Forms of protection - 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 Ordinance of the Ministry of the Interior of 4 November 2015 on the form of application for international protection Rozporządzenie Ministra Spraw Wewnętrznych z dnia 4 listopada 2015 r. w sprawie wzoru formularza wniosku o udzielenie ochrony międzynarodowej, Dz.U.2015 poz. 1859

National legislation

Refugee status	Article 13 of the Act of 13 June 2003 on granting protection to foreigners on the territory of the Republic of Poland.
Subsidiary protection	Article 15 of the Act of 13 June 2003 on granting protection to foreigners on the territory of the Republic of Poland.
Temporary protection	Article 106 of the Act of 13 June 2003 on granting protection to foreigners on the territory of the Republic of Poland.

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National forms of protection	National forms of protection include a residence permit for humanitarian reasons, a permit for tolerated stay, and constitutional asylum. **Residence permit for humanitarian reasons (*zgoda na pobyt ze względów humanitarnych*)**, defined in Article 348 of the Act on 12 December 2013 on Foreigners, granted to third country nationals if their return: May only be executed to a country where: • their right to life, freedom and personal safety might be threatened, or 1. they could be subject to torture, or unhuman or degrading treatment or punishment, or 2. they could be subject to forced labour, or 3. they could be deprived of the right to fair trial or be punished without legal grounds, • would violate their right for family or private life as defined by the European Convention on Human Rights; or • would violate the rights of a child, as defined in the Convention on the Rights of the Child, and thus substantially endanger the child's physical and mental development. **Permit for tolerated stay (*zgoda na pobyt tolerowany*),** defined in Article 351 of the Act on 12 December 2013 on Foreigners, granted to third country nationals if their return: may only be executed to a country where: • their right to life, freedom and personal safety might be threatened, or

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Competent authority and stakeholders

Refugee status	Head of the Office for Foreigners
Subsidiary protection	Head of the Office for Foreigners
Temporary protection	Head of the Office for Foreigners
National forms of protection:	Residence permit for humanitarian reasons: Border Guard Permit for tolerated stay: Border Guard

Renewal and withdrawal of international protection and national forms of protection

Refugee status

Legal provisions relating to review, renewal and withdrawal of refugee status:

- Review: N/a as a separate procedure (review is a procedural step within the withdrawal procedure).
- Renewal: N/A
- Withdrawal: Article 21 of the Act on Granting Protection to Foreigners

Length of the first and subsequent residence permits: 3-year residence permit for the first and for subsequent ones.

Review of the status: There is no systematic review of all decisions to grant refugee status in order to trigger withdrawal. When third-country nationals apply for new residence cards or travel documents, there is an obligation to check if the positive decision is still valid. Review constitutes a procedural step within the withdrawal procedure.

Review for beneficiaries from a specific country of origin may take place if linked to a significant and non-temporary change in circumstances in the country of origin, meaning that protection is no longer required (Article 21.2). A general change in circumstances in that country of origin is not sufficient.

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Individual reviews: The Office for Foreigners can review protection status at any time as part of the withdrawal procedure. This can be triggered if, for example, a new element appears or if the Office receives new information about the beneficiary of refugee status or the statements she or he made.

Initiation of the procedure: The review procedure can be initiated by the Office for Foreigners *ex officio* or upon another authority's request, e.g. the Border Guard, the Police, the Internal Security Agency or the Ministry of Justice). For the purpose of assessing withdrawal international protection status, a dedicated team of experienced asylum officials was created in the Office for Foreigners.

Triggering factors: The possible triggering factors for initiating withdrawal can be, inter alia: voluntary return to the country of origin, passport or other documents issued to the beneficiary by his/her national authorities of the country of origin, long delay in the renewal of the beneficiary's documents which were issued by the Office for Foreigners (residence card or Geneva travel document), relevant documents related to the activities of the applicant in the country of origin (e.g. child of the beneficiary born in the country of origin).

The Office will issue a notification that includes the reasons for the reconsideration of the person's status. Beneficiaries can also submit new elements while their refugee status is being reconsidered. Decisions to withdraw international protection are issued within 6 months.

Renewal of the status: N/A

Withdrawal of the status:

Competent authority: Office for Foreigners

Interview: According to the law (Article 54d (1) and (2)), personal interviews are obligatory during withdrawal procedures. In practice, it is not always possible to conduct an interview. During the cessation procedure, third country nationals may offer new elements in their case. They can also present written statements.

