach, Dz.U.2021 r. poz. 2354 z późń. zm.]

The system of free assistance is regulated by the Act of 5 August 2015 on free legal aid, free civic counselling and legal education, and the Regulation of the Minister of Justice of 21 December 2018 on free legal aid and free civic counselling. However, provisions of the Act on granting protection to foreigners

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on the territory of the Republic of Poland of 13 June 2003 provide legal assistance and legal counselling for asylum seekers.

Competent authority and stakeholders

Area	National authority/stakeholder
Provision of legal and procedural information on the applicant's rights and obligations	Border Guard Representatives of NGOs
Legal assistance at first instance determination	There is no state funded legal aid Usually, representatives of NGOs (list posted on the website of the Office for Foreigners) provide legal assistance at first instance determination. However, there is free legal information provided to applicants for international protection by employees of the Office for Foreigners.
Legal counselling provided by civil society organisations or other organisations	Legal assistance can be provided by civil society organisations. There are currently 2 NGOs providing legal counselling and assistance.
Legal assistance at second instance determination	State-funded legal assistance is provided by lawyers, upon request and under certain conditions. Legal assistance can be provided by a representative of an NGO.
Legal assistance for other related procedures	State-funded legal assistance is available for procedures related to Dublin, detention, reception conditions and return. Civil society organisations provide legal assistance to applicants in detention.

Access to legal assistance and representation

Provision of information on legal assistance and representation

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The Border Guard officer who receives a request for international protection must inform the applicant, in a language that he/she understands, about the procedure and the rules for legal assistance and the organisations which provide legal services (Article 30(1)(h) Act of 13 June 2003 on the Protection of Foreigners).

Before the Head of the Office, free legal information is provided by the employees of the Office for Foreigners. Article 69c of the Act of 13 June 2003 on the Protection of Foreigners provides that free legal information at first instance determination consists of informing the person applying for international protection or against whom proceedings are pending for withdrawal of refugee status or subsidiary protection, about the applicable legal provisions regarding granting international protection, deprivation of the refugee status or subsidiary protection, as well as the provisions on proceedings before public administration bodies in matters within the competences of these authorities, taking into account the particular situation of these persons.

For first instance, legal assistance is provided mainly by NGOs.

Article 53(1) of the Act of 13 June 2003 on the Protection of Foreigners provides that decisions issued by the Office for Foreigners must include a notice on the right to free legal aid. The decision along with the instructions must be provided into a language understood by the applicant (Article 53(2) Act of 13 June 2003 on the Protection of Foreigners). Similar provisions apply in case of withdrawal of international protection (Article 54e Act of 13 June 2003 on the Protection of Foreigners).

State funded legal aid is available only for appeals. Information on the possibility to access legal aid on appeal is provided on the website of the Office for Foreigners and includes general information on free legal aid, and a list of lawyers and legal advisers as well as NGOs who provide legal aid – see here and here. The Head of the Office for Foreigners must keep such a list pursuant to Article 69k of the Act of 13 June 2003 on the Protection of Foreigners.

Access to premises

According to Article 29(2) of the Act of 13 June 2003 on the Protection of Foreigners, at border crossing points, in guarded centres and in detention centres for foreign nationals, the Border Guard allows access to an applicant for representatives of international or NGOs providing assistance to foreign

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nationals, including legal assistance, with access upon request or with the consent of the applicant at a border crossing point.

Limitations may be imposed on such access for example for reasons of security, privacy, health.

According to Articles 54f and 89(a) of the Act of 13 June 2003 on the Protection of Foreigners, a representative of UNHCR is allowed personal contact with an applicant and respectively with an applicant in detention.

Requirements: Means test and merits test

First instance level:

A person who applied for international protection (the applicant) and a foreign national subject to proceedings for the withdrawal of refugee status or subsidiary protection are entitled to free legal information in first-instance proceedings.

Free legal information consists of informing the foreign national about the applicable legal provisions regarding granting international protection, withdrawing refugee status or subsidiary protection, and the provisions governing proceedings before public administration bodies in matters within the jurisdiction of these bodies, taking into account the specific circumstances of these individuals.

Free legal information is provided by the staff of the Department of Refugee Proceedings in Warsaw (ul. Taborowa 33) and Biała Podlaska (ul. Dokudowska 19).

