

Report on the situation with Ukrainian asylum seekers in Poland

This report is based on statistical data collected by Polish Office for Foreigners and the UN Refugee Agency in Poland (UNHCR). All information is publicly available on the official websites <udsc.gov.pl> and <unhcr.pl>.

Since the beginning of the conflict in eastern Ukraine on April 2014 almost 700.000 Ukrainian citizens have left the country. According to statistical data of the Polish Department of Foreigners nearly 4.000 Ukrainian asylum-seekers applied for refugee status in Poland. Nevertheless, the Polish Department for Foreigners has only granted 2 refugee status out of the 3,818 people who have applied for refugee status since 2014. Polish officials, who are dealing with refugee status applications, are convinced that the Ukrainian authorities can provide a decent living and ensure safety for internally displaced people in other regions of the country.

In fact, the situation is different, the Ukrainian authorities can't provide proper assistance and medical treatment for more than 1 million internal displaced Ukrainians. People constantly report to the United Nation Human Rights Monitoring Mission in Ukraine about discrimination during job application or apartments searching in other regions of the country. In addition, Ukraine's economic situation continues to get even worse because of the unstable situation in the East and the need to support the Ukrainian army. At this moment, the Ukrainian Government is not able to provide effective humanitarian aid and ensure decent standards of living for internally displaced people.

In January 2015, the Polish Government carried out a humanitarian rescue mission for 178 Ukrainians of Polish origin from the Donbas region. After arriving at Poland these people got an opportunity to attend polish language lessons, got medical treatment, regular schools for children and support in searching for an apartment and employment. These people don't need to apply for refugee status, they had the benefit to apply for a permanent residence. On the other hand Ukrainians with no Polish origin still encounter great difficulties to legalize their stay in Poland.

In terms of the number of requests for refugee status in Poland, Ukrainians are currently in the second place after Russians. According to Polish Department of Foreigners by the end of July, 1500 Ukrainians applied for refugee status in Poland. Last year, the total number of

Ukrainian citizens who applied for refugee status accounted for 34% among all asylum-seekers. Currently, the number of Ukrainian citizens who have applied for refugee status in Poland is 29% of the total number of applicants.

During this year (by the end of July) the Head of Polish Office for Foreigners issued:

- 478 decision to discontinue the proceeding;
- 1.200 negative decisions;
- 3 decision on granting permission for a tolerated stay;
- 2 decision to grant subsidiary protection.

In relation to persons who have applied for refugee status in Poland, the Council for Refugees issued (positive decisions):

- 2 decisions on refugee status in Poland;
- 8 decision to grant subsidiary protection.

It should be mentioned, that the Council for Refugees is an organ of public administration that is dealing with the appeals of negative decisions issued by the Head of Office for Foreigners in matters of granting or withdrawing refugee status or subsidiary protection. The Council is also the competent authority in matters of resumption of proceedings, repeal, amendment or annulment of its decisions or orders.

In general, we can identify different types of Ukrainians who are applying for refugee status in Poland. The first case comprises people which were somehow involved in political activities during the revolution on Majdan square. Those people declared, that they actively participated in the events during revolution on Majdan square in 2014 or used to openly express support for the protesters in Kiev (mainly people from Crimea and eastern regions of Ukraine), also there are people who actively supported the Ukrainian army in Donbas region (by collection of food, medicines and clothes). In total, it is a group representing approx. 15% of respondents. These people are afraid of the consequences of their participation in protests or have a fear to speak publicly about their dissatisfaction with the current situation in Ukraine. These people claim that they are persecuted and threatened with imprisonment or even with death. This group consists of both women and men of various age and marital status.

The second group of people is connected with the Crimea case. In total, this group represents approximately 13% of respondents. The vast majority of them declared Ukrainian nationality (approx. 65%) and Tatar (approx. 34%). Among those who arriving from the Crimea it is possible to distinguish asylum-seekers who are worried about their safety primarily because of their national and religion identity (mainly Tatars) as well as those who consider Crimea

within Ukraine. But all of them are persecuted by the current authorities of the republic. Asylum-seekers also rely on the fact that they refused to accept Russian citizenship and therefore could no longer remain in Crimea. Applicants' age, education and occupation are diverse.

The third group is the largest and it consists of people from Donbas region that represent 59% of overall number of Ukrainian asylum seekers. All applicants rely on the overall dangerous situation in the region. According to statements of asylum-seekers, majority of people are concerned about their safety because of earlier participation in regional demonstrations in support of the unity of Ukraine or actively support the Ukrainian army. The most popular arguments of asylum-seekers during interview are religion persecution, fear of calling in the army, lack of proper medical treatment, unemployment in Ukraine and inability to live in the others regions of the country. Age, education, occupation and marital status vary.

There is also a group of men (13% of overall number of applicants), who declare as their main reason to leave the army the fear of being called to serve in the army. Mainly this group consists of men between the age of 20 and 42 years from different regions of the country. Some refer to the fact that due to religious belief and their worldview they cannot participate in any military operations.

Other reasons for applying for refugee status given by the citizens of Ukraine are:

- the inability to get effective assistance from the authorities of Ukraine;
- no possibility of living in other regions of Ukraine because of the lack of money, the inability to pay for housing, high unemployment rate and a general reluctance of local communities to internally displaced people from eastern part of Ukraine;
- lack of effective medical treatment in the country;
- personal and family problems;
- security situation in Donbas;
- domestic violence;
- criminal problems;
- having polish relatives.

While waiting for refugee status decisions Ukrainians can stay at special refugee dormitories provided by the Polish Office for Foreigners or write a request for a monthly pay of 175 euro per person and rent an apartment on their own. When the refugee application is rejected, some Ukrainians lodge an appeal the negative decision, some return to Ukraine, and some move to Western Europe. However, those who moved to the West have no chance to

legalize their stay in any country, because they will be returned under European Union's Dublin regulation which prescribes asylum seekers to be transferred to the country where asylum seeker first entered and applied for refugee status. Those who return to Ukraine, before that, they try to find a potential employer or got an invitation from polish side for visa application. Traditionally, Poland gives more visas to Ukrainians, than any European Union member state. According to the Polish Ministry of Foreign Affairs, in the first quarter of this year Ukrainians got 99.600 national visas (not Schengen), which is 53.000 more than in the first three months in 2014. Because of relatively liberal procedure of getting Polish visa for Ukrainians, of course, in compare with other EU countries, Ukrainians have more opportunities to stay and work legally in Poland. That's why majority of Ukrainians try to avoid forced removal/deportation and illegal stay in Poland.