Legal aid: Third country nationals have a to free legal aid only during the appeal procedure.

Grounds for withdrawal of the status: Article 21 of the Act on Granting Protection to Foreigners establishes that refugee status may be revoked if beneficiaries:

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1. Have voluntarily re-availed themselves of the protection of their country of origin;
2. Have voluntarily re-acquired the nationality of their country of origin;
3. Have acquired a new nationality and enjoy the protection of the new country of nationality;
4. Re-established themselves voluntarily in the country they had left because of fear of persecution;
5. May no longer refuse to benefit from the protection of their country of origin due to the cessation of the circumstances for which he/she has obtained refugee status, and have not provided compelling reasons justifying their refusal to benefit from the protection of the country of which he/she is a national;
6. As stateless persons, may return to their country of habitual residence due to the cessation of the circumstances for which they were granted refugee status, and have not provided compelling reasons justifying their refusal to return to that country;
7. Have committed a crime against peace, a war crime or a crime against humanity within the meaning of international law;
8. Are guilty of acts contrary to the purposes and principles of the United Nations as set out in the Preamble and Articles 1 and 2 of the Charter of the United Nations;
9. Concealed information or documents or presented false information or documents of significant importance for granting refugee status;
10. Constitute a threat to the security of the country in which he or she stays;
11. Have been convicted by a final judgment of a particularly serious offence, other than the crime referred to in point 7, and constitutes a threat to the community of the country in which he or she is staying.

Consequences of the withdrawal of the status: The decision on withdrawal of international protection is issued by the Head of the Office for Foreigners and automatically leads to an end of the residence permit. The person concerned can choose to accept the decision and leave Poland within 30 days, or to appeal it before the Refugee Board.

Once the decision becomes final and can no longer be appealed, the individual has up to 30 days to voluntarily leave the territory of Poland. The person concerned is informed about the obligation to return the residence card and the Geneva travel document within 14 days from the moment the decision becomes final. Any failure to return the Geneva travel document will be recorded by the

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Office for Foreigners in SIS II.

After the termination of refugee status, former refugees can also apply for a residence permit on legal migration grounds or can be granted subsidiary protection. Also, as a result of the return procedure, the individual may be granted a residence permit for humanitarian reasons or a permit for tolerated stay.

Withdrawal procedures are individual, and the decision on withdrawal of international protection does not entail consequences for the former beneficiary's dependents.

Subsidiary protection status

Legal provisions relating to review, renewal and withdrawal of subsidiary protection: Article 22 of the Act on Granting Protection to Foreigners

Length of the first and subsequent residence permits: 2-year residence permit.

Review of the status: same as for beneficiaries of refugee protection

Renewal of the status: n/a

Withdrawal of the status:

Competent authority: Office for Foreigners

Interview: According to the law, personal interviews are obligatory during withdrawal procedures (Article 54d (1) and (2)). In practice, it is not always possible to conduct them. During the cessation procedure, third country nationals may offer new elements in their case. They can also present written statements.

Legal aid: Third country nationals have a to free legal aid only during appeal procedures.

Grounds for the withdrawal of the status: According to Article 22 of the Act on Granting Protection to Foreigners, subsidiary protection will be revoked if the circumstances which justified granting subsidiary protection no longer exist or have changed in such a way that the beneficiary no longer requires protection. Only significant and lasting changes should be considered when assessing these

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circumstances.

Subsidiary protection will also be revoked, if:

1. The circumstances in connection with which subsidiary protection was granted have ceased to exist or have changed in such an extent that protection is no longer required;
2. The beneficiary withheld information or documents, or presented false information or documents of significance for the asylum procedure;
3. There are serious grounds to believe that the person has committed a crime against peace, a war crime or a crime against humanity, as understood by international law;
4. The person is guilty of the acts contrary to aims and principles of the United Nations;
5. There are serious grounds to believe that the person has committed a crime in Poland or an act outside Poland which is a crime according to Polish law;
6. There are serious reasons to believe that the person constitutes a threat to state security or public safety;
7. It is revealed that the person had committed a crime punishable under Polish law by a prison sentence, and left their country of origin for the sole reason of escaping punishment.

Consequences of the withdrawal of the status: Same as for beneficiaries of refugee protection

National forms of protection

Legal provisions relating to the review, renewal and withdrawal of national forms of protection: Articles 350 and 353 of the Act of 12 December 2013 on Foreigners, Article 91 of the Act on Granting Protection to Foreigners

Length of the first and subsequent residence permits: Residence permit for humanitarian reasons and permit for tolerated stay: 2-year residence permit or document.

