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Measuring Irregular Migration

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## Poland

### Country Brief on Irregular Migration Policy Context

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## THE MIRREM PROJECT

MIRREM examines estimates and statistical indicators on the irregular migrant population in Europe as well as related policies, including the regularisation of migrants in irregular situations.

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MIRREM analyses policies defining migrant irregularity, stakeholders' data needs and usage, and assesses existing estimates and statistical indicators on irregular migration in the countries under study and at the EU level. Using several coordinated pilots, the project develops new and innovative methods for measuring irregular migration and explores if and how these instruments can be applied in other socio-economic or institutional contexts. Based on a broad mapping of regularisation practices in the EU as well as detailed case studies, MIRREM will develop 'regularisation scenarios' to better understand conditions under which regularisation should be considered as a policy option. Together with expert groups that will be set up on irregular migration data and regularisation, respectively, the project will synthesise findings into a Handbook on data on irregular migration and a Handbook on pathways out of irregularity. The project's research covers 20 countries, including 12 EU countries and the United Kingdom. This Deliverable of 15 country briefs is developed as part of Work Package 3 Politics: Understanding Legal and Policy Contexts.

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Irregular migration; policy measures; pathways into and out of irregularity

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# Poland

This Brief provides an abridged overview of the national policy landscape on irregular migration in the country, based on a more extensive policy analysis. It also provides an overview of the main types of migrant irregularity that emerge and the pathways into and out of irregularity, including regularisations as relevant. Annexed to this Deliverable is also an overview of the mapped legal and policy frameworks.

## 1.1 POLICY PRIORITIES

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- **A broad tolerance of semi-regular statuses for the sake of labour market needs**  
Labour market and employment irregularities are the main source of irregular migration in Poland. This situation is to some extent the result of the general approach to immigration in Poland since the 2010s. In practical terms, fairly relaxed penalties for companies that provide fictitious employment declarations for foreigners, as well as for economic actors that violate employment regulations, contribute to increased semi-regular statuses<sup>1</sup> among foreign workers. Relatively liberal visa policies have been in place despite heavier securitisation components in official discourse on migration after 2015 (Adamczyk, 2019; Klaus, 2020)
- **Stricter border control and fortifications to prevent unauthorised entry**  
More rigorous control of Poland's external borders with non-EU countries, particularly Belarus, including deployment of military forces to the borderland. Additionally, the construction of a border wall and electronic barriers on the border with Belarus, with an approximate length of 200 kilometres.
- **Absence of binding migration strategy to allow for greater flexibility**  
Amid continued geopolitical turbulence in the vicinity of Polish borders, Polish authorities abstain from adopting a binding migration strategy. Its absence arguably allows for quick and flexible reactions to evolving situations in the migration sphere, including those related to irregular migration.

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<sup>1</sup> Migrants with a legal status breaching their conditions of stay due to violations of employment regulations.

- **Simplified legalisation and employment procedures for nationals of eastern European countries**

Simple and unrestrictive immigration policy for labour migrants from eastern European countries, in particular Ukraine, are in place since 2006. Simplified regularisation procedures for nationals of Belarus who migrated to Poland for political reasons and other categories of Belarusian nationals, such as IT professionals, have also been implemented since 2020.

## 1.2 OVERVIEW OF THE POLISH POLICY FRAMEWORK

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See Annex 1 for an overview of the legal and policy frameworks mapped for this country.

### ***1.2.1 Policy implementation measures***

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- **Extension of document validity for the duration of the state of emergency (2020-2023)**

For the duration of the state of emergency resulting from the Covid-19 pandemic, the validity of temporary residence permits, visas, work permits and other documents entitling foreigners to work in Poland was extended until July 2023.

- **Introduction of new types of visas and residence permits for Belarusian nationals**  
In response to the unfolding large-scale repression in Belarus, in 2020 Poland introduced two additional types of visas for Belarusian nationals – humanitarian and Polish Business Harbour (PBH) visas. Consequently, a new type of temporary residence permit for the humanitarian visa holders was introduced, as well as facilitations for PBH visa holders related to entrepreneurial activities. The issuance of PBH visas was suspended in January 2024. From August 2020 to November 2023, over 53,300 humanitarian visas and over 89,700 PBH visas were issued to Belarusian nationals (Office for Foreigners, 2024).

