

UPDATE ON 2025



POLAND



COUNTRY REPORT

JUNE 2026

Acknowledgements & Methodology

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This report draws on information provided by the Office for Foreigners, the Border Guard, the Refugee Board, Voivods, and NGOs in writing and in oral interviews.

The update on 2025 to the AIDA country report on Poland was shared with the national authorities to provide an opportunity for comments.

The information in this report is up-to-date as of 31 December 2025, unless otherwise stated.

All conversions from zloty to EUR are based on the exchange rate of the European Commission as of December 2025.

The Asylum Information Database (AIDA)

The Asylum Information Database (AIDA) is managed by the European Council on Refugees and Exiles (ECRE). It aims to provide up-to date information which is accessible to researchers, advocates, legal practitioners and the general public through the dedicated website www.asylumineurope.org. It covers 27 countries, including 21 EU Member States (AT, BE, BG, CY, CZ, DE, ES, FR, GR, HR, HU, IE, IT, MT, NL, PL, PT, RO, SE, SI and SK) and 6 non-EU countries (Egypt, Serbia, Switzerland, Türkiye, Ukraine and the United Kingdom). The database also seeks to promote the implementation and transposition of EU asylum legislation reflecting the highest possible standards of protection in line with international refugee and human rights law and based on best practice.



This report is part of the Asylum Information Database (AIDA), partially funded by the European Union's Asylum, Migration and Integration Fund (AMIF). The contents of this report are the sole responsibility of ECRE and can in no way be taken to reflect the views of the European Commission.



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Glossary & List of Abbreviations

AMIF	Asylum, Migration and Integration Fund
ASQAEM	Asylum Systems Quality Assurance and Evaluation Mechanism
BIPs	Beneficiaries of international protection
CAR	Central African Republic
CJEU	Court of Justice of the European Union
EASO	European Asylum Support Office
ECtHR	European Court of Human Rights
EMN	European Migration Network
ERF	European Refugee Fund
EUAA	European Union Agency for Asylum
GG	Grupa Granica
HFHR	Helsinki Foundation for Human Rights
IFA	Internal Flight Alternative
IPI	Individual Integration Programme
MSF	Médecins Sans Frontières
NFZ	National Health Fund
OPS	Social Welfare Centre Ośrodek Pomocy Społecznej
PCPR	Powiat Family Support Centres Powiatowe Centra Pomocy Rodzinie
PTSD	Post-Traumatic Stress Disorder
Sejm	Lower house of Parliament
SG	Border Guard Straż Graniczna
SGBV	Sexual and gender-based violence
SIP	Association for Legal Intervention Stowarzyszenie Interwencji Prawnej
SIS	Schengen Information Database
UNHCR	United Nations High Commissioner for Refugees

Statistics

Overview of statistical practice

Statistics are provided on the website migracje.gov.pl. The statistics presented below were provided upon request by the Office for Foreigners.

Applications and granting of protection status at first instance: figures for 2025

	Applicants in 2025 (1)	Pending at end 2025	Total decisions in 2025 (2)	Total in merit decisions	Total rejection	In merit rejection	Refugee status	Subsidiary protection	Humanitarian protection (3)
Total	13,232	8,931	10,480	7,585	6,811 ¹	3,915	311	3,359	

Breakdown by top 10 countries of origin of the total numbers

Ukraine	7,008	4,186	Not available	4,369	Not available	2 845	6	1,518	1
Belarus	2,995	2,757	Not available	1,848	Not available	112	147	1,589	4
Russia	628	477	Not available	453	Not available	368	55	30	48
Tajikistan	260	186	Not available	70	Not available	56	4	10	2
Afghanistan	237	216	Not available	51	Not available	25	21	5	0
Somalia	181	67	Not available	29	Not available	1	4	24	0
Ethiopia	148	45	Not available	70	Not available	1	1	68	0
Syria	121	39	Not available	32	Not available	0	7	25	0
Eritrea	117	11	Not available	19	Not available	2	1	16	0
Sudan (4)	96	21	Not available	34	Not available	0	8	26	0

Source: Office for Foreigners.

(1) "Applicants in year" refers to the total number of applicants, not only to first-time applicants.

(2) Statistics on decisions cover the decisions taken throughout the year, regardless of whether they concern applications lodged that year or in previous years.

(3) Humanitarian protection is not granted within the international protection proceedings, but within return proceedings or independently if the return decision has already been issued (but has not been executed). The first instance authority is the Chief of the Border Guard Division/Post and the Head of the Border Guard is the second

¹ This number 'total rejection' includes 3,915 in merit rejections and 2,896 decisions on discontinuing the procedure taken in 2025.

instance authority (previously it was the Head of the Office for Foreigners). The number of persons granted humanitarian protection status in 2025 in both instances was 97.

(4) The same number of applicants came from Georgia.

Applications and granting of protection status at first instance: rates for 2025

	Overall rejection rate (2)	In merit rejection rate (1)	Overall protection rate (2)	In merit protection rate (1)	Refugee rate (1)	Subsidiary protection rate (1)
Total	65%	52%	35%	48%	4.1%	44.3%
Breakdown by top 10 countries of origin of the total numbers						
Ukraine	Not available	65%	Not available	35%	0.1%	34.6%
Belarus	Not available	6%	Not available	94%	8%	86%
Russia	Not available	81%	Not available	19%	11%	6%
Tajikistan	Not available	80%	Not available	20%	6%	14%
Afghanistan	Not available	49%	Not available	51%	41%	10%
Somalia	Not available	3%	Not available	97%	14%	83%
Ethiopia	Not available	1%	Not available	99%	1%	97%
Syria	Not available	0%	Not available	100%	22%	78%
Eritrea	Not available	11%	Not available	89%	5%	84%
Sudan	Not available	0%	Not available	100%	23.5%	76.5%

Source of the percentages: In-merit protection rate was provided by the Office for Foreigners. Other percentages calculated by the authors of the report based on overall statistics provided by the Office for Foreigners (see table above).

(1) These rates are calculated based on in merit decisions only, excluding non in merit rejections.

(2) These rates are calculated based on total decisions.

Gender/age breakdown of the total number of applicants: 2025

	Men	Women	Adults	Children	
				Accompanied	Unaccompanied
Number	8,994	4,238	10,858	2,079	295
Percentage	67.97%	32.03%	82.06%	15.71%	2.23%

Source: Office for Foreigners.

Note: The gender breakdown (Men/Women) applies to all applicants, not only adults.

First instance and appeal decision rates: 2025

It should be noted that, during the same year, the first instance and appeal authorities handle different caseloads. Thus, the decisions below do not concern the same applicants.

	First instance		Appeal	
	Number	Percentage	Number	Percentage
Total number of in merit decisions (persons affected by decisions)	7,585		1,291	
Positive decisions	3,670	48.4%	16	1.24%
• <i>Refugee status</i>	311	4.1%	14	1.08%
• <i>Subsidiary protection</i>	3,359	44.3%	2	0.16%
• <i>Other</i> ²	Not applicable	Not applicable	142	11%
Negative decisions (in merit)	3,915	51.6%	1,133	87.76%

Source: First instance - Office for Foreigners, Appeal – Refugee Board

² Decisions annulling the decisions of the Office for Foreigners and directing the case back to first instance proceedings.

Overview of the legal framework

Main legislative acts relevant to asylum procedures, reception conditions, detention and content of protection

Title (EN)	Original Title (PL)	Abbreviation	Web Link
Law of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland (Journal of Laws 2012 pos. 680)	Ustawa z dnia 13 czerwca 2003 r. o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej (Dz.U. 2012 poz. 680)	Law on Protection	Uniform text as of 16 June 2023 (PL) and the act from 21 February 2025 amending the Law on Protection: https://orka.sejm.gov.pl/proc10.nsf/ustawy/924_u.htm
Law of 12 December 2013 on foreigners (Journal of Laws 2013 pos. 1650)	Ustawa z dnia 12 grudnia 2013 r. o cudzoziemcach (Dz.U. 2013 poz. 1650)	Law on Foreigners	Uniform text of the Act as of 21 March 2024 (PL)
Law of 14 June 1960 Code of administrative procedure (Journal of Laws 2013 pos. 267)	Ustawa z dnia 14 czerwca 1960 r. Kodeks Postępowania Administracyjnego (Dz.U. 2013 poz. 267)	Code of Administrative Procedure	https://bit.ly/3oauUKK (PL)
Law of 12 March 2022 on assistance to Ukrainian nationals with regard to the arm conflict on the territory of this country	Ustawa z 12 marca 2022 r. o pomocy obywatelom Ukrainy w związku z konfliktem zbrojnym na terytorium tego państwa	Law on assistance to Ukrainian nationals /Special Law	Uniform text as of 16 January 2024 (PL) The law is applicable from 24 February 2022

Main implementing decrees and administrative guidelines and regulations relevant to asylum procedures, reception conditions, detention and content of protection

Title (EN)	Original Title (PL)	Abbreviation	Web Link
Ordinance of the Minister of Interior and Administration of 6 October 2023 on the amount of assistance for foreigners seeking international protection (Journal of Laws 2023 pos. 2154)	Rozporządzenie Ministra Spraw Wewnętrznych i Administracji z dnia 6 października 2023 r. w sprawie wysokości pomocy dla cudzoziemców ubiegających się o udzielenie ochrony międzynarodowej (Dz.U. 2023 poz. 2154)	Regulation on Amount of Assistance for Asylum Applicants	https://bit.ly/3UIVarZ (PL)
Ordinance of the Ministry of Interior of 23 October 2015 on the rules of stay in the centre for foreigners (Journal of Laws 2015 pos.1828)	Rozporządzenie Ministra Spraw Wewnętrznych z dnia 23 października 2015 r. w sprawie regulaminu pobytu w ośrodku dla cudzoziemców (Dz. U. 2015 poz. 1828)	Regulation on Rules of stay in the Centre for Asylum Applicants	https://bit.ly/3mF6t7T (PL)

Ordinance of the Ministry of Interior and Administration of 24 April 2015 on the guarded centres and detention centres for foreigners (Journal of Laws 2015 pos. 596)	Rozporządzenie Ministra Spraw Wewnętrznych i Administracji z dnia 24 kwietnia 2015 r. w sprawie strzeżonych ośrodków i aresztów dla cudzoziemców (Dz.U. 2015 poz. 596)	Regulation on Detention Centres	https://bit.ly/43BjDU5 (PL) amended in 2021 by: https://bit.ly/3aaJI2E
Ordinance of the Ministry of 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	Regulation on the application form	https://bit.ly/43E05hJ (PL)
Ordinance of the Ministry of Interior and Administration of 13 March 2020 on temporary suspension or limitation of cross-border movement on some border crossing points	Rozporządzenie Ministra Spraw Wewnętrznych i Administracji z dnia 13 marca 2020 r. w sprawie czasowego zawieszenia lub ograniczenia ruchu granicznego na określonych przejściach granicznych	Regulation on the cross-border movement	https://bit.ly/3GEjUsC (PL) amended in 2021 by The Ordinance of 20 August 2021: https://bit.ly/3gwTtKX (PL)
Ordinance of the Council of Ministers of 27 March 2025 limiting the right to apply for international protection	Rozporządzenie Rady Ministrów z dnia 27 marca 2025 r. w sprawie czasowego ograniczenia prawa do złożenia wniosku o udzielenie ochrony międzynarodowej	Regulation on suspension of the right to apply for international protection	https://dziennikustaw.gov.pl/D2025000039001.pdf

Overview of main changes since the previous report update

The report was previously updated in **July 2025**.

International protection

Asylum procedure

- ❖ **Statistics:** in 2025, 13,232 people applied for international protection in Poland, including 11,129 first time applicants. The majority (75%) were nationals of Ukraine and Belarus. The in merit protection rate stood at 48% (see [Statistics](#)).
- ❖ **Suspension of the right to asylum:** On 27 March 2025, the right to apply for international protection at the Belarusian border was suspended for the first time for a period of 60 days. Since then, the suspension remained continuously in force throughout 2025. It applied both to individuals crossing the border irregularly and to those presenting themselves at official border crossing points. Not all interim measures granted by ECtHR to applicants in this context were respected by the authorities. Reports also emerged of authorities refusing to accept applications from persons already deep inside the country if they had entered through the Polish-Belarusian border. In 2025, according to the authorities applications from 420 individuals were not accepted on the basis of suspension of the right to asylum. Applications for international protection from 71 foreigners belonging to vulnerable groups were accepted. The courts of Białystok and Olsztyn came to opposing conclusions as to the compatibility of the ban with national, European and international law (see [Access to the territory and pushbacks](#)).
- ❖ **Ban on access to the Polish-Belarusian border:** In 2025, the ban on staying in the buffer zone along the border with Belarus remained in force and was repeatedly extended. The restrictions continued to prevent civil society organisations from effectively providing humanitarian and legal assistance to people seeking protection. Most non-governmental organisations were denied permits to enter the zone, and the access of the few entities allowed remained limited, which organisations considered insufficient in light of the ongoing crisis (see [Access to the territory and pushbacks](#)).
- ❖ **Violence at the border and pushbacks:** Reports of violence and pushbacks at the Polish-Belarusian border continued in 2025. Testimonies collected by civil society organisations indicate brutality by officers, including physical and verbal abuse, humiliation, intimidation, and destruction of property. Cases were documented involving the use of pepper spray, detaining people in freezing conditions after forcibly removing their clothing, as well as numerous injuries caused by razor wire and falls from the border fence. Since the beginning of the crisis in mid-2021 until 10 December 2025, at least 103 deaths have been verified, including 14 in 2025 alone. In February 2025, a hearing was held before the Grand Chamber of the ECtHR in the case of *R.A. and Others v. Poland*, concerning 32 Afghan nationals trapped in the border zone in 2021 (see [Access to the territory and pushbacks](#)).
- ❖ **Criminalisation of humanitarian assistance:** Significant court rulings regarding the criminalisation of humanitarian aid were delivered in 2025. On 8 September 2025, the "Hajnowka Five" activists, who were accused of facilitating illegal residence while providing aid, were acquitted. In the same month, another volunteer was acquitted after attempting to help a Somali national submit an asylum application before he was pushed back. Despite that, humanitarian workers continued to face the risk of criminalisation for their activities in the border region (see [Access to the territory and pushbacks](#)).
- ❖ **Statistics at the border:** According to Border Guard statistics, 2,751 individuals submitted applications for international protection at Polish border crossing points located at the EU external borders in 2025. Among those arriving from Belarus who successfully lodged an application

despite the bans and pushbacks, the majority did so at the Terespol border crossing (408 persons). During the same period at the Polish-Belarusian border, the Border Guard reported 27,681 “prevented attempts of illegal border crossing”. The number of formal refusals of entry reached 25,115. Furthermore, 11,384 people were returned to Belarus on the basis of the Regulation on cross-border movement, while 2,065 orders to leave Poland were issued under the amended Law on Foreigners (see [Access to the territory and pushbacks](#)).

- ❖ **Implementation of the new Pact on Asylum and Migration:** In February 2025, Polish Prime Minister Donald Tusk reiterated his opposition to the Pact on Migration and Asylum; stating his government would not implement the Pact if it involved mandatory migrant quotas. In November 2025, the European Commission officially recognised Poland as a country at risk of migratory pressure. This designation granted Poland priority access to the EU Migration Support Toolbox. Furthermore, due to the cumulative migratory pressures experienced over the previous five years, the Commission noted that Poland would have the possibility to request a full or partial deduction from its contributions to the Solidarity Pool for the upcoming year.
- ❖ **Length of first instance procedure and pending cases:** In 2025, Poland recorded 13,232 applications for international protection. The average processing time for a decision on the merits increased significantly to 202 days, compared with 131 days in 2024. The number of decisions issued within the standard 6-month time limit decreased sharply to 5,765, down from 11,409 in 2024. Furthermore, as of 30 September 2025, the running of statutory time limits for handling international protection cases was suspended until 4 March 2026, pursuant to the Law on Assistance to Ukrainian Nationals (see [Regular procedure](#)).
- ❖ **Dublin procedure:** Poland continues to be primarily a receiving country under the Dublin system. The Office for Foreigners confirmed that throughout 2025 no requests for transfers were sent to Italy or Greece. During 2025, courts in Germany and the Netherlands annulled several transfers to Poland. A court in The Hague reportedly stated there were "serious grounds to fear" that the Polish asylum procedure contains systemic flaws which could result in inhuman or degrading treatment see [Dublin procedure](#)).
- ❖ **Return procedure:** In November 2025, Frontex halted an operation to return Pakistani nationals from Poland. This decision was made following an intervention by an NGO, which informed the agency of a possible violation of the principle of non-refoulement and the fact that Poland had failed to ensure these migrants' right to apply for asylum (see [Return procedure](#)).
- ❖ **Identification of vulnerable applicants:** in 2025, NGOs continued to highlight the lack of an effective vulnerability identification system, due to the parameters and practice of the current mechanisms (see [Identification](#)).
- ❖ **Unaccompanied children:** In 2025, 295 unaccompanied children applied for international protection in Poland. The law regarding age assessment remained unchanged, continuing to rely on strictly medical methods rather than incorporating psychological or environmental factors. Furthermore, while unaccompanied children are technically exempt from the suspension of the right to apply for asylum, reports indicated they were often subjected to pushbacks without undergoing proper medical age examinations (see [Age assessment](#))

Reception conditions

- ❖ **Access to reception conditions:** The humanitarian crisis at the Polish-Belarusian border continued throughout 2025, leaving many individuals without access to material reception conditions, including medical assistance. Crucially, on 27 March 2025, the right to apply for international protection at the Belarusian border was suspended for the first time. This led to cases where foreigners were denied the right to apply for asylum, effectively excluding them from material assistance available to registered applicants. The ban on entering the buffer zone remained in force in 2025 and was extended, and thus continued to prevent NGOs from providing

effective humanitarian and medical aid (see [Access to the territory and push backs](#) and [Reception Conditions](#)).

- ❖ **Withdrawal and Reduction of Aid:** In 2025, to comply with CJEU jurisprudence (*Haqbin* ruling), provisions allowing for the total withdrawal of material reception conditions in cases of serious breaches of center rules were repealed (see [Reduction or withdrawal of reception conditions](#)).
- ❖ **Education:** In September 2025, 1,112 asylum-seeking children attended public schools and kindergartens in Poland (see [Access to education](#)).
- ❖ **Health care:** In 2025, medical assistance for asylum applicants was provided by the current provider of medical services. No changes were made compared to the previous year regarding the working hours and availability of medical staff. A change coming into effect on 1 January 2026 ensures that children of asylum seekers born in Poland are entitled to medical care from the day of their birth, provided an application for international protection is submitted on their behalf. In 2025, monitoring reports continued to document cases of individuals in need of urgent medical care who were subjected to pushbacks and remained without access to treatment, including persons reporting serious injuries following apprehension at the border (see [Health care](#)).
- ❖ **Special reception needs of vulnerable groups:** Still, in 2025, finding placements in appropriate facilities for unaccompanied asylum-seeking children remained a challenge (see [Special reception needs of vulnerable groups](#)).

Detention of asylum seekers

- ❖ **Detention of vulnerable applicants:** Children with families are still detained and the best interest of a child principle is commonly not taken into account in court proceedings; no identification system for victims of violence is in place, and victims of torture are still in practice placed in detention centres despite the binding regulations prohibiting detention in these cases. Detention of asylum seekers often remains automatic in practice, with courts insufficiently examining individual circumstances and alternatives to detention. Foreigners are not brought before courts for a personal hearing, when detention is prolonged. Expert opinions and medical or psychological documentation submitted in the proceedings are frequently not duly taken into account, and courts rarely appoint independent experts to assess vulnerability, trauma or the impact of detention on the applicant's health (see [Detention of vulnerable applicants](#)).
- ❖ **Conditions in detention centres:** Psychological services are offered in detention centres only by specialists hired by the Border Guard, which often discourages persons in need from requesting support due to lack of trust (see [Conditions in detention facilities](#)).

Content of international protection

- ❖ **Naturalisation:** Since 1 July 2025, certificates of completion of post-secondary schools with Polish as the language of instruction are no longer sufficient documentation to confirm knowledge of the Polish language. The Human Rights Commissioner highlighted how many people invested time and money in their education expecting the certificate to service this purpose, and will thus be negatively affected by the change, recommending that the authorities reconsider transitional provisions. Moreover, in 2025 the fee for obtaining citizenship increased from 219 PLN / approx. 52 EUR to 1,000 PLN / approx. 236 EUR. (see [Naturalisation](#)).
- ❖ **Cessation and withdrawal:** In 2025, 8 people had their refugee status ceased or withdrawn (7 Russian citizens, 1 Cuban citizen), 73 beneficiaries had their subsidiary protection status ceased or withdrawn (including 33 Ukrainian citizens, 27 Russian citizens, 12 Belarusian citizens, 1 Afghan citizen) (see [Cessation and review of protection status](#) and [Withdrawal of protection status](#)).

- ❖ **Family reunification:** as of 1 June 2025, the notion of ‘family member’ was expanded to include parents of minor beneficiaries of protection and, under certain conditions, siblings of minor beneficiaries. In 2025, according to the Office of Foreigners, 2,472 beneficiaries applied for family reunification and 233 permits were issued for family members (see [Family reunification - Criteria and conditions](#)).

Temporary protection

The information given hereafter constitute a short summary of the Polish Report on Temporary Protection, for further information, see [Annex on Temporary Protection](#).

Temporary protection procedure

- ❖ **Extension of the temporary protection regime:** Temporary protection is valid until 4 March 2027 for all temporary protection beneficiaries.
- ❖ **Registration:** The stay of all temporary protection beneficiaries is considered legal from the day of their entry to Poland. They are all eligible to receive ‘PESEL UKR’. The application must be submitted in 30 days from crossing the Polish border. Otherwise, the protection expires.

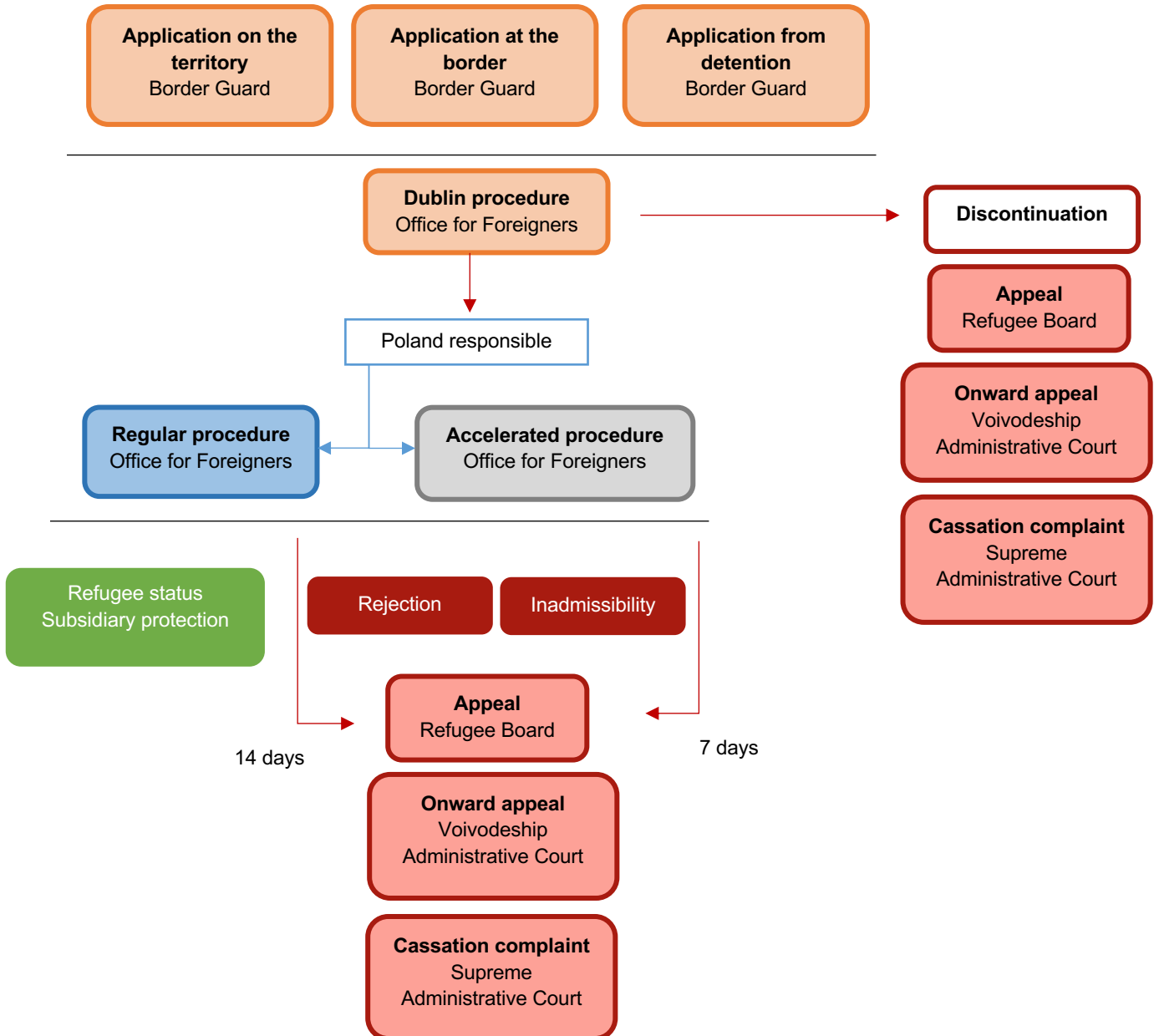
Content of temporary protection

- ❖ **Residence permits:** Since 5 March 2026, all temporary protection beneficiaries are entitled to apply for ‘PESEL UKR’ and have access to ‘Diia.pl’. No new certificates confirming enjoying temporary protection are issued starting from that date, however, the ones issued before remained valid.
- ❖ **Access to asylum and other legal statuses:** In 2025, the Office for Foreigners tightened its policy towards Ukrainian asylum seekers. In consequence, 2,847 Ukrainian nationals were refused international protection compared to 1,524 who were granted international protection. From 4 May 2026, some temporary protection beneficiaries can apply for a three-year residence permit called the "CUKR card".
- ❖ **Housing:** Since November 2025, access to collective accommodation has been available only to some vulnerable persons. The list of eligible vulnerable persons was further limited in March 2026. Temporary protection beneficiaries can no longer access reception centres for asylum seekers.
- ❖ **Access to the labour market:** All temporary protection beneficiaries must have their work notified by their employer in 7 days from the commencement of their job. All temporary protection beneficiaries can run a business under (more restrictive) rules on business activity applicable to non-Polish nationals.
- ❖ **Social welfare:** Some of the benefits are now available to temporary protection beneficiaries only if they are active on the Polish labour market.
- ❖ **Healthcare:** Access to healthcare was significantly limited in March 2026 and now is provided only to torture survivors, rape victims, children, persons living the collective accommodation centres, pregnant women, and persons who were injured in the war in Ukraine.

Asylum Procedure

A. General

1. Flow chart



2. Types of procedures

Indicators: Types of Procedures

1. Which types of procedures exist in your country?
- ❖ Regular procedure:
 - Prioritised examination:³ Yes No
 - Fast-track processing:⁴ Yes No
 - ❖ Dublin procedure: Yes No
 - ❖ Admissibility procedure: Yes No
 - ❖ Border procedure: Yes No
 - ❖ Accelerated procedure:⁵ Yes No
2. Are any of the procedures that are foreseen in the law, not being applied in practice?
 Yes No

3. List of authorities that intervene in each stage of the procedure

Stage of the procedure	Competent authority (EN)	Competent authority (PL)
Application at the border	Border Guard	Straż Graniczna (SG)
Application on the territory	Border Guard	Straż Graniczna (SG)
Dublin (responsibility assessment)	Head of the Office for Foreigners	Szef Urzędu do Spraw Cudzoziemców
Refugee status determination	Head of the Office for Foreigners	Szef Urzędu do Spraw Cudzoziemców
First appeal	Refugee Board	Rada do Spraw Uchodźców
Onward appeal	<ul style="list-style-type: none"> ❖ Voivodeship Administrative Court in Warsaw ❖ Supreme Administrative Court 	<ul style="list-style-type: none"> ❖ Wojewódzki Sąd Administracyjny w Warszawie ❖ Naczelny Sąd Administracyjny
Subsequent application (admissibility)	Head of the Office for Foreigners	Szef Urzędu do Spraw Cudzoziemców
Revocation / Withdrawal	Head of the Office for Foreigners	Szef Urzędu do Spraw Cudzoziemców
Returns (voluntary and forced)	Border Guard	Straż Graniczna (SG)

4. Determining authority

Name in English	Number of staff	Ministry responsible	Is there any political interference possible by the responsible Minister with the decision making in individual cases by the determining authority?
Office for Foreigners	458	Ministry of Interior and Administration	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No

The Office for Foreigners (OFF) is the authority responsible for examining applications for international protection and is competent to take decisions at first instance. In 2025, the Office employed 458 staff members, including 35 directly involved in decision-making in the Refugee Department.⁶

³ For applications likely to be well-founded or made by vulnerable applicants.

⁴ Accelerating the processing of specific caseloads as part of the regular procedure, without reducing procedural guarantees.

⁵ Entailing lower procedural safeguards, whether labelled as “accelerated procedure” in national law or not.

⁶ Information provided by the Office for Foreigners, 10 April 2026.

Caseworkers are trained in all aspects of the asylum procedure, in particular, drafting decisions and conducting interviews. The training is provided internally as well as through the European Union Agency for Asylum (EUAA). In addition, training for staff members conducted by UNHCR is envisaged, although there is no further information regarding the topics.

Specific training on interviewing vulnerable groups is provided by the psychologists and EUAA to staff members of the Department on Proceedings for International Protection immediately upon recruitment. In 2024, in addition to EUAA training on identification of vulnerable groups (50 caseworkers in 2024), caseworkers underwent training on interviewing techniques for children conducted by the Foundation *Polskie Forum Migracyjne* and training on sexual orientation and identity conducted by UNHCR and SIP (45 caseworkers). Although there is no specialised unit for vulnerable groups within the OFF, according to the OFF only qualified and experienced staff members are allowed to decide on applications from persons with special needs. In 2023, the number of staff members handling cases of vulnerable applicants was 15, for 2024 no exact number was provided.⁷ In 2025, the Office confirmed that cases involving vulnerable persons are handled by trained staff, but as in 2024 did not provide information on how many employees have completed such training.⁸

As regards the internal structure of the OFF, the Department on Proceedings in International Protection of the OFF is divided into three units handling regular procedures, while one unit is responsible for accelerated and inadmissibility procedures.

The Head of the Office for Foreigners is appointed by the Prime Minister, upon the request of the Ministry of Interior and Administration, among persons applying via open call.⁹ There is no regular monitoring of the decisions, but in practice, caseworkers fill in a special questionnaire which is made available to the Heads of Units and Departments of the OFF to review their activities. There is no quality control mechanism after a decision has been issued by the OFF, however; monitoring can be conducted at any time by the responsible Ministry or the Supreme Chamber of Control (*Najwyższa Izba Kontroli*). According to the Office for Foreigners, the Ministry cannot be involved in any way in the decision-making process e.g. by issuing binding instructions or by intervening in specific individual cases. In high-profile cases, an intervention is however likely, according to NGO lawyers working on specific cases.

It should be further noted that another activity covered by the OFF is reception facilities for asylum applicants and beneficiaries of international protection. The OFF is thus responsible for the management of all the reception centres. While the OFF has delegated this responsibility to civil society organisations and private contractors, it monitors the situation in the centres through the Office's employees working in the centre and through inspections that are conducted twice per year (see [Housing](#)). Asylum applicants can present a complaint to the OFF regarding the situation in the centres.

5. Short overview of the asylum procedure

An asylum application may be lodged either on the territory (also or from a detention centre) or at the border. In all cases, a Border Guard (SG) officer is responsible for accepting and transferring the request to the Head of the Office for Foreigners.

First instance: The main asylum authority is the Head of the Office for Foreigners, which falls under the Ministry of Interior and Administration. It is an administrative authority specialised in asylum and is responsible for examining, granting, refusing and withdrawing protection, in Poland, as well as for Dublin procedures (see [Number of staff and Nature of the Determining Authority](#)). A Dublin procedure is applied whenever there is evidence or any sign that another State may be responsible for examining the claim.¹⁰ However, Poland is principally a “receiving” country, rather than a country which requests and carries out transfers to other countries.

⁷ Information provided by the Office for Foreigners, 19 February 2025.

⁸ Information provided by the Office for Foreigners, 10 April 2026.

⁹ Article 17 of the Law on Foreigners.

¹⁰ The Dublin procedure should be applied in every case: Article 36(1) Law on Protection.

In Poland a single procedure applies and includes the examination of conditions to grant refugee status and subsidiary protection. A regular asylum procedure, therefore, has four possible outcomes:

- ❖ The applicant is granted refugee status;
- ❖ The applicant is granted subsidiary protection;
- ❖ The application is rejected;
- ❖ The proceedings are discontinued e.g. when the applicant is no longer on the Polish territory.

The negative decision is not automatically accompanied by a return decision. In the two last cases, the determining authority informs the Border Guard about either one of these circumstances, subsequently allowing for return proceedings to be initiated.

Admissibility procedures are mostly applied in case of a subsequent application, considered to be based on the same circumstances. There is no border procedure.

Appeal: The Refugee Board is a second-instance administrative body competent to handle appeals against first-instance negative decisions in all types of procedures, including Dublin. Appeals before the Refugee Board have an automatic suspensive effect and must be lodged within 14 calendar days after the decision has been notified to the applicant; the only exemption to this is the appeal in the [accelerated procedure](#) which must be submitted in 7 days. The procedure is not adversarial and there is no hearing.

The Refugee Board may then:

1. Annul the first instance decision, in case it considers that essential information is lacking to decide on the appeal and further investigation by the Office for Foreigners is needed;
2. Overturn the Office for Foreigners' negative decision i.e. grant refugee status or subsidiary protection; or
3. Confirm the decision of the Office for Foreigners, which is most often the case.

After the administrative appeal procedure before the Refugee Board, there is a possibility of an onward appeal before the Voivodeship Administrative Court in Warsaw. Only points of law can be litigated at this stage. This onward appeal does not have a suspensive effect on the Refugee Board's decision. Upon request of the applicant, the court may suspend a decision for the time of the court proceedings, if its enforcement would cause irreversible harm. The court procedure is adversarial.

The ruling of the Voivodeship Administrative Court in Warsaw can be appealed to the Supreme Administrative Court by lodging a cassation complaint, based exclusively on the legal conditions foreseen in the law. The Court may suspend execution of the decision for the time of the court proceedings upon request.

There is also a different national protection status called 'asylum'.¹¹ A foreigner can be granted 'asylum' in a separate procedure if it is necessary to provide them with protection, but only if it is in the interest of the state. Political aspects are, therefore, taken into account in this procedure. Throughout the years, the procedure has been rarely applied (13 positive cases in 2024, 11 positive cases in 2024, mostly Afghan nationals).¹²

B. Access to the procedure and registration

¹¹ Article 90 and next of the Law on Protection.

¹² Information provided by the Office for Foreigners, 10 April 2026.

1. Access to the territory and push backs

Indicators: Access to the Territory

1. Are there any reports (NGO reports, media, testimonies, etc.) of people refused entry at the border and returned without examination of their protection needs? Yes No
2. Is there a border monitoring in place? Yes No
3. If so, who is responsible for border monitoring? National authorities NGOs Other
4. If so, how often is border monitoring carried out? Regularly Rarely Never

In 2025, 13,232 persons applied for international protection in Poland, out of which 11,129 were first time applicants.¹³ According to the Border Guard statistics, 2,751 persons submitted an application at the Polish border crossing points placed at the EU external borders.¹⁴ Excluding those who submitted applications at airports, there were 657 persons coming directly from the territory of Belarus, Russia or Ukraine.

Polish-Ukrainian border: The situation at the Polish-Ukrainian border crossing points has been subject to specific policies since the beginning of the conflict in Ukraine (see [Annex on Temporary Protection](#)).

Polish-Belarus border: for conciseness, only developments on 2025 are reported in this update. For details on the situation in previous years, see previous updates to this country report available [here](#).

In 2025, the authorities continued pushbacks at the Polish-Belarusian border. This applied both to foreigners crossing the border irregularly and to those presenting themselves at the official border crossing point in Terespol.

In 2025, the ban on entering the buffer zone – the area close to the border – was still in force. It has been extended several times, most recently on 6 March 2026 for a further 90 days. With access to the Polish-Belarusian border restricted, civil society organisations called on the Polish government to address the ensuing humanitarian crisis, because the restriction prevents the provision of humanitarian assistance to people seeking international protection.¹⁵

Based on reports from civil society organisations, in 2025 migrants reported the use of violence on both the Polish and the Belarusian sides. For example, according to the organisation We Are Monitoring, which collects data and testimonies of migrants who experienced pushbacks, in January 2025 migrants seeking protection reported violence, emphasising the brutality and ruthlessness of border guard officers in both countries. They reported physical and verbal violence, humiliation, intimidation, as well as theft and destruction of property, and described cases of use of pepper spray and being held in freezing conditions after being forced to remove their clothes.¹⁶ Many individuals encountered at the border presented with multiple extensive lacerations caused by razor wire, as well as orthopedic injuries resulting from falls or jumps from the fence.¹⁷ From January to the end of September 2025, We are Monitoring recorded a total of 2,872 requests for support from individuals. Among these were persons belonging to vulnerable groups: organisation recorded requests from 227 children, of whom 191 (84%) were traveling unaccompanied.¹⁸ As of 10 December 2025, it is reported that at least 103 people have lost their lives at the Polish–Belarusian border, including 14 in 2025.¹⁹

¹³ Information provided by the Office for Foreigners, 10 April 2026.

¹⁴ Information provided by the Border Guard, 25 February 2025.

¹⁵ Norwegian Refugee Council, Poland: Urgent action needed for refugees trapped in Europe's 'death zone', 10 July 2024, available [here](#).

¹⁶ We are Monitoring, Grupa Granica, 'Styczeń 2025 – raport z granicy polsko – białoruskiej' available [here](#).

¹⁷ We are Monitoring, Grupa Granica, 'Maj 2025 – raport z granicy polsko – białoruskiej' available [here](#).

¹⁸ We are Monitoring, Grupa Granica, Save the Children, 'Children at the Polish-Belarusian Border January-September 2025', available [here](#).

¹⁹ We are Monitoring, 'Lista Zmarłych', 10 December 2025, available [here](#).

Crucially, in 2025 the Law on Protection was amended and the changes introducing the term “instrumentalization” of the procedure and allowing the government to temporarily suspend the asylum procedure at the Belarusian border entered into force on 26 March 2025. On 27 March 2025 on the basis of the regulation, the right to apply for international protection at the Belarusian border was suspended for 60 days. The restriction was extended several times – most recently on 22 March 2026 and as of 26 April 2026 it remains in force until 20 May 2026 with a possibility of further extensions. A more detailed description of the new provisions is provided in the section: *Registration of the Asylum Application*.

In practice, the new provisions result in applications from persons crossing the Polish-Belarusian border not being accepted. In accordance with the regulations, the suspension does not apply to persons belonging to certain categories of vulnerable individuals, including unaccompanied children. However, according to Grupa Granica, on the very first day the suspension of the right to asylum came into effect, a 17-year-old unaccompanied Somali boy was removed from a hospital near the border, despite belonging to a vulnerable group.²⁰

The suspension of the right to international protection also applies at the only operational border crossing with Belarus, at Terespol. Since the introduction of the suspension of applying for international protection at official border crossings, it has become impossible for most people to submit applications at Terespol, with few exceptions, such as pregnant women or unaccompanied children. The Rule of Law Institute reported that the Border Guard at Terespol violated regulations requiring the acceptance of applications from vulnerable groups.²¹ For most people, also those to whom the suspension of the right to asylum should not have been applied, the only chance to avoid being pushed back to Belarus in Terespol was to obtain an interim measure (see below).

International jurisprudence:

On 4 April 2024 the ECtHR issued a judgement in the case *Sherov and others against Poland* (complaint no 54029/17 and other). The Court held that by not accepting applications for international protection from Tajik nationals in 2016-2017 and repeatedly sending them back to Ukraine, Poland infringed article 3 and 13 of the ECHR and article 4 of the Protocol no 4 to the Conventions. The Polish Border Guard were of the opinion that the foreigners’ reasons to enter Poland were of economic and personal nature.

The ECtHR have already issued judgements concerning pushbacks,²² but the facts of the cases referred to the period before the crisis at the border in 2021. These cases have not been properly implemented by the authorities²³ and the situation of persons in need of international protection have only deteriorated since the facts of these cases took place.

On 12 February 2025, there was a hearing of the case *R.A. and Others v. Poland*, complaint no 42120/21, which refers directly to the crisis that started in 2021 at the Polish-Belarusian border and was followed by legislative amendments sanctioning pushbacks. Namely, the case concerns 32 Afghan nationals who fled after the Taliban took power. In August 2021, they crossed the Polish-Belarusian border irregularly and were immediately trapped in the border zone, unable to move forward because of Polish authorities and unable to return due to Belarusian forces blocking their way. Their requests for international protection were ignored, leaving them stranded without food, water, medical assistance, or shelter for weeks until they were forcibly pushed back to Belarus.²⁴ They maintain that they were eventually returned from Belarus to Afghanistan, where they currently reside. The case was heard by the Grand Chamber of the ECtHR,²⁵ only one of ten cases against Poland ever examined by the Grand Chamber since Poland

²⁰ We are Monitoring, Grupa Granica, Save the Children, ‘Children at the Polish-Belarusian Border January-September 2025’, available [here](#).

²¹ The Rule of Law Institute, ‘Notice of the RLI to the Commander of the BG Unit in Terespol of 27 March 2025’, available [here](#).

²² M. Łysienia, *Pushbacki w Polsce w ocenie Europejskiego Trybunału Praw Człowieka, Laboratorium Migracji*, 11 August 2023, available in Polish [here](#).

²³ Information about the expert meeting, 29 March 2024, available [here](#).

²⁴ SIP, ‘Sprawa R.A. i inni przeciwko Polsce – co jest stawką?’, 19 February 2025, available in Polish [here](#).

²⁵ ECtHR, ‘Grand Chamber hearings concerning Latvia, Lithuania and Poland’, 12 February 2025, available [here](#).

ratified the ECHR in 1993.²⁶ The judgement delivered in this case will give direction in deciding in 30 other cases against Poland, Latvia and Lithuania concerning the situation of persons seeking protection at the border which are pending before the ECtHR.²⁷

In 2025, individuals crossing the Polish-Belarusian border with the intention of seeking international protection submitted requests for interim measures to the ECtHR. The increase in such applications is linked to the introduction of the suspension of the right to apply for international protection and the resulting heightened risk that foreign nationals may be returned to Belarus without an individual assessment of their situation.²⁸ In 2025, it was reported that not all interim measures granted by ECtHR were respected by authorities. In April 2025, SIP reported a case of applicants who attempted to cross the border at the Terespol border crossing with Belarus. They expressed the intention to apply for international protection and possessed documents indicating they belonged to a vulnerable group, on the basis of which their application should have been accepted despite the suspension of the right to apply for international protection. Nevertheless, they were pushed back to Belarus. Subsequently, they presented themselves at the border crossing again with an interim measure issued in their case. This measure was ignored by the authorities, and the applicants were turned back to Belarus once more.²⁹ SIP reported that a complaint in the case had been submitted to the ECtHR.³⁰ The Commissioner for Human Rights noted that the Border Guard considers individuals who present themselves at the Terespol border crossing without undergoing passport control as not formally on Polish territory, and thus outside Poland's jurisdiction. In response, the Commissioner wrote to the Commander-in-Chief of the Border Guard, requesting assurances that interim measures will be respected by authorities. The Commissioner also recalled that in *M.K. and Others v. Poland*, the Court rejected the Border Guard's claim that interim measures could not be applied to foreigners denied entry, and regretted that judgements of ECtHR have not been properly implemented by the Border Guard over the past eight years. In response, the Border Guards Headquarters stated that isolated cases of non-compliance with interim measures were due to delays in the Court sending its decision to grant the measure.³¹

Cases of non-compliance with interim measures also concerned foreigners crossing the border in an irregular manner - HFHR filed a complaint concerning a Sudanese national who had been hospitalised due to an arm injury and was removed from the hospital to Belarus, despite an interim measure having been issued in his case.³²

Domestic jurisprudence: Two legal amendments introduced in response to the crisis at the Belarusian border in 2021 have been questioned as a result of litigation before domestic courts, but remain in force as of March 2026. The first one is Regulation on cross-border movement,³³ authorising the Border Guard to turn back third-country nationals to the border line solely based on a verbal instruction and the Law on Foreigners as amended in October 2021 (specifically Article 303b of the Law on Foreigners)³⁴ which allows the Border Guard to issue immediately enforceable 'orders to leave the Republic of Poland' with regards to third-country nationals apprehended after the irregular border crossing.

²⁶ SIP, 'R.A. and Others v. Poland – What's at Stake?', 19 February 2025, available [here](#).

²⁷ HFHR, 'Interwenujemy przed ETPC w sprawach pushbacków na granicy z Białorusią', 30 October 2024, available in Polish [here](#).

²⁸ HFHR, 'Communication from the Helsinki Foundation for Human Rights concerning the execution of the ECtHR judgement in the case M.K. and others v. Poland, application no.40503/17, 9 October 2025, available [here](#).

²⁹ SIP, 'Poland defies Strasbourg Court decision and pushes refugees back to Belarus', 18 April 2025, available [here](#).

³⁰ SIP, 'Application to the ECtHR Regarding the Pushback of Refugees to Belarus at the Terespol Border Crossing', 11 September 2025, available [here](#).

³¹ Human Rights Commissioner, 'Niewykonywanie środków tymczasowych ETPC wobec migrantów. Kolejne pismo do KG SG', 28 August 2025, available in Polish [here](#).

³² HFHR, 'Communication from the Helsinki Foundation for Human Rights concerning the execution of the ECtHR judgement in the case M.K. and others v. Poland, application no.40503/17, 9 October 2025, available [here](#).

³³ Ordinance of the Minister of Internal Affairs and Administration of 20 August 2021 amending the Ordinance on Temporary Suspension or Restriction of Border Traffic at Certain Border Crossings (Journal of Laws 2021, item. 1536).

³⁴ Article 303b in conjunction with Article 303(1)9a of the Law on Foreigners, introduced by the Law of 14 October 2021 amending the Law on Foreigners and other Acts of Law (Journal of Laws 2021, item. 1918).

It is important to note that according to HFHR, the basis upon which the Border Guard decides which procedure is applied in a given case are unclear, as it is often not possible to understand whether it was considered the person fell under the regime of the Ordinance (Regulation) or the amended Law on Foreigners (Article 303b).³⁵ However, according to a report realised by ECRE, in 2022 the Regulation was more frequently used in cases of persons apprehended after an irregular border crossing.³⁶

According to HFHR all judgments issued by the Voivodeship Courts in 2022-2024 on pushbacks are coherent and confirm that the way of returning migrants to Belarus by the Polish Border Guard was unlawful, regardless of whether the return was based on the Regulation or on the Law on Foreigners.³⁷ These judgements were also described in the HFHR and SIP third party intervention in the case *R.A. and Others v. Poland* presented before the Grand Chamber of the ECtHR.³⁸ Nevertheless, still in 2025, this domestic case law appears to have had no influence on the practice of the relevant authorities.

Another measure adopted in response to the border crisis in 2025 was the suspension of the right to seek asylum. The legality of this measure has been examined by the Voivodeship Administrative Court in Białystok,³⁹ which held that the new provisions comply with the principle of proportionality and do not infringe upon the essence of the right to asylum. In its judgments, the court found that, in situations involving the instrumentalisation of migration, the state may introduce limitations to the principle of *non-refoulement* with regard to a foreign national who becomes part of a group aiming to destabilise the situation within the state. According to the court, such circumstances fall within the scope of Article 33(2) of the 1951 Geneva Convention. However, the judgments are not yet final. Consequently, the cases will be examined by the Supreme Administrative Court.

The District Court in Olsztyn took a different view, pointing to the incompatibility of the suspension with EU, national, and international law, in cases concerning foreign nationals placed in detention centres. The cases concerned individuals who had expressed their intention to apply for protection, but whose applications were not accepted by the Border Guard, which instead initiated return proceedings and placed them in detention on the basis of the return procedure. The Court ruled that such individuals should be treated as asylum seekers and therefore cannot be lawfully detained for the purpose of return, especially where no formal application has been registered. It also indicated that the relevant national provisions may conflict with EU and international law, including the principle of *non-refoulement*, and clarified that the refusal to accept an application does not deprive applicants of the safeguards guaranteed under EU asylum law.⁴⁰

In 2025, the SIP reported the awarding of the first compensation for an obviously unlawful apprehension of a foreigner and pushback across the Polish-Belarusian border. The case concerned an Afghan citizen who was pushed back to Belarus in 2021.⁴¹

In 2025, HFPC reported that the court decided that the Prosecutor's Office should investigate the pushback of an Afghan man from a hospital. The incident occurred in 2024. Initially, the Prosecutor's Office had refused to open an investigation into the case.⁴²

³⁵ HFHR, Legal brief on judgements in cases involving expedited returns of migrants to Belarus, December 2022, page 1, footnote 1, available (EN) [here](#).

³⁶ ECRE, Seeking refuge in Poland. A fact-finding report on access to asylum and reception conditions for asylum seekers, February 2023, page 11, available (EN) [here](#).

³⁷ See judgements of Voivodeship Administrative Court in Białystok, no II SA/Bk 71/24, II SA/Bk 72/24, II SA/Bk 145/23, II SA/Bk 244/23, no II SA/Bk 492/22, 493/22 and 494/22. Judgment of the Voivodeship Administrative Court in Warsaw no IV SA/Wa 420/22 of 26 April 2022, judgement no IV SA/Wa 471/22 of 27 April 2022, judgment no. IV SA/Wa 615/22 of 20 May 2022; judgment no IV SA/Wa 772/22 of 27 May 2022.

³⁸ See HFHR and SIP third party intervention in the case *R.A. and Others v. Poland*, available [here](#).

³⁹ See judgements of Voivodeship Administrative Court in Białystok, no II SA/Bk 1221/25.

⁴⁰ See judgements of , District Court in Olsztyn – decisions of 9 January 2026, case no. VII Kz 557/25, 16 January 2026 case no. VII Kz 13/26, and 13 February 2026 case nos. VII Kz 51/26, VII Kz 55/26, VII Kz 58/26. SIP, 'The Regional Court in Olsztyn: suspension of the right to asylum is unlawful' 17 February 2026, available [here](#).

⁴¹ SIP, 'First Compensation Awarded for an Illegal Pushback', 12 November 2025, available [here](#).

⁴² HFPC, 'Sąd zdecydował, że prokuratura musi zbadać sprawę pushbacku', 2 June 2025, available [here](#).

In 2025, the courts also delivered significant judgments concerning the criminalisation of humanitarian assistance at the Polish–Belarusian border. On 8 September 2025, the ‘Hajnówka Five’ were acquitted. The trial concerned five activists who were providing humanitarian assistance at the Polish–Belarusian border. They had been accused of facilitating illegal residence in Poland for the purpose of obtaining a benefit.⁴³ In the same month, a volunteer who had tried to assist a Somali man in submitting an application for international protection, who was pushbacked, was also acquitted.⁴⁴

Official statistics: Of the persons coming from Belarus who managed to submit an application for international protection in 2025, the majority did so at the Terespol border crossing (408 persons). At the same time (2025), at the Polish-Belarusian border, the Border Guard reported 27,681 prevented attempts of illegal border crossing.⁴⁵ 25,115 formal refusals of entry were issued. 11,384 people were returned to Belarus on the basis of the Regulation on cross-border movement in 2025, while orders to leave Poland on the basis of the amended Law on Foreigners were issued towards 2,065 persons. Only 15 orders were appealed.

According to the recent HFHR’s report on persons missing at the border, from August 2021 to March 2024, 116 deaths were documented on the eastern border of the European Union (in four countries: Belarus, Latvia, Lithuania and Poland).⁴⁶

Border monitoring. Official border monitoring is based on an agreement between UNHCR for Central Europe and the Border Guards Headquarters of 21 October 2009. The monitoring visits are to be conducted by the NGO Halina Niec Legal Aid centre and should, according to UNHCR, take place once a month. The reports from these visits are not publicly available. UNHCR indicated that its monitoring activities are conducted at official border crossing points, Border Guard posts and registration centres along the Polish-Belarusian border.⁴⁷ The Border Guard confirmed that in 2025, UNHCR monitoring of border posts - especially on the external border - was performed regularly.⁴⁸ On the other hand, one of the recommendations of the Special Rapporteur to grant full access to the border area by Poland and Belarus to civil society organisations and independent monitoring mechanisms as “it is important to ensure that a strong and independent role is played by local civil society in both countries, as well as to allow international organisations to conduct in situ monitoring”⁴⁹ remained ignored and the situation actually worsened with the ban on entering the buffer zone reinstated in June 2024, still in force in 2025 (see supra). The situation at the border crossing point in Terespol after the ban on access to the border zone had been reintroduced was monitored by the Ombudsperson.⁵⁰ The Ombudsperson – together with the Ombudsperson for Children expressed concerns about the unaccompanied children crossing the border (see [Representation of unaccompanied minors](#)).⁵¹ In 2025, the Ombudsman reported conducting inspections of Border Guard facilities along the Polish-Belarusian border.⁵²

⁴³ HFPC, “Piątka z Hajnówki niewinniona” 8 September 2025, available in Polish [here](#).

⁴⁴ HFPC, “Bartosz, wolontariusz udzielający pomocy na granicy polsko-białoruskiej, niewinniony!” 26 May 2025, available in Polish [here](#).

⁴⁵ This is not the number of persons, please note that some attempts are repeated.

⁴⁶ HFHR, *Disappearances on the Polish-Belarusian border. Pushbacks as a factor in enforced disappearances in Poland*, 2024, available [here](#).

⁴⁷ ECRE, *Seeking refuge in Poland. A fact-finding report on access to asylum and reception conditions for asylum seekers*, February 2023, available (EN) [here](#) page 16.

⁴⁸ Information provided by the Border Guard, 7 March 2025.

⁴⁹ Visit to Poland - Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales, 21 April 2023, available (EN) [here](#).

⁵⁰ RPO, *Informacja o działalności Rzecznika Praw Obywatelskich październik – grudzień 2024 r*, available in Polish [here](#).

⁵¹ RPO, *Informacja o działalności Rzecznika Praw Obywatelskich październik – grudzień 2024 r*, available in Polish [here](#).

⁵² RPO, *Wizytacja placówek Nadbużańskiego Oddziału Straży Granicznej przy granicy polsko-białoruskiej*, 21 August 2025, available in Polish [here](#).

Readmission agreements. Poland signed the readmission agreements with the EU Member States (both bilateral and multilateral). There were no new agreements signed in 2024.⁵³ In 2024 421 persons were readmitted to Poland and 926 persons from Poland to other countries.⁵⁴

Poland – readmission agreements with EU Member States

I. Bilateral agreements

I.I. with EU Member States within the Schengen zone

No	Country	Date of signing	Date of entering into force
1.	Switzerland	19 September 2005	31 March 2006
2.	Spain	21 May 2002	23 June 2003
3.	Sweden	1 September 1998	9 April 1999
4.	Austria	10 June 2002	30 May 2005
5.	Czech Republic	10 May 1993	30 October 1993
6.	Greece	21 November 1994	5 May 1996
7.	Lithuania	13 July 1998	8 January 2000
8.	Latvia	29 March 2006	27 December 2007
9.	Slovakia	8 July 1993	12 November 1993
10.	Slovenia	28 August 1996	6 April 1998
11.	Hungary	25 November 1994	5 August 1995

I.II. with EU Member States outside the Schengen zone

No	Country	Date of signing	Date of entry into force
1.	Ireland	12 May 2001	22 June 2002
2.	Bulgaria	24 August 1993	4 February 1994
3.	Croatia	8 November 1994	27 May 1995
4.	Romania	24 July 1993	19 January 1994

II. Multilateral agreements

No	Country	Date of signing	Date of entry into force
1. ⁵⁵	Belgium The Netherlands Germany France Italy Luxemburg Switzerland	29 March 1991	1 April 1991
2. ⁵⁶	Belgium Denmark Spain The Netherlands Norway Sweden Czech Republic Germany Finland Greece Portugal Italy	16 October 1980 By Poland – 19 May 2004	1 December 1980 For Poland – 1 June 2005

⁵³ The Border Guard Headquarters' letter to HFHR, 21 March 2023.

⁵⁴ Information provided by the Border Guards, 7 March 2025.

⁵⁵ Agreement related to the readmission of persons in an irregular situation, Brussels, 29 March 1991.

⁵⁶ European agreement on transfer of responsibility for refugees, Strasbourg, 16 October 1980.

Romania
Luxemburg
United Kingdom

Legal access to the territory

There are no means (for example, in the form of corridors or resettlement or relocation) beyond [family reunification](#) to legally access the Polish territory for persons with protection needs. Foreigners with protection needs may apply for humanitarian visa, however obtaining one is difficult. They are issued mainly to citizens of Belarus.

The Polish government announced on 1 June 2023 that it will not cooperate with the mandatory migrant relocation scheme proposed in the EU Pact on Migration and Asylum.⁵⁷ In April 2024, the new government expressed its support for this position.⁵⁸ In February 2025, Polish Prime Minister Donald Tusk reiterated his opposition to the Pact on Migration and Asylum; stating his government would not implement the Pact if it involved mandatory migrant quotas.⁵⁹ In November 2025, the European Commission announced that Poland is among the countries at risk of migratory pressure. As a result, Poland will be included among the Member States granted priority access to the EU Migration Support Toolbox. Furthermore, as a country facing a significant migratory situation due to the cumulative pressures of the past five years, Poland will have the possibility to request that the Council grant a full or partial deduction from its contributions to the Solidarity Pool for the upcoming year.⁶⁰

2. Preliminary checks of third country nationals upon arrival

Indicators: Preliminary checks at the arrival point

1. Are there any checks that are applied systematically or regularly at the point of entry when a person enters the territory? Yes No
2. Is the person considered under law to have entered the territory during these checks? Yes No

A foreigner entering Poland has to fulfil the legal conditions of entry. During the preliminary check, the Border Guard – as the authority responsible for border control – verifies the following:⁶¹

- ❖ Identity and citizenship, including verification in the database;
- ❖ The authenticity of the travel document;
- ❖ Visa or stay permit if required;
- ❖ Relevant stamps in order to check if a foreigner did not exceed the time of permitted stay on the territory of the Member States;
- ❖ The place of destination and planned stay;
- ❖ available financial resources and whether they correspond with the time and purpose of planned stay;
- ❖ Checking whether the person, transportation means or luggage constitute a threat to public order, internal security, health or international relations of any of the Member State, including verification in the SIS, Interpol and national database.

If there is a need for an additional check, the person is directed to a second-line border control.

All the elements of the preliminary check are applied systematically to all foreigners, irrespective of their country of origin, including those seeking international protection. Different rules are applicable towards:

⁵⁷ Euractiv, Poland opposes EU Commission's migrant relocation scheme, 1 June 2023, available [here](#).

⁵⁸ Euractiv, Tusk vows to 'protect' Poland against EU migrant relocation, 11 April 2024, available [here](#).

⁵⁹ Jorge Liboreiro, 'Poland will not implement Migration Pact, Donald Tusk tells Ursula von der Leyen' (*Euronews*, 7 February 2025), available [here](#).

⁶⁰ European Commission, 'Commission launches first Annual Migration Management Cycle under the Pact on Migration and Asylum', 11 November 2025, available [here](#).

⁶¹ This entire section is based on answers by the Border Guard expressed in a letter from 7 March 2025.

heads of states and their delegation, pilots, sailors, diplomatic passports holders, members of international organisations, transborder workers, children, rescue teams, etc.

Generally, foreigners subject to a border check are considered under the jurisdiction of Poland. However, taking into consideration the specific conditions in which the check is conducted (including on the train, etc.), only a positive decision on entry results in enjoying all the rights and obligations related to stay on the territory of Poland. If the decision is negative, only a formal decision on refusal of entry is registered and can be appealed against. However, in practice these decisions are not issued in every instance of refusal as of 2025.

There is no time limit within which the border check should be completed. During the border check, a foreigner should stay in the place where the control is conducted and cannot move freely until the final decision on entry is made, however this is not considered a detention regime under national law.

If a foreigner expresses a will to apply for international protection during the border check, they are directed to the second-line border control. The Border Guard is then obliged to follow the procedure set out in article 30 of the Law on Protection, which includes: collecting information needed to fill in the application form, ensuring assistance of the interpreter and medical assessment, photographing a person, informing about the rules of the proceedings, including Dublin proceedings, rights and obligations, legal aid, contact with UNHCR, reception conditions and centres (see [Information for asylum seekers and access to NGOs and UNHCR](#)).

3. Registration of the asylum application

Indicators: Registration

1. Are specific time limits laid down in law for making an application? Yes No
❖ If so, what is the time limit for lodging an application?
2. Are specific time limits laid down in law for lodging an application? Yes No
❖ If so, what is the time limit for lodging an application?
3. Are registration and lodging distinct stages in the law or in practice? Yes No
4. Is the authority with which the application is lodged also the authority responsible for its examination? Yes No
5. Can an application be lodged at embassies, consulates or other external representations? Yes No

Applications for international protection should be submitted to the Border Guard (BG) who will then transfer them to the Head of the Office for Foreigners. The Head of the Office for Foreigners is competent to examine the application, so the BG cannot refuse to accept the application.

If the application is lodged at the border or in detention, the BG unit responsible for the border checkpoint or the detention facility is the authority competent to receive it. If the application is lodged on the territory, it can be submitted to any BG unit. There is also a possibility to declare an intention to apply for international protection by post for i.e., elderly persons, persons with disabilities, pregnant women, and persons in hospitals or imprisoned.⁶²

When applying for international protection, one has to submit their travel document (e.g., passport) to the BG. Travel documents are kept by the Head of the Office for Foreigners. Asylum applicants are issued a temporary ID document entitling them to stay on the territory of Poland, the Temporary Identity Certificate of a Foreigner (*Tymczasowe Zaświadczenie Tożsamości Cudzoziemca*). The document is initially valid

⁶² Article 28(2) Law on Protection.

for 90 days (10 days in the case of Dublin returnees). The document can be prolonged for 6 months (and every 6 months) by the Head of the Office for Foreigners until the end of the asylum procedure.⁶³

The BG is entitled to inform an asylum seeker that it is impossible to lodge an application for international protection on the same day they present themselves to the BG unit. However, the BG must then set a date and place when the application will be accepted.⁶⁴ In such a situation (e.g., when there is a need to ensure that an interpreter is available), the intention to apply for protection is laid down in a protocol and registered. The Border Guard has 3 working days to ensure the application is lodged and registered (in case of a large number of applications, it is 10 working days). Decision on return cannot be executed during this time.⁶⁵

According to official data, 2,367 declarations for international protection (involving 2,479 persons) were submitted in 2025, compared to 2,664 declarations covering 2,779 persons in 2024.⁶⁶ Unfortunately, the declarations are registered without any information on the legal grounds of the application and no further details were provided by the Border Guard about the declarations.

Under the Amendment to the Law on Protection of 21 February 2025, the law was amended to allow for the temporary suspension of the right to apply for international protection. Provisions were introduced in response to the crisis at the Polish-Belarusian border.