Free legal aid is not granted to a foreign national subject to a negative decision or a decision to end/withdraw/revoke international protection (refugee status or subsidiary protection) if he or she receives an income greater than 100% of the income criteria set out in Article 8 of the Social Assistance Act. Since the financial criterion is variable, the lawyer who provides free legal aid to foreign nationals or the NGO authorised to provide free legal aid must inform the foreign national of the amount of income above which free legal aid is not available (see here and Article 69d of the Act of 13 June 2003 on the Protection of Foreigners).

An applicant must submit a written statement before receiving legal assistance to declare that he/she does not have the mentioned income (Article 69d(5) Act of 13 June 2003 on the Protection of Foreigners) and a written declaration that he/she

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does not have a private lawyer (Article 69d(4) Act of 13 June 2003 on the Protection of Foreigners). The format for both declarations and the consequence of providing false information are mentioned in Article 69d(7) of the Act on Granting Protection to Foreigners. Model declarations are annexed to the Act of 13 June 2003 on the Protection of Foreigners.

For legal assistance provided by an NGO, the applicant must declare that he/she is aware that the person providing legal assistance is not a lawyer or a legal adviser (Article 69d(6) Act of 13 June 2003 on the Protection of Foreigners).

In addition, legal aid received from representatives of NGOs depends on their projects and availability of funds.

Appeals: For appeals, legal aid is free of charge for all applicants for international protection. Free legal assistance is not available to a foreigner against whom a decision has been issued to deprive him of international protection status (refugee status or subsidiary protection) if he or she receives an income greater than 100% of the income criteria set out in Article 8 of the Social Assistance Act. Since the financial criterion is variable, the lawyer who provides free legal aid to foreign nationals or the NGO authorised to provide free legal aid must inform the foreign national of the amount of income above which free legal aid is not available (see here and Article 69d of the Act of 13 June 2003 on the Protection of Foreigners).

After being granted legal aid and before receiving it, the applicant must sign a power of attorney in writing. From signing the power of attorney, all letters and notifications are sent to the address of the proxy, who will be entitled to sign all the letters on behalf of the applicant. National law provides for the possibility that by granting a power of attorney, the lawyer/legal adviser/employee of an NGO can further grant power of attorney to another lawyer/legal adviser/employee (see source here) If the applicant refuses to sign the power of attorney, he/she cannot receive free legal aid (see Office for Foreigners).

Before receiving free legal aid, the applicant must make a written declaration stating that he/she has not appointed a lawyer for the international protection procedure (Article 69d(4-6) Act of 13 June 2003 on the Protection of Foreigners). A list of templates to be filled by the applicant for the application for legal aid is available here.

Modalities to submit a request for legal aid

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Chapter 4a of the Act of 13 June 2003 on the Protection of Foreigners provides for the procedure applicable for legal aid in asylum procedures.

To represent an applicant, the original power of attorney or a duly certified copy must be submitted to the case file. The power of attorney is not accepted if it was sent via ePUAP (see Office for Foreigners).

A power of attorney must be submitted separately for each proceeding that is pending before the Head of the Office for Foreigners. A power of attorney submitted for a procedure pending in the Department of Refugee Proceedings (concerning granting international protection) does not authorise the same person to be a representative in proceeding pending before the Department of Social Assistance (concerning granting social benefits) (see Office for Foreigners).

The power of attorney should include:

- data of the party to the proceedings (at least name, surname and date of birth);
- data of the authorized representative (name and surname, name and number of the identity document, correspondence address);
- information about the proceedings concerned by the power of attorney and to what extent it was granted (case number, scope of the power of attorney) (see Office for Foreigners).

For second instance appeals, before the administrative courts, applications for legal assistance may be submitted before the initiation of proceedings or during the course of the proceedings (Articles 243 and 244(1) Law on Proceedings before Administrative Courts).

A list of templates to be filled by the applicant for the application for legal aid is available here.

An attorney or legal counsel may refuse to provide free legal assistance for important reasons. However, he/she must inform the foreigner about other lawyers, legal advisors or an employee of non-governmental organizations providing free legal assistance in the province. An attorney or legal adviser is obliged to provide a substitute if they are personally unable to provide free legal assistance (see Office for Foreigners).

Outcome of the request for legal aid

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Free legal aid includes drafting an appeal against a negative decision within the asylum procedure and substitute legal representation during any time of appeal.

