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## **The possibilities of social support for immigrant families, who apply for international protection in Poland**

Możliwości wsparcia socjalnego rodzin imigranckich  
ubiegających się o ochronę międzynarodową w Polsce

### **Abstract**

**Aim:** The aim of article is present the Polish legal solutions in the field of legalization of immigrants and the formal and legal conditions leading them to social assistance.

**Methods:** The main research method was analysis of documents and literature. Legislation acts, research reports and statistical data occupied a special place in the source material. The analysis was supplemented by interviews with employees of the Department for Social Assistance and the Department for Refugees Procedures in Warsaw.

**Results:** The article discusses procedures for social support and areas of inter-sectoral cooperation in the organization and provision of social support for immigrant families applying for international protection, with particular focus on a refugee status.

**Conclusions:** Planning and organizing social support for immigrant families applying for international protection in the Polish Republic is a multivariate process. It results from the fact that immigrants are an especially vulnerable social group and very

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heterogeneous. Therefore, providing a comprehensive legal, social and psychological support dedicated to immigrant families requires systemic solutions and taking such aid initiatives that will create a long-term structure.

**Keywords:** family, refugee, migration's crisis, social support, social policy.

### **Streszczenie**

**Cel:** W eksploracji badawczej skoncentrowano się na rozpoznaniu polskich rozwiązań prawnych w zakresie legalizacji pobytu rodzin imigranckich oraz formalno-prawnych uwarunkowań skierowanej do nich pomocy socjalnej.

**Metody:** Główną metodą badawczą była analiza dokumentów oraz literatury przedmiotu. Szczególne miejsce w materiale źródłowym zajmowały akty prawne, raporty z badań i dane statystyczne. Analizę uzupełniły wywiady przeprowadzane z pracownikami Departamentu Pomocy Socjalnej oraz Departamentu Postępowań Uchodźczych Urzędu do Spraw Cudzoziemców w Warszawie.

**Wyniki:** W artykule omówiono procedury udzielania pomocy socjalnej oraz obszary współpracy międzysektorowej w zakresie organizowania i udzielania wsparcia społecznego dla rodzin imigranckich ubiegających się o ochronę międzynarodową, ze szczególnym uwzględnieniem statusu uchodźcy.

**Wnioski:** Planowanie i organizowanie wsparcia socjalnego dla rodzin imigranckich ubiegających się o ochronę międzynarodową w Polsce jest procesem wielowymiarowym. Wynika to z faktu, iż imigranci stanowią szczególnie wrażliwą i niejednorodną grupę społeczną. Zatem stworzenie modelu kompleksowej pomocy prawnej, socjalnej i psychologicznej, dedykowanej rodzinom imigranckim, wymaga systemowych rozwiązań oraz podejmowania takich inicjatyw pomocowych, które będą tworzyły strukturę działającą długofalowo.

**Słowa kluczowe:** rodzina, uchodźca, kryzys migracyjny, wsparcie społeczne, polityka socjalna.

## **Introduction**

The range and dynamics of migratory flows, especially in the dimension of the influx of foreigners from outside the European Union to member countries, is the result of many factors, including both political and economic elements. One of the most important of these is the fall of multinational states, and as a consequence – the increasing wave of armed conflicts of an ethnic, religious or political background.

In addition, among the important predictors which force aliens to move to safer regions, it is worth mentioning: human rights violations, the strongly dis-

crimutory policies of individual governments, the growing scale of poverty, lack of adequate mechanisms of social support, uncontrolled population growth and natural disasters. It is worth noting that the extracted factors are also linked with the so-called pull factors, occurring in host countries taking in an influx of illegal immigrants. Among them there can be distinguished, among others: the need for additional manpower, comprehensive medical and social care and high economic growth, a democratic system of government distinguished by political and social stability, family ties, history and common language<sup>1</sup>.

Therefore, decisions to leave their country of origin are conditioned largely by the need to ensure security, stability and better living conditions for themselves and their loved ones and consequently – to increase the chance for favourable development<sup>2</sup>. Besides, the choice of migration as a life strategy and the selection of the host country often precedes the gathering of information on the level of prosperity, standards of social welfare or labour market conditions, as well as immigrant's rights guaranteed by the host country. Therefore the seemingly random decisions are, in fact, thought out, especially when it comes to migration to another society<sup>3</sup>.