As of 26 March 2025, the right to submit an application for international protection may be temporarily restricted where:

- ❖ instrumentalization is occurring, and
- ❖ actions undertaken as part of such instrumentalization pose a serious and real threat to the security of the State or society, and
- ❖ imposing this restriction is necessary to eliminate the aforementioned threat, and other measures are insufficient to do so.⁶⁷

For the purposes of the provisions, a definition of instrumentalisation has been introduced into the Law on Protection. Instrumentalisation is understood as actions carried out by a state bordering the Poland or by another entity, aimed at facilitating the crossing by foreigners, in violation of the law, in particular through the use of violence against officers of state services and soldiers of the Armed Forces of the Poland protecting border, or in conjunction with the destruction of border infrastructure, which may result in the destabilisation of the internal situation on the territory of Poland.⁶⁸

The provisions were adopted despite strong opposition from non-governmental organisations, national and international institutions. In a letter addressed to the Marshal of the Senate of the Republic of Poland, the Council of Europe Commissioner for Human Rights expressed concern regarding the draft law, pointing to serious doubts as to whether the provisions are compatible with Article 3 of the ECHR. He noted in particular that the new legislation would restrict access to the territory for persons in need of protection and would result in the expulsion of foreigners from Poland prior to any examination of whether they are in need of international protection. In this context, he referred to the case of *M.K. and Others v. Poland*.⁶⁹ UNHCR in its position indicated that, although migration is clearly being instrumentalised at the Poland–Belarus border and the situation remains highly complex, Poland should respect binding and universal principle of *non-refoulement*, from which no derogation is permitted, even in situations of war or other emergencies.⁷⁰

⁶³ Article 55(1) and (2) and Article 55a(2) Law on Protection amended by the act of 21 February 2025.

⁶⁴ Article 28(1) Law on Protection.

⁶⁵ Article 330(1)8 Law on Foreigners.

⁶⁶ Information provided by the Border Guards, 25 March 2025 and 16 February 2024.

⁶⁷ Article 33a(1) Law on Protection.

⁶⁸ Article 2(6a) Law on Protection.

⁶⁹ Commissioner for Human Rights, 'Letter to the Marshal of the Senate of Poland', 4 March 2025, available [here](#).

⁷⁰ UNHCR, Comments and Observations on the draft law amending the Act on Granting Protection to Foreigners in the territory of the Republic of Poland, 12 December 2024, available [here](#).

The suspension of the right to apply for international protection is decided by the Council of Ministers by way of a regulation.⁷¹ The provisions stipulate that such a suspension should not exceed 60 days;⁷² however, with the consent of the Sejm, it may be extended. Since the law does not specify a maximum number of such extensions, in practice they may be applied an unlimited number of times.⁷³

The suspension of the right to asylum in practice means that, for its duration, applications for international protection are not accepted, and declarations of intent to apply for international protection are also not registered.⁷⁴ There are, however, exceptions to these rules. This means that even during the suspension period, applications submitted by the following, vulnerable groups should be accepted by the Border Guard:

- ❖ unaccompanied children;
- ❖ pregnant women;
- ❖ persons requiring special treatment due to their age or health condition;
- ❖ persons facing a risk of serious harm in the country from which they are arriving directly to the territory of Poland,
- ❖ nationals of a state engaging in instrumentalisation, from whose territory foreigners arrive on the territory of the Republic of Poland (in practice, this refers to nationals of Belarus).⁷⁵

The above rule does not apply to a third-country national against whom the use of direct coercive measures, firearms, or other weapons was necessary immediately after they crossed or attempted to cross the border using violence and in cooperation with others.⁷⁶ An application will not be accepted from such a person, even if they belong to a vulnerable group.

Between 27 March and 31 December 2025 applications for international protection from 420 foreigners (with the highest number recorded in August 2025 – 121 individuals) were not accepted. At the same time, applications for international protection from 71 foreigners belonging to vulnerable groups were accepted, including 30 individuals due to their health condition (22 men, 4 women, and a family of four), 24 pregnant women accompanied by 7 children, 9 unaccompanied children, and 1 elderly person.⁷⁷

The provisions do not provide for an official procedure for determining an individual's vulnerability. In practice, the Border Guard enjoys broad discretion in this regard. Even prior to the entry into force of the provisions, UNHCR pointed to doubts as to whether Border Guard officers were adequately prepared to identify persons belonging to vulnerable groups. Independently of this, UNHCR also indicated that international law provides no basis for limiting the principle of *non-refoulement* solely to a restricted category of persons belonging to vulnerable groups.⁷⁸ In August 2025, the Commissioner for Human Rights and the Commissioner for Children's Rights, in a joint statement, called for an amendment of the provisions and for the regulation of the procedure under which an assessment is carried out as to whether a given person qualifies as vulnerable. According to information obtained by the Commissioners, such assessments are currently conducted by Border Guard officers using an internal form completed after a foreign national declares an intention to apply for international protection. The Commissioners also expressed concern that children travelling with their caregivers were not included among the categories of vulnerable persons. They emphasised that children do not lose their status as persons requiring special care and protection merely by virtue of being under the care of adults. Accordingly, they called for the extension of the catalogue of vulnerable persons whose applications for international protection are accepted to include minor foreign nationals.⁷⁹ However, in 2025, the regulations in this regard were not changed.

⁷¹ Article 33a(5) Law on Protection.

⁷² Article 33a(2) Law on Protection.

⁷³ Article 33a(3) Law on Protection.

⁷⁴ Article 33c Law on Protection.

⁷⁵ Article 33b(2) Law on Protection.

⁷⁶ Article 33b(3) Law on Protection.

⁷⁷ Information provided by Border Guards, 25 February 2026.

⁷⁸ UNHCR, 'Comments and Observations on the draft law amending the Act on Granting Protection to Foreigners in the territory of the Republic of Poland, 12 December 2024', available [here](#).

⁷⁹ Commissioner for Children's Rights, 'RPD i RPO apelują w sprawie ochrony międzynarodowej', 18 August 2025, available in Polish [here](#).

On 27 March 2025, the right to apply for international protection on the Belarusian border was suspended for the first time for 60 days.⁸⁰ It was subsequently extended several times with the consent of the Sejm and, as of 26 April 2026 remains in force.

According to the regulation, the temporary suspension of the right to apply for international protection applies at Poland's border with Belarus. This term raises interpretative doubts, as neither the Law on Protection nor the regulation introducing the restriction includes a definition of the state border. The only definition of border in Polish law is contained in the Law on the Protection of the State Border, which defines the state border as a vertical surface passing through the border line, separating the territory of the Polish state from the territories of other states and from the sea.⁸¹ This would mean that the suspension applies exclusively at the border line itself. Both the Commissioner for Human Rights and the Commissioner for Children's Rights, in their submission to the Prime Minister, indicated that an issue as important as the scope of the restriction should not give rise to interpretative doubts.⁸²

Initially, Border Guard assumed that the suspension of the right to protection applies within border-area facilities of the Border Guard including official border crossings points. According to HFHR, the fact that the suspension also applies at the border crossing in Terespol may indicate that the Council of Ministers exceeded its statutory delegation. The situation of individuals who, seeking protection, present themselves at an official border crossing, undergo border control, and attempt to submit an application for international protection in accordance with the regulations, does not fall within the statutory definition of instrumentalisation.⁸³

In September 2025, SIP reported that Polish authorities were unlawfully refusing to accept asylum applications from people who had crossed the Polish–Belarusian border nationwide, even in locations hundreds of kilometres away from the border.⁸⁴ Similarly, the Commissioner for Human Rights indicated that the Office had been receiving complaints about refusals to accept applications for international protection across the country, including in guarded centres for foreigners. According to the Commissioner, the basis for such actions is a position communicated to the Border Guard by the Ministry of the Interior and Administration. Under this position, a refusal to accept an application should occur in every case where the Border Guard has information that a foreign national crossed the border illegally, even if the application is submitted in a different voivodeship. The Commissioner stated that applying such an interpretation is contrary to the Constitution, as well as to the very provisions introducing the suspension of the right to asylum. Moreover, the Ministry does not have statutory authorisation to determine the territorial scope of the restriction.⁸⁵

C. Procedures

1. Regular procedure

1.1. General (scope, time limits)

Indicators: Regular Procedure: General

1. Time limit set in law for the determining authority to make a decision on the asylum application at first instance: 6 months

⁸⁰ Council of Ministers Regulation of 27 March 2025 on the Temporary Restriction of the Right to Submit an Application for International Protection, available [here](#).

⁸¹ Article 1 Law on the Protection of the State Border.

⁸² Commissioner for Children's Rights, 'RPD i RPO apelują w sprawie ochrony międzynarodowej', 18 August 2025, available in Polish [here](#).

⁸³ HFHR, Stanowisko Zarządu HFPC dotyczące mechanizmu czasowego i terytorialnego ograniczenia prawa cudzoziemca do ubiegania się w Polsce o ochronę międzynarodową, 28 March 2025, available [here](#).

⁸⁴ SIP, Poland refuses to accept asylum applications nationwide, 22 September 2025, available [here](#).

⁸⁵ Human Right Commissioner, 'Zawieszenie przyjmowania wniosków o udzielenie ochrony międzynarodowej. Pismo do MSWiA, 28 October 2025', available [here](#).

- | | |
|--|---|
| 2. Are detailed reasons for the rejection at first instance of an asylum application shared with the applicant in writing? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |
| 3. Backlog of pending cases at first instance as of 31 December 2025: | 8,931 |
| 4. Average length of the first instance procedure in 2025: | 202 days |

The Head of the Office for Foreigners is a state authority which is responsible for issuing the first-instance decisions on granting and withdrawing protection status, deciding on the responsible state under the Dublin Regulation and social assistance provided in the asylum procedure. The Head of the Office for Foreigners is also a second-instance authority in residence permit procedures.

As a rule, the time limit set in law for the Head of the Office for Foreigners to issue a decision on an asylum application is of 6 months.⁸⁶ This period can be prolonged to 15 months if: the case is of particular complexity; many asylum seekers are applying at the same time; the asylum seeker did not fulfil the obligation of presenting all the evidence and documents or attending the interview.⁸⁷ The case is considered of particular complexity when it requires several additional actions related to the credibility evaluation on the asylum claim (COI research, translation of documents submitted as evidence, approaching other authorities to establish identity, etc.).⁸⁸

In 2024, the authority decided to prolong the examination on the basis of the Law on Protection in 2,455 cases. 5,765 decisions were issued within the 6 months-time limit (11,409 in 2024).⁸⁹ The Office stressed that there are no formal guidelines on what is considered as a complex and the decision in this regard is taken on an individual basis.⁹⁰ Deadlines in such cases are extended due to the need to translate and assess extensive evidence and to collect additional material, including requesting documents or explanations from the applicant. They may also be prolonged due to country-of-origin research or consultations with other authorities (e.g. security services, border guards, or law enforcement).⁹¹

In 2025, the average processing time for a decision on the merits was 202 days (131 in 2024). The longest processing time was 1,092 days (in comparison to 860 days in 2024) and the shortest time was 2 days.⁹²

According to the law, if the decision is not issued within 6 months, the general provisions on the inaction of the administrative authority apply,⁹³ therefore the Head of the Office for Foreigners should inform the applicant in writing about the reasons for the delay and the applicant can submit a complaint to the second-instance authority. In practice, information about the reasons for the delay is provided in a very general way and complaints to the second-instance authority are rare. In case a decision on asylum application was not issued within the 6 months limit, the applicant can apply for a work permit on this basis (see [Access to the Labour Market](#)).⁹⁴ The Head of the Office for Foreigners then issues a certificate, which – together with a temporary ID – gives a right to work in Poland until the end of the procedure. The certificate is also valid for appeal proceedings and onward appeal court proceedings if the suspensive effect is granted.

However, as of 30 September 2025, pursuant to the Law on Assistance to Ukrainian Nationals, the running of statutory time limits for the handling of cases concerning the granting of international protection in proceedings conducted by the Head of the Office for Foreigners has been suspended until 4th March 2026.⁹⁵ The Act provides that, during this period, provisions on the inactivity of the authority do not apply, no fine may be imposed on the authority for protracted proceedings, and the cessation of procedural actions during this period may not constitute grounds for the use of legal remedies. If six months have

⁸⁶ Article 34(1) Law on Protection.

⁸⁷ Article 34(2) Law on Protection.

⁸⁸ Letter from the Office for Foreigners to HFHR, 19 February 2025.

⁸⁹ Letter from the Office for Foreigners to HFHR, 10 April 2026.

⁹⁰ Letter from the Office for Foreigners to HFHR, 19 February 2025.

⁹¹ Information provided by the Office for Foreigners, 10 April 2026.

⁹² Letter from the Office for Foreigners to HFHR, 10 April 2026, 19 February 2025.

⁹³ Articles 36-38 of the Code of Administrative Proceedings.

⁹⁴ Article 35 Law on Protection.

⁹⁵ Article 100da Law on Assistance to Ukrainian Nationals.

elapsed from the date of submission of the application for international protection, a certificate entitling the applicant to work is still issued.

As of 31 December 2025, 8,931 persons' cases were pending before the Office for Foreigners, compared to 6,939 in 2024.⁹⁶

In 2023, NGOs intervened in cases where the applicants were deprived full access to the files of their case, as the Country of Origin information (COI) consulted was not included in the files.⁹⁷ Therefore, the applicant could not review this information and provide comments before the decision was issued, as is set in the administrative law.⁹⁸ There were no such cases reported in 2024.

1.2. Prioritised examination and fast-track processing

There is no legal basis for prioritising certain types of cases. According to the Office for Foreigners in 2022, the Office made efforts to prioritise applications of Afghan nationals as they were considered manifestly well-founded. On the contrary, the Office also tried to prioritise issuing negative decisions towards the applicants from Iraq who crossed the border irregularly.⁹⁹ More recent information is not publicly available as of April 2026.

1.3. Personal interview

Indicators: Regular Procedure: Personal Interview

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the regular procedure? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
2. In the regular procedure, is the interview conducted by the authority responsible for taking the decision? Yes No
3. Are interviews conducted through video conferencing? Frequently Rarely Never
4. Can the asylum applicant request the interviewer and the interpreter to be of a specific gender? Yes No
 - ❖ If so, is this applied in practice, for interviews? Yes No

Personal interviews are conducted by the Office for Foreigners and are generally mandatory in a regular procedure, unless:

- ❖ A decision on granting refugee status can be issued based on evidence already gathered; or
- ❖ An applicant is not fit to be interviewed (e.g. due to health or psychological problems).¹⁰⁰

In 2025 the Office for Foreigners conducted 3,382 interviews. There is no information available as to the number of cases in which a psychologist was present during the interview.¹⁰¹

As a rule, interviews are conducted individually. The Office has confirmed however that there are cases in which mothers had their infant children with them during the interview. The officers conducting interviews are trained in the area of identification of vulnerable persons and when preparing for interview they consider the situation of a particular social group (e.g. women) in the country of origin (e.g. the risk of forced marriage).¹⁰² However, NGOs have expressed numerous concerns regarding the functioning in practice of identification mechanisms (See [Identification of vulnerable applicants](#)).

⁹⁶ Letter from the Office for Foreigners to HFHR no BSZ.WKSI.069.1.2024/RW, 16 February 2024.

⁹⁷ SIP, Cudzoziemcy(-mki) w procedurze uchodźczej nie mają pełnego dostępu do akt w swojej sprawie – interweniujemy, 11 August 2023, available [here](#).

⁹⁸ Article 10(1) of the Code of Administrative Proceedings

⁹⁹ Letter from the Office for Foreigners to HFHR no BSZ.WKSI.0656.3.2022/RW, 26 January 2022.

¹⁰⁰ Article 44(1) and (2) Law on Protection.

¹⁰¹ Information provided by the Office for Foreigners, 10 April 2026.

¹⁰² Letter from the Office for Foreigners to HFHR no BSZ.WKSI.069.1.2024/RW, 19 February 2025.

In practice, cases occur in which the personal interview is replaced by a written questionnaire sent to the applicant. SIP reported such a case, in which the decision was annulled by in October 2025 by the Refugee Board due to the lack of a personal interview, as it limited the applicant's ability to fully present their claims.¹⁰³

In 2025 two unaccompanied children were heard during an interview.¹⁰⁴ In interviews with children, their curator is always present, as well as a psychologist who presents an opinion afterwards. UAM can name a grown-up to also be present. The interviews are held in the place where the child stays, not in the Office.¹⁰⁵

If spouses are covered by a single application, the Office does not interview the husband in the presence of the wife, and vice versa. If spouses are not covered by a single application, a foreign national who wishes their spouse to be present at the interview must grant them a power of attorney for that purpose.¹⁰⁶

1.3.1. Interpretation

Interpretation is ensured respectively by the Head of the Office for Foreigners (for the first instance proceedings) and the Refugee Board (for the appeal proceedings); i.e. they are responsible for securing interpretation and appointing interpreters. The interview should be conducted in a language understandable to the applicant. In the asylum application, the asylum applicant has to declare their mother tongue as well as any fluent knowledge of other languages. Applicants can further request the interviewer and/or interpreter to be of a specific gender.¹⁰⁷ In 2025, applicants submitted such requests, which were generally granted, particularly when justified by experiences of violence or sexual orientation; requests regarding the preferred nationality of interpreters were also usually approved.¹⁰⁸

The contract established between the Office for Foreigners and interpretation services regulates quality, liability, and specifies the field (asylum). Interpretation is available in most of the languages spoken by asylum applicants in Poland. There is no information on how many cases in 2025 involved an interpreter during the interview, but this applied to the majority of cases, except for those conducted in Polish. Issues occasionally arose, including poor connection quality, communication difficulties between the interpreter and the applicant, and changes in the applicant's preferred interview language, which sometimes resulted in rescheduling. The Office for Foreigners reported that in 2024 there were problems finding interpreter for the following languages: Berber, Amharic, Tigrinya, Somali, and Ndebele.¹⁰⁹

There is no training for interpreters and cultural mediators are not provided in individual interviews.

In 2024, a specific case highlighted how important access to interpretation is. The Refugee Board annulled the decision of the Office for Foreigners refusing international protection to an applicant when it was discovered that his statement submitted at the time of applying for protection was translated by the Border Guard using internet.¹¹⁰

1.3.2. Recording and report

¹⁰³ SIP, 'Brak osobistego przesłuchania podstawą uchylenia decyzji o odmowie udzielenia ochrony' 5 February 2026, available in Polish [here](#).

¹⁰⁴ Information provided by the Office for Foreigners, 10 April 2026.

¹⁰⁵ Letter from the Office for Foreigners to HFHR no BSZ.WKSI.069.1.2024/RW, 19 February 2025, Information provided by the Office for Foreigners, 10 April 2026.

¹⁰⁶ Information provided by the Office for Foreigners, 10 April 2026.

¹⁰⁷ Article 44(4)2 of the Law on Protection.

¹⁰⁸ Information provided by the Office for Foreigners, 10 April 2026.

¹⁰⁹ Letter from the Office for Foreigners, 19 February 2025.

¹¹⁰ SIP, 'Brak tłumacza podstawą do uchylenia negatywnej decyzji ws. ochrony międzynarodowej', 10 August 2025, available [here](#).

Audio or video recording is possible under national legislation if an applicant was informed about this fact and technical means allow for it,¹¹¹ but is not implemented in practice as there are no logistical arrangements in place to enable its use.¹¹² The law provides that a copy of the report (protocol) of the interview should be handed over to the applicant after a personal interview. In some cases, the applicants do not take or keep it, but they can ask for a copy at any stage of the proceedings.

The report is written in Polish and includes all questions and answers from the interview, but it's not an exact word-for-word transcript. After the interview, the report is read to the interviewee in a language they understand, and they are allowed to make any necessary corrections before signing it. In 2025 the reports from the interview were made on computer, in exceptional cases they could be hand-written.¹¹³

However, NGOs have expressed concern that there is a repeated issue with this method of recording interviews. Frequently, it is only after the interview that the applicant reviews the interview report with someone fluent in both Polish and their native language, and inconsistencies in their testimony are discovered. However, any comments and clarifications made in the appeal or subsequent proceedings are generally not taken into account. It is very unlikely to successfully question the interview in the subsequent steps of the procedure. According to the Office for Foreigners, protocols are mainly prepared on the computer, not handwritten, except for interviews conducted outside the Office for Foreigners where there is no possibility to print the copy of the interview (prisons, foster care facilities).¹¹⁴

In 2025, remote interviews were conducted via the ZOOM application. It is possible to ensure the presence of a psychologist for interviews conducted remotely.¹¹⁵ In 2024 the Office for Foreigners reported that applicants requested in-person interviews, often in connection with applications for release from detention. No objections were raised to conducting interviews remotely.¹¹⁶

1.4. Appeal

Indicators: Regular Procedure: Appeal

1. Does the law provide for an appeal against the first instance decision in the regular procedure?

❖ If yes, is it	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
❖ If yes, is it suspensive	<input type="checkbox"/> Judicial	<input checked="" type="checkbox"/> Administrative	
	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	

2. Average processing time for the appeal body to make a decision in 2025: 94 days

1.4.1. Appeal before the Refugee Board

Decisions of the Head of the Office for Foreigners in the regular procedure can be appealed to the Refugee Board within 14 calendar days. The decision (without a justification) as well as guidance on how to appeal is translated into the language that the applicant for asylum had previously declared as understandable; the substantiation of the decision is not translated. The applicant can submit the appeal in their language.

The Refugee Board is an administrative body, consisting of twelve members, supported in their work by six employees, not involved in the decision-making process.¹¹⁷ In the regular procedure, decisions are taken by three members. The procedure includes an assessment of the facts and there is a possibility of hearing applicants. The Head of the Office for Foreigners is not a party in these proceedings. The time

¹¹¹ Article 44(5) of the Law on Protection.

¹¹² No cases in 2025 as the the Office for Foreigners indicated that it is not currently possible. Information provided by the Office for Foreigners 10 April 2026.

¹¹³ Information provided by the Office for Foreigners, 10 April 2026.

¹¹⁴ Letter from the Office for Foreigners to HFHR, 19 February 2025.

¹¹⁵ Information provided by the Office for Foreigners, 10 April 2026.

¹¹⁶ Information provided by the Office for Foreigners, 10 April 2026.

¹¹⁷ Information provided by the Refugee Board, 27 August 2015.

limit set in law for the appeal procedure is 1 month.¹¹⁸ The appeal has a suspensive effect.¹¹⁹ Neither hearings nor decisions of the Refugee Board are made public.

In 2025, the average processing time for the Refugee Board to issue a decision in appeal proceedings was 94 days. For cases submitted by Ukrainian nationals it was 98 days. The longest processing time in 2025 was of 321 days and the shortest 1 day. There were no cases in 2025 where the Refugee Board decided to hear a witness and only 1 where it decided to hear the applicant (the same as in 2024).¹²⁰

In 2025, appeals to the Refugee Board were submitted in the case of 2,078 applicants.¹²¹ In 2025, the Refugee Board issued 1,070 decisions, affecting 1,410 persons.¹²² As of 31 December 2024, there were 768 ongoing appeal cases before the Refugee Board initiated by appeals submitted in 2025.

Proceedings before the Refugee Board can have the following outcomes:

- ❖ annulling the first instance decision and directing the proceedings back to the first instance (138 applicants in 2025);
- ❖ overturning the decision and granting protection (cases of 19 applicants in 2025; 16 applicants were granted refugee status and 3 subsidiary protection);¹²³
- ❖ upholding the first instance decision (1,075 applicants in 2024);¹²⁴
- ❖ discontinuing the second instance proceedings (cases of 40 applicants in 2024).

The statistics clearly show that the chances of success of appeals are very low in practice (see [Statistics](#)).

NGOs point out that second instance proceedings conducted by this authority are often merely symbolic, and tend to unquestioningly uphold the conclusions made by the Head of the Office for Foreigners.¹²⁵

When the negative decision or a decision on discontinuing the procedure for international protection is served (delivered), the person concerned has 30 days to leave Poland (unless they are in detention).¹²⁶ During these 30 days, their stay in Poland is considered legal.¹²⁷ Nevertheless, the Refugee Board also informs the Border Guard that the final negative decision on international protection has been served and the Border Guard are obliged to establish if there are legal grounds to initiate the return proceedings.¹²⁸

1.4.2. Onward appeal

After the administrative appeal procedure before the Refugee Board, the decision of the latter can be further appealed to the Voivodeship Administrative Court in **Warsaw** within 30 days.¹²⁹ There is no fee for the procedure. This onward appeal does not have a suspensive effect on a final administrative decision. However, asylum applicants can ask the court to suspend a decision for the time of the court proceedings, if the decision can cause irreversible harm. Therefore, a motion to grant suspensive effect has to be submitted together with the complaint.¹³⁰ The authority issuing the decision (in this case the Refugee Board) can also grant suspensive effect on their own decision *ex officio* or upon request.¹³¹

¹¹⁸ Article 35(3) Code of Administrative Proceedings.

¹¹⁹ Article 130(1) and (2) Code of Administrative Proceedings.

¹²⁰ Information provided by the Refugee Board, 19 January 2025.

¹²¹ Information provided by the Office for Foreigners, 10 April 2026.

¹²² Information provided by the Refugee Board, 19 January 2025.

¹²³ The figures differ slightly from those provided by the Office for Foreigners. According to the information provided by the Office for Foreigners there were 14 applicants who were granted refugee status by the Refugee Board and 2 granted subsidiary protection.

¹²⁴ According to the information provided by the Office for Foreigners, the number of upheld decision was 1,033
¹²⁵ HFHR, *Input by civil society organisations to the EU Agency for Asylum Report 2023*, available in English (EN) [here](#), 13.

¹²⁶ Article 299(6)1b Law on Foreigners.

¹²⁷ Article 299(7) Law on Foreigners.

¹²⁸ Article 299(10) and (11) Law on Foreigners

¹²⁹ Regulated in the Law of 30 August 2002 on the proceedings before administrative courts, Journal of Laws 2012 pos. 270 (*ustawa z dnia 30 sierpnia 2002 r. Prawo o postępowaniu przed sądami administracyjnymi, Dz.U. 2012, poz. 270*).

¹³⁰ Article 61(3) of the Law on proceedings before administrative courts.

¹³¹ Article 61(2)1 of the Law on the proceedings before administrative courts.

The court procedure is adversarial; both the Refugee Board and the asylum applicant are parties before the court. However, the court cannot decide on the merits (i.e. grant protection), but only annul the administrative decision or uphold it. The ruling of the Voivodeship Administrative Court in Warsaw can itself be appealed to the Supreme Administrative Court by lodging a cassation complaint, based exclusively on the legal conditions foreseen in the law, also accompanied by a request for suspension of the administrative decision.

The Law on Foreigners separates asylum proceedings and return proceedings, which means that a return decision is not issued within the asylum procedure. Return proceedings are started after the final administrative decision refusing international protection is served (delivered) to the person concerned (in the case of detainees; while in the case of applicants who are not detained, they have 30 days to leave the territory). However, under the current legal framework, the return proceedings may lead to a return decision being issued before the Voivodeship Administrative Court in Warsaw examines the appeal against the final administrative decision refusing protection to the applicant.

Since 2019, as a result of the judgement in the case C-181/16 *Sadikou Gnandi v. Belgium*, the Voivodeship Administrative generally suspends the enforcement of the negative decision on international protection based on Article 46(5) of the Procedure Directive. This measure was taken to ensure that the return decision is not enforced until the end of the Court proceedings on international protection.¹³² This trend is applicable only with regard to the first application for international protection. In case of subsequent applications, if the application is deemed inadmissible, the Court refuses to grant suspensive effect to such a decision.¹³³

Compliance with EU law of administrative court proceedings in Poland has come under question, especially in light of the CJEU's *Alekszj Torubarov v. Bevándorlási és Menekültügyi Hivatal* (C-556/17) ruling of 29 July 2019. The judgment states that the administrative court must have the authority to enforce final court judgments. These powers must include the possibility of issuing a judgment on the merits if a final judgment is not complied with in subsequent administrative proceedings. Yet, in Poland the law does not provide such a possibility –the administrative courts do not decide on the merits¹³⁴ If the complaint is upheld, the Court may only annul the contested decision of the Refugee Council along with the preceding decision of the Head of the Office for Foreigners. This means that the case will be reconsidered by the administrative authorities.¹³⁵ The guidelines set out in the Court's reasoning are binding on them.¹³⁶

As a rule, in the Polish system of administrative judiciary, the court reviews the legality of administrative decisions on the basis of the legal and factual state as of the date on which the final decision was issued. In cases concerning the granting of international protection, courts have, however, confirmed that an effective remedy before a first-instance court should entail a full examination of the case *ex nunc*, taking into account also the factual and legal circumstances that arose after the decision was issued by the administrative authority. The Supreme Administrative Court indicated that, although the Procedure Directive was not properly implemented, Article 46(3) can be directly applied by the courts.¹³⁷

According to the statistics of the Refugee Board, in 2025 there were 375 (compared to 261 in 2024) complaints submitted to the Voivodeship Administrative Court in Warsaw against all the decisions of the Refugee Board (i.e. decisions not only refusing protection). In 2025, the Voivodeship Administrative Court

¹³² Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r. [Report SIP in action. Rights of foreigners in Poland in 2020], available (PL) [here](#), 28.

¹³³ Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r. [Report SIP in action. Rights of foreigners in Poland in 2020], available (PL) [here](#) 28.

¹³⁴ P. Iżycki, *O merytorycznym orzekaniu sądów administracyjnych w świetle standardu europejskiego – refleksje na gruncie wyroku Trybunału Sprawiedliwości z 29.07.2019 r., C-556/17, Alekszj Torubarov przeciwko Bevándorlási és Menekültügyi Hivatal* [On Administrative Courts' Adjudication on the Merits of Cases in the Light of the European Standard: Reflections Concerning the Judgment of the Court of Justice of 29 July 2019, C-556/17, Alekszj Torubarov v Bevándorlási és Menekültügyi Hivatal], Europejski Przegląd Sądowy 4/2020, abstract available [here](#).

¹³⁵ Article 145(1) of the Law on the proceedings before administrative courts.

¹³⁶ Article 153 of the Law on the proceedings before administrative courts.

¹³⁷ Supreme Administrative Court, II OSK 1753/21, judgement of 5 July 2022, summary by SIP available [here](#).

in Warsaw annulled the decision of the administrative authorities (either of the Refugee Board or both decisions of the first and second instance) in 29 cases (compared to 41 in 2025), and dismissed the complaint in 176 cases (167 cases in 2024). The success rate in onward appeal has been similarly low throughout the years.

In 65 cases in 2025 (compared to 60 cases in 2024) cassation complaints to the Supreme Administrative Court were lodged by the applicants. The Supreme Administrative Court annulled the judgment of the Voivodship Administrative Court as well as the administrative decision (solely of the Refugee Board or both instances) in 1 case in 2025 (compared to 3 cases in 2024). The cassation complaint was dismissed in 43 cases in 2025 (34 in 2024).¹³⁸

1.5. Legal assistance

Indicators: Regular Procedure: Legal Assistance

1. Do asylum applicants have access to free legal assistance at first instance in practice?
 - Yes
 - With difficulty
 - No
 - ❖ Does free legal assistance cover:
 - Representation in interview
 - Legal advice

2. Do asylum applicants have access to free legal assistance on appeal against a negative decision in practice?
 - Yes
 - With difficulty
 - No
 - ❖ Does free legal assistance cover
 - Representation in courts
 - Legal advice

A State legal aid system was introduced in 2015 and it covers:

- ❖ Legal information, provided by the employees of the Office for Foreigners in cases concerning revocation of protection in the first instance; and
- ❖ Legal aid in the second instance is provided by advocates, legal counsellors and NGOs. It involves preparing an appeal and providing legal representation in the second instance in cases concerning:
 - refusal of refugee status or subsidiary protection
 - discontinuance of the procedure
 - refusal of reopening the procedure,
 - Dublin procedure,
 - inadmissibility of the application
 - revocation of protection status.¹³⁹

In any type of decision mentioned above, issued by the first instance authority, the instruction on the right to free legal aid is included and is translated into the language understood by the applicant.¹⁴⁰

The system is managed by the Head of the Office for Foreigners who contracts lawyers, legal counsellors and NGO lawyers. Legal aid is provided by legal counsellors, advocates and in 2024 3 NGOs: the Association for Legal Intervention (SIP), The Rule of Law Institute and the Halina Niec Legal Aid Centre.¹⁴¹ For 2025 there are only 2 NGOs: SIP and the Rule of Law Institute. The list of legal counsellors and advocates who are available for 2025 is publicly available together with their contact details and is divided by the cities where they provide services.¹⁴²

¹³⁸ Information provided by the Refugee Board, 19 January 2026. This data may be not fully coherent because of delays in transferring information on judgements.

¹³⁹ Article 69c-69m Law on Protection.

¹⁴⁰ Article 53(1) and 54e(1) Law on Protection.

¹⁴¹ The list of legal counsellors, advocates and NGOs is available on the OFF website [here](#).

¹⁴² The Office for Foreigners, cost free legal aid, list of service providers, available [here](#).

There is no specific training, but NGOs, in order to be put on the list, have to prove 2 years of experience in the provision of legal aid, as SIP reports in 2024.

According to the statistics sent by the Office for Foreigners in 2025, applicants were assisted by legal counsellors or advocates in 193 cases (compared to 170 in 2025) and by NGO lawyers in 193 cases (compared to 71 in 2024). Considering the low number of individuals benefiting from the legal aid system out of the total of 2,078 appeals in 2025,¹⁴³ it appears that the system has little impact on the effective provision of free legal aid to applicants.

In 2025, the Office for Foreigners issued a warning against dishonest intermediaries operating in international protection procedures, emphasising that the procedure is free of charge and that intermediaries often falsely claim to guarantee a positive outcome or faster processing of applications.¹⁴⁴

In 2023, when drafting the law implementing the state legal aid system, the forecast of expenses for 7 years (2016-2022) were estimated for 13,473 million PLN, but the actual cost for this period was 1,473 million PLN. Bearing in mind the costs covered within this budget (legal fees, travel costs, cost of translation), the system was drafted to provide services in approximately 2,303 cases per year, while in fact the services were provided in 276 cases on average per year.¹⁴⁵

The Association for Legal Intervention (SIP), one of the few NGOs providing legal aid within this system, is also of the opinion that assisting only in the second instance is not sufficient. Evidence considered to decide on the case's merits is mostly gathered in the first instance proceeding – that is when the applicants are interviewed, country of origin information is collected and witnesses can be heard, but in this phase of the proceedings free legal assistance is not provided (i.e. private lawyer can be arranged, but it means the applicant bears the costs). SIP provided examples of cases in which some evidence from the country of origin was presented in the appeal but was not taken into account by second instance authorities, who argued the applicants should have presented them at the first instance. The argument, that the applicant had not been advised by the lawyer on what evidence can be relevant to the procedure was not considered.¹⁴⁶

There is also a separate free legal aid system for administrative court proceedings (onward appeal). Representation before administrative courts can be provided only by professional legal representatives (lawyers, legal counsellors). There is a general possibility to apply for a cost-free professional legal representation before these courts on the same rules that apply to Polish citizens (i.e. insufficient financial resources). There is a form, in Polish, available in the court or on the court's website (not in the offices of administrative authorities examining the claim), however as of 2024 applicants are not informed on this in the first instance decision. In 2025, the Voivodship Administrative Court in Warsaw (examining all the complaints against decisions regarding international protection) granted free legal assistance in 41 cases where such assistance was requested and refused to grant assistance in 42 cases.¹⁴⁷ For comparison, in 2024 the court granted free legal assistance in all cases in which it was requested.

For information on access to legal assistance in detention see the section on [Legal assistance in detention](#).

Before the system of legal aid was created in 2015, legal assistance had been provided by NGOs under the European Refugee Fund (ERF)-funded projects. Many NGOs, with qualified lawyers, continued to provide free legal assistance in the proceedings (including the first instance), but this assistance is not provided on a large scale nor is it stable, since it often depends on short-term funding within projects. Due

¹⁴³ Information provided by the Office for Foreigners, 3 February 2022.

¹⁴⁴ The Office for Foreigners, 'Ostrzeżenie przed nieuczciwymi pośrednikami', 4 March 2025, available in Polish [here](#).

¹⁴⁵ Monitoring wdrażania ustawowej pomocy prawnej, Seminar "Access to State-Funded Legal Assistance in Asylum and Return Procedures in Poland", 14 December 2023, UNHCR Warsaw Office.

¹⁴⁶ SIP, *Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2019 r.*, [Report SIP in action. The Rights of the foreigners in 2019.], available (in Polish) [here](#). The findings remain relevant as of the end of 2025.

¹⁴⁷ Information from the Voivodship Administrative Court, 11 March 2026.

to the lack of funding, NGOs generally lack resources and cannot assist applicants on a wider scale covering e.g. the presence of a lawyer during any interview. In 2025, NGOs reportedly faced financial constraints related to reductions in USAID funding, which could also have affected their capacity to provide legal assistance.¹⁴⁸

In August 2021, many NGOs moved to the border zone to provide legal and humanitarian assistance there (see [Access to the territory and pushbacks](#)). The introduction of a state of emergency on 2 September 2021 limited this assistance. It is also worth noting that when the ECtHR extended interim measure in the case of *R.A. and others v. Poland* (application no. 42120/2), which was heard by the ECtHR Grand Chamber in February 2025, it requested that the Polish authorities allow the applicants' lawyers to establish the necessary contact with their clients. The ECtHR also indicated that, if the applicants are on Polish territory, they should not be sent to Belarus. Poland did not comply with the measure and provided the ECtHR with its position maintaining that, although it understands the humanitarian aspect of the Court's position, it cannot violate the integrity of the neighbouring country where the migrants are situated. Moreover, Poland suggested that the applicants' legal representatives go to the nearest border-crossing point in order 'to cross the Polish–Belarusian border in accordance with the law and, when on the territory of Belarus, go to the camp where the complainants are staying'.¹⁴⁹

The reintroduction of a ban on entry into the buffer zone near the Polish-Belarus border (see [Access to the territory and pushbacks](#)) certainly affected negatively the possibility of providing legal assistance to persons at the border. However, even before reintroducing the ban, pushbacks occurred so rapidly that legal representatives often did not have the chance to respond, e.g. by presenting their power of attorney, and only found out about the pushback afterwards.¹⁵⁰ The ban remained in force in 2025, meaning that these constraints continued to affect access to legal assistance.

In 2024, the issue of foreigners' access to their established legal representatives was highlighted in the Ombudsperson's submission letter to the Chief Commander of Border Guards.¹⁵¹ The Ombudsperson indicated that representatives of foreigners are not allowed to participate in proceedings conducted against their clients by Border Guards, nor are they delivered letters and decisions concerning them. Often this is due to the Border Guards questioning the validity of the powers of attorney provided, but there have also been cases where a representative was not allowed to participate in proceedings when the content and form of the power of attorney were not contested. Not allowing representatives to participate in proceedings and not serving them with the decisions or orders of the authority, results in not respecting the rights of the foreigner in the proceedings and limiting their access to the appeal procedure in case of pushback.¹⁵²

2. Dublin

2.1. General

Dublin statistics: 2025

Outgoing procedure			Incoming procedure		
	Requests	Transfers		Requests	Transfers
Total	329	110	Total	2,045	571
“take charge”	160	32	“take charge”	724	233
Germany	35	8	Germany	273	69

¹⁴⁸ tvn24, 'UNHCR zamyka biura w Polsce, organizacje pozarządowe toną. To efekt Trumpa', available in Polish [here](#).

¹⁴⁹ Fundamental Rights Agency, Migration: Key fundamental rights concern, Quarterly Bulletin 3, available (EN) [here](#).

¹⁵⁰ SIP, 'Current situation on the Polish-Belarusian border – statement by Grupa Granica', 11 July 2024, available [here](#).

¹⁵¹ Ombudsperson, XI.543.423.2024.JK, 9 September 2024, available in Polish [here](#).

¹⁵² HFHR, *Input by civil society organisations to the Asylum Report 2025*, available [here](#).

Lithuania	30	8	France	89	6
Hungary	15	1	Norway	72	66
“take back”	169	78	“take back”	1,321	338
Germany	66	23	Germany	667	240
Latvia	25	17	France	292	16
France	16	8	Belgium	119	15

Source: Office for Foreigners.

Outgoing Dublin requests by criterion: 2025		
Dublin III Regulation criterion	Requests sent	Requests accepted
“Take charge”: Articles 8-17(2)	160	123
Article 8 (minors)	0	0
Article 9 (family members granted protection)	0	0
Article 10 (family members pending determination)	0	0
Article 11 (family procedure)	4	3
Article 12 (visas and residence permits)	142	116
Article 13 (entry and/or remain)	11	0
Article 14 (visa free entry)	0	1
“Take charge”: Article 16 (dependent persons)	1	0
“Take charge” humanitarian clause: Article 17(2)	2	3
“Take back”: Article 18 and 20(5)	169	99
Article 18 (1) (b)	99	24
Article 18 (1) (c)	3	28
Article 18 (1) (d)	67	46
Article 20(5)	0	1

Source: Office for Foreigners.

Incoming Dublin requests by criterion: 2025		
Dublin III Regulation criterion	Requests received	Requests accepted
“Take charge”: Articles 8-17	724	516
Article 8 (minors)	1	0
Article 9 (family members granted protection)	0	0
Article 10 (family members pending determination)	2	1
Article 11 (family procedure)	16	2
Article 12 (visas and residence permits)	573	500
Article 13 (entry and/or remain)	126	12
Article 14 (visa free entry)	2	0
“Take charge”: Article 16 (dependent persons)	0	0
“Take charge” humanitarian clause: Article 17(2)	4	1
“Take back”: Articles 18 and 20(5)	1,321	1,033
Article 18 (1) (b)	1,285	480
Article 18 (1) (c)	5	459
Article 18 (1) (d)	30	94

Article 20(5)	1	0
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Source: Office for Foreigners

As the statistics show, Poland is mainly a country receiving Dublin requests from other countries. The most frequent case is when an applicant has his application under examination in Poland and made another application in another Member State (or stays there without a residence document).

2.2. Procedure

Indicators: Dublin: Procedure

1. Is the Dublin procedure applied by the authority responsible for examining asylum applications?
 Yes No
2. On average, how long does a transfer take after the responsible Member State has accepted responsibility?
several days – up to 2 weeks¹⁵³

The Head of the Office for Foreigners is responsible for Dublin procedures and the Border Guard is responsible for transfers.¹⁵⁴ All asylum applicants over the age of 14 are fingerprinted and checked in Eurodac at the time of lodging their asylum application. In all cases, the Head of the Office for Foreigners applies the Dublin procedure.¹⁵⁵ The CJEU's ruling in *Mengesteab*,¹⁵⁶ which allows Member States to implement the Dublin procedure from the time of registration before the submission of an application, has not altered the practice of the Office for Foreigners. The Office still initiates the Dublin procedure from the time when the application is submitted.

According to the Office for Foreigners, if the authorities decide to apply the Dublin procedure, asylum applicants are informed about it. They are also informed about the following steps of the procedure e.g. decision received from another Member State, or the need to submit additional documents.

2.1.1. Individualised guarantees

The Office for Foreigners responded, that in 2025 Italy and Greece were the countries to which the requests for transfers were not sent.¹⁵⁷

2.1.2. Transfers

According to the Border Guard, the transfer is organised within days from the moment the decision on transfer becomes final, bearing in mind the time in which other states expect to be informed about the transfer in advance and depending on the availability of plane tickets, etc.¹⁵⁸

Asylum applicants are transferred under escort only when there is a risk of absconding or if they have already absconded before. According to the Office for Foreigners, it concerns applicants staying in detention, but there are also cases where applicants staying outside the detention centres were transferred under escort.

There is also a legal basis for detention in Dublin outgoing procedures, based on the risk of absconding (see the section on [Grounds for Detention](#)).¹⁵⁹ The Border Guard reported that in 2025, 93 persons were transferred from detention centres under the Dublin procedure. No information about the legal grounds for detention was provided.¹⁶⁰

¹⁵³ Information provided by the Border Guard, 13 January 2023.

¹⁵⁴ Article 36(2) Law on Protection.

¹⁵⁵ The Dublin procedure should be applied in every case: Article 36(1) Law on Protection.

¹⁵⁶ CJEU, Case C-670/16, *Tsegezab Mengesteab v. Bundesrepublik Deutschland (GC)*, Judgment of 26 July 2017.

¹⁵⁷ Information from the Office for Foreigners, 10 April 2026.

¹⁵⁸ Information provided by the Border Guard, 13 January 2023.

¹⁵⁹ Article 398(1)(3a) Law on Foreigners.

¹⁶⁰ Information provided by the Border Guard, 25 March 2026.

2.3. Personal interview

There is no separate interview where an applicant's case falls under the Dublin Regulation. Additional questions for the Dublin procedure form an integral part of the asylum application form.¹⁶¹

2.4. Appeal

Indicators: Dublin: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the Dublin procedure?

- Yes No
 Judicial Administrative
❖ If yes, is it Yes No
❖ If yes, is it suspensive Yes No

Asylum seekers can appeal against decisions taken in the Dublin procedure to the Refugee Board (and then to the Voivodeship Administrative Court in Warsaw and the Supreme Administrative Court) within 14 days following the same procedure described in the section on appeals in the [Regular Procedure: Appeal](#).

The average time for the appeal procedure in Dublin cases in 2025 was 51 days (73 days in 2024). In 2025, the Refugee Board issued 65 decisions (25 in 2024) in Dublin proceedings (covering 82 persons). In 59 cases (72 persons) the decision of the Office for Foreigners was upheld.¹⁶²

2.5. Legal assistance

Indicators: Dublin: Legal Assistance

Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?

- Yes With difficulty No
❖ Does free legal assistance cover: Representation in interview Legal advice

2. Do asylum applicants have access to free legal assistance on appeal against a Dublin decision in practice?

- Yes With difficulty No
❖ Does free legal assistance cover Representation in courts Legal advice

Free legal assistance is offered as described in the section on [Regular Procedure: Legal Assistance](#). State legal aid covers preparing an appeal and representation in the second instance.¹⁶³

2.6. Suspension of transfers

Indicators: Dublin: Suspension of Transfers

1. Are Dublin transfers systematically suspended as a matter of policy or jurisprudence to one or more countries? Yes No

If yes, to which country or countries? N/A

In 2025, Dublin transfer requests were submitted to all countries except **Italy** and **Greece**.¹⁶⁴

2.7. The situation of Dublin returnees

There are concerns about whether, under the provisions of the Polish law, Dublin returnees are always entitled to re-opening their first proceedings on international protection. The time limit to reopen the

¹⁶¹ Regulation on the application form (see table on legislation).

¹⁶² Information provided by the Refugee Board, 19 January 2026.

¹⁶³ Article 69e Law on Protection.

¹⁶⁴ Information provided by the Office for Foreigners, 10 April 2026.

procedure, set out in the Law on Protection, is 9 months. Contrary to Article 18(2) of the Dublin III Regulation, in cases where e.g. the applicant did not wait for examination of their asylum claim in Poland but went to another Member State and did not come back to Poland within 9 months, the case will not be evaluated under the regular “in-merit” procedure. Their application lodged after this deadline will instead be considered as a subsequent application and subject to an admissibility procedure.¹⁶⁵ Moreover, if a person left Poland when their application was processed by the appeal authority and the procedure was discontinued by the Refugee Board, there is no possibility of reopening the procedure, even within the 9-month time limit.¹⁶⁶ Again, in such a situation, the application of the returnee will not re-open the first proceedings and will be considered as a subsequent application.

Moreover, HFHR reports, that even in a situation when a returnee is entitled to re-open their first procedure, the Border Guards in the detention centres for foreigners make them lodge the subsequent application instead, which is then subject to the admissibility procedure.¹⁶⁷ Usually, the second application, based on the same facts as the first one, would be declared inadmissible. Domestic law provides no exception in that respect to the Dublin returnees. Such a situation could therefore violate Article 18(2) of the Dublin III Regulation. The inability to continue the first asylum procedure also means that the Dublin returnees who had already spent the maximum period of 6 months in detention before having left Poland, could be again placed in detention centres after their transfer. In such cases, the summary detention period exceeds 6 months.¹⁶⁸

These findings are supported by the statistics presented by the Office for Foreigners. In 2025, there were 2,896 decisions discontinuing international protection applications.¹⁶⁹ The vast majority of these decisions were issued because the applicant withdrew the application, but not in an explicit way, mostly they failed to report to the reception centre within 2 days of their release from a guarded centre or a detention facility for foreigners (1,676 cases, however one decision may be based on several legal grounds) or left the reception centre and did not come back within 7 days (1,102 cases). Other cases included circumstances like: the applicant did not reach the reception centre within 2 days after lodging an application for international protection or did not arrive to the interview, or left Poland.¹⁷⁰ In 2025, the Office registered 259 requests to reopen the procedure, lodged within the 9 months-time limit and issued 5 decisions considering the application admissible. There is no information on the number of requests lodged after the 9 months-time limit. 2,103 persons lodged subsequent applications in 2025. In the cases of 408 persons, the Office for Foreigners considered the subsequent application inadmissible.¹⁷¹

In 2023, the Provincial Administrative Court in Warsaw specified that the fact that the migrant had left Poland did not relieve the authorities of their duties to consider whether there were grounds for granting a residence permit for humanitarian reasons in the return proceedings case, which might have relevant effects on the cases of Dublin returnees.¹⁷²

In March 2025, the Prime Minister of Poland announced that Poland would not accept migrants under the Dublin III Regulation due to the migratory pressure faced by the country.¹⁷³ However, in 2025 there is no information indicating that Poland has formally ceased to enforce the Regulation.

In 2025, media outlets began reporting on the alleged transfers of migrants outside formal procedures into Poland by German authorities. Following these reports, “citizen patrols” began to appear along the German border, aiming to guard the border against migrants. The situation on the Polish–German border

¹⁶⁵ Article 40(6) Law on Protection.

¹⁶⁶ Information provided by the Refugee Board on 12 January 2023, DOB.WR.1510.1.2023.

¹⁶⁷ HFHR, Input by civil society organisations to the EU Agency for Asylum Report 2023, available (EN) [here](#), page 6.

¹⁶⁸ Ibidem, page 7.

¹⁶⁹ Information provided by the Office for Foreigners, 10 April 2026.

¹⁷⁰ Article 40(2) Law on Protection.

¹⁷¹ Information provided by the Office for Foreigners, 10 April 2026.

¹⁷² SIP, Provincial Administrative Court (WSA): prerequisites for a humanitarian residence permit should be examined even if the migrant is outside Poland, 13 February 2024, available [here](#).

¹⁷³ Noted from Poland, ‘Tusk: Poland will no longer comply with EU’s Dublin Regulation on returning asylum seekers’, 21 March 2025, available [here](#).

raised concerns from the Commissioner for Human Rights, who questioned the Ministry of the Interior and Administration, among other things, about the activities of these “patrols” as well as the scale of the transfer of migrants from Germany to Poland. According to the Ministry’s response, third-country nationals from Germany are transferred exclusively under the Dublin III Regulation or within the framework of readmission procedures. It was emphasised that each case is assessed individually. The Ministry further stated that, since the introduction of border controls, German border authorities have refused entry to persons who do not meet the entry requirements. The majority of these persons are reportedly Ukrainian nationals. With regard to the activities of the “patrols”, the Ministry noted their presence in the border regions and indicated that these individuals have no authority to verify identities, issue orders, or use coercive measures.¹⁷⁴

On 7 July 2025, border controls were reinstated by Poland at the borders with Germany and Lithuania.¹⁷⁵ They are to remain in force at least until April 2026.¹⁷⁶ According to information from 1 October 2025, since the beginning of 2025 the Border Guard had apprehended 2,100 people at the Polish–German border for illegal border crossing, including 550 migrants who had previously crossed the Polish–Belarusian border.¹⁷⁷

Due to the suspension of the right to apply for international protection that is still in force as for April 2026, foreign nationals returned under the Dublin procedure who crossed the Polish–Belarusian border may be at risk of having their application for international protection not accepted.

In 2025, the Rule of Law Institute reported cases in which returns to Poland under the Dublin III Regulation were annulled, inter alia, by courts in Germany and the Netherlands. The court in The Hague reportedly stated that “there are serious grounds to fear that his (the applicant’s) asylum procedure contains systemic flaws resulting in inhuman or degrading treatment within the meaning of Article 4 of the Charter.” Accordingly, the court ordered the Dutch authorities to bring the applicant back from Poland as transfer was annulled post-factum and process his asylum application.¹⁷⁸

3. Admissibility procedure

3.1. General (scope, criteria, time limits)

An admissibility procedure is provided for in the national legislation.¹⁷⁹ The Head of the Office for Foreigners is the authority responsible for deciding on admissibility. If an asylum application is deemed inadmissible, the Head of the Office for Foreigners issues a decision on the inadmissibility of the application.¹⁸⁰

An asylum application is considered inadmissible under the following exhaustive grounds:

- a. Another Member State has granted international protection to the applicant;
- b. A third country can be considered a **First Country of Asylum** with regard to the applicant;
- c. The applicant submitted a **subsequent application** after receiving a final decision, based on the same circumstances;

¹⁷⁴ Human Rights Commissioner, ‘Sytuacja na granicy z Niemcami. Odpowiedź MSWIA’, 7 October 2025, available in Polish [here](#).

¹⁷⁵ Regulation of the Minister of the Interior and Administration of 3 July 2025 on the temporary reintroduction of border control of persons crossing the state border constituting an internal border, available [here](#).

¹⁷⁶ Regulation of the Minister of the Interior and Administration of 30 September 2025 amending the Regulation on the temporary reintroduction of border control of persons crossing the state border constituting an internal border, available [here](#).

¹⁷⁷ Ministry of the Interior and Administration, ‘Kontrola na granicach z Niemcami i Litwą przedłużone do 4 kwietnia 2026 r.’, 1 October 2025, available in Polish [here](#).

¹⁷⁸ The Rule of Law Institute, Dublin transfer to Poland annulled post-factum by the Court in the Netherlands and prevented by the Court in Germany!, 21 May 2025, available [here](#).

¹⁷⁹ Article 38 Law on Protection.

¹⁸⁰ Article 38(4) Law on Protection.

- d. A spouse of an applicant lodged a new asylum application after the applicant received a final decision and when the spouse's case was part of an application made on their behalf and there are no facts justifying a separate application of the spouse.¹⁸¹

The application is considered inadmissible if there is a first country of asylum where the applicant is treated as a refugee and can enjoy protection there or is protected against *refoulement* in any other way.¹⁸²

The Office for Foreigners delivered the following inadmissibility decisions in 2025:

Inadmissibility decisions: 2025	
Ground for inadmissibility	Number of cases
Subsequent application	394
Application by dependent (spouse)	4
International protection in another Member State	9
First country of asylum	1

Source: Office for Foreigners.

There are no specific time limits that must be observed by the Head of the Office for Foreigners in this procedure, so the rules governing regular procedures are applicable; the general deadline is 6 months. There is no data on whether the time limits for taking a decision on inadmissibility are respected in practice.

3.2. Personal interview

Indicators: Admissibility Procedure: Personal Interview

Same as regular procedure

- Is a personal interview of the asylum applicant in most cases conducted in practice in the admissibility procedure?
 - Yes No
 - ❖ If so, are questions limited to identity, nationality, travel route? Yes No
 - ❖ If so, are interpreters available in practice, for interviews? Yes No
- Are interviews conducted through video conferencing? Frequently Rarely Never

The rules concerning personal interviews are the same as in the [Regular Procedure: Personal Interview](#). However, the authority does not interview the applicant if it is a subsequent application for international protection and no new evidence or factual or legal circumstances have arisen or been presented by the applicant that would significantly increase the likelihood of granting international protection.¹⁸³ 18 interviews were held in admissibility procedures in 2024, all concerning [subsequent applications](#). Data for 2025 is not available.¹⁸⁴ The admissibility procedures depend greatly on whether the case requires a detailed interview, as in the regular procedure, or whether it focuses only on specific issues (e.g. new circumstances).

SIP reported a case, where despite the fact the applicant brought up new, significant circumstances in the subsequent application, no interview was conducted by the Office for Foreigners. Both administrative authorities and the Voivodeship Administrative Court in Warsaw claimed that the obligation to conduct an interview was fulfilled in previous proceedings and there is no need to repeat it.¹⁸⁵

¹⁸¹ Article 38 Law on Protection.

¹⁸² Article 38 Law on Protection.

¹⁸³ Article 44(2)(2) Law on Protection

¹⁸⁴ Information provided by the Office for Foreigners, 19 February 2025, 10 April 2025.

¹⁸⁵ Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2021 r. [Report SIP in action. Rights of foreigners in Poland in 2021], available (PL) [here](#), page 34.

3.3. Appeal

Indicators: Admissibility Procedure: Appeal

Same as regular procedure

1. Does the law provide for an appeal against the decision in the admissibility procedure?
 Yes No
❖ If yes, is it Judicial Administrative
❖ If yes, is it suspensive Yes No

Generally, the appeal system in the admissibility procedure does not differ from the one in the [Regular Procedure: Appeal](#), as for the proceedings before the Refugee Board. The deadline for the appeal is 14 days. As for the onward appeal before the Voivodship Administrative Court in Warsaw, the complaint to the court is generally not granted a suspensive effect and therefore does not withhold return proceedings.

3.4. Legal assistance

Indicators: Admissibility Procedure: Legal Assistance

Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
 Yes With difficulty No
❖ Does free legal assistance cover: Representation in interview Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against an admissibility decision in practice?
 Yes With difficulty No
❖ Does free legal assistance cover: Representation in courts Legal advice

Free legal assistance is offered under the same conditions as described in the section on [Regular Procedure: Legal Assistance](#). State legal aid covers preparing an appeal and representation in the second instance.¹⁸⁶

4. Border procedure (border and transit zones)

There is no border asylum procedure in Poland. Moreover, on 27 March 2025, the right to apply for international protection on the Belarusian border was suspended for the first time for 60 days – the measure has been extended several times and remains in force as of April 2026 and can be further prolonged.¹⁸⁷ For detailed information, see [Access to the territory and pushbacks](#).

5. Accelerated procedure

5.1. General (scope, grounds for accelerated procedures, time limits)

The application for international protection is subject to an accelerated procedure if the applicant:¹⁸⁸

1. Provides other reasons for applying for asylum than a well-founded fear of persecution for reasons of race, religion, nationality, membership of a particular social group or political opinion, or a risk of serious harm; or did not provide any information on circumstances referring to the well-founded fear of persecutions or risk of serious harm);
2. Misleads the authority by withholding or presenting false information or documents which are important in an asylum procedure;

¹⁸⁶ Article 69e(1)d Law on Protection.

¹⁸⁷ Ordinance from 6 March 2025 introducing temporary ban on staying in a Belarus border buffer zone, available in Polish [here](#).

¹⁸⁸ Article 39 of the Law on Protection.

3. Makes inconsistent, contradictory, improbable or insufficient explanations of the persecution they are fleeing from, which are clearly inconsistent with the country of origin information (COI);
4. Submits an application to delay or frustrate enforcement of a return decision;
5. Is a threat to national security or public order or was, on this ground, already expelled from the territory.

The statistics obtained from the Office for Foreigners show that in 2025 only 6 cases were channelled in the accelerated procedure. These concerned the following grounds:

Applicants whose applications were channelled in the accelerated procedure: 2022-2025				
Grounds	2022	2023	2024	2025
Reasons unrelated to grounds for international protection	40	23	27	2
Misleading authorities by withholding or presenting false information or documents	0	0	0	0
Inconsistent, contradictory, improbable or insufficient statements	23	16	17	4
Application solely to delay or frustrate return	7	1	5	1
Threat to national security or public order	1	1	0	0

Source: Office for Foreigners. One decision may have several legal bases assigned.

The Head of the Office for Foreigners should issue a decision in the accelerated procedure within 30 calendar days. If a decision cannot be issued within 30 calendar days, the Head of the Office for Foreigners has to inform the applicant about the reasons for the delay and the date when a decision will be issued.¹⁸⁹ There are no consequences if this time limit is not respected. In 2025, the average time for processing applications in the accelerated procedure was 201 days (101 In 2024).¹⁹⁰ In 2025, just like in 2024 and 2023, no decision in this procedure was issued within 30 days deadline.

5.2. Personal interview

Indicators: Accelerated Procedure: Personal Interview

Same as regular procedure

1. Is a personal interview of the asylum applicant in most cases conducted in practice in the accelerated procedure? Yes No

❖ If so, are questions limited to nationality, identity, travel route? Yes No

❖ If so, are interpreters available in practice, for interviews? Yes No

2. Are interviews conducted through video conferencing? Frequently Rarely Never

The interview in the accelerated procedure is conducted according to the same rules as in the regular procedure (see [Regular Procedure: Personal Interview](#)).¹⁹¹ There is no information on the number of cases in which the interview takes place – the Office for Foreigners does not collect data on this topic. The interview does not differ from the one in a regular procedure – it is in the same form and the same rules apply.¹⁹²

5.3. Appeal

Indicators: Accelerated Procedure: Appeal

Same as regular procedure

¹⁸⁹ Article 39(2) of the Law on Protection and the articles 36-38 Code of Administrative Proceedings.

¹⁹⁰ Information provided by the Office for Foreigners, 10 April 2026.

¹⁹¹ Article 44 Law on Protection.

¹⁹² Information provided by the Office for Foreigners, 19 February 2025.

1. Does the law provide for an appeal against the decision in the accelerated procedure?
- Yes No
 Judicial Administrative
 Yes Some grounds No
- ❖ If yes, is it
 ❖ If yes, is it suspensive

The appeal system is broadly the same in the accelerated procedure as in the regular procedure. However, there are two important differences:

- (1) The time limit to lodge an appeal is 7 calendar days instead of 14;¹⁹³
- (2) Decisions on the appeal in this procedure are issued by only one member of the Refugee Board, instead of three as in the regular procedure.¹⁹⁴

5.4. Legal assistance

Indicators: Accelerated Procedure: Legal Assistance

Same as regular procedure

1. Do asylum applicants have access to free legal assistance at first instance in practice?
- Yes With difficulty No
 ❖ Does free legal assistance cover: Representation in interview Legal advice
2. Do asylum applicants have access to free legal assistance on appeal against a decision in practice?
- Yes With difficulty No
 ❖ Does free legal assistance cover Representation in courts Legal advice

Free legal assistance is offered in the same context described in the section on [Regular Procedure: Legal Assistance](#). State legal aid covers preparing an appeal and representation in the second instance.¹⁹⁵

6. National protection statuses and return procedure

6.1. National forms of protection

The oldest form of protection in Poland is 'asylum'. A foreigner may be granted asylum, if it is necessary to protect them and the interest of the Republic of Poland requires so.¹⁹⁶ This is a separate procedure and requires an explicit application for asylum. Due to its political nature, it is the least used type of protection (13 positive cases in 2025, 11 positive cases in 2024).¹⁹⁷ The institution of asylum is a unique form of protection because the foreigner can submit a relevant application while staying outside the territory of the Republic of Poland and then obtain a visa to attend the procedure. The responsible authority is the Office for Foreigners. The asylum procedure does not in any way suspend the return or permits for legalising temporary stay of a foreigner in Poland for the duration of the procedure. The foreigner being the subject of this specific asylum procedure may submit an application for international protection or another form of legitimising their stay.

The permit for humanitarian stay and the permit for tolerated stay are forms of protection which complement the international protection system, i.e. refugee status and subsidiary protection. A foreigner may be granted such a permit once the proceedings on granting international protection are concluded negatively. It is not possible to submit a separate application for a permit based on humanitarian reasons or tolerated stay. Both permits are granted in return proceedings ex officio or upon the request of certain

¹⁹³ Article 39(2)(3) Law on Protection.

¹⁹⁴ Article 39(2) Law on Protection.

¹⁹⁵ Article 69e Law on Protection.