Changing representative within the framework of free legal aid is possible, but involves certain procedures. A person receiving free legal aid may change their representative at any time.

A person receiving legal aid must submit a statement regarding the change of representative. A template for such a statement should be available from the person providing free legal aid.

There is a remedy against a refusal to grant free legal aid. In order to use this remedy, the appeal must be lodged within the time limit and by an authorised person, and there must be no formal obstacles, such as the expiry of the time limit for lodging an appeal.

An attorney or legal counsel may refuse to provide free legal assistance for important reasons. However, he/she must inform the foreigner about other lawyers, legal advisors or an employee of non-governmental organizations providing free legal assistance in the province. An attorney or legal adviser is obliged to provide a substitute if they are personally unable to provide free legal assistance (see Office for Foreigners).

Legal assistance and representation at first instance determination

Service provider

State funded: There is no free state funded legal aid at first instance determination. There is only free legal information provided to applicants for international protection by employees of the Office for Foreigners. Free legal information is provided by staff at the Department of Refugee Proceedings in Warsaw (ul. Taborowa 33) and Biała Podlaska (ul. Dokudowska 19).

In addition, the Office for Foreigners maintains a list of legal advisers and attorneys and a list of NGOs that may provide free legal assistance.

Civil society organisations: Civil society organisations are the primary provider of legal aid for first instance determination. In 2025, the list of NGOs

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providing free legal aid at the first instance administrative procedure included two NGOs:

- Foundation Institute for the Rule of Law
- Association for Legal Intervention

Private lawyers: The applicant can be assisted by a lawyer of their choice, at their own expense.

Scope of legal assistance

Article 69c of the Act of 13 June 2003 on the Protection of Foreigners provides for the right to free legal information on the applicable legal provisions for granting international protection.

The lawyer, legal adviser or NGO representative who provides legal assistance for the administrative procedure covers only legal advice and does not cover representation in the personal interview.

The mandate of the legal aid provider ends when the Refugee Board issues a decision on appeal.

The lawyer, legal adviser or NGO representative who provided legal assistance at first instance does not have a mandate to prepare and submit complaints before the Voivodship Administrative Courts for an onwards appeal and does not have implicitly an extended power of attorney for a possible re-examination procedure (see here).

Procedural aspects

There are no time restrictions on the time allocated to the legal counsel/adviser to communicate with the applicant to prepare the case.

The Act of 13 June 2003 on the Protection of Foreigners provides for the possibility of having an interpreter throughout the procedure.

A lawyer, legal advisor or non-governmental organisation conducting public benefit activities, authorised to provide free legal assistance to a foreigner entitled to legal assistance is entitled to reimbursement of necessary and

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documented costs related to the use of translation services.

The applicant's lawyer, legal advisor or non-governmental organisation conducting public benefit activities, has full access to the foreigner's file, which contains all public evidence in the case.

The legal adviser/counsel does not have access to classified information or to the essence of such information if there are aspects related to national security.

The legal counsel/adviser is notified of the decision of the determining authority, considering that from signing the power of attorney, all letters and notifications are sent to the address of the proxy.

Representation

For the first instance procedure, there is no free legal representation, only free legal information.

In proceedings for the granting of international protection the foreigner is free to contact a representative of the Office of the United Nations High Commissioner for Refugees and international or non-governmental organisations providing assistance to foreigners, including legal assistance.

Free legal information consists of informing a foreigner about the applicable legal provisions concerning international protection, deprivation of refugee status or subsidiary protection, and the provisions governing proceedings before public administration authorities in matters falling within their competence in this area, taking into account the specific situation of these persons.

Aspects related to special procedures

For the admissibility and the accelerated procedures, the same conditions apply as for the regular asylum procedure and only free legal information is provided in first instance. Free state legal aid covers only appeals and the preparation of an appeal.

Aspects related to applicants with special needs

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The court appoints a guardian for unaccompanied minors and they may also be appointed a representative.

In a situation when an unaccompanied minor expresses his/her will to apply for international protection, the court appoints of a guardian to represent the minor in proceedings for international protection and placing him/her in foster care. An unaccompanied minor is placed in a professional foster family acting as a family emergency service or an intervention-type care and educational facility, where he/she remains until a decision is made by the court.