Constitutional asylum: permanent residence permit for an indefinite period of time, renewable residence card is valid for 10 years.

Review of the status: N/A

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Renewal of the status: Residence permit for humanitarian reasons and permit for tolerated stay: upon request if the requirements are still met. Applications are submitted to the Border Guard.

Constitutional asylum: N/A

Withdrawal of the status:

Residence permit for humanitarian reasons and permit for tolerated stay: Similar process as for refugees and beneficiaries of subsidiary protection the procedure is initiated ex officio. Decisions on revoking permits are issued by the Border Guard.

Based on the evidence collected, including the results of the interview where applicable, an administrative decision is issued. An appeal may be filed with the Commander-in-Chief of the Border Guard within 7 days from the date of delivery of the decision. The foreign national is kept informed throughout the entire procedure and has access to non-governmental and civil society organizations that can provide counselling or legal aid.

Constitutional asylum: Similar process as for refugees and beneficiaries of subsidiary protection but decisions on revoking asylum are issued by the Head of the Office for Foreigners upon prior consent of the Minister of Foreign Affairs.

An application for granting asylum may be submitted while staying in the Republic of Poland or while staying abroad. There is no dedicated asylum application form, however the application must contain the following elements: personal details of the applicant and the person on whose behalf the applicant acts, within the scope necessary to grant asylum; indication of the country of origin of the applicant and the person on whose behalf the applicant acts; indication of key events serving as the basis for seeking asylum.

In the event of the need to receive additional information from an applicant, the Head of the Office for Foreigners has the right to request him or her to appear for a hearing or to file explanations. A hearing takes place in a language understandable for the foreigner, in the presence of an interpreter provided by the authority which handles the procedure.

Legal aid: The person who applies for asylum has the right to appoint an agent to represent him or her under the procedure. He or she also has the right to use the support of organisations which provide assistance to foreign nationals.

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Grounds for the withdrawal of the status:

Residence permits for humanitarian reasons will be revoked if:

- The reasons for granting the permit cease to exist;
- Circumstances justifying a rejection come to light;
- The person has concealed relevant information or presented false information or documents of significance for granting the permit;
- The person has permanently left Poland or returns to their country of origin;

A permit may be also revoked if new security considerations emerge.

Permits for tolerated stay will be revoked if:

- The reasons for granting the permit cease to exist;
- The person has left Poland;
- The person's stay in Poland can pose a threat to state defence or security or public safety and order;
- The person refuses to fulfil the obligations imposed by the permit decision (for example, residence registration).

Constitutional asylum will be revoked if (Article 91):

- The reasons for granting asylum have ceased to exist;
- The person acts against state defence or security, or public safety and order.

Consequences of the withdrawal of the status:

Residence permit for humanitarian reasons and permit for tolerated stay: The decision on revoking permits is issued by the Border Guard and it automatically leads to an end of the residence permit or document. The person concerned can choose to accept the decision and leave Poland within 30 days, or to appeal it before the Commander-in-Chief of the Border Guard within 7 days from the date of delivery of the decision.

Once the decision becomes final and can no longer be appealed, the individual has up to 30 days to voluntarily leave the territory of Poland. They must also return the residence card or document within 14 days.

Residence permits for humanitarian reasons or permits for tolerated stay expire if the beneficiary is granted refugee status or subsidiary protection; if they become Polish citizens; if they inform a Border Guard authority in writing that they waive

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their right to exercise, respectively, their residence permit for humanitarian reasons or permit for tolerated stay; or if they obtain a permanent residence permit.

Constitutional asylum: same as for refugees and beneficiaries of subsidiary protection.

Content of protection

Overview

Legal provision detailing content of protection for refugee status: Articles 89d-89o of the Act on Granting Protection to Foreigners.

Legal provision detailing content of protection for beneficiaries of subsidiary protection: Articles 89d-89o of the Act on Granting Protection to Foreigners.

Provision of information on the content of protection

According to Article 89d of the Act on Granting Protection to Foreigners, the Head of the Office for Foreigners shall immediately inform the foreign national who has been granted refugee status or subsidiary protection in writing, in a language which he or she understands, of his or her rights and obligations.

The information is provided in an annex to the relevant positive decision and its extended version is available under the QR code included in the annex.