¹⁹⁶ Article 90 of the Law on Protection.

¹⁹⁷ Information provided by the Office for Foreigners, 10 April 2026, 19 February 2025.

authorities. The responsible authority is the Commander of the Border Guard Unit/Outpost; the Head of the Office for Foreigners act as a second instance.

Permit for humanitarian stay should be granted to a foreigner if their obligation to return:

1. Can be exercised solely to a state in which, within the meaning of the ECHR:
 - a. Their right to life, freedom and personal security might be threatened, or;
 - b. They could be subjected to torture or inhumane or degrading treatment or punishment, or;
 - c. They could be subjected to forced labour, or;
 - d. They could be deprived of the right to a fair trial or
2. Would violate their right to family or private life within the meaning of the ECHR or
3. Would violate the rights of the child, as defined in the Convention on the Rights of the Child, in a manner which may represent a serious threat to their psychophysical development.¹⁹⁸

In practice, authorisation to stay for humanitarian reasons is most often granted to individuals who lead a family life in Poland, whose children are significantly integrated into the Polish society, attend a Polish school and their expulsion would negatively impact their mental and physical state.¹⁹⁹ In 2025, all 86 decisions granting humanitarian permit were based on these circumstances.²⁰⁰

Permit for stay for humanitarian reasons is refused if there are substantial grounds to believe that:

1. They have committed a crime against peace, a war crime or a crime against humanity within the meaning of the international law; or
2. They are guilty of acts contrary to the purposes and principles of the United Nations set out in the Preamble and Article 1 and 2 of the Charter of the United Nations; or
3. They have committed a crime within the territory of the Republic of Poland or committed an act outside this territory that is a crime under the Polish law; or
4. They represent a threat to national security or defence, the protection of public order and safety, or
5. They have instigated or otherwise participated in the perpetration of crimes or offences referred to in point 1–3.

Furthermore, a foreigner who, prior to arriving in the territory of the Republic of Poland, has committed an act other than the ones specified in points 1–3 that is an offence under the Polish law and is punishable by imprisonment, may be refused authorisation to stay for humanitarian reasons if they left the country of origin for the sole purpose of avoiding punishment.²⁰¹

Legal conditions to grant permit for tolerated stay partially overlap with those listed above. That is because the permit for tolerated stay granted if a return obligation for a foreigner:

1. can be exercised solely to a state in which within the meaning of the ECHR:
 - a. their right to life, freedom and personal security might be threatened, or
 - b. they could be subject to torture or inhumane or degrading treatment or punishment, or
 - c. they could be subject to forced labour, or
 - d. they could be deprived of the right to fair trial or be punished without a legal basis – if there are reasons for refusing the issuance of a permit for stay for humanitarian reasons.²⁰²
2. The second group of legal conditions for granting permit for tolerated stay refer to returns that are not feasible for reasons beyond the control of the authority responsible for the forced execution of the decision on obliging a foreigner to return, and beyond the control of the foreigner, or can

¹⁹⁸ Article 348 of the Law on Foreigners.

¹⁹⁹ European Migration Network, *National forms of protection Non-EU harmonised national forms of foreigner protection in Poland*, 2019, available [here](#), 20.

²⁰⁰ i.e. on the basis of Article 348(2). Information provided by the Office for Foreigners, 10 April 2026.

²⁰¹ Article 349 of the Law on Foreigners.

²⁰² Article 351(1) of the Law on Foreigners.

be effected only to a country to which expulsion is inadmissible under a ruling of a court of law or because of a decision of the Minister of Justice on the refusal to expel a foreigner.²⁰³ Foreigners granted tolerated stay permit for the latter reasons are placed on the list of foreigners whose stay within the territory of the Republic of Poland is undesired.

In practice, a permit for tolerated stay is issued to foreigners when there is no actual or legal possibility of obliging them to return.²⁰⁴ In 2025, 7 permits for tolerated stay were issued by both instances (while the 14,765 persons had a decision on return issued against them in 2025).²⁰⁵ What makes it different from authorising the stay for humanitarian reasons is that in the case of a permit for tolerated stay, foreigners' rights were set at a minimum level and they need to periodically report their place of residence to the Border Guards.²⁰⁶

Summary of the rights of persons benefiting from 'asylum', a permit for stay for humanitarian reasons or a permit for tolerated stay			
	Asylum	Permit for stay for humanitarian reasons	Permit for tolerated stay
Document issued	Permanent residence permit, a card for 10 years, renewable	Residence permit for 2 years, renewable	the document "permit for tolerated stay" (not a residence document), valid for 2 years, confirms identity but not citizenship, does not entitle to cross the border
Polish travel document for foreigners	Entitled to obtain	Entitled to obtain	Not entitled to obtain
Access to integration programme	Not entitled	Not entitled	Not entitled
Access to housing	No special housing, entitled to social or communal housing as Polish citizens	No special housing, entitled to social or communal housing as Polish citizens	No special housing, entitled to social or communal housing as Polish citizens
Access to healthcare	Entitled as every foreigner legally residing	Entitled as every foreigner legally residing	Entitled as every foreigner legally residing
Access to education	Entitled as every minor	Entitled as every minor	Entitled as every minor
Access to family reunification	Entitled to request a temporary residence permit for a family member	Entitled to request a temporary residence permit for a family member	Not entitled
Access to labour market	Entitled to work, no additional permit	Entitled to work, no additional permit	Entitled to work, no additional permit

6.2. Return procedure

The return decision is issued separately, independently of the asylum decision.

Under the law, a third-country national who has received a decision refusing to grant refugee status or subsidiary protection, a decision declaring an application for international protection inadmissible, a decision to discontinue proceedings on the application for international protection, or a decision withdrawing refugee status or subsidiary protection, is required to leave Poland within 30 days from the

²⁰³ Article 351(2) and (3) of the Law on Foreigners.

²⁰⁴ European Migration Network, *National forms of protection Non-EU harmonised national forms of foreigner protection in Poland*, 2019, available [here](#), 23.

²⁰⁵ Information provided by the Office for Foreigners and the latter by the Border Guard.

²⁰⁶ Article 358 of the Law on Foreigners.

date of receiving such a decision.²⁰⁷ If the individual fails to do so, a return decision is issued.²⁰⁸ It may also be issued before the deadline for leaving Poland if the third-country national is staying in a guarded facility for foreigners.²⁰⁹ During a subsequent asylum procedure, a return procedure may be initiated; however, if it is the first subsequent application, the return decision cannot be enforced until the conclusion of that procedure, provided that the submission of this application was not made solely for the purpose of delaying the issuance of the return decision or for delaying or preventing its enforcement.²¹⁰

As of 31 December 2024, according to the Border Guard, there is no list of countries to which returns are not carried out.²¹¹ In 2023 countries to which no returns are carried out were the following: **Syria, Eritrea, Afghanistan, Yemen, Somalia, Palestine, Ethiopia, Sudan and Ukraine** (for more on returns of Ukrainian nationals, see [Annex on temporary protection](#)).²¹²

According to the Rule of Law Institute, in November 2025 Frontex halted an operation to return Pakistani nationals due to Poland's failure to ensure their right to apply for asylum, after being informed by an NGO of a possible violation of the principle of non-refoulement. The migrants were to be transported to Frankfurt am Main and from there to Pakistan, together with foreign nationals deported from Germany. The operation was to be carried out in cooperation with Frontex.²¹³

In April 2026, a deportation to Afghanistan was carried out despite the interim measure issued by the ECtHR under Rule 39 ECHR. The Human Rights Commissioner also called on the Border Guard to consider suspending the deportation operation given the ongoing armed conflict between Afghanistan and Pakistan and the safety situation in Afghanistan. According to reports by NGOs, the men concerned had no prior criminal convictions, and their applications for international protection had not been accepted due to the fact that they had crossed the Polish–Belarusian border.²¹⁴

D. Guarantees for vulnerable groups

1. Identification

Indicators: Special Procedural Guarantees

1. Is there a specific identification mechanism in place to systematically identify vulnerable asylum applicants? Yes For certain categories No
 ❖ If for certain categories, specify which: See below
2. Does the law provide for an identification mechanism for unaccompanied children? Yes No

Applicants who need special treatment are defined in particular as:²¹⁵

- ❖ Minors;
- ❖ Disabled people;
- ❖ Elderly people;
- ❖ Pregnant women;
- ❖ Single parents;
- ❖ Victims of human trafficking;
- ❖ Seriously ill;
- ❖ Persons with mental disorders;
- ❖ Victims of torture;
- ❖ Victims of violence (psychological, physical including sexual).

²⁰⁷ Article 299(6)(b) of the Law of Foreigners.

²⁰⁸ Article 302 (1)(16)(a) Law on Foreigners.

²⁰⁹ Article 302 (1)(16)(b) Law of Foreigners.

²¹⁰ Article 330(2) and 330(3) Law on Foreigners,

²¹¹ Information provided by the Border Guards, 7 March 2025.

²¹² Information provided by the Border Guard, 18 March 2024.

²¹³ The Rule of Law Institute, 'Frontex v. Poland. Has the EU stopped funding unlawful deportations from Poland?', available [here](#).

²¹⁴ Okopress, 'Polska deportowała trzech Afgańczyków mimo zakazu ETPCz. Pytamy Straż Graniczną i MSWiA, dlaczego', 22 April 2026, available in Polish [here](#).

²¹⁵ Article 68(1) Law on Protection.

1.1. Screening of vulnerability

Identification of vulnerable applicants is conducted by the Border Guard while registering the application for international protection and by the Office for Foreigners. Identification is also conducted by the Border Guard for detained international protection applicants (see [Detention of vulnerable applicants](#)).

The Head of the Office for Foreigners is obliged to assess whether these persons need special treatment in the proceedings regarding granting international protection or social assistance. To make this assessment, the authority can arrange for a medical or psychological examination of the applicant, funded by the state. In case the Head of the Office for Foreigners does not arrange for the medical or psychological examination, it is obliged to inform the person that might require special treatment that they can arrange for such an examination themselves and bear the costs. If a person does not agree to be subjected to medical or psychological examination, they should be considered as a person that does not require special treatment. The Head of the Office for Foreigners should make the assessment immediately after the submission of the application for international protection and at any other time until the procedure is finished, in case any new circumstances arise.²¹⁶

Since 2017, in Biala Podlaska, near the reception centre, there has been a separate medical unit where initial verification of asylum applicants' health is conducted. Both the procedure and medical unit are called "epidemiological filter".²¹⁷ The Office for Foreigners has stated that as of 16 June 2019, every asylum applicant in the reception centre who undergoes the mandatory epidemiological filter procedure will also undergo a vulnerability screening. This is envisaged in the contract for health services for asylum applicants from 4 June 2019.²¹⁸

Overall, NGOs confirm that the system of identification envisaged in the law does not work in practice, still in 2025. Persons who experienced violence, especially torture survivors, are expected to present evidence they hardly can obtain. At the same time, the authorities seldomly decide to ask for an expert opinion as a part of the procedure.²¹⁹ In one of the cases reported by SIP, both authorities at first and second instance claimed that the tortures that the applicant experienced had not been proven by medical examination. The applicant concerned had been transferred to Poland on the basis of the Dublin Regulation and was in possession of an opinion from a psychologist from the sending country confirming that they had been subjected to torture, that was ignored. In another case the authorities also ignored the fact that the applicant had been victim of torture, despite the visible signs of violence on their body. When submitting a subsequent application, the applicant presented a confirmation from the psychiatrist that she suffered from PTSD and a confirmation of visible signs of violence on their body. This evidence was dismissed and the application was considered inadmissible for presenting no new circumstances or evidence.²²⁰ In 2021, the Supreme Administrative Court ruled on the case of an applicant who was a victim of torture in his country of origin. The administrative authorities did not accept as evidence the documents provided by the applicant and thus the Court annulled the decisions.²²¹ The Court also stressed that the authorities ignored the psychological opinion, in which it had been certified that the applicant had problems with memory and concentration and that he had been diagnosed with PTSD. The Court also highlighted that in the case file, there was no opinion of psychologist taking part in the interview. In another case, in 2025, the SIP reported that a decision was overturned by the Refugee Board and the case was referred for reconsideration due to the failure to appoint an expert witness to prepare an assessment of the mental state of the applicant.²²²

²¹⁶ Article 68(3)-(6) Law on Protection.

²¹⁷ Epidemiological filter was realised under the Swiss Polish Cooperation Programme, see [here](#).

²¹⁸ Information provided by the Office for Foreigners on 9 April 2020.

²¹⁹ SIP, Raport z działalności Stowarzyszenia Interwencji Prawnej w 2022 roku, available [here](#) 22.

²²⁰ Ibidem.

²²¹ The Supreme Administrative Court judgement, II OSK 373/21, see: Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2021 r. [Report SIP in action. Rights of foreigners in Poland in 2021], available (PL) [here](#), 29-30.

²²² SIP, The Opinion of a Forensic Psychologist Is a Key Piece of Evidence in Cases Involving Survivors of Violence, 15 May 2025, available [here](#).

Identification of vulnerable applicants is also conducted by the Border Guard while registering the application for international protection (the Border Guard assesses whether an applicant may belong to one of these two groups: victims of trafficking in human beings or persons subject to torture).²²³ The Border Guard also assesses whether a person belongs to the category of vulnerable individuals from whom an application for international protection should be accepted, despite the suspension of the right to asylum (see also [Registration of the asylum application](#)). With regard to victims of trafficking in human beings, the Council of Europe Group of Experts on Action against Trafficking in Human Beings (GRETA) after its 2023 evaluation on Poland suggested enabling specialised NGOs to have regular access to facilities for asylum seekers and administrative detention centres for migrants (see also [Special reception needs of vulnerable groups](#)).²²⁴

In March 2025 the Ombudsperson asked the Border Guard Headquarters whether the Border Guard officers are trained to deal with identification of persons subjected to violence, especially sexual violence and whether there are any procedures in place to identify persons at the border.²²⁵ The Ombudsperson had previously asked about this to the Border Guard Commanders in two regional divisions, but they stressed that the Border Guard is not an authority responsible for prosecuting sexual offences. This may mean the Border Guard have limited possibility to properly identify victims of violence especially at the border. When applying to the court to place an applicant in detention, the Border Guard is also obliged to identify victims of violence and other persons for whom detention will cause a threat to life or health. For this purpose, the Border Guard has implemented an algorithm, criticised by the Commissioner for Human Rights and NGOs (see [Detention of vulnerable applicants](#)).

The Office for Foreigners does not collect statistics on the number of asylum seekers identified as vulnerable, which was confirmed during the UN CAT report on Poland in 2019.²²⁶ According to a study for 2019, published in 2020, in which the Office for Foreigners representatives were interviewed, the largest group are individuals who were subject to physical or psychological violence.²²⁷ However, for this report, the Office for Foreigners reported that in the fourth quarter of 2019, there were 274 asylum seekers identified as requiring special treatment, and only 1 person was identified as a victim of violence.²²⁸ In 2023, 2024 and 2025, the Office responded that there were no statistics in this regard.

According to the Office for Foreigners, identification of vulnerable applicants takes place also during regular psychological counselling, available in every reception centre and at the Office for Foreigners (see [Health Care](#)).²²⁹

1.2. Age assessment of unaccompanied children

Polish law provides for an identification mechanism for unaccompanied children.²³⁰ An asylum applicant who claims to be a child, in case of any doubts as to their age, may have to undergo medical examinations – with their consent or with the consent of their legal representative – to determine their actual age. There are no additional criteria set in law.

In case of lack of consent to undergo the medical exams, the applicant is considered an adult. The results of the medical examination should contain the information if an asylum applicant is an adult. In case of any doubts, the applicant is considered a minor.²³¹ Undertaking a medical examination is triggered by the

²²³ Ordinance of 5 November 2015 on the asylum application form (Rozporządzenie Ministra Spraw Wewnętrznych z dnia 5 listopada 2015 r. w sprawie wzoru formularza wniosku o udzielenie ochrony międzynarodowej), available (in Polish) [here](#).

²²⁴ GRETA, Evaluation Report Poland – Third Evaluation Round, 9 June 2023, available [here](#).

²²⁵ Ombudsperson, XI.543.99.2025.MB, 27 March 2025, available in Polish [here](#).

²²⁶ OHCHR, Committee against Torture concludes its consideration on the report of Poland, 24 July 2019, available [here](#).

²²⁷ Pachocka, M. and Sobczak-Szelc K., 'Refugee Protection Poland – Country Report', Multilevel Governance of Mass Migration in Europe and Beyond Project (Horizon2020), January 2020, available [here](#), 69.

²²⁸ Information provided by the Office for Foreigners on 9 April 2020.

²²⁹ Information provided by the Office for Foreigners, 1 February 2018.

²³⁰ Article 32 Law on Protection.

²³¹ Article 32(5) Law on Protection.

authorities and shall be ensured by the Border Guards.²³² The law states that examination should be done in a manner respecting dignity and using the least invasive technique.²³³

The age assessment methods used in 2025 as reported by the Border Guard regional divisions were mostly X-ray of the wrist or dental examination.²³⁴

In practice, applicants are subject to age assessment although there are no justified grounds to suspect that the applicant is not a child. There are reports that the Border Guards consider the age of unaccompanied children to be questionable whenever they do not have a passport.²³⁵ Also, the Border Guard decides who will establish the age of the minor and mostly it is a single specialist who does not take into account all other aspects of child development (e.g. a dentist who focuses solely on dental examination or radiologist who performs solely X-ray examination of the wrist). HFHR reported that in some cases, the examination is not preceded by any interview with the person concerned.²³⁶

National Prevention Mechanism also critically assessed the age assessment procedure in the Polish law, which is strictly medical and does not take into account psychological, developmental or environmental factors.²³⁷ The consequences of wrongful age assessment can amount to detention of a child applying for international protection, which otherwise would not be detained (see: [Detention of children](#)).

Age assessment has become an even more critical issue since the suspension of the right to asylum at the Polish-Belarusian border. Unaccompanied children belong to the category of individuals whose applications should be accepted despite the suspension.²³⁸ Therefore, incorrectly classifying a person as an adult carries the consequence of the application not being accepted and, consequently, of a pushback. According to reports, children are often subjected to pushbacks without undergoing medical examinations. Only individuals who, based on their physical appearance, may be considered potentially underage are to be referred for age assessment. In 2024, 286 individuals were to be referred to border facilities for age assessment. Forty-eight individuals (17%) were classified as adults. In the first half of 2025, only 17 individuals were referred for age assessment at the Polish-Belarusian border, of whom 4 were determined to be children.²³⁹ Information provided by individual Border Guard units indicates that in 2025, following assessments, the vast majority of applicants were determined to be adults.²⁴⁰

In 2024 the Ombudsperson and the Commissioner for the Rights of the Child called on the Polish Prime Minister to amend the law, so that the age examination process is more complex and takes into consideration psychological and environmental aspects.²⁴¹ However, in 2025, the law remained unchanged.

In 2023, SIP managed to successfully question before the court the outcome of age assessment of a Somalian girl. The age assessment was based on X-ray of wrist, although she was in possession of a birth certificate from the country of origin confirming she was a minor. As a result of an incorrect age

²³² Article 32 Law on Protection.

²³³ Article 32(4) Law on Protection.

²³⁴ E.g. letter of the Regional Division of the Border Guards in Krosno Odrzańskie, no NO-OI-II.0180.3.2025 from 25 February 2025.

²³⁵ M.Poszytek, dr n. med. M. Sługocki, *Metody oceny wieku chronologicznego w postępowaniach z udziałem cudzoziemców*, HFHR, December 2023, available (PL) [here](#), 7-8.

²³⁶ Ibidem.

²³⁷ The Commissioner for Human Rights, Report on the situation of foreigners in detention centres during the crisis on Polish-Belarusian border, [*Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi. Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*], June 2022 available in Polish [here](#).

²³⁸ Art. 33b(2)(1) Law on Protection.

²³⁹ We are Monitoring, Save the Children, Medecins Sans Frontiers, 'Age as a verdict.Harmful age assessment of unaccompanied migrant children in Poland, November 2025, available [here](#), 7-9.

²⁴⁰ E.g. information provided by the Chef of Nadwiślański Regional Division of the Border Guards, 21 January 2026.

²⁴¹ Ombudsperson for Children, 'RPD i RPO wspólnie apelują do premiera. Chodzi o migrujące dzieci bez opieki', 5 November 2024, available in Polish [here](#).

assessment, the girl had spent 4 months in detention – unlawfully.²⁴² According to SIP, method of age assessment used in this case is outdated, not taking into account the differences in body build of people from other parts of the world.²⁴³ Moreover, one of the courts ruling in 2024 emphasised that bone age examinations do not always constitute a reliable method for determining age.²⁴⁴

It should be noted that the law does not provide for the possibility of challenging the result of an age assessment. In practice, however, it may be contested during the procedure related to placement in a guarded facility for foreigners. In such cases, the child is usually supported by an NGO.²⁴⁵

2. Special procedural guarantees

Indicators: Special Procedural Guarantees

1. Are there special procedural arrangements/guarantees for vulnerable people? Yes For certain categories No

- ❖ If for certain categories, specify which: Minors; Disabled people; Elderly people; Pregnant women; Single parents; Victims of human trafficking; Seriously ill; People with mental disorders; Victims of torture; Victims of violence (psychological, physical, including sexual).

2.1. Adequate support during the interview

As mentioned in the section on [Identification](#), the Head of the Office is obliged to assess whether a person belonging to one of the groups enumerated in the law needs special procedural guarantees. Once the person is considered as requiring special treatment, all actions in the proceedings regarding granting international protection are performed under the following conditions:

- ❖ Ensuring freedom of speech, in a manner adjusted to their psychophysical condition;
- ❖ On the dates adjusted to their psychophysical condition, taking into account the time in which they benefit from the health care services;
- ❖ In the foreigner's place of stay, in case it is justified by their health condition;
- ❖ In the presence of a psychologist, medical doctor or interpreter, in case there is such a need.

Upon the request of the applicant considered requiring special treatment, in cases justified by their needs, the actions in the proceedings regarding granting international protection are performed by a person of the same gender, and in the presence of a psychologist, medical doctor or an interpreter, of a gender indicated by the foreigner.²⁴⁶

The Head of the Office also ensures that the interview is conducted by a person trained in the techniques of hearing such persons and in using the country of origin information.²⁴⁷ The Office for Foreigners does not have a specialised unit dealing with vulnerable groups, however, caseworkers are trained by psychologists and EUAA experts and only trained staff can work on these cases.²⁴⁸ In 2024, there were 50 such caseworkers.²⁴⁹ The data for 2025 was not available.

Applications for international protection submitted by vulnerable applicants are treated as a priority; however, this does not necessarily result in faster decisions. According to the Office, the need to organise interviews involving multiple participants and to obtain detailed, time-consuming assessments often means that proceedings take as long as, or longer than, standard cases.²⁵⁰

²⁴² SIP, Mamy wpływ! Podsumowanie najważniejszych działań SIP w 2023 r., report summarising activities in 2023, [here](#), 6.

²⁴³ Ibidem.

²⁴⁴ Information provided by: We are Monitoring, Save the Children, Medecins Sans Frontiers, 'Age as a verdict. Harmful age assessment of unaccompanied migrant children in Poland', November 2025, available [here](#), 10-11.

²⁴⁵ Ibid. p. 17.

²⁴⁶ Article 69 Law on Protection.

²⁴⁷ Article 44(4)(1) Law on Protection.

²⁴⁸ Information provided by the Office for Foreigners, 16 February 2024.

²⁴⁹ Information provided by the Office for Foreigners, 19 February 2025.

²⁵⁰ Information provided by the Office for Foreigners, 10 April 2026.

In the past years (2020-2025), NGOs have been voicing their concerns regarding inadequate identification of vulnerable applicants, which leads to vulnerable individuals not receiving, receive sufficient support during the asylum procedure.

In its 2023 report, SIP provided information on the case of a female applicant who informed the authorities about being a victim of sexual violence and, despite having submitted a request for an interview with a presence of a psychologist, she was interviewed without a psychologist.²⁵¹ According to SIP, when it comes to victims of violence, such a procedural shortcoming can have a serious influence on the outcome of the procedure. In the report for 2020, SIP stressed that psychologists present during interviews did not prepare opinions which would pay attention to the fact that the interviewee was a victim of violence and how this may affect their statements.²⁵² SIP intervened in a case concerning an applicant who was a victim of torture in his country of origin. The administrative authorities did not accept as evidence the documents provided by the applicant and this was the reason the Supreme Administrative Court annulled the decisions.²⁵³ The Court also stressed that the authorities ignored psychological opinion, in which it had been certified that the applicant had problems with memory and concentration and that he had been diagnosed with PTSD. The Court also highlighted that in the case filed, there was no opinion of a psychologist taking part in the interview. There are no indications that the situation has improved in practice as of 2025.

2.2. Exemption from special procedures

The law does not exclude to vulnerable applicants from the application of the accelerated procedure (apart from some restrictions concerning unaccompanied children: it is only possible to examine their application in an accelerated procedure where they pose a threat to national security).²⁵⁴ In 2023, 2024 and 2025, the Office responded that there were no statistics in that regard.

3. Use of medical reports

Indicators: Use of Medical Reports

1. Does the law provide for the possibility of a medical report in support of the applicant's statements regarding past persecution or serious harm? Yes In some cases No
2. Are medical reports taken into account when assessing the credibility of the applicant's statements? Yes No

The law provides that a medical or psychological examination can be conducted to assess whether a person needs special treatment with regard to procedural safeguards and reception.²⁵⁵ There is no medical examination to confirm past persecution or serious harm.

NGOs report that the Office for Foreigners does not, as a rule, require opinions from experts to determine, for example, based on the presence of scars and wounds, if an applicant has been a torture victim.²⁵⁶ This makes it difficult for individuals in need of protection to prove that they have been victims of torture in their country of origin. Third-country nationals frequently reach Poland presenting visible signs of torture. In such cases, ordering an examination by an expert could help acquire reliable evidence that a

²⁵¹ Available [here](#), 21

²⁵² Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r. [Report SIP in action. Rights of foreigners in Poland in 2020], p. 13, available (PL) [here](#).

²⁵³ The Supreme Administrative Court judgement, II OSK 373/21, see: Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2021 r. [Report SIP in action. Rights of foreigners in Poland in 2021], page 29-30. available (PL) [here](#).

²⁵⁴ Article 63a Law on Protection.

²⁵⁵ Article 68 Law on Protection.

²⁵⁶ M.Jaźwińska, Postępowanie w przedmiocie udzielenia ochrony międzynarodowej, [in] Stowarzyszenie Interwencji Prawnej (SIP), SIP w działaniu. Prawa cudzoziemców w Polsce w 2018 r. (2019), page 20. available (in Polish) [here](#).

person experienced violence.²⁵⁷ In theory, an applicant may submit a private opinion prepared by an expert, such as a psychologist or a doctor, as any evidence that contributes to clarifying the case may be considered.²⁵⁸ In such instances, it should be taken into consideration and evaluated by the Head of the Office for Foreigners.²⁵⁹ However, for many individuals, financial constraints may pose an obstacle to obtaining such an opinion.

In 2025, the SIP reported that a decision was overturned by the Refugee Board and the case was referred for reconsideration due to the failure to appoint an expert witness to prepare an assessment of the mental state of the applicant.²⁶⁰

After conducting visits to all detention centres in Poland in 2022, the Commissioner for Human Rights concluded, that personnel in detention centres, including psychologists, is not properly prepared to identify victims of torture and inhuman treatment and do not know the Istanbul Protocol or do not use it in practice.²⁶¹

4. Legal representation of unaccompanied children

Indicators: Unaccompanied Children

1. Does the law provide for the appointment of a representative to all unaccompanied children?
 Yes No

The Law on Protection provides for the appointment of a legal representative to an unaccompanied child - a special guardian (*kurator*).²⁶² There are no exceptions; each child has to have a legal representative and all unaccompanied children get one in practice. The Head of the Office for Foreigners or the BG immediately lodges the request to the district custodial court. The court appoints the legal representative. Under the law, the deadline for appointing the guardian is 3 days. There is no information on compliance with this rule in practice. One guardian is appointed for the following proceedings: international protection, Dublin procedure, social assistance, and voluntary return.

The legal representative represents the child in international protection proceedings, as well as in related matters (including social assistance, voluntary return, and transfers under the Dublin procedure). From 1 January 2026, the legal representative is also authorised to submit applications for assistance aimed at supporting the child's integration after the granting of protection and to represent the child before an administrative court in cases in which they are involved, within the scope of the matters for which they have been appointed.²⁶³

There is no special requirement in the Law on Protection for being eligible as a representative of an unaccompanied child for an asylum procedure: the representative should be an adult and have legal capacity. No training is required. There are no limits on the maximum number of unaccompanied children that a representative can be in charge of at the same time.

Under the law, only the person who undertakes procedural acts in the proceedings granting international protection to an unaccompanied minor should fulfil certain conditions.²⁶⁴ In practice, in the last years, there were problems arising from the insufficient numbers of trained legal representatives for unaccompanied children. Mostly, NGO personnel and attorneys or attorneys-at-law are appointed as guardians. The legal

²⁵⁷ Ibidem, page 20.

²⁵⁸ Article 75(1) Code of Administrative Procedure.

²⁵⁹ Article 77(1) and 80 Code of Administrative Procedure.

²⁶⁰ SIP, 'The Opinion of a Forensic Psychologist Is a Key Piece of Evidence in Cases Involving Survivors of Violence', 15 May 2025, available [here](#).

²⁶¹ The Commissioner for Human Rights, Report on the situation of foreigners in detention centres during the crisis on Polish-Belarussian border, [*Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi. Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*], June 2022, page 40, available (PL) [here](#).

²⁶² Article 61 Law on Protection.

²⁶³ Article 61(1)(3)(a) Law on Protection.

²⁶⁴ Article 66 Law on Protection.

representative should be present during the interview, together with a psychologist, and may ask questions and make comments.²⁶⁵

Under the current legal framework, there is no specific legal act regulating the remuneration of a guardian appointed in administrative proceedings, as neither the amount nor the procedure for granting such remuneration has been defined. It seems that the remuneration of a guardian is determined at a level not exceeding 40% of the minimum rates for legal representation before an administrative court, i.e. amounting to PLN 192 / EUR 45.²⁶⁶

The Border Guard reports that since December 2015, they use a list of NGO workers who declared their willingness to be a representative of a child.²⁶⁷ However, as the Border Guard confirms, due to the lack of funding, some NGOs withdrew their representatives from the list. The last update of the list took place in 2019. As of 2023, there were a total of 11 legal representatives on the list, for a total number of 217 unaccompanied children.²⁶⁸ Their presence on that list is not binding, which means they are not obliged to become a representative.²⁶⁹ In 2023 and 2024, the Border Guard indicated that, for every UAM, the competent court was asked to appoint a representative and the representative was chosen from the persons eligible by a respective court.²⁷⁰ It appears that the practice remained the same in 2025, with courts most frequently requesting the local bar associations of attorneys and attorneys-at-law to appoint a representative.

There are no complaint mechanisms for children against their representatives apart from the institution of the Commissioner for the Rights of the Child. In 2024 the Commissioner for the Rights of the Child and Ombudsperson together called on the Polish Prime Minister to introduce amendments to the law, allowing for better protection of foreign children in Poland.²⁷¹ The Ombudsperson and the Commissioner referred to the situation in 2024 with numerous interventions concerning unaccompanied children crossing the border from Belarus. They reported cases where unaccompanied children for many days were kept without a secured place in foster care. The problem remained relevant in 2025. Lack of available places in reception facilities was reported as one of the alleged reasons for the reintroduction of the placement of unaccompanied children in detention (see [Detention of children](#)).

In Poland, unaccompanied children are placed in various intervention facilities (based on a court ruling) instead of being placed in a central institution. According to the Ombudsperson and Commissioner appointing one central foster care institution for urgent cases would prevent the situation where there is no place to find shelter for a foreign child (see [Reception conditions - Reception of unaccompanied children](#)).

Problems concerning legal representations of unaccompanied children are clearly presented in a case litigated by the Commissioner for Human Rights in 2022.²⁷² An unaccompanied child O.A. was intercepted by the Border Guard with a group of other foreigners 60 km from the border with Belarus. On the same day, the Border Guards issued to all of them orders to leave Poland. The unaccompanied minor was considered a dependent of another foreigner and returned in the same manner. Two days later, O.A. entered Poland again. This time he was appointed a legal guardian, was placed in foster care and applied for international protection. The Commissioner for Human Rights lodged a complaint against the order to leave Poland to the Voivodeship Administrative Court in Bialystok. In the complaint it was brought up, i.e., that the Border Guard took no action to identify O.A. as an unaccompanied minor and infringed the Convention on the Rights of the Child by not appointing a legal guardian, ensuring his best interest. In the judgement from 27 October 2022, the Court admitted that the unaccompanied minor should have had a

²⁶⁵ Article 65(3) and (4) Law on Protection.

²⁶⁶ See the Judgment of the Supreme Administrative Court of 22 August 2023, case no. II OSK 2766/2.

²⁶⁷ Information provided by the Border Guard, 17 January 2023.

²⁶⁸ Information provided by the Border Guard on 4 March 2022, KG-OI-III.0180.7.2022/JL, still applicable for 2022.

²⁶⁹ Information provided by the Border Guard, 17 January 2023.

²⁷⁰ Information provided by the Border Guard, 18 March 2024.

²⁷¹ Ombudsperson for Children, 'RPD i RPO wspólnie apelują do premiera. Chodzi o migrujące dzieci bez opieki', 5 November 2024, available in Polish [here](#).

²⁷² Judgement of the Voivodeship Administrative Court in Bialystok, no II SA/Bk 558/22 of 27 October 2022, see the judgement and comments from the Ombudsperson: [here](#).

legal guardian appointed for the case and the lack of appointment indeed constituted an infringement of Article 12 of the Convention of the Rights of the Child. The Court also noted that the Border Guard should have informed the intercepted foreigners about the possibility to apply for international protection in order to respect the principle of *non-refoulement*.

In 2023, SIP started a project which envisages training for candidates for legal representative of UAM and for the personnel of foster care facilities. Within this project they trained 44 persons and 8 facilities in 2023. They also created a list of persons ready to act as a guardian in case there is an unaccompanied minor in need.²⁷³ In 2024 SIP trained 33 specialists and caregivers and acted as guardians in 18 cases of UAMs.²⁷⁴

If the asylum procedure terminates with a negative decision, the minor remains in the same foster family or institution. In April 2024 the Commissioner for the Rights of the Child met with the Border Guard and the main issue discussed during this meeting was foster care. There are not enough places in foster care institutions and there are very few foster families, ready to take care of foreign child.²⁷⁵

In 2025, there were 295 unaccompanied children (compared to 297 in 2024) applying for international protection in Poland.²⁷⁶ Only 13 children were placed in residential care institutions, which would indicate that some of them were residing in Poland with relatives other than their parents.²⁷⁷

In 2024 HFHR intervened in the case of a group of migrants, including an unaccompanied minor, who had been stranded in the border strip for several days without access to water, medicine and food, and who declared their intention to seek asylum. The Foundation has filed applications to the court demanding enforcement of the obligation to accept applications for international protection. In the case of the minor, the Foundation filed an application for international protection on her behalf, as this is possible under Polish law.²⁷⁸ There is no information indicating that family courts intervened in these cases.

E. Subsequent applications

Indicators: Subsequent Applications

1. Does the law provide for a specific procedure for subsequent applications? Yes No
2. Is a removal order suspended during the examination of a first subsequent application?
 - ❖ At first instance Yes No
 - ❖ At the appeal stage Yes No
3. Is a removal order suspended during the examination of a second, third, subsequent application?
 - ❖ At first instance Yes No
 - ❖ At the appeal stage Yes No

Subsequent applications are subject to an [Admissibility Procedure](#). If there are no new grounds for the application, a decision on inadmissibility is issued. In 2024, there were 2,103 subsequent applicants, mostly Ukrainian nationals (764 persons).²⁷⁹

The first subsequent application has a suspensive effect on a return decision and a return order cannot be executed.²⁸⁰ If the application is considered inadmissible because the applicant did not present any

²⁷³ SIP, *Ruszamy z projektem wspierającym dzieci bez opieki w Polsce*, 14 September 2023, available [here](#).

²⁷⁴ SIP, *Mamy wpływ! Podsumowanie najważniejszych działań SIP w 2024*, available in Polish [here](#).

²⁷⁵ Commissioner for the Rights of the Child, *Children need to be protected at the border*, 19 April 2024, available [here](#).

²⁷⁶ Information provided by the Office for Foreigners, 10 April 2025, 16 February 2024.

²⁷⁷ Information provided by the Office for Foreigners, 10 April 2025.

²⁷⁸ HFHR, 'HFPC składa do sądu wnioski w sprawie zapewnienia bezpieczeństwa migrującym rodzinom i osobom małoletnim bez opieki', 29 May 2024, available in Polish [here](#).

²⁷⁹ Information provided by the Office for Foreigners, 10 April 2026.

²⁸⁰ Article 330(2) and (3) Law on Foreigners.

new evidence or new circumstances of the case,²⁸¹ it can be appealed within 14 days and until the Refugee Board takes a decision, the suspensive effect is upheld. If the application is considered admissible, i.e. containing new evidence or new circumstances relevant to the case, the Head of the Office for Foreigners issues a decision considering the application admissible.²⁸² In this case, suspensive effect is in force until the final administrative decision on international protection is served. In case of further subsequent applications, there is no suspensive effect on a return decision.²⁸³

In 2025, the Office for Foreigners issued 5 decisions deeming the application admissible, while the applications of 408 persons were dismissed as inadmissible in subsequent application procedures.²⁸⁴

However, as SIP reports, asylum authorities apply a narrow interpretation of the notion of ‘new evidence or new circumstances’ and also misinterpret the importance of new evidence and new circumstances to the proceedings.²⁸⁵ Moreover, the SIP lawyers noted that there is a well-established practice of not conducting interviews in subsequent application proceedings, including when the applicant presented new evidence or new circumstances in the case. SIP reported a case from 2021 of an LGBTQ+ applicant, whose sexual orientation was subject to examination neither in the first proceedings for international protection nor in the subsequent because the second application was considered inadmissible. The Office for Foreigners claimed that belonging to the LGBTQ+ community was a circumstance that was valid in the first proceedings so it cannot be considered a new circumstance in the subsequent proceedings. In this case, the lawyers argued that the circumstance to be considered ‘new’ does not necessarily have to arise after the first proceedings were finished, but merely was not examined in the first proceedings. There have been judgements of administrative courts that confirm such an approach.²⁸⁶ In another case reported by the SIP, the Refugee Board noted that a psychological opinion, which had not previously been reviewed by the Head of the Office for Foreigners, could serve as evidence increasing the likelihood of granting protection in the context of a subsequent application. As a result, the Office had incorrectly considered the application inadmissible.²⁸⁷

Additionally, there is no consistent approach to assessing changes in the country of origin situation. The SIP lawyers report both decisions on the admissibility of the application in such cases where the human rights situation in the country of origin deteriorated (e.g. Belarusian), as well as decisions claiming the application inadmissible in similar circumstances.²⁸⁸ The lawyers believe the subsequent applications are considered inadmissible automatically, even if the person returned to the country of origin and then applied again for international protection and also if their health condition changed.²⁸⁹

Dublin returnees’ applications submitted after the 9 months deadline will be considered a subsequent application and channelled in an admissibility procedure. An NGO reported of cases when the person’s application was considered inadmissible even if it contained new evidence, such as a psychologist opinion from the organisation from another country confirming that the person suffered from tortures. Although in the first case for international protection being a torture victim was ignored by the authorities as not proven, the second application presenting the proof was found inadmissible.²⁹⁰

Concerning personal interviews, appeals and legal assistance, see the section on the [Admissibility Procedure](#).

²⁸¹ Article 38(4) Law on Protection.

²⁸² Article 38(5) Law on Protection.

²⁸³ Article 330(2)2 Law on Foreigners.

²⁸⁴ Information provided by the Office for Foreigners, 10 April 2026.

²⁸⁵ Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r. [Report SIP in action. Rights of foreigners in Poland in 2020], available (PL) [here](#), 25.

²⁸⁶ E.g. Judgement of the Voivodeship Administrative Court in Warsaw of 29 April 2021, IV SA/Wa 14663/20, see: Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2021 r. [Report SIP in action. Rights of foreigners in Poland in 2021], available (PL) [here](#).

²⁸⁷ SIP, ‘Opinia psychologiczna jest nową okolicznością, którą musi zbadać organ’, 5 July 2024, available [here](#).

²⁸⁸ Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r. [Report SIP in action. Rights of foreigners in Poland in 2020], available (PL) [here](#), 25.

²⁸⁹ Legal Intervention Association (SIP), Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2021 r. [Report SIP in action. Rights of foreigners in Poland in 2021], available (PL) [here](#).

²⁹⁰ SIP, Raport z działalności Stowarzyszenia Interwencji Prawnej w 2022 roku, available [here](#), 22.

F. The safe country concepts

Indicators: Safe Country Concepts

1. Does national legislation allow for the use of “safe country of origin” concept? Yes No
 - ❖ Is there a national list of safe countries of origin? Yes No
 - ❖ Is the safe country of origin concept used in practice? Yes No
2. Does national legislation allow for the use of “safe third country” concept? Yes No
 - ❖ Is the safe third country concept used in practice? Yes No
3. Does national legislation allow for the use of “first country of asylum” concept? Yes No

The safe country concepts are not applicable under the Polish law. The concept of the first country of asylum is included in the law and reflects the wording of Article 35 of the recast Asylum Procedures Directive. This provision was not applied in practice in 2025.²⁹¹

G. Information for asylum seekers and access to NGOs and UNHCR

1. Provision of information on the procedure

Indicators: Information on the Procedure

1. Is sufficient information provided to asylum seekers on the procedures, their rights and obligations in practice? Yes With difficulty No
 - ❖ Is tailored information provided to unaccompanied children? Yes No

The same level of information on the asylum procedure is provided to applicants during all types of procedures. The Border Guard officer who receives an asylum application has to inform the applicant in writing in a language that they understand on:²⁹²

- ❖ Rules related to the asylum procedure;
- ❖ Rights and obligations of the asylum seeker and their legal consequences;
- ❖ The possibility of informing UNHCR of an asylum procedure, reading the files, making notes and copies;
- ❖ NGOs which work with asylum seekers;
- ❖ The scope of the material reception conditions and medical assistance;
- ❖ Access to the free-of-charge state legal aid;
- ❖ The address of the centre where the applicant will live in.

Under the law, the information about the possibility to apply for international protection and the assistance of the interpreter is present at the border crossing points and in detention centres.²⁹³

According to the Border Guard, information about the procedure, covering the contact list of NGOs, is provided at the border crossing points and in other places where foreigners stay and is available in 24 languages.²⁹⁴

On the website, the Office for Foreigners provides basic information presented in graphic form, covering topics such as lodging an application, the main steps of the procedures, rights and obligations of

²⁹¹ Information provided by the Office for Foreigners, 16 February 2024 and 3 February 2023.

²⁹² Article 30(1)(5) Law on Protection.

²⁹³ Article 29(1) Law on Protection.

²⁹⁴ Information provided by the Border Guard, 17 January 2023 KG-OI-VIII.0180.184.2022.BK.

applicants and documents issued to beneficiaries. This information is available in Polish, English, Russian and Ukrainian.²⁹⁵ The Office for Foreigners also operates a dedicated hotline on international protection.²⁹⁶ There is also the option to download the Refugebook application, designed for applicants. It was developed by the Office for Foreigners to facilitate access to key information and is available in Polish, English, Russian, and Ukrainian.²⁹⁷

Asylum seekers are informed about the Dublin procedure when they apply for international protection in accordance with the Dublin III Regulation and the Commission's Implementing Regulation no 118/2014, including the specific leaflet for unaccompanied children. This information is available in 11 languages.²⁹⁸

Main challenges identified in 2025 concerned access to the procedure and [access to the territory](#), which are crucial to be able to benefit from the information about the procedure.

Obstacles with regard to the provision of information concerned persons fleeing Ukraine. On this topic see [Annex on temporary protection](#).

2. Access to NGOs and UNHCR

Indicators: Access to NGOs and UNHCR

1. Do asylum seekers located at the border have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
2. Do asylum seekers in detention centres have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No
3. Do asylum seekers accommodated in remote locations on the territory (excluding borders) have effective access to NGOs and UNHCR if they wish so in practice? Yes With difficulty No

Under the law, the Border Guards are obliged to ensure applicants can access UNHCR and NGOs, also at the border.²⁹⁹

In 2025, the main issue with regard to access to NGOs was access at the Belarusian border where the persons in need of assistance are subject to immediate pushbacks. There are numerous reports of persons returned to Belarus immediately after apprehension in the border zone, who did not have a possibility to apply for international protection and also are in need of medical and psychological assistance. Volunteers from NGOs providing humanitarian assistance at the Belarusian border may also face risks of criminalisation. On the situation at the border see [Access to the territory and pushbacks](#).

In 2025 UNHCR was not engaged in any projects with the Office for Foreigners, neither on monitoring of interviews, nor analysis of the quality of decision-making process).³⁰⁰ In 2024 in collaboration with UNHCR the Office prepared a leaflet for applicants in detention. UNHCR is also involved in training for local authorities and in activities such as provision of services for people with special needs, legal assistance, mental health and psychosocial support, support in accessing jobs and accommodation, e.g. have regular duty hours in Multicultural Centre in Warsaw.³⁰¹

On access to NGOs and UNHCR from detention, see [Access to detention facilities](#).

²⁹⁵ Office for Foreigners, information about the proceedings for international protection, available [here](#).

²⁹⁶ The Office for Foreigners, Dedykowana infolinia dotycząca ochrony międzynarodowej, 21 February 2024, available [here](#).

²⁹⁷ The Office for Foreigners, Aplikacja dla cudzoziemców w procedurze uchodźczej, 19 April 2024, available [here](#).

²⁹⁸ Information provided by the Border Guard, 17 January 2023 KG-OI-VIII.0180.184.2022.BK.

²⁹⁹ Article 29(2) Law on Protection.

³⁰⁰ Information from the Office for Foreigners, 10 April 2026.

³⁰¹ UNHCR Poland, information from 7 February 2025.

H. Differential treatment of specific nationalities in the procedure

Indicators: Treatment of Specific Nationalities

1. Are applications from specific nationalities considered manifestly well-founded? Yes No
❖ If yes, specify which: n/a
2. Are applications from specific nationalities considered manifestly unfounded?³⁰² Yes No
❖ If yes, specify which: n/a

Since 2021 until the end of 2023, Belarusians were the most numerous nationality group among asylum applicants in Poland. In 2025, like in 2024, they were second biggest, since more Ukrainians applied for international protection (on Ukrainians - see more in the [Annex on temporary protection](#) to the report. Poland registers around 72% of all applications for international protection submitted by Belarusians in Europe.³⁰³ Few cases are considered negative or discontinued, which is why the refugee rate in 2025 was 94%.³⁰⁴

For many years prior to 2021, Russian citizens of Chechen origin were the main group applying for international in Poland. In 2025, almost half of Russian applicants submitted a subsequent application (436 persons out of 628 applicants in total). In 2025, 55 persons from Russia were granted refugee status (compared to 119 in 2024) and 30 subsidiary protection (compared to 75 in 2024).³⁰⁵

In 2025, there was a decrease in the recognition rate in cases concerning Afghan citizens. In 2024, it was 95%, whereas in 2025 it was 51%.³⁰⁶

In 2025 there were 18 applicants from Palestine. In 2025, 7 persons were granted refugee status and 5 subsidiary protection, there were no negative decisions on the merit issued.³⁰⁷

³⁰² Whether under the “safe country of origin” concept or otherwise.

³⁰³ Office for Foreigners, Report on the situation of Belarusians in Poland, 29 February 2024.

³⁰⁴ Information provided by the Office for Foreigners, 10 April 2026.

³⁰⁵ Information provided by the Office for Foreigners, 10 April 2026, 19 February 2025.

³⁰⁶ Information provided by the Office for Foreigners, 10 April 2026, 19 February 2025.

³⁰⁷ Information provided by the Office for Foreigners, 10 April 2026.

Reception Conditions

Short overview of the reception system

The Office for Foreigners, supervised by the Ministry of Interior and Administration, is the main body responsible for the reception of asylum applicants in Poland.

Asylum applicants are entitled to material reception conditions during all asylum procedures in Poland. The provision of reception conditions does not depend on the financial situation of asylum applicants.

As a rule, material reception conditions are granted from the moment the asylum applicant registers in the reception centre, thus not straightaway after claiming asylum. Only medical assistance can be granted from the moment of claiming asylum (e.g. at the border), in special situations, i.e. in case of threat to life and health. Asylum applicants who cannot apply for asylum on the day they contact the Border Guard should be given a specific date and time when submitting the application will be possible (see [Registration](#)). In this 'waiting period' they are not entitled to any material reception conditions.

Reception conditions are provided:

- ❖ up until 2 months after a final positive decision on asylum;
- ❖ up until 14 days after a final decision discontinuing the asylum procedure (e.g. in admissibility procedures);
- ❖ up until 30 days after a final negative decision on asylum given on the merits by the Office for Foreigners or the Refugee Board. During the onward appeal proceedings, the material reception conditions may be re-granted only if the court suspends the execution of the asylum decision that has been appealed. It does not happen in all cases.

There are two forms of material reception conditions. Asylum applicants can live in the reception centre (managed by the Office for Foreigners or one of its contractors) or receive a financial allowance that should cover the expenses of living privately. Despite the law providing that accommodation in the reception centre is the rule, usually more asylum applicants choose to receive a financial allowance rather than stay in the centre.

At the end of 2025, 9 reception centres operated in Poland, offering 1,525 places for asylum applicants. Two centres served as first-reception centres (located in **Podkowa Leśna-Dębak** and **Biała Podlaska**) and seven functioned as accommodation centres (located in **Białystok**, **Czerwonny Bór**, **Bezwola**, **Łuków**, **Kolonia-Horbów**, **Grupa** and **Linin**). The Head of the Office for Foreigners is responsible for the management of all the centres. This authority can delegate its responsibility for managing the centres to social organisations, associations, private owners, companies etc. Currently, 5 reception centres are managed by private contractors. Overcrowding was not reported as an issue in practice in 2025. The conditions in the centres have improved in recent years, although certain problems are still being reported such as the remote location of certain centres, which impedes the integration process of asylum applicants.

The amount of financial allowance granted to asylum applicants living outside the reception centres is not sufficient to cover all expenses of their stay in Poland or even to satisfy their basic needs. It is difficult to rent an apartment with this allowance.

The law allows for access to the labour market for asylum applicants after six months from the date of submission of an asylum application if a final decision has not been taken within this time and if the delay is not attributed to any fault of the asylum applicant. However, in practice, it is difficult for asylum applicants to find a job in Poland.

Asylum-seeking children have access to education in public schools. However, multiple problems are reported regarding access in practice.

Health care is provided to asylum applicants throughout asylum proceedings by the Petra Medica company. Asylum applicants can see a doctor or a psychologist in all reception centres. Psychological treatment available to asylum applicants is generally considered insufficient. Asylum applicants can also see other specialists but with some difficulty. Accessing costly specialised treatment is hampered. In general, the provision of medical assistance by the Petra Medica is criticised.

A. Access and forms of reception conditions

1. Criteria and restrictions to access reception conditions

Indicators: Criteria and Restrictions to Reception Conditions

1. Does the law allow access to material reception conditions for asylum applicants in the following stages of the asylum procedure?

❖ Regular procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Dublin procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Admissibility procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Border procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Accelerated procedure	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ First appeal	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No
❖ Onward appeal	<input type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input checked="" type="checkbox"/> No
❖ Subsequent application	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Reduced material conditions	<input type="checkbox"/> No

2. Is there a requirement in the law that only asylum applicants who lack resources are entitled to material reception conditions?

	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
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1.1. The right to reception at different stages of the procedure

Asylum applicants are entitled to material reception conditions during all asylum procedures in Poland. There is no difference between regular, accelerated and admissibility procedures, as well as first appeal.³⁰⁸ The provision of reception conditions does not depend on the financial situation of asylum applicants.

Asylum applicants are entitled to material reception conditions after claiming asylum, from the moment they register in the first reception centre. They should register there within two days after making their application, otherwise, their asylum procedure is discontinued (unless they declare another place of stay), as was the case in 113 cases in 2025 (289 in 2024).³⁰⁹ Only medical assistance can be granted from the moment of making an asylum application (i.e. before registration in a first reception centre) in special situations, i.e. in case of threat to life and health.³¹⁰ Since 1 January 2026, the child of an asylum applicant born on the territory of the Republic of Poland is entitled to medical care from the day of their birth, if the asylum applicant submits an application for international protection on their behalf.³¹¹ Since 24 February 2022, it has also been possible to grant a financial allowance for asylum applicants living outside reception centres without their prior registration in one of the first-reception centres.³¹²

Exceptionally, the Border Guard is entitled to inform an asylum seeker that it is impossible to apply for asylum the day they present themselves at the Border Guard unit. In such a situation, the Border Guard registers a declaration of intention to submit the asylum application and determines a later date (no longer than 3 working days, or in case of massive influx 10 working days but in practice, deadlines are longer and foreigners may have to wait up to several weeks to submit the asylum application)³¹³ and place to

³⁰⁸ Article 70 Law on Protection.

³⁰⁹ Article 40(1)(2) in conjunction with Article 40 (2)(1) Law on Protection. Information provided by the Office for Foreigners, 10 April 2026 and 19 February 2025 . This number includes all situations where asylum seekers did not register in the reception centre in 2 days, so both when they did not manage to get there in time and when they did it intentionally (e.g. they left Poland to seek asylum elsewhere).

³¹⁰ Article 74(1)(1) Law on Protection.

³¹¹ Article 74(5) Law on Protection.

³¹² Article 74(1a) Law on Protection.

³¹³ Practice-based observation by the experts authors of this report, January 2025.

officially apply for asylum.³¹⁴ In 2023, this was the case for 574 third-country nationals (541 declarations, compared to 4,013 declarations registered in 2022, a significant decrease compared to recent years).³¹⁵ Data for 2024 and 2025 was not available. By law, asylum seekers waiting to officially apply for asylum are not entitled to any form of material reception conditions in Poland. The problem concerns both first-time asylum seekers and rejected asylum seekers who intend to apply for asylum again, but the latter try to avoid a gap in obtaining assistance by submitting a subsequent application before the entitlement to material reception conditions resulting from a previous asylum procedure elapses.³¹⁶ Any form of material reception conditions in Poland is also not available to foreigners whose applications are not accepted due to the suspension of the right to apply for international protection.

Reception conditions are provided:³¹⁷

- (a) until 2 months after a final positive decision on asylum;
- (b) up until 14 days after a final decision discontinuing the asylum procedure (e.g. in admissibility procedures);
- (c) up until 30 days after a final negative decision on asylum given on the merits by the Office for Foreigners or the Refugee Board.³¹⁸

In principle, during the onward appeal procedure before the Voivodeship Administrative Court in Warsaw, asylum seekers are not entitled to material reception conditions.³¹⁹ In practice, when the court suspends enforcement of the contested decision of the Refugee Board for the duration of the court proceedings, asylum seekers are re-granted material reception conditions to the same extent as during the administrative asylum procedure, until the ruling of the court (according to the Office for Foreigners there were “several cases” in 2025 and 2024.³²⁰ In practice, asylum seekers deal with the problem of the lack of material reception conditions during court proceedings by submitting subsequent asylum applications.

Asylum applicants who are subject to a Dublin transfer from Poland are entitled to material reception conditions until the day they should leave the country.³²¹ Thus, this assistance may be granted for a longer period than in other cases when a decision discontinuing the proceedings is issued (it is an exception from the 14-day rule mentioned above). Dublin returnees may also request additional assistance, covering travel costs, administrative payments for travel documents or visas and permits, the cost of food before and during the travel, accommodation before the travel, and medical assistance.³²² The request has to be submitted within 21 days from the moment the transfer decision became final. If it is submitted later than within this timeframe, the request will be ignored.³²³ The decision on assistance before and during the Dublin transfer cannot be appealed to the second-instance administrative authority, but a judicial remedy should be available in front of the Voivodeship Administrative Court.³²⁴ In 2025, 2 requests for additional assistance were submitted; both were accepted.³²⁵

Moreover, access to material reception conditions is to be continuously provided if a person concerned applies for assistance in the context of a voluntary return procedure to the Chief Commander of the Border Guard.³²⁶

³¹⁴ Article 28(1) Law on Protection.

³¹⁵ Information provided by the Border Guard Headquarters, 18 March 2024.

³¹⁶ Information provided by SIP, 8 January 2020.

³¹⁷ Article 74(1) Law on Protection; Article 299(6)(1)(b) Law on Foreigners.

³¹⁸ It is connected with the obligation to depart from Poland within 30 days after receiving final negative decision on asylum.

³¹⁹ After the administrative appeal procedure before the Refugee Board, there is a possibility of an onward appeal before the Voivodeship Administrative Court in Warsaw, but only points of law can be litigated at this stage.

³²⁰ This is the long-standing interpretation by the Legal Department of the Office for Foreigners. Information provided by the Office for Foreigners, 19 February 2025 and 10 April 2026.

³²¹ Article 74(3)(2) Law on Protection, since 7 April 2023.

³²² Article 75a(3) Law on Protection, since 7 April 2023.

³²³ Article 75a(6-7) Law on Protection.

³²⁴ Article 75a(9) Law on Protection, since 7 April 2023

³²⁵ Information from the Border Guard Headquarters, 25 February 2025.

³²⁶ Article 74(3)(1) Law on Protection, since 7 April 2023.

Some applicants are not entitled to material reception conditions during the asylum procedure e.g. beneficiaries of subsidiary protection who presented a subsequent application to be recognised as refugees;³²⁷ third-country nationals benefiting from humanitarian stay or tolerated stay; foreign nationals residing in Poland based on temporary stay permit, permanent stay permit or long-term residence permit; foreign nationals hosted in youth care facilities or detention centres or a pre-trial custody or detention for criminal purposes.³²⁸ Beneficiaries of subsidiary protection, third-country nationals residing in Poland based on a permanent stay permit, long-term residence permit or – in some cases – temporary stay permit are entitled to state benefits (general social assistance system) to the same extent as Polish citizens. Foreign nationals who were granted a humanitarian stay or tolerated stay are entitled to state benefits only in the form of shelter, food, necessary clothing and an allowance for a specified purpose.³²⁹

1.2. Obstacles to accessing reception

There are some practical obstacles reported in accessing material reception conditions. In 2025, the problems identified in recent years continued.³³⁰ The difficulties intertwined with transport from detention centres to reception ones, and with the humanitarian crisis at the Polish-Belarusian border, were most prominent.

Transport from detention centres

Detained asylum applicants face great difficulties when they are released from detention centres. By law, they are not entitled to any support immediately after release. They are granted material reception conditions only from the moment of registration in a reception centre, which is very often located far away from the detention centre. As a result, asylum applicants have difficulties covering the cost of transport to the reception centre and reaching it within the set deadline of 2 days.³³¹ It should be organised by the Border Guard regarding released pregnant women, single parents, elderly and disabled people.³³² The partial data that were made available show that the respective provision of the Law on Protection has been applied in practice concerning 11 third country nationals in 2024, including 10 detained in Lesznowola, 1 detained in Kętrzyn.³³³

Besides that, Border Guard declares that it buys train or bus tickets for released third-country nationals (Kętrzyn, Białystok, Przemyśl) or transports them to the closest train or bus station (Lesznowola), to a reception centre (Lesznowola – 152 persons) or to a shelter (Lesznowola – 2 persons, in cooperation with the Dialog Foundation). Tickets for trains or other means of communication were bought also by NGOs (Stowarzyszenie Podróżnych Ugościć – in Kętrzyn), Białystok detention centre cooperates effectively with the Dialog Foundation and the EGALA Foundation and, prior to releasing a third-country national, inquires about the scope of NGO support. In Kętrzyn, released third-country nationals received additional material support, like clothes, shoes, backpacks, hygienic products, food, financed from the EU funds, Border Guard's budget.³³⁴ This data indicates a notable difference in the assistance provided to individuals released from detention centres. While some centres employ various methods to support released individuals, others offer no assistance.

³²⁷ In practice, some foreigners after the end of the asylum procedure, in which they were granted subsidiary protection, apply for asylum again in order to be granted refugee status.

³²⁸ Article 70(2) Law on Protection.

³²⁹ Article 5(2) Law of 12 March 2004 on social assistance.

³³⁰ For further information, see previous updates of AIDA, *Country Report Poland*, available [here](#).

³³¹ Article 40(2)(2) of the Act on Protection.

³³² Article 89cb Law on Protection. In law it has not been guaranteed that other vulnerable asylum seekers can benefit from the organised transport, which has been described as 'a gap in asylum system': Pachocka, M. and Sobczak-Szelc K., 'Refugee Protection Poland – Country Report', Multilevel Governance of Mass Migration in Europe and Beyond Project (Horizon2020), January 2020, available [here](#), 73.

³³³ Information from different branches of the SG from January and February 2026.

³³⁴ Ibid.

In January 2023, the difficulties with the transport of persons released from detention were noticed by the Polish Human Rights Commissioner.³³⁵ He explained that third-country nationals do not know the Polish language, often do not have Polish currency, and are released from detention in the evenings or at night, which makes their travel very difficult. They sometimes receive some financial support to cover travel expenses from the Border Guard (also from EU funds) or NGOs. However, this is not regulated in law and depends on the willingness and capabilities of those entities. According to the Commissioner, some support mechanisms addressing this problem should be introduced into the Polish legislation. In February 2023, the Border Guard responded that they can act only within their powers arising from the law in force, so they can only provide transport to vulnerable third-country nationals released from the detention centre. The Border Guard tries to release asylum applicants during the day, but it is sometimes difficult due to the late delivery of the court's decision ordering the release.³³⁶ In 2025, no legislation changes in this regard were made and the problem remains relevant. A report based on research conducted at the end of 2024 indicates that people leaving a guarded centre often lack information on how to reach an open centre: they do not know its address, are unsure which means of transport to use, or how to validate a ticket. As a result, they often ask strangers for help.³³⁷

At the Polish-Belarusian border

The humanitarian crisis at the Polish-Belarusian border, that started in 2021 and continued in 2025 (see [Access to the territory and pushbacks](#)), left many prospective asylum seekers without access to material reception conditions.³³⁸ Third-country nationals that were stuck on that border or pushed back to Belarus were often not allowed to apply for international protection in Poland – against Polish, EU and international law³³⁹ – thus, they could not obtain material reception conditions, including medical assistance, that is available to asylum seekers whose applications have been registered.. In those circumstances, humanitarian aid (i.e. food, clothes, blankets) and medical assistance³⁴⁰ had to be provided by several local and state authorities (including the Commissioner for Human Rights),³⁴¹ NGOs and private persons. However, its scope and effectiveness were greatly limited after the introduction of the state of emergency and similar measures, and the hampering and criminalisation of humanitarian assistance to migrants and asylum seekers in the country.

For example, in May 2023, a group of several dozen third-country nationals from Syria and Iraq (20-30 persons), including children (11, the youngest being 1.5-2 years old), had been asking the Polish Border Guard for asylum while being blocked from entering Poland by the fence built at the border. Their applications were not accepted and they were not allowed to enter Poland. The Belarusian authorities did not allow them to go back to Belarus, so they were stuck “between” two countries for several days. The site was visited by the Commissioner for Human Rights’ representatives. The Border Guard stated that the group could not be admitted to Poland, but they were given some food and water by the Border Guard’ officers.³⁴² NGOs were not allowed to approach the group and provide them humanitarian assistance, but the activists remained near the border (15m from the group) and tried to talk with them and play some games with the children.³⁴³

³³⁵ Human Rights Commissioner, ‘RPO pyta o pomoc dla cudzoziemców zwalnianych z ośrodków strzeżonych. Straż Graniczna odpowiada’, 3 January and 7 February 2023, available in Polish [here](#).