In this context, it is worth noting that an important role in the process of gathering information about the destination of the host country is mostly played by social media. Therefore, an essential piece of equipment is the immigrant's mobile phone and if possible permanent access to the Internet. Data obtained about social and living conditions and the extent of available support in the host country are very often neither updated nor verified by the interested parties themselves. Consequently, this leads to the fact that foreigners, especially those applying for international protection, colliding with the realities of deviating from reality, are exposed once again to the loss of a sense of control over their own destiny.

According to the data released by the Office of the United Nations High Commissioner for Refugees (UNHCR) at the end of September 2016, the estimated number of foreigners entering the Europe by sea amounted to more than 303,800<sup>4</sup>. The largest group went to Greece – almost 169,000 people. However,

<sup>1</sup> Cf.: A. Konarzewska, *Migracyjne problemy Unii Europejskiej*, „Bezpieczeństwo Narodowe” 2007, I–II (3–4), p. 92.

<sup>2</sup> Cf.: M. Wójcik-Żołądek, *Współczesne procesy migracyjne: definicja, tendencja, teorie*, „Studia BAS” 2014, no 4(40), p. 10; S. Łodziński, M. Ząbek, *Ośrodek dla uchodźców – instytucja dyscyplinująca, schronienie czy dom? Problem komunikacji międzykulturowej na przykładzie ośrodków dla uchodźców w Polsce*, „Kultura Współczesna” 2008, no 2(56), p. 135.

<sup>3</sup> J. Polakowska-Kujawa, *Migracje – teoria a realia dotyczące Europy*, [in:] J. Polakowska-Kujawa (ed.), *Współczesna Europa w procesie zmian. Wybrane problemy*, Difin, Warszawa 2006, p. 120.

<sup>4</sup> It is worth noting that the choice of the sea route as a migratory route is burdened with high costs and high risk of damage to health and, in extreme cases, even loss of life. According to UNHCR statistics by the end of September 2016, almost 4,000 people had disappeared or died during the dangerous crossing of the Mediterranean Sea. For comparison, in 2015 this number was esti-

approximately 129,800 immigrants arrived in Italy, and to Spain – less than 5,000 people. In addition, the UNHCR reports that 77% of the total population of foreigners fleeing their countries of origin come from the 10 countries that generate the largest number of refugees on a global scale. And so, the most numerous group of “newcomers” are Syrians (30%), Afghans (16%) and Iraqis (10%). Other countries of origin are: Nigeria, Eritrea, Pakistan, the Republic of Côte d’Ivoire, Sudan, The Gambia and Guinea<sup>5</sup>. It is worth noting that among the population of immigrants from outside the European Union, children accounted for 27% of people fleeing from their country of origin via the Mediterranean Sea<sup>6</sup>.

According to the Eurostat’s data, in the fourth quarter of 2015, the number of people applying for the first time for international protection in the European Union amounted to 426,000, which accounted for 97% of all pending applications during this period. In the forefront of countries which face the problem of refugees and the provision of international protection to migrants from outside the European Union since 2011 invariably are: Germany (162,500 asylum applications at the end of the fourth quarter of 2015.), Sweden (87,900 application seekers at the end of the fourth quarter of 2015.), Austria (30,800 asylum applications at the end of the fourth quarter of 2015.), Italy and France (both more than 23,500 asylum applications at the end of the fourth quarter of 2015). It is worth noting that in the first instance more than 198 thousand positive decisions were issued in the field of international applicants migrants’ protection, including 60% that were decisions on granting refugee status<sup>7</sup>.

As for the scale of the phenomenon in Poland, in 2015 year 12,241 foreigners requested refugee status – about 19.7% less than in the record 2013 year (15,253 applications). However, in a comparison with 2014 year (8,195 applications), an increase of 49% was noted. The largest group of potential refugees were Russian citizens (7,922 applications), 92% of which declared Chechen nationality. Quite a large group of applicants for refugee status, were citizens of Ukraine (2,295 applications).

Here it is worth mentioning that in 2014 in the territory of Poland it was particularly this group of immigrants that was applying for this form of the international protection on an unprecedented scale. For comparison, in 2013 only 46 applications were recorded and in 2014 there were more than 2,300 thousand. In addition, in 2015, foreigners applying for refugee status in our country also

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mated at more than 3,700 people, source: *Refugees/Migrants Emergency Response – Mediterranean*, <http://data.unhcr.org/mediterranean/regional.php>; <http://www.unhcr.org/5683d0b56.html> [access: 30.09.2016].

<sup>5</sup> *Refugees/Migrants Emergency Response – Mediterranean...*, op. cit.