- **Greater attention to readmission cooperation with Vietnam and Central Asian countries**

In recent years, Poland has established European Return Liaison Officer positions in Vietnam and Uzbekistan. The latter's activities also cover Kyrgyzstan and Tajikistan.

- **Pushbacks and more restrictive legislation towards persons who entered Poland in an unauthorised manner**

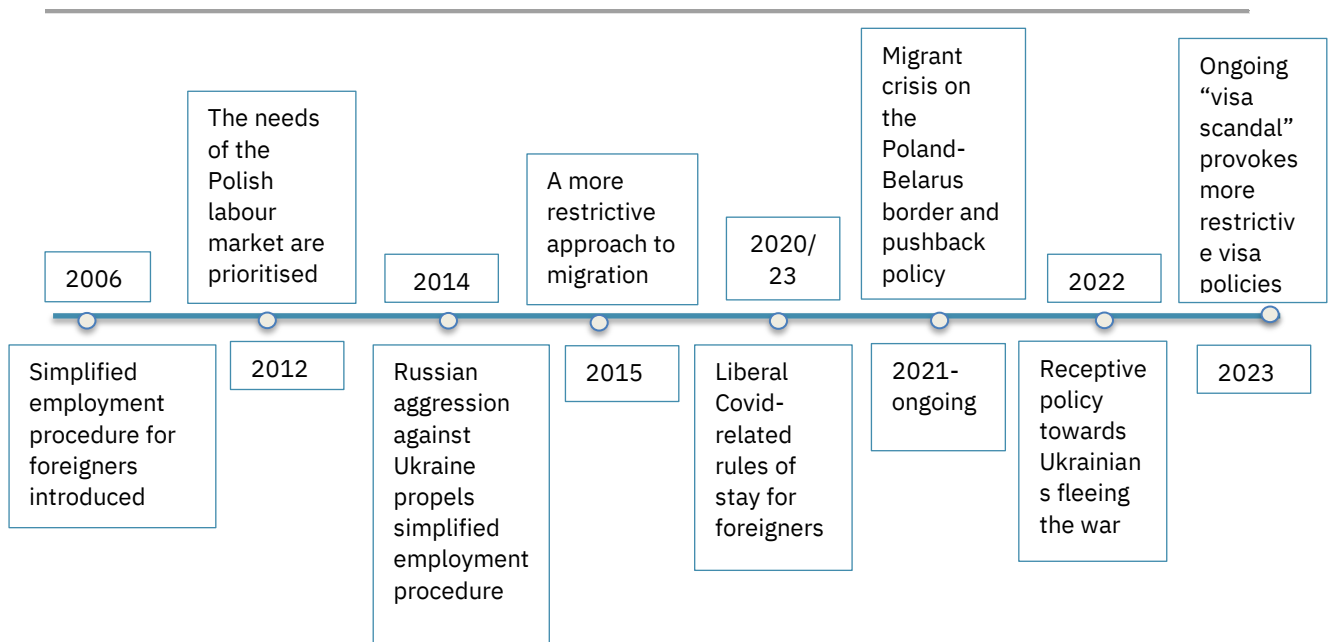
In response to the migrant crisis at the Poland-Belarus border, legislative amendments were adopted that allowed the return of individuals who crossed the

Polish border against the law to the state border line and to issue them an order to leave the territory of Poland and a temporary ban on entering Poland and the Schengen area. Furthermore, the Head of the Office for Foreigners was empowered to leave the application for international protection unprocessed if it was submitted by a foreigner apprehended immediately after illegally crossing the external border of the EU, unless the foreigner arrived directly from the territory in which his life or freedom was threatened.

- **Favourable legislation for displaced citizens of Ukraine**

Ukrainian nationals fleeing the war were entitled to the right to easily legalise their stay by registering with the PESEL UKR system (Universal Electronic System for Registration of the Population, sub-system for Ukrainian citizens under temporary protection in Poland). They were also provided with access to the Polish labour market, labour market services (e.g. job placement, vocational counselling and training), the public health care system and a broad range of social benefits, on par with Polish citizens.