Residence permits

Refugees:

Authority responsible for delivering the residence permit: Head of the Office for Foreigners

Length of first and subsequent residence permits: 3-year residence permit for the first and for subsequent ones (Article 89i of the Act of 13 June 2003 on granting protection to foreigners). The first residence card is free of charge while for the subsequent ones there is a fee.

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According to Article 195(1)(6)(a) of the Act of 12 December 2013 on Foreigners, permanent residence permits can be issued if, immediately before filing the application, the person has stayed in Poland for an uninterrupted period of 5 years due to having been granted international protection.

According to Article 195(4) of the Act of 12 December 2013 on Foreigners uninterrupted stay means that none of the one-off breaks during this stay exceeded 6 months, and if the combined duration of the breaks did not exceed 10 months within the 5-year period - unless it was a result of very special circumstances.

According to Article 211(1) of the Act of 12 December 2013 on Foreigners, long-term EU resident status can be obtained if the beneficiary has stayed in Poland at least for an uninterrupted period of 5 years. According to the Article 212(1)(2) and (3) letter c of the Act of 12 December 2013 on Foreigners only a half of the duration of stay in Poland during the international protection proceedings - the whole period will be included in the 5year period only if the proceedings lasted more than 18 months). Other requirements include:

- a stable income which suffices to cover maintenance costs of the applicant and his or her family;
- health insurance;
- having a legal title to housing premises for accommodation
- having a good command of Polish (B1 level, not applicable to minors below 16 years old).

Procedure for delivering the residence permit (including timelines): A person granted refugee status may apply for a travel document under the Geneva Convention (Geneva Travel Document) and a residence card.

Application forms for the issuance or replacement of another residence card and Geneva travel document must be submitted to the Head of the Office for Foreigners within 30 days before their expiry date. Applications should be submitted in person or sent by mail.

Required documents:

- Completed application form,
- 2 current biometric photographs,
- Current registration certificate,
- Fee (only for subsequent applications),

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- Documents necessary to confirm the data and circumstances provided in the application.

Failure to submit any of the above documents will result in the foreigner being requested to provide additional information within 7 days of receipt of the request, under penalty of non-consideration of the application.

The Office for Foreigners, as the authority responsible for issuing documents, collects fingerprints from foreigners who apply for a residence card and Geneva travel document.

Applications for residence cards require fingerprinting from foreigners aged 6 or over.

Applications for Geneva travel documents require fingerprinting from foreigners aged 12 or over.

Document collection: The foreigner collects the documents in person at the agreed time or after receiving information from the responsible official about the possibility of collecting the document. If the document was issued to a person under 13 years of age, the document must be collected by their legal representative or guardian. Minors aged 13 or over or legally incapacitated persons must collect the document in person in the presence of at least one parent or guardian.

Fees:

- A fee of PLN 100 is charged for issuing a subsequent residence card.
- In the event of loss or destruction of the residence card through the foreigner's fault, the fee is PLN 200.
- In the event of a subsequent loss or subsequent destruction of a residence card through the foreigner's fault, the fee is PLN 300.

A discount on the fee for issuing another residence card is available to foreigners:

- who are in a difficult financial situation;
- whose purpose of stay is to pursue higher education in a secondary school or university in the territory of the Republic of Poland;
- minors who are under 16 years of age on the date of submitting the application for the issuance or replacement of a residence card or document.

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The discount on the fee for issuing another residence card is 50% of the above amount.

Beneficiaries of subsidiary protection:

Authority responsible for delivering the residence permit: Head of the Office for Foreigners

Length of first and subsequent residence permits: 2-year residence permit for the first and for the subsequent (Article 89i of the Act of 13 June 2003 on granting protection to foreigners). The first residence card is free of charge while for the subsequent ones there is a fee.

According to Article 195(1)(6)(a) and Article 212(1)(2) and (3)(c) of the Act of 12 December 2013 on Foreigners, beneficiaries of subsidiary protection who fulfil the requirements can also apply for a permanent residence permit and a long-term residence permit.

Procedure for delivering the residence permit (including timelines):

A person granted subsidiary protection may apply for a residence card.

Application forms for the issuance or replacement of another residence card must be submitted to the Head of the Office for Foreigners within 30 days before their expiry date. Applications should be submitted in person or sent by mail.

Required documents:

- Completed application form,
- 2 current biometric photographs,
- Current registration certificate,
- Fee (only for subsequent applications),
- Documents necessary to confirm the data and circumstances provided in the application.

Failure to submit any of the above documents will result in the foreigner being requested to provide additional information within 7 days of receipt of the request, under penalty of non-consideration of the application.