<sup>6</sup> In comparison, in 2015 women and children together accounted for 27% of the immigrant population. However, in February this year, this figure had risen to 60%.

<sup>7</sup> *Eurostat Report: Asylum quarterly report*, 3 marca 2016 r., source: [http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum\\_quarterly\\_report](http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_quarterly_report) [access: 25.04.2016].

included citizens of Tajikistan (541 people), Georgia (394 persons), Syria (295 people), Armenia (195 people) and Kyrgyzstan (147 people)<sup>8</sup>.

In 2015, the Head of the Office for Foreigners issued 634 positive decisions on the granting of dispensing international protection to foreigners on Polish territory. Refugee status was granted to 349 people, including, among others: 203 citizens of Syria, 24 foreigners from Iraq, 21 citizens of the Russian Federation, 20 stateless persons, 15 foreigners from Egypt, 14 Belarusian citizens and 12 persons from Turkmenistan. Meanwhile, subsidiary protection was given to 163 foreigners and a tolerated stay to 122. In both cases, the most numerous group were citizens of the Russian Federation. In addition, it is worth noting that in the case of more than 2,800 people the Head of the Office for Foreigners issued a negative decision on refugee status. At the same time 8 727 cases were discontinued – usually due to lack of interest on the part of the applicant in the continuation of the case or the absence of foreigners in the centre<sup>9</sup>.

In summary, the dynamics of this phenomenon in our country affects a relatively small population of immigrants. Nevertheless, the issue of granting protection on Polish territory, particularly giving a refugee status, is a matter of a great political and legal importance, which arises from the international obligations concerning the implementation of the common asylum policy of the Member States. Consequently, it affects the modernization of legislation on refugees through its adaptation to EU regulations<sup>10</sup>.

The considerations in this article are focused on issues of a social assistance dedicated to immigrant families applying for international protection in the Polish Republic. This is an especially vulnerable social group and very heterogeneous. It consists of culturally, ethnically and religiously disparate representatives.

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<sup>8</sup> *Napływ cudzoziemców ubiegających się o ochronę międzynarodową do Polski w latach 2009–2015*, Urząd do Spraw Cudzoziemców, Warszawa 2015, p. 4; *TOP 5 – ochrona międzynarodowa. Dane statystyczne Urzędu do Spraw Cudzoziemców z lat 2007–2015 (as of 30.12.2015)*, Urząd do Spraw Cudzoziemców, Warszawa 2016, pp. 1–8, source: <http://udsc.gov.pl/statystyki/raporty-specjalne/top-5-ochrona-miedzynarodowa/> [access: 30.09.2016]; Informacja Szefa Urzędu do Spraw Cudzoziemców o stosowaniu w roku 2015 ustawy z dnia 13 czerwca 2003 r. o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej (Dz. U. [Journal of Laws] from 2003, No. 128, item 1176, as amended) w zakresie realizacji zobowiązań Rzeczypospolitej Polskiej wynikających z Konwencji Genewskiej dotyczącej statusu uchodźców oraz Protokołu Nowojorskiego dotyczącego statusu uchodźcy, Urząd do Spraw Cudzoziemców, Warszawa, marzec 2016, pp. 8–9.

<sup>9</sup> Ibidem.

<sup>10</sup> Cf.: S. Łodziński, M. Ząbek, *Ośrodek dla uchodźców – instytucja dyscyplinująca, schronienie czy dom?...*, dz. cyt., p. 135; K. Majdzińska, *Trudności w integracji cudzoziemców, którzy uzyskali w Rzeczypospolitej Polskiej status uchodźcy lub ochronę uzupełniającą*, Europejski Fundusz Społeczny, Warszawa 2012, p. 4.

They differentiate also with their specificity of needs arising from the crisis experienced, and also experiences difficult to survive in the country of their origin, and in the course of the journey to the host country. Moreover, after obtaining refugee status they are subject to a process of adaptation to the new socio-cultural realities, under specific conditions created by the institutions of the host country. Due to their legal and social position, immigrants are also in risk of social exclusion. Therefore they require comprehensive assistance and social expertise in their social-life.

Therefore, the purpose of the exploration was to recognize the Polish legal solutions in the field of the legalization of immigrants and the formal and legal conditions leading them to social assistance. Also, there was an attempt to determine the sources of the difficulties in the implementation of social intervention to the study group. The main method of the research was analysis of documents and literature. Legislative acts, research reports and statistical data occupied a special place in the source material.

The analysis was supplemented by interviews with employees of the Department for Social Assistance and the Department for Refugees Procedures in Warsaw.