**1.2.2 Policy evolution: Main turning points**



### 1.2.3 Policy impact

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- **Increase in numbers of foreigners with semi-regular statuses**

Fairly relaxed employment regulations and steep increases in foreign migrant workers in Poland over the last decade resulted in widespread “semi-regular” situations, normally related to employment. According to one interview, if such statuses are taken into account, including migrants staying with a purpose different from the declared one, the “scale of irregularity would probably be huge” (Polish expert interview).

- **Visa and work permit shopping**

Foreigners make use of Polish rules for getting work visas and temporary residence permits for work reasons, which are more liberal than many other EU Member States, with the goal to use this permission to travel onward to another EU country. Some of them perform work in Poland in a semi-regular status or prefer staying in Poland for non-work activities. No data are available to assess the extent of this phenomenon. A Border Guard press release from August 2023 makes reference to an employment agency run by a Georgian national, which issued 1,647 fictitious employment declarations to nationals of Belarus and Georgia from June 2022 until August 2023 (Bielec, 2023).

- **An increased number of foreigners with expired authorisation after July 2023**

A reverse side of the March 2020 regulation which extended the validity of temporary residence permits, visas, work permits and other documents entitling foreigners to work in Poland for the period of the state of Covid-19 related emergency, was an increase in cases of expired authorisations following its termination in July 2023, although no precise data is available on this. An arguably insufficient information campaign about the expiration of facilitation added to this.

### 1.2.4 Policy Challenges in Addressing Migrant Irregularity

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- **Continued politicisation of migration issues**

The politicisation of migration issues started relatively late (around 2015), but has since become extreme. It translates into an insufficient and fragmented public debate, misinterpretation and populist use of relevant data, and a lack of transparency. Experts (e.g. Łodziński & Szonert, 2023) have described Polish migration policy from 2016-2022 as “policy without politics” when regulations on labour market, diaspora or refugee protection are implemented without broader political and official discussion about the goals and long-term perspectives of migration policy as a whole.

- **Absence of comprehensive strategy and insufficient inter-agency cooperation**

Poland still lacks a coherent and clearly articulated migration strategy, which (among other issues) poses serious challenges to coordination. Whereas the Ministry of Interior and Administration and some other state agencies favour a more securitised approach to migration, state agencies in charge of economic policies advocate for a more facilitated line of action. As a result, some relevant state policies, particularly concerning employment and semi-regularity of migrant workers, receive a less coordinated response as they could have. A more unenthusiastic position to migrants since 2015 has resulted in stagnation of decision-making and a situation in which migration-related state agencies increasingly prefer to focus on their narrow priorities rather than taking broader initiative (Polish government interview).

- **High turnover of staff in relevant public institutions**

Due to the wage differential between the private and public sectors in favour of the former, government agencies dealing with (irregular) migration policies have difficulties in training and retaining new generations of professionals (Polish government interview). Furthermore, despite the massive change in the scale of immigration (and the challenges it poses) since 2015, there has been no substantial improvement in terms of personnel.

Table 1: Relevant Polish institutions

Sr. No.	Institution/ Department	Responsibilities	Web link
1.	Border Guard	This agency, subordinated to the Ministry of Interior and Administration, is responsible for the border control and prevention of unlawful border crossing, execution of return orders, Dublin transfers and readmission procedure. It is also in charge of monitoring the legality of work and stay of foreigners on the territory of Poland, and supervises detention centres and pre-trial facilities for foreigners.	<a href="#">Link (PL)</a>
2.	State Labour Inspection (SLI)	The SLI monitors the legality of work performed by foreigners through checks at workplaces of Polish employers which have at least one employee with a work contract.	<a href="#">Link (EN)</a>
3.	Police and municipal guard	It monitors the legality of the stay of foreigners as part of its work on identification of offenders and prevention of offences or other threats to public security. Once a foreigner's infringements of the	<a href="#">Link (PL)</a>