³³⁶ Ibid.

³³⁷ K. Madej, E. Łapińska, K. Sulima ‘Pokazać, że można tu żyć, Raport z badania potrzeb osób uchodźczych opuszczających ośrodki dla cudzoziemców’ PFM, Fundacja Batorego, March 2025, available in Polish [here](#).

³³⁸ See e.g. K. Czarnota and M. Górczyńska, ‘The Lawless Zone: Polish-Belarusian Border Monitoring’, HFHR, June 2022, available in English [here](#), Fundacja Ocalenie, ‘Przemoc państwa i działania oddolne’, May 2022, available in Polish [here](#).

³³⁹ HFHR, ‘Przypominamy: deklaracja zamiaru złożenia wniosku o ochronę międzynarodową jest wiążąca dla Straży Granicznej’, 29 May 2023, available in Polish [here](#).

³⁴⁰ For more, see Health care section below.

³⁴¹ Commissioner for Human Rights, ‘Pomoc materialna RPO dla cudzoziemców i organizacji pomocowych działających przy granicy polsko-białoruskiej’, 23 September 2021, available in Polish [here](#).

³⁴² Commissioner for Human Rights, ‘ZRPO Wojciech Brzozowski interweniuje ws. grupy cudzoziemców pod zaporą przy granicy polsko-białoruskiej. Odpowiedź SG’, May 2023, available in Polish [here](#).

³⁴³ M. Chrzczonowicz, ‘Na granicy polsko-białoruskiej 25 osób, w tym dzieci, przez drut prosi o azyl. Nie mogą się cofnąć’, *Oko.press*, 27 May 2023, available in Polish [here](#), M. Chrzczonowicz, ‘Prosimy o bezpieczeństwo. 25 osób czeka za metalową barierą’, *Oko.press*, 30 May 2023, available in Polish [here](#).

In 2024 the Commissioner for Human Rights The Office of the Ombudsman requested clarification from the Commander of the Border Guard Station in Dubicze Cerkiewne about a woman who was allegedly located on the eastern side of the dam along the Polish-Belarusian border. Based on the information available to the Commissioner, the woman, a foreign national, was injured and in need of medical care, as well as food and water. The Ombudsman also inquired whether the woman had received the necessary medical and humanitarian support, and specifically whether there had been any consideration to allow her to move to the western side of the dam where she could obtain the required assistance.³⁴⁴

In 2025, monitoring reports continued to document cases of individuals in need of urgent medical care who were subjected to pushbacks and remained without access to treatment, including persons reporting serious injuries following apprehension at the border.³⁴⁵

Access to reception conditions for individuals crossing the Polish–Belarusian border became even more difficult following the introduction, in March 2025, of the suspension of the right to apply for international protection (see [Registration of the asylum application](#)). Many individuals who expressed a wish to apply for international protection, but whose applications were not registered due to crossing the Polish-Belarusian border, are left without any entitlement to assistance, including material reception conditions and access to medical care.

2. Forms and levels of material reception conditions

Indicators: Forms and Levels of Material Reception Conditions

1. Amount of the monthly financial allowance/vouchers granted to asylum applicants as 31 December 2025 (in the original currency and in €):
 - ❖ Accommodated, incl. food PLN 50 / EUR 11.81
 - ❖ Private accommodation PLN 775 / EUR 183

Asylum applicants are either accommodated in a reception centre or receive a monthly financial allowance to cover all costs of their stay in Poland.

Under the law, the material reception conditions offered in the centre are granted as a rule to all asylum applicants. An asylum applicant can obtain assistance granted outside the centre upon request, examined by the Head of the Office for Foreigners. It can be granted for organisational, safety or family reasons or to prepare asylum applicants for independent life after they have received any form of protection.³⁴⁶ An applicant who seriously breaches the rules of stay in a reception centre, behaves aggressively towards others, destroys property, or refuses required medical examinations, sanitary procedures, compulsory treatment, or epidemiological supervision may receive social assistance only in the form of a cash allowance.³⁴⁷

All of the abovementioned reception conditions are applied in practice. As of 31 December 2025, 716 (compared with 853 in 2024) asylum applicants were residing in the reception centres. 6,061 (compared with 5,254 in 2024) asylum applicants were receiving assistance outside the centres.³⁴⁸

All asylum applicants (living in and out of the reception centre) can:

- ❖ attend a Polish language course and receive basic material supplies necessary for the course;
- ❖ receive school supplies for children, including, as far as possible, the expenses for extra-curricular classes, sports and recreational activities;
- ❖ have the costs of public transport covered to (a) attend interviews as part of the asylum procedure; (b) medical examinations or vaccinations; or (c) in other particularly justified cases;
- ❖ receive medical care.

³⁴⁴ Commissioner for Human Rights, 'Sprawa rannej cudzoziemki po wschodniej stronie zapory na granicy polsko-białoruskiej. Pismo do Straży Granicznej', available in Polish [here](#).

³⁴⁵ See reports of We are Monitoring for 2025, available [here](#).

³⁴⁶ Article 72(1) Law on Protection.

³⁴⁷ Article 72(2) Law on Protection.

³⁴⁸ Information provided by Office for Foreigners 10 April 2026, 19 February 2025.

Living in the reception centre

For asylum applicants accommodated in reception centres, material conditions include:

- ❖ Accommodation;
- ❖ Meals in the centre or a financial equivalent (PLN 11 / EUR 2.60) per day;
- ❖ Allowance for personal expenses of PLN 50 / EUR 11.81 per month;
- ❖ Permanent financial assistance of PLN 20 / EUR 4.72 per month for the purchase of hygienic articles or hygienic utilities;
- ❖ One-time financial assistance or coupons of PLN 140 / EUR 33 for the purchase of clothing and footwear.

The PLN 70 / EUR 16.53 that asylum applicants receive every month (allowances for personal expenses and hygienic articles or hygienic utilities) is not enough to satisfy their basic needs.³⁴⁹ Among other examples, an asylum applicant who stayed in one of the reception centres with his pregnant wife provided the following account:

We had a shared kitchen where you could cook for your own needs. However, I don't know where refugees can get money if they don't have a work permit. And for the first six months, while waiting for the decision, they definitely don't have it. Additionally, we only received about thirty zlotys a week for household items. Even though the centre was safe and we had a roof over our heads, we were not happy there.³⁵⁰

Children attending schools are not eligible for the meals served in the reception centre. Instead, asylum-seeking parents receive a financial allowance of PLN 11 / EUR 2.60 per day (PLN 330 per month – EUR 78) to buy food for their children, which proves insufficient to meet their needs.³⁵¹

According to the law, in case an asylum applicant helps in a reception centre (i.e. performs cleaning work for the centre, provides translation or interpretation that facilitates communication between the personnel of the centre and asylum applicants, or provides cultural and educational activities for other asylum applicants who stay in the centre), the amount of the allowance for personal expenses may be raised to PLN 100 (EUR 23.62). In 2025, this raise was applied in 194 cases. 23 persons had their allowance increased to PLN 150 / EUR 35.42.³⁵²

NGOs are constantly raising concerns regarding the fact that financial allowances for persons staying in the reception centres are inadequate to market situation and insufficient to satisfy the asylum applicants' basic needs. Despite that, the allowances remained very low for many years. Thus, in the centres, humanitarian assistance must be continuously provided by the NGOs and private persons.³⁵³

Living outside the reception centre

For those assisted outside centres, there is one financial allowance for all costs of stay in Poland. This daily allowance depends on the family composition of the applicant:

Financial allowance for all costs of stay in Poland (outside reception centres)	
Family composition	Amount per day

³⁴⁹ PFM, 'Czas w ośrodku to czas wykluczenia', 2023, available in Polish [here](#). Fundacja EMIC, 'Wielokulturowa Grupa – wyjątkowa miejscowość w naszym województwie', 5 August 2023, available in Polish [here](#). M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szalańska (2020) 'Reception Policies, Practices and Responses: Poland Country Report', RESPOND Working Papers 2020/45, available [here](#), 64, 84.

³⁵⁰ 'Pamiętniki uchodźcze', Magazyn Kontakt 2023, available in Polish [here](#), 68 (author's translation).

³⁵¹ Fundacja EMIC, 'Wielokulturowa Grupa – wyjątkowa miejscowość w naszym województwie', 5 August 2023, available in Polish [here](#).

³⁵² Information provided by the Office for Foreigners, 10 April 2026.

³⁵³ Fundacja EMIC, 'Wielokulturowa Grupa – wyjątkowa miejscowość w naszym województwie', 5 August 2023, available in Polish [here](#).

Single adult	PLN 25 / € 5.90
Two family members	PLN 20 / € 4.72
Three family members	PLN 15 / € 3.54
Four or more family members	PLN 12.50 / € 2.83

The amount of financial allowance that asylum applicants receive is generally not sufficient to ensure an adequate standard of living in Poland.³⁵⁴ With only PLN 750-775 (around € 177-183) per month, it is very difficult or even impossible to rent an apartment or even a room in **Warsaw**, where most asylum applicants stay during the procedure, particularly taking into account that owners are often unwilling to rent an apartment to third-country nationals, especially asylum applicants, and tend to increase rent or deposit in such situations.³⁵⁵ As the amount of financial allowance is insufficient for renting separate accommodation, asylum applicants are often forced to live in overcrowded and insecure places. Many of them sleep in overcrowded apartments, where they have to share beds with other people or where living conditions do not provide privacy and personal safety.³⁵⁶ Financial allowance for families of four amounts to PLN 1,500 (around € 354) per month and in practice it may be enough only to rent an apartment, however with great difficulty. Insufficient social assistance forces asylum applicants to work irregularly in order to ensure their subsistence and be able to afford rent costs. The amount of social assistance for asylum applicants has not been raised since 2003, even though the costs of living in Poland have increased significantly since then. As a result, material reception conditions are insufficient to ensure a decent standard of living as highlighted in the CJEU judgment in *Saciri*.³⁵⁷ Moreover, the financial allowance that asylum applicants receive is not adjusted to their state of health, age or disability, which is also incompatible with the *Saciri* judgment.³⁵⁸

In February 2023, the Human Rights Commissioner once more called on the Ministry of Internal Affairs and Administration to increase allowances for asylum applicants and the Ministry declared that it plans changes in the respective law (however, without providing specific details on the anticipated changes).³⁵⁹ In line with these remarks, in October 2023 a new text of the Ordinance on Amount of Assistance for Asylum Applicants was adopted, but no change in the amounts of allowances was introduced. The main aim of the amendment was to adapt it to the new division of competences between the Office for Foreigners and the Border Guard in force since April 2023. Therefore, the problem of insufficient allowances remained relevant also in 2025.³⁶⁰

3. Reduction or withdrawal of reception conditions

³⁵⁴ PFM, 'Czas w ośrodku to czas wykluczenia', 2023, available in Polish [here](#), FRA, 'Migration: Key Fundamental Rights Concerns: 1.7.2019-30.9.2019. Quarterly Bulletin', 20, relying on the information from the HFHR and SIP. See also Lukaszewicz, K., 'Exile to Poverty: Policies and Poverty Among Refugees in Poland', *International Migration Vol. 55 (6) 2017*, 63-64.

³⁵⁵ 'List of recommendations to improve housing situation of Beneficiaries of International Protection in Poland – prepared by Refugee Council operating within the NIEM/V4NIEM', 2021, available [here](#), W. Goszczyński, R. Baczyński-Sielaczek, J. Suchomska, J. Stankowska and M. Wróblewski. 'Lokalne systemy integracji uchodźców – badania' in Fundacja EMIC and Pracownia Zrównoważonego Rozwoju, *Wielogłos. Integracja uchodźców w polskich gminach*, 2016, available (in Polish) [here](#), 81.

³⁵⁶ M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szałańska, 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#), 56-58; W. Klaus, 'Rozwiązania prawne stosowane w odniesieniu do osób starających się o ochronę w Polsce' in A. Górny, H. Grzymała-Moszczyńska, W. Klaus and S. Łodziński, *Uchodźcy w Polsce. Sytuacja prawna, skala napływu i integracja w społeczeństwie polskim oraz rekomendacje*, PAN 2017, available (in Polish) [here](#), 22; Lukaszewicz, K., 'Exile to Poverty: Policies and Poverty Among Refugees in Poland', *International Migration Vol. 55 (6) 2017*, 63. Information provided also by SIP, 8 January 2020.

³⁵⁷ CJEU, Case C-79/13 *Saciri*, Judgment of 27 February 2014.

³⁵⁸ See e.g. the HFHR's opinion concerning planned increase of financial allowances for asylum seekers, 24 September 2021, available in Polish [here](#).

³⁵⁹ Human Rights Commissioner, 'Interwencja RPO ws. świadczeń pieniężnych dla cudzoziemców ubiegających się o ochronę międzynarodową. MSWiA informuje, że będą zmiany w rozporządzeniu', 2 March and 12 April 2023, available in Polish [here](#).

³⁶⁰ See: SIP, Global Detention Project, 'Joint submissions to the 76th Session of the Committee on Economic, Social and Cultural Rights', August 2024, available in English [here](#).

Indicators: Reduction or Withdrawal of Reception Conditions

1. Does the law provide for the possibility to reduce material reception conditions?
 Yes No
2. Does the law provide for the possibility to withdraw material reception conditions?
 Yes No

In 2025, in order to comply with the CJEU's preliminary ruling in *Haqbin*,³⁶¹, provisions allowing for the withdrawal of material reception conditions in cases of serious breaches of reception centre rules or violent behaviour were repealed (previous Article 76 Law on Protection). However, since 1 January 2026, an applicant who seriously breaches the rules of stay in a reception centre, behaves aggressively towards others, destroys property, or refuses required medical examinations, sanitary procedures, compulsory treatment, or epidemiological supervision may receive social assistance only in the form of a cash allowance.³⁶² This rule does not apply to persons with disabilities, elderly persons, pregnant women, or single parents caring for a child.³⁶³ Moreover, the decision granting a cash benefit expires, inter alia, if a foreigner has failed to collect the due cash benefit for two consecutive calendar months or, despite a written notice, has failed to appear at the designated location.³⁶⁴ In such a case, assistance provided in a reception centre is reinstated, provided that the person is entitled to receive social assistance.³⁶⁵

As of 1 January 2026, the provision allowing for the reduction of the financial allowance to half in cases of refusal to undergo medical examinations or necessary sanitary treatment was repealed (Article 81(3) Law on Protection). Under the current provision, in such cases the Head of the Office is required to inform the State Sanitary Inspector.

Moreover, in case an asylum applicant stays outside the reception centre for a period exceeding two days, material reception conditions should be withheld by law until the moment of their return.³⁶⁶

4. Freedom of movement

Indicators: Freedom of Movement

1. Is there a mechanism for the dispersal of applicants across the territory of the country?
 Yes No
2. Does the law provide for restrictions on freedom of movement?
 Yes No

Officially there is no restriction to the freedom of movement of asylum applicants: they can travel around Poland wherever they want. However, when an asylum applicant accommodated in a reception centre stays outside this centre for more than 2 days, the assistance will be withheld by law until the moment of their return.³⁶⁷ Since 1 January 2026, in such case, medical assistance is suspended, except in emergency situations, for basic treatment of illnesses, serious mental disorders, or when a person requires special treatment. The Human Rights Commissioner was critical of the changes, pointing out that the proposed changes may unjustifiably deprive asylum applicants access to medical care.³⁶⁸

Moreover, asylum applicants can leave the centre whenever they want, during the day, but they should be back before 11:00 p.m.³⁶⁹ Asylum applicants may leave the reception centre for a couple of days upon earlier notification in the centre.³⁷⁰

³⁶¹ CJEU (Grand Chamber), case C-233/18 *Haqbin*, Judgment of 12 November 2019.

³⁶² Article 72(2) Law on Protection.

³⁶³ Article 72(5) Law on Protection.

³⁶⁴ Article 72(7) Law on Protection.

³⁶⁵ Article 72(8) Law on Protection.

³⁶⁶ Article 77(1) Law on Protection.

³⁶⁷ Article 77(1) and 77(2) Law on Protection.

³⁶⁸ Human Rights Commissioner, 'Składanie przez cudzoziemców wniosków pobytowych wyłącznie przez Internet. Opinia Rzecznika', January 2025, available in Polish [here](#).

³⁶⁹ Para 12(3) of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

³⁷⁰ A. Garbolińska, 'Rodzaje ośrodków dla osób w procedurze uchodźczej w Polsce', 2022, available in Polish [here](#).

The Office for Foreigners decides to which reception centre asylum applicants will be allocated. This decision cannot be formally challenged. In practice, nuclear families generally stay in the same centre. The decisions are made taking into consideration family ties (asylum applicants should be allocated in the same centre as their families), vulnerability (e.g. asylum applicants with special needs can be allocated only to the centres which are adapted to their needs), the continuation of medical treatment (when it cannot be continued in other premises), the safety of the asylum applicant and capacity of the centres.³⁷¹

Under the law, an asylum applicant staying in one centre can be required to move to another facility if this is justified for organisational reasons.³⁷² Polish authorities interpret this rule as applying mostly to transfers from first-reception centres to an accommodation centre. As a result, asylum applicants are expected to move from the first reception centre to the other centres. In practice, it can take a few to several days (depending on how long the epidemiological filter procedure lasts and whether the interview is conducted in the first reception centre). Afterwards, if they are allocated to one centre, they are very rarely moved to another. If so, it happens mostly upon the request of an asylum applicant. In 2025, out of 255 persons, 128 were allowed to move to another centre. Applicants gave various reasons for request to change centre such as a better location, a close person (friend, family member) staying in another centre, easier access to non-governmental organizations, the labour market, better housing conditions, access to specialised medical care etc. According to the Office for Foreigners, the refusals were justified inter alia by the temporary impossibility to accommodate in the chosen reception centre or the asylum applicant's withdrawal of the application.³⁷³

Moving an asylum applicant to another centre without a direct request from the person involved is very rare. In 2025 there were two such cases. In both cases, the decision was dictated by safety reasons.³⁷⁴

B. Housing

1. Types of accommodation

Indicators: Types of Accommodation	
1. Number of reception centres: ³⁷⁵	9
2. Total number of places in the reception centres:	1,525
3. Total number of places in private accommodation:	Not applicable
4. Type of accommodation most frequently used in a regular procedure:	
	<input checked="" type="checkbox"/> Reception centre <input type="checkbox"/> Hotel or hostel <input type="checkbox"/> Emergency shelter <input checked="" type="checkbox"/> Private housing <input type="checkbox"/> Other
5. Type of accommodation most frequently used in an accelerated procedure:	
	<input checked="" type="checkbox"/> Reception centre <input type="checkbox"/> Hotel or hostel <input type="checkbox"/> Emergency shelter <input checked="" type="checkbox"/> Private housing <input type="checkbox"/> Other

At the end of 2025, Poland had nine reception centres which altogether provided 1,525 places. As of 31 December 2025, 716 (compared with 853 in 2024) asylum applicants were residing in the centres. Another 6,061 (compared with 5,254 in 2024) asylum applicants were receiving assistance outside the centres.³⁷⁶

In 2025, as in previous years the centres in **Podkowa Leśna-Dębak** and **Biała Podlaska** served as the first reception, where asylum applicants were directed after applying for asylum in order to register and

³⁷¹ Information provided by Office for Foreigners, 26 January 2021.

³⁷² Article 82(1)(6) Law on Protection.

³⁷³ Information provided by the Office for Foreigners, 10 April 2026, 19 February 2025.

³⁷⁴ Information provided by the Office for Foreigners, 10 April 2026.

³⁷⁵ Both accommodation and for first arrivals.

³⁷⁶ Information provided by the Office for Foreigners, 10 April 2026, 19 February 2025. See also ECRE, 'Seeking Refuge in Poland: A Fact-Finding Report on Access to Asylum and Reception Conditions for Asylum Seekers', April 2023, available [here](#), 22-23.

carry out medical examinations. The remaining seven centres were accommodation centres (**Białystok, Czerwony Bór, Bezwola, Łuków, Grupa, Kolonia-Horbów** and **Linin**).³⁷⁷

In 2025, there was no problem of overcrowding in these centres. As of 31 December 2025, the highest occupancy rate was 72.5% in **Białystok** and 65.33% in Łuków; the lowest was in Podkowa Leśna Dębak – 21.93% (first reception) and Biała Podlaska – 25.45% (first reception).³⁷⁸

Since March 2022, the reception centres for asylum applicants have been serving also as a place for accommodation for some temporary protection beneficiaries. However, no **temporary protection beneficiaries** benefited from this accommodation in 2025.³⁷⁹

Centres are located in different parts of Poland. One is located in a city (**Białystok**), but most of them are situated in the countryside. **Bezwola, Dębak, Grupa** and **Linin** are in the woods. These centres are therefore not easily accessible.

Spatial exclusion as a result of the present location of the centres is considered the main problem by some NGOs.³⁸⁰ Isolation of the centres limits contact with Polish citizens and Polish institutions, including NGOs. It affects the effectiveness of the integration process.³⁸¹ In addition, the reception centres are located in areas with a high level of poverty, which hampers the asylum applicant's access to the labour market.³⁸² Moreover, the isolation of asylum applicants from society negatively affects their psychological state.³⁸³

Applicants living in reception centres may also be exposed to social exclusion resulting from disinformation. The media reported that in April 2025, people hostile to migrants gathered in front of the foreigners' centre in Czerwony Bór. The applicants accommodated in the centre were said to feel threatened and met with hostility from the local community. In response to emerging disinformation, the Office for Foreigners stated that the foreigners accommodated in the centre do not pose a threat to state security and assistance is provided to them in accordance with the applicable regulations.³⁸⁴ Generally, racism and xenophobia within Polish society also remain a serious challenge. One person describes their experience as follows:

When I was in Biała Podlaska and later in Łuków... it was the same everywhere. As soon as you go outside, Poles immediately start staring at you, as if you were someone foreign, strange. (...) Even drivers—when they see a Black man on the street, they immediately look, they stare. Even when riding a bicycle, when they see you, they have to look... I don't understand why.³⁸⁵

³⁷⁷ Information provided by the Office for Foreigners, 19 February 2025.

³⁷⁸ Information provided by the Office for Foreigners, 10 April 2026.

³⁷⁹ Information provided by the Office for Foreigners, 10 April 2026. For more, see Temporary protection Annex: Housing.

³⁸⁰ See W. Goszczyński, R. Baczyński-Sielaczek, J. Suchomska, J. Stankowska and M. Wróblewski. 'Lokalne systemy integracji uchodźców – badania' in Fundacja EMIC and Pracownia Zrównoważonego Rozwoju, *Wielogłos. Integracja uchodźców w polskich gminach*, 2016, available (in Polish) [here](#), 58. See also M. Baran-Kurasiewicz, 'Uzyskanie statusu uchodźcy i sytuacja uchodźców w Polsce', *Polityka i Społeczeństwo* 3(19)/2021, 17.

³⁸¹ PFM, 'Czas w ośrodku to czas wykluczenia', 2023, available in Polish [here](#), Institute of Public Affairs, 'Analiza przygotowania lokalnych instytucji do przyjęcia uchodźców z programu relokacji i przesiedleń. Raport końcowy z badań fokusowych', 2016, available (in Polish) [here](#), 12-14; Lukaszewicz, K., 'Exile to Poverty: Policies and Poverty Among Refugees in Poland', *International Migration* Vol. 55 (6) 2017, 65.

³⁸² Lukaszewicz, K., 'Exile to Poverty: Policies and Poverty Among Refugees in Poland', *International Migration* Vol. 55 (6) 2017, 61.

³⁸³ A. Garbolińska, 'Rodzaje ośrodków dla osób w procedurze uchodźczej w Polsce', 2022, available in Polish [here](#).

³⁸⁴ Wp.pl, 'Niepokoje w Czerwonym Borze. Mieszkańcy skarżą się na zachowania migrantów', 8 April 2025, available in Polish [here](#).

³⁸⁵ K. Madej, E. Łapińska, K. Sulima 'Pokazać, że można tu żyć, Raport z badania potrzeb osób uchodźczych opuszczających ośrodki dla cudzoziemców' PFM, Fundacja Batorego, March 2025, available in Polish [here](#).

2. Conditions in reception facilities

Indicators: Conditions in Reception Facilities

1. Are there instances of asylum applicants not having access to reception accommodation because of a shortage of places? Yes No
2. What is the average length of stay of asylum applicants in the reception centres?
37 – 695 days (depending on the centre)
3. Are unaccompanied children ever accommodated with adults in practice? Yes No
4. Are single women and men accommodated separately? Yes No

The Head of the Office for Foreigners is responsible for the management of all the centres. This authority can delegate its responsibility for managing the centres to social organisations, associations, private owners, companies, etc.³⁸⁶ Currently, 5 reception centres are managed by private contractors, while the remaining ones are directly managed by the Office for Foreigners.

The Office for Foreigners monitors the situation in the centres managed by private contractors daily through the Office's employees working in those centres and through the overall inspections taking place a couple of times a year. In 2025, each centre managed by private contractors was monitored twice. Once a year, centres are also controlled by health authorities. Unannounced inspections of Polish language classes were also carried out in all centres.³⁸⁷

Conditions in the centres managed by the Office for Foreigners are occasionally monitored by other authorities and entities as well, e.g. the UNHCR, or the Commissioner for Human Rights.

Asylum applicants can complain to the Office for Foreigners about the situation in the centres.³⁸⁸ In 2025, 16 requests and 9 complaints concerning reception centres were lodged before the Office for Foreigners. They mostly concerned living conditions, other residents and staff working in the centres. None of the complaints were considered justified. Additionally, the Office for Foreigners received a letter from the Commissioner for Human Rights requesting a response to a foreign national's complaint regarding internet connectivity at the centre in Czerwony Bór. Although the relevant provisions do not impose an obligation to provide internet access in such centres, modernisation works have nevertheless been undertaken to improve signal quality.³⁸⁹

The average length of stay of asylum applicants varied between the centres. While the stay in the first reception centres is designed to be short (in 2025, on average, 35 days in Podkowa Leśna and 37 days in Biała Podlaska), asylum applicants stayed in accommodation centres, on average, from 137 days (Grupa) to 695 days (Łuków).³⁹⁰

2.1. Overall living conditions

Living conditions differ across the reception centres. In the centres managed by private contractors, ensuring certain minimum living conditions standards is obligatory based on agreements between these contractors and the Office for Foreigners. Thus, centres have to have furnished rooms for asylum applicants, a separate common room for men and women, a kindergarten, a space to practice religion, a recreational area, school rooms, and a specified number of refrigerators and washing machines. Other conditions are dependent on the willingness and financial capacities of the contractor. Most often, one family stays in one room, without separate bedrooms or a kitchen. Moreover, usually, the centres do not

³⁸⁶ Article 79(2) Law on Protection.

³⁸⁷ Information provided by the Office for Foreigners, 10 April 2026.

³⁸⁸ Para 17 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

³⁸⁹ Information provided by the Office for Foreigners, 10 April 2026.

³⁹⁰ Information provided by the Office for Foreigners, 10 April 2026.

offer separate bathrooms and kitchens, only the common ones.³⁹¹ Persons travelling without their families may be accommodated with other single asylum applicants unknown to them.³⁹²

None of the centres was built to serve as a reception centre for asylum applicants. Most of them were used for different purposes before, such as army barracks, hostels for workers or holiday resorts.³⁹³

In general, conditions in the reception centres are considered to be better now than in the past. It results from greater attention given to the living conditions when a contractor for running a centre is being chosen and the renovations conducted in recent years in the centres that are managed by the Office for Foreigners. Despite that, some asylum applicants complain about those conditions, mentioning for instance bed bugs in the rooms.³⁹⁴ According to the NGOs, asylum applicants generally assess the conditions in the centres as rather low.³⁹⁵ For example, as recorded in 2023 by Fundacja EMIC, one Afghan national stated that:

The first time we went to Biała Podlaska. Then we were transported to a centre in Bezwola in the Lublin Voivodeship. We spent 2 months there. This centre was in the middle of the forest. Everywhere was far away. There were no shops, no schools. One of my sisters had to go to school, but there was no facility for her in the area. The Grupa was better in this respect, but the conditions were still difficult overall. The biggest problem were bugs - bedbugs. Employees tried to fight them off, but they kept coming back. Sprays and medical supplies didn't work. It was the worst. Living conditions were not good either. We got two rooms for six people. There was a doctor, there was also a nurse. Food? Not very good.³⁹⁶

Meanwhile, the Office for Foreigners' anonymous survey conducted in 2025 in all reception centres managed by the Office (345 out of 511 asylum applicants living in the centres took part in the survey) showed that asylum applicants living there were overall satisfied with the material reception conditions they received (with a general satisfaction rate of 86.05%). The best-rated centre was Grupa (satisfaction rate of 96.12%).³⁹⁷

Protests or hunger strikes occasionally happen in the reception centres. In January 2022, one hunger strike was reported in the centre in **Grupa**. According to the Office for Foreigners, Afghan nationals protested about the food they were served in the centre, the meagre number of NGOs working in the centre, and the low quality of the support they received from the NGO operating there. They were also afraid of how their life will look like when they will leave the centre. Since then, however, no protests and hunger strikes have taken place in the reception centres.³⁹⁸

In every centre, there are two kinds of staff: employees of the Office for Foreigners and other employees (as kitchen aids, cleaners etc.). As of December 2025, there were 27 employees of the Office for Foreigners working directly with the asylum applicants in all the centres. On average, there were approximately 28 foreigners accommodated in the centre per Office employee in 2025.³⁹⁹ Staff in the centre works from Monday to Friday from 7:00 to 18:00. They are mainly responsible for the administration

³⁹¹ W. Goszczyński, R. Baczyński-Sielaczek, J. Suchomska, J. Stankowska and M. Wróblewski. 'Lokalne systemy integracji uchodźców – badania' in Fundacja EMIC and Pracownia Zrównoważonego Rozwoju, *Wielogłos. Integracja uchodźców w polskich gminach*, 2016, available (in Polish) [here](#), 63, 67.

³⁹² A. Garbolińska, 'Rodzaje ośrodków dla osób w procedurze uchodźczej w Polsce', 2022, available in Polish [here](#).

³⁹³ See Lukasiwicz, K., 'Exile to Poverty: Policies and Poverty Among Refugees in Poland', *International Migration Vol. 55 (6) 2017*, 61.

³⁹⁴ M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szalańska, 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#), 43-45, 60-61.

³⁹⁵ See i.a. W. Goszczyński, R. Baczyński-Sielaczek, J. Suchomska, J. Stankowska and M. Wróblewski. 'Lokalne systemy integracji uchodźców – badania' in Fundacja EMIC and Pracownia Zrównoważonego Rozwoju, *Wielogłos. Integracja uchodźców w polskich gminach* (2016), available (in Polish) [here](#), 64.

³⁹⁶ Fundacja EMIC, 'Życie Afganek i Afgańczyków w Polsce po dwóch latach od ewakuacji nadal jest bardzo trudne', 15 September 2023, available in Polish [here](#).

³⁹⁷ Information provided by the Office for Foreigners, 10 April 2026.

³⁹⁸ Information provided by the Office for Foreigners, 3 February 2023, 16 February 2024, 19 February 2025.

³⁹⁹ Information provided by the Office for Foreigners, 10 April 2026.

of the centre, not for social work with asylum applicants. The number of employees of the Office for Foreigners and the scope of their responsibilities are considered insufficient.⁴⁰⁰ At night and on weekends only guards are present in the centre. Security staff is available in all centres around the clock.

2.2. Activities in the centres

Polish language courses are organised in all reception centres, both for children and adults. Those courses are considered the only integration activity provided by the Office for Foreigners.⁴⁰¹ See more in [Access to Education](#).

In 2025, NGOs carried out some projects in the centres which aimed at providing:

- ❖ Legal assistance – provided in the reception centres, in the NGOs' premises and remotely;
- ❖ Pre-integration activities, which were mostly aimed at children and young people (both education and leisure). Some activities were also addressed to adults, including Polish classes, employment counselling and psychological counselling.

Five centres have libraries and all centres have internet access.⁴⁰²

In all centres, there is a special room designed for religious practices. If asylum applicants want to participate in religious services outside of the centre, they have such a right, although in practice the remoteness from the closest place of worship can prevent them from participating in such services.

C. Employment and education

1. Access to the labour market

Indicators: Access to the Labour Market

- | | |
|---|---|
| 1. Does the law allow for access to the labour market for asylum applicants?
❖ If yes, when do asylum applicants have access to the labour market? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
6 months |
| 2. Does the law allow access to employment only following a labour market test? | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 3. Does the law only allow asylum applicants to work in specific sectors?
❖ If yes, specify which sectors: | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 4. Does the law limit asylum applicants' employment to a maximum working time?
❖ If yes, specify the number of days per year | <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No |
| 5. Are there restrictions to accessing employment in practice? | <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No |

The law allows for access to the labour market for asylum applicants after six months from the date of submission of an asylum application if a final decision has not been taken within this time and if the delay is not attributed to any fault of the asylum applicant. Experts point out that the fact that asylum applicants cannot work for the first 6 months of the asylum procedure is one of the factors which leads to their lack

⁴⁰⁰ See also SIP, 'Raport nt. przeciwdziałania przemocy wobec kobiet i przemocy domowej', 16 September 2021, available in Polish [here](#), mentioning that employees in the reception centres are not social workers and they are not prepared to work with vulnerable persons such as victims of domestic violence. See also M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szalańska 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#), 64-65.

⁴⁰¹ W. Goszczyński, R. Baczyński-Sielaczek, J. Suchomska, J. Stankowska and M. Wróblewski. 'Lokalne systemy integracji uchodźców – badania' in Fundacja EMIC and Pracownia Zrównoważonego Rozwoju, *Wielogłos. Integracja uchodźców w polskich gminach*, 2016, available (in Polish) [here](#), 69.

⁴⁰² Information provided by the Office for Foreigners, 10 April 2026.

of independence and reliance on social assistance.⁴⁰³ This waiting period is also criticised by asylum applicants themselves – especially taking into account low financial allowances they receive.⁴⁰⁴

The Head of the Office for Foreigners upon the asylum applicant's request, issues a certificate, which accompanied by a temporary ID document entitles the asylum applicant to work in Poland.⁴⁰⁵ The temporary ID document is valid for 90 days and can be subsequently prolonged for renewable periods of 6 months. The certificate is valid until the day the decision concerning international protection becomes final.⁴⁰⁶ However, in practice, if an asylum applicant seeks judicial remedy and the court suspends the enforcement of the negative asylum decision, the certificate regains its validity.⁴⁰⁷ In 2024, over 1,200 asylum applicants applied for the certificate (an increase from the 738 requests in 2023). 972 persons received it, while the applications of 330 persons were denied.⁴⁰⁸ Data for 2025 was not available.

Access to employment is not limited to certain sectors but can be challenging in practice. Many employers do not know, that the above-mentioned certificate with a temporary ID document gives an asylum applicant a right to work or do not want to employ a person for such a short time (i.e. up to 6 months, as the employers are unaware that the procedure may actually take longer than the validity of a single temporary ID document), which causes that those certificates have no practical significance.⁴⁰⁹ Moreover, the certificate is valid until the asylum decision becomes final, but employers are not informed that such a decision was issued by the Polish authorities, they must trust that the asylum applicants will inform them about it on time.⁴¹⁰ Furthermore, asylum applicants often live in centres which are located far away from big cities and in areas with a high level of poverty and unemployment in general, which makes it difficult to find a job in practice. Additionally, most asylum applicants do not speak Polish well enough to obtain a job in Poland.⁴¹¹ Asylum applicants also face the problem of limited recognition of education and skills acquired outside the country,⁴¹² so they are often employed in positions that do not reflect their professional background. For example, a report by the Ocalenie Foundation describes the story of a man from Afghanistan who worked as a diplomat in his home country, but after arriving in Poland and applying for international protection in 2021, he spent six months waiting for a work permit and then had to take low-skilled jobs such as courier, delivery driver, or working in a kebab restaurant, all of which were below his qualifications.⁴¹³ Moreover, third-country nationals endure discrimination in employment, e.g. they are offered lower salaries than Polish nationals.

In 2025, access to the labour market of asylum applicants was supported by NGOs operating in the reception centres. Moreover, the Office for Foreigners organised orientation courses in the centres that also covered employment issues. Since 1 July 2025, the courses have also been conducted online and

⁴⁰³ Fundacja EMIC, 'Wielokulturowa Grupa – wyjątkowa miejscowość w naszym województwie', 5 August 2023, available in Polish [here](#).

⁴⁰⁴ GRETA, 'Evaluation report: Poland', June 2023, available in English [here](#), 21; PFM, 'Czas w ośrodku to czas wykluczenia', 2023, available in Polish [here](#).

⁴⁰⁵ Article 35 Law on Protection.

⁴⁰⁶ Article 35 (3) Law on Protection. The Refugee Board's decision is final. If an asylum seeker does not appeal against the decision of the Office for Foreigners, the latter becomes final 14 days following notification of such decision.

⁴⁰⁷ Information provided by the Office for Foreigners, 4 March 2021.

⁴⁰⁸ Information provided by the Office for Foreigners, 19 February 2025.

⁴⁰⁹ W. Klaus, 'Rozwiązania prawne stosowane w odniesieniu do osób starających się o ochronę w Polsce' in A. Górny, H. Grzymała-Moszczyńska, W. Klaus and S. Łodziński, *Uchodźcy w Polsce. Sytuacja prawna, skala napływu i integracja w społeczeństwie polskim oraz rekomendacje*, PAN 2017, available (in Polish) [here](#), 23.

⁴¹⁰ M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szałańska, 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#), 82-83.

⁴¹¹ Lukaszewicz, K., 'Exile to Poverty: Policies and Poverty Among Refugees in Poland', *International Migration* Vol. 55 (6) 2017, 61, 66. See also M. Pawlak, 'Zatrudnienie' in A. Górńska, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce*, Instytut Spraw Publicznych 2019, 35; Fundacja EMIC, 'Życie Afganek i Afganczyków w Polsce po dwóch latach od ewakuacji nadal jest bardzo trudne', 15 September 2023, available in Polish [here](#).

⁴¹² The persisting problem with the recognition of non-EU education and qualifications was confirmed and criticised by the Supreme Audit Office in 2021, see Supreme Audit Office, 'Uznawanie kwalifikacji zawodowych cudzoziemców spoza Unii Europejskiej', April 2021, available in Polish [here](#).

⁴¹³ Fundacja Ocalenie, 'Niewykorzystany potencjał - Praca poniżej kompetencji osób cudzoziemskich spoza Unii Europejskiej Raport z badania' November 2025, available in Polish [here](#).

in Warsaw. Issues related to the labour market were also addressed during Polish language classes. From July 2025, orientation courses and Polish language instruction were delivered under the project “Pre-integration of Foreigners in Poland,” co-financed by the EU.⁴¹⁴ It has been reported refugees are most likely to find employment in the catering (or hospitality) sector.⁴¹⁵

2. Access to education

Indicators: Access to Education

1. Does the law provide for access to education for asylum-seeking children? Yes No
2. Are children able to access education in practice? Yes No

All children staying in Poland have a constitutional right to education. Education is mandatory until the age of 18. It is provided to asylum-seeking children in regular schools and it is not limited by law. Asylum applicants benefit from education in public schools under the same conditions as Polish citizens until the age of 18 or the completion of higher school.⁴¹⁶ In September 2025, 1,112 asylum seeking children attended 192 public schools and kindergartens in Poland. 966 among them lived in reception centres.⁴¹⁷

There are various obstacles to accessing education in practice.⁴¹⁸ The biggest problem is the language and cultural barrier. However, asylum-seeking children are supported by:

- ❖ Polish language courses that are organised in all reception centres;
- ❖ Additional free Polish language classes should be organised by the authority managing the school that asylum applicants are attending. Those classes are organised for a maximum period of 24 months⁴¹⁹ not less than 2 hours a week but max. five hours per week for one child;
- ❖ Right to use additional remedial classes. Those classes are organised for a maximum period of 12 months⁴²⁰ in the amount of 1 lesson hour per week for a given subject.
- ❖ Basic supplies that are necessary for learning Polish.⁴²¹

Asylum-seeking children can also participate in compensatory classes:

- ❖ in reception centres;
- ❖ in schools – assistance granted for a maximum of twelve months, max. five hours per week for one child.⁴²²

According to the Office for Foreigners, in 2025 children were supported in the reception centres in their learning of Polish, by assisting them with homework and compensatory classes.⁴²³

Overall, Polish language and compensatory classes in schools are considered insufficient. They are either not organised at all or organised for an insufficient amount of time (the limitation of the duration of the support to 5 hours a week is criticised). Moreover, they are not adapted to the individual needs of foreign

⁴¹⁴ Information provided by the Office for Foreigners, 10 April 2026.

⁴¹⁵ K. Madej, E. Łapińska, K. Sulima ‘Pokazać, że można tu żyć, Raport z badania potrzeb osób uchodźczych opuszczających ośrodki dla cudzoziemców’ PFM, Fundacja Batorego, March 2025, available in Polish here.

⁴¹⁶ Article 165 (1) and (2) of Law of 14 December 2016 on education. See also ECRI, ‘ECRI Report on Poland (six monitoring cycle)’, June 2023, available in English at: <https://bit.ly/4az8MgJ>, 22-23.

⁴¹⁷ Information provided by the Office for Foreigners, 10 April 2026.

⁴¹⁸ Some problems with late enrollment to schools were reported, see M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szałańska, ‘Reception Policies, Practices and Responses: Poland Country Report’, 2020, RESPOND Working Papers 2020/45, available [here](#), 73-74. See also Fundacja EMIC, ‘Życie Afganek i Afgańczyków w Polsce po dwóch latach od ewakuacji nadal jest bardzo trudne’, 15 September 2023, available in Polish [here](#).

⁴¹⁹ Article 165 (7) of Law of 14 December 2016 on education. See also ECRI, ‘ECRI Report on Poland (six monitoring cycle)’, June 2023, available in English [here](#), 23.

⁴²⁰ Article 165 (10) of Law of 14 December 2016 on education.

⁴²¹ Article 71(1)(f) Law on Protection.

⁴²² Article 165 (10) of Law of 14 December 2016 on education. See also ECRI, ‘ECRI Report on Poland (six monitoring cycle)’, June 2023, available in English [here](#), 23.

⁴²³ Information provided by the Office for Foreigners, 19 February 2025.

pupils.⁴²⁴ At the end of 2023, the Supreme Audit Office informed that in 27 out of 28 schools that it monitored additional Polish language classes were organised. However, it was discovered that nearly 45% of these classes were organised improperly.⁴²⁵ Data for 2025 was not available as of April 2026.

Schools admitting foreign children often have to cope with a lack of sufficient financial means to organise proper education for this special group of pupils. Moreover, teachers working with foreign children are not receiving sufficient support, like courses and materials.⁴²⁶ However, some training initiatives are taken up by local and governmental authorities as well as NGOs.⁴²⁷ For example, in the period of 2020-2023, over 4,000 teachers had some kind of training on working with foreign pupils.⁴²⁸ More recent research on the matter was not available at the time of writing (March 2026).

If a child cannot enter the regular education system e.g. due to illness, their special needs are supposed to be addressed in a special school. At the end of 2025, 18 asylum seeking children were attending a special school.⁴²⁹

NGOs inform that asylum applicants most often complain about the hate speech that their children encounter in school, both from their peers and the staff. The Supreme Audit Office informed in 2020 that 23% parents that they interviewed declared that their children have met with intolerance in school once or twice a year, according to 4% of respondents it was occurring often.⁴³⁰ More recent research on the matter was not available at the time of writing (March 2026).

The current education system does not take into account the special needs of foreign children. As a result, the adaptation of the education programme to the needs and abilities of the individual child is dependent on the goodwill and capacity of teachers and directors. As the Supreme Audit Office highlighted, during the 2021/2022-2022/2023 school years, nearly half of the teachers participating in the survey took part in professional development related to the education of foreign pupils on their own initiative and at their own expense. Moreover, as a factor impeding effective teaching, schools also report the problem of the big fluctuation⁴³¹ of the foreign children. Consequently, asylum-seeking and refugee children are disappearing from the Polish education system.⁴³²

⁴²⁴ ECRI, 'ECRI Report on Poland (six monitoring cycle)', June 2023, available in English [here](#), 23; J. Kościółek, 'Children with Migration Backgrounds in Polish Schools – Problems and Challenges', *Annales Series Historia et Sociologia* 30, 2020, 4, available at: <https://bit.ly/3vBdl8j>, 607. Cf. K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project (#770564, Horizon2020)*, available [here](#), 79; Supreme Audit Office, 'Kształcenie dzieci rodziców powracających do kraju i dzieci cudzoziemców', September 2020, available (in Polish) [here](#).

⁴²⁵ Supreme Audit Office, 'Kształcenie dzieci cudzoziemców w polskich szkołach', 12 December 2023, available in Polish [here](#), 13.

⁴²⁶ See *inter alia* Ministry of Interior and Administration, 'Polityka migracyjna Polski – diagnoza stanu wyjściowego', available in Polish [here](#), 40; Supreme Audit Office, 'Kształcenie dzieci rodziców powracających do kraju i dzieci cudzoziemców', September 2020, available (in Polish) [here](#).

⁴²⁷ Fundacja EMIC, 'Przyjazna szkoła – integracja i edukacja', 28 December 2022, available in Polish [here](#); Ministry of Education, 'Nauka dzieci przybywających z zagranicy w polskim systemie edukacji', available (in Polish) [here](#), information confirmed by the Ministry of Education and Science, 26 January 2022. See also K. Potoniec, 'Comparative analysis of instruments supporting the integration of pupils under international protection in the educational systems of the Czech Republic, Poland and Hungary', December 2021, available [here](#), 13.

⁴²⁸ Supreme Audit Office, 'Kształcenie dzieci cudzoziemców w polskich szkołach', 12 December 2023, available in Polish [here](#), 12.

⁴²⁹ Information provided by the Office for Foreigners, 10 April 2026.

⁴³⁰ Supreme Audit Office, 'Kształcenie dzieci rodziców powracających do kraju i dzieci cudzoziemców', September 2020, available (in Polish) [here](#), See also J. Kościółek, 'Children with Migration Backgrounds in Polish Schools – Problems and Challenges', *Annales Series Historia et Sociologia* 30, 2020, 4, available [here](#), 604.

⁴³¹ The Supreme Audit Office, 'Dzieci cudzoziemców w polskich szkołach', available in Polish [here](#).

⁴³² Institute of Public Affairs, 'Analiza przygotowania lokalnych instytucji do przyjęcia uchodźców z programu relokacji i przesiedleń. Raport końcowy z badań fokusowych', 2016, available (in Polish) [here](#), 57-62; Iglicka, Krystyna, 'Chechen's Lesson. Challenges of Integrating Refugee Children in a Transit Country: A Polish Case Study', *Central and Eastern European Migration Review*, Vol. 6, No. 2, 2017, available [here](#), 123, 130.

In July 2025, the Government Programme for Equalising Educational Opportunities for Children and Young People “Friendly School” for the years 2025–2027 came into force. The program is aimed at schools attended by pupils from Ukraine, but it is also intended to support the integration of children with a migration background from other countries into the Polish education system. Within the program, funding is provided for the support of an intercultural assistant, for assistance to children or parents with a migration or refugee background through selected non-governmental organisations, and for the professional development of staff in working with children with migration or refugee experiences. A condition for receiving support under the program is that, on the day the support begins, at least one pupil from Ukraine is attending the school.⁴³³

In 2022-2025, the large influx of Ukrainian pupils additionally strained and challenged the Polish educational system (see [Temporary Protection, Access to education](#)).⁴³⁴

2.1. Preparatory classes

Since 2016, schools have a possibility to organise preparatory classes⁴³⁵ for foreign children who do not have sufficient knowledge of the Polish language, including asylum applicants. A foreign minor can join preparatory classes anytime during the school year. After the end of the school year, his participation in those classes can be prolonged, when needed, for maximum one more year. The preparatory classes last for 20-26 hours a week. If a school decides to organise such classes, foreign children are not obliged to participate in regular classes. In March 2022, the number of maximum pupils in a preparatory class was raised from 15 to 25 children and the minimum number of hours for learning the Polish language during a week was increased from 3 to 6 hours.⁴³⁶ In 2025 the regulation remained the same.

Preparatory classes have been criticised since their introduction into the Polish education system. Some of the main points of criticism are mentioned below. Firstly, children are placed exclusively in foreign classes, thus impeding their integration into Polish society and fuelling separation.⁴³⁷ Secondly, the preparatory classes were not designed as ‘welcome classes’ which have their own program, separate from the regular classes and adapted to foreign children’ needs.⁴³⁸ Thirdly, teachers are obliged to implement the same curriculum in the preparatory classes as in the regular ones, the only difference is that all children in a class are foreign and a teacher can adapt his method of teaching to their special needs.⁴³⁹ Meanwhile, the program of such classes should concentrate on learning Polish.⁴⁴⁰ Moreover, one preparatory class can be organised for children of different ages (e.g. children who qualify for primary school grades I to III can be grouped together in a preparatory class), which means that a teacher may

⁴³³ Resolution No. 60 of the Council of Ministers of 11 July 2025 on the Government Programme for Equalising Educational Opportunities for Children and Young People “Friendly School” for the years 2025–2027, available in Polish [here](#).

⁴³⁴ See e.g. SIP, Submission to ECRI, 15 June 2022, available in English [here](#), 3-4.

⁴³⁵ See Article 165(11-14) of the Law of 14 December 2016 on education and Para 16 Ordinance of the Ministry of National Education of 23 August 2017 on education of persons without Polish citizenship and Polish citizens who learned in schools in other countries (*w sprawie kształcenia osób niebędących obywatelami polskimi oraz osób będących obywatelami polskimi, które pobierały naukę w szkołach funkcjonujących w systemach oświaty innych państw*).

⁴³⁶ Para 16(2) and (9) Ordinance of the Ministry of National Education of 23 August 2017 on education of persons without Polish citizenship and Polish citizens who learned in schools in other countries (*w sprawie kształcenia osób niebędących obywatelami polskimi oraz osób będących obywatelami polskimi, które pobierały naukę w szkołach funkcjonujących w systemach oświaty innych państw*).

⁴³⁷ Commissioner for Human Rights, ‘Posiedzenie Komisji Ekspertów ds. Migrantów’, 12 December 2016, available (in Polish) [here](#) See also K. Kamler, J. Orlikowska, J. Schmidt and J. Szymańska, ‘Młodzi migranci w pandemii COVID-19. Raport z badań jakościowych sytuacji uczniów cudzoziemskich w warszawskich szkołach’, 2021, available in Polish [here](#) 25-27.

⁴³⁸ K. Sołtan-Kościelecka, ‘Klasy powitalne. Realna szansa na poprawę warunków kształcenia cudzoziemców czy pozorne rozwiązanie?’, Biuletyn Migracyjny no. 57, June 2018, available (in Polish) [here](#).

⁴³⁹ K. Wójcik, ‘Więcej cudzoziemców w szkołach’, 11 September 2019, available (in Polish) [here](#), Supreme Audit Office, ‘Kształcenie dzieci rodziców powracających do kraju i dzieci cudzoziemców’, September 2020, available (in Polish) [here](#), 47-48.

⁴⁴⁰ M. Koss-Goryszewska, ‘Edukacja’ in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce*, Instytut Spraw Publicznych 2019, 50-51.

be obliged to implement the curriculum even for three grades at once.⁴⁴¹ Lastly, experts point out that there is no system which would prepare teachers to work in preparatory classes with third-country nationals.⁴⁴²

For information on Ukrainian children, see [Annex on Temporary Protection - Access to education](#).

2.2. Support of assistants

Foreign children attending Polish schools have the right to assistance provided by a person fluent in the language of their country of origin, employed as a teaching assistant by the school principal. This assistance is provided for no longer than 12 months. Moreover, starting September 1, 2024, schools have the opportunity to employ intercultural assistants. Intercultural assistants provide communication with the school environment, and cooperate with parents and the school.⁴⁴³ According to the Ministry of Education, candidates are required to have knowledge of the language and culture of the student's country of origin, and in the case of a person who is not a Polish citizen, proficiency in the Polish language at a communicative level.⁴⁴⁴ In practice, intercultural assistants as a form of support is not popular for now. Key stakeholders highlight that schools lack sufficient knowledge about the possibility of employing intercultural assistants. They are also unaware of their role, which makes them reluctant to use the assistance of teaching assistants. Lack of funds is also a challenge.⁴⁴⁵ However, given the increasing number of foreign children in Polish schools, there is a growing emphasis on the need to employ intercultural assistants.⁴⁴⁶ In 2025, a call for funding an intercultural assistant program was conducted in schools attended by at least one pupil from Ukraine, as part of the "Friendly School" program (see above).

2.3. Kindergarten

In 2025, in most reception centres, some form of kindergarten was organised. In reception centres led by private contractors daycare was provided minimum 5 times a week for 5 hours. In Lnin and Podkowa Leśna Dębak kindergarten services were provided by an entity selected through a tendering procedure.⁴⁴⁷

2.4. Educational activities for adults

The law does not provide access to vocational training for asylum applicants. It is considered 'one of the biggest shortcomings of the reception system in the area of education.'⁴⁴⁸

The only educational activities that adults are granted access to are Polish language courses organised in all reception centres. They are open both for asylum applicants living in the centre and outside. Additionally, Polish language classes for adults are organised in Warsaw for those asylum applicants who receive a financial allowance and do not live in a reception centre. In 2024, there was also a possibility to learn Polish online.⁴⁴⁹

⁴⁴¹ J. Kościółek, 'Children with Migration Backgrounds in Polish Schools – Problems and Challenges', *Annales Series Historia et Sociologia* 30, 2020, 4, available [here](#), 607.

⁴⁴² M. Koss-Goryszewska. 'Edukacja' in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce*, Instytut Spraw Publicznych 2019, 51.

⁴⁴³ Article 165 (8) and (8a) of Law of 14 December 2016 on education.

⁴⁴⁴ Ministry of Education, 'Odpowiedź na interpelację nr 5125 w sprawie asystentów międzykulturowych', available in Polish [here](#).

⁴⁴⁵ Centrum Edukacji Globalnej, UNICEF, 'Uczniowie i uczennice z Ukrainy w polskich szkołach - rok szkolny 2023/2024 Raport z badań jakościowych', available in Polish [here](#).

⁴⁴⁶ Polskie Forum Migracyjne, 'Dlaczego polskie szkoły potrzebują asystentek międzykulturowych?' available in Polish [here](#).

⁴⁴⁷ Information from the Office for Foreigners, 10 April 2026.

⁴⁴⁸ M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szalańska, 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#), 82.

⁴⁴⁹ Information from the Office for Foreigners, 19 February 2025.

The Polish language course's level is considered insufficient by some NGOs, even if attendees generally evaluated such classes positively.⁴⁵⁰

The Office for Foreigners indicated that asylum applicants actively participate in Polish language lessons. In January 2025, 28 adults and 67 children attended such courses.⁴⁵¹ However, these numbers seem meagre when taking into account the overall number of asylum applicants. Earlier research showed that the low participation rate results, among others, from the fact that asylum applicants are not willing to stay in Poland or are aware that their chances to obtain international protection in Poland are small so they are not motivated to learn the local language. The time of language classes is also not adapted to the needs of working asylum applicants.⁴⁵² Other research showed that asylum applicants were unwilling to attend classes, *inter alia*, due to traumatic experiences in their country of origin or the lack of childcare.⁴⁵³ Moreover, it has been reported that new attendees of language lessons are accepted at all times during the year, which leads to a need to often repeat parts of the course that had already been covered, thereby impeding some students' progress.⁴⁵⁴

Other courses in the centres, including vocational training and integration activities, are organised by NGOs.⁴⁵⁵

D. Health care

Indicators: Health Care			
1.	Is access to emergency healthcare for asylum applicants guaranteed in national legislation?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
2.	Do asylum applicants have adequate access to health care in practice?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited <input type="checkbox"/> No
3.	Is specialised treatment for victims of torture or traumatised asylum applicants available in practice?	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> Limited <input type="checkbox"/> No
4.	If material conditions are reduced or withdrawn, are asylum applicants still given access to health care?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> Limited <input type="checkbox"/> No

Access to health care for asylum applicants is guaranteed in law under the same conditions as for Polish nationals who have health insurance.⁴⁵⁶ Health care for asylum applicants is publicly funded. If social assistance is suspended, medical care is also withheld, except when the foreign national requires emergency assistance, basic treatment for illnesses or serious mental disorders, or is a person in need of special treatment.⁴⁵⁷

Basic health care is organised in medical offices within each of the reception centres. On 1 August 2023, the rules on medical personnel's working hours changed. The GP in the centres have now 3 duty hours per 40 asylum applicants, while the nurse or a paramedic have 7 hours for the same number of possible patients. Both have 3 hours a week extra for every additional 40 asylum applicants. The GPs work at least two days a week and nurses/paramedics five days a week. In 2025 rules remained the same.⁴⁵⁸

Psychological assistance

⁴⁵⁰ R. Baczyński-Sielaczek, 'Język polski w ośrodkach. Wyniki badania ewaluacyjnego', Instytut Spraw Publicznych 2016, 19-22; information from the Office for Foreigners, 3 February 2023.

⁴⁵¹ Information from the Office for Foreigners, 10 April 2026.

⁴⁵² R. Baczyński-Sielaczek, 'Język polski w ośrodkach. Wyniki badania ewaluacyjnego', Instytut Spraw Publicznych 2016, 34.

⁴⁵³ M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szałańska, 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#), 78-80.

⁴⁵⁴ PFM, Czas w ośrodku to czas wykluczenia, 2023, available in Polish [here](#).

⁴⁵⁵ Information from the Office for Foreigners, 3 February 2023.

⁴⁵⁶ Article 73(1) Law on Protection.

⁴⁵⁷ Article 77 Law on Protection.

⁴⁵⁸ Information provided by the Office for Foreigners, 10 April 2026.

Health care for asylum applicants includes treatment for persons suffering from mental health problems. On 1 August 2023, the rules concerning working hours of psychologists changed. They have now 5 duty hours per 120 asylum applicants and 1 hour a week extra for every additional 50 asylum applicants.⁴⁵⁹ Asylum applicants can also be directed to a psychiatrist or a psychiatric hospital. In 2025 the rules remained the same. In 2025, according to the Office for Foreigners, psychological support was provided by two NGOs.⁴⁶⁰

However, the psychological assistance in the reception centres is limited to basic consultations.⁴⁶¹ Some asylum applicants consider psychologists working in the centre as not neutral enough as they are employed (indirectly) by the Office for Foreigners.⁴⁶² Furthermore, according to some experts and many NGOs, specialised treatment for victims of torture or traumatised asylum applicants is not available in practice.⁴⁶³ NGOs still point to the lack of proper treatment of persons with PTSD. The available psychological assistance is considered an intervention, not a regular therapy. There is a shortage of psychologists prepared to work with vulnerable and traumatised asylum applicants.⁴⁶⁴ In this regard, it is important to note that the poor mental condition of asylum applicants who end up in reception centres is not only related to their experiences in their country of origin, but also to any previous detention or traumatic experiences at the Polish-Belarusian border. Moreover, there are not enough specialised NGOs that provide psychological consultations and treatment to asylum applicants.⁴⁶⁵ As also indicated by one of psychologists associated with an NGO providing psychological consultations in Dębak centre, establishing a therapeutic relationship there is hindered due to the transient nature of the centre.⁴⁶⁶

According to the Office for Foreigners, victims of trafficking, gender-based violence and victims of torture or other forms of psychological and physical violence have access to needed assistance during the asylum proceedings. According to the agreement with Petra Medica (see below), it “is obligatory to make every effort to ensure that gynaecological consultations are provided by doctors of the gender preferred by the asylum seeker”.⁴⁶⁷

Challenges in access to (quality) medical assistance

However, there are noticeable problems with access to medical assistance, such as for pregnant women.⁴⁶⁸ There is no comprehensive program to support them during the perinatal period, while they are more vulnerable to miscarriages, premature births, breastfeeding issues, or postpartum depression and at the same time, due to cultural reasons, it is difficult for them to ask for help. Therefore, support is often provided by NGO's or other third parties.⁴⁶⁹ As one of the asylum applicants describes her pregnancy experience:

⁴⁵⁹ Information provided by the Office for Foreigners, 10 April 2026.

⁴⁶⁰ Information provided by the Office for Foreigners, 10 April 2026.

⁴⁶¹ See Pachocka, M. and Sobczak-Szelc K., 'Refugee Protection Poland – Country Report', Multilevel Governance of Mass Migration in Europe and Beyond Project (Horizon2020), January 2020, available [here](#) 70. The Office for Foreigners claims that those psychologists' assistance concentrates on psychological support and counselling and also on diagnosis of mental disorders, including PTSD.

⁴⁶² M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szałańska, 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#) 71.

⁴⁶³ See e.g. M. Szczepanik, 'Right to healthcare and access to medical services for asylum seekers and beneficiaries of international protection in Poland', May 2017, available [here](#). See also Małgorzata Jaźwińska and Magdalena Sadowska, 'Osoby, które doświadczyły przemocy', in SIP, *Prawa cudzoziemców w Polsce w 2019 roku. Raport*, 2020, available in Polish [here](#), 13-14, pointing out that persons who were subject to violence are not properly identified.

⁴⁶⁴ Pachocka, M. and Sobczak-Szelc K., 'Refugee Protection Poland – Country Report', Multilevel Governance of Mass Migration in Europe and Beyond Project (Horizon2020), January 2020, available [here](#) 71.

⁴⁶⁵ M. Szczepanik, 'Right to healthcare and access to medical services for asylum seekers and beneficiaries of international protection in Poland', May 2017, available [here](#).

⁴⁶⁶ Polskie Forum Migracyjne, 'Wszyscy wokół cierpią' May 2024, available in Polish [here](#), 9.

⁴⁶⁷ Information provided by the Office for Foreigners, 16 February 2024.

⁴⁶⁸ Polskie Forum Migracyjne, 'Being There is the Most Important Thing Supporting Refugee and Migrant Women in the Perinatal Period the Experiences of the Polish Migration Forum Foundation', 2024, available in English [here](#), 16.

⁴⁶⁹ Ibid. 49.

Then they moved me to Linin, it was no longer a closed camp, but the care standard there was worse, I was given the same pill for everything. From Linin, I ended up in Dębak. I was alone, feeling worse and worse, until I met a girl from Cameroon, she was pregnant too. And this girl settled in Kraków and then invited me to join her. Thanks to her, I met women from the Foundation, also from Kraków, who helped me when I needed to take care of anything, one brought me a bag of things to the hospital. I also met another Polish woman, she worked in the same building where we were renting a flat. She showed me various videos on the Internet about how to prepare for childbirth; she massaged my belly. I also spoke to a friend I live with. She had already had her baby a few months before me, she already knew a lot, which made me feel a little less scared.⁴⁷⁰

Medical assistance is provided by the private contractor Petra Medica, with whom the Office for Foreigners has signed an agreement to coordinate medical care for asylum applicants. The Office for Foreigners monitors the application of this agreement. A new agreement was signed on 31 July 2023, despite the long-standing criticism of the services provided by said contractor.⁴⁷¹

In particular, the quality of medical assistance provided under this agreement has triggered wide criticism.⁴⁷² In particular, access to specialised medical care worsened⁴⁷³ and some asylum applicants are refused access to more costly treatments. Sometimes, only after NGOs' interventions and months of fighting for access to proper medical treatment, asylum applicants were able to receive it. Several cases of refusals of medical treatment, drawing from the SIP's yearly reports, have been described in the previous AIDA reports.⁴⁷⁴ The above-mentioned issues were also reported in 2025.