### **The scope of a social assistance offered to refugees in Poland – the formal and legal perspective**

Refugeeism is a specific form of migration. This is due to the fact that people, who are seeking for international protection are forced to leave the country their origin, flee from individual persecution and the violence which is a result of armed conflicts and a political instability. Among those who have been granted refugee status on Polish territory may be mentioned: defenders of human rights in countries with undemocratic regimes, people persecuted because of their political activities, people persecuted because of religion or people who belong to ethnic minorities in countries where protection is not provided for the rights of these minorities<sup>11</sup>.

The leading legal act regulating the procedure for granting international protection to a foreigner in Polish<sup>12</sup> territory is *The act on granting protection to*

<sup>11</sup> Cf.: M. Górczyńska, D. Witko, *Status uchodźcy i ochrona międzynarodowa*, [in:] M. Łysień (ed.), *Cudzoziemcy w Polsce. Podręcznik dla funkcjonariuszy publicznych*, (ed. 2 updated), Helsińska Fundacja Praw Człowieka, Warszawa 2016, pp. 85–86.

<sup>12</sup> Polish regulations are in line with international standards and accepted practices in this area at European Union level. In addition, it is worth noting that the EU also grants funding to support measures for migrants. So far, Poland has benefited from two such financial instruments: the European Fund for Refugees and the European Fund for the Integration of Third-Country Na-

foreigners within the territory of the Republic of Poland from 13th June 2003 (consolidated text in Dz. U. [Journal of Laws] from 2016, item 1836). According to Article 3 of that document on the territory of the Republic of Poland, a foreigner is granted a protection in a form of:

- being given refugee status,
- being provided with subsidiary protection,
- being provided with asylum,
- being provided with temporary protection.

In this place it is worth noting that, since November 2015, refugee status and subsidiary protection have been two forms of providing international protection in Poland<sup>13</sup>. In addition, the law mentioned above, by adopting a single model of a consolidated procedure, allows the same body, in the course of one procedure, to decide not only about giving refugee status, but also to assess the basis for subsidiary protection.

Starting from 20th July 2007 the competent authority on granting a protection to foreigners on Polish territory is the Head of the Office for Foreigners, who conducts procedures which are concerned giving refugee status with the help of the Department for Refugees Procedures.

The application is usually submitted at the border and, through the bodies of the Border Guard, forwarded to the Office<sup>14</sup>. An application for refugee status must be submitted by a foreigner in person. If he resides in Polish territory with his family and the family members all want to be covered by refugee status, everyone (including children) must be personally present at the time of application. Submitting an application for refugee status starts administrative proceedings to give the appropriate form of international protection<sup>15</sup>.

In the course of the refugee procedure every foreigner is covered by social assistance afforded to him by the Office for Foreigners. The proper organiza-

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tionals [Cf.: K. Głąbicka, *Praca socjalna z uchodźcami, emigrantami w środowisku lokalnym*, WYG International Sp. z o.o., Warszawa 2014, p. 75].

<sup>13</sup> Cf.: M. Górczyńska, D. Witko, *Status uchodźcy i ochrona...*, op. cit., pp. 43, 85.

<sup>14</sup> An alien declaring a fear of persecution in country of his origin has the right to make an application for international protection and entry to Poland, even in the case of not having a visa or other required documents. The Border Guard cannot refuse a foreigner such entry. In the case where a foreigner wants to apply while staying already on Polish territory, he may do so at any outlet or branch of the Border Guard. After submitting an application the foreigner has the right to stay legally on the Polish territory. In a particular case, when the Border Guard receiving the request considers that the applicant submits an application for e.g. to delay or prevent execution of the decision of obligation to make return or when there is a need to establish or verify his identity, he can apply to the court with an application to place a him in a secure centre for foreigners. In this case the applicant is waiting for his case to be resolved in conditions of deprivation of freedom [Cf.: M. Górczyńska, D. Witko, *Status uchodźcy i ochrona...*, op. cit., p. 87].

<sup>15</sup> Interview with an employee of the Department of Refugee Procedures – Division III (24.08.2016)

tional unit of the Office, which carries out the tasks in this area, is the Department of Social Assistance.

Its main task is to coordinate and organize the work of the centres for foreigners who are applying for an international protection<sup>16</sup>. A comparison of the numbers of foreigners who were under the care of the Department of Social Assistance for the years 2015–2016 is presented in the following table (Tab. 1).