		administrative law are identified, the person's case is passed to the Border Guard.	
4.	The Voivodes' offices (regional authorities)	These institutions process foreigners' applications for residence and work permits. The Voivodes' offices are supervised by the Ministry of Interior and Administration.	n/a
5.	The Ministry of Interior and Administration	The Ministry supervises the Border Guard and the Office for Foreigners. It is also responsible for coordination of work aimed at elaboration of migration policy and the reform of the asylum law, since 2015.	<a href="#">Link (PL)</a>
6.	Ministry of Family and Social Policy	The Ministry is in charge of labour market regulations.	<a href="#">Link (EN)</a>
7.	Office for Foreigners	The Office is in charge of legal procedures on granting residence permits and nationality.	<a href="#">Link (EN)</a>
8.	The Ministry of Foreign Affairs	The Ministry is responsible for implementing visa policies and supervising Polish embassies and consulates abroad. It is also in charge of international negotiations over readmission agreements and other forms of cooperation related to irregular migration.	<a href="#">Link (EN)</a>
9.	Committee on Migration (Zespół do Spraw Migracji)	The inter-ministerial Committee, under the Head of the Council of Ministers (the Polish Government), is in charge of initiating migration-related legislative and institutional changes, preparation of proposals concerning modification of competences in the migration sphere, providing expertise on migration-related state programmes, etc.	n/a  A <a href="#">Link</a> to the 2007 ordinance of the Head of the Council of Ministers on the creation of the Committee on Migration.
10.	Inter-ministerial Committee concerning reception of persons	The Committee under the aegis of the Council of Ministers, created in February 2022, is tasked with assessing the volume of migrant flows from Ukraine and their	<a href="#">Link (PL)</a>

	from the Ukrainian territory by Poland	consequences for domestic security, monitoring the preparedness of central and local state authorities for reception of people from Ukraine fleeing the war, proposing solutions concerning transportation and relocation of displaced persons in Poland, etc.	
11.	Inter-ministerial Committee on Countering Human Trafficking	The Committee on Countering Human Trafficking, established in September 2023 and functioning under the aegis of the Head of the Council of Ministers, is tasked with advising on actions aimed at preventing and countering human trafficking, and on programmes related to combating human trafficking, etc.	<a href="#">Link (PL)</a>

### 1.3 THE SPECTRUM OF MIGRANT IRREGULARITY IN POLAND: CATEGORIES AND PATHWAYS INTO/OUT OF IRREGULARITY

Table 2: Categories of migrant irregularity in Poland

Most relevant categories of migrants in an irregular situation	Description (who does this category apply to, what conditions may lead to this category, and what are the implications of being in such a situation)
Irregular entrant	Third-country nationals without any status who entered Poland in an unauthorised manner. Foreigners, often Iraqi and Syrian nationals, who enter Poland from the territory of Belarus, Ukraine and Russia to a lesser extent, and often intend to travel onwards to Germany and other western EU Member States through Poland.
Fraudulent visa-holders	Foreigners who possess a legal ground for their stay in Poland but the actual goal of their stay is different from the one declared. Foreigners, often nationals of Belarus, Georgia, and Ukraine, who arrive in Poland based on a work visa issued as part of the simplified employment procedure, may have other goals or intend to find a type of job different than what was declared.
Overstayers	A person, often nationals of Georgia and Ukraine, who came legally thanks to visa-free regime and then stayed in Poland beyond the