On behalf of an unaccompanied minor, an application for international protection shall be submitted by a guardian or a representative of an international/non-governmental organisation providing assistance to foreigners if, on the basis of an individual assessment of the situation of the unaccompanied minor, the organisation considers that he/she needs such protection. If an unaccompanied minor is accompanied by an adult relative, the court may appoint that relative as foster parent, provided that the relative consents to this.

There are specific aspects or procedural safeguards in place for the provision of legal aid to other applicants with special needs (minors, applicants with disabilities, victims of human trafficking, victims of torture, victims of gender-based violence, elderly, single parents, pregnant women).

Legal assistance and representation in appeals

Service provider

Free legal aid is provided to appeal against a decision to deny refugee status or subsidiary protection, discontinuation of applications decisions, Dublin decisions, inadmissibility decisions and decisions to revoke protection. Legal representation is provided free of charge in the appeal proceedings related to the granting of international protection, the Dublin procedure or the revocation of refugee status or temporary protection (Article 69e Act of 13 June 2003 on the Protection of Foreigners).

Free legal aid can be provided by lawyers, solicitors or NGO staff who are entitled to provide free legal aid. The latter must hold a Master’s degree in the field of law or equivalent foreign diploma, and must have at least 3 years work experience performing legal assistance activities in a law firm, team of lawyers, civil or

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limited partnership (Article 69f Act of 13 June 2003 on the Protection of Foreigners).

In order to access free legal aid, applicants must provide the legal representative with an identity document, their decision and sign a power of attorney (Article 69h Act of 13 June 2003 on the Protection of Foreigners).

The Head of the Office for Foreigners contracts legal representatives through agreements with Bar associations (Article 69i Act of 13 June 2003 on the Protection of Foreigners).

Legal aid is currently provided by legal counsellors, advocates and three civil society organisations: the Association for Legal Intervention (SIP), The Rule of Law Institute and the Halina Niec Legal Aid Centre. A list of legal aid providers can be consulted online.

Scope of legal assistance

According to Article 69e of the Act of 13 June 2003 on the Protection of Foreigners and to the information provided by the Office for Foreigners, free legal assistance includes the preparation of an appeal against a decision on:

- refusal to grant refugee status or subsidiary protection,
- discontinuation of the proceedings regarding granting international protection,
- transferring the applicant to the Member State responsible for examining the application for international protection and discontinuing the proceedings,
- declaring an application for international protection inadmissible,
- refusal to consider the applicant’s declaration of intention to continue applying for international protection,
- deprivation of refugee status or subsidiary protection.

The right to assistance includes exemption from court fees and the appointment of a lawyer or legal adviser (Article 244(1) of the Law on Proceedings before Administrative Courts), and may be granted in full or in part (Article 245(1) of the Law on Proceedings before Administrative Courts).

The legal representative will also represent the applicant in court during the hearings.

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This assistance is not available to foreigners who have been denied refugee status or subsidiary protection if their income exceeds the income criteria.

Procedural aspects

Information and instructions on how to appeal or request legal aid on appeal is provided in the decision issued by the first instance authority in cases concerning refusal of refugee status or subsidiary protection, discontinuation of the procedure, refusal to reopen the procedure, Dublin procedure, inadmissibility of the application or revocation of protection status. The Act of 13 June 2003 on the Protection of Foreigners provides for the possibility of having an interpreter throughout the procedure.

The applicant must present to the lawyer, legal adviser or representative of an NGO a document confirming his/her identity and the original decision to be contested (see here and Article 69h of the Act of 13 June 2003 on the Protection of Foreigners). Applicants must also sign a power of attorney (Article 69h of the Act of 13 June 2003 on the Protection of Foreigners). A failure to sign the power of attorney results in lack of access to legal aid.

From the signing a power of attorney, all letters and notifications will be sent to the address of the proxy, who will be entitled to sign all the letters on behalf of the applicant. National law provides for the possibility that by granting a power of attorney, the lawyer/legal adviser/employee has the right to further grant power of attorney to another lawyer/legal adviser/employee (see here). If the applicant refuses to sign the power of attorney, s/he cannot receive free legal aid (see Office for Foreigners).

During court proceedings, an applicant may request the assistance of an interpreter.

The legal counsel/adviser has access to the applicants file and sees all the public evidence gathered in the case, with the exception of classified information or the essence of such information if there are aspects related to national security.