**Table 1. Foreigners benefiting from social assistance of the Office for Foreigners in the years 2015–2016 (as of 30 June each year)**

**Tabela 1. Cudzoziemcy korzystający z pomocy społecznej Urzędu ds. Cudzoziemców w latach 2015–2016 (stan na 30 czerwca każdego roku)**

	Year 2015	Year 2016
<i>Foreigners in centers</i>	1 266	1 601
<i>Foreigners taking advantages of the benefits outside the center</i>	2 504	2 494
<i>Underage without parental care</i>	4	6
<b>Total</b>	<b>3 770</b>	<b>4 101</b>

Source: Own study based on statistics provided by the Department of Social Assistance Office for Foreigners.

Źródło: badania własne na podstawie danych statystycznych przekazanych przez Wydział Pomocy Społecznej Urzędu ds. Cudzoziemców.

A foreigner has the right to benefit from social assistance throughout the duration of the proceedings, that is from the moment of notification to one of the two reception centres (in Biała Podlaska and Podkowa Leśna – Dębak)<sup>17</sup> until completion of the refugee proceedings<sup>18</sup>. After the completion of them, the foreigner is entitled to receive the aid for the period of:

- two months after receiving a positive final decision;
- 30 days from the date of receipt of a negative final decision;
- 14 days from the date of receipt of the final decision to discontinue the proceedings<sup>19</sup>.

<sup>16</sup> *Informator Departamentu Pomocy Socjalnej*, Urząd do Spraw Cudzoziemców, Warszawa 2016, p. 2, source: <https://udsc.gov.pl/uchodzczy-2/pomoc-socjalna/informatory-do-pobrania/informat-or-departamentu-pomocy-socjalnej/> [access: 25.07.2016]; *Interview with an employee of the Department of Refugee Procedures – Division III* (24.08.2016).

<sup>17</sup> If a foreigner does not report to the reception centre in two days, procedure for international protection will be cancelled.

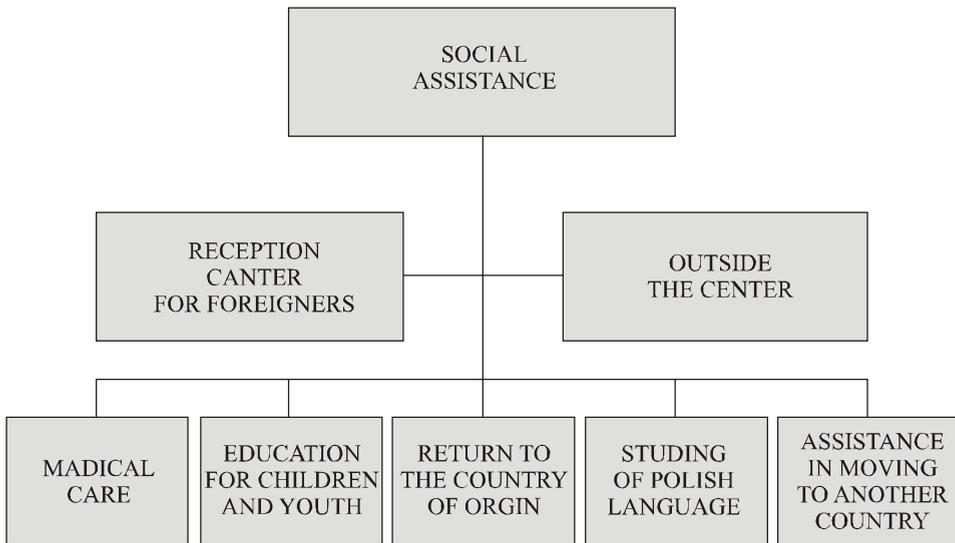
<sup>18</sup> Social assistance is not an entitlement for, among others, foreigners who hold a residence permit in Poland or who are staying in places of restriction of liberty (secure centres for foreigners or prisons) [Cf.: Art. 70, pt. 2 ustawy o udzielaniu cudzoziemcom ochrony na terytorium RP z 13 czerwca 2003. (consolidated text in Dz. U. [Journal of Laws] from 2016, item 1836).

<sup>19</sup> Cf.: M. Górczyńska, D. Witko, *Status uchodźcy i ochrona...*, op. cit., pp. 43, 95.

The system of social assistance dedicated to foreigners applying for international protection in the territory of the Polish Republic is presented in the diagram below (Graph 1).

One of the forms of assistance which a foreigner can get after an application for refugee status is help in the form of accommodation in a centre for foreigners applying for international protection, conducted by the Department of Social Assistance Office for Foreigners.