One of the biggest obstacles in accessing health care that asylum applicants face is the lack of intercultural competence and knowledge of foreign languages among doctors and nurses.⁴⁷⁵ Petra Medica which is responsible for the provision of medical assistance to asylum applicants is also obliged to ensure interpretation during the medical and psychological consultations, if it is needed. According to the Office for Foreigners, the interpretation services in English, Russian, Ukrainian, Georgian, Persian, Arab, Chechen and Uzbek are available and no complaints have been registered in this regard.⁴⁷⁶ However, NGOs have been expressing concerns regarding the availability and quality of the interpretation provided to asylum applicants in connection with medical consultations. In particular, it has been reported that asylum applicants who are not speaking Polish, English or Russian face great difficulties with being provided with medical assistance (they cannot make the needed appointments as the helpline is available only in English and Russian, and they cannot understand a doctor during the appointment, etc.).⁴⁷⁷ In 2025, there were no changes in this regard, it continued to be an issue.

Another challenge is the fact that some clinics and hospitals providing medical assistance to asylum applicants are located far away from the reception centres, so an asylum applicant cannot be assisted by the closest medical facility, except for emergencies. The Office for Foreigners noticed that for those asylum applicants living outside the reception centres health care is provided in voivodeship cities and that coordination of visits is conducted by the Petra Medica helpline, where the asylum applicant can learn about the time of the visit and ways to get the prescription.

⁴⁷⁰ Ibid. 55.

⁴⁷¹ Information provided by the Office for Foreigners, 16 February 2024.

⁴⁷² See e.g. HFHR, Input to the EUAA's Asylum Report, February 2023, available in English [here](#), 9.

⁴⁷³ M. Pachocka, K. Pędziwiatr, K. Sobczak-Szelc, J. Szałańska, 'Reception Policies, Practices and Responses: Poland Country Report', 2020, RESPOND Working Papers 2020/45, available [here](#), 70.

⁴⁷⁴ See AIDA, Country Report Poland – 2021 Update, May 2022, available [here](#).

⁴⁷⁵ M. Koss-Goryszewska, 'Służba zdrowia' in A. Górską, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce*, Instytut Spraw Publicznych 2019, 43.

⁴⁷⁶ Information provided by the Office for Foreigners, 16 February 2024.

⁴⁷⁷ A. Chrzanowska, 'Dostęp do leczenia osób ubiegających się o ochronę międzynarodową' in SIP, *Prawa cudzoziemców w Polsce w 2020 roku. Raport*, 2021, available in Polish [here](#), 74-75. See also HFHR, Input to the EUAA's Asylum Report, February 2023, available in English [here](#), 9.

In 2025, 7 complaints about medical assistance were registered, all were considered unjustified.⁴⁷⁸ They concerned *inter alia*:

- ❖ Long waiting times for consultation;
- ❖ Disputing the doctor's diagnosis;
- ❖ Request for refund of a visit the foreigner attended without a referral and without knowledge of Petra Medica

Polish-Belarusian border

The humanitarian crisis at the Polish-Belarusian border that started in August 2021 and continued in 2025 left many prospective asylum seekers without access to material reception conditions, including medical assistance (see [Access to the territory and pushbacks](#)). For persons stranded at the border, suffering pushbacks to Belarus and violence from both Polish and Belarusian forces, medical assistance was mostly provided by NGOs, activists and independent doctors.⁴⁷⁹ The organisation Medecins Sans Frontieres (MSF), once more present at the Polish-Belarusian border since November 2022, assisted 442 persons (until November 2024), including women and children. 39 of these individuals required urgent specialized medical care in the hospital.⁴⁸⁰ In 2024, as in previous years, NGOs, doctors and rescue teams still could not reach third-country nationals staying in the closed near-border area (15m from the border) and behind the fence built at the border.⁴⁸¹ MSF mentioned a case of a group of 30 people prevented from entering Poland by the wall in May 2023: 4 needed urgent medical assistance. However, the paramedics were not allowed to access the area.⁴⁸²

In 2025 the ban on staying in specific areas in the border zone was still in force. Currently, it covers a section of the border over 78 km long, located within the territorial jurisdiction of the Border Guard Posts in Michałów, Narewka, Białowieża, Dubicze Cerkiewne, and Czeremcha.⁴⁸³ According to the most recent extension, the zone is effective until at least 4 June 2026. Contrary to the authorities' promises, almost none of the non-governmental organisations were granted permission to enter this area, which made it difficult to provide humanitarian and medical assistance.⁴⁸⁴ The only organisation granted access to this zone is MSF. However, in a statement from January 2025, MSF highlighted that its access to the area remains limited, preventing the organisation from providing medical assistance to those in need. Part of the zone remains completely inaccessible to those providing humanitarian or medical assistance. MSF firmly stated that its restricted presence in the zone is insufficient to address the humanitarian and medical needs in the area.⁴⁸⁵

In 2025, on several occasions the Commissioner for Human Rights indicated that the extension of the zone raised serious concerns on his part. He argued that the functioning of the zone hinders the provision of humanitarian assistance, while at the same time not contributing to a reduction in the number of border crossings. The Commissioner also reiterated his position that the applicable regulations are inconsistent with the Constitution of Poland.⁴⁸⁶

⁴⁷⁸ Information provided by the Office for Foreigners, 19 February 2025.

⁴⁷⁹ See e.g. PRAB, 'Pushbacks at Europe's borders: a continuously ignored crisis', 31 January 2024, available in English [here](#), 12.

⁴⁸⁰ Medecins Sans Frontieres, 'Uwięzieni pomiędzy granicami, zagrażające życiu konsekwencje zwiększonej militaryzacji i przemocy na granicy polsko-białoruskiej.', January 2025, available in Polish [here](#).

⁴⁸¹ ECRE, 'Seeking Refuge in Poland: A Fact-Finding Report on Access to Asylum and Reception Conditions for Asylum Seekers', April 2023, available [here](#), 14; PRAB, 'What we do in the shadows', May 2023, available in English [here](#), 9.

⁴⁸² Medecins Sans Frontieres, 'Death, Despair and Destitution: The Human Costs of EU's Migration Policies', February 2024, available in English [here](#), 29.

⁴⁸³ Ministry of the Interior and Administration, 'Obowiązywanie strefy buforowej na granicy polsko-białoruskiej przedłużone o kolejne trzy miesiące', 4 December 2025, available in Polish [here](#).

⁴⁸⁴ SIP, 'Opposition to Government's Extension of 'No-Go Zone' at Polish-Belarusian Border: Letter Submitted to MIAA' September 2024, available in English [here](#).

⁴⁸⁵ Medecins Sans Frontieres, 'Polska: oświadczenie Lekarzy bez Granic', January 2025, available in Polish [here](#).

⁴⁸⁶ Human Rights Commissioner, 'Przedłużenie obowiązywania strefy buforowej przy granicy polsko-białoruskiej. Odpowiedź MSWiA', 2 February 2025, available in Polish [here](#).

People crossing the Polish-Belarusian border often require medical assistance, in particular in winter. They were starved, dehydrated, freezing (some with hypothermia), suffering from food poisoning, beaten up by – according to their accounts – Polish or Belarusian officers, and with other injuries, *inter alia* foot and leg injuries resulting walking barefoot or climbing through a wired fence.⁴⁸⁷ They are often pushed back to Belarus despite their poor medical condition. For example, in its report concerning October 2023, Grupa Granica mentioned a case of two women who were diagnosed with the first-degree hypothermia, who were pushed back to Belarus.⁴⁸⁸ Meanwhile, in May, Grupa Granica informed about a 31-year-old man who was pushed back despite having an injured leg. When he was apprehended by the Polish Border Guard, he received some medical assistance (the RTG was done, his leg was put into a medical splint), but then he was forced to go back to Belarus. Unable to move, he lay alone under the fence for a couple of days. Eventually, when the case became a topic of discussion in national media, the injured third-country national was admitted to Poland and taken to the hospital where he was operated.⁴⁸⁹ The pushbacks of the third-country national were deemed unlawful by the court in March 2024.⁴⁹⁰ In 2024, Grupa Granica described the pushback of a Syrian man who had a leg injury. Along with him, a man with a heart condition was also attempting to apply for international protection in Poland. After being transported to a Border Guard facility, they were forced to sign a declaration stating that they did not declare a will to seek international protection. According to their account, when they tried to refuse, they were beaten.⁴⁹¹ In April 2024, the story of an Eritrean woman who gave birth alone in a forest on the Polish-Belarusian border was reported. The mother and child were transported to a hospital, where the newborn had to stay in an incubator due to difficulties in maintaining body temperature. According to the woman's statement, she had previously been pushed back twice while being heavily pregnant.⁴⁹²

According to the organization We Are Monitoring, nearly 35% (79) of children who sought support between January and September 2025 reported experiencing health problems. The organization recounts the story of a teenage boy from Ethiopia:

I was in the forest for three weeks and was severely injured. One of my eyes was seriously damaged. I have a broken arm and an injured leg. While I was in the forest, I survived on a single Snickers bar for two days and was extremely hungry. I drank dirty water and now have stomach pain.⁴⁹³

In March 2024, the Border Guard announced the formation of intervention teams. Their task is to conduct search and rescue operations for migrants at the Polish-Belarusian border.⁴⁹⁴ However, there is no information indicating that these teams actually fulfilled their role. On the contrary, in 2025, there were still reports of pushbacks of individuals in poor health conditions.

The fence built at the Polish-Belarusian border did not stop third-country nationals from crossing this border but contributed greatly to their increased suffering.⁴⁹⁵ As reported by Grupa Granica, many persons suffered injuries while climbing and coming off the fence, including fractures of the bones. Crossing the border through swamps, wetlands and rivers (paths that are now used more due to the construction of

⁴⁸⁷ See e.g. Mediciens Sans Frontieres, 'Polska: Lekarze bez Granic prowadzą działania na granicy polsko-białoruskiej', 2023, available in Polish [here](#).

⁴⁸⁸ Grupa Granica, 'October 2023. Report from the Polish-Belarusian border', November 2023, available in English [here](#), 8.

⁴⁸⁹ B. Rumieńczyk, 'Uchodźca z granicy polsko-białoruskiej nareszcie w szpitalu. Ale co z innymi wyrzuconymi za mur?', 8 May 2023, [Okopress](#), available in Polish [here](#).

⁴⁹⁰ HFHR, 'Mężczyzna ze złamaną nogą wywieziony na granicę w bagażniku - kolejny wyrok stwierdzający bezskuteczność pushbacków', 11 March 2024, available in Polish [here](#).

⁴⁹¹ We are Monitoring, Grupa Granica, 'Października 2024. Raport z granicy polsko – białoruskiej' October 2024, available in Polish [here](#).

⁴⁹² Stowarzyszenie EGALA, Poród w Lesie. Mama i córka są już bezpieczne. April 2024. Available in Polish [here](#).

⁴⁹³ We are Monitoring, Save the Children, Grupa Granica, Dzieci na granicy polsko – białoruskiej, styczeń – wrzesień 2025, available in Polish [here](#) (Author's translation).

⁴⁹⁴ SG, 'Search and rescue teams in the Border Guard', March 2024, available in Polish [here](#).

⁴⁹⁵ SIP, EUAA Asylum Report CSO Input, 6 February 2023, available [here](#), Mediciens Sans Frontieres, 'Death, Despair and Destitution: The Human Costs of EU's Migration Policies', February 2024, available in English at: <https://bit.ly/4cDYIK3>, 29.

the fence) increased the risk of drownings, injuries, hypothermia and – in consequence – death.⁴⁹⁶ In January 2025, MSF claimed that:

In the last two years, one-third of MSF patients have suffered injuries from crossing or falling from the border fence, including fractures or deep lacerations. In total, nearly half of the hospital referrals involved individuals requiring hospital care or surgical procedures due to wounds and orthopaedic injuries caused by border barriers.⁴⁹⁷

Over the course of two years, MSF has received 64 requests for medical assistance from at least 123 individuals who were stuck on the other side of the fence and unable to access Poland's border infrastructure, surveillance system, and were being subjected to pushbacks. According to MSF:

Unable to gain direct access to individuals, MSF appealed to the border guard authorities for assistance and to ensure the safety of those affected, in accordance with the rights and responsibilities of these services. However, only a quarter of the calls made to the state authorities resulted in patients being transported to the hospital (a total of 31 people). The rest, over 90 individuals, remained trapped on the eastern side of the barrier, in potentially critical condition, unable to receive urgent medical care.⁴⁹⁸

MSF also highlighted the mental health problems of third-country national they treated at the Polish-Belarusian border in 2024: 'Most of the patients showed signs of psychological distress, with 22 of them being in a very severe mental state.'⁴⁹⁹

In practice, seeking assistance of the ambulance and referrals to hospitals are treated as a measure of last resort, since the Border Guard has been known to take third-country nationals from hospitals and push them back to Belarus.⁵⁰⁰ There are reported cases of pushbacks after a person was discharged from hospital. In 2024, the Ombudsman initiated an investigation into the case of a Syrian citizen who was staying in a hospital and was immediately pushed back after being discharged.⁵⁰¹ According to the information from the Ombudsman, he expressed a will to apply for international protection and required medical assistance. According to MSF, in 2024, civil society organisations documented at least 13 cases of pushbacks of patients from medical care facilities in the border region.⁵⁰² Such cases also occurred in 2025. In April 2025, Grupa Granica reported the story of a 17-year-old boy from Mali who was pushed back after being taken to a hospital. In several cases, following a pushback from a hospital, the European Court of Human Rights (ECtHR) issued an interim measure prohibiting removal.⁵⁰³

In April 2023, following his visit at the Polish-Belarusian border, the UN Special Rapporteur on Human Rights of Migrants remarked: "On both sides of the border, fear of being subjected to further acts of violence or other repercussions, such as pushbacks or detention, has prevented affected migrants from seeking medical and non-medical assistance to address their needs".⁵⁰⁴

⁴⁹⁶ PRAB, 'Beaten, punished and pushed back', January 2023, available in English [here](#), 14.

⁴⁹⁷ Medicins Sans Frontiers, 'Uwięzieni pomiędzy granicami, zagrażające życiu konsekwencje zwiększonej militarystyki i przemocy na granicy polsko-białoruskiej.', January 2025, available in Polish [here](#).

⁴⁹⁸ Ibid.

⁴⁹⁹ Ibid.

⁵⁰⁰ Grupa Granica, 'October 2023. Report from the Polish-Belarusian border', November 2023, available in English [here](#), 11; PRAB, 'Pushbacks at Europe's borders: a continuously ignored crisis', 31 January 2024, available in English [here](#), 12; Medicins Sans Frontieres, 'Death, Despair and Destitution: The Human Costs of EU's Migration Policies', February 2024, available in English [here](#), 44.

⁵⁰¹ The Ombudsman, 'The Ombudsman is asking the Border Guard about the fate of the foreigner at the Polish-Belarusian border', April 2024, available in Polish [here](#).

⁵⁰² Medicins Sans Frontiers, 'Uwięzieni pomiędzy granicami, zagrażające życiu konsekwencje zwiększonej militarystyki i przemocy na granicy polsko-białoruskiej.', January 2025, available in Polish [here](#).

⁵⁰³ We are Monitoring, Grupa Granica, 'Kwiecień 2025 – raport z granicy polsko – białoruskiej', available in Polish [here](#).

⁵⁰⁴ 'Visit to Poland - Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales', 21 April 2023, available [here](#).

Actions of the Polish forces (the Border Guard, but also military) increase even further the risks for health and life of third-country nationals. In the PRAB report, “a case of a Syrian asylum seeker with symptoms of hypoglycaemia who was beaten and suffered fractures after he fainted for his insulin dependency” was mentioned.⁵⁰⁵ Despite his medical condition, he was pushed back to Belarus. As reported by Grupa Granica, in November 2023 “a Syrian citizen was shot in the back at the border. Fortunately, the bullet missed the spine and the vital organs. According to his account, he crossed the border with his group through a hole in the fence. They walked a few kilometres into Polish territory where they heard the Polish services. They broke off to flee, the man was shot in the back. (...) The man underwent more than six hours of surgery at the University Clinical Hospital in Białystok.”⁵⁰⁶ The statements of third-country nationals indicate that the Border Guard frequently used pepper spray against them in 2024.⁵⁰⁷ Among the accounts of migrants gathered by the Grupa Granica and We are Monitoring in 2024, there are also numerous stories of violence by the Border Guard, such as kicking, beating, or forcefully pushing through the gate barrier.⁵⁰⁸ According to MSF, the number of cases related to intentional violence on Polish and Belarusian territory doubled in 2024 compared to 2023.⁵⁰⁹

In June 2024 Grupa Granica made public information about a 35-year-old Iranian woman with a gunshot wound to her eye that was admitted to a border hospital. She claimed the shot came from a uniformed person on the Polish side of the border, while she was near the fence on the Belarusian side, hungry and seeking food. After being shot, two masked individuals escorted her to Poland and directed her to a hospital. Although the woman did not specifically identify the shooter, she asserted that the individual was a member of the uniformed services on the Polish side.⁵¹⁰

In August 2025, the Ombudsman announced that it is conducting an inquiry into an incident that allegedly occurred in the night of 10–11 July 2025, in which a soldier stationed at the Polish–Belarusian border reportedly fired rubber bullets at an Afghan national and then struck him multiple times with the butt of his rifle.⁵¹¹

Between August 2021 and February 2024, at least 55 persons died at the border.⁵¹² According to data from We are Monitoring, at least 11 people died on the Polish side of the border in 2025, while the number of people who have died on both sides of the border since the beginning of the crisis, as of 10 December, is at least 103⁵¹³. In January 2023, the body of a Yemeni doctor was found in the woods near the Polish–Belarusian border. The third-country nationals that were accompanying the ill Yemeni national informed the Border Guard about his location and critical condition. Their requests to send medical assistance were ignored and they were instead pushed back to Belarus. The Yemeni national was found only when another patrol was informed about his serious condition, but he was already dead by then.⁵¹⁴ In 2023, the death of an Ethiopian woman raised particular concerns as reportedly the Polish Police and Border Guard were informed by other third-country nationals about her bad medical condition, but – instead of transporting her to the hospital – they pushed her back to Belarus. The Human Rights Commissioner is investigating

⁵⁰⁵ PRAB, ‘What we do in the shadows’, May 2023, available in English [here](#), 7.

⁵⁰⁶ Grupa Granica, ‘November 2023. Report from the Polish-Belarusian border’, December 2023, available in English [here](#), 4.

⁵⁰⁷ We are Monitoring, Grupa Granica, ‘I said I want to stay in Poland, 12 months of new government on Polish Belarusian border’, December 2024, available in English [here](#).

⁵⁰⁸ We are Monitoring, Grupa Granica, ‘12 Months of the New Government in Polish-Belarusian Border Relations’, December 2024, available in English [here](#).

⁵⁰⁹ Mediciens Sans Frontiers, ‘Uwięzieni pomiędzy granicami, zagrażające życiu konsekwencje zwiększonej militaryzacji i przemocy na granicy polsko-białoruskiej.’, January 2025, available in Polish [here](#).

⁵¹⁰ Grupa Granica, ‘Kobieta postrzelona w oko na granicy. Domagamy się natychmiastowych wyjaśnień’. available in Polish [here](#).

⁵¹¹ The Ombudsman, ‘Sprawa domniemanego pobicia imigranta na granicy polsko-białoruskiej. Interwencja RPO’, 25 August 2025, available in Polish [here](#).

⁵¹² The number provided by: Fundacja Ocalenie, ‘Apel do Premiera’, 9 January 2024, available in Polish [here](#), 2; Amnesty International, ‘Opinia przyjaciela sądu dotycząca wyroku w sprawie udzielania pomocy na granicy polsko-białoruskiej’, 15 December 2023, available in Polish [here](#); Mediciens Sans Frontiers, ‘Death, Despair and Destitution: The Human Costs of EU’s Migration Policies’, February 2024, available in English [here](#). 44.

⁵¹³ We are Monitoring, ‘Lista Zmarłych’, 10 December 2025, available [here](#)

⁵¹⁴ Stowarzyszenie EGALA, ‘Kolejna śmierć’, 14 January 2023, available in Polish [here](#).

this case; however, the Border Guard and Police seem to be unwilling to cooperate.⁵¹⁵ At the end of November 2024, the body of another person was found. It is likely that the man died from hypothermia. The man was reportedly from Eritrea.⁵¹⁶ In April 2025, several bodies were pulled from the Bug River on the border. There are reports of migrants being pushed into the river by Belarussian authorities or being forced to cross it by swimming or using inflatable boats.⁵¹⁷

The HFPC received information about 374 missing individuals due to the humanitarian crisis on Polish – Belarussian border. As of June 30, 2024, 32 people were confirmed dead since the beginning of crisis in 2021, while 133 individuals were found alive. The status of 151 people remains unverified, and 32 individuals are considered actively missing, with families continuing their search.⁵¹⁸

The death toll at the Polish-Belarussian border and the risks accompanying crossing this border were also noticed by the UN Special Rapporteur on Human Rights of Migrants:

80. Pushback practices at the border have cost migrants' lives. Continued reports of migrants stranded at the Polish-Belarussian border, especially new arrivals, confirm that harsh border governance measures and the construction of the physical fence have not deterred irregular border crossing attempts but have heightened the risks to migrants and increased their suffering. Serious concerns remain over the physical and mental integrity of all migrants stranded at the Polish-Belarussian border, particularly in view of incoming arrivals and the increasingly harsh circumstances after the installation of the fence, including during winter weather. These conditions may also amount to cruel, inhuman or degrading treatment and may result in violations of the rights to life and security of person.⁵¹⁹

In an increasing number of judgments issued between 2022 and 2025 courts condemned pushbacks at the Polish-Belarussian border, also in cases concerning pushbacks from Polish hospitals.

- ❖ In judgment no. IV SA/Wa 615/22, the Voivodship Administrative Court in Warsaw considered a case of a Syrian national who was pushed back to Belarus in November 2021 after a short stay in a Polish hospital and in spite of his pleadings for asylum. In Belarus, he was subject to violence from the Belarussian authorities forcing him to go back to Poland. A decision ordering his immediate removal was issued and challenged by the HFHR's lawyer. The court annulled the decision, explaining that the Border Guard did not rigorously assess the factual situation of the third-country national, in particular, the circumstances of his arrival to Poland and his situation upon return. The court highlighted that the principle of non-refoulement still applies at the Polish-Belarussian border.⁵²⁰
- ❖ In May 2023, the Voivodship Administrative Court in Białystok issued a judgement concerning a pushback of a third-country national, who was seeking help for an Ethiopian woman in a worsening medical condition. He was apprehended by the Border Guard and pushed back to Belarus. The Border Guard did not search for the ill woman. Her body was found couple days later by the activists. The court considered the pushback to be illegal.⁵²¹

⁵¹⁵ Human Rights Commissioner, 'Śmierć młodej kobiety z Etiopii w lesie na granicy. RPO prosi o wyjaśnienia Policję i Straż Graniczną', 14 February 2023, available [here](#), and 'Śmierć obywatelki Etiopii przy granicy. RPO pyta policję, co zrobiła w celu jej odnalezienia i pomocy. Kolejne pismo', 30 April 2023, available [here](#).

⁵¹⁶ Gazeta Wyborcza, 'Wstępne ustalenia: migrant odnaleziony przy granicy zmarł z wychłodzenia. To Erytrejczyk.', available in Polish [here](#).

⁵¹⁷ We are Monitoring, Grupa Granica, 'Kwiecień 2025 – raport z granicy polsko – białoruskiej', available [here](#).

⁵¹⁸ HFPC, Disappearances on the Polish-Belarussian border. Pushbacks as a factor in enforced disappearances in Poland. available in English [here](#).

⁵¹⁹ 'Visit to Poland - Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales', 21 April 2023, available [here](#).

⁵²⁰ HFHR, 'Wojewódzki Sąd Administracyjny w Warszawie uchylił decyzję Straży Granicznej o zawróceniu obywatela Syrii do granicy z Białorusią', 10 June 2022, available in Polish [here](#).

⁵²¹ Voivodship Administrative Court in Białystok (Wojewódzki Sąd Administracyjny w Białymstoku), judgment of 30 May 2023, no. II SA/Bk 244/23, described here: PRAB, 'Surprisingly surprised', September 2023, available in English [here](#), 16; and here: HFHR, 'Prosił o pomoc dla umierającej towarzyszkii podróży, został wywieziony do Białorusi. Sąd uznał, że wywózka obywatela Etiopii była niezgodna z prawem', 3 July 2023, available in Polish [here](#).

- ❖ In a case decided in March 2024, the Voivodship Administrative Court in Białystok (case no. II SA/Bk 71/24) condemned pushbacks of an Ethiopian national who was firstly forced to go back to Belarus upon his release from the Polish hospital with a leg in a medical splint and a referral for a surgery. When he returned to Poland, he again was hospitalized and a cast was put on his leg. However, once more, he was pushed back to Belarus, despite his pleadings for asylum and inability to walk.⁵²²
- ❖ Similarly, in judgement no. II SA/Bk 72/24, the Voivodship Administrative Court in Białystok stated that a pushback of an Afghan citizen who had been put a plaster earlier in hospital was illegal and ineffective.⁵²³
- ❖ A case concerning a pushback from a hospital was also communicated to the Polish government by the ECtHR in June 2022.⁵²⁴
- ❖ In June 2024, the case of *R.A. and Others v. Poland* was referred to the Grand Chamber of ECtHR.⁵²⁵ It concerns 32 Afghan nationals whose requests for international protection were ignored. They were trapped in border zone without food, water, medical assistance, or shelter for weeks. In February 12, 2025, the Grand Chamber heard arguments in the case.⁵²⁶
- ❖ In May 2025, the Regional Court in Bielsk Podlaski (case no. VII Kp 200/24), The court ordered the prosecutor's office to conduct an investigation into the pushback of an Afghan man, who was reportedly taken to hospital after being beaten by uniformed men and then pushed back to Belarus shortly after his discharge.⁵²⁷

E. Special reception needs of vulnerable groups

Indicators: Special Reception Needs

1. Is there an assessment of the special reception needs of vulnerable persons in practice?

Yes Limited No

Persons who need special treatment are defined particularly as:⁵²⁸

- | | |
|---------------------------------|---|
| 1. Minors | 7. Seriously ill |
| 2. Disabled people | 8. Mentally disordered people |
| 3. Elderly people | 9. Victims of torture |
| 4. Pregnant women | 10. Victims of violence (psychological, psychical, including sexual). |
| 5. Single parents | |
| 6. Victims of human trafficking | |

An asylum applicant is considered a person who needs special treatment in the field of material reception conditions if there is a need to:

- ❖ Accommodate them in a reception centre adapted to the needs of disabled people or ensure a single room designed only for women or women with children;
- ❖ Place them in special medical premises (like a hospice);
- ❖ Place them in foster care corresponding to the psychophysical situation of the asylum applicant;
- ❖ Adapt their diet to their state of health.⁵²⁹

⁵²² HFHR, 'Mężczyzna ze złamaną nogą wywieziony na granicę w bagażniku - kolejny wyrok stwierdzający bezskuteczność pushbacków', 11 March 2024, available in Polish [here](#).

⁵²³ Voivodship Administrative Court in Białystok (Wojewódzki Sąd Administracyjny w Białymstoku), judgment of 05 March 2024, no. II SA/Bk 244/23, available in Polish [here](#).

⁵²⁴ Applications nos. [52405/21](#) and [53402/21](#) K.A. and M.A. and Others against Poland.

⁵²⁵ ECtHR, available in English [here](#).

⁵²⁶ SIP, 'R.A. and Others v. Poland – What's at Stake?', 19 February 2025, available in English [here](#).

⁵²⁷ HFHR, 'Sąd zdecydował, że prokuratura musi zbadać sprawę pushbacku', 2 June 2025, available in Polish [here](#).

⁵²⁸ Article 68(1) Law on Protection.

⁵²⁹ Article 68(2) Law on Protection.

If an asylum applicant is a person who needs special treatment, their needs concerning accommodation and alimentation are taken into account when providing material reception conditions.⁵³⁰ An asylum applicant who needs special treatment should be accommodated in the reception centre by taking into account his special needs.⁵³¹

The Border Guard ensures transport to the reception centre and – in justified cases – food during the transport after claiming asylum only to: disabled or elderly people, single parents and pregnant women.⁵³² The same groups can benefit from this transport after the Dublin transfer and release from a detention centre.⁵³³ By law, other vulnerable asylum applicants cannot benefit from organised transport, they must get to the reception centre by themselves, which is considered ‘a gap in asylum system’.⁵³⁴ In practice, the transport for persons with disabilities or elderly people, single parents and pregnant women is provided rarely (see [Criteria and restrictions to access reception conditions](#)).

There are no separate accommodation centres for asylum applicants with mental health issues, or other vulnerable persons (except women, see below). However, in 2025 some individuals needing special treatment were accommodated in special premises. This included nursing homes (individuals living alone who required assistance with daily functioning).⁵³⁵

In 2023, Special Rapporteur on the human rights of migrants, Felipe González Morales, published a report concerning his visit in Poland in 2022, when he visited several detention centres and the Biała Podlaska reception centre. The Rapporteur recommended using reception facilities rather than guarded centres in case of unaccompanied children, children with their families, pregnant women and persons with mental health conditions. He also suggested redirecting financial resources used at the time for building new detention centres in Poland “to invest in alternative reception and care centres for children, including family inclusive centres”.⁵³⁶ At the moment (April 2026), there is no information regarding the planning of new centres, except for the one for women and children (see below).

1. Reception of women and children

The centre in Warsaw hosting exclusively single women or single women with children was closed in August 2021. Thus, since then, single women with children have been accommodated in **Podkowa Leśna-Dębak** reception centre (in a separate, renovated for that purpose, building within the complex, offering 138 places). The Office for Foreigners plans to open a new centre for single women and women with children in **Jachranka**.⁵³⁷ As of April 2026 the centre had not opened yet.

The law facilitates living outside the centre for single women. As the Law on Protection specifies, financial allowance is granted when it is necessary in order to ensure the safety of the asylum applicant, with special consideration given to the situation of single women.⁵³⁸

When providing material reception conditions to children, the need to safeguard their interests should be taken into account, especially taking into consideration family unity, the best interests of the child and their social development, security and protection (particularly if they are a victim of human trafficking) and their opinion according to their age and maturity.⁵³⁹

⁵³⁰ Article 69a Law on Protection.

⁵³¹ Para 5(3) Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵³² Article 30(1)(8) Law on Protection.

⁵³³ Article 40a and Article 89cb Law on Protection.

⁵³⁴ Pachocka, M. and Sobczak-Szelc K., ‘Refugee Protection Poland – Country Report’, Multilevel Governance of Mass Migration in Europe and Beyond Project (Horizon2020), January 2020, available [here](#), 73.

⁵³⁵ Information provided by the Office for Foreigners, 19 February 2025.

⁵³⁶ ‘Visit to Poland - Report of the Special Rapporteur on the human rights of migrants, Felipe González Morales’, published in April 2023, available in English [here](#), 17.

⁵³⁷ Office for Foreigners, ‘Handbook of the Department of Social Assistance’, 2022, available [here](#), Information provided by the Office for Foreigners, 26 January 2022, 3 February 2023 and 16 February 2024.

⁵³⁸ Article 72(1)(1) Law on Protection.

⁵³⁹ Article 69b Law on Protection.

Since 2008, the Office for Foreigners has a special agreement with the Police, UNHCR, “La Strada” Foundation and Halina Niec Legal Aid Centre aiming to better identify, prevent and respond to gender-based violence in reception centres.⁵⁴⁰ Special teams have been created for all reception centres, consisting of one representative from the Office for Foreigners, the Police and an NGO. Their task is to effectively prevent acts of violence in reception centres and quickly respond to any which do occur. In 2025, approx. 35 cases of violence (any violence, not only gender-based) were discussed by the special teams. According to the Office for Foreigners, they concerned domestic violence (including against children) and suspected neglect of children, aggression and physical violence between residents of reception centres (including fights and assaults), violations of the rules of stay in the reception centre, , and aggressive behaviour towards the centre's staff.⁵⁴¹

In 2021, the Council of Europe Group of Experts on Action against Violence against Women and Domestic Violence (GREVIO) welcomed the tripartite teams, but noticed ‘the low number of reported cases of gender-based violence within reception facilities. Moreover, it regretted that ‘specialist intervention in cases of domestic violence under the Blue Card procedure is not available to asylum-seeking women under the Law on Combating Family Violence. In practice, it was reported to GREVIO that some reception centres have established cooperation with municipalities to run Blue Card procedures, but this seems to depend on individual initiatives and no data were made available on the number of women seeking asylum covered by such a procedure’.⁵⁴² Moreover, it is highlighted that the Office for Foreigners’ employees in the reception centres are not social workers; thus, they are not trained to deal with crises and to work with vulnerable persons such as victims of domestic violence.⁵⁴³ However, the Office for Foreigners opposed those claims, pointing to several trainings conducted for the centres’ staff, including cleaners and security services, by NGOs (Fundacja Dajemy dzieciom siłę, La Strada).⁵⁴⁴ Moreover, the Office for Foreigners stated that the victims of domestic violence are separated from the perpetrators by accommodating them in the reception centre for women and children in Podkowa Leśna-Dębak.⁵⁴⁵

In 2025, as stated by the Office for Foreigners, all persons asking to enter the reception centres to work with children were checked in the Sexual Offenders’ Registry. None of them was identified in this registry.⁵⁴⁶ Moreover, in 2024, a document entitled ‘Child Protection Policy Against Harm in centres for Foreigners Managed by the Office for Foreigners’ was developed. The document includes, among others, guidelines for staff on preventing the violation of children's rights in reception centres, as well as guidelines on the principles for taking intervention measures in the event of a detected threat to a child's safety.⁵⁴⁷

2. Reception of unaccompanied children

The only safeguards related to the special reception needs of unaccompanied children are those referring to their place of stay. Unaccompanied children are not accommodated in the reception centres. The custody court places them in a youth care facility, so unaccompanied children are not accommodated with adults in practice. Until the court decides on placing a child in a regular youth care facility, an unaccompanied child stays with a professional foster family functioning as an emergency shelter or in a youth care facility for crisis situations.⁵⁴⁸

⁵⁴⁰ *Porozumienie w sprawie standardowych procedur postępowania w zakresie rozpoznawania, przeciwdziałania oraz reagowania na przypadki przemocy seksualnej lub przemocy związanej z płcią wobec cudzoziemców przebywających w ośrodkach dla osób ubiegających się o nadanie statusu uchodźcy*, 25 March 2008. See also Office for Foreigners, ‘Handbook of the Department of Social Assistance’, 2022, available [here](#).

⁵⁴¹ Information provided by the Office for Foreigners, 10 April 2026.

⁵⁴² GREVIO, ‘(Baseline) Evaluation Report on legislative and other measures giving effect to the provisions of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence (Istanbul Convention) POLAND’, 2021, available [here](#), 84.

⁵⁴³ SIP, ‘Raport nt. przeciwdziałania przemocy wobec kobiet i przemocy domowej’, 16 September 2021, available in Polish [here](#) SIP, ‘Alternative report’, 10 September 2020, available in English [here](#), 6.

⁵⁴⁴ Information provided by the Office for Foreigners, 26 January 2022.

⁵⁴⁵ Information provided by the Office for Foreigners, 16 February 2024.

⁵⁴⁶ Information provided by the Office for Foreigners, 10 April 2026.

⁵⁴⁷ Office for Foreigners, ‘Polityka ochrony dzieci przed krzywdzeniem w ośrodkach dla cudzoziemców prowadzonych przez UdSC’ December 2024, available in [Polish here](#).

⁵⁴⁸ Article 62 (2) Law on Protection.

The law also refers to qualified personnel that should undertake activities in the asylum procedures concerning unaccompanied children (a defined profile of higher education, and 2 years of relevant experience).⁵⁴⁹

When providing material reception conditions to children, the need to safeguard their interests should be taken into account, especially taking into consideration family unity, the best interests of the child and their social development, security and protection (particularly if they are a victim of human trafficking) and their opinion according to their age and maturity.⁵⁵⁰

Currently, unaccompanied asylum-seeking children can be placed in youth care facilities throughout the country. In 2024 they were accommodated in:

- ❖ Warsaw (2 children placed),
- ❖ Biłgoraj (2 children placed),
- ❖ Białystok (2 children placed),
- ❖ Łódź (2 children placed),
- ❖ Skierniewice (2 children placed),
- ❖ Kętrzyn (1 child placed),
- ❖ Pęchery (1 child placed),
- ❖ Komarno (1 child placed).⁵⁵¹

Finding a place in youth care facilities for unaccompanied asylum-seeking children can be challenging. In 2024, there were situations where an emergency shelter or a youth care facility for crisis situations refused to accept a child brought by police or border guards on an intervention basis. Media reported on a situation where children from the Polish-Belarusian border were placed in a retirement home for priests because no other facility was willing to accept them.⁵⁵² There are justified doubts as to whether this was done in accordance with the law, as well as whether the place met the required standards. The problem concerns particularly children who crossed the Polish – Belarusian border. In 2024 The Ombudsman and the Ombudsman for Children Rights issued a joint statement⁵⁵³ in which they indicated that situations where, for many days, the responsible institutions are unable to identify a facility that a child with refugee experience could benefit from are unacceptable. Therefore, the Ombudsmen pointed to the urgent need to introduce new forms of foster care into the law, such as emergency shelters, where only unaccompanied foreign children would be placed. In 2025, the practice in this area did not change, so the problem remains current.

3. Persons with disabilities

Some reception centres are adapted to the needs of asylum applicants with disabilities. All the centres managed by the Office for Foreigners have a special entry for persons with disabilities and bathrooms adapted to the needs of the asylum applicants on wheelchairs. Some other centres have made minor adaptations to address their needs. There is also a provision of rehabilitation services to this group. The Office for Foreigners declares that it provides transport for medical examinations and rehabilitation services as well as specialist equipment when needed.⁵⁵⁴ Despite that, the Human Rights Commissioner observed that the centre's preparedness to house people with disabilities was limited.⁵⁵⁵ In 2025, similarly to previous years, further adaptations for persons with disabilities were introduced in the centre in Podkowska Leśna Dębak, including installing call bells, additional handrails, motion-activated lighting, and

⁵⁴⁹ Article 66 Law on Protection.

⁵⁵⁰ Article 69b Law on Protection.

⁵⁵¹ Information provided by the Office for Foreigners, 10 April 2026.

⁵⁵² Radio Tok FM, 'What did the children from the Polish-Belarusian border do in the priests' house? 'We found out after the fact', November 2024, available in polish [here](#).

⁵⁵³ The Human Rights Ombudsman and the Children Rights Ombudsman, 'The Children Rights Ombudsman and The Human Rights Ombudsman jointly appeal to the Prime Minister. This concerns migrating unaccompanied children', November 2024, available in Polish [here](#).

⁵⁵⁴ Information from the Office for Foreigners, 26 January 2022.

⁵⁵⁵ ECRE, 'Seeking Refuge in Poland: A Fact-Finding Report on Access to Asylum and Reception Conditions for Asylum Seekers', April 2023, available [here](#), 25.

accessibility improvements in sanitary facilities and medical areas. Additional measures included designated parking spaces and marked communication routes adapted in the centre in Linin. Further accessibility-focused renovations are planned in selected centres for 2026.⁵⁵⁶ The Office for Foreigners also refers single individuals requiring third-party support in their day-to-day to nursing homes.

4. Victims of trafficking

In 2023, GRETA published its evaluation report concerning Poland (third round).⁵⁵⁷ The report notices that there is still no National Referral Mechanism in Poland. In this context, GRETA states that it should be possible for “specialised NGOs to have regular access to facilities for asylum seekers”. Asylum-seeking victims of human trafficking informed GRETA that they regretted not being allowed to work for first six months of the procedure and the low financial allowance they received.

Moreover, the report states, that: “Staff of the Office of Foreigners, which are responsible for determining asylum applications, follow the “Algorithm for dealing with a person who has applied for refugee status and is potentially a THB victim”. If they suspect that a person is a victim of trafficking, they refer the case to the Border Guard for identification. The Office for Foreigners has appointed a THB co-ordinator. (...)”.⁵⁵⁸ The Office for Foreigners added that, if the person concerned is (initially) confirmed to be a human trafficking victim he/she is offered with a possibility to live in an accommodation organised by La Strada Foundation.⁵⁵⁹

According to GRETA: “The number of victims of THB identified among persons seeking international protection remains low: two in 2017 (a woman from Cameroon and a woman from Mongolia, both victims of sexual exploitation; one in 2018 (a man from Vietnam), and two in 2020 (from Ukraine and Moldova). Nine persons were granted subsidiary protection in 2019 after being identified as presumed victims of THB (six unaccompanied girls and three women). In 2021, three presumed victims of THB were identified, two of whom absconded; the third one, a woman from Cameroon, was released from the immigration detention centre after identification as a victim of THB.”⁵⁶⁰

With regard to the humanitarian crisis at the Polish-Belarusian border, the GRETA report states: “The Polish authorities reported that the Border Guard had identified three children (two Congolese girls and one Guinean boy) as victims of THB among the migrants who crossed the border from Belarus, and that they were referred to KCIK for assistance.”⁵⁶¹ The report concludes in this respect:

236. GRETA stresses that pushbacks impede the detection of victims of THB amongst irregular migrants and asylum seekers and raise grave concerns as regards Poland’s compliance with certain obligations of the Convention, including the positive obligations to identify victims of trafficking and to refer them to assistance, and to conduct a pre-removal risk assessment to ensure compliance with the obligation of non-refoulement.

237. While recognising the serious challenges faced in relation to the situation at the border with Belarus, GRETA urges the Polish authorities to review the legislation in order to ensure that pre-removal risk assessments prior to all forced removals from Poland fully assess the risks of trafficking or re-trafficking on return, in compliance with the obligation of non-refoulement. The Polish authorities should take full account of the UNHCR guidelines on the application of the Convention relating to refugee status to victims of trafficking, and their right to seek asylum, and to GRETA’s Guidance Note on the entitlement of victims of human trafficking, and persons at risk of being trafficked, to international protection.⁵⁶²

According to the Office for Foreigners, if an asylum applicant is identified as a potential victim of human trafficking during their stay in a reception centre, such information is forwarded to the Human Trafficking

⁵⁵⁶ Information provided by the Office for Foreigners, 10 April 2026.

⁵⁵⁷ GRETA, ‘Evaluation report: Poland’, June 2023, available in English [here](#), 6,10, 21, 55, 56.

⁵⁵⁸ Ibid., 55.

⁵⁵⁹ Information provided by the Office for Foreigners, 16 February 2024.

⁵⁶⁰ GRETA, ‘Evaluation report: Poland’, June 2023, available in English [here](#), 55.

⁵⁶¹ Ibid., 10.

⁵⁶² Ibid., 52.

Coordinator at the Office. Moreover, the relevant division of the Border Guard Headquarters is informed. If the Border Guard confirms the preliminary identification of the person as a victim of human trafficking, the case is referred to the National Intervention and Consultation Centre for Victims of Human Trafficking (KCIK) and to the La Strada Foundation. With the consent of the foreigner, they may be placed in a specialised facility operated by the La Strada Foundation. As long as the procedure for granting international protection is pending, the foreigner is entitled to financial support to cover their living expenses in Poland, as well as medical and psychological care provided by the Head of the Office for Foreigners.⁵⁶³

F. Information for asylum seekers and access to reception centres

1. Provision of information on reception

The Border Guard, upon admitting the asylum application, has to inform the applicant in a language understandable to them and in writing about i.e. the asylum procedure itself, the asylum seeker's rights, obligations, and the legal consequences of not respecting these obligations, as well as the extent of the material reception conditions. It also provides the asylum seeker with the address of the centre to which they have to report.⁵⁶⁴ According to the Border Guard, it is provided in 24 languages.⁵⁶⁵

Upon admission to the centre, asylum seekers receive (in writing or in the form of an electronic document, in a language understandable to them) the rules of stay in the centre (set in law), information about their rights and obligations (which includes all the basic information, including on access to the labour market or on their legal status), information on regulations governing the provision of material reception conditions and about procedures used in case of the person has been subjected to violence, especially against children.⁵⁶⁶ Moreover, the rules of stay in the centre shall be displayed in a visible place on the premises of the centre, in Polish and in languages understandable to the asylum seekers residing in the centre.⁵⁶⁷ In the reception centres new-coming asylum seekers could also participate in a course on basic information about Poland and the asylum procedure. In 2024, the courses were organised in different languages, mostly English and Russian, for two age groups: children and adults. In the first-reception centres, they were organised once a week, in the accommodation centres – once for two weeks.⁵⁶⁸

It is not envisaged in the legislation which languages the rules of stay in the centre, information about rights and obligations and regulations governing the provision of material reception conditions should be translated into. It states that information has to be accessible "in an understandable language". The rules of stay in the centre and the above-mentioned information issued on the basis of the current law were translated in practice into English, Russian, Arabic, Pashto, Dari, French, Georgian, Belarusian and Ukrainian.⁵⁶⁹

The Office for Foreigners claims that the centres' employees speak English and Russian and that they can use online translators to communicate with other asylum applicants.⁵⁷⁰ However, NGOs still consider interpreters' assistance in the reception centres insufficient, both in terms of the languages offered and in terms of quality.

⁵⁶³ Information provided by the Office for Foreigners, 19 February 2025.

⁵⁶⁴ Article 30(1)(5) Law on Protection.

⁵⁶⁵ Information provided by the Border Guard, 17 January 2023.

⁵⁶⁶ Para 3 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁶⁷ Para 18 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁶⁸ Information provided by the Office for Foreigners, 19 February 2025.

⁵⁶⁹ Information provided by the Office for Foreigners, 3 February 2023.

⁵⁷⁰ Information provided by the Office for Foreigners, 16 February 2024. See also Fundacja EMIC, 'Wielokulturowa Grupa – wyjątkowa miejscowość w naszym województwie', 5 August 2023, available in Polish [here](#).

In 2024, the Office for Foreigners launched a mobile application for foreigners in the asylum procedure. The app provides access to up-to-date information about the asylum process in Poland, including information about reception.⁵⁷¹

2. Access to reception centres by third parties

Indicators: Access to Reception Centres

1. Do family members, legal advisers, UNHCR and/or NGOs have access to reception centres?
 Yes With limitations No

Asylum applicants staying in the centres have the right to be visited by family members, legal advisers, UNHCR, NGOs, etc. in the rooms intended for that purpose.⁵⁷²

Asylum applicants may receive visits in the centre from 9:00 to 16:00 in a place agreed upon with the employee of the centre. In particularly justified cases, the visiting hours in the centre may be prolonged upon permission of the employee of the centre, but not later than 22:00.⁵⁷³

Each entry of a non-resident into the premises of the centre requires the permission of:⁵⁷⁴

- ❖ The employee of the centre in the case of asylum applicants receiving social assistance, other than living in this centre;
- ❖ The Head of the Office for Foreigners in other cases.

The Head of the Office for Foreigners or an employee of the centre can refuse to give permission to enter the centre or withdraw it if this is justified regarding the interest of the third country national or necessary to ensure the safety or for epidemiological and sanitary reasons.⁵⁷⁵ No NGO was refused entry to the reception centres in 2025.⁵⁷⁶

The above-mentioned rules do not apply to the representatives of the UNHCR, who may enter the centre anytime provided that the staff of the centre was notified in advance.⁵⁷⁷ As regards NGOs, whose tasks include the provision of assistance to asylum applicants, and entities which provide legal assistance to asylum applicants, the Head of the Office for Foreigners may issue a permit to enter the centre for the period of their activities performed for asylum applicants residing in the centre.⁵⁷⁸

According to the Office for Foreigners, all persons asking to enter the reception centres are checked in the Sexual Offenders' Registry. The verification process varies depending, among other factors, on the individual's citizenship. When submitting an application for permission to enter the facility, organisations are required to attach confirmation that the verification of their representatives, to whom the application pertains, has been carried out correctly. These confirmations are submitted under penalty of criminal liability for making a false statement.⁵⁷⁹

Asylum applicants have access to information about entities providing free legal assistance. During their stay in the centre, asylum applicants communicate with legal advisers, UNHCR or NGOs mainly by phone, fax, e-mail, etc. Seven out of nine centres are located in small villages, far away from big cities, where most of the legal advisers, UNHCR and NGOs in Poland have their premises, and accessing them can

⁵⁷¹ The Office for Foreigners, 'Aplikacja dla cudzoziemców w procedurze uchodźczej', 19 April 2024, available in Polish [here](#).

⁵⁷² Paras 7-9 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁷³ Para 9 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁷⁴ Para 7.2 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁷⁵ Para 7.5 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁷⁶ Information provided by the Office for Foreigners, 10 April 2026.

⁵⁷⁷ Para 7.6 and 7.7 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁷⁸ Para 7.4 of the Annex to the Regulation on rules of stay in the centre for asylum seekers.

⁵⁷⁹ Information provided by the Office for Foreigners, 19 February 2025.

be problematic. As a result, asylum applicants are often contacted only remotely, especially when NGOs do not have the funds for travelling to these centres.

In 2025 voluntary assistance in centres for foreigners was provided as part of activities carried out by NGOs. In 2025, one volunteer worked at the reception centre in Grupa, supporting service monitoring and assisting residents with homework and learning Polish.⁵⁸⁰

G. Differential treatment of specific nationalities in reception

Ukrainian nationals and other persons fleeing the war in Ukraine have received a differential treatment as regards reception in Poland in 2022-2025. However, as they were benefiting from temporary protection rather than international protection, their reception is described in more detail in the [Annex on temporary protection](#). Ukrainian nationals and other persons fleeing the war in Ukraine who applied for international protection had the same access to material reception conditions as all the other asylum applicants.

⁵⁸⁰ Information provided by the Office for Foreigners, 10 April 2026.

Detention of Asylum Seekers

A. General

Indicators: General Information on Detention

1. Total number of asylum seekers detained in 2025:	1,127 ⁵⁸¹
2. Number of asylum seekers in detention at the end of 2025:	366
3. Number of detention centres at the end of 2025:	5
4. Total capacity of detention centres (at the end of 2025):	1,032

In 2025, 2,911 third-country nationals were placed in detention centres.⁵⁸² At least 1,127 third-country nationals successfully applied for asylum from detention. Depending on the place of deprivation of liberty, duration of detention ranged from 97 days⁵⁸³ (on average) to 5 months.⁵⁸⁴ It is not possible to estimate the length of detention for third-country nationals who were detained in more than one centre, as detention centres have separate registration systems.

As of January 2026, there are 5 detention centres. Men were placed in **Białystok**, (**Krosno Odrzańskie** has been closed for renovation since September 2024), **Biała Podlaska**, **Przemysł**, **Lesznowola** and **Kętrzyn**. **Lesznowola** was used for men, unaccompanied children, families with children and single women.

Furthermore, the Border Guard placed migrants directly stopped at the Polish-Belarusian border in two of its border stations (in **Dubicze Cerkiewne** and **Połowce**),⁵⁸⁵ defined as “centres for foreigners’ registration” (*Centrum Rejestracyjne Cudzoziemców*). These facilities are very similar to detention centres. The individuals held in such facilities do not have access to the Internet, computers or phones. Additionally, they cannot access legal assistance: they are left without any possibility to communicate with the outside world or leave these premises at any time. Moreover, the living conditions were very poor, with for example people sleeping in one big room on the mattresses on the floor.

On 13 August 2021, a new amendment was introduced to the Ordinance of the Ministry of Interior and Administration of 24 April 2015 on guarded centres and detention centres for foreigners. It allows the placement of detainees in a dedicated room for third-country nationals or in a residential cell, the area of which is not less than **2 sqm** per person, if the following conditions are fulfilled:

- ❖ There are no vacancies in rooms for foreigners,
- ❖ Placement is for a specified period of time,
- ❖ This cannot last longer than 12 months.⁵⁸⁶

This regulation is still in force, despite the CPT recommending to restore the minimum standard of living space to 4 m² per detainee in multiple-occupancy rooms in guarded centres for foreigners.⁵⁸⁷

As a consequence of this and other factors (e.g. containers), the capacity of detention centres increased in 2025. As of 26 September 2025, 1,167 places were available in detention centres, compared to 805 as

⁵⁸¹ In 2025, the following number of applications for international protection were submitted from detention centres: 188 in Przemysl detention centre, 167 Białystok in detention centre, 189 in Biała Podlaska detention centre, 419 in Lesznowola, 164 in Kętrzyn detention centre.

⁵⁸² Letter of the Chief Commander of Border Guards as a response to request for public information, March 2026.

⁵⁸³ Letter of Nadwiślański Border Guard Unit, 21 January 2026.

⁵⁸⁴ Amnesty International, *Poland: Cruelty Not Compassion, At Europe’s Other Borders*, 11 April 2022, available [here](#); Information from different branches of Border Guards; information form HFHR, March 2023; Letter of Border Guard in Bieszczadzki Border Guard Unit, 25 February 2025. Przemysl Border Guards, February 2026. RPO, ‘KMPT ad hoc visit to the Border Guard post in Narewka’, 25 March 2022, available in Polish [here](#).

⁵⁸⁵ Previously, the minimum was 4 sqm.

⁵⁸⁶ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

of 31 December 2024. Containers for migrants were introduced again in **Lesznowola** and **Kętrzyn**.⁵⁸⁸ All detention centres were overcrowded.⁵⁸⁹

Third country nationals are obliged to pay for their stay in a detention centre. The fee is calculated on the basis of an algorithm, set out in the Act on Foreigners.

A major issue in detention centres is access to information in known languages. Migrants and asylum seekers claim that there are no interpreters present on regular basis in detention centres especially in Arabic, Pashto, Sorani and Somali, which impacts their access to information while being detained.⁵⁹⁰ Representatives of the National Preventative Mechanism (NPM) stated that in many cases, regardless of the preferred language indicated, foreigners were given forms and statements to sign in Polish (even though they do not understand or speak it) or in another language they did not know. In addition, these documents did not state that their content had been translated orally for the person by a sworn translator. This means that they were given a form or statement to sign, the content of which they most likely did not understand. The situation described occurred regarding documents such as, among others, a statement of rights for foreigners placed in a detention center, a power of attorney to represent before a court, a notice of a court appeal hearing, or a statement waiving the right to appeal an administrative decision (see also [Judicial review of the detention order](#)).⁵⁹¹ Interpretation issues also largely impacted access to healthcare (see [Health care and special needs in detention](#)).

In 2024, the CPT recommended that greater efforts be made in the guarded centres visited (and, if relevant, in all other detention facilities for foreigners) to improve staff's training in languages commonly spoken by detained foreign nationals, and in inter-cultural communication. Furthermore, the staff should be instructed to avoid using impersonal modes of communication (numbers) and address foreign nationals by their names.⁵⁹²

The CPT also recommended to review the complaints' procedures at the guarded centres to make sure that detained foreigners are effectively enabled to send complaints in a confidential manner and are duly informed of this possibility. All written complaints should be recorded in a dedicated register.⁵⁹³

Asylum procedure in detention

According to NGOs, still in 2025 Border Guards at the border continued to ignore migrants' requests for international protection in general due to suspension of right to asylum in 2025.⁵⁹⁴

According to the Office for Foreigners, in 2025 the asylum cases of migrants: (-) placed in detention, (-) unaccompanied children, (-) vulnerable, were prioritised but it does not mean that they are examined

⁵⁸⁸ Information provided by Border Guards Headquarters, March 2026.

⁵⁸⁹ Data received from Chief Commander of Border Guard as a response to request for public information no. KG-OI-VIII.0180.192.2025, September 2025 The Ombudsman 'The issue of capacity in secure centres for foreigners. Response from the Ministry of the Interior and Administration', 1 October 2025, available in Polish: *Sprawa pojemności strzeżonych ośrodków dla cudzoziemców. Odpowiedź MSWiA*

⁵⁹⁰ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej, 4 January 2024, available in Polish here. NPM, report 26 March 2025 from a visit in premises of Nawal Border Guard Unit in Kołobrzeg,*

⁵⁹¹ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl, 3 September 2025, available in Polish here, 60. The visit took place in May 2025.*

⁵⁹² The CPT recommends that greater efforts be made in the guarded centres visited (and, if relevant, in all other detention facilities for foreigners) to improve staff's training in languages commonly spoken by detained foreign nationals and in inter-cultural communication. Furthermore, the staff should be instructed to cease impersonal modes of communication and address foreign nationals by their names. CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022, 22 February 2024, available here.*

⁵⁹³ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022, 22 February 2024, available in English here.*

⁵⁹⁴ Information provided by HFHR, 20 January 2025.

more quickly.⁵⁹⁵ A special detention department was established within the Office for Foreigners to prioritise the cases of detained asylum applicants; the average duration of asylum proceedings in general at first instance was 5.61 months.⁵⁹⁶

Asylum applicants have only 7 days to present additional evidence in their case, before an asylum decision is made, which can be very difficult to provide as asylum applicants have a limited access to the internet and no access to social apps as Facebook and Skype. The interview is conducted through videoconference with a psychologist and interpreter attending either in person at the detention centre with the applicant or also online, except for unaccompanied children (see [Personal interview](#)).

B. Legal framework of detention

1. Grounds for detention

Indicators: Grounds for Detention		
1. In practice, are most asylum seekers detained		
❖ on the territory:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
❖ at the border:	<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No
2. Are asylum applicants detained during a regular procedure in practice?	<input checked="" type="checkbox"/> Frequently	<input type="checkbox"/> Rarely <input type="checkbox"/> Never
3. Are asylum applicants detained during a Dublin procedure in practice?	<input checked="" type="checkbox"/> Frequently	<input type="checkbox"/> Rarely <input type="checkbox"/> Never

Asylum applicants are placed in a detention centre if alternatives to detention cannot be used and based on the following grounds:⁵⁹⁷

1. In order to establish or verify their identity;
2. To gather information, with the asylum applicant's cooperation, connected with the asylum application, which cannot be obtained without detaining the applicant and where there is a significant risk of absconding;
3. In order to make or execute the return decision, if an asylum applicant had a possibility to claim asylum previously and there is a justified assumption that they claimed asylum to delay or prevent the return;
4. When it is necessary for security reasons;
5. In accordance with Article 28 of the Dublin III Regulation, when there is a significant risk of absconding and immediate transfer to another EU country is not possible.

A "risk of absconding" of the asylum applicant exists particularly if they:⁵⁹⁸

- ❖ Do not have any identity documents when they apply for asylum;
- ❖ Crossed or attempted to cross the border illegally, unless they are so-called "directly arriving" (i.e. arrived from the territory where they could be subject to persecution or serious harm) and they submitted an application for granting refugee status immediately and they explain the credible reasons of illegal entry;
- ❖ Entered Poland during the period for which their data were entered into the list of undesirable foreigners in Poland or to the Schengen Information System in order to refuse entry.

⁵⁹⁵ Information provided by the Office for Foreigners, 10 April 2026.

⁵⁹⁶ Information provided by the Head of the Office for Foreigners, 2026.

⁵⁹⁷ Articles 87(1) and 88a(1) Law on Protection.

⁵⁹⁸ Articles 87(2) and 88a(1) Law on Protection.

Detention is possible in law and in practice in all asylum procedures. There are concerns that detention is not used as a measure of last resort and is often applied or prolonged automatically.⁵⁹⁹

In 2024 and 2025, 96-100% of Border Guard requests were granted by courts. The acceptance rate for requests for extension of detention in 2025 ranged from 87% to 100%.⁶⁰⁰

Additionally, third-country nationals are in most cases not represented by professional lawyers-attorney at law or advocates, and the courts rely on the Border Guard's applications, which omit arguments that could indicate that detention is pointless or unjustified. Border Guards are treated by the courts as experts in migration, which is one of the reasons why their interpretation of the law is accepted by courts.⁶⁰¹ Research also shows that Border Guards' applications on detention presented to the courts did not contain information about contraindications to placing the migrants in detention, for example due to the person's state of health.⁶⁰²

In 2025, 2,911 third-country nationals were placed in detention per the Border Guards.⁶⁰³

According to relevant research, the Border Guard appears to give priority to internal regulations (instructions, circulars, recommendations issued by their superiors) above national law.⁶⁰⁴ Submission of requests on prolonging the stay in detention by Border Guard is generally considered standard and normal practice. It is not accompanied by a deeper reflection on the need for further detention.⁶⁰⁵

⁵⁹⁹ ECtHR, *Nikoghosyan and others v. Poland*, Application no. 14743/17, 3 March 2022, available [here](#); ECtHR, *K.G. and S.G. v. Poland*, Application no. 62466/19, Judgment of 27 November 2025. 'PLN 50,000 compensation for wrongful detention in a guarded center for an Iraqi refugee', available in Polish [here](#). Regional Court in Łódź, XVIII Ko 30/23, May 15, 2024, mentioned in SIP, 'PLN 12,000 for 53 days of illegal detention in a guarded center for foreigners', 24 June 2024, available in Polish [here](#); HFHR, 'Court awards PLN 40,000 compensation to Ethiopian man for wrongful placement in detention centre for 179 days', 11 December 2024, available in Polish [here](#).

⁶⁰⁰ Information based on the analysis of information received by HFHR from district and regional courts in procedures of access to public information covering the period of 1 January 2024 to 31 December 2024 and January to November 2025.

⁶⁰¹ Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 30-32, 87, 121.

⁶⁰² Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 162. *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemysł*, 3 September 2025, available in Polish [here](#). The visit took place in May 2025.

⁶⁰³ There is no central system to count persons deprived of liberty, so it is possible that some people may be counted multiple times, Information from Border Guards Headquarters, 6 March 2026 and different Border Guard divisions in 2026: there were 609 third-country nationals detained in Białystok, 448 in Biała Podlaska, 779 in Lesznowola, 556 in Kętrzyn.

⁶⁰⁴ Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 121.

⁶⁰⁵ Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 165.

2. Alternatives to detention

Indicators: Alternatives to Detention

1. Which alternatives to detention have been laid down in the law? Reporting duties
 Surrendering documents
 Financial guarantee
 Residence restrictions
 Other
2. Are alternatives to detention used in practice? Yes No

The Law on Protection sets out the following alternatives to detention for asylum applicants:

1. An obligation to report;
2. Bail options (*zabezpieczenie pieniężne*);
3. The obligation to stay in a designated place.

BG can use more than one alternative in the case of any third-country national.⁶⁰⁶ Alternatives can be applied by the BG who apprehended the asylum applicant concerned or by the court (subsequent to a BG's decision not to apply alternatives and who have submitted an application for detention to the court).⁶⁰⁷ An asylum applicant can be detained only if the alternatives to detention cannot be applied.⁶⁰⁸ In practice, asylum applicants are placed in detention automatically (see [Grounds for detention](#)).⁶⁰⁹ The detention rate before the Regional Court in Białystok in 2024 was 100%: out of 159 court filings, only 2 filed by a foreigner or their representative were upheld, while in all remaining cases the Border Guard's request was granted in whole or in part. Similarly, in 2025, none of the 104 complaints filed by detainees or their lawyers were successful.⁶¹⁰ Alternatives to detention are either not considered, not properly justified or the reasons why they cannot be applied are not explained in detail.⁶¹¹

In 2025 the Border Guard applied 2,099 alternative measures to detention in relation to 1,351 third-country nationals: (breakdown by legal basis) 943 people under the Act on Foreigners and 430 under the Act on Granting Protection to Foreigners on the Territory of Poland. In addition, the courts applied 30 alternative measures to detention in relation to 22 people.⁶¹²

Over the period 2019-2025 alternatives to detention were used as follows for third-country nationals, including asylum seekers and returnees:⁶¹³

Alternatives to detention in Poland: 2019 - 2025							
Type of alternative	2019	2020	2021	2022	2023	2024	2025
Reporting obligations	1,603	507	818	934	1,933	4,097	1,311
Residence in a designated place	1,522	476	233	281	280	2,071	578

⁶⁰⁶ Article 88(3) of the Law on Protection.