Type of appeal

Free legal aid is provided to appeal against a decision to deny refugee status or subsidiary protection, discontinuation of applications decisions, Dublin decisions,

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inadmissibility decisions and decisions to revoke protection. Legal representation is provided free of charge in the appeal proceedings related to the granting of international protection, the Dublin procedure or the revocation of refugee status or temporary protection (Article 69e Act of 13 June 2003 on the Protection of Foreigners).

Assistance and representation by a lawyer are mandatory for cassation appeals before the Supreme Administrative Court. An appeal in cassation must be written and signed by a lawyer. Free legal aid can be granted for this type of appeal if the applicant does not have the financial resources for a private lawyer and the court will appoint a lawyer from the state funded legal aid scheme (Article 175 of the Law on Proceedings before Administrative Courts).

Representation

According to the Act of 13 June 2003 on the Protection of Foreigners and to the information provided by the Office for Foreigners, free legal representation in appeals is possible for the following proceedings:

- granting international protection,
- transfer of the applicant to the Member State responsible for examining the application for international protection (Dublin procedure),
- deprivation of refugee status or subsidiary protection.

Free legal aid covers the preparation of an appeal but also legal representation in appeal proceedings. The representative will not only prepare, sign and send an appeal against the decision, but will also participate in all activities of the case, e.g. a supplementary hearing.

Representation before administrative courts can be provided by professional legal representatives (lawyers, legal counsellors) or by another participant in the proceeding, as well as the spouse, siblings, ascendants or descendants of the party as well as an adopted child or adoptive parent and other persons if special provisions so provide. There are also special rules of representation set for legal entities or public authorities (Article 35 of the Law on Proceedings before Administrative Courts).

Aspects related to applicants with special needs

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Applicants with special needs, including unaccompanied minors and minors, are entitled to specific procedural guarantees in appeal proceedings. Providing them with legal assistance is crucial for the fairness and effectiveness of the proceedings. These guarantees include, among others, the right to information, the right to free legal assistance, the right to an interpreter, the right to representation by a legal representative, and the consideration of their special needs during the proceedings. Compliance with these procedural guarantees is essential to ensure fair and equal treatment of all applicants, in particular those with special needs.

Only when free legal aid is provided in person by a barrister, solicitor or a person who is not a barrister or solicitor, employed by a non-governmental organisation conducting public benefit activities, authorised to provide free legal aid.

Right to counselling in the Dublin procedure

The same rules apply as in the regular asylum procedure.

Access to legal aid while in detention

The court reviewing the detention decision informs the applicant or his/her representative, in a language which they understand, of the reasons for detention in a detention centre or remand facility for foreign nationals and of their rights, including the possibility of lodging an appeal against the decision and of the right to assistance by a lawyer.

Two NGOs provide free legal assistance to asylum seekers placed in detention:

- Association for Legal Intervention;
- Halina Nieć Legal Aid Center.

Applicants in detention have the right to be in contact with non-governmental or international organisations providing assistance to applicants/foreigners, including legal aid, or to contact and see their representative in conditions that do not violate the right to privacy. NGOs' contact details are available on notice boards in the centres. Online visits with NGOs and attorneys were also introduced using an instant messenger (source: EUAA Dublin Factsheet, June 2023).

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Meetings with the legal adviser/counsel take place in a separate room in conditions that respect privacy rules.

An overview of legal aid in detention in Poland is available in an article presented at the EUAA Thematic workshop on Legal assistance and representation in the asylum procedure in 2022 (Legal Assistance for Asylum Seekers Detained in Poland).

Quality assurance

Selection, qualifications and training

Lawyers/legal advisers and NGOs contracted and listed by the Office for Foreigners are specialised in asylum/migration law.

The qualification and training of lawyers is within the competence of the council of advocates and the councils of the chambers of legal advisers.

Lawyers/legal advisers and NGOs contracted and listed by the Office for Foreigners are specialised in asylum/migration law.

For NGOs, the Office for Foreigners contracts and includes in its list NGOs that meet the following conditions (Article 69k of the Act of 13 June 2003 on the Protection of Foreigners):

1. conduct public benefit activities in the field of providing free legal assistance;
2. have at least 2 years of experience in performing tasks related to providing legal advice to foreigners;
3. employ an advocate or legal advisor or a person who is neither an advocate nor a legal advisor who meets all the conditions referred to in Article 69k(1) item 2 of the Act of 13 June 2003 on the Protection of Foreigners, or has concluded with an advocate or legal advisor an agreement for the provision of legal assistance or a preliminary agreement in this respect intended to ensure cooperation for 3 years (Article 69k sections 1-3 of the Act of 13 June 2003 on the Protection of Foreigners).