	<p>allowed duration of their permitted stay without the appropriate visa (typically 90 days within a six month period) or residence permit. Often, they perform work without fully complying with existing employment-related regulations. Ukrainian conscripts who did not extend their legal status out of fear of being deported to Ukraine also fall under this category. Those who have not yet renewed their status following the end of the COVID state of emergency, during which their status had been automatically renewed, would also fall under this category.</p>
<p>Third-country nationals with residence rights in another other EU Member State who stay in Poland for longer periods of time than allowed by legislation</p>	<p>Stays over 90 days in any 180-day period amount to violation of the rules of stay and such individuals are subject to deportation</p>
<p>Most relevant categories of migrants with a reasonable claim to a provisional status</p>	<p>Conditions (e.g. who does this category apply to, under what conditions, who is exempted, implications)</p>
<p>Third-country nationals (non-nationals of CA, US, UK) who enjoy a provisional right to stay subject to a review of their case</p>	<p>Persons whose removal has been formally suspended; Individuals awaiting status determination; Unaccompanied minors whose asylum claim has been rejected; Third-country (non-national) victims of trafficking with a provisional permit to stay.</p>
<p>Selected TCNs facing return decisions</p>	<p>Those eligible could receive a residence permit for humanitarian reasons (e.g., a foreigner awaiting surgery) or a permit for tolerated stay (e.g., specific family issues or Poland's national interest, or a return decision is impossible for reasons beyond control of the relevant state authority).</p>
<p>Ukrainians with temporary protection status</p>	<p>Without registering in the PESEL UKR system a person's legal status is questionable. A review of an application for a temporary residence permit might be rejected as Ukrainians who came to</p>

(TPS) who did not register in the PESEL UKR system	Poland after 24 February 2022 are treated as individuals covered by the Act on Assistance (2022) and therefore without access to other types of legalisation.
EU citizens from another EU MS without residence rights	Conditions (e.g. who does this category apply to, under what conditions, who is exempted, implications)
EU nationals who do not or no longer enjoy the right to movement and/or settlement in the EU and are liable to be removed because they do not meet residence conditions or are subject to restrictions of free movement rights.	EU nationals with a residence ban on public order grounds or criminal charges; EU citizens without long term residence and without sufficient means.

### ***1.3.1 Pathways into and out of irregularity***

- **Unauthorised entry and fraudulently held or obtained work visas**

Foreigners, often Iraqi and Syrian nationals, enter Poland in an unauthorised manner from the territory of Belarus and, to a lesser extent, Ukraine and Russia. Often they intend to travel onward to Germany and other western EU Member States through Poland. Nationals of Eastern Partnership countries, mostly Belarus, Georgia and Ukraine, make use of the simplified employment scheme, and nationals of more far-away countries receive Polish work permits with the goal of working in workplaces other than initially declared, or even in other countries.

- **Foreigners with expired authorising documents**

Often these are nationals of Georgia and Ukraine who came legally thanks to visa-free regimes or through the simplified employment scheme and then stayed in Poland beyond the allowed duration of their permitted stay. Their number probably increased after July 2023 when the state of emergency resulting from the Covid-19 pandemic ended and the validity of foreigners' temporary permits, visas, and work permits ceased to be automatically extended. This category also includes Ukrainian conscripts who do not extend their legal status out of fear of being deported to Ukraine, as well as Ukrainian TPSs who did not register in the PESEL UKR system. At

the same time, The Act on Assistance to Ukrainian Citizens allowed Ukrainian nationals who were already irregularly present in Poland to regularise their stay by returning to Ukraine and re-entering Poland in accordance with the new regulation's requirements.

- **Falling into “semi-legal” status due to indecent work intermediaries and complexity of migration law**

Polish migration regulations have seen multiple changes over the years, and their language is often hard to understand for persons without a legal background. This results in occasional unintentional violations of migration law, often in the sphere of employment. Some migrants may fall into “semi-legal” or even fully irregular status due to unprofessional or fraudulent actions of work agencies and informal intermediaries.

- **Residence permits for humanitarian reasons and a permit for tolerated stay**

These regularisation paths are limited but in principle available to foreigners facing return decisions.

### **1.3.2 Regularisation**

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- 2011 - [Act](#) of 28 July 2011 on legalisation of stay of some foreigners in the territory of the Republic of Poland and on amendments to the Act on granting protection to foreigners in the territory of the Republic of Poland and to the Act on Foreigners. Eligibility criteria:
  - Person's continuous stay in Poland at least since 20 December 2007 and stay in Poland is illegal at the day of Act's entry into force (1 January 2012);
  - A person had received a final refusal decision on refugee status with an expulsion judgement before 1 January 2010 and continuously stayed in Poland since then, and is illegally staying in Poland at the day of Act's entry into force (1 January 2012);
  - A person reapplied for asylum and was subject to the refugee status procedure as of January 2010.