⁶⁰⁷ Articles 88(2) and 88b(2)-(3) Law on Protection.

⁶⁰⁸ Article 88a(1) Law on Protection.

⁶⁰⁹ Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 51 and 153.

⁶¹⁰ Information based on the analysis of information received by HFHR from district and regional courts in procedures of access to public information covering the period of 1 January 2024 to 31 December 2024 and January to November 2025.

⁶¹¹ Information provided by Legal Intervention Association Rule of Law Institute and Nomada Association, February 2026.

⁶¹² Information provided by Border Guards Headquarters, March 2026.

⁶¹³ In practice, a person may be subject to more than one alternative measure.

Bail	3	1	3	6	4	5	4
Surrendering travel documents	36	39	343	223	508	337	206
Total	3,164	1,023	1,397	1,444	2,725	6,510	2,099

Source: Border Guard, 14 and 25 January 2019, 17 January 2020, 5 February 2021, Instytut Nauk Prawnych, 2 February, Border Guard March 2022, 25 January 2023; Border Guard Headquarters, 21 March 2024, Border Guard Headquarters, 7 March 2025, Border Guards Headquarters, 6 March 2026.

According to Polish NGOs, in 2025 courts still examine the possibility of using alternatives to detention only in a superficial way.⁶¹⁴ Courts very often argue that it is not possible to impose an alternative to detention based on the risk of absconding and that asylum applicants had no money or no place to stay, ignoring the fact that asylum applicants have a right to live and receive financial assistance in open centres for foreigners managed by the Head of the Office for Foreigners.⁶¹⁵ The courts generally consider that irregular entry is a sufficient element to determine the existence of a risk of absconding, without conducting an individual assessment to evaluate whether alternatives to detention can apply, contrary to the judgement of the Supreme Court.⁶¹⁶

3. Detention of vulnerable applicants

Indicators: Detention of Vulnerable Applicants

- Are unaccompanied asylum-seeking children detained in practice?

Frequently Rarely Never

❖ If frequently or rarely, are they only detained in border/transit zones? Yes No
- Are asylum seeking children in families detained in practice?

Frequently Rarely Never

If a decision to release a third-country national from the detention centre is issued and the asylum applicant is a disabled, elderly, pregnant or single parent, the SG is obliged to organise their transport to the reception centre, and – in justified cases – provide food during the transport.⁶¹⁷ If the asylum applicants do not belong to these categories, no assistance to reach open centres is provided, regardless of the factual situation they are in.⁶¹⁸ In 2025, at least 254 (175 from **Lesznowola**, 78 in **Przemysl**, 1 in **Kętrzyn**) migrants benefited from both forms of support.⁶¹⁹

3.1. Detention of persons with health conditions

According to the law, asylum applicants whose psychophysical state leads to believe that they are victims of violence or have a disability, as well as unaccompanied children, cannot be placed in detention centres. This is also the case for asylum applicants whose detention causes a serious threat to their life or health,⁶²⁰ as under the law, an asylum applicant should be released if further detention constitutes a threat

⁶¹⁴ Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 97. The first and second instance court ignore the fact that the migrant could pay the bail, she had a place to live in Poland as she was living in Poland for 9 years.

⁶¹⁵ Information provided by HFHR in January 2026.

⁶¹⁶ Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 165, 193.

⁶¹⁷ Article 89cb Law on Protection. Border Guard Unit in Przemysł, 2026.

⁶¹⁸ RPO, 'Commissioner for Human Rights asks about assistance for foreigners released from guarded centres. Border Guard response', 7 February 2023, available in Polish [here](#).

⁶¹⁹ Letter from Warminko-Mazurski BG unit, 21 January 2026, Podlaski Border Guards Unit, 21 January 2026, Bieszczadzki Border Guards Unit, 16 February 2026, Nadwislanski Border Guards Unit 21 January 2026.

⁶²⁰ Article 88a(3) Law on Protection. In Kętrzyn 2 person were released on the basis of this provision in 2023, Border Guard Unit in Kętrzyn.

to their life or health.⁶²¹ This means that, for example, children, if they stay in Poland with parents or other legal guardians, can still be detained, as can pregnant women (see below [Detention of children](#)). In practice, persons with disabilities are sometimes detained.⁶²²

The provisions are absolute and do not allow for any exceptions, and have to be considered separately and independently of each other, but this is not a practice followed by the Border Guards and courts, according to National Preventive Mechanism (NPM).⁶²³

In the opinion of NGOs⁶²⁴ and the Commissioner for Human Rights, problems with the identification of victims of torture and violence persists, and third-country nationals whose mental and physical condition indicates a possible danger to their life or health are still systematically detained.⁶²⁵ Indeed, a poor mental condition is hardly ever accepted by courts as sufficient grounds to not detain or release an asylum applicant from detention.⁶²⁶ Identification should be conducted before placement in detention and later on regular basis in detention. In 2025, the NPM recommended that each person placed in detention be checked as to whether they have experienced violence prior to their placement in the facility and that this be recorded in documentation. The NPM witnessed how, in Przemyśl detention centre, the legally required examination of whether a third-country national's mental health state could prove they were subject to violence did not take place.⁶²⁷

⁶²¹ Article 406(1)(2) Law on Foreigners.

⁶²² Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 80, describes of a detention case of a person who was disabled (lack of one limb).

⁶²³ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#); Judgement Court of Appeals in Białystok (Sąd Apelacyjny w Białymstoku) Sygn. akt II AKa 136/23, 28 November 2023. *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 29 and following. The visit took place in May 2025.

⁶²⁴ SIP, *Report 2023, We have an impact! Summary of the most important SIP activities*, 2024, available [here](#); SIP, *Iraqi Refugee Receives PLN 50,000 Compensation for Unlawful Detention in Guarded Center*, available [here](#); Polish Migration Forum, *A report on the psychological assistance of the Polish Migration Forum Foundation for people in guarded centers for foreigners*, 17 June 2024, available in Polish [here](#).

⁶²⁵ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#); Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#); SIP, 'PLN 50,000 compensation for wrongful detention in a guarded center for an Iraqi refugee', 11 September 2024, available in Polish [here](#); Regional Court in Łódź, XVIII Ko 30/23, 15 May 2024, mentioned in SIP, 'PLN 12,000 for 53 days of illegal detention in a guarded center for foreigners', 24 June 2024, available in Polish [here](#); Judgment of the District Court in Olsztyn, 28 March 2024, ref. no. II KO 298/23; Regional Court in Olsztyn, file number VII Kz 34/24, 9 February 2024, as mentioned in SIP, 'The court releases from detention and takes into account the opinion of a psychologist from outside the SOC', 28 February 2024, available in Polish [here](#); Olsztyn Regional Court, file number VII Kz 509/23, 24 November 2023, as reported in SIP, 'A foreigner after experiencing violence released by the court from a guarded center', 16 January 2024, available in Polish [here](#). *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 30. The visit took place in May 2025.

⁶²⁶ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁶²⁷ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 34. The visit took place in May 2025.

According to the Commissioner for Human Rights and NGOs, the authorities do not always release migrants who were subject to violence in their country of origin,⁶²⁸ or at the Polish-Belarusian border, or people whose mental state deteriorated in detention.⁶²⁹

Additionally, the Border Guard continues to apply internal guidelines allowing deprivation of liberty of foreigners who have experienced violence (“Principles of Border Guard’s Procedure with Aliens Requiring Special Treatment.”). In 2019, the Border Guard updated the internal guidelines called “Rules of Conduct of the Border Guard towards foreigners requiring special treatment”. Based on these rules, only people who exhibit clear symptoms indicating that they have been subjected to severe forms of violence, and as a result, whose current psychophysical condition is significantly below average, are exempt from detention. Thus, the internal guidelines introduce additional restrictions not included in the Act of Foreigners and limits the prohibition of detention to victims of serious forms of violence. Moreover, the updated guidelines still do not solve the long-standing problem of the lack of an effective system for the identification of victims of violence.

This guidelines limit the requirement to examine detainees to only cases where they:

- ❖ Were in need of first aid assistance during the arrest;
- ❖ May be in a condition that threatens their life or health;
- ❖ Have declared that they require permanent or periodic treatment, the interruption of which would endanger their health or life;
- ❖ Are suspected of being carriers of an infectious disease.

In practice, the decision to conduct a medical examination is made by the Border Guard officer. However, there are serious doubts as to the ability of Border Guards officers to recognise if a third-country national has been subjected to violence, as not all of them are specialised in the identification of vulnerable asylum applicants. Moreover, these guidelines do not require that the officer have medical knowledge, nor do they set out the methods and criteria based on which the officer could assess whether a medical examination is necessary.⁶³⁰ People who were placed in detention and stated that they had experienced violence during their detention were not automatically and immediately checked via a medical examination.⁶³¹ There are detained third-country nationals who, despite evident symptoms of PTSD, were not identified, or for whom the identification process takes a very long time, and during this time their mental state deteriorates due to their detention.⁶³²

The guidelines do not introduce a procedure to immediately release a victim of violence from a detention centre, as they foresee that this could only occur if it is established that prolongation of detention would cause a threat to the person’s life or health. The NPM recommends not using the guidelines prepared by the Border Guards as they are in contradiction with national law and international standards, including the

⁶²⁸ EU Fundamental Rights Agency, *Migration: Key fundamental rights concerns – January 2021- June 2021*, FRA Bulletin 2, available in English [here](#), 23. Judgement Court of Appeals in Białystok (Sąd Apelacyjny w Białymstoku) Sygn. akt II AKa 136/23, 28 November 23.

⁶²⁹ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#); Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#).

⁶³⁰ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁶³¹ Legal Intervention Association (SIP), *Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r.* [Report SIP in action. Rights of foreigners in Poland in 2020], available in Polish [here](#). Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 81.

⁶³² RPO, *Foreigners in administrative detention. Results of the KMPT monitoring in guarded centres for foreigners in Poland*, March 2021, available in Polish [here](#), 43; Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 81. Information provided by the Helsinki Foundation for Human Rights, March 2026.

Istanbul Protocol. In the opinion of the NPM, there should be two different documents introduced: a tool that could effectively identify foreigners who have experienced torture or other forms of violence and another one assessing third-country nationals' health assessment concerning the potential risk for detained persons.⁶³³ Nevertheless, the guidelines continued to be used in 2025.⁶³⁴ The NPM described the use of the internal guidelines as a systematic violation of law.⁶³⁵ During one of their inspections, the NPM also uncovered negligence and irregularities in the application of these rules.⁶³⁶

In 2018 and in 2022 the Commissioner for Human Rights recalled how the internal guidelines, based on which the identification is performed, do not clearly state that vulnerable persons, once identified, should be immediately released from detention.⁶³⁷ Torture survivors stay in detention centres and even if they are identified at a later stage, they are not released from detention.⁶³⁸ The Commissioner also underscored that the lack of accessible treatment and therapy in detention centres deepens the trauma.⁶³⁹

According to the HFHR,⁶⁴⁰ the Polish authorities (BG and courts on their own motion) do not effectively identify victims of violence. Such identification should be done at the earliest possible stage while deciding on whether the person should be placed in detention. Additionally, the BG and courts should, on their own initiative, check if there are any impediments to the application of the detention measure. In practice, asylum applicants who declare in their asylum application to have been subjected to torture, are still placed in detention centres and the identification is not carried out. Moreover, some courts placed victims in detention centres stating that there is no objection to such a decision since they will have access to psychological assistance in the guarded centre. The same opinion is presented in the SG guidelines, according to which, a foreigner will not be released if psychological assistance can be provided in the guarded centre.⁶⁴¹

According to the Commissioner for Human Rights,⁶⁴² before Border Guards submit the application to place or prolong the stay of a third-country national in detention before the court, physicians only issue an opinion on whether the person's physical health at the time of the examination allows for a stay in the detention centre. Thus, the assessment does not include:

- ❖ danger to life and health through the risk of deterioration of the current state of health e.g., emerging or worsening of mental disorders due to re-traumatisation and stress caused by detention;
- ❖ the person's mental health, as no psychological or psychiatric examination is carried out;
- ❖ the possibility that the person has been subjected to violence and the impact on physical and mental health (as there is no psychological / psychiatric examination or medical evaluation of injuries and their possible causes).

⁶³³ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁶³⁴ Information provided by HFHR, February 2025. *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 29. The visit took place in May 2025.

⁶³⁵ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#). The visit took place in May 2025.

⁶³⁶ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 29. The visit took place in May 2025.

⁶³⁷ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁶³⁸ Information provided by the HFHR, January 2023.

⁶³⁹ Commissioner for Human Rights, *Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 7 January 2019, available in Polish [here](#).

⁶⁴⁰ Information of HFHR, March 2024.

⁶⁴¹ "Rules of BG proceedings with foreigners who need special treatment (algorithm)", 2015.

⁶⁴² RPO, *Foreigners in administrative detention. Results of the KMPT monitoring in guarded centres for foreigners in Poland*, March 2021, available in Polish [here](#), 43.

The Commissioner for Human Rights, in his letter addressed to the Presidents of Regional Courts, expressed his concerns about cases of third-country nationals placed in detention who were victims of violence and were in bad psychophysical condition. Furthermore, he underscored how the level of medical and psychological care was far from sufficient and contact with psychologists in detention centres was impossible, which might lead to the deterioration of foreigners' health through secondary victimization.⁶⁴³ For example, in 2024 in the detention centre in **Krosno**, only one psychologist was hired for 8 hours, once a week, while being responsible for 79-80 people in **Krosno Odrzańskie**.⁶⁴⁴ In 2025 in **Białystok**, **Przemyśl** and in **Biała Podlaska**⁶⁴⁵ there were two psychologists – one internal and one external (part time).⁶⁴⁶ In the opinion of NPM in 2024, an additional psychologist should be employed in Biała Podlaska to address existing needs.⁶⁴⁷

In 2024 the Polish Migration Forum⁶⁴⁸ highlighted that : NGOs face barriers to accessing people in need in detention centre; the number of hired psychologists and physicians in detention centres is insufficient;⁶⁴⁹ psychologists do not know the languages of third-country nationals, which made it difficult or even impossible to establish proper contact. The Ombudsman expressed concerns regarding the fact that access to psychological assistance provided by the NGOs is significantly limited.⁶⁵⁰

In 2024 and in 2025 access to independent psychologists deteriorated, as none of the NGO provide psychological assistance in detention centres.⁶⁵¹

Courts generally do not accept psychological opinions submitted by independent psychologists (e.g. from NGOs),⁶⁵² save in exceptional cases.⁶⁵³ Courts rather rely on the short opinions (very often, a single sentence stating that there are no obstacles to prolonging stay in a guarded centre) of the detention centre physician.⁶⁵⁴ There are doubts as to whether the physician actually conducts medical checks on individuals before issuing health certificates. As highlighted by the NPM, medical opinions in third-country nationals' cases are very general or offer only a partial view of a third-country national's state of health, completely failing to address the issue of potential experience of violence.⁶⁵⁵ Physicians typically have general specialisations, which means they may lack the expertise to assess the mental state of a detained person.

⁶⁴³ Commissioner for Human Rights, Letter to the Regional Courts, 25 January 2022, available [here](#).

⁶⁴⁴ Nadodrzański BG Unit, 25 February 2025.

⁶⁴⁵ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#).

⁶⁴⁶ Letter from the Podlaski and Nadbużański Border Guards, 21 and 19 January 2026.

⁶⁴⁷ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#).

⁶⁴⁸ Polish Migration Forum, *A report on the psychological assistance of the Polish Migration Forum Foundation for people in guarded centers for foreigners*, June 2024, available in Polish [here](#).

⁶⁴⁹ Commissioner for Human Rights, 'The centre for foreigners in Wędrzyn does not meet the standards for the protection of their rights. Conclusions after the third visit of the BRPO', 24 January 2022, available in Polish [here](#); Polish Migration Forum, *A report on the psychological assistance of the Polish Migration Forum Foundation for people in guarded centers for foreigners*, June 2024, available in Polish [here](#).

⁶⁵⁰ Commissioner for Human Rights, 'Psychological assistance in guarded centres for foreigners - also from NGOs', 25 April 2023, available in Polish [here](#); Polish Migration Forum, *A report on the psychological assistance of the Polish Migration Forum Foundation for people in guarded centers for foreigners*, June 2024, available in Polish [here](#).

⁶⁵¹ SIP, *We have an impact! Summary of the most important SIP activities in 2023, 2024*, available in English [here](#).

⁶⁵² Information provided by Legal Intervention Association, HFHR, January 2023.

⁶⁵³ Foreigner released by court from guarded centre after experiencing violence, 24 November 2023, available in Polish [here](#), and see SIP, 'Cudzoziemiec po doświadczeniu przemocy zwolniony przez sąd ze strzeżonego ośrodka', 16 January 2024, available in Polish [here](#).

⁶⁵⁴ SIP, *Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r. [Report SIP in action. Rights of foreigners in Poland in 2020]*, available in Polish [here](#).

⁶⁵⁵ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#). The visit took place in May 2025.

If medical or psychological opinions, which are in a foreigner's files, indicate that a foreigner has experienced violence, the documentation is not always handed over to the court. This results in the illegal placement of people who have experienced violence in detention centres and arrests for foreigners, and consequently leads to their secondary traumatisation.⁶⁵⁶

In practice, only courts of higher instance call on experts to determine applicants' mental health state but this happens very rarely (once in 2021).⁶⁵⁷ Practice shows that neither the Border Guard nor the courts take the initiative to assess if an asylum applicant is a victim of violence.

In its 2019 concluding observations, the UN Committee against Torture highlighted that there is insufficient capacity to identify asylum seekers who are victims of torture and lack of adequate protection and care for survivors of sexual and gender-based violence in Poland. In the opinion of CAT,⁶⁵⁸ Poland should introduce a principle in law that detention of asylum-seekers, and in particular children and vulnerable persons, should be a measure of last resort, for as short a period as possible and in facilities appropriate for their status. Furthermore, the CAT recommended that Polish authorities refrain from placing asylum seekers and in particular children in guarded centres and ensure the fast and appropriate identification of vulnerable persons including survivors of torture and ill-treatment, as well as sexual and gender-based violence, and provide them with adequate access to health care and psychological services.⁶⁵⁹

Moreover, the Committee was concerned that training on the provisions of the UNCAT and the Istanbul Protocol is not part of the training regiment of border guards, judges, forensic doctors and medical personnel engaged in the treatment of third-country nationals in detention, and recommended Poland remedy this.

The CPT reported on various shortcomings in detention centres. In particular, that few regular visits were conducted by psychiatrists, the lack of clinical psychologists, delays in accessing specialised medical care, including dental and gynaecological care; lack of screening for possible traumatic mental disorders and signs of victimisation; the need to introduce a register of injuries found during admission and stay in a Border Guard facility; the need for specialised training for medical staff in documenting and interpreting injuries, including techniques for interviewing people who may have been mistreated; cases of breaches of medical confidentiality in situations where other foreign nationals were asked to participate in examinations for translation purposes.⁶⁶⁰

On 8 October 2024, the European Court of Human Rights communicated a case against Poland – *M.A.E. v. Poland*, Application No. 7463/23 – concerning an Egyptian citizen who spent more than six months in the Guarded Detention Center for Foreigners in Lesznowola in connection with pending procedures to oblige him to return to his country of origin and then to grant him international protection. Despite the applicant's serious health condition (urological, gastrointestinal), requiring urgent surgery and causing constant pain, the applicant being a victim of physical violence and having provided evidence of this, he was placed in detention centre. No official procedure was carried out to determine whether the person was a victim of violence by the Border Guards. At no stage of the proceedings did the courts take into account the foreigner's health problems, his poor psychophysical condition or the fact that he had experienced violence, and the courts did not take into account the requests to refer him to a specialist forensic doctor and a psychologist, as the foreigner's psychophysical condition was typical of a person

⁶⁵⁶ SIP, *Raport SIP w działaniu, Prawa cudzoziemców w Polsce w 2020 r. [Report SIP in action. Rights of foreigners in Poland in 2020]*, available in Polish [here](#); Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024.

⁶⁵⁷ UN Committee against Torture, *Concluding observations on the seventh periodic report of Poland*, 22-24 July 2019, available [here](#).

⁶⁵⁸ UN Committee against Torture, *Concluding observations on the seventh periodic report of Poland*, 22-24 July 2019, available [here](#).

⁶⁵⁹ UN Committee against Torture, *Concluding observations on the seventh periodic report of Poland*, 22-24 July 2019, available [here](#).

⁶⁶⁰ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) f 21 March to 1 April 2022*, 22 February 2024, available [here](#).

having experienced violence. There were also procedural violations of the right to defence in the case. The foreigner was not served with the commander's requests to order and extend his detention, nor was he brought to court hearings, despite his requests to that effect.⁶⁶¹

This is not the first such case before the ECtHR for Poland: in 2020, an application was stricken out following Poland's unilateral declaration that the applicant had indeed been deprived of her liberty in breach of Article 5 § 1 (f) of the Convention and that she did not have at her disposal an effective procedure by which she could challenge the lawfulness of her detention, as required by Article 5 § 4 of the Convention. Poland undertook to pay the applicant the amount of EUR 9,000.⁶⁶²

3.2. Detention of children

According to the law, unaccompanied asylum-seeking children under 15 should not be detained.⁶⁶³ In practice, some unaccompanied children are placed in detention centres if they are deemed accompanied by unrelated adults⁶⁶⁴ or when there are doubts as to their age. In the latter case, either an age assessment procedure was carried out and they were ruled to be adults,⁶⁶⁵ or their age was definitively determined when the Border Guard managed to confirm their identity after receiving original identity documents or information from the Embassy of the country of origin confirming the applicant's identity.⁶⁶⁶ It can also occur when they were placed in detention as irregular migrants (which is possible under the law)⁶⁶⁷ and only then apply for international protection.

Asylum-seeking and migrant children who are with members of their families can be placed in detention centres together with accompanying adults.⁶⁶⁸ This continued in 2025.⁶⁶⁹

Detaining children is a regular practice.⁶⁷⁰ Unaccompanied children (recognised as children), families with children are placed in **Lesznowola** detention centre since September 2023. In total, in 2024, 24 unaccompanied and 73 accompanied children were reported in the detention centre in Lesznowola.⁶⁷¹ In 2025, 24 unaccompanied children were detained. Per new legislation, since 1 January 2026, unaccompanied asylum-seeking children under 15 years should no longer be detained.⁶⁷²

In 2024 and 2025, there were several cases of detention of unaccompanied children who were considered to be an adult following age assessment. In one case, the second instance court released the child, raising doubts about the age assessment procedure followed. In the second case, the child was released

⁶⁶¹ SIP, 'ECHR communicates our client's case regarding detention in a guarded facility', 12 November 2024, available in Polish [here](#).

⁶⁶² ECtHR, "A.A. against Poland" Application, no. 47888/19, lodged on 29 August 2019, available [here](#).

⁶⁶³ Article 397 Foreigners Act.

⁶⁶⁴ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus]*, Report NPM, 15 June 2022, available in Polish [here](#), 21; SIP, 8 May 2024, 'A teenager from Egypt locked up in a guarded center - we file a complaint with the ECHR', available in Polish [here](#).

⁶⁶⁵ Regional Court in Suwałki, II KZ 146/24, decision 2 July 2024; case of HFHR, May 2024, District Court in Grójec, releasing the children from detention; Regional Court in Grójec, decision of 16 October 2024, file reference II Ko 3183/24; Regional Court in Grójec, decision of 9 October 2024, file reference II Ko 3184/24. Information provided by HFHR, January 2026; SIP, 'Unaccompanied Somali minor released from guarded centre', 15 December 2023, available [here](#); HFHR, 'Somali girl released from immigration detention – a court finds that the authorities misjudged her age', 1 August 2023, available [here](#); Regional Court in Suwałki, II KZ 146/24, decision 2 July 2024; case of HFHR, May 2024.

⁶⁶⁶ Information provided by Warmińsko-Mazurski, Nadwislanski, Bieszczadzki and Nadodrzański Border Guards Unit 2025, 15 minors were reported to be placed in detention centres for adults.

⁶⁶⁷ BG in Krosno Odrzańskie, 3 March 2023. Information from HFHR, January 2025.

⁶⁶⁸ Although it happens in practice that some members of the family are placed in the reception centre and some in the detention centre. See for instance, T. Sieniow, 'Wnioski z monitoringu wraz z rekomendacjami', 59.

⁶⁶⁹ Information provided by SIP, HFHR in 2025.

⁶⁷⁰ Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 207-208.

⁶⁷¹ Letter from Nadwislanski Border Guards Unit, 21 January 2026.

⁶⁷² Article 397 Foreigners Act

by the Border Guards in **Biała Podlaska**, after 2 months of detention, as his identity was confirmed by the Embassy.⁶⁷³ Both of them won compensation cases for unjust detention in 2025.⁶⁷⁴

Moreover, the different branches of the Border Guards confirmed that due to age assessment procedures several detainees were recognised as children: 1 in Kętrzyn by x-ray method, 6 boys in Biała Podlaska by dental examination, 2 in Przemyśl and 7 in Lesznowola detention centre.⁶⁷⁵

The NPM as well as the Ombudsman for Children Rights⁶⁷⁶ have critically assessed the age assessment procedure set up in Polish law, which is solely conducted in a medical way and in most of the cases only an X-ray of a wrist was performed. In their opinion, this procedure should be comprehensive, also taking into account psychological, developmental or environmental factors. The NPM recalls that all evidence, such as photos of identity documents, must be taken into account in each final age assessment and any doubts have to be resolved in favour a minor. Additionally, the age assessment certificate should include a description of the examination along with the error limit.⁶⁷⁷

Children in detention centres: 2025			
Centre	Number of children detained in 2025 in total	Number of UAMs in 2025	Average Length of detention in 2025
Przemyśl	1	1	No data
Lesznowola	73	24	No data

Source: Letter of the Border Guard Office in Biała Podlaska, 8 March 2023, in Kętrzyn 8 February 2024, Krosno Odrzańskie 3 March 2023, in Przemyśl 10 March 2023, Border Guard Headquarters 18 March 2024, Lesznowola, 7 February 2025, Nadwiślanski BG Unit, 21 January 2026.

A protection of children in detention policy was put in place from 2018, when new guidelines were introduced - "Intervention procedures in case of hurting children in guarded centres for foreigners". Within the framework of that policy, employees of guarded centres were trained in the new rules and identification of behaviour which should be considered abuse.⁶⁷⁸ In 2021, there were 2 cases of abuse against children, one in Kętrzyn and one in Biała Podlaska.⁶⁷⁹ In 2023-2025,⁶⁸⁰ no similar cases were reported.

⁶⁷³ Regional Court in Suwałki, II KZ 146/24, decision 2 July 2024; case of HFHR, May 2024.

⁶⁷⁴ Regional Court in Białystok, Regional Court in Siedlce in December 2025.

⁶⁷⁵ Information provided by Bieszczadzki Border Guard Unit 16 February 2026, Warmińsko-Mazurski Border Guard Unit 21 January 2026, Nadbużański Border Guard Unit 19 January 2026, Nadwiślanski BG Unit, 21 January 2026.

⁶⁷⁶ RPO, 'The Human Rights Ombudsman and the Children Rights Ombudsman jointly appeal to the Prime Minister. This concerns migrating unaccompanied children', 5 November 2024, available in Polish [here](#).

⁶⁷⁷ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#); Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#).

⁶⁷⁸ CoE Committee of Ministers, *Communication from Poland concerning the case Bistieva and others v. Poland (application No. 75157/14)*, 14 June 2019, available [here](#).

⁶⁷⁹ Information provided by different Border Guard Units in Białystok, Kętrzyn, Przemyśl, Lesznowola and FIPP, 2022.

⁶⁸⁰ Information from Nadwiślanski Border Guard Unit, 7 February 2025.

In 2024 the Commissioners for Human Rights and Children Rights,⁶⁸¹ and in 2019 the UN Committee against Torture (CAT), expressed concern regarding the detention of families with children and unaccompanied minors over 15 years old, which are still possible under Polish law.⁶⁸²

In January 2022, the Commissioner for Human Rights in his letter to the Presidents of the Regional Courts (*Prezesów Sądów Okręgowych*) expressed, among others, his concerns regarding the detention of families with children. He underlined that none of the detention centres were an appropriate place for children, and detention may have a negative and irreversible impact on development and psychophysical condition of a child, especially with a traumatic migration experience, as these facilities are not suitable places for children. According to the Commissioner, Border Guards rarely release children whose mental health deteriorated sharply after being placed in a detention centre and justified the hospitalisation.

In the opinion of the Commissioner for Human Rights, the Commissioner for Children's Rights,⁶⁸³ HFHR⁶⁸⁴ and other NGOs in Poland, child detention should be forbidden by law in all cases because detention, regardless of children's migration status and their parents' decisions, can never be in the best interest of a child, violates the children's rights and may have a negative effect on children and their further development.⁶⁸⁵ The CPT recommended Poland avoid detaining families with children in guarded centres for foreigners and ensure that if children are exceptionally placed in a guarded centre, this is for the shortest possible period.⁶⁸⁶

As of 2025, in general, detention decisions still did not consider the best interest of the child and the individual situation of the child.⁶⁸⁷ When placing a child in a guarded centre together with their parents, courts do not mention the children and their personal situation in the justification of the detention decision.⁶⁸⁸ In addition, the courts order detention of families in guarded centres for the maximum period of time allowed, rather than for the shortest period possible.⁶⁸⁹ Children's detention is ordered automatically, without an individual assessment of their situation and needs. Children are not represented by their official legal representative. Detention is not considered as a measure of a last resort, and no assessment is conducted as to whether alternatives to detention could be applied.⁶⁹⁰ Furthermore, justifications for the courts' decisions were adapted from the BG application for placing or prolonging the

⁶⁸¹ Commissioner for Children Rights and for Human Rights, 'The Ombudsman and the Ombudsman jointly appeal to the Prime Minister. This concerns migrating unaccompanied children', 5 November 2024, available in Polish [here](#).

⁶⁸² The CPT visited 3 detention centres in Poland in 2022 – in Wędrzyn, Biała Podlaska and Białystok: CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁶⁸³ Commissioner for Child's Rights, "Wystąpienie do Prezesa Rady Ministrów", 3 December 2018, available in Polish [here](#).

⁶⁸⁴ HFHR, 'Migrant children should not be detained in guarded centres. HFHR intervenes in ECtHR proceedings in connection with the detention of children', 21 June 2023, available in English [here](#).

⁶⁸⁵ HFHR, "Rights of persons deprived of liberty-fundamental legal and practical issues. HFHR perspective", July 2018, available [here](#). Commissioner for Children Rights and for Human Rights, 'The Ombudsman and the Ombudsman jointly appeal to the Prime Minister. This concerns migrating unaccompanied children', 5 November 2024, available in Polish [here](#).

⁶⁸⁶ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁶⁸⁷ Information provided by HFHR and SIP, January 2025, available [here](#); Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 208.

⁶⁸⁸ HFHR, *Poland submissions on ending immigration detention of children to the UN Special Rapporteur on the Human Rights of Migrants*, May 2020, available [here](#); SIP, *Information on the observance of human rights under the UN procedure of the Universal Periodic Review*, March 2022, available [here](#). Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczania cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 109.

⁶⁸⁹ Information provided by SIP, January 2025.

⁶⁹⁰ SIP, 'Another intervention before the ECHR concerning the detention of migrants in Poland', 20 October 2023, available in English [here](#) and [here](#).

detention. Moreover, courts and the Border Guard treat detention as a form of punishment for crossing the border illegally.⁶⁹¹

National caselaw

On 4 November 2025, the Regional Court in Białystok (case no. III Ko 314/25) awarded compensation to a third-country national who had been unlawfully placed in detention for approximately one month despite being an unaccompanied minor. Although the individual possessed documents confirming his age, the authorities relied on a wrist X-ray examination, which ruled him to be an adult without any margin of error indicated in the results.

In a separate case, on 9 December 2025, the District Court in Siedlce (case no. II Ko 160/25) ruled in favour of a minor who had spent two months in the detention centre in Biała Podlaska, having been released by the Border Guard only after his identity and age were confirmed by their national embassy.

In a judgment of 10 April 2023, the Białystok Court of Appeal set the amount of compensation for an Afghan family for unjustified detention to PLN 20,000 (EUR 4,723) per person for 97 days. The Court of Appeal found that the family's detention was justified only for the first month. According to the court, the stay in the guarded centre for foreigners became unjustified after the identity of Mr. and Mrs. K. was confirmed. The court emphasised that the family should have been released from the centre immediately on the day the identity of the parents was confirmed, even if the identification procedure of the children had not been completed at that time. The court also noted that in the case of children, the application of the measure of placement in a guarded centre for foreigners should be limited to exceptional cases. The court also indicated that the amount of PLN 6,500 (EUR 1,535) in compensation awarded by the District Court in Olsztyn was a symbolic amount. The Court of Appeal therefore found that the amount of PLN 20,000 (EUR 4,723) in compensation for each of the applicants would be an appropriate amount, taking into account the negative effects of detention.⁶⁹²

The Regional Court in Lublin⁶⁹³ granted an Iraqi Kurdish woman and her two children PLN 135,000 (EUR 31,881) in compensation for unjustified deprivation of liberty in a guarded centre for foreigners. According to the court, extending the detention of the foreigners after 3 months from their placement in the centre was unjustified because during the first period of detention, the Head of the Office for Foreigners did not conduct any evidentiary activities with their participation. In particular, there was no hearing regarding the reasons for applying for international protection. At the same time, the foreigner did not obstruct the proceedings in any way. The court also referred, among others, to the judgment of the Supreme Court of 20 June 2023, file reference II KK 148/22, which notably indicated that 'guarded centres are not used to intern foreigners for the duration of the consideration of applications for international protection or, in the event of a negative decision on such an application, to ensure effective enforcement of a possible decision to deport the foreigner. These centres cannot therefore be treated as transit camps allowing for the selection of the group of foreigners who will receive a permit to stay in Poland.'

In 2024, the Supreme Court, recognising cassation in the case of compensation for detention, has delivered one of the most important judgments in detention cases in recent years. The case concerned a single mother who was detained for 16.5 months with her young child. The Supreme Court clarifies that should be obvious but are often ignored by Polish courts: any rationale for detention must be proven and courts cannot rely solely 'on presumptions', for detention to be lawful it must be necessary in the particular case, detention of refugees does not have a repressive function, nor is the purpose of its use to protect the borders of the Republic of Poland or the external borders of the European Union, let alone to combat

⁶⁹¹ HFHR, *Research on the applicability of the best interests of the child principle as the primary consideration in detention decisions as well as the alternatives to detention*, 2017; SIP, *Information on the observance of human rights under the UN procedure of the Universal Periodic Review*, March 2022, available [here](#); Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczenia cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 121.

⁶⁹² SIP, '100 thousand złoty of compensation for unfair detention for a family from Afghanistan', file reference II Aka 192/23, 9 August 2024, available in Polish [here](#),

⁶⁹³ Judgment of 29 April 2024, file reference IV Ko 895/23, SIP Newsletter nr 14.

the phenomenon of illegal immigration, the welfare of the child often overlooked in refugee and detention procedures, and should be the overriding value.⁶⁹⁴

On 1 March 2023, the Court of Appeals of Warsaw upheld the judgment of the District Court of Warsaw, awarding a compensation in the amount of PLN 72,500 (EUR 17,121) to a family detained in guarded centre for 2.5 months. The court underlined that, according to ECtHR's jurisprudence, a family should be placed in detention only after having conducted an assessment regarding the possibility of applying less severe measure. The Court rule that the initial decision of issuing the detention order ignored the best interest of a child principle, and evaluated that it had caused a deterioration in the family's mental state, as well as to attend school. Additionally, it was noted that the detainees were stripped naked while being admitted to the detention centre, had limited access to the computer room, their phones were taken from them and they could not move freely in the detention centre.⁶⁹⁵

Cases before the European Court of Human Rights

On 8 January 2026, the ECtHR struck out of the list the cases of *I.A. and Others against Poland* and *H.A and N.H. against Poland*.⁶⁹⁶ The applicants complained, under Articles 2 and 3 alone and in conjunction with Article 13 ECHR, that the Polish authorities had ignored their requests for international protection and that, instead, had pushed them back to the Belarusian side of the border. Since the Belarusian authorities forced them back towards the Polish side, the applicants were stranded in the border forest area without access to medical aid, food, water, and shelter and in harsh weather conditions including frequent rain and low temperatures. They also raised further complaints regarding violations of Art. 5(1)(f), Art. 5(4) and Art. 8(1) of the Convention. The Court received friendly-settlement declarations, signed by the parties, under which the applicants agreed to waive any further claims against Poland in respect of the facts giving rise to these applications, subject to payment by the Government.

In a judgment of 27 November 2025, the ECtHR examined the detention of a Russian national and her infant child in a guarded centre for approximately nine months pending their expulsion from Poland. The Court found that, although the detention was based on domestic law, it was not a measure of last resort as required under Article 5 § 1 (f) of the Convention. The Court highlighted that the detention centre in Biala Podlaska undoubtedly constituted a place of confinement similar, in many respects, to prisons or remand centres. The Court also stated that, as a matter of principle, the detention of young children in **such** facilities must be avoided, and that only short-term placement, in suitable conditions, could be compatible with the ECHR, provided that the authorities establish that they took this measure as a last resort, only after having ascertained that no other measure involving a lesser restriction of freedom could be implemented. Moreover, the Court was not persuaded that due consideration was given to the applicants' state of mental health when assessing whether there were any viable alternatives to detention in a guarded centre. The Court further held that the applicants' detention constituted a disproportionate interference with their right to respect for family life under Article 8 of the Convention, given its excessive duration, the applicants' vulnerability, and the lack of sufficient justification. Accordingly, the Court found violations of Articles 5 § 1 (f) and 8 of the Convention and awarded the applicants, jointly, EUR 15,000 in respect of non-pecuniary damage.⁶⁹⁷

On 10 January 2023, the ECtHR communicated the case *V.M. and Others against Poland*. The case concerns the ongoing detention in **Biała Podlaska** of an Armenian mother and her two children pending their asylum and deportation proceedings. The mother's mental health deteriorated heavily after she had a miscarriage while in detention.⁶⁹⁸ The case is still pending.

⁶⁹⁴ Judgement on behalf of the Republic of Poland of the Supreme Court in a case filed by R. Z. and S. Z. regarding compensation for unjust placement in a guarded centre for foreigners, 20 June 2023, available in Polish [here](#).

⁶⁹⁵ SIP, 'Compensation for unjustified detention of family of three, victims of violence', 25 April 2023, available in Polish [here](#).

⁶⁹⁶ Applications nos.53181/21 and 53566/21, available here in English: <https://bit.ly/4jJgrhM>.

⁶⁹⁷ ECtHR, *K.G. and S.G. v. Poland* (Application no. 62466/19), 27 November 2025, available [here](#).

⁶⁹⁸ ECtHR, *Application no. 40002/22 V.M. and Others against Poland*, lodged on 10 August 2022 communicated on 10 January 2023, available [here](#).

On 9 February 2023, the ECtHR⁶⁹⁹ issued a judgment in *R.M. and Others against Poland*. The Court found that the 7-month detention of the family with children violated the European Convention on Human Rights, specifically the prohibition of unlawful detention and the right to family life. For the first time, the Court noted that failure to inform foreigners about the planned extension of their detention violated their right to a fair procedure. The ECtHR also admitted that the foreigners concerned by the case should know what information about their life, the legal and psychophysical situation is provided to the court - so that they have a chance to supplement it.⁷⁰⁰

In April 2023, the ECtHR communicated the case *M.S.T. and Others against Poland*. The applicants complained that their prolonged detention violated Article 3 of the Convention owing to the nature of detention as such, as well as to the prison-like conditions of the Guarded Centre in **Kętrzyn**, including room sizes of less than 4 m² per person, lack of protection from the summer heat, restriction of outdoor activities, personal inspection upon admission to the centre violating the dignity of the applicants or failure to provide any privacy to conduct their private and family life. the lack of proper psychological and medical care for their mental and physical conditions. They also complain that detention was not a measure of last resort and that neither possibility to apply alternative measures nor the best interest of the child were not taken into account. The applicant also alleged not to have had access to legal representation during the proceedings. They also underlined that court documents were translated into a language they did not understand, the failure to consider requests for evidence relevant to the case and, moreover, the failure to thoroughly examine the possibility of alternative measures to detention and the failure to take into account the best interests of the minor child when making judgments.⁷⁰¹

On 16 May 2023, the European Court of Human Rights (ECtHR) communicated the case of *Z.H.R. and Others v. Poland* concerning detention of an Iraqi national and her two children in the Guarded Centre for Migrants in **Lesznowola** and later in **Biała Podlaska**. The family stayed in the centres for ten months in 2021-2022, despite the mother's deteriorating mental state.⁷⁰²

On 10 July 2023, the ECtHR communicated the case *M.H.D. and Others against Poland* filed by the Iraqi nationals, a married couple with two minor children, who were detained in two detention centres: **Lesznowola** and, subsequently, in **Kętrzyn** for at least six months. They complain about the conditions of their detention in both detention centres, insufficient space in the room, limited time that they could spend outside. Additionally, the applicants who were victims of violence, complained that they were not provided with adequate psychological and medical care, they were twice subjected to personal checks and that they had to strip naked which was particularly humiliating and infringed their dignity. The applicants further complained that the centre was not adjusted to the needs of minor applicants – they indicate that a prolonged stay in the centre was unnecessary and harmful for the psychological development of the children who did not receive adequate medical treatment. Lastly, they complain, that the decisions ordering their detention lacked legal and factual grounds, the review of their appeals against their detention orders was limited in scope and the respective procedure lacked the necessary guaranties.⁷⁰³

In November 2019, a complaint to the UN Human Rights Committee was submitted to challenge another case of child detention. It addressed the detention of an asylum-seeking family (a single father with two children) in the detention centre in **Biała Podlaska** for 10 months, following their Dublin-transfer to Poland in November 2018. In this case, the courts did not properly assess the children's situation and their best interests. The District Court, prolonging the detention of the family, considered only the opinion of the Border Guard stating that there were no contradictions for the further children's stay in the detention centre. Likewise, Border Guard refused to release the family even though the mental condition of the

⁶⁹⁹ ECtHR, *M.R and others against Poland*, Application No 11247/18, lodged on 26 February 2018, available [here](#).

⁷⁰⁰ ECtHR, Application no. 11247/18, Judgment, 9 February 2023, *M.R and others against Poland*, available in French [here](#).

⁷⁰¹ ECtHR, Application 404464/22, *M.S.T. and Others against Poland*, communicated 5 April 2023, available [here](#).

⁷⁰² ECtHR, Application, *Z.H.R. and others v Poland*, communicated 16 May 2023, available [here](#).

⁷⁰³ ECtHR, Application no. 22399/22, *M.H.D. and Others against Poland*, communicated on 10 July 2023, available [here](#).

children was deteriorating. On 10 February 2021, the case was communicated to the Polish government.⁷⁰⁴ The case is still pending as of January 2026.

4. Duration of detention

Indicators: Duration of Detention

- | | |
|--|-----------|
| 1. What is the maximum detention period set in the law (incl. extensions): | 6 months |
| 2. In practice, how long in average are asylum seekers detained? | See below |

The decision to detain an asylum applicant is issued for a period up to 60 days by a court, upon request from the Border Guard.⁷⁰⁵ If a third-country national presents an asylum application during their stay in a detention centre, the period of detention is prolonged only if the [Grounds for Detention](#) of an asylum applicant are met. If so, then the applicant's stay in the detention centre is prolonged for up to 90 days from the day of filing the asylum application,⁷⁰⁶ and if their application is rejected, their stay in detention can be prolonged even if they lodge an appeal against the negative asylum decision. Stay in a detention centre can also be prolonged if before the end of the previous period of detention, the final decision concerning international protection was not issued and the reasons to detain the applicant still exist. In this case, detention can be prolonged by a court for a specified period of time. There are no timeframes set in law other than the maximum total period of detention, which is 6 months for asylum applicants and maximum 18 months for persons facing removal.⁷⁰⁷ Prolongation is not possible if the procedure concerning reasons of detention is still ongoing e.g., delay cannot be attributed to any fault on the part of the applicant.⁷⁰⁸ However, this is not reflected in courts' decisions.⁷⁰⁹

If the asylum proceedings end with a final decision within 6 months of applying for refugee status, asylum applicants can spend their whole asylum proceedings in detention. In practice, it means that third-country nationals do not know how long they will spend in detention centre which causes the distress, anxiety and exacerbates the deterioration of their psychological state. Automatic and long detention of the that third-country nationals,⁷¹⁰ lack of proper psychological assistance has resulted in hunger strikes and suicidal attempts.⁷¹¹

⁷⁰⁴ HFHR, *Pierwsza sprawa z Polski dotycząca detencji cudzoziemców przed Komitetem Praw Człowieka ONZ*, available in Polish [here](#).

⁷⁰⁵ Article 89(1) Law on Protection.

⁷⁰⁶ Article 89(2)-(3) Law on Protection.

⁷⁰⁷ Article 89(4)-(5) Law on Protection; Article 404(5) Law on Foreigners.

⁷⁰⁸ Article 89(4a) Law on Protection.

⁷⁰⁹ SIP, 'Another intervention before the ECHR concerning the detention of migrants in Poland', 20 October 2023, available [here](#) and [here](#).

⁷¹⁰ SIP, 11 September 2024, 'PLN 50,000 compensation for wrongful detention in a guarded center for an Iraqi refugee', available in Polish [here](#); /Regional Court in Łódź, XVIII Ko 30/23, 15 May 2024, mentioned in SIP, 'PLN 12,000 for 53 days of illegal detention in a guarded center for foreigners', 24 June 2024, available in Polish [here](#); HFHR, 11 December 2024, 'Court awards PLN 40,000 compensation to Ethiopian man for wrongful placement in SOC for 179 days', available in Polish [here](#).

⁷¹¹ HFHR, 26 January 2023, 'Hunger strikes in guarded centres for foreigners - position and recommendations of the HFHR', available in Polish [here](#).

C. Detention conditions

1. Place of detention

Indicators: Place of Detention

1. Does the law allow for asylum applicants to be detained in prisons for the purpose of the asylum procedure (i.e. not as a result of criminal charges)? Yes No
2. If so, are asylum applicants ever detained in practice in prisons for the purpose of the asylum procedure? Yes No

There are two types of detention centres in Poland, both used for detaining asylum applicants and third-country nationals subject to return procedures, namely guarded centres and so-called arrest for foreigners centres.

All detention centres are for migration-related purposes and the Border Guard is in charge of their management. Asylum applicants are never placed in regular prisons with ordinary prisoners but are detained together with third-country nationals in an irregular situation in a guarded centre or arrest for foreigners centres. There is no special facility where only asylum applicants are detained.

The design and layout of some of the centres create the impression of a prison-like environment: thick walls, bars in the windows (**Krosno, Białystok, Przemyśl**)⁷¹² (taken off and replaced with special secure windows in 2025 in **Lesznowola, Kętrzyn** and **Biała Podlaska**)⁷¹³ and on the corridors. In addition, all centres are surrounded by high walls topped with barbed wire.⁷¹⁴

On 13 August 2021, a new amendment was introduced to the Ordinance of the Ministry of Interior and Administration of 24 April 2015 on guarded centres and detention centres for foreigners. It allows the placement of detainees in a dedicated room for third-country nationals or in a residential cell, the area of which is not less than **2 sqm** per person, if the following conditions are fulfilled:

- ❖ There are no vacancies in rooms for foreigners,
- ❖ Placement is for a specified period of time,
- ❖ This cannot last longer than 12 months.⁷¹⁵

This regulation is still in force, despite the CPT recommending to restore the minimum standard of living space to 4 m² per detainee in multiple-occupancy rooms in guarded centres for foreigners.⁷¹⁶

As a consequence of this and other factors (e.g. containers), the capacity of detention centres increased in 2025. As of 26 September 2025, 1,167 places were available in detention centres, compared to 805 as of 31 December 2024. Containers for migrants were introduced again in **Lesznowola** and **Kętrzyn**.⁷¹⁷

All detention centres were overcrowded.⁷¹⁸

⁷¹² Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷¹³ Information provided by different divisions of Border Guard, 2026.

⁷¹⁴ Information BG, Przemyśl 10 March 2023, Krosno 3 March 2023.

⁷¹⁵ Previously, the minimum was 4 sqm.

⁷¹⁶ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁷¹⁷ Information provided by Border Guards Headquarters, March 2026.

⁷¹⁸ Data received from Chief Commander of Border Guard as a response to request for public information no. KG-OI-VIII.0180.192.2025, September 2025 The Ombudsman 'The issue of capacity in secure centres for foreigners. Response from the Ministry of the Interior and Administration', 1 October 2025, available in Polish: *Sprawa pojemności strzeżonych ośrodków dla cudzoziemców. Odpowiedź MSWiA*

1.1. Guarded centres

At the end of 2025 there were 5 guarded detention centres in Poland. **Białystok, Przemyśl, Kętrzyn, Biała Podlaska** and **Krosno Odrzańskie** (closed for renovation in September 2024), and **Lesznowola** were for men. Women, married couples, unaccompanied children and families with children were placed in **Lesznowola** (new separate building from men which are also detained in the facility).

Detention centres for foreigners are located in:

Centre	2022		2023		2024		2025	
	Capacity	Occupancy at end of year	Capacity	Occupancy at end of year	Capacity	Occupancy at end of year	Capacity	Occupancy at end of year
Biała Podlaska	130	74	130	103	100	90	105	98
Biała Podlaska (adapter open centre)	0	0	-	-	-	-	-	-
Białystok Czerwony Bór	159 0	155 0	159 -	57 -	159	125	159	143
Lesznowola	392	158	200	48	267	87	392	212
Kętrzyn	220	48	137(10)	129	108	98 (144 as of 30.06.24)	205	189
Krosno Odrzańskie Wędrzyn	80	79	80 -	80 -	0	0 as it was closed for renovation, but at the end of June 2024 there were 79 persons	n/a	n/a
Przemyśl (guarded centre)	147	131	147 ⁷¹⁹	131	147	106	147	133
Przemyśl (Arrest for Foreigners)	24	8	24	9	24	9	24	20
Total	1,152	535	877	509	805		1,032	795

Source: Border Guard, 1 February 2022, 29 March 2022, 25 January 2023, 7 March 2023, 12 February 2024, Headquarters 21 March 2024. Information from different Border Guard units, 2026.

According to the Border Guard, it is possible to change room upon justified demand, depending on availability and safety reasons.⁷²⁰

In 2025, the following number of applications for international protection were submitted from detention centres: 188 in Przemyśl, 167 in Białystok, 189 in Biała Podlaska, 419 in Lesznowola and 164 in Kętrzyn.

⁷¹⁹ Since 1 February 2024 – 93 places in detention centre in Przemyśl.

⁷²⁰ Information provided different Border Guards Units, 2026.

1.2. “Arrest for Foreigners” (areszt dla cudzoziemców)

There is only one arrest for Foreigners centre in **Przemyśl**. As of the end of 2025, there were 24 places in Przemyśl for men and women.⁷²¹ 80 people were placed there throughout 2025.⁷²² The building is single unit with a separate entrance. The facility is covered by video surveillance that includes residential cells, public areas and the outside area 24 hours per day.⁷²³

An asylum applicant can be placed in a more rigorous detention centre / arrest for foreigners only if there is a risk that they will not obey the rules in force in a guarded centre or the applicant has already disobeyed these rules.⁷²⁴ These detention centres are more prison-like than guarded centres. An asylum applicant placed in such a centre cannot freely move around (they are closed in the ward). In practice, it means that detainees have to stay in a cell for most of the day and have limited access to additional activities. Asylum applicants have limited access to the internet and the phone. They have to knock at the door to be taken to the toilet, in some cases having to wait for a long period of time.⁷²⁵

The Commissioner for Human Rights has pointed out that the very mode of placing third-country nationals in arrest for foreigners centres raises concerns. The risk that a person may not adhere to the rules of stay is considered to be a sufficient ground for placing in this type of facility. However, the concept of "risk" is vague. If it does not have to be assessed on the basis of the facts of a specific case, it may lead to abuse of detention.⁷²⁶

Previously, the NPM analysed court decisions on the detention of foreigners in the Guarded Centre and Detention Centre for Foreigners in **Przemyśl**. It found that arguments deemed sufficient to bypass guarded centres and place directly in the arrest for foreigners centre included crossing the border in violation of the law, lack of documents or the assumption that Poland was supposed to be a transit country for the person. It did not appear from the documentation that the persons actively resisted arrest or demonstrated in any way that they would not comply with the regulations of the guarded centre. According to the Commissioner, the risk of non-compliance with the rules of stay in a guarded centre should be real and examined on a case-by-case basis, based on the specific attitude and behaviour of the foreigner.⁷²⁷

2. Conditions in detention facilities

Indicators: Conditions in Detention Facilities

- | | | |
|---|---|--|
| 1. Do detainees have access to health care in practice? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| ❖ If yes, is it limited to emergency health care? | <input type="checkbox"/> Yes | <input checked="" type="checkbox"/> No |

The Law on Foreigners contains a section on detention conditions, rights and obligations of foreigners.⁷²⁸ Some practices relating to the functioning of the centres have now been framed into legal provisions.

⁷²¹ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#). Information provided by the Bieszczadzki Border Guard Unit, 2025.

⁷²² Information provided by the Border Guards Headquarters, March 2026.

⁷²³ Information provided by BG, 10 March 2023.

⁷²⁴ Article 88a(2) Law on Protection.

⁷²⁵ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷²⁶ Commissioner for Human Rights, 'Visit in detention centre in Przemyśl', 8 February 2022, available in Polish [here](#).

⁷²⁷ Commissioner for Human Rights, *Cudzoziemcy zbyt łatwo trafiają do aresztu – zamiast do ośrodka. Wystąpienie do MSWiA, Foreigners are too easily taken into custody - instead of a centre. Submission to the Ministry of the Interior and Administration*, available in Polish [here](#), NPM, Report on a visit in Przemyśl, 30 January 2023, available in Polish, [here](#).

⁷²⁸ Articles 410-427 Law on Foreigners.

Use of force

Direct coercive measures were used 78 times in **Przemyśl**,⁷²⁹ once in **Kętrzyn**,⁷³⁰ 371 times in **Lesznowola**,⁷³¹ 45 times in **Białystok**.⁷³² In **Biała Podlaska** handcuffs and physical force were used 11 times.⁷³³

In April 2023, the death of a Syrian man in the detention centre of Przemyśl was reported. An investigation regarding the actions of the border guard and of medical services that came to the centre to provide assistance was ongoing as of January 2026.⁷³⁴

The Ombudsman's Office investigated the use of a direct coercive measure in the detention centre of Przemyśl – an electric stun gun against one of the centre's occupants. An investigation was launched in this case on the grounds of the border guard officer involved exceeding his authority,⁷³⁵ but the case was dismissed through a court decision which is now final.⁷³⁶ The person who was attacked by this officer was found guilty of making criminal threats to the Border Guard Officer in the canteen in 2022. The ruling was not appealed and became final. However, the Polish Ombudsman filled a cassation appeal to the Supreme Court and the Supreme Court overturned the court decision.⁷³⁷

In 2023 and in 2025, the NPM noticed improper documentation of the use of direct coercive measures in detention centre of **Przemysl**, both in terms of the application of the direct coercive measure itself, as well as the reasons, circumstances and effects of its use. The NPM also recommended that each person subject to isolation be provided first medical aid and a medical examination immediately after being placed in the isolation room, and then at least once during each subsequent 24-hour period,⁷³⁸ and to provide preventive medical examinations to people exposed to pepper gas, regardless of the officer's assessment of the health condition of that person⁷³⁹ and regardless of whether they request medical assistance or complain of any health problems, in order to assess their state of health and document any injuries. This should moreover be recorded in proper documentation.⁷⁴⁰

According to law, the personal inspection of foreigners admitted to detention centres, performed by the Border Guard, should take place in a room ensuring sufficient privacy for the detainee. Searches should be carried out in a place that is inaccessible to outsiders during the procedure. According to the experts of NPM, these standards were not met in the detention centre in Przemyśl: for example there were other people in the room at all times or entering during the search). They also underlined that rules on the rights of people who have been subjected to a personal search lacked several important pieces of information. Namely, there was no clear indication that a foreigner may request that a report on the personal inspection

⁷²⁹ Information provided by Bieszczadzki Border Guard Unit, 16 February 2026.

⁷³⁰ Information provided by Warmińsko-Mazurski Border Guard Unit in Kętrzyn 21 January 2026.

⁷³¹ Information provided by Nadwiślański Border Guard Unit, 21 January 2025.

⁷³² Letter of Podlaski Border Guard Unit, in Białystok, 21 January 2026.

⁷³³ Letter of Nadbużański Border Guards Unit, 13 February 2024.

⁷³⁴ Polish Press Agency, PAP, 26 January 2024, 'Investigation into the death of 28-year-old Syrian in a guarded centre for foreigners. Prosecution seeks medical experts', available in Polish [here](#).

⁷³⁵ RPO, 'Unjustified use of a stun gun by a Border Guard officer against a foreigner. Ombudsman requests investigation', 9 March 2023, available in Polish [here](#).

⁷³⁶ Commissioner for Human Rights, 'The court dismissed the RPO's complaint against the discontinuation of the investigation into the unjustified use of a stun gun by a Border Guard officer against a foreigner', available in Polish [here](#).

⁷³⁷ Commissioner for Human Rights, 'Guinean national sentenced after incident in Guarded Centre for Foreigners. The Supreme Court overturned the verdict after a cassation appeal by the RPO', 19 April 2024, available in Polish [here](#).

⁷³⁸ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 60 and 64ff. The visit took place in May 2025.

⁷³⁹ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷⁴⁰ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 60. The visit took place in May 2025.

be drawn up, nor does it specify which aspects of the inspection a foreigner may complain about and what these aspects actually consist of.⁷⁴¹

2.1. Overall conditions

At the end of 2025 there were 5 detention centres (**Białystok**, **Kętrzyn**, **Biała Podlaska**, **Przemyśl**, **Lesznowola**, with **Krosno Odrzańskie** closed for renovation).

Generally, detainees are accommodated in rooms which cannot be locked at night for security matters.⁷⁴²

In some detention centres, the food is provided by external providers (**Biała Podlaska**), while in others it is prepared in the centres (e.g., in **Białystok**). There are specialised diets available e.g., vegetarian, vegan, adapted to Muslims, adapted to pregnant or breastfeeding women or diabetics. Other diets may be prescribed by a physician and should be followed accordingly.

The main equipment in a room consists of beds (from 3 to 9 i.e. in Przemyśl),⁷⁴³ small wardrobes and a small table.

If detainees cannot have all their belongings in their room, they have to place them in the external storage space in the centre. Some of their belongings are also placed there for safety reasons and can be accessed only upon request.

In **Lesznowola**⁷⁴⁴ and **Biała Podlaska**,⁷⁴⁵ there is a television in each room, gym, and outdoor pitch.

Furthermore, the detention centres look like prisons and criminal detention centres in **Krosno**, **Białystok**, and **Przemyśl** where rooms have barred windows.⁷⁴⁶ According to the Border Guards, bars on windows taken off and replaced with special secure windows in 2025 in **Lesznowola**, **Kętrzyn** and **Biała Podlaska**.⁷⁴⁷ Representatives of the Commissioner for Human Rights also conducted inspections of the detention centre in Przemyśl in 2023 and in 2025. They pointed out that bars are still installed on the windows, emphasising the penitentiary nature of the facility.⁷⁴⁸ Up to currently, there are reports that Border Guards address detainees using their identification numbers, or the name of their country of origin and “you”.⁷⁴⁹

Arrest for foreigners centres are more prison-like than guarded centres. An asylum applicant placed in such a centre cannot freely move around (they are closed in the ward). In practice, it means that detainees have to stay in a cell for most of the day and have limited access to additional activities. Asylum applicants

⁷⁴¹ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 60ff. The visit took place in May 2025.

⁷⁴² CPT Report 2018, available [here](#).

⁷⁴³ Information provided by the Border Guard in Przemyśl, February 2026.

⁷⁴⁴ Commissioner for Human Rights, visit in detention centre in Lesznowola on 8 February 2022, available in Polish [here](#). Information provided by different Border Guards Units in 2025.

⁷⁴⁵ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#). CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#). Information provided by the Nadwiślański Border Guard Unit, 7 February 2025.

⁷⁴⁶ Information provided by the Border Guards Headquarters, March 2026.

⁷⁴⁷ Information provided by different divisions of Border Guard, 2026.

⁷⁴⁸ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷⁴⁹ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#). Information provided by HFHR and sIP, March 2025.

have limited access to the internet and the phone. They have to knock at the door to be taken to the toilet, in some cases having to wait for a long period of time.⁷⁵⁰

According to the Commissioner for Human Rights, sanitary and prison-like living conditions are not adequate and do not meet international standards of the rights of persons in administrative detention.⁷⁵¹ The facility needs urgent renovation works. One of the problems is the lack of sanitary corners in cells, requiring detainees to call an officer every time they need to use the toilet. In case of high occupancy in the facility, this can result in prolonged waiting times to deal with physiological needs.⁷⁵² The living cells are constantly monitored and furniture items are permanently fixed to the floor.⁷⁵³

According to the European Commission, the Polish authorities should ensure that the regime applicable to the detention of foreigners placed in the 'arrest for foreigners' in Przemyśl is adjusted to reflect the administrative nature of their detention, and take appropriate measures to ensure the conditions in the facility guarantee adequate privacy and effective access to leisure activities in accordance with the provisions of the Directive 2008/115/EC.⁷⁵⁴

Persons detained have a right to use two walking yards, twice a day for one hour.

2.2. Activities and education

In some detention centres, the open-air space is of adequate size and sufficient recreational facilities are provided. In practice, detainees can do outdoor exercises regularly. Detainees can watch television without any limitations, including until late at night.⁷⁵⁵ Regarding the 'arrest for foreigners' centre in Przemyśl, the European Commission recommended that the Polish authorities take the appropriate measures to ensure effective access to leisure activities in accordance with the provisions of the Directive 2008/115/EC.⁷⁵⁶

It is worth noting that foreigners are under constant supervision of the Border Guard officer.

On 27 January 2017, the Border Guard Chief Commander ordered the blocking of sites with presumed terrorist-related and extremist content, social media and instant messaging platforms such as WhatsApp, and Messenger. New technologies such as VoIP (Voice over Internet Protocol) are also forbidden for security reasons even though the CPT recommended that this kind of communication be available for use by foreigners in detention centres.⁷⁵⁷ On the other hand, foreigners placed in some detention centres can use WhatsApp or TEAMS.⁷⁵⁸

⁷⁵⁰ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷⁵¹ Ibid.

⁷⁵² Ibid.

⁷⁵³ Commissioner for Human Rights, *Cudzoziemcy zbyt łatwo trafiają do aresztu – zamiast do ośrodka. Wystąpienie do MSWiA*, Foreigners are too easily taken into custody - instead of a centre. Submission to the Ministry of the Interior and Administration, February 2023, available in Polish [here](#), Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷⁵⁴ European Commission, *Schengen Evaluation of Poland*, 2024, Executive summary & recommendations, available [here](#).

⁷⁵⁵ Information provided by the Border Guard, 2023. *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 21. The visit took place in May 2025.

⁷⁵⁶ European Commission, *Schengen Evaluation of Poland*, 2024, Executive summary & recommendations, available [here](#).