The Office for Foreigners, as the authority responsible for issuing documents, collects fingerprints from foreigners who apply for a residence card.

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Applications for residence cards require fingerprinting from foreigners aged 6 or over.

Document collection: The foreigner collects the documents in person at the agreed time or after receiving information from the responsible official about the possibility of collecting the document. If the document was issued to a person under 13 years of age, the document must be collected by their legal representative or guardian. Minors aged 13 or over or legally incapacitated persons must collect the document in person in the presence of at least one parent or guardian.

Fees:

- A fee of PLN 100 is charged for issuing a subsequent residence card.
- In the event of loss or destruction of the residence card through the foreigner's fault, the fee is PLN 200.
- In the event of a subsequent loss or subsequent destruction of a residence card through the foreigner's fault, the fee is PLN 300.

A discount on the fee for issuing another residence card is available to foreigners:

- who are in a difficult financial situation;
- whose purpose of stay is to pursue higher education in a secondary school or university in the territory of the Republic of Poland;
- minors who are under 16 years of age on the date of submitting the application for the issuance or replacement of a residence card or document.

The discount on the fee for issuing another residence card is 50% of the above amount.

Travel documents

Refugees:

Authority responsible for delivering the travel document: Head of the Office for Foreigners

Validity period of the travel document: Persons granted refugee protection may obtain a Geneva Travel Document, valid for 2 years for all countries and renewable.

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According to Article 267 and 268 of the Act of 12 December 2013 on Foreigners, they may also apply for a temporary Polish travel document for foreigners valid for 7 days. A temporary Polish travel document for foreigners entitles the foreigner to a single entry to the territory of Poland or to leave the territory of Poland during its validity period.

Procedure for delivering the travel document (including the necessity to pay any fees): A person granted refugee status may apply for a travel document under the Geneva Convention (Geneva Travel Document) and a residence card.

Application forms for the issuance or replacement of another residence card and Geneva travel document must be submitted to the Head of the Office for Foreigners within 30 days before their expiry date. Applications should be submitted in person or sent by mail.

Required documents:

- Completed application form,
- 2 current biometric photographs,
- Current registration certificate,
- Fee (only for subsequent applications),
- Documents necessary to confirm the data and circumstances provided in the application.

Failure to submit any of the above documents will result in the foreigner being requested to provide additional information within 7 days of receipt of the request, under penalty of non-consideration of the application.

The Office for Foreigners, as the authority responsible for issuing documents, collects fingerprints from foreigners who apply for a residence card and Geneva travel document.

Applications for residence cards require fingerprinting from foreigners aged 6 or over.

Applications for Geneva travel documents require fingerprinting from foreigners aged 12 or over.

Document collection: The foreigner collects the documents in person at the agreed time or after receiving information from the responsible official about the possibility of collecting the document. If the document was issued to a person

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under 13 years of age, the document must be collected by their legal representative or guardian. Minors aged 13 or over or legally incapacitated persons must collect the document in person in the presence of at least one parent or guardian.

Fees:

- A fee of PLN 100 is charged for issuing a subsequent residence card.
- In the event of loss or destruction of the residence card through the foreigner's fault, the fee is PLN 200.
- In the event of a subsequent loss or subsequent destruction of a residence card through the foreigner's fault, the fee is PLN 300.

A discount on the fee for issuing another residence card is available to foreigners:

- who are in a difficult financial situation;
- whose purpose of stay is to pursue higher education in a secondary school or university in the territory of the Republic of Poland;
- minors who are under 16 years of age on the date of submitting the application for the issuance or replacement of a residence card or document.

The discount on the fee for issuing another residence card is 50% of the above amount.

Beneficiaries of subsidiary protection:

Authority responsible for delivering the travel document: Head of the Office for Foreigners

Validity period of the travel document: According to Article 252 of the Act of 12 December 2013 on Foreigners, beneficiaries of subsidiary protection who cannot acquire or renew a passport from their country of origin (due to it being lost, damaged or expired) can apply for a Polish travel document for foreigners, valid for 1 year and renewable.

According to Article 267 and 268 of the Act of 12 December 2013 on Foreigners, they may also apply for a temporary Polish travel document for foreigners valid for 7 days.

A temporary Polish travel document for a foreigner during its validity period entitles the foreigner to a single entry to the territory of Poland or to leave the

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territory of Poland.

Procedure for delivering the travel document (including the necessity to pay any fees): A person granted subsidiary protection may apply for a residence card.