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## ANNEX 1: Policy and Legal Frameworks

Laws and policies on migrant irregularity

Sr. No.	Title of policy/law	Year	Description	Weblink to source
1	Act of 20 April 2004 on enhancement of employment and labour market institutions	2004	It regulates foreigners' employment procedures, including 'simplified employment' rules (Art. 90(9-10)), labour market policies including possible limitations to various work permits, handling of electronic registers of cases concerning work permits and employment declarations for foreigners, etc. The Act also stipulates what "illegal performance of work by a foreigner" is.	<a href="#">Link (PL)</a>
2	Ordinance of the Minister of Labour and Social Policy of 30 August 2006 on Taking Up Employment by Foreigners without the Need to Obtain a Work Permit	2006	Based on the above-mentioned 2004 Act, the Ordinance stipulated that nationals of Belarus, Russia and Ukraine can be employed in the agricultural sector for a maximum of three months in any consecutive six-month period via a simplified procedure, based on employment declarations registered by Polish employers in the district labour offices. Since then, the Ordinance was repeatedly amended, opening new sectors of the Polish economy for simplified employment and extending the list of eligible nations. The simplified employment procedure was terminated for Russian nationals in late 2022.	<a href="#">Link (PL)</a>

3	The Act of 28 July 2011 concerning legalisation of stay of some foreigners on the territory of Poland and concerning the changes into the law on providing protection to foreigners on the territory of Poland as well as the law on foreigners	Adopted in 2011, enforced in 2012	The Act lays down the grounds for regularisation of stay of foreigners in Poland who (a) have continuously stayed in Poland at least since 20 December 2007 whose stay in Poland is illegal at the day of law's entry into force (1 January 2012), (b) have continuously stayed in Poland at least since 1 January 2010 who before that day had received a final refusal decision on refugee status with an expulsion judgement, whose stay in Poland is illegal at the day of law's entry into force (1 January 2012), (c) as of January 2010 were subject to the refugee status procedure which had been started in response to subsequent application.	<a href="#">Link (PL)</a>
4	State program "Poland's migration policy: The current state of play and the further actions"	2012, repealed in 2016	The first national migration strategy since 1989. Section 3 of the state program focuses on countermeasures to irregular migration. References to irregular migration are also present in other sections of the document.	<a href="#">Link (PL)</a>



5	Act on Foreigners of 12 December 2013	Adopted in 2013, came into force in 2014. It has been repeatedly amended since then.	The Act lays down 16 types of grounds for obligating foreigners to return, including in case a goal and terms of stay in Poland differ from the declared ones and in case a foreigner performs work without a necessary work permit or declaration on entrusting work to a foreigner included in the declaration register. The Act facilitated the rules of stay in Poland for international students, including the possibility for a third country national who graduated from a Polish education institution to be granted a one-year residence permit for the purpose of seeking employment. Expulsion decisions which were previously issued by provincial governors (in Polish: wojewoda) and decisions obligating a foreigner to return were replaced with return decisions issued by the Border Guard. The latter's role in combating irregular migration and carrying out return proceedings was therefore reinforced.	<a href="#">Link (PL)</a>
6	Ordinance of the Minister of Labour and Social Policy of 21 April 2015 concerning cases in which the carrying out of work by foreigners without the need to obtain a work permit is permitted without the need to obtain a work permit (Journal of Law of 2015, item 588)	2015	The regulation established that full-time students of Polish educational institutions are entitled to work in Poland without a work permit.	<a href="#">Link (PL)</a>

7	Amendments of 24 November 2017 to the Act on Foreigners	Adopted in 2017, came into force in 2018	Amendments into the Act on Foreigners (a) facilitated legal employment in Poland for foreign students and graduates by removing the requirement to prove a main source of maintenance in Poland, (b) introduced new provisions concerning the issues of detaining and returning foreigners, as well as medical and psychological care to foreigners who have not been placed in a guarded centre or remand centres for foreigners on health grounds, (c) introduced the legal ground enabling the Minister of Interior, in agreement with Ministry of Labour and Ministry of Economy, to set limits of temporary residence permits and job permits which can be provided to foreigners in a given calendar year. Such limits may concern specific regions, specialties, job contract types, and types of employer's work activities.	<a href="#">Link (PL)</a>
8	Strategy document "Migration Policy of Poland - Diagnosis of the Initial State" without binding status	2020	Although the document does not serve as an official migration strategy for Poland, it was created as the basis for such a strategy document. Its third part is entirely dedicated to irregular migration and focuses on minimising its scale through (a) improvement of control and verification procedures towards foreigners, and (b) effective return policies.	<a href="#">Link (PL)</a>