Currently, there are 11 such institutions; 4 of them are owned by Office (reception centres: in Biała Podlaska and Podkowa Leśna – Dębak, residential institutions: the Czerwony Bor near Lomza and Linin near Góra Kalwaria).



**Graph 1.** Social assistance system scheme dedicated to foreigners applying for international protection in the territory of the Polish Republic. Source: Information of the Department of Social Assistance..., op. cit., p. 2.

**Wykres 1.** Schemat systemu pomocy socjalnej dedykowanej cudzoziemcom ubiegającym się o ochronę międzynarodową na terytorium Rzeczypospolitej Polskiej. Źródło: Informacja Wydziału Pomocy Społecznej..., dz. cyt., s. 2.

The remaining 7 centres are rented from private administrators<sup>20</sup>, on the basis of contracts concluded by way of open tender<sup>21</sup>.

Foreigners, who are staying in the centre, in the context of social assistance, are in addition entitled to:

- full board or cash equivalent in exchange for food,
- pocket money for small personal expenses,
- periodic monetary assistance for the purchase of cleaning and personal hygiene or cleaning products and personal hygiene,
- a one-time monetary assistance or vouchers for the purchase of clothing and footwear,
- help learning Polish and basic materials necessary to learn the language,
- teaching aids for children benefiting from education and care in public institutions, primary schools, secondary schools or high schools,
- coverage, to the least possible extent, of costs of extracurricular activities and recreational sports for children,
- the refunding of public transport's costs (e.g. to participate in the proceedings on granting international protection, medical treatment or undergoing preventive vaccination and in other particularly justified cases<sup>22</sup>).

A foreigner may also apply for a request of a monthly cash benefit payment, granted to him by the Office for Foreigners, to cover his own costs of residence on Polish territory. In such a situation, he is obliged to maintain and reside independently outside the centre. Currently, the cash benefit is 25 PLN per day for a single person household and correspondingly less in the case of a person in a household where there are a number of people<sup>23</sup>.

In addition, all people in the procedure of international protection, regardless of whether they live in the centre or outside of it, are covered by medical care. Medical points are located in each of the centres. The range of health care services include, among others:

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<sup>20</sup> In the evaluation of submitted offers special attention was paid to the criteria for the local conditions, which all objects must fulfill: lounges for men and women, nursery rooms for the purpose of supporting religious practices, recreational areas, classrooms, providing the right amount of refrigerators and washing machines for use by foreigners. In addition, for example, are scored facilities for the disabled, en-suite bathrooms, a good condition of the facade of the building, additional equipment in the playground, recreational areas with equipment for team sports. As emphasized by the employees of the Department of Social Welfare, the introduction of such a wide range of requirements for living conditions contributed to raising the standard of accommodation for the target group [*Interview with employees of the Department of Social Assistance* (22.08.2016)].

<sup>21</sup> *Informator Departamentu Pomocy Socjalnej...*, op. cit., p. 3.

<sup>22</sup> Art. 71 *Ustawy o udzielaniu cudzoziemcom ochrony na terytorium RP z 13 czerwca 2003 r.* (consolidated text in Dz. U. [Journal of Laws] from 2016, item 1836).

<sup>23</sup> Cf.: M. Górczyńska, D. Witko, *Status uchodźcy i ochrona...*, op. cit., p. 95; K. Głąbicka, *Praca socjalna z uchodźcami, emigrantami w środowisku lokalnym...*, op. cit., pp. 110–111.

- primary care: internal and paediatric medical care;
- psychological care;
- diagnostic tests;
- specialist medical care;
- hospitalizations;
- immunization calendar vaccination of children and additional adults;
- specific medical-sanitary procedures: The Filter Epidemiological Program for early detection of infectious diseases (including tuberculosis, hepatitis B and C, HIV status, and people infected with sexually transmitted diseases), The Program of Sanitary-Epidemiological Teams Prevention at outpatient centres for holding<sup>24</sup>.

Moreover, in the framework of the discussed welfare, the Head of Office for Foreigners can provide help in organizing a voluntary return to their country of origin. The applicant may therefore recover travel expenses, particularly those concerning transport, food and medical care during the trip, as well as any administrative fee for issuing the relevant travel document and the necessary visas and permits. This form of assistance can be provided only once every two years<sup>25</sup>.