⁷⁵⁷ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 11 to 22 May 2017*, 25 July 2018, available [here](#), 28. See also Commissioner for Human Rights, *Wyciąg Strzeżony Ośrodek dla Cudzoziemców w Białej Podlaskiej*, 7 January 2019, available (in Polish) [here](#).

⁷⁵⁸ Information provided by the Border Guard Headquarters, March 2026, Border Guards in Przemyśl 2026.

Moreover, detainees cannot use their smartphones with access to the Internet, which means that access to the Internet is possible only in dedicated rooms with computers.⁷⁵⁹

Not all detainees have phones or SIM cards and there are no publicly available telephones. They can request to use a cell phone at the disposal of Border Guards⁷⁶⁰ only if they have a sim card. According to the NPM, domestic legal regulations restrict the use of cell phones for foreigners in detention facilities who do not have identity documents as the law requires that individuals possess a passport or residence card to register the SIM card. Additionally, migrants have to cover the phone costs and it was pointed out that in the case of migrants who do not have financial means in the detention centre, their right to have contact with the outside world can be restricted.⁷⁶¹

In some centres, there are libraries with books in several languages, for example in Russian, English, and French. There are also popular games to play (e.g., chess, cards). At the same time, according to the Commissioner for Human Rights, foreigners complained that additional activities are rarely organised and that they feel bored.⁷⁶² The CPT recommended to put in place a purposeful programme of a structured activities for detained foreigners, including pre-school age children, in all guarded centres.⁷⁶³ Detention centres provide rooms for religious practices.⁷⁶⁴

In all centres, each asylum applicant and the irregular migrant has an officer appointed to their case with a scheduled meeting to discuss their case.

The rules of stay in the detention centres are available in 17-25 languages: Arabic, English, Ukrainian, Russian, French, Armenian, Chinese, Georgian, Hindi, Spanish, Mongolian, Persian, Turkish, Farsi, Urdu, Bengali and Vietnamese⁷⁶⁵, Kurdish in some centres,⁷⁶⁶ Albanese, Belarusian, German, Armenian⁷⁶⁷ Amhara, Tigrinia Sorani, Pendzabi.⁷⁶⁸

According to the CPT, specific attention should be paid to the situation of those detainees who are illiterate or who cannot understand any language in the written form.⁷⁶⁹

Children staying in the guarded centres are – like all other children staying in the territory of Poland – subject to obligatory education until they are 18. However, this obligation, set in the Polish Constitution,

⁷⁵⁹ See also Amnesty International, *Poland: Cruelty Not Compassion, At Europe's Other Borders*, 11 April 2022, available [here](#). Border Guards Headquarters, 7 March 2025.

⁷⁶⁰ Letter of Border Guards in Chełm, 6 February 2025.

⁷⁶¹ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁷⁶² Commissioner for Human Rights, Letter to the Regional Courts, 25 January 2022, available [here](#). See also: Amnesty International, *Poland: Cruelty Not Compassion, At Europe's Other Borders*, 11 April 2022, available [here](#). CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#). Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#).

⁷⁶³ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁷⁶⁴ Supreme Audit Office, NIK, 'Przygotowanie organów państwa na wypadek masowego napływu cudzoziemców do Polski [Preparation of state bodies in case of a mass influx of foreigners to Poland]', 22 November 2022, available in Polish [here](#);

⁷⁶⁵ Information provided by the Border Guard, 16 February 2026.

⁷⁶⁶ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available in English, [here](#). Letter from Podlaski Border Guard Unit, 6 February 2025.

⁷⁶⁷ Letter from Bieszczadzki Border Guard Unit, 16 February 2026.

⁷⁶⁸ Letter from Nadwiślański Border Guard Unit, 7 February 2025.

⁷⁶⁹ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available in English, [here](#).

is not fulfilled in the case of children staying in guarded centres.⁷⁷⁰ None of the children staying there attends school.⁷⁷¹ Schools near the detention centre delegated teachers to work in detention facilities. Special classrooms are prepared in these centres. This is the result of agreements between the Border Guard, educational institutions and local authorities.⁷⁷²

2.3. Health care and special needs in detention

According to the law, all detainees have access to regular health care.⁷⁷³ Generally, physicians and nurses are hired to work in detention centres. Unfortunately, in some detention centres access to the independent psychologists – especially if provided by NGOs – is significantly restricted.⁷⁷⁴ In 2025 there was no NGO providing psychological assistance in detention centres directly or online, inter alia due to funding issues, issues in accessing detention centres, etc.⁷⁷⁵ Difficulties in accessing female physicians, paediatricians and gynaecologists were also observed.⁷⁷⁶

In some detention centres nurses are present daily from 7.30 a.m. until 9.30 p.m. According to law, a person admitted to a guarded centre should be immediately subjected to a medical examination.

In case of an emergency or the need for a specialist (e.g. gynaecologist), detainees are transferred to hospitals or clinics. Migrants also faced problems to have an external visit at their own expense with a physician of their choice as the director of the detention centre had to issue consent to such a consultation.⁷⁷⁷

The NPM recommended that the Border Guards raise the number of medical staff hired in detention centres, ensure that families with children and single women have access to paediatricians, genealogists and ensure migrants' right to choose a physician. The approval of that choice should not depend on the opinion of the medical staff employed at the centre. Another recommendation was to ensure presence of a person trained in first aid also at night in detention centres (a person who holds a valid certification in the application of cardiopulmonary resuscitation and the use of an automated external defibrillator).⁷⁷⁸

The CPT recommended that the Polish authorities put an immediate end to the use of restraint beds in detention facilities for foreigners and remove them from detention centres.⁷⁷⁹

⁷⁷⁰ Commissioner for Human Rights, *Foreigners in administrative detention. Results of the KMPT monitoring in guarded centres for foreigners in Poland*, March 2021, available in Polish [here](#). Commissioner for Human Rights, Letter to the Regional Courts, 25 January 2022, available [here](#); SIP, *We present our comments to the European Commission Against Racism and Intolerance*, 15 June 2022, available [here](#).

⁷⁷¹ SIP, 'We intervene before the UN Committee on Economic, Social and Cultural Rights', 5 September 2024, available in Polish [here](#).

⁷⁷² Letter from Nadwiślański Border Guard Unit, 7 February 2025.

⁷⁷³ Articles 415(1)(5) and 417 Law on Foreigners.

⁷⁷⁴ Information provided by PFM, RPO, Pomoc psychologiczna w strzeżonych ośrodkach dla cudzoziemców – także ze strony NGO-sów, Commissioner for Human Rights, March 2023, available in Polish, [here](#). RPO, October 2022 available in Polish, [here](#).

⁷⁷⁵ Information provided by NGOs in the field, January 2025.

⁷⁷⁶ FIPP, March 2024; *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁷⁷⁷ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁷⁷⁸ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁷⁷⁹ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

The NPM has also recommended that the scope of the medical examination and the medical certificate refer to detention and assess whether there is a reasonable presumption of subjection to violence.⁷⁸⁰ Body maps should be used during examinations of all third-country nationals and medical checks of body marks as marks of violence, including torture should be performed.⁷⁸¹ The practice of body maps was introduced in the detention centres in **Biała Podlaska**, **Kętrzyn**, and **Przemysł**.⁷⁸²

The NPM recommended also that the detention centre in Przemysl develop an examination methodology to identify victims of torture, including through skin inspection, as well as the documentation of identified injury traces in accordance with the instructions of the Istanbul Protocol, and reorganise their method for storing medical records of third-country nationals, in a way that ensures the preservation of the chronology of documents and prevents their loss.⁷⁸³ For example, the NPM reported in 2023 that a victim of torture was placed in the arrest for foreigners centre in Przemysł, with the guidelines not applied in his case.⁷⁸⁴

The CPT recommended that medical screening upon admission to a detention centre should include recording of any signs of injury, together with any relevant statements of the detained person and the doctor's conclusions. A dedicated register on injuries observed during admission and detention should be put in place and attention should be paid to the possible existence of traumatic psychological disorders and signs of victimisation. Furthermore, special training should be provided to healthcare professionals working in guarded centres for foreigners which should cover the technique of interviewing persons who may have been subject to ill-treatment.⁷⁸⁵

The NPM also recommended ensuring that :

- ❖ medical examinations take place out of sight and earshot of persons who are not medical professionals, unless the healthcare professional performing the examination requests their presence;⁷⁸⁶
- ❖ third-country nationals subject to isolation be provided first medical aid and a medical examination immediately after being placed in the isolation room, and then at least once during each subsequent 24-hour period,⁷⁸⁷
- ❖ all third-country nationals who has been subjected to direct coercive measures be given a preventive medical examination, regardless of whether they require medical assistance or complain of any health problems, in order to assess their state of health and document any injuries, and that this information is properly recorded in documentation.⁷⁸⁸

⁷⁸⁰ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemysł*, 3 September 2025, available in Polish [here](#). The visit took place in May 2025.

⁷⁸¹ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#);

⁷⁸² Information provided by Border Guard Units in 2026.

⁷⁸³ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemysłu*, 12 January 2024, available in Polish [here](#) ; RPO, *Notatka służbowa z wizytacji KMPT w Strzeżonym Ośrodku i Areszcie dla Cudzoziemców w Przemysłu. Styczeń 2023*, [Note from the NPM's visit to the Guarded Centre and Arrest for Foreigners in Przemysł], 30 January 2023, available in Polish [here](#).

⁷⁸⁴ RPO, *Notatka służbowa z wizytacji KMPT w Strzeżonym Ośrodku i Areszcie dla Cudzoziemców w Przemysłu. Styczeń 2023*, [Note from the NPM's visit to the Guarded Centre and Arrest for Foreigners in Przemysł], 30 January 2023, available in Polish [here](#).

⁷⁸⁵ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available in English, [here](#).

⁷⁸⁶ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemysł*, 3 September 2025, available in Polish [here](#), 56, 59,73. The visit took place in May 2025.

⁷⁸⁷ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemysł*, 3 September 2025, available in Polish [here](#), 60 and 64ff. The visit took place in May 2025.

⁷⁸⁸ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemysł*, 3 September 2025, available in Polish [here](#). The visit took place in May 2025.

The issue of access to psychological assistance in detention centres is extremely severe.⁷⁸⁹ According to the NPM, in Poland, there is a systemic, long-lasting problem of identification of persons who have experienced torture or any other form of physical, psychological or sexual violence.⁷⁹⁰ The detention centre staff, including psychologists, are not properly prepared to identify victims of torture and inhumane treatment and do not know or do not use the content of the Istanbul Protocol.⁷⁹¹

In September 2015, the Border Guard prepared a document entitled “Rules of BG proceedings with foreigners who need special treatment (algorithm)” because there is no definition of persons who need special treatment and there are no methods for their identification set out in law. The guidelines consist of: (i) a definition of foreigners who require special treatment, (ii) a list of persons involved in the identification, (iii) a set of solutions which simplify identification, (iv) a procedure which should be implemented before a foreigner is placed in the detention centre and (v) a procedure when a foreigner is already in detention. However, early identification of victims of torture and violence is not carried out during the preliminary examination of a foreigner on admission in practice. This document was modified in June 2019, based only on an internal consultation with the Border Guard. In the opinion of NPM, the document still needs improvements⁷⁹² as it is inconsistent with Polish law, the Istanbul Protocol and other international standards. These guidelines do not allow for the immediate release of foreigners who are alleged victims of violence from the guarded centre (see [Detention of vulnerable applicants](#)).

Interpretation

According to the CPT’s report, medical confidentiality was generally respected by staff in the detention centre, but due to language barriers and a lack of professional interpretation arrangements, translations during the medical checks were done in the presence and assistance of the other detained foreigners. Thus, the CPT recommended ensuring that qualified interpretation is available in all cases when there is a language barrier and the healthcare professional is unable to make a proper diagnostic evaluation and/or communicate treatment need. Additionally, the Committee highlighted that interpretation by a fellow detainee should be avoided by all means.⁷⁹³

Still in 2025, in Przemyśl, other detainees or Border Guards serve as interpreters between detainees and medical staff. A Border Guard officer is usually present during medical consultations. The National Prevention Mechanism (NPM) recommended that sworn translators be used for medical, psychological, and legal consultations with third country nationals whenever there is a language barrier. The NPM also recommended ensuring that medical examinations take place out of sight and earshot of persons who are not medical professionals, unless the healthcare professional performing the examination requests their presence.⁷⁹⁴

⁷⁸⁹ Commissioner for Human Rights / RPO, *Pomoc psychologiczna w strzeżonych ośrodkach dla cudzoziemców – także ze strony NGO-sów*, 9 March 2023, available in Polish [here](#); RPO, 17 October 2022 available in Polish [here](#).

⁷⁹⁰ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷⁹¹ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus]*, Report NPM, 15 June 2022, available in Polish [here](#); *Krajowy Mechanizm Prewencji KMP.572.6.2023.MD, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka i Aresztu dla Cudzoziemców w Przemyślu*, 12 January 2024, available in Polish [here](#).

⁷⁹² Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus]*, Report NPM, 15 June 2022, available in Polish [here](#).

⁷⁹³ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁷⁹⁴ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#), 56, 59,73. The visit took place in May 2025.

Psychological care

Additionally, the CPT noted that none of the centres⁷⁹⁵ benefitted from regular visits by a psychiatrist, and there were no clinical psychologists in any of the healthcare teams. Psychologists employed by the Border Guard formed part of the administrative staff and were usually not involved in any therapeutic work. Consultations by an external psychologist could be organised on an ad hoc basis, based upon the recommendation of health-care professionals or upon request by the detained foreign nationals, their lawyers or NGO representatives supporting the detained persons.⁷⁹⁶ Unfortunately, in some detention centres access to the independent psychologists – especially if provided by NGOs – is significantly restricted.⁷⁹⁷ In 2025 there was no NGO providing psychological assistance in detention centres directly or online, inter alia due to funding issues, issues in accessing detention centres, etc.⁷⁹⁸

According to NGOs, as of 2025 psychologists and interpreters were available in the premises of the Head of the Office for Foreigners⁷⁹⁹ or in a different place, but not in the centre where the individual is detained.

NGOs have highlighted the insufficient access to medical and psychological care in detention centres.⁸⁰⁰

In 2025 in a guarded centre in **Kętrzyn**, one psychologist officer were available full-time.⁸⁰¹

In **Przemyśl**, psychologists (one internal and one external) are available around 20 hours a month.⁸⁰²

In **Biała Podlaska** detention centre there are two psychologists hired full-time: a civil worker and a border guard officer. Additionally, the external psychologist was hired for 4-8 hours a week to primarily provide psychological consultations.⁸⁰³

In **Lesznowola**, a full-time psychologist who is also a Border Guard officer was hired, and there is one external psychologist available upon request, typically 1-2 times per week.⁸⁰⁴

In **Białystok**, there were 2 psychologists – one external (available 3 times a week and at the request) and one internal, full time.⁸⁰⁵

In practice, the limited access to independent psychological care raises great concerns.⁸⁰⁶ The Border Guards refused to allow psychologists to hold meetings with specific individuals in 2023 in detention centres, declaring that foreigners have access to psychological care in detention centres.⁸⁰⁷ In 2025 there was no NGO providing psychological assistance in detention centres directly or online, inter alia due to funding issues, issues in accessing detention centres, etc.⁸⁰⁸

⁷⁹⁵ In Białystok, Biała Podlaska and Wędrzyn.

⁷⁹⁶ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁷⁹⁷ Information provided by PFM, RPO, *Pomoc psychologiczna w strzeżonych ośrodkach dla cudzoziemców – także ze strony NGO-sów*, Commissioner for Human Rights, March 2023, available in Polish, [here](#). RPO, October 2022 available in Polish, [here](#).

⁷⁹⁸ Information provided by NGOs in the field, January 2025.

⁷⁹⁹ Information provided by Association for Legal Intervention, 12 March 2026.

⁸⁰⁰ SIP, 'We intervene before the UN Committee on Economic, Social and Cultural Rights', 5 September 2024, available in Polish [here](#). Information from different Border Guards units, 2026.

⁸⁰¹ Information of Warmińsko-Mazurski Border Guards Unit, 21 January 2026.

⁸⁰² Information provided by the Bieszczadzki Border Guard Unit, 16 February 2026.

⁸⁰³ Letter from the Nadbużański Border Guard Unit, 19 January 2026.

⁸⁰⁴ Information provided by the Nadwiślanski Border Guard Unit, 21 January 2026.

⁸⁰⁵ Letter of Podlaski Border Guards Unit, 21 January 2026.

⁸⁰⁶ See also: Amnesty International, *Poland: Cruelty Not Compassion, At Europe's Other Borders*, April 2022, available [here](#).

⁸⁰⁷ Information from PFM, March 2023; Commissioner for Human Rights / RPO, *Pomoc psychologiczna w strzeżonych ośrodkach dla cudzoziemców – także ze strony NGO-sów*, 9 March 2023, available in Polish [here](#); RPO, 17 October 2022, available in Polish [here](#).

⁸⁰⁸ Information provided by NGOs in the field, January 2025.

The Commissioner for Human Rights reported many irregularities regarding psychological assistance and underlined that the number, frequency and description of the consultations showed that they were only preliminary interviews and diagnoses, and that long-term psychological support was not provided. Additionally, the Commissioner pointed out that the fact that only one psychologist provides psychological assistance in detention centres limits the availability of psychological support. There is a high risk that this psychologist will not be available when support during a foreigner’s mental crisis is needed and there will be no one who could substitute them and provide psychological assistance. Moreover, detainees should be able to choose a psychologist. Otherwise, a detainee who is unable to trust an available psychologist will not have access to effective psychological support. A person who does not feel comfortable in the presence of a particular psychologist will not take advantage of the support. Regardless of their competence, a psychologist may not be the right person to provide support in a particular case because of their age, gender, appearance or even way of speaking. In a situation of a multicultural population in detention centres, the human factor plays an even more important role and the more difficult it can be to build trust. Therefore, it is very important to be able to get psychological help from more than one person. When there is no alternative, when a person is not able to trust the only psychologist providing support in a given centre, psychological care will no longer be realistically available.⁸⁰⁹

3. Access to detention facilities

Indicators: Access to Detention Facilities

1. Is access to detention centres allowed to

- | | | | |
|-------------------|---|----------------------------------|-----------------------------|
| ❖ Lawyers: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ NGOs: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ UNHCR: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |
| ❖ Family members: | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> Limited | <input type="checkbox"/> No |

The law allows lawyers, NGOs and UNHCR to access detention centres.⁸¹⁰ Detained asylum applicants are entitled to maintain contacts with UNHCR, attorneys, relatives and organisations dealing with asylum issues or granting assistance (directly and by using correspondence and telephone call) during visiting hours. Meetings with third-country nationals’ legal representative should be held in conditions that do not violate their right to privacy.⁸¹¹

Direct contact with UNHCR and organisations can be limited or restricted completely by the head of the detention centre if it is necessary to ensure safety and public order or to observe the rules of stay in the detention centre. The decision of the head of the centre is final.⁸¹² The Head of the Office for Foreigners and UNHCR should be informed about it.⁸¹³ On the other hand, direct contact with NGOs by foreigners who are detained and have not applied for international protection, cannot be restricted according to law.⁸¹⁴

Since 2022, NGOs visit detention centres regularly, funded by other sources of financing. There is no state-founded systemic legal assistance to foreigners granted by law.⁸¹⁵ The CPT has underscored that there should be access to the public fund legal assistance.⁸¹⁶

⁸⁰⁹ Commissioner for Human Rights, *Foreigners in administrative detention. Results of the KMPT monitoring in guarded centres for foreigners in Poland*, March 2021, available in Polish [here](#).

⁸¹⁰ Article 415(1)(2), (3) and (19) Law on Foreigners and Article 89a(1)(2) Law on Protection.

⁸¹¹ Article 415(1)p.3) Law on Foreigners.

⁸¹² According to the Law on Protection, it will be possible only to limit such contact.

⁸¹³ Article 89a(1) and (2) Law on Protection.

⁸¹⁴ Article 415(1a) Law on Foreigners.

⁸¹⁵ Commissioner for Human Rights, *Foreigners in administrative detention. Results of the KMPT monitoring in guarded centres for foreigners in Poland*, March 2021, available in Polish [here](#).

⁸¹⁶ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

There are no limitations concerning the frequency of such visits. Journalists and politicians have access to detention centres under general rules, they have to ask for the consent of the SG unit managing the detention centre.

In practice, NGOs who want to meet with more than one or with unspecified asylum applicants, monitor conditions in a detention centre etc. must ask the BG Commander in Chief in writing for permission to visit a detention centre. Since 2017, permission is granted by the Border Guard Headquarters. However, visits are generally not limited to visiting hours.

On the other hand, starting from 2021 and up to and including 2024 NGOs providing psychological assistance started to face problems in accessing detention centres, due to attitude of the Border Guards and lack of direct funding. Moreover, private visits by a psychologist to the detention centre are refused by the Border Guards.⁸¹⁷

According to NPM, in practice meetings with legal representatives are not held in adequate confidentiality conditions: the rooms used for these visits are equipped with video surveillance and one-way mirrors. The NPM highlights that meetings with a lawyer should take place out of sight and earshot of officers and bystanders, because only conditions of complete confidentiality allow for the full exercise of the rights of the defence and ensure that contact with a representative can effectively serve as a safeguard against ill-treatment. Thus, they underscore that confidentiality of meetings with a lawyer should be the rule, not an exception dependent on the initiative of the representative (and ultimately upon the decision of the officer).⁸¹⁸

Visits from relatives or religious representatives are authorised. Any visit should not last more than 90 minutes, but it can be prolonged in justified cases by the manager of the centre. Two adults have a right to take part in the meeting. The number of children is not limited.⁸¹⁹ Non-scheduled visitors as a rule do not have the possibility to meet with the asylum applicant (but the manager of the detention centre can make exceptions from the above-mentioned rules, especially when it is needed to maintain family ties and care for children).⁸²⁰

There is no limitation in using cell phones (without a video recording system and access to the Internet). In detention centres, the BGs have several hundreds of substitute cell phones without a camera which they provide to foreigners in case they only have smartphones or SIM cards with no phone. The cell phones are handed over for the whole day for free. On the other hand, detainees themselves pay for the calls and for the SIM cards if they have financial means. If the asylum applicant does not have money to buy a SIM card, there is a possibility of using the BG's equipment but only in justified cases.

The Law on Foreigners foresees sanctions on a detainee who does not obey the rules in the detention centre. There are two possibilities: banning participation in sport and leisure activities (except for using the library); or banning the purchase of food and cigarettes from outside the centre.⁸²¹

When deciding upon the application of either of these two sanctions, the BG Regional Commander takes into account the general behaviour of the detainee, the level of disobedience, cultural background, etc. In 2025, this sanction was used 13 times in **Przemysł**, 6 times in **Białystok**, and 11 times in **Kętrzyn** for 7 days.⁸²²

⁸¹⁷ Information from SIP, 10 April 2025.

⁸¹⁸ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemysł*, 3 September 2025, available in Polish [here](#), 74ff. The visit took place in May 2025.

⁸¹⁹ Para 21 of the Rules of foreigners' stay in guarded centre and arrest for foreigners (Annex to the Regulation on detention centres).

⁸²⁰ Para 23 of the Rules of foreigners' stay in guarded centre and arrest for foreigners (Annex to the Regulation on detention centres).

⁸²¹ Article 421(2) Law on Foreigners.

⁸²² Information provided by the Bieszczadzki Border Guard Unit 16 February 2025, Letter of Warmińsko-Mazurski Border Guards Unit, 21 February 2025 and Nadodrzański border Guard Unit, 25 February 2025.

The Border Guard officers buy products (food and basic necessities) requested by detainees usually once a week if the migrants have money in a deposit.⁸²³ According to the NGOs, the current available funding for this purpose is insufficient. On the other hand, the detainees cannot receive any food or liquid things in packages from other people but they can request specific items through online applications in some detention centres.⁸²⁴

D. Procedural safeguards

1. Judicial review of the detention order

Indicators: Judicial Review of Detention

- | | | |
|---|---|-----------------------------|
| 1. Is there an automatic review of the lawfulness of detention? | <input checked="" type="checkbox"/> Yes | <input type="checkbox"/> No |
| 2. If yes, at what interval is the detention order reviewed? | Not available | |

Detention is ordered by the District Court, criminal division, upon request of the BG. Prolongation of detention is also ordered by the District Court, upon request of the BG. In practice, it means that two different courts may decide on placing someone in detention and prolonging their detention, as the competent court are based on place of residence. The stay of an asylum applicant in the detention centre can be prolonged if before the end of the previous period of detention, the final decision concerning the application for international protection is not issued and the reasons to detain the applicant still exist (see [Duration of detention](#)).⁸²⁵

Asylum applicants should be informed of the grounds of their detention, legal remedies and their rights. Information on the reasons for detention is given first in the court, orally (while deciding on detention), and translated into a language understandable for the asylum applicant. The court has a clear obligation to hear the person concerned before rendering a decision.⁸²⁶ Ever since the migration situation at the Polish-Belarusian border in 2021, the foreigners are not transported to courts, but take part in court proceedings online.

In all guarded centres, when the person arrives at the centre, there should be a meeting during which a detainee receives information about the centre. In practice, asylum applicants do not understand the reasons for their detention and their legal situation and do not have basic information on their rights and their legal situation, for example concerning the length of their detention⁸²⁷ which has a very negative impact on their mental state.⁸²⁸

The law provides for judicial review of the lawfulness of detention.⁸²⁹ Asylum applicants can appeal against a District Court ruling ordering their placement in detention to the Regional Court within 7 calendar days from the day the ruling is pronounced. In prolongation cases, it is 7 days from the notification of the ruling

⁸²³ Information provided by HFHR March 2025, information provided by Nadbuzanski BG Unit 21 January 2026, Nadwiślański BG Unit 21 January 2026, and Warmińsko-Mazurski BG Unit 21 January 2026.

⁸²⁴ Letter of Podlaski, Bieszczadzki and Nadwiślański Border Guards Unit, February 2025,

⁸²⁵ Article 89(4) Law on Protection.

⁸²⁶ Article 88b(1) Law on Protection.

⁸²⁷ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 11 to 22 May 2017*, 25 July 2018, available [here](#), 20; and Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁸²⁸ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁸²⁹ Article 88b(3) Law on Protection; Article 403(8) Law on Foreigners.

to an asylum applicant.⁸³⁰ In this appeal, the detainee can dispute the grounds for their detention. The Law on Foreigners envisages 7 days for the examination of the appeal.⁸³¹

Asylum applicants receive rulings in the language they should understand, as a literal translation of a ruling rendered in Polish. In a few cases, NGOs and the NPM⁸³² observed that court decisions or other pieces of information were not translated in a language that it is known by the detainee. Unfortunately, information about the deadline for appeal is not translated. In practice it means that foreigners are not aware that they are obliged to submit it within the 7-day period and when exactly this deadline starts.

The court procedure concerning detention orders is not considered effective and the equality of arms is not guaranteed in law and in practice. Courts often decide on the detention of asylum applicants without an in-depth analysis of their personal situation, and reasons for detention mentioned in the judgment are indicated very generally - without direct reference to a personal situation. Courts do not conduct evidentiary proceedings on the best interests of the child and torture victims.⁸³³ Moreover, persons detained are not informed that they can apply for a free legal aid while in detention

In the appeal procedure and in a prolongation of a detention, detained migrants cannot be present in the court and present their standpoint, according to the Polish law. The application on prolongation of detention is not handed over to them, so they cannot present their reasons before the Regional Court will decide on their case. Additionally, applicants are not informed about the date of the court's meeting in advance, so they are not able to ask the court to establish a legal representative in their case, which could be financed by the state. Furthermore, the appeal has to be prepared in Polish, so appellants completely depend on NGOs to draft the appeal.

Previously the Border Guard had been requested by the District Court of **Biała Podlaska** to submit motions for prolongation of detention in due time. In 2025, motions were submitted at least seven days to two weeks before the end day of detention⁸³⁴ or immediately.⁸³⁵

Every person is entitled to compensation and redress for wrongful detention from the State Treasury.⁸³⁶ Some NGOs follow and represent cases of asylum applicants who were a victim of violence or were unjustly detained in **Białystok, Olsztyn, Warsaw, Toruń, Siedlce, Cracov, Łódź, Lublin** and **Elbląg** Regional Court.⁸³⁷

⁸³⁰ Courts interpret differently the law in this matter – some claim that 7 days should be counted from the day of the pronouncement of the court ruling about placing the foreigner in the detention centre, some that it should be counted from the day the translated ruling is delivered to a foreigner in writing – T. Sieniow, *op. cit.*, 54.

⁸³¹ Article 88b(3) Law on Protection; Article 403(8) Law on Foreigners.

⁸³² *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#). The visit took place in May 2025.

⁸³³ Only in one case in Regional Court in Olsztyn appointed a psychologist in a detention case, Information provided by the Regional Court in Olsztyn January 2022. Witold Klaus, Monika Szulecka, Dominik Wzorek, *Detencja i jej alternatywy. Analiza orzecznictwa sądowego w sprawie umieszczenia cudzoziemców w ośrodkach strzeżonych*, Wydawnictwo Instytutu Wymiaru Sprawiedliwości, 2024, 218.

⁸³⁴ Information provided by different branches of Border Guard, letter, January -March 2025.

⁸³⁵ Nadwiślanski Border Guards Unit 21 January 2025.

⁸³⁶ Article 407 Law on Foreigners.

⁸³⁷ Information of HFHR, FIPP, Ocalenie Foundation and SIP, March 2024 and 2025.

2. Legal assistance for review of detention

Indicators: Legal Assistance for Review of Detention

1. Does the law provide for access to free legal assistance for the review of detention?
 Yes No
2. Do asylum seekers have effective access to free legal assistance in practice?
 Yes No

The law provides access to free legal assistance for the review of detention before the courts, but it is hardly ever exercised in practice.⁸³⁸ Asylum seekers can ask the court to grant them free legal assistance, if they duly prove that they are not able to bear the costs of legal assistance, without harm to the necessary maintenance of themselves and their families.⁸³⁹ The court has a clear obligation to inform asylum applicants in a language understandable to them about the right to ask for legal assistance.⁸⁴⁰ However, this rarely happens in practice still as of January 2025, as most asylum applicants are not aware of this possibility and are not represented by a legal advisor in the District or Regional Court.

In addition, their right to defence is not observed when the court decides on the extension of their detention. Applicants are either not informed about the day of the court proceedings, or that information is not translated into their language,⁸⁴¹ or they are informed (in Polish) with very short notice. As a result, they are unable to submit a request for the lawyer on time.⁸⁴² Moreover, they generally do not receive a copy of the application on placing them or prolonging their stay in detention, so in practice it means that they are not able to present their standpoint in detention case.

As a result, they are dependent on legal assistance granted by NGO lawyers, most of whom are not entitled to represent them in the courts.

According to the NPM, systemic measures have to be taken to ensure that every migrant deprived of liberty could have the possibility to contact a lawyer.⁸⁴³ Detained migrants have repeatedly complained about lack of access to legal assistance, which has resulted in a lack of understanding of applicable procedures and their legal situation.⁸⁴⁴ Some among them also indicated that the decisions issued by the court to extend their stay in the centre were delivered to them with delay, in a language they did not understand which in practice made it impossible to file a complaint.⁸⁴⁵

CPT noticed that legal assistance to detainees was left almost entirely to various non-governmental organisations, whose representatives assist detained foreign nationals on a pro bono basis. The CPT recommended to take appropriate steps – in consultation with the relevant Bar Associations – to ensure that, in all guarded centres in Poland, immigration detainees can effectively benefit from the services of a

⁸³⁸ Articles 78 Law of 6 June 1997 on the Code of Criminal Procedure, available [here](#).

⁸³⁹ Ibid.

⁸⁴⁰ Article 88b(4) Law on Protection.

⁸⁴¹ *National Mechanism for the Prevention of Torture KMPT.572.3.2025. AG Report of the National Mechanism for the Prevention of Torture on the visit to the Detention Center and Center for Foreigners in Przemyśl*, 3 September 2025, available in Polish [here](#). The visit took place in May 2025.

⁸⁴² SIP, Annual Report 2019, April 2020, available in Polish [here](#).

⁸⁴³ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#).

⁸⁴⁴ Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#).

⁸⁴⁵ Commissioner for Human Rights, *Sytuacja cudzoziemców w ośrodkach strzeżonych w dobie kryzysu na granicy Polski i Białorusi Raport z wizytacji Krajowego Mechanizmu Prewencji Tortur*, [Situation of foreigners in the guarded centres in times of crisis on the border of Poland and Belarus], Report NPM, 15 June 2022, available in Polish [here](#); Commissioner for Human Rights, *Krajowy Mechanizm Prewencji KMP.572.7.2023.KK, Raport Krajowego Mechanizmu Prewencji Tortur z wizytacji Strzeżonego Ośrodka dla Cudzoziemców w Białej Podlaskiej*, 4 January 2024, available in Polish [here](#); Information provided by HFHR, January 2025; CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

lawyer in all phases of the legal procedures (including through the provision of free legal aid for foreign nationals who are not able to pay for a lawyer).⁸⁴⁶

The law foresees a state legal aid system only to prepare the appeal to a negative asylum decision. In practice, only some (241 cases in 2024, 193 cases in 2025)⁸⁴⁷ foreigners decide to look for a legal representative, i.e., an advocate or a legal advisor.

E. Differential treatment of specific nationalities in detention

There is no differential treatment of specific nationalities in detention in Poland. In 2024, 128 asylum applicants (the majority came from Somalia, Eritrea, Ethiopia, Sudan, Afghanistan) were released from the detention centre based on a decision of the Head of the Office for Foreigners.⁸⁴⁸ Data for 2025 was not available.

⁸⁴⁶ CPT, *Report to the Polish Government on the visit to Poland carried out by the European Committee for the Prevention of Torture and Inhuman or Degrading Treatment or Punishment (CPT) from 21 March to 1 April 2022*, 22 February 2024, available [here](#).

⁸⁴⁷ Head of the Office for Foreigners, Public Information, 19 February 2025 and 10 April 2026.

⁸⁴⁸ Information Head of the Office for Foreigners, 19 February 2025.

A. Status and residence

1. Residence permit

Indicators: Residence Permit

- | | |
|--|---------|
| 1. What is the duration of residence permits granted to beneficiaries of protection? | |
| ❖ Refugee status | 3 years |
| ❖ Subsidiary protection | 2 years |
| ❖ Humanitarian protection | 2 years |

Refugee status is granted for an unlimited period of time. Recognised refugees obtain a 3-year residence permit (*karta pobytu*).⁸⁴⁹ The first permit is issued *ex officio*⁸⁵⁰ and is renewed after this period for another 3 years upon request.⁸⁵¹

Subsidiary protection is also granted for an unlimited time. Subsidiary protection beneficiaries obtain a 2-year residence permit (*karta pobytu*).⁸⁵² The first permit is also issued *ex officio*,⁸⁵³ and is renewed after this period for another 2 years upon request.⁸⁵⁴

Humanitarian protection (*zgoda na pobyt ze względów humanitarnych*) is granted for an unlimited period of time. The beneficiary of humanitarian protection obtains a 2-year residence permit (*karta pobytu*).⁸⁵⁵ The permit will be renewed after this period for another 2 years.⁸⁵⁶ The first and subsequent cards are issued at the third-country nationals' request.⁸⁵⁷

As of 31 December 2025, there were 3,267 persons holding a valid residence permit for refugees, 17,982 persons holding a valid residence permit granted to subsidiary protection beneficiaries and 1,859 persons under the humanitarian protection scheme.⁸⁵⁸

An application for the renewal of the residence permit should be submitted at least 30 days before the expiration date of the current residence card.⁸⁵⁹ Beneficiaries of protection are often not aware of this rule. Failure to renew a residence permit can be punished through a fine,⁸⁶⁰ but this does not happen in practice. There have been no such cases in 2015-2023. There is no data about such cases in 2025.⁸⁶¹

The issuance of the residence permit is paid and costs PLN 100 / EUR 23.62 (the amount has been raised from PLN 50 / EUR 11.81 since 29 July 2022).⁸⁶² Only the first residence permit is issued free of charge.⁸⁶³ The fee can be diminished by 50% if a beneficiary is in a difficult material situation (only if they obtain social assistance benefits) or is a minor up to 16 years old.⁸⁶⁴ There is no possibility of full exoneration from the payment. The obligation to pay even only PLN 50 / EUR 11.81 sometimes prevents third-country

⁸⁴⁹ Article 89i(1) Law on Protection.

⁸⁵⁰ Article 229(2) Law on Foreigners.

⁸⁵¹ Article 89i(2a) Law on Protection.

⁸⁵² Article 89i(2) Law on Protection.

⁸⁵³ Article 229(2) Law on Foreigners.

⁸⁵⁴ Article 89i(2a) Law on Protection.

⁸⁵⁵ Article 243(1)(4) Law on Foreigners.

⁸⁵⁶ Article 243(2)(3) Law on Foreigners.

⁸⁵⁷ Article 229(1) and Article 229(4)(3) Law on Foreigners.

⁸⁵⁸ Information provided by the Office for Foreigners, 10 April 2026.

⁸⁵⁹ Article 230(2) Law on Foreigners.

⁸⁶⁰ Article 465(4) Law on Foreigners.

⁸⁶¹ Information provided by the Office for Foreigners, i.e. 10 April 2026.

⁸⁶² Article 235(1) Law on Foreigners. Office for Foreigners, 'Nowe stawki opłat za dokumenty wydawane cudzoziemcom', 29 July 2022, available in Polish [here](#).

⁸⁶³ Article 236(1)(a)-(c) Law on Foreigners.

⁸⁶⁴ Article 237(1) and (2) Law on Foreigners.

nationals from obtaining a new residence permit. Moreover, in case of culpable loss or damage of the card, a new one will be issued subject to a higher fee of no more than PLN 300 / EUR 70.85.⁸⁶⁵

The Office for Foreigners, responsible for the issuance and renewal of residence permits for refugees and subsidiary protection beneficiaries,⁸⁶⁶ is situated in **Warsaw**. In the case of humanitarian protection beneficiaries, the authority responsible for a residence permit issuance is the Border Guard unit that granted a permit.⁸⁶⁷ However, in case of renewal it is a Border Guard unit having jurisdiction over the third-country national's current place of stay.⁸⁶⁸

The residence permit must be received in person. A permit for a child under the age of 13 should be received in person by their legal representative.⁸⁶⁹ There is no possibility to receive this permit by another representative or by post. Moreover, beneficiaries are obliged to give their fingerprints any time they renew a residence permit.⁸⁷⁰ If they refuse to give their fingerprints, the residence permit will not be issued.⁸⁷¹ The obligation to give fingerprints and mandatory personal presence to pick up the permit means that every time a third-country national has to obtain a new permit, they have to travel to **Warsaw** in case of refugees and subsidiary protection beneficiaries, or another town in case of humanitarian protection beneficiaries, twice, even if they live far away. This can be time-consuming and costly. According to the Office for Foreigners, the obligation to collect fingerprints from an applicant is very occasionally lifted (8 cases in 2024 and 15 cases in 2025).⁸⁷² The lack of a legal possibility to exempt a third-country national fully from the abovementioned payment, the obligation of personal presence twice – upon application and collecting the document, and the possibility to be issued a residence permit only in one place may postpone the receipt of new residence cards by third-country nationals.

Moreover, Polish law requires presenting – as a condition to issue or renew the residence permit – recent photographs. Photos presenting face with covered hair are not allowed (hair has to be visible on the picture), which is often problematic for Muslim women.⁸⁷³

By law, all residence permits should have the annotation “access to the labour market”, if the third-country national is entitled to work in Poland.⁸⁷⁴ In practice, permits issued for refugees as well as humanitarian and subsidiary protection beneficiaries do not have such an annotation, which can impede their access to the labour market and to some social benefits, such as the ones in the framework of the “Family 800+” programme (previously “500+” programme).⁸⁷⁵ However, the Supreme Administrative Court as well as the Voivodeship Administrative Court in Warsaw held that such lack of annotation cannot be interpreted as excluding the third-country national from receiving social assistance if he is entitled to work in Poland.⁸⁷⁶ Consequently, the Polish authorities changed their practice and no longer refuse the special financial support under the 800+ Programme on that basis.

⁸⁶⁵ Article 238 Law on Foreigners.

⁸⁶⁶ Article 89n(2) Law on Protection.

⁸⁶⁷ Article 245(2) Law of Foreigners.

⁸⁶⁸ Article 245(4)-(5) Law on Foreigners.

⁸⁶⁹ Article 248(1)-(2) Law on Foreigners.

⁸⁷⁰ Article 246(2) Law on Foreigners.

⁸⁷¹ Article 247 Law on Foreigners.

⁸⁷² Information provided by the Office for Foreigners, 16 February 2024, 10 April 2026.

⁸⁷³ Ordinance of the Minister of Interior of 29 April 2014 on the documents issued for foreigners, available (in Polish) at: Obwieszczenie Ministra Spraw Wewnętrznych i Administracji z dnia 4 lutego 2022 r. w sprawie ogłoszenia jednolitego tekstu rozporządzenia Ministra Spraw Wewnętrznych w sprawie dokumentów wydawanych cudzoziemcom, available [here](#).

⁸⁷⁴ Article 244(1)(11) Law on Foreigners.

⁸⁷⁵ European Website on Integration, ‘Poland: social benefit ‘500 PLN per child’ not for refugees?’ 29 February 2016, available [here](#). M. Sadowska, “Świadczenia ‘Dobry start’” in Stowarzyszenie Interwencji Prawnej (SIP), *SIP w działaniu. Prawa cudzoziemców w Polsce w 2018 r.*, 2019, available (in Polish), [here](#), 52.

⁸⁷⁶ See judgments of Voivodeship Administrative Court in Warsaw No I SA/Wa 1997/16, 7 October 2016, available (in Polish) [here](#) and of the Supreme Administrative Court no. I OSK 1164/16, 14 March 2018.

In 2023, the Commissioner for Human Rights noticed that third-country nationals wait approximately 6 months to receive a new residence card.⁸⁷⁷ No data was available for 2024 or 2025.

2. Civil registration

Every child born in Poland, regardless of the nationality of their parents, must be registered in the Civil Registry Office (*Urząd Stanu Cywilnego*). The birth of a child must be reported to the Civil Registry Office territorially competent for the place of birth of the child.⁸⁷⁸ The documents necessary for the preparation of a birth certificate include:

- ❖ Written statement of birth issued by a doctor, midwife or health care facility;
- ❖ Copy of the marriage certificate if the child's parents are married;
- ❖ Birth certificate of the mother, marriage certificate with an entry noting divorce, and an abridged copy of the death certificate of the spouse; if the child's mother is single, divorced or widowed, respectively.

The Civil Registry Office which prepared a birth certificate applies for a PESEL (Universal Electronic System for Registration of the Population) number for a child, which is then entered into the registry as well. The PESEL number is crucial in many areas of life including in the provision of health care, hence its registration is initiated by reporting a child's birth.

Marriage is concluded in the Civil Registry Office of the choice of the persons concerned. The documents required to enter into a marriage in Poland are:

- ❖ Valid identity document;
- ❖ Birth certificate and a marriage certificate together with the annotation of divorce, if the person concerned was married before;
- ❖ Certificate issued by the country of origin that the person concerned has the capacity to enter into a marriage under the law of their country.

If the latter document cannot be obtained, the person concerned can apply to the court to be exempt from this obligation.

Generally, foreign documents have to be legalised or authenticated by an apostille. As a general rule, all documents presented in the Civil Registry Office should be translated by a sworn interpreter and a foreigner who does not speak Polish needs to complete all the formalities (including the marriage ceremony itself) accompanied by a sworn interpreter of a language they speak fluently. Certificates are drawn up immediately.

Problems occur when documents from the country of origin have to be submitted. However, the court procedure to exempt beneficiaries of international protection from this obligation is applied rather efficiently, as the experience of HFHR showed in the recent years.

3. Long-term residence

Indicators: Long-Term Residence

1. Number of long-term residence permits issued to beneficiaries in 2025: Not available

The EU long-term residence permit (*zezwoleńie na pobyt rezydenta długoterminowego UE*) is issued on a third-country national's demand if he or she:⁸⁷⁹

1. Resides in Poland legally and continuously for at least five years immediately prior to the submission of the application for the EU long-term residence permit,

⁸⁷⁷ Commissioner for Human Rights, 'Rzecznik: przewlekłość załatwiania spraw cudzoziemców może jeszcze bardziej się wydłużyć. Odpowiedź MSWiA', July and November 2023, available in Polish [here](#).

⁸⁷⁸ Law of 28 November 2014 on civil registration certificates.

⁸⁷⁹ Article 211(1) Law on Foreigners.

2. Has stable and regular resources which are sufficient to maintain themselves and the dependent family members;
3. Has appropriate medical insurance;
4. Has confirmed knowledge of the Polish language (the documents confirming having this knowledge are required). Knowledge of the language should be confirmed by a certificate of Polish language proficiency of at least the B1 level.⁸⁸⁰ In 2023, the rules concerning the language requirement were changed. More possibilities to confirm knowing the language proficiency at the B1 level were introduced and are specified in the Ordinance of the Ministry of Internal Affairs and Administration of 31 May 2023, in force since 24 June 2023.⁸⁸¹ As a result, knowledge of the Polish language on B1 level can be demonstrated, among other ways, through TELC and ELC certificates.⁸⁸² Alternatively, knowledge of Polish can be confirmed by a certificate of completion of a school or university in Poland or a certificate of completion of a school or university with Polish as the language of instruction abroad.⁸⁸³ However, since 1 July 2025, certificates of completion of post-secondary schools with Polish as the language of instruction are no longer sufficient documentation to confirm knowledge of the Polish language.⁸⁸⁴

Resources are considered sufficient, if for 3 years immediately before the submission of the application a third-country national had an income higher than the income threshold for obtaining social assistance in Poland.⁸⁸⁵ In both 2025 and 2026, this amount was PLN 1,010 / EUR 239 for a person living alone, and PLN 823 / EUR 194 for a person in a family.⁸⁸⁶

The entire period of a refugee's stay in Poland during the asylum procedure is taken into account in the calculation of the 5-year period if the asylum procedure lasted more than 18 months. In other cases, half of this period is considered.⁸⁸⁷ If the previous asylum procedure ended with a refusal of international protection, the period of this procedure is not taken into account at all.⁸⁸⁸ A procedure for an EU long-term residence permit cannot be initiated if a foreign national is a humanitarian protection beneficiary or is seeking asylum.⁸⁸⁹

Refugees and beneficiaries of subsidiary protection may also apply for a permanent residence permit (*zezwoleń na pobyt stały*) if they continuously stayed in Poland for at least 5 years immediately before the submission of the application. The asylum procedure is taken into account in this calculation.⁸⁹⁰ The same rules apply to beneficiaries of humanitarian protection but the asylum procedure is not counted to the 5 years period.

The fee for an EU long-term residence permit and a permanent residence permit is PLN 640 / approx. EUR 151.

The authority responsible for the issuance of the EU long-term residence permit and a permanent residence permit is Voivode having jurisdiction over the current place of stay of the applicant.⁸⁹¹ The Head of the Office for Foreigners is a second instance administrative body competent to handle appeals against first instance decisions.

⁸⁸⁰ Article 211(1)(3) and (3) Law on Foreigners.

⁸⁸¹ Office for Foreigners, 'Zmiany w przepisach regulujących udzielanie zezwoleń na pobyt rezydenta długoterminowego UE', 28 June 2023, available in Polish [here](#).

⁸⁸² The Regulation of the Minister of the Interior and Administration of May 31, 2023, on the list of certificates of Polish language proficiency confirming the required knowledge of the language for granting a long-term EU resident permit.

⁸⁸³ Article 211(3) (2) and (3) Law of Foreigners.

⁸⁸⁴ Article 211 (3)(2) and (3) Law on Foreigners.

⁸⁸⁵ Article 211(2) Law on Foreigners.

⁸⁸⁶ Regulation of the Council of Ministers of 12 July 2024 on the verified income criteria and the amounts of cash benefits from social assistance.

⁸⁸⁷ Article 212(1) (2) and (3c) Law on Foreigners.

⁸⁸⁸ Article 212(2)(8) Law on Foreigners.

⁸⁸⁹ Article 213(1)(e)-(f) Law on Foreigners.

⁸⁹⁰ Article 195(1)(6) and Article 195(3) Law on Foreigners.

⁸⁹¹ Articles 201 and 218(1) Law on Foreigners.

Since 29 January 2022, the procedure should last 6 months (instead of 3) at the first instance and additionally, a maximum of 3 months (instead of 2) if an appeal was lodged.⁸⁹² In 2024, the proceedings regarding the EU long-term residence permit lasted, on average, 370 days, and the proceedings concerning the permanent residence permit 268 days.⁸⁹³ Thus, these proceedings often take many months, if not years. The backlog of cases before the Voivodes is still rising, leading to significant delays in decision-making. Thus, administrative courts have to deal with rising number of complaints on the excessive proceedings. One court – in Łódź – intervened in this regard before the respective Voivode, indicating on the constant violation of rights of third-country nationals.⁸⁹⁴ In 2023, the Supreme Audit Office confirmed the deepening inefficiency of the Voivodship Offices.⁸⁹⁵

Moreover, in reaction to the war in Ukraine and the large numbers of people seeking temporary protection in Poland, all the time limits in the cases already considered by Voivodes were suspended. In new cases, the time limits did not start to run.⁸⁹⁶ Questions arose whether the suspension applies to all foreigners or only Ukrainian citizens, but in 2024, the Supreme Court confirmed that these regulations apply to all foreigners, regardless of their nationality.⁸⁹⁷ The suspension has been extended several times and, as of 27 March 2026, remains in effect until at least 04 March 2027. This affected the third-country nationals' right to complain regarding the excessive length of their proceedings.⁸⁹⁸

According to the Supreme Administrative Court, the time period between 15 April 2022 and 30 June 2024 should have been sufficient for the state administration to ensure timely processing of residence applications in connection with the influx of Ukrainian citizens into Poland. As stated by Court, prolonging temporary regulations multiple times, instead of addressing the issue through organisational and staffing adjustments, risks turning exceptional measures into a de facto permanent limitation of foreigners' rights, including the right to access a court, which raises concerns under Polish Constitution.⁸⁹⁹ In April 2025, the Voivodship Administrative Court in Gliwice referred questions to the CJEU concerning the interpretation of EU law in the context of the prolonged and repeatedly extended exclusion, under national law – for organisational or economic reasons – of foreign nationals' right to lodge an effective remedy against the inactivity of public administration authorities.⁹⁰⁰ As of March 2026, the case remains pending.

The Commissioner for Human Rights, for several years, has observed the issue of delays in administrative proceedings by the Voivodes in matters of foreign nationals' residence legalisation, including EU long-term residence permits and permanent residence permits.⁹⁰¹ This also applies to delays in the issuance of residence cards, which can prevent foreigners with a positive decision from leaving Poland.⁹⁰² According to the Supreme Audit Office, one of the Voivodship Offices paid out PLN 12 million / approx. 2.83 million euro, between 2022 and 2024, in costs related to delays or inactivity in proceedings concerning the legalisation of residence and work for foreigners in Poland. The cause may have been a

⁸⁹² Articles 210 and 223 Law on Foreigners.

⁸⁹³ Information provided by the Office for Foreigners, 10 April 2026. In some voivodships, the waiting period may be as long as 12-15 months, see e.g. Fundacja EMIC, 'Czekając na zwykłe życie - legalizacja pobytu migranta/migrantki w Polsce', available in Polish [here](#) 11 August 2023.

⁸⁹⁴ Commissioner for Human Rights, 'Rzecznik: przewlekłość załatwiania spraw cudzoziemców może jeszcze bardziej się wydłużyć. Odpowiedź MSWiA', July and November 2023, available in Polish [here](#).

⁸⁹⁵ Supreme Audit Office, 'Obsługa obywateli polskich i cudzoziemców w jednostkach administracji publicznej', 28 November 2023, available in Polish [here](#).

⁸⁹⁶ Article 100c of the Law on assistance to Ukrainian nationals.

⁸⁹⁷ See judgments of the Supreme Administrative Court no. II OSK 644/24, 25 July 2024, no. II OSK 1720/24, 05 December 2024.

⁸⁹⁸ Commissioner for Human Rights, 'Rzecznik: przewlekłość załatwiania spraw cudzoziemców może jeszcze bardziej się wydłużyć. Odpowiedź MSWiA', July and November 2023, available in Polish [here](#).

⁸⁹⁹ See judgement of Supreme Administrative Court, no. II OSK 2921/24, 19 May 2025.

⁹⁰⁰ See judgement of Voivodship Administrative Court in Gliwice, no. II SAB/GI/ 19/2025, 02 April 2025.

⁹⁰¹ Commissioner for Human Rights, 'Opóźnienia i błędy w sprawach legalizacji pobytu cudzoziemców. Odpowiedź MSWiA', October and November 2024, available in Polish [here](#).

⁹⁰² Commissioner for Human Rights, Delays in handling foreigners' cases at the Lower Silesian Voivodship Office – findings of the Supreme Audit Office (NIK), 19 December 2025, available in Polish [here](#).

non-transparent and corruption-prone system for scheduling foreign nationals' appointments. A notification has been submitted to the public prosecutor's office in connection with this case.⁹⁰³

In response to these delays, changes to the law came into force. Since 27 April 2026, applications for temporary residence permits, permanent residence permits, and long-term EU resident permits are submitted exclusively in electronic form through a dedicated portal MOS, and paper applications are no longer accepted.⁹⁰⁴ According to the Commissioner for Human Rights, the changes may not lead to improvements due to staff shortages and the simultaneous increase in case workloads. They may also lead to digital exclusion for some third-country nationals who are unable to submit their applications electronically.⁹⁰⁵

Since 2017, no data was made available on the number of beneficiaries of international protection granted EU long-term resident status. In 2024, 346 beneficiaries of international protection were granted permanent residence permits.⁹⁰⁶

4. Naturalisation

Indicators: Naturalisation

1. What is the waiting period for obtaining citizenship?	
❖ Refugee status	7 years
❖ Subsidiary protection	7-10 years
2. Number of citizenship grants to beneficiaries in 2025:	Not available

Polish citizenship can be obtained through two procedures. Firstly, citizenship can be granted by the Polish President.⁹⁰⁷ Any third-country national can apply to President to be granted Polish citizenship; there are no specific conditions and criteria for obtaining citizenship in this procedure. A third-country national only has to submit a form with information about him or herself and a justification, of why he/she applies for Polish citizenship, to a Consul or a Voivode, who hands on the application to the President.⁹⁰⁸ Knowledge of the Polish language is not required. The citizenship is granted free of charge. The President's refusal is a final decision and cannot be appealed.

Secondly, a third-country national can be declared as a Polish citizen if they fulfil the criteria specified in law.⁹⁰⁹ Both refugees and subsidiary protection beneficiaries have to obtain first a permanent residence permit (*zezwolenie na pobyt stały*) or EU long-term residence permit in Poland.

A refugee who has been granted a permanent residence permit and stays continuously on this basis in Poland for 2 more years can be declared as a Polish citizen.⁹¹⁰ There is no similar rule concerning subsidiary protection beneficiaries. To be declared as Polish citizens, they have to fulfil the same criteria as any other third-country national who obtained a permanent residence permit or EU long-term residence permit in Poland (i.e. 2-3 years stay in Poland on this basis or 10 years of legal stay in Poland independently of the basis of the stay, stable and regular resources, legal entitlement to stay in a residential property or marriage with a Polish citizen).⁹¹¹

Both, refugees and subsidiary protection beneficiaries, to be declared as a Polish citizen, have to prove that they know Polish language.⁹¹² Third-country nationals should present a document confirming that

⁹⁰³ Supreme Audit Office, 'Foreigners: Equal and More Equal in the Queues in Lower Silesia – for the Legalization of Residence and Work,' 11 December 2025, available in Polish [here](#).

⁹⁰⁴ Article 225a Law on Foreigners.

⁹⁰⁵ Commissioner for Human Rights, 'Składanie przez cudzoziemców wniosków pobytowych wyłącznie przez Internet. Opinia Rzecznika', 9 January 2025, available in Polish [here](#).

⁹⁰⁶ Information provided by the Office for Foreigners, 10 April 2026.

⁹⁰⁷ Article 18 Law of 2 April 2009 on Polish citizenship.

⁹⁰⁸ Article 19-21 Law on Polish citizenship.

⁹⁰⁹ Article 30 Law on Polish citizenship.

⁹¹⁰ Article 30(1)(3) Law on Polish citizenship.

⁹¹¹ Article 30(1)(1), (2) and (6) Law on Polish citizenship.

⁹¹² Article 30(2) Law on Polish citizenship.

they have graduated from a Polish school (except for post-secondary school, as from 1 July 2025, its completion shall not be considered proof of knowledge of the Polish language)⁹¹³ or that they have passed the State exam for the Polish language as a foreign language (B1 at least). Those examinations are rarely organised (4 times per year in 2021-2025) and they are costly.⁹¹⁴ To take an exam, third-country nationals often have to travel to another city, bearing the costs not only of the exam itself but also of transportation and hotel,⁹¹⁵ which may constitute an obstacle to naturalisation. In the years 2019-2022, the organisation of these State exams was controlled by the Supreme Audit Office. It concluded that the responsible authorities did not collect the necessary data to assess how efficient the current system to determine sufficient knowledge of the Polish language is. It noticed that the available places for exams run out after 10-15 minutes from the beginning of the registration, so the system seems to be inadequate to meet existing needs. Furthermore, trainings for examiners were incorrectly organised. In the years 2019-2021, 19,477 certificates were issued upon passing the exam. Moreover, 738 certificates were issued without a person taking the exam.⁹¹⁶

In 2025, the Human Rights Commissioner reported on the situation of foreigners who had started post-secondary school under the previous rules that accepted its completion as proof of knowledge of Polish language.⁹¹⁷ Many of them will no longer be able to use their school completion certificates as proof of knowledge of the Polish language in proceedings for long-term EU residence permits or for recognition as Polish citizens, even though it was possible under the regulations in force when they began their studies. The Commissioner highlighted that this change may negatively affect students who invested time and money in their education expecting the certificate to serve this purpose, and recommended reconsidering transitional provisions to protect their legitimate expectations.

Additional barriers to obtaining Polish citizenship through a declaration include difficulties in obtaining written proof of entitlement to reside in a particular property (as property owners may prefer verbal agreements rather than signing a rental agreement), as well as obtaining civil registration documents from the individual's country of origin.⁹¹⁸ The Human Rights Commissioner also informed of a case in which the refusal to recognise a person (it is unknown whether the third country national was a BIP or not) as a citizen was issued on the basis of general information from the Internal Security Agency about a threat to the defence or security of the state or to the protection of public safety and order. The materials in the case were classified, therefore the foreigner could not get acquainted with them. The decision to deny the declaration as a Polish citizen was overturned by the administrative court.⁹¹⁹

The beneficiary of international protection submits the application for a declaration as a Polish citizen to Voivode who has jurisdiction over their current place of stay.⁹²⁰ In 2025, the fee for obtaining citizenship increased from PLN 219 / approx. EUR 51.72 to PLN 1,000 / approx. EUR 236. The Voivode decision can be appealed to the Minister of Interior.⁹²¹ The procedure should last one month or two if it is a complicated case.

⁹¹³ Article 30(2a) Law on Polish citizenship.

⁹¹⁴ Information from the official exams' website, available (in Polish) [here](#).

⁹¹⁵ P. Kaźmierkiewicz, 'Obywatelstwo' in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), 25.

⁹¹⁶ Supreme Audit Office, 'Wystąpienie pokontrolne. Egzamininy poświadczające znajomość języka polskiego - I-21-003-KNO', no. KNO.411.003.01.2021, 21 January 2022, available in Polish [here](#). Similar information for the years 2022 and 2023 is not available.

⁹¹⁷ Commissioner for Human Rights, 'Sprawa świadectw szkoły policealnej jako dowodu znajomości jęz. polskiego w postępowaniach o zezwolenie na pobyt rezydenta UE i uznanie za obywatela polskiego', 21 March 2025, available in Polish [here](#).

⁹¹⁸ P. Kaźmierkiewicz, 'Obywatelstwo' in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), 23-24.

⁹¹⁹ Commissioner for Human Rights, 'Odmowa uznania za obywatelkę RP wyłącznie na podstawie tajnych akt ABW. NSA utrzymał wyrok WSA, o co wnosili RPO', 02 January 2025, available in Polish [here](#).

⁹²⁰ Article 36(1) Law on Polish Citizenship.

⁹²¹ Article 10(4) Law on Polish Citizenship.

It is likely that the regulations governing the granting of Polish citizenship will change in the future. In 2025, the Polish government proposed changes emphasizing that citizenship should be granted primarily to foreigners who are well-integrated into society, have knowledge of the Polish language, and ensure loyalty and security toward the state. The proposals include introducing a civic knowledge test and extending the minimum required period of residence in Poland before applying for citizenship.⁹²²

The presidential draft submitted to the Sejm proposes that, as a general rule, citizenship should be granted to foreigners who have held permanent residence or long-term EU resident status for at least 10 years. Other requirements, such as language proficiency, proof of income, and housing rights, remain unchanged.⁹²³ As of 27 March 2026, no legislation in this regard has been officially enacted.

5. Cessation and review of protection status

Indicators: Cessation

1. Is a personal interview of the beneficiary in most cases conducted in practice in the cessation procedure? Yes No
2. Does the law provide for an appeal against the first instance decision in the cessation procedure? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice? Yes With difficulty No

Poland has a single procedure (“deprivation”) for the cessation and/or withdrawal of international protection.

Refugee status is ceased if a third-country national:⁹²⁴

- a. Has voluntarily settled in the country, which they had left for fear of persecution;
- b. Has voluntarily accepted protection of a country they are a citizen of;
- c. Has voluntarily accepted the citizenship of the country of origin, which they had lost before;
- d. Has acquired new citizenship and they are under the protection of the state whose citizen he or she has become;
- e. Can no longer refuse to accept the protection of the country of origin, because the reasons why they were granted a refugee status no longer exist, and they did not present convincing arguments as to why they cannot accept this protection. The same applies to countries of habitual residence for stateless persons.

Subsidiary protection is ceased, if the circumstances which were the reason for granting subsidiary protection no longer exist or have changed in such a way that a third-country national no longer requires protection.⁹²⁵

The deprivation procedure is initiated by the Head of the Office for Foreigners *ex officio* or on other authorities’ demand.⁹²⁶ Asylum applicants should be informed about the initiation of the respective proceedings as soon as they started. The procedure should last no longer than 6 months.⁹²⁷ During the procedure, a refugee or a subsidiary protection beneficiary should be interviewed, particularly to present reasons as to why they should not be deprived of the protection. A third-country national can also present arguments in writing.⁹²⁸

⁹²² Ministry of the Interior and Administration, “The Government Proposes Changes to the Granting of Polish Citizenship – Priority: Integration and Security,” 10 October 2025, available in Polish [here](#).

⁹²³ Draft Act amending the Act on Polish Citizenship, available in Polish [here](#).

⁹²⁴ Article 21(1) Law on Protection.

⁹²⁵ Article 22(1) Law on Protection.

⁹²⁶ Article 54b Law on Protection.

⁹²⁷ Article 54a Law on Protection.

⁹²⁸ Article 54d(1) Law on Protection.

A decision on deprivation of international protection is issued by the Head of the Office for Foreigners and can be appealed to the Refugee Board with suspensive effect. A third country national should leave Poland within 30 days from the day of the delivery of the Refugee Board’s decision on deprivation of international protection. In the same period, he or she can make the complaint to the Voivodeship Administrative Court in Warsaw. This onward appeal does not entail an automatic suspensive effect but a third-country national can request the court to suspend the final decision on deprivation of international protection. However, it takes sometimes even a couple of months to suspend the decision by the court on the third-country national’s demand. During that period a third-country national stays irregularly in Poland, so return proceedings may be initiated against him/her and removal may be enforced.