Application forms for the issuance or replacement of another residence card must be submitted to the Head of the Office for Foreigners within 30 days before their expiry date. Applications should be submitted in person or sent by mail.

Required documents:

- Completed application form,
- 2 current biometric photographs,
- Current registration certificate,
- Fee (only for subsequent applications),
- Documents necessary to confirm the data and circumstances provided in the application.

Failure to submit any of the above documents will result in the foreigner being requested to provide additional information within 7 days of receipt of the request, under penalty of non-consideration of the application.

The Office for Foreigners, as the authority responsible for issuing documents, collects fingerprints from foreigners who apply for a residence card.

Applications for residence cards require fingerprinting from foreigners aged 6 or over.

Document collection: The foreigner collects the documents in person at the agreed time or after receiving information from the responsible official about the possibility of collecting the document. If the document was issued to a person under 13 years of age, the document must be collected by their legal representative or guardian. Minors aged 13 or over or legally incapacitated persons must collect the document in person in the presence of at least one parent or guardian.

Fees:

- A fee of PLN 100 is charged for issuing a subsequent residence card.
- In the event of loss or destruction of the residence card through the foreigner's fault, the fee is PLN 200.

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- In the event of a subsequent loss or subsequent destruction of a residence card through the foreigner's fault, the fee is PLN 300.

A discount on the fee for issuing another residence card is available to foreigners:

- who are in a difficult financial situation;
- whose purpose of stay is to pursue higher education in a secondary school or university in the territory of the Republic of Poland;
- minors who are under 16 years of age on the date of submitting the application for the issuance or replacement of a residence card or document.

The discount on the fee for issuing another residence card is 50% of the above amount.

Freedom of movement

Holders of a valid residence card, whether beneficiaries of refugee protection or subsidiary protection, are allowed to move freely within Polish territory.

Travelling within the Schengen Area is allowed for 90 days within a 180-day period without the need of a visa.

Access to employment and employment-related education

Refugees and beneficiaries of subsidiary protection:

Right to access the labour market: No restrictions, including self-employment and work in regulated professions under the same conditions as Polish citizens. Beneficiaries of international protection have full access to the labour market in Poland.

Administrative steps for employment: A beneficiary of international protection may take up work on the same terms as a Polish citizen, without the need to obtain an additional work permit.

Beneficiaries are allowed to access the labour market as soon as their status is granted.

Access to employment-related educational opportunities for adults and vocational training (including training courses for upgrading

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professional skills): see section on Access to education.

Access to education

The following rules are applied for refugees and for beneficiaries of subsidiary protection:

Minors' right and conditions to access education (pre-school, primary school, secondary school, post-secondary and tertiary education): Beneficiaries of international protection who are minors may access, under the same conditions as Polish citizens:

- Pre-school education for children between 3 and 6 years old.
- Free education in public schools from the age of 7 until completing public secondary school (or until reaching the age of 18).
- Other public educational institutions (i.e. extracurricular activities; boarding houses which could be additionally paid).
- Classes on Polish language, culture and society are also available.

Additional support provided to minors for education, including access to grants and loans: They are also entitled to apply to higher education studies and apply for scholarships for material assistance.

Adults' right and conditions to access education: Beneficiaries of international protection who are adults may access, under the same conditions as Polish citizens:

- Free education in public schools for adults and post-secondary schools.
- Vocational training.
- Classes on Polish language, culture and society are also available.

Additional support provided to adults for education, including access to grants and loans: They are also entitled to apply to higher education studies and apply for scholarships for material assistance.

Those who completed upper secondary school abroad and want to continue their education in a post-secondary school or university, must first apply to the Regional Education Authority for recognition of their educational qualifications and entitlement to apply to higher education institutions in Poland. The recognition procedures for beneficiaries of international protection are less strict compared to other holders of foreign school certificates and diplomas, including

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Polish citizens (e.g. circumstantial evidence and statements are allowed).

Access to procedures for recognition of qualifications and validation of skills

The following rules are applied for refugees and for beneficiaries of subsidiary protection:

Conditions to access the procedure for the recognition of qualifications and validation of skills: Those who completed upper secondary school abroad and want to continue their education in a post-secondary school or university, must first apply to the Regional Education Authority for recognition of their educational qualifications and entitlement to apply to higher education institutions in Poland.