Non-governmental organizations play an important role in the organization and provision of a social assistance to foreigners and their families who are applying for the granting of international protection in Polish territory. Their involvement in the implementation of numerous projects dedicated to immigrants, is a complementary activity, among others, of the Office for Foreigners<sup>26</sup>. Non-governmental organizations primarily uphold the protection of human rights. Here should be mentioned non-governmental organizations such as UNHCR, Caritas, PAH and the Helsinki Foundation for Human Rights.

They help migrants who notify to them, among other situations, when they appeal against negative decisions for refugee status, in house rental, job search, when a person leaves the refugee centre. Some of these organizations run their own centres for migrants and refugees, among these are: Refugee Home Polish Humanitarian Action (PAH), the centre for foreigners Polish Committee for Social Welfare (PKPS). An example of commitment and work on behalf of refugees in Poland is also the Legal Aid Centre, under the name of Halina Nieć, that provides legal assistance and also conducts awareness campaigns to promote integration, monitoring safety and violence in the centres for refugees, cooperation with the Office for Foreigners, Police and UNHCR in implementing the standards for identifying and responding to cases of violence, including sexual

<sup>24</sup> *Informator Departamentu Pomocy Socjalnej...*, op. cit., pp. 6–7.

<sup>25</sup> *Interview with an employee of the Department of Social Assistance* (23.08.2016).

<sup>26</sup> *Ibidem*.

violence and, related to this topic, training for social workers' centres for people applying for refugee status<sup>27</sup>.

After obtaining refugee status or subsidiary protection, foreigners are also entitled to use the full range of social assistance benefits on the same terms as Polish citizens. The condition for granting the aid is residence and presence on Polish territory. On 30th August 2014 foreigners entitlement to benefit from social assistance was extended to the family members (spouses, minor children) of a person holding any form of international protection who has received a temporary residence permit on the Polish territory, in order to connect with a family<sup>28</sup>.

At this stage, the Ministry of Family, Labour and Social Policy is responsible for organizing social support and social protection for foreigners with granted international responsibility. The aid is granted at the request of the foreigner submitted to the governor through the District Family Assistance Centre (PCPR) within 60 days of protection. According to the art. 93 of the Law on Social Welfare of 12 March 2004 (Dz. U. [Journal of Laws] from 2015, item 163, as amended).

Aid for a foreigner is carried out under an individual integration program (IPI) specifying the amount, scope and forms of assistance, depending on the individual circumstances of the foreigner and their family. Integration assistance is therefore made up of several components, i.e. financial aid to pay health insurance contributions, social work and specialist counselling (including legal, psychological and family, as well as other actions supporting the integration process)<sup>29</sup>. Implementation of IPI is based on the drafted contract that specifies what steps a foreigner should take to gain independence on the Polish territory, and also what kind of support he will receive from the PCPR. The legislator specifies that the implementation of the IPI cannot take longer than 12 months.

Unfortunately, according to Kazimierz Laskus, programs are implemented only in theory. Practically they come down to an annual payment for benefit in the amount of 606 zł to 1 335 zł per month per person. From this amount a refugee has to pay for housing, maintenance and language learning. Staff at the centre of social assistance (OPS) shall draw up plans for individual work with each refugee, but they remain on paper. Municipalities do not offer temporary housing refugees have them find themselves on the open market. Polish language courses are often in other localities, so refugees have to pay for transport to get there.

<sup>27</sup> K. Głębicka, *Praca socjalna z uchodźcami, emigrantami...*, op. cit., p. 102.

<sup>28</sup> Cf.: M. Górczyńska, D. Witko, *Status uchodźcy i ochrona...*, op. cit., pp. 96–97.

<sup>29</sup> W. Klaus, *Raport z badania akt indywidualnych programów integracji, prowadzonych przez Powiatowe Centra Pomocy Rodzinie w 2006 r.*, [in:] W. Klaus, A. Chrzanowska (ed.), *Integracja i pomoc społeczna wobec uchodźców w Polsce. Wyniki badań aktowych*, Stowarzyszenie Interwencji Prawnej, „Analizy, Raporty, Ekspertyzy” 2007, no 8, p. 2, source: <http://interwencjaprawna.pl/docs/ARE-807-integracja-pomoc-spoeczna.pdf> [access: 30.07.2016].

There were used by 33% of refugees. Free courses are only led by non-governmental organizations. Refugees can look for a job, in the same way as Poles, at labour offices. Their chances are smaller, since they do not know the language and culture. In addition, there are no provisions for assistance in the employment of refugees. The only real help, among other things, is given in the form of vocational courses provided to them by non-governmental organizations. In addition, the support system for refugees is devoid of precise guidelines of the whole process of integration. Moreover, the fates of refugees who have completed implementation of the IPI are not monitored. Consequently, this means that assessment of the integration of refugees and their families with the host society is almost impossible<sup>30</sup>.