The Act of 13 June 2003 on the Protection of Foreigners specifies that a person who is not a lawyer or a legal advisor, employed in an NGO conducting public benefit activities, authorised to provide free legal assistance, must meet

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cumulatively the following conditions:

a) have a master's degree or a diploma confirming the completion of higher legal studies abroad,

b) perform activities directly related to the provision of legal assistance for at least 3 years in international protection under an employment contract or a civil law contract in a law firm, legal team, civil partnership, general partnership, professional partnership, limited partnership or limited joint-stock partnership, or in a non-governmental organization conducting public benefit activities.

c) enjoy full public rights and has full legal capacity,

d) has not been punished for an intentional crime prosecuted by public prosecutor or a fiscal crime.

Mechanisms for quality assurance

NGOs, the CPT and the Ombudsperson monitor the quality of legal assistance provided to asylum applicants.

The professional ethics of legal advisors and attorneys in the field of legal assistance are regulated by professional codes of ethics and statutory provisions. The main principles are independence, professional secrecy, avoidance of conflicts of interest and respect for the dignity of the profession.

Inter-institutional cooperation

Article 69j of the Act of 13 June 2003 on the Protection of Foreigners provides for the obligation of the lawyer and legal adviser to keep a register for each case in which they provided legal aid in appeals and to include information on:

1. the date of issuance and the number of the decision (scope of legal aid);
2. the period during which free legal aid was granted;
3. whether the services of an interpreter were used.

This documentation, jointly with the declarations submitted by the applicant (see Section 2.4 Requirements: Means test and merits test) is submitted to the Head of the Office for Foreigners without delay. The latter should keep the documentation for a period of 3 years from the date of their preparation.

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Legal assistance and representation for related procedures

Reception conditions

National law does not provide for legal assistance in matters related to applications for material reception conditions, as free legal assistance in Poland is available for appeals concerning international protection (refusal, discontinuation, inadmissibility, transfer, or withdrawal of protection). However, in practice such support is available to foreigners, as many institutions and non-governmental organisations carry out activities in this field.

Pursuant to the Act on Granting Protection to Foreigners within the Territory of the Republic of Poland, a foreigner admitted to a reception centre has the right to submit, in their native language, complaints and requests to the Head of the Office for Foreigners concerning the functioning of the centre and the conditions of stay. Such complaints and requests are examined in accordance with the Code of Administrative Procedure.

Information on conditions is provided to applicants upon their arrival at the reception centre. This information is communicated both in writing and orally by the employees of the centre, ensuring that applicants understand the conditions and their rights. The written information includes a detailed list of rules of stay within the centre.

Legal advisers have access to reception centres and NGOs may also offer counselling activities as part of free legal aid. They may access reception centres upon obtaining the consent of the Head of the Office for Foreigners. This is regulated by the Regulation of the Minister of the Interior of 23 October 2015, and consent is granted upon request.

Family reunification

UNHCR and other non-governmental organisations that provide legal assistance provide information and advice on family reunification to asylum seekers and refugees in Poland. They also assist in completing documents and understanding procedures related to family reunification.

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Temporary protection procedure

Two NGOs provide free legal assistance to displaced persons from Ukraine:

- Association for Legal Intervention;
- Halina Nieć Legal Aid Center.

Beneficiaries of international protection

Pursuant to Article 69d of the Act of 13 June 2003 on the Protection of Foreigners, beneficiaries of international protection who are subject to withdrawal of their protection status are entitled to free legal aid to contest the decision, except for when their income is greater than 100% of the income criteria set out in Article 8 of the Social Assistance Act. Since the financial criterion is variable, the lawyer must inform the foreign national of the amount of income above which free legal aid is not available (source here and Article 69d of the Act of 13 June 2003 on the Protection of Foreigners).

In procedures concerning withdrawal of international protection, the beneficiary must submit a written statement before receiving legal assistance, to declare that he/she does not have the mentioned income. When legal assistance is provided by an NGO, the beneficiary must declare that he/she is aware that the person providing legal assistance is not a lawyer or a legal adviser (see here).

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