Procedure to follow for the recognition of foreign diplomas, certificates and other evidence of formal qualifications: The recognition procedures for beneficiaries of international protection are less strict compared to other holders of foreign school certificates and diplomas, including Polish citizens (e.g. circumstantial evidence and statements are allowed).

Social security and social assistance

Refugees:

Conditions to access social security and social assistance: Beneficiaries of international protection residing and staying in the territory of the Republic of Poland have access to social welfare on equal terms as nationals. There is no difference in treatment between refugees and subsidiary protection beneficiaries.

The rules and procedure for granting social assistance benefits are regulated by the Act of 12 March 2004 on social assistance. A foreigner or their family may apply for social assistance benefits to the social assistance centre in their place of residence (the centres are located in every commune).

Social assistance consists of various categories of cash benefits (e.g. permanent benefit, temporary benefit, purpose benefit and special purpose benefit), as well as different forms of non-financial support. The latter includes social work, care services, specialist counselling (mainly legal and psychological), support to settle

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official matters or other key livelihood issues, crisis intervention.

The right to cash benefits is determined by comparing the income of a person or family with the appropriate income criterion. In addition to the income criterion, there should be at least one of the reasons listed in Article 7 points 2-15 of the above-mentioned Act, i.e. unemployment, disability, long-term or serious illness, random events or crisis situations, among others.

Special social assistance for refugees: There is no special social assistance for refugees.

Beneficiaries of subsidiary protection:

Conditions to access social security and social assistance: There is no difference in treatment between refugees and subsidiary protection beneficiaries.

Special social assistance for beneficiaries of subsidiary protection: There is no difference in treatment between refugees and subsidiary protection beneficiaries.

Healthcare

Refugees and for beneficiaries of subsidiary protection:

Conditions to access public healthcare, including healthcare covered (core or extended access):

Medical care for beneficiaries of international protection in Poland includes support for primary, specialist and dental care treatment, the provision of medications and medical supplies, as well as coordination of medical visits through a medical provider. The scope of benefits is similar to that available to insured persons in Poland.

Access to accommodation

Refugees:

Conditions and restrictions to access accommodation as a refugee: Accommodation can be accessed under similar conditions as those applicable to legally residing third-country nationals.

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Type of accommodation facilities available to refugees: Housing in the reception system may be provided for up to 2 months from the notification of the decisions granting refugee status.

Beneficiaries residing in Warsaw and participating in the Individual Integration Programme may also apply for communal flats, or for “protected flats” run by the Warsaw Family Support Centre. Persons who have concluded the Individual Integration Programme may participate in a “housing contest” to receive a recommendation for obtaining a communal flat. Cities such as Gdansk and Lublin also have special housing support programmes or solutions dedicated to foreigners (see ECRE here).

National dispersal mechanism for refugees: N/A

Additional support provided for accommodation: Additional support is provided through the Individual Integration Programme.

Beneficiaries of subsidiary protection:

Conditions and restrictions to access accommodation as a beneficiary of subsidiary protection: Same as for beneficiaries of refugee protection.

Type of accommodation facilities available to beneficiaries of subsidiary protection: Same as for beneficiaries of refugee protection.

National dispersal mechanism for beneficiaries of subsidiary protection: N/A

Additional support provided for accommodation: Additional support is provided through the Individual Integration Programme.

Access to integration measures

Refugees:

Conditions to access integration measures: Integration assistance is available to beneficiaries of international protection through the Individual Integration Programme (IPI), regulated by the Act of 12 March 2004 on Social Assistance (Dz.U. z 2023 r. poz. 1938) (Articles 91 to 95). Individual programmes are not implemented automatically after being granted international protection status, a request must be lodged on a dedicated application form.

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Foreigners who have been granted refugee status, subsidiary protection or temporary stay in Poland because they are family members of a person who has refugee status or subsidiary protection in Poland may apply for assistance supporting their integration process.

Compulsory participation in integration measures: N/A

Brief description of the integration measures in place for refugees: Assistance is provided as part of the implementation of the IPI, which is agreed between the Poviat Family Assistance Centre (PCPR) and the foreigner. A social worker of the Centre conducts a background interview with the third country national and their family, and then designs the IPI together with them. The programme defines the amount, scope and forms of integration assistance as well as mutual obligations.

Assistance is provided for a maximum period of 12 months, depending on the justified, individual needs of the third country national, determined during the background interview.