Only some refugees and subsidiary protection beneficiaries are entitled to free legal assistance in cessation proceedings, namely those whose income is so low that it would qualify them for social welfare.⁹²⁹ Free legal assistance is only provided in the appeal proceedings; it does not include the first-instance procedure.⁹³⁰ Before the court, the third-country national can apply for free legal assistance by lawyer following the general rules (see [Legal Assistance](#)).

A third-country national who was deprived of international protection is obliged to return the residence card immediately to the Head of the Office for Foreigners, no later than 14 days from the moment when a decision concerning deprivation of international protection becomes final.⁹³¹

There is a single procedure in Poland that includes the cessation and withdrawal of international protection. In consequence, the beneficiary may receive a decision on deprivation of international protection, as it is called in Poland, which can be issued on the grounds justifying only a cessation or only a withdrawal or both. The Office for Foreigners shares the data on a general number of ‘deprivations’ and how often the exact legal basis was used in the respective decisions. From 2018 to 2025, the total number of persons deprived of international protection as a result of a cessation or withdrawal procedure was as follows:

Number of persons deprived of international protection (ceased and/or withdrawn)							
	2019	2020	2021	2022	2023	2024	2025
Deprivation of refugee status	6	12	4	9	8	15	8
Deprivation of subsidiary protection	100	95	32	33	67	56	73

Source: Office for Foreigners.

The above figures do not distinguish between cessation and withdrawal procedures as both fall under the category “deprivation of international protection” in the statistics shared by the OFF. In 2024, there were 15 cases in which refugee status was ceased or/and withdrawn (11 Russian citizens, 1 Belarusian citizen, 1 Afghan citizen, 1 Egyptian citizen, 1 Ukrainian citizen). In 2024, 56 persons had their subsidiary protection status ceased or/and withdrawn (including 39 Russian citizens, 10 Ukrainian citizens, 4 Belarusian citizens, 2 Kazakh citizens, 1 Turkish citizen).⁹³² In 2025, 8 people had their refugee status ceased or withdrawn (7 Russian citizens, 1 Cuban citizen), 73 beneficiaries had their subsidiary protection status ceased or withdrawn (including 33 Ukrainian citizens, 27 Russian citizens, 12 Belarusian citizens, 1 Afghan citizen).⁹³³ Statistical data for 2023 and 2024 provided by the Office for Foreigners did not allow to differentiate between cases in which the protection status had been ceased, or was withdrawn.

⁹²⁹ Article 69d(2) Law on Protection.

⁹³⁰ Article 69d Law on Protection.

⁹³¹ Article 89l(1) and (3) Law on Protection.

⁹³² Information provided by the Office for Foreigners, 19 February 2025.

⁹³³ Information provided by the Office for Foreigners, 10 April 2026.

As regards the grounds for depriving international protection, the following cessation grounds were applied in 2025:

Grounds for cessation of international protection in 2025	
Cessation of refugee status	
The beneficiary voluntarily accepted the protection of a country they are a citizen of	7
The beneficiary can no longer, because the circumstances in connection with which he or she has been recognised as a refugee have ceased to exist, continue to refuse to avail himself or herself of the protection of the country of nationality	0
The beneficiary acquired new citizenship and he or she is under the protection of the state whose citizen he or she has become	0
Cessation of subsidiary protection	
The circumstances which were the reason for granting subsidiary protection no longer exist or have changed in such a way that a third-country national no longer requires protection	65

Source: Office for Foreigners. One decision may be based on several legal grounds. To be read in conjunction with the table under point 6. Withdrawal of protection below.

The above-mentioned figures reveal that nationals of the **Russian Federation** are the beneficiaries of protection most frequently deprived of their status in Poland. In 2025 55 Russian citizens were granted refugee status in Poland, and 30 received subsidiary protection. Based on the available data, it is not possible to identify the grounds for depriving Russian citizens of international protection in 2025.⁹³⁴

HFHR concludes that Russian citizens have mostly been deprived of protection as a result of travel to their country of origin after they obtained international protection.⁹³⁵ The finding is confirmed by the SIP. According to the organisation, returning to the country of origin – even only to obtain needed documents or to take care of ill family members – is a reason to deprive refugees and beneficiaries of subsidiary protection of their status. The same effect may be entailed by obtaining a passport in the embassy of the country of origin. SIP also points out that beneficiaries of international protection are deprived of protection due to a changed situation in Chechnya. However, in its opinion, both the individual and general circumstances of those cases are not scrutinized sufficiently by Polish authorities.⁹³⁶

In 2022, the Supreme Administrative Court delivered a judgment concerning the cessation of subsidiary protection of a Russian national. The reasons for cessation were twofold: the beneficiary obtained a Russian passport, travelled to Russia 5 times, and the situation in Chechnya significantly changed since his arrival in Poland in 2005. The cassation appeal submitted by the Russian national was dismissed by the Supreme Administrative Court. In particular, the court found that the statements of the complainant that he obtained a passport through an intermediary were not credible, as the passport was biometric; thus, it required personal contact with Russian authorities to provide fingerprints. Moreover, the complainant did not manage to convince the court that he would be individually at risk of harm upon return to Chechnya.⁹³⁷ In a similar case, concerning a Russian family of five, having subsidiary protection since 2008, the Supreme Administrative Court accepted that they should be deprived of protection because they obtained a passport from Russian authorities. The court did not find it problematic that the decision of the Head of the Office for Foreigners was issued in 2019 and was based solely on the travels from

⁹³⁴ Information provided by the Office for Foreigners, 10 April 2026.

⁹³⁵ This reasoning was confirmed by the Supreme Administrative Court in Decision No II OSK 1493/14, 23 February 2016: Lex.pl, 'NSA: uchodźcy z Czeczenii muszą wrócić do kraju', 26 February 2016, available (in Polish) [here](#).

⁹³⁶ M. Sadowska, 'Pozbawienie cudzoziemca ochrony międzynarodowej w Polsce' in SIP, *Prawa cudzoziemców w Polsce w 2019 roku. Raport*, 2020, available (in Polish) [here](#) 24-25; A. Pulchny, 'Pozbawienie cudzoziemca ochrony międzynarodowej w Polsce' in Stowarzyszenie Interwencji Prawnej (SIP), *SIP w działaniu. Prawa cudzoziemców w Polsce w 2018 r.* (2019), available (in Polish) [here](#), 24-25.

⁹³⁷ Supreme Administrative Court, Judgment of 5 July 2022, no. II OSK 1868/21, available [here](#) in Polish.

Poland in the Eastern direction in 2011-2012, while the Russian passport was issued in 2012. The beneficiaries' explanations that they stayed in Belarus and obtained a passport through an intermediary were not found credible.⁹³⁸

In 2018-2021 some Russian citizens were also deprived of subsidiary protection because they were considered a security threat or there were serious grounds to believe that they committed a crime (see [Withdrawal of protection status](#)).⁹³⁹ Data shared by the Office for Foreigners does not allow to determine how many Russian citizens were deprived international protection for these reasons in 2022-2024.

In 2023, a case concerning a Russian national deprived of subsidiary protection was communicated by the ECtHR (no. 9323/19, N.M. v. Poland). The return decision was issued based on the fact that the military conflict in Chechnya finished and the applicant was considered a security threat. For the latter reason, the appeal against the return decision did not entail a suspensive effect. Relying on Article 13 of the ECHR, in conjunction with Article 3 of the ECHR, the applicant complained about the lack of an effective remedy with a suspensive effect to appeal against the decision ordering his return to Russia.

In 2024, the Refugee Board rejected the appeals of 15 persons deprived of subsidiary protection (mostly Russian nationals – 11) and 5 persons deprived of refugee status. 11 complaints were submitted to the court.⁹⁴⁰ Only in two cases did the court revoke the decision. In the remaining cases decided in 2025; it dismissed the beneficiaries' complaints.⁹⁴¹

6. Withdrawal of protection status

Indicators: Withdrawal

1. Is a personal interview of the beneficiary in most cases conducted in practice in the withdrawal procedure? Yes No
2. Does the law provide for an appeal against the withdrawal decision? Yes No
3. Do beneficiaries have access to free legal assistance at first instance in practice? Yes With difficulty No

Refugee status is withdrawn ("revoked") where the person:⁹⁴²

- a. Has withheld information or documents, or presented false information or documents of significance for the asylum proceedings;
- b. Has committed a crime against peace, a war crime or a crime against humanity, as understood by international law;
- c. Is guilty of acts contrary to the aims and principles of the United Nations, as specified in Preamble and Articles 1 and 2 of the UN Charter,
- d. Poses a threat to the security of the state in which they reside,
- e. Has been convicted by a final judgment for a particularly serious crime, other than the crime against peace, a war crime or a crime against humanity, and poses a threat to the society of the state in which resides.

The last two grounds are in force since 27 March 2025.⁹⁴³ The amendments were introduced with reference to the judgment of the CJEU in the cases of *M v. Ministerstvo vnitra and X and X v. Commissaire général aux réfugiés et aux apatrides*.⁹⁴⁴ However, there are doubts as to whether the amendments fully reflect the judgment, as they fail to acknowledge that the mere withdrawal of refugee status does not

⁹³⁸ Supreme Administrative Court, Judgment of 11 January 2022, no. II OSK 1754/21, available [here](#) in Polish.
⁹³⁹ Supreme Administrative Court, Judgment of 11 January 2022, no. II OSK 1177/21, available [here](#) in Polish.

⁹⁴⁰ Information provided by the Office for Foreigners, 15 January 2019, 22 January 2020 and 26 January 2021.
⁹⁴¹ Information from the Refugee Board, 19 January 2026.

⁹⁴² Information provided by the Voivodeship Administrative Court in Warsaw, 11 March 2026.

⁹⁴³ Article 21(1) Law on Protection.

⁹⁴⁴ Article 1(2) of Act of February 21, 2025 on Amendments to Law on Protection.

⁹⁴⁴ CJEU (Grand Chamber), cases C-391/16, C-77/17 i C-78/17, judgement of 14 May 2019.

change the fact that such individuals remain refugees within the meaning of the Geneva Convention as they continue to meet the material conditions set out therein. For this reason, they must be guaranteed the rights referred to in Article 14(6) Directive 2011/95/EC of the directive and in the Geneva Convention.⁹⁴⁵

Subsidiary protection is withdrawn where:⁹⁴⁶

- a. It has been revealed that a third-country national has withheld information or documents or presented false information or documents of significance for the asylum proceedings;
- b. There are serious grounds to believe that a third-country national has committed a crime against peace, a war crime or a crime against humanity, as understood by international law;
- c. There are serious grounds to believe that a third-country national is guilty of acts contrary to the aims and principles of the United Nations, as specified in the Preamble and articles 1 and 2 of the UN Charter;
- d. There are serious grounds to believe that a third-country national has committed a crime in Poland or an act outside Poland which is a crime according to Polish law;
- e. There are serious reasons to believe that a third-country national poses a threat to state security or to the safety of society.

Subsidiary protection may also be revoked if, after an applicant has been granted subsidiary protection, it has been revealed that the beneficiary had committed a crime under Polish law punishable by any prison sentence – regardless of its duration - and had left their home country for the sole purpose of avoiding punishment.⁹⁴⁷

There is a single procedure in Poland that includes the cessation and withdrawal of international protection. In consequence, the beneficiary may receive a decision on deprivation of international protection, as it is called in Poland, which can be issued on the grounds justifying only a cessation or only a withdrawal or both. The Office for Foreigners shares the data on a general number of ‘deprivations’ and how often the exact legal basis was used in the respective decisions.

In general, international protection is rather ceased than withdrawn. In 2025, 8 people had their refugee status ceased or withdrawn (7 Russian citizens, 1 Cuban citizen), 73 beneficiaries had their subsidiary protection status ceased or withdrawn (including 33 Ukrainian citizens, 27 Russian citizens, 12 Belarusian citizens, 1 Afghan citizen).⁹⁴⁸ Statistics provided by the Office for Foreigners did not allow to differentiate between cases in which the protection status had been ceased, or was withdrawn.

Grounds for withdrawal of international protection in 2025	
Withdrawal of refugee status	
The beneficiary poses a threat to the security of the state in which they reside	1
The beneficiary has withheld information or documents, or presented false information or documents of significance for the asylum proceedings	
Withdrawal of subsidiary protection	

Source: Office for Foreigners. Based on the data available, it was not possible to determine which grounds were applied to the withdrawals of subsidiary protection.

The “deprivation” procedure in case of withdrawal is the same as in case of cessation and it is described in the section on [Cessation](#).

⁹⁴⁵ SIP, ‘Statement of the Association for Legal Intervention regarding the draft Act amending the Act on Granting Protection to Foreigners on the Territory of the Republic of Poland (UD173)’, December 2024 available in Polish [here](#).

⁹⁴⁶ Article 22(1) Law on Protection.

⁹⁴⁷ Article 22(4) Law on Protection.

⁹⁴⁸ Information provided by the Office for Foreigners, 10 April 2026.

B. Family reunification

1. Criteria and conditions

Indicators: Family Reunification

1. Is there a waiting period before a beneficiary can apply for family reunification?
 Yes No
❖ If yes, what is the waiting period? n/a
2. Does the law set a maximum time limit for submitting a family reunification application?
 Yes No
❖ If yes, what is the time limit?
3. Does the law set a minimum income requirement? Yes No

The procedure of family reunification is governed by Article 159 of the Law on Foreigners. Family members who are eligible to reunite with the beneficiary are:

- ❖ spouse (marriage has to be recognised under the Polish law, but does not have to be concluded before the beneficiary's entry to Poland);
- ❖ minor child (biological or adopted) of the family member dependent on them and under their parental authority
- ❖ minor child (biological or adopted) of the beneficiary and their spouse dependent on them and under their parental authority, who were minors on the date of the application for a temporary residence permit for the purpose of family reunification.

In the case of a minor beneficiary of international protection, family members who can reunite with them are not only parents but also grandparents or other responsible adults under Polish law (e.g. legal guardians).

In the case of children of beneficiaries of international protection, minors shall be understood as persons who were minors on the date on which the beneficiary submitted an application for international protection, provided that the application for a temporary residence permit for the purpose of family reunification was submitted within 3 months from the date on which refugee status or subsidiary protection was granted. In other cases, minors shall be understood as persons who were minors on the date of submitting the application for a temporary residence permit for the purpose of family reunification.⁹⁴⁹

As of 1 June 2025, a 'family member of a beneficiary' can also include:

- ❖ the parent of the beneficiary, if the beneficiary, on the date of submitting the application for a temporary residence permit for the purpose of family reunification for that parent, was an unaccompanied minor residing in the territory of Poland;
- ❖ the brother or sister of the beneficiary, if due to a serious illness they are completely and permanently dependent on the assistance of their parents, provided that those parents are family members of the beneficiary as described above, and have been granted temporary residence permits for the purpose of family reunification.⁹⁵⁰

Both people that obtained refugee status and subsidiary protection are eligible for a simplified family reunification procedure, but it still remains a complicated and expensive procedure. If they submit a relevant application to the relevant Voivode within 6 months from the date of obtaining protection within the territory of Poland, they are not obliged to comply with the conditions of having health insurance, a stable source of income or accommodation in Poland. It must, nonetheless, be remembered that when the residence permit is granted, the beneficiary's family residing outside Poland is obliged to obtain a visa

⁹⁴⁹ Article 159(3a) and (3b) Law on Foreigners.

⁹⁵⁰ Article 159 (5) Law on Foreigners.

from a Polish consulate. The requirements under which a visa is obtained, in turn, include having adequate financial means and health insurance.⁹⁵¹

There are no differences between refugees and beneficiaries of subsidiary protection as to the family reunification conditions. The beneficiary is not required to know Polish, is not subject to DNA tests, but has to present original documents certifying the family ties, translated into Polish by a sworn translator.

Data on family reunification of beneficiaries of international protection are generally not disaggregated by the authorities.⁹⁵² However, for 2025 the Office for Foreigners shared that 2,472 beneficiaries applied for family reunification and 233 permits were issued for family members.⁹⁵³

Family reunification of persons granted international protection was one of the seven main requests presented by SIP to the government in December 2023.⁹⁵⁴ The main challenges identified by this NGO (and still valid as of 2024) are:

- ❖ conditions of health insurance, stable income and place of residence applicable towards BIPs after 6 months deadline;
- ❖ narrow definition of family member. In the view of the authors persons that should be included are: partners without formal marriage (partners staying in religious marriage or civil partners), parents of BIPs and their adult children.

The obstacle observed in previous years related to the fact that the procedure was lengthy, complicated and costly (submitting and translating official documents, journey to Poland, to Polish consulate, paying several visits to the consulate, getting a visa).⁹⁵⁵ The CJEU judgement from 9 March 2023 in the case C-1/23 PPU Afrin is not expected to have significant impact on the family reunification procedure in Poland, because the application for family reunification is submitted by BIP in the territory of Poland, not by their family members staying outside.

2. Status and rights of family members

Family members may be granted a temporary residence permit, if they are not in Poland or if they do not apply for asylum after the arrival. The temporary residence permit to facilitate family reunification of beneficiaries of international protection is granted for up to 3 years. It happens that a temporary stay is issued for only one year. The foreigner is then issued a residence card upon arrival to Poland with an expiry date conforming to the expiry date of the permit that was granted. The card contains the foreigner's personal data, residence address, annotation confirming the right to be employed in Poland, and the expiry date.

Individuals who have been granted a residence permit under the family reunification procedure may take employment in Poland without the need to apply separately for a work permit, and children under 18 years of age are entitled to free education in Polish schools. Family members of international protection beneficiaries are also entitled to social benefits. They also are entitled to be covered by the Individual Integration Programme (see [Individual Integration Programme \(IPI\)](#)) provided that a relevant application is submitted with one of the Poviats Family Support Centres (*powiatowe centra pomocy rodzinie*). The application must be submitted within 60 days from the date when the temporary residence permit is granted.

⁹⁵¹ HFHR, *Family Reunification of Foreigners in Poland, Law and Practice*, June 2016, available [here](#), 19-20.

⁹⁵² A. Kulesa, 'Łączenie rodzin' in A. Górską, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), 9.

⁹⁵³ Information from the Office for Foreigners, 10 April 2026.

⁹⁵⁴ SIP, 7 zmian, które należy wprowadzić w prawie migracyjnym – piszemy do nowego rządu, 21 December 2023, available [here](#).

⁹⁵⁵ HFHR, *Family Reunification of Foreigners in Poland, Law and Practice*, June 2016, available [here](#), 21.

C. Movement and mobility

1. Freedom of movement

Refugees and subsidiary protection beneficiaries enjoy full freedom of movement in Poland. They can freely choose a place where they want to live, authorities do not require them to live in some particular areas of the country.

There are no specific facilities for refugees and subsidiary protection beneficiaries in Poland. They are entitled to stay in reception centres up until 2 months after the decision on the asylum application becomes final. Afterwards, they have to organise all living conditions themselves.

Beneficiaries are obliged to reside in a place (within the specified voivodeship) agreed with the authorities during the 12 months of the Individual Integration Programme (IPI) (see [Social welfare](#)).⁹⁵⁶ In general, a change of a place of residence is equated with the termination of the programme. However, a change of residence is allowed in particularly justified cases, e.g. in case of:

- 1) finding a job in another region with a possibility of accommodation;
- 2) obtaining accommodation in another region;
- 3) family reunification, when the possibility to live together exists;
- 4) medical reasons justifying a move.

In those cases, the beneficiary has to inform authorities about the move and its reasoning. Then, the programme can continue in a new place of living.

Refugees and subsidiary protection beneficiaries are not assigned to a specific residence for reasons of public interest or public order.

2. Travel documents

Refugees obtain travel documents mentioned in the Refugee Convention, which are valid for 2 years from the day of issuance.⁹⁵⁷ Subsequent travel documents are issued upon request.⁹⁵⁸ The document is issued free of charge, whether a first travel document or a subsequent one. The authority responsible for the issuance of refugee travel documents is the Head of the Office for Foreigners.⁹⁵⁹ The procedure concerning refugee travel documents should last one month or two if it is a complicated case.

A refugee travel document has to be received in person. A travel document for a child under the age of 13 should be received in person by their legal representative.⁹⁶⁰ In case of *force majeure* preventing a third-country national to receive a document in person, the refugee travel document can be received by a proxy.⁹⁶¹ Third-country nationals are obliged to give their fingerprints any time they apply for a refugee travel document.⁹⁶² The obligation to give fingerprints and mandatory personal presence to receive the travel document means that most of the time refugees willing to obtain a new travel document have to travel to Warsaw twice, even if they live far away. It is time-consuming and costly.

Beneficiaries of subsidiary protection can apply for a Polish travel document for third-country nationals. The application for the document should be submitted to a Voivode having jurisdiction over the current place of stay of a third-country national and requires a fee of PLN 350 / EUR 83 (the amount has been significantly raised since 29 July 2022, up from PLN 100 / EUR 23.62). If a person concerned lost their

⁹⁵⁶ Article 94 of Law of 12 March 2004 on social assistance.

⁹⁵⁷ Article 89i(1) and (3) Law on Protection.

⁹⁵⁸ Article 89m Law on Protection.

⁹⁵⁹ Article 89n(1) Law on Protection.

⁹⁶⁰ Article 89ib(1) and (2) Law on Protection.

⁹⁶¹ Article 89ib(4) Law on Protection.

⁹⁶² Articles 89i(4) and 89m Law on Protection.

Polish travel document or destroys it (and it is a culpable loss or destruction), they must pay PLN 700 (EUR 165) for a new one. If it happens again, they must pay PLN 1,050 (EUR 248).⁹⁶³

A Polish travel document will be issued only if a beneficiary of subsidiary protection: has lost their passport or the passport has been damaged or its validity has expired, *and* they are unable to obtain a new passport from the authorities of the country of origin.⁹⁶⁴ The inability to obtain a new passport from the authorities of the country of origin is often understood by the Polish authorities as a requirement for beneficiaries to present written evidence that they have contacted the embassy of their country of origin and that this authority has refused to issue a passport for them. Often foreign authorities are unwilling to issue a document confirming those facts. Moreover, some beneficiaries of subsidiary protection are afraid to contact the authorities of their country of origin, because they sought protection in Poland due to the persecution or harm they experienced from their national authorities. The expression of this fear is often not enough to convince the authorities that the person concerned cannot obtain a travel document from the country of origin. In a 2021 judgment, the Supreme Administrative Court stated:

It should be pointed out that a failure to take any actions aimed at obtaining a travel document is justified in a situation where their taking may have a negative impact on the legal or factual situation of the third-country national. Such a situation may arise when the applicant is a beneficiary of one of the forms of international protection (see the judgment of the Supreme Administrative Court of December 13, 2018, file reference number II OSK 309/18, CBOIS). The mere fact of granting international protection does not create a presumption that it is impossible for a third-country national to obtain a new travel document from the authorities of the country of origin and that the authority should not demand the presentation of documents and certificates confirming this impossibility. This circumstance should be subject to individual assessment. The authority should analyse the reasons for granting international protection to the party and assess whether the third-country national's possible contact with the authorities of the country of origin may have a negative impact on his situation.⁹⁶⁵

Currently, facilitation measures are in place regarding the issuance of Polish travel documents for Belarusian citizens. They are exempt from the fee for issuing such a document⁹⁶⁶ and may apply under simplified conditions.⁹⁶⁷ They are not required to demonstrate that obtaining a new travel document from their country of origin is impossible. Moreover, a Polish travel document may also be issued to a person who has never held a travel document. These facilitation measures regarding simplified conditions, as of 27 March 2026, remain in force until 30 June 2026.⁹⁶⁸

The procedure for obtaining the Polish travel document should last one month or two if it is a complicated case. In practice, however, it may last longer.⁹⁶⁹

Refusal to issue a Polish travel document can be appealed to the Head of the Office for Foreigners.

⁹⁶³ Office for Foreigners, 'Nowe stawki opłat za dokumenty wydawane cudzoziemcom', 29 July 2022, available in Polish [here](#).

⁹⁶⁴ Article 252(3) Law on Foreigners. See also CPPHN, 'Polski dokument podróży dla cudzoziemca', 2023, available in Polish [here](#).

⁹⁶⁵ See e.g. Supreme Administrative Court, Judgment of 19 October 2021, no. II OSK 1420/21, available in Polish [here](#) concerning an individual having a humanitarian stay in Poland married to the subsidiary protection beneficiary (author's translation).

⁹⁶⁶ Regulation of the Minister of the Interior and Administration of 28 June 2023 on nationalities for which no fee is charged for the issuance of a Polish travel document for a foreigner.

⁹⁶⁷ Article 252(a) Law on Foreigners.

⁹⁶⁸ Regulation of the Minister of the Interior and Administration of 28 June 2023 on nationalities entitling their holders to apply for the issuance of a Polish travel document for a foreigner under the conditions specified in Article 252a(1) of the Act of 12 December 2013 on Foreigners.

⁹⁶⁹ See e.g. Voivodship Administrative Court in Wrocław, judgment of 25 January 2024, no. II SAB/Wr 408/23, available in Polish [here](#), finding that the length of the proceedings concerning a Polish travel document for foreigners were excessive.

The Polish travel document for a third-country national entitles to multiple border crossings and is valid for 1 year.⁹⁷⁰ After that period, a beneficiary of subsidiary protection needs to apply for another such document. Even in case of an application for a subsequent Polish travel document, after the previous one expires, beneficiaries of subsidiary protection are expected to again take measures to obtain the passport from their country of origin.⁹⁷¹

	Number of Refugee Convention travel documents (issued to recognised refugees)	Number of Polish travel documents (issued to beneficiaries of subsidiary protection)
2017	658	102
2018	555	Not available
2019	681	38
2020	538	129
2021	950	238
2022	1,308	304
2023	1,311	321
2024	1,691	1,594
2025	1,482	1,624

Source: Authors of this report based on an analysis of the statistics shared by the Office for Foreigners

D. Housing

Indicators: Housing

- | | |
|--|----------|
| 1. For how long are beneficiaries entitled to stay in reception centres? | 2 months |
| 2. Number of beneficiaries staying in reception centres as of 31 December 2024 | 1,548 |

The Constitution of the Republic of Poland stipulates in Article 52(1) that: “Everyone shall be guaranteed freedom of movement in the territory of the Republic of Poland and the choice of place of residence and stay”.⁹⁷² This means that the beneficiaries of international protection decide independently where they will live. However, during the integration programme, lasting 12 months, the beneficiaries’ mobility is subject to restrictions – change of place of residence is allowed only in particularly justified cases (see the section on [Individual Integration Programme \(IPI\)](#)). Polish law does not offer separate legislation regarding housing for foreigners, including beneficiaries of international protection. Beneficiaries of international protection are generally subject to the same general conditions that apply to Polish citizens. Foreigners’ rights on access to housing are limited in terms of property rights. They can purchase flats, but if they purchase land or a house, they must obtain permission from the Ministry of the Interior and Administration.⁹⁷³

Beneficiaries of international protection are allowed to stay in the centres for 2 months after being granted a positive decision.⁹⁷⁴ Then when beneficiaries enter the Individual Integration Programme they are offered housing assistance (rather in the form of advice). There is a general lack of social housing for

⁹⁷⁰ Article 253 Law on Foreigners.

⁹⁷¹ Article 254 Law on Foreigners.

⁹⁷² Article 52(1) of the Constitution of the Republic of Poland.

⁹⁷³ Article 1(1) of the Law of 24 March 1920 on the Acquisition of Immovable Properties by Foreigners [*Ustawa z 24 marca 1920 o nabywaniu nieruchomości przez cudzoziemców, Dz.U. 1920 nr 31 poz. 178*].

⁹⁷⁴ Article 74(1)2 Law on Protection.

Polish nationals as well, so the situation of beneficiaries is difficult in this regard.⁹⁷⁵ General conditions to obtain housing under the law are hard to fulfil for beneficiaries because of their relatively short stay in Poland and mobility.⁹⁷⁶

Warsaw is home to the largest number of beneficiaries of international protection living in Poland. Besides the possibility of applying for a social or communal flat from the districts on a general basis, foreigners enrolled in integration programs and requiring special housing support may also apply for a right to live in a “protected flat” run by the Warsaw Family Support Centre since 2011.⁹⁷⁷ The period of stay in that kind of flat should coincide with the period of implementing IPI and should not exceed 12 months but in particular cases, this stay may be extended (e.g., in the case of serious illness or during a period of time when a foreigner is waiting for a flat from the city’s housing stock). From 2011 to 2018, a total of 51 people, including 29 children – benefited from the “protected flat” housing support.⁹⁷⁸ The program “protected flat” is still running but there are other vulnerable groups than BIPs eligible for it.⁹⁷⁹

Another form of housing support for beneficiaries of international protection, which is specific to Warsaw, is the so-called “housing contest”, also organised by the Warsaw Family Support Centre in cooperation with Warsaw City Hall’s Housing Office and Assistance and Social Projects Office. Beneficiaries of protection who complete an IPI and do not succeed in obtaining a social or communal flat in the general procedure can participate in a contest to receive a recommendation to obtain a communal flat (since 2021, including in 2025 the Centre can issue up to 20 recommendations per year, which means there are maximum of 20 flats).⁹⁸⁰ Annually, a special qualification commission, which consists of five representatives (two from the Warsaw Family Support Centre, one each from the Housing Office, Assistance and Social Projects Office, and one from NGOs operating in the capital) evaluates applications, taking into consideration criteria such as family/financial situation but also the level of integration. The programme was still running in 2025⁹⁸¹

The procedure is not only aimed at supporting persons who are in an unfavourable housing situation but also to promote those who are distinguished and involved in the implementation of the integration programs. Some municipalities provide singular flats annually, dedicated for beneficiaries. Besides Warsaw, there are cities such as Gdansk and Lublin that have some kind of special housing support programs or solutions dedicated to foreigners.⁹⁸²

It is important to understand, that difficulty in finding adequate housing for beneficiaries is a part of a general shortage of affordable housing. According to experts, in 2018 there was a shortage of about 2.1 million houses in Poland.⁹⁸³ This situation most frequently affects people with medium and low income. They neither have access to cheap mortgages nor the finances to buy the apartments. The social housing in the country estimated at 150–200 thousand premises is insufficient for the needs of the population.⁹⁸⁴

⁹⁷⁵ Maryla Koss-Goryszewska ‘Mieszkalnictwo’ in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), available (in Polish) [here](#), 27.

⁹⁷⁶ Ibidem, 29.

⁹⁷⁷ Program “protected flat” [*mieszkanie chronione*] was established on the basis of the Ordinance no 47/2011 from 28 September 2011 of the Head of the Warsaw Family Support Centre, which was then replaced by the Ordinance no 11/2015 from 24 February 2015 of the Head of the Warsaw Family Support Centre, available (PL) [here](#).

⁹⁷⁸ D. Wach, M. Pachocka, *Polish Cities and Their Experience in Integration Activities – The Case of Warsaw*, 2022, available [here](#), 96-98.

⁹⁷⁹ Information from Warsaw municipality website from 23 August 2021, available [here](#).

⁹⁸⁰ Program “housing contest” [*konkurs mieszkaniowy*] is regulated by the Ordinance no 46/2021 from 20 October 2021 of the Head of the Warsaw Family Support Centre, available (PL) [here](#).

⁹⁸¹ Information from WCPR website, available in Polish [here](#).

⁹⁸² D. Wach, M. Pachocka, *Polish Cities and Their Experience in Integration Activities – The Case of Warsaw*, 2022, available [here](#), 98.

⁹⁸³ Heritage Real Estate Think Tank, *Ile mieszkań brakuje w Polsce* [What is the housing deficit in Poland], report in cooperation with UN Global Compact Network Poland, November 2018, available [here](#).

⁹⁸⁴ K. Sobczak-Szelc, M. Pachocka, K. Pędzwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 158.

Some of the key challenges related to housing which affect particularly beneficiaries of international protection include:

- ❖ the limited supply of affordable housing,
- ❖ high rental costs (especially in big cities),
- ❖ discrimination in the housing market,
- ❖ the lack of specialised housing counselling for beneficiaries of international protection,
- ❖ the risk of homelessness after the end of institutional support under the IPI.⁹⁸⁵

Some researchers stress that, although there is no data on the number of homeless beneficiaries of international protection, there is a high probability that the number is substantial.⁹⁸⁶ Stereotypes and negative attitude towards foreigners prevail. Finding accommodation for large families is even more challenging. IPI is not tailored to tackle these problems.⁹⁸⁷

Another extensive study on integration from 2020 shows that housing is one of the major issues for both asylum applicants and beneficiaries of international protection in Poland. The shortage of affordable housing makes the situation of persons with international protection particularly difficult. Consequently, the lack of housing opportunities results in slowing down the process of adaptation of foreigners to the new socio-cultural conditions of the host country, and may have a negative impact on their physical and mental health.⁹⁸⁸ One significant reason why some individuals who receive international protection opt to leave Poland and seek better living conditions in Western European countries is the challenge of finding suitable and affordable housing. These countries may also have more extensive diaspora and support networks available.⁹⁸⁹

SIP confirms that in 2022 the problem with accommodation-related discrimination of third-country nationals persisted. According to this NGO, the increasing hostility towards foreigners, fuelled by prominent politicians, is not being adequately addressed by the Polish authorities. Finding an affordable flat in the market is difficult and social flats are hardly accessible, so many international protection beneficiaries are at risk of homelessness.⁹⁹⁰

Since 2022 finding housing was additionally complicated by the number of arrivals from Ukraine, which made it nearly impossible to rent apartments in larger cities. (see section on [Housing in Annex on Temporary Protection](#)). As of 2023 the research confirms, that there are no governmental housing programmes for third country nationals and no specific legislation governing their housing in Poland. Due to the lack of social housing, many migrants, refugees and other beneficiaries of international protection have become homeless because they cannot afford free market rent levels.⁹⁹¹ Other reports from 2023 enumerate challenges such as insufficient legal protection of owners' rights, which discourages to rent accommodation to foreigners and limited resources of affordable housing, which results in competing with the rest of the society and possible conflicts.⁹⁹²

In September 2024, UN Committee on Economic, Social, and Cultural Rights presented its Concluding observations on the seventh periodic review of Poland. The Committee expressed concern that the

⁹⁸⁵ Ibidem, 147.

⁹⁸⁶ Maryla Koss-Goryszewska 'Mieszkalnictwo' in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), available (in Polish) [here](#), 30.

⁹⁸⁷ NGOs alternative report to the government report on implementation of the Convention of the Rights of the Child, submitted to UNICEF, August 2020, available (in Polish) [here](#).

⁹⁸⁸ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project* (#770564, Horizon2020), available [here](#), 11.

⁹⁸⁹ Ibidem, 136.

⁹⁹⁰ Stowarzyszenie Interwencji Prawnej and others, third party joint submission to the 41st Session of the Human Rights Council Universal Periodic Review of Poland – 4th cycle, 2022, available [here](#), 4.

⁹⁹¹ Council of Europe, European Commission Against Racism and Intolerance (ECRI), Report on Poland, sixth monitoring cycle, September 2023, available [here](#), 23.

⁹⁹² Programme of Integration of Immigrants in the Malopolska Region, 'Open Malopolska', *Program integracji imigrantów w województwie małopolskim „Małopolska otwarta”*, 24 October 2023, available (PL) [here](#), 14.

poverty rate remains relatively high among refugees. It was pointed out that refugees are particularly vulnerable to homelessness and landlord exploitation due to the lack of affordable homes.⁹⁹³

E. Employment and education

1. Access to the labour market

Refugees and beneficiaries of subsidiary protection have access to labour market on the same conditions as Polish citizens. There is no difference between refugees and subsidiary protection beneficiaries in this regard. Access to employment is not limited to certain sectors.

Beneficiaries of international protection face many challenges in accessing the labour market. It starts with the long period of exclusion during the first six months of the procedure for international protection when they are not allowed to work. Then they face other obstacles, such as discrimination by potential employers and performance of simple and low-paid jobs, which pushes them into undocumented work. They often work below their qualifications and skills or do not work at all due to family responsibilities. Other problems influencing their situation are trauma and depression. Also, research shows that in order to achieve a good level of integration in the labour market, it is important to have appropriate information, social networks, adequate language training, and a welcoming atmosphere.⁹⁹⁴ However, the two most significant challenges that beneficiaries of international protection need to overcome to access the labour market are language and recognition of education and qualifications.⁹⁹⁵ Additionally, local labour offices are rated quite negatively by NGO representatives working with refugees, since they are not prepared to help beneficiaries of international protection to enter the labour market in Poland, despite a clear obligation to do so in the law.⁹⁹⁶ NGOs report that foreign employees face discrimination, based on multiple factors (including nationality, race, religion, gender, age).⁹⁹⁷

Low language skills and low professional qualifications results in unemployment or employment with low salary; instability of employment; small chances for a promotion.⁹⁹⁸ It is easier to find a job in bigger cities, e.g. in **Warsaw** where vocational trainings are provided in foreign languages. Support of the state is only provided during the 12-month Individual Integration Programme (IPI). Although beneficiaries of international protection have access to professional qualifications programs, they are held in Polish which exclude their participation in practice. There are no programs specially dedicated to foreigners improving professional qualifications by learning Polish. Additionally, the specific needs of foreigners are not taken into account.⁹⁹⁹

In the report from 2020, the following issues were identified: insufficient knowledge of Polish by beneficiaries of international protection, modest linguistic skills of the labour market services and limited ties and social networks, which often act as barriers for them to find a job.¹⁰⁰⁰ Assistance provided by social workers within IPI in most cases consists of support in completing the documentation necessary to

⁹⁹³ UN Committee on Economic, Social, and Cultural Rights, 'Concluding observations on the seventh periodic report of Poland', available in English [here](#), 7.

⁹⁹⁴ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 179.

⁹⁹⁵ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 168.

⁹⁹⁶ *Ibidem*, 171.

⁹⁹⁷ P. Mickiewicz, *Dyskryminacja cudzoziemców na rynku pracy* [in] Stowarzyszenie Interwencji Prawnej (SIP), *SIP w działaniu. Prawa cudzoziemców w Polsce w 2018 r.* (2019), available (in Polish) [here](#), 53.

⁹⁹⁸ Mikołaj Pawlak 'Zatrudnienie' in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), 32.

⁹⁹⁹ Mikołaj Pawlak, 'Kwalifikacje zawodowe' in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), 37.

¹⁰⁰⁰ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project* (#770564, Horizon2020), available [here](#).

register at the labour office, searching for job offers and contacting a potential employer as well as informing about the possibility of participating in vocational training in Polish. Vocational trainings on the other hand do not respond to market needs.¹⁰⁰¹

An important finding of the study is that despite early and effective inclusion in the labour market which gives a greater chance for integration of beneficiaries of international protection with Polish society, there is a lack of mechanism to mainstream integration of beneficiaries of international protection in the labour market. There is also a lack of a monitoring system for the acquisition of work skills and recognition of qualifications as well as for labour market inclusion of beneficiaries of international protection. Moreover, data related to trainings and the effectiveness of IPI in relation to labour market inclusion are not collected in a systematic way.¹⁰⁰²

One of the key problems remains insufficient knowledge of the Polish language by beneficiaries of international protection. Refugees interviewed for research often bring up that employers do not have time for explanations and translations.¹⁰⁰³ Hence, provision of long-term and effective language courses remains one of the key factors needed for improving the access to labour market. In 2021, it was reported that only around 35% of beneficiaries of international protection attended language courses. This results from either lack of courses in some localities, an inability to reconcile work with participation in a course due to the latter's hours, or low attractiveness of the courses (i.e. their failure to meet the needs of refugees).¹⁰⁰⁴

Another issue reported in 2022 by SIP is that migrant workers who suffered exploitation or abuse in Poland are not sufficiently assisted. No state support is offered to them. National Labour Inspectorate is an authority that investigates the legality of migrants' work and punishes them for working without needed documents rather than offering support in the event of exploitation or abuse.¹⁰⁰⁵

On the contrary, in 2023 anti-discrimination measures in labour context were considered adequate. It was found for relatively easy for claimants, including foreigners, to assert discrimination in the context of court proceedings; however, very few employees come forward with complaints.¹⁰⁰⁶

In general, the integration of refugees has not been perceived as a holistic process by the government. As a result, refugees very often end up living in poverty, and are left in a vicious circle of dependence on social welfare.¹⁰⁰⁷ Various legal acts address different facets of integration policy pertaining to beneficiaries of international protection, albeit to varying degrees and without a specific focus on the topic,¹⁰⁰⁸ but overall Poland lacks an official integration strategy.

On 24 October 2023, the Board of Directors of the region of Malopolska adopted the *Programme of Integration of Immigrants in the Malopolska Region ('Open Malopolska')*. This is the first document of its kind officially adopted at the regional level in Poland. The main goal of the programme is to strengthen the integration of immigrants in the Malopolska region. The programme was developed collaboratively, involving workshops with more than 200 representatives of government and local administrations, civil society organisations, immigrant communities, employers, educational and cultural institutions and

¹⁰⁰¹ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project (#770564, Horizon2020)*, available [here](#).

¹⁰⁰² K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project (#770564, Horizon2020)*, available [here](#), 134.

¹⁰⁰³ RESPOND Poland Policy Brief, Adult Refugees' Integration in Poland, 2021, [here](#).

¹⁰⁰⁴ RESPOND Poland Policy Brief, Adult Refugees' Integration in Poland, 2021, [here](#).

¹⁰⁰⁵ Stowarzyszenie Interwencji Prawnej and others, third party joint submission to the 41st Session of the Human Rights Council Universal Periodic Review of Poland – 4th cycle, 2022, available [here](#).

¹⁰⁰⁶ Council of Europe, European Commission Against Racism and Intolerance (ECRI), Report on Poland, sixth monitoring cycle, September 2023, available [here](#), p.23.

¹⁰⁰⁷ RESPOND Poland Policy Brief, Adult Refugees' Integration in Poland, 2021, [here](#).

¹⁰⁰⁸ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project (#770564, Horizon2020)*, available [here](#), 10.

academic and research communities. The implementation of the programme will be collaboratively evaluated every three years.¹⁰⁰⁹ The Programme enumerates the main challenges with regard to access to labour market of foreigners in Poland in general, which are: language barrier, long and complicated process of recognition of qualification or limitations in self-employment. As for the recognition of qualification the authors observe, that some facilitations in this regard cannot limit the verification of knowledge and experience. Ensuring equivalence in qualification acquired in the country of origin and in the host country constitute a basis for building trust to foreign employees by service receivers and by employers.¹⁰¹⁰

2. Access to education

According to the Polish constitution, everyone has a right to education, and education is compulsory until the age of 18. Thus, the right to education is guaranteed not only to Polish citizens but to all children living in Poland, including beneficiaries of international protection, who have free and unlimited access to education in public schools until the age of 18 or the completion of high school. Concerning higher education, beneficiaries of international protection have free access to it under the conditions applicable to Polish citizens.

The situation of IP beneficiaries generally does not differ from the situation of asylum applicants (see above [Reception Conditions: Access to education](#)) The situation of IP beneficiaries can be worse because the schools near the reception centres are more familiar with the challenges related to foreign pupils than other schools in the country.

Data on the number of third country national children is collected through the nationwide Educational Information System. The analysis of this data and comparison with other information shows that the system of collecting information on foreign students is flawed and data is incomplete. This is mainly due to the difficulties in correctly determining the legal status of pupils by the school staff.¹⁰¹¹ The Ministry of Education confirmed that such reports are not publicly available.¹⁰¹²

As research shows, even though there are instruments stipulated by the law designed for migrant children,¹⁰¹³ such as additional Polish language classes, compensatory classes, preparatory classes and cross-cultural teachers' assistants, due to insufficient funding their implementation is often inadequate.¹⁰¹⁴ Some research shows that the biggest shortcoming of the inclusion of refugee children in the education system is the lack of trainings and methodological support for teachers who work with them.¹⁰¹⁵ Other studies highlighted that children beneficiaries face more obstacles than other children with an immigrant background because of disrupted or minimal prior education. The challenges might also include a lack of documentation of their education, credentials, and diplomas. This makes it difficult to assess their skills. In addition, refugee children often deal with PTSD caused by trauma, pain, and the protracted lack of stability.¹⁰¹⁶ Since 2022, the public debate on education for refugee children was mostly focused on the necessity to manage the arrival of a large number of children from Ukraine (see [Annex on Temporary Protection](#)). In 2023, the main problem identified in recent research regarding the education of foreign

¹⁰⁰⁹ European Website on Integration, Poland: Adoption of first regional strategy for migrant integration, 24 October 2023, available [here](#).

¹⁰¹⁰ Programme of Integration of Immigrants in the Malopolska Region, 'Open Malopolska', *Program integracji imigrantów w województwie małopolskim „Małopolska otwarta”*, 24 October 2023, available (PL) [here](#), 11.

¹⁰¹¹ K. Potoniec (ed), Comparative analysis of instruments supporting the integration of pupils under international protection in the educational systems of the Czech Republic, Poland and Hungary, 2021, [here](#), 12.

¹⁰¹² Information from the Ministry of Education, 12 February 2024.

¹⁰¹³ Council of Europe, European Commission Against Racism and Intolerance (ECRI), Report on Poland, sixth monitoring cycle, September 2023, [here](#), 23.

¹⁰¹⁴ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 121.

¹⁰¹⁵ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project (#770564, Horizon2020)*, available [here](#), p. 135.

¹⁰¹⁶ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 122.

children was the shortage of Polish language classes, which were either not organised or not adapted to the needs of foreign students.¹⁰¹⁷

Previous research reported problems regarding the lack of monitoring of school attendance and limited cooperation between schools and parents.¹⁰¹⁸ In 2024 Ocalenie NGO published a report focusing on parents-schools relations in foreign children's education.¹⁰¹⁹ In parents – school communication the most important factor was the language. In case the parent did not know the language sufficiently enough to communicate, cross-cultural assistants were found very helpful. The report stresses that while Russian- or English – speaking pupils can generally rely on their help, pupils speaking other languages often are not assisted by such assistants. If the cross-cultural assistant was missing, often the children themselves became guides for their parents in issues concerning their own education. The report suggests that child-refugees are forced to become more responsible for their own education in comparison to Polish pupils.

The main challenges for adults in education appeared to be learning Polish language and recognition of education certificates obtained in the countries of origin.¹⁰²⁰ Beneficiaries of international protection have free access to higher education, under the same conditions as Polish citizens (tuition, completed secondary-level education and a maturity certificate). The absence of relevant document for refugees does not hinder their ability to pursue studies, as there is an administrative recognition procedure specifically designed for these cases.¹⁰²¹

Knowledge of the host country's language is perceived as one of the most important factors of successful integration, determining access to education, labour market, health, etc. Beneficiaries of international protection are obliged to learn Polish if they participate in an integration programme (IPI), and if there is a need for their participation in a course. Participation in IPI does not include automatic registering for a Polish language course, because it depends on the availability of the courses. Assessment of the need to learn Polish is made by a social worker from the family support centre responsible for mentoring the beneficiaries of the IPI. However, it is not specified what level of Polish language the beneficiary should reach after accomplishing the programme.¹⁰²² Another problem is that IPI lasts only 12 months and so is the obligatory period of participation in the Polish language course.

The key challenges in the language education of adults identified in the latest research were:

- ❖ finding the right course: those organised for free by NGOs are usually overcrowded, because of the huge interest, and the ones run by private language schools are expensive (and the price can be a deterrent factor, even if it is reimbursed within IPI);
- ❖ lack of effectiveness of the courses, the lack of methodology of teaching based on the needs of learners and the lack of different approaches depending on the group's native languages;
- ❖ lack of possibility to combine work with courses. The lack of organised childcare during language classes also makes it difficult for women who take care of children to attend the class.¹⁰²³

F. Social welfare

Beneficiaries of international protection have access to social welfare on equal terms as nationals. There is no difference in treatment between refugees and subsidiary protection beneficiaries.

1. Forms of social assistance

¹⁰¹⁷ Council of Europe, European Commission Against Racism and Intolerance (ECRI), Report on Poland, sixth monitoring cycle, September 2023, [here](#), 23.

¹⁰¹⁸ Programme of Integration of Immigrants in the Malopolska Region, 'Open Malopolska', *Program integracji imigrantów w województwie małopolskim „Małopolska otwarta”*, 24 October 2023, available (PL) [here](#), 13.

¹⁰¹⁹ Ocalenie Foundation, 'Rodzice dzieci cudzoziemskich w kontaktach z polskimi szkołami', November 2024, available in Polish [here](#).

¹⁰²⁰ Ibidem.

¹⁰²¹ Ibidem.

¹⁰²² Ibidem.

¹⁰²³ Ibidem, 131.

Social assistance can be provided *inter alia* for the following reasons: orphaned children; poverty; homelessness; unemployment; disability; long-term or severe disease, violence in the family; the need to protect the child and family; addiction (alcoholism and drug addiction); difficulties in the integration of foreigners who were granted refugee status, subsidiary protection, sudden and unpredictable situations (natural/ecological disaster, crisis, random event), difficulties in integration due to leaving the care and educational institution or prison.

Social assistance is granted to beneficiaries of international protection whose income does not exceed PLN 776 (EUR 183) (for a single person), or PLN 660 (EUR 156) (for a person in the family).¹⁰²⁴ The application for social assistance has to be filed before the Social Welfare Centre (*Ośrodek Pomocy Społecznej*, OPS) which is located in the district where beneficiaries of international protection reside.¹⁰²⁵

Beneficiaries of international protection are also entitled to family benefits and supplements (*świadczenia rodzinne i dodatki*) under two conditions also applicable to Polish nationals: (a) residence in Poland; and (b) the average monthly family income per person in a family, which cannot exceed PLN 674 (EUR 159) or PLN 764 (EUR 180)¹⁰²⁶ if the child in the family is certified as disabled. They have a right to apply for:

- ❖ Family allowance
- ❖ Childbirth aid and supplement
- ❖ Attendance allowance
- ❖ Parental benefit
- ❖ Supplement for the beginning of the school year, education away from home, education and rehabilitation of a disabled child, raising a child in a numerous family, raising a child alone, and caring for a child during parental leave.

Furthermore, beneficiaries of international protection have a right to apply for special financial support under the government “800+ Programme”, which is paid on a monthly basis. This benefit is for families with children and should be spent on the need of the child regardless of income.

In the first half of 2023, PLN 2,404,544 (approx. EUR 567,845) was spent on different kinds of social welfare for recognised refugees and PLN 14,124,744 (approx. EUR 3,335,635) was spent for beneficiaries of subsidiary protection.¹⁰²⁷ Assistance was provided in the form of social assistance, psychological and legal support, assistance in local institutions, financial support, and cash benefits for learning the Polish language as part of the implementation of the individual programme of integration.

Social Welfare Centres assisted 367 families (816 persons) of recognised refugees in the first half of 2023 and 1,420 families (2,587 persons) under subsidiary protection.¹⁰²⁸

2. Individual Integration Programme (IPI)

Beneficiaries of international protection are also entitled to the Individual Integration Programme (IPI) provided by the Poviats Family Support Centres (*Powiatowe Centra Pomocy Rodzinie*, PCPR). They have to submit an application for IPI with additional documentation to the head of the Poviats (starosta) through the PCPR within 60 days from the date beneficiaries of international protection received a decision on refugee status or subsidiary protection. The application covers also the spouse and the minor children of the applicant if they were covered by the applicant’s asylum application. On the other hand, children born in Poland after the completion of the parents’ integration program are not granted such assistance.¹⁰²⁹ Likewise, the spouse of a Polish citizen has been excluded by law from the right to apply for the IPI.

¹⁰²⁴ Since 1 January 2022.

¹⁰²⁵ Ministry of Family, Work and Social Policy, Information available (PL) [here](#).

¹⁰²⁶ Ministry of Family, Work and Social Policy, Information, available (in Polish) [here](#).

¹⁰²⁷ Ministry of Family, Labour and Social Policy, 12 February 2024.

¹⁰²⁸ Information provided by the Ministry of Family, Labour and Social Policy, 12 February 2024.

¹⁰²⁹ SIP, We present our comments to the European Commission Against Racism and Intolerance, June 2022, available (EN) [here](#).

The Programme takes 12 months during which integration assistance is provided. This assistance includes:

- ❖ Cash benefits for the maintenance and coverage of expenses related to learning the Polish language;
- ❖ Payment of the health insurance premium specified in the provisions on general insurance in the National Health Fund;
- ❖ Special social counselling.

The social worker carries out the so-called environmental interview with a beneficiary of international protection and their family, and then together with them draw up an IPI. The programme determines the amount, scope and forms of integration assistance, as well as mutual obligations of the beneficiary and PCPR. The minimum cash benefit amount is PLN 721 (EUR 170), per person per month. Financial assistance is paid from the month beneficiaries of international protection applied for IPI or from the moment they left the open centre for foreigners.

Beneficiaries of international protection are entitled to receive:

1) during the first 6 months of the integration program:

- ❖ up to PLN 1,376.00 (EUR 325) per month - for a single person;
- ❖ up to PLN 963.20 (EUR 227) per person per month - in a 2-person family;
- ❖ up to PLN 825.60 (EUR 195) per person per month - in a 3-person family;
- ❖ up to PLN 688 (EUR 162) per month per person - for a family of four and more.

2) in the period from 7 to 12 months of the integration program:

- ❖ up to PLN 1238.40 (EUR 292) per month - for a single person;
- ❖ up to PLN 866.88 (EUR 205) per person per month - in a 2-person family;
- ❖ up to PLN 743.04 (EUR 175) per person per month - in a 3-person family;
- ❖ up to PLN 619 (EUR 175) per month per person - for a family of four and more.¹⁰³⁰

PCPR assists the beneficiary to obtain housing in a place of residence of their choice, where he or she is obliged to reside during the 12-month period of the IPI. A change of residence is allowed in particularly justified cases. In case the beneficiary changes residence in the region without informing PCPR, the programme will be terminated.

In practice, beneficiaries face several obstacles in obtaining social assistance, ranging from a lack of awareness of their rights and language barriers to the discretion of authorities in the limits of financial assistance granted to the requirement of translated forms and official documents which cannot be obtained from their country of origin e.g. alimony judgment to receive the “800+” child benefit. The need for the entire family to reside in Poland may also pose difficulties.¹⁰³¹ According to the NIEM report,¹⁰³² the regulations guiding the IPI have been out of date for more than a decade now, and they no longer respond to the needs of its beneficiaries.

As studies find, social policy provides few to no resources needed to maintain oneself independently in Poland.¹⁰³³ By delivering mostly financial assistance, integration programmes help families to survive on a daily basis but fail to build the resources needed to become independent, to achieve appropriate adaptation levels in a new environment and prepare themselves to cover free market rental costs. For

¹⁰³⁰ Ministry of Family, Work and Social policy, *ROZPORZĄDZENIE MINISTRA PRACY I POLITYKI SPOŁECZNEJ z dnia 7 kwietnia 2015 r. w sprawie udzielania pomocy cudzoziemcom*, available (in Polish) [here](#).

¹⁰³¹ Commissioner for Human Rights, ‘Prawo do świadczeń rodzinnych cudzoziemki objętej ochroną uzupełniającą w sytuacji, gdy nie wszyscy członkowie rodziny zamieszkują w Polsce, PCPR’, 10 January 2018, available (in Polish) [here](#).

¹⁰³² NIEM diagnosis of the situation of beneficiaries of international protection in Poland, 2019, available (EN) [here](#).

¹⁰³³ Lukaszewicz, K., ‘Exile to Poverty: Policies and Poverty Among Refugees in Poland’, *International Migration* Vol. 55 (6) 2017, 65, see also *Prawa dziecka-Raport Alternatywny*, August 2020, available (in Polish) [here](#).

some participants, the programmes strengthened their feelings of lacking control over their lives and the helplessness already developed during the asylum procedure. There is a lack of adequate social work with beneficiaries. The financial means are not sufficient for renting a flat on the commercial market and only a few of them can count on receiving social or communal housing.¹⁰³⁴ According to SIP, Nomada and NIEM reports,¹⁰³⁵ IPI should last longer than 12 months, and be practically adapted to individual needs of applicants. Additionally, integration assistance should also be granted to children born after the completion of parents' integration programs.¹⁰³⁶

The case workers interviewed in the study explained that, because they have too many integration programmes to manage monthly, it was practically impossible for them to offer any social work counselling, and they instead focused on managing monetary transfers.¹⁰³⁷ Most of the IPIs are implemented by WCPR (Warszawskie Centrum Pomocy Rodziny), which department of Social Integration and Crisis Intervention has four social workers who provide integration assistance to beneficiaries of international protection.¹⁰³⁸

G. Health care

The right to healthcare is a constitutional right, applicable to third-country nationals as well as to citizens.

Beneficiaries of international protection and members of their families are subject to the same rules as residents of Poland in accessing healthcare, based on public health insurance. Being “insured” usually is related to the age and economic activity of the person (e.g., those under 18 years old, lawfully employed or retired, or registered as an unemployed person). Beneficiaries of international protection and members of their families who have temporary residence permits are directly included on the list of persons authorised to access public healthcare services if they are not “insured”, provided that their income meets the criterion specified in the Law on Social Assistance. Beneficiaries of refugee status or subsidiary protection obtained in Poland covered by an IIP are “insured” under the programme (except when they are insured for another reason).¹⁰³⁹

Importantly, in Poland, all children under 18 years old are entitled to free health care, even if they are not insured and the cost of their treatment is covered by the State Treasury. Children under 19 years old who attend school, regardless of their migration status, are covered by preventive healthcare which includes medical and dental examinations, rehabilitation programmes, health awareness education and health emergency education provided by school or district nurses.¹⁰⁴⁰

The health insurance with the NFZ covers all guaranteed health care services specified in the lists of the Ministry of Health. They include both basic and specialist medical services, vaccinations, diagnostic testing (laboratory or other), rehabilitation, hospital care and medical rescue services, emergency ambulance services and medical transport. Notably, nursing care for elderly persons is not provided in Poland.¹⁰⁴¹

¹⁰³⁴ Ibidem.

¹⁰³⁵ List of recommendations to improve housing situation of Beneficiaries of International Protection in Poland – prepared by Refugee Council operating within the NIEM/V4NIEM, [here](#).

¹⁰³⁶ SIP, Komentujemy propozycje zmian w ustawie o pomocy społecznej, available (in Polish) [here](#).

¹⁰³⁷ Lukasiewicz, K., ‘Exile to Poverty: Policies and Poverty Among Refugees in Poland’, *International Migration* Vol. 55 (6) 2017, 65.

¹⁰³⁸ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, ‘Integration Policies, Practices and Responses. Poland – Country Report’, *Multilevel Governance of Mass Migration in Europe and Beyond Project (#770564, Horizon2020)*, available [here](#).

¹⁰³⁹ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 201.

¹⁰⁴⁰ Article 27(1) and (3) Law on healthcare services financed from public funds.

¹⁰⁴¹ Alexander Wolffhardt, Carmine Conte, Thomas Huddleston, *The European benchmark for refugee integration: A comparative analysis of the National Integration Evaluation Mechanism in 14 EU countries*, 2019, available [here](#), 122.

Not all refugees can take full advantage of the existing health resources and services provided by the Government of Poland. This is due to, among other things, language barriers, relatively long waiting times or the high cost of services.¹⁰⁴²

Research has shown that the main issue concerning access to healthcare are linguistic and cultural barriers.¹⁰⁴³ Access to interpretation in the health care system is not available at all.¹⁰⁴⁴ Other challenges are similar to the challenges Polish nationals face as well: long waiting times to have an appointment with a specialist, costly private medical services and expensive medicines. BIPs' access to health care is jeopardised by difficulties in accessing legal forms of employment, which guarantee free health care.¹⁰⁴⁵ Researchers reported on episodes of discrimination and unjust treatment of international protection beneficiaries while accessing medical services.¹⁰⁴⁶

In 2021, SIP reported a case of a woman granted subsidiary protection 10 years earlier, who was charged with the costs of perinatal care provided in the hospital when she was delivering her child. This action was taken based on a decision made by the President of the NFZ. The reasoning of the decision mentioned that at that time the woman had not had social insurance. As a result of a complaint submitted by the woman, assisted by the NGO lawyer, the authority annulled its own decision admitting that the woman had a right to cost-free perinatal care.¹⁰⁴⁷

One of the gaps in medical services is the specialized treatment for victims of torture or traumatized refugees. There is a clear lack of qualified psychologists and therapists specializing in treating trauma, in particular in an intercultural context.¹⁰⁴⁸

Some recurring issues also include - despite the abovementioned language and cultural barrier – differences in approach to medical procedures in the country of origin and in the host country.¹⁰⁴⁹

¹⁰⁴² Central Statistical office in collaboration with WHO, *Health of refugees from Ukraine in Poland 2022 - Household survey and behavioural insights research*, February 2023, available [here](#).

¹⁰⁴³ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 203.

¹⁰⁴⁴ Alexander Wolffhardt, Carmine Conte, Thomas Huddleston, *The European benchmark for refugee integration: A comparative analysis of the National Integration Evaluation Mechanism in 14 EU countries*, 2019, available [here](#), 124.

¹⁰⁴⁵ Maryla Koss-Goryszewska 'Służba zdrowia' in A. Górka, M. Koss-Goryszewska, J. Kucharczyk (eds), *W stronę krajowego mechanizmu ewaluacji integracji: Diagnoza sytuacji beneficjentów ochrony międzynarodowej w Polsce* (Instytut Spraw Publicznych 2019), 43.

¹⁰⁴⁶ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, M. Szulecka, *From Reception to Integration of Asylum Seekers and Refugees in Poland*, 2023, available [here](#), 201.

¹⁰⁴⁷ SIP, *Opieka medyczna dla kobiet w okresie porodu i połogu oraz ich dzieci*, 10 May 2021, [here](#).

¹⁰⁴⁸ K. Sobczak-Szelc, M. Pachocka, K. Pędziwiatr, J. Szałańska, 'Integration Policies, Practices and Responses. Poland – Country Report', *Multilevel Governance of Mass Migration in Europe and Beyond Project* (#770564, Horizon2020), available [here](#), 136.

¹⁰⁴⁹ Programme of Integration of Immigrants in the Malopolska Region, 'Open Malopolska', *Program integracji imigrantów w województwie małopolskim „Małopolska otwarta”*, 24 October 2023, available (PL) [here](#), 13.

ANNEX I – Transposition of the CEAS in national legislation

Directives and other CEAS measures transposed into national legislation

Directive	Deadline for transposition	Date of transposition	Official title of corresponding act	Web Link
Directive 2011/95/EU Recast Qualification Directive	21 December 2013	30 August 2014	Ustawa z dnia 26 czerwca 2014 r. o zmianie ustawy o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej oraz niektórych innych ustaw	http://bit.ly/1dBH7hj (PL)
Directive 2013/32/EU Recast Asylum Procedures Directive	20 July 2015 Article 31(3)-(5) to be transposed by 20 July 2018	13 November 2015	Ustawa z dnia 10 września 2015 r. o zmianie ustawy o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej oraz niektórych innych ustaw	http://bit.ly/1SHT11B (PL)
Directive 2013/33/EU Recast Reception Conditions Directive	20 July 2015	13 November 2015	Ustawa z dnia 10 września 2015 r. o zmianie ustawy o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej oraz niektórych innych ustaw	http://bit.ly/1SHT11B (PL)
Regulation (EU) No 604/2013 Dublin III Regulation	Directly applicable 20 July 2013	13 November 2015	Ustawa z dnia 10 września 2015 r. o zmianie ustawy o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej oraz niektórych innych ustaw	http://bit.ly/1SHT11B (PL)