To sum up, the major difficulty in the use of instruments of social intervention for foreigners applying for international protection in the Polish Republic is the fact that we do not have any institution that would provide support for refugees for a period of more than a few months. Refugee centres are reception institutions, what means that they allow foreigners and their families to stay in the facility for a period of three months or until a legal decision has been made.

After considering the matter, they remain in Poland, but without support in the social, housing and employment spheres, or in the case of having to return to their country of origin. In the case of a negative consideration of the application for international protection, foreigners often decide to migrate further within Western Europe. In addition, the narrow range of activities in the area of social support for refugee families interferes with the course of the integration process of immigrants to the new social reality.

This process takes a relatively long time, considering the acquisition of new skills, and understanding the cultural conditions of the new life of this specific social group. Without a doubt, this situation is detrimental to the general interests of society, because foreigners left without social support need to deal with it alone, often taking to criminal activities or those on the border of illegality<sup>31</sup>.

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<sup>30</sup> K. Laskus, *Pomoc społeczna dla uchodźców*, „Kontrola Państwa” 2016, no 2/marzec – kwiecień, p. 69.

<sup>31</sup> K. Gandecka, A. Urbanek, *Prawne i organizacyjne aspekty interwencji socjalnej w środowiskach wielokulturowych – przestrzenie konfrontacji norm*, [in:] M. Bodziany (ed.), *Spółczeństwo a wojna. Konflikty etniczne i kulturowe w XX i XXI wieku*, Wydawnictwo Wyższej Szkoły Oficerskiej Wojsk Łądowych im. gen. T. Kościuszki, Wrocław 2016, pp. 70–71.

## Conclusion

Issues related to the term of defining a range of social assistance dedicated to immigrant families, as well as the standards of the organization has recently gained a special dimension, mainly due to the mass influx of immigrants from outside the European Union member countries.

According to Jolanta Polakowski-Kujawa:

“Migration is associated with a change of residence, which means for many refugees – the transfer to another, culturally alien world; it is associated with a very radical decision indicating participation in the process of desocialization and a new socialization leading to the knowledge of the culture of the target country – standards values, social relations, customs. [...] The decision to migrate is accompanied by notions of material conditions, social, political and cultural realities, which an immigrant expects in a new country”<sup>32</sup>.

The foreigner is in a situation where he has to submit to the demands and expectations of the host society. An example of this is even a tendency to interfere with lifestyle changes, especially in terms of taking care of children (e.g. care issues, consulting a doctor in a case of illness, vaccinations etc.). A role of social services is the teaching of habits of taking care of children, which in the given cultural conditions seem to be the most optimal, but the parents themselves must learn them and use them. For foreigner parents these are often completely alien standards, not yet implemented. Unfortunately, lack of changes in these habits is a potential threat to hygiene and epidemiology for other children.

Providing a comprehensive legal aid system and social services, including psychological help, requires system solutions and taking up initiatives that will make up a structure that will act in the long term. Access to legal assistance and information about rights and obligations belongs to the fundamental rights of the individual, the implementation of which is crucial to the final resolution of a foreigner’s status, seeking protection and standards of treatment. On the other hand, proactive and full counselling and social assistance, including psychological help, is an extremely important component for improving the situation of this beneficiary group.

The needs of foreigners in the range of access to aid are specific because of their ignorance of the law, the language, a lack of funds and restrictions on freedom of movement. Access to legal aid or lack of it may essentially affect the course of the refugees procedure and indirectly precipitate even the life or the death for a foreigner (in the case of his deportation). It is also necessary to de-

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<sup>32</sup> J. Polakowska-Kujawa, *Migracje – teoria a realia dotyczące Europy...*, op. cit., p. 126.

velop labour standards for people with special needs, such as victims of trafficking, unaccompanied minors, people subjected to violence or suffering from trauma or disabilities.

It is also worth being aware of cultural differences – refugees come from different regions and social groups. They have different systems of values and religious views. Integration is a multidimensional process, which depends, on one hand from the attitudes and activities of foreigners themselves, applying for a refugee status, and on the other hand – from their reception in the host society, as well as by public authorities and by private entities, including the general public. Successful integration depends on factors including those of a social, economic, cultural or a legal nature.

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