Forms of assistance:

- Cash benefits, ranging between 721 – 1 450 PLN (163-328 EUR) paid monthly per person (in particular to cover expenses for food, clothing, footwear, hygiene products and housing fees) and to cover expenses related to learning Polish. The amount of cash benefits depends on the number of people in the family, the duration of the integration programme and the individual situation of the foreigner;
- Health insurance;
- Specialist counselling, including legal, psychological and family counselling;
- Provision of information and support in contacts with other institutions, in particular with labour market institutions, the local community and non-governmental organisations;
- Other activities in support of the integration process.

Beneficiaries of international protection taking part in individual integration programmes are obliged to:

- Register at their place of residence;
- Register at a job centre;
- Actively search for employment;
- Learn the Polish language (if required by the integration programme);

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- Fulfil any other obligations agreed upon under the individual integration programme (e.g. attending certain courses).

Beneficiaries of international protection are entitled to work, as individual integration programmes are not subject to income criteria.

Once the programme is finished, beneficiaries can apply for regular social assistance (under the same conditions as Polish citizens).

Cities with significant number of migrants are developing a local approach towards migrants, including beneficiaries of integrational protection, based on experiences gained from the implementation of Individual Integration Programmes. Cities like Gdańsk, Kraków, Lublin, or Warsaw are developing local strategies which focus on migrants needs as well as various local initiatives for the integration of migrants. Some examples are:

- Wrocław: Strategy for Intercultural Dialogue and WroMigrant infopoint,
- Gdańsk: Immigrant Integration Model and its Immigrant and Immigrant Support Centre;
- Warsaw: Social Diversity Policy of the Capital City of Warsaw and support centres for migrants like CWW or MORS.

Beneficiaries of subsidiary protection:

Conditions to access integration measures: There is no difference in treatment between refugees and subsidiary protection beneficiaries

Compulsory participation in integration measures: N/A

Brief description of the integration measures in place for beneficiaries of subsidiary protection: There is no difference in treatment between refugees and subsidiary protection beneficiaries

Family reunification for beneficiaries of international protection

Refugees:

Right to family reunification for refugees: Article 159 of the Law on Foreigners

Time period for which exceptions apply for refugees: 6 months grace period, which cannot be extended.

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Eligible family members:

- Spouses, as long as the marriage is recognised under Polish law, (e.g., polygamous or samesex marriages are not recognised).
- Minor children (including foster and adopted children) of the beneficiary or their spouse.
- Direct ascendants of unaccompanied minor beneficiaries (i.e., parents or other responsible adults according to Polish legislation, such as grandparents, legal guardians or representatives).

Conditions for family reunification: The beneficiary (or sponsor for the purposes of family reunification) must provide proof of:

- A stable and regular income to support themselves and their family members, which should be higher than the amount which entitles beneficiaries to access social assistance.
- Proof of health insurance.
- Accommodation.

No language or integration requirements apply for family reunification.

Brief description of the procedure to follow: Documents from the country of origin: The absence of documents is a reason to refuse an application for family reunification. There are no exemptions foreseen to this requirement nor alternative methods in cases where documents (e.g. marriage, birth certificates) should not be available.

DNA testing is not available to assess the existence of family links, and there is no obligatory DNA or age test.

Fees and costs for family reunification: Applications require the payment of a fee of 340 PLN (around 77 EUR).

Reunified family members' rights (in particular, length of first and subsequent residence permits, access to integration programmes/measures):

- Residence permit of the family member: Family members are granted a , which is valid for up to 3 years. They can then obtain an autonomous residence permit after 5 years.
- Access to services for family members: Under the same conditions as beneficiaries of protection in terms of access to educational and vocational training, employment, social security and health care.

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- Family members cannot be registered as unemployed nor granted jobseeker status, therefore they do not have access to the labour market.
- Family members of refugees, who have been granted a residence permit within the family reunification procedure are eligible for the individual integration programme.

If a Family member applies for international protection after arrival, the application is assessed through the regular procedure.

Beneficiaries of subsidiary protection:

Right to family reunification for beneficiaries of subsidiary protection: Article 159 of the Law on Foreigners.

Time period for which exceptions apply for beneficiaries of subsidiary protection: There is no difference in treatment between refugees and subsidiary protection beneficiaries.

Eligible family members: There is no difference in treatment between refugees and subsidiary protection beneficiaries.

Conditions for family reunification: There is no difference in treatment between refugees and subsidiary protection beneficiaries.

Brief description of the procedure to follow: There is no difference in treatment between refugees and subsidiary protection beneficiaries.

Reunified family members’ rights: There is no difference in treatment between refugees and subsidiary protection beneficiaries.

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