9	Anti-Crisis Shield (Act of 31 March 2020 on extraordinary measures aimed at preventing and combating COVID-19, other infectious diseases and crisis situations resulting from them, and some other acts).	2020	Special measures for foreigners for the duration of the Covid-19 pandemic were introduced which enabled them to continue their stay until the end of the state of emergency. The validity of temporary residence permits, visas, work permits and other documents entitling foreigners to work in Poland was extended until the end of the 30th day following the end of the state of emergency, which happened to be 30 July 2023. Furthermore, foreigners staying in Poland permanently, including refugees and beneficiaries of subsidiary protection, were released from the obligation to apply for new residence cards until the relevant offices restored regular service.	<a href="#">Link (PL)</a>
10	Regulation of the Ministry of Interior and Administration of 20 August 2021 amending the regulation on temporary suspension or restriction of border movement at specified border crossings.	2021	The regulation amended the 13 March 2020 regulation on temporary suspension or restriction of border movement at specified border crossings, which was adopted as response to the Covid-19 pandemic. Without explicitly mentioning persons seeking for international protection, it introduced legal grounds for return to the state border line of such individuals who crossed the Polish border against the law and therefore deprived them from a chance to submit an application for granting protection. In a letter to the Minister of Interior and Administration sent five days after the adoption of the regulation, the Polish Commissioner for Human Rights expressed his concerns and stated that the regulation contradicts the Act on Protection, the 1951 Refugee	<a href="#">Link (PL)</a>

			Convention, and Constitution of Poland (Office of the Commissioner for Human Rights, 2021).	
11	The Act of October 14, 2021, amending the Act on foreigners and other acts	2021	The Act crafted in response to the Poland-Belarus migrant crisis (a) through amendments to the Act on Foreigners enabled the Border Guard to return migrants, who were apprehended in Poland or while attempting to cross into Poland outside the border crossing points, to the state border line, based on a decision on immediate removal, instead of issuing a return order; such persons are issued a ban of entry to Poland and the Schengen area for a period from six months to three years, (b) by virtue of amending Article 31(a) of the Act on Protection, it entitled the Head of the Office for Foreigners with the right to leave the application for international protection unprocessed if it was submitted by a foreigner apprehended immediately after crossing the external border of the EU in an unauthorised manner, unless the foreigner arrived directly from the territory where (s)he faced risk of persecution or serious harm, presented credible reasons for illegal entry and applied for international protection immediately after crossing the border.	<a href="#">Link (PL)</a>
12	Act of 12 March 2022 on Assistance to Ukrainian Citizens in Connection with the Armed Conflict on the Territory of Ukraine	2022	The Act on Assistance entitled nationals of Ukraine who left the country as a result of Russian aggression after 22 February 2022, came directly to Poland and then declared their intention to stay in Poland, with the right to legally stay in Poland for 18 months. The Act also provided them with full access	<a href="#">Link (PL)</a>

			to the Polish labour market and the Polish health care system, and to many social benefits.	
13	Act of 8 April 2022 on changes to the Act on assistance to Ukrainian nationals in connection with the armed conflict on its territory and to some other acts	2022	The Act introduced additional facilitations with legalisation and access to the labour market in Poland for Ukrainian nationals. It also provided legalisation opportunities for inter alia Belarusian nationals who were fleeing the war in Ukraine and found themselves in a legal limbo in Poland. They were entitled with the right to apply for Polish humanitarian visa on the Polish territory and consequently for a temporary residence permit on humanitarian grounds.	<a href="#">Link (PL)</a>
14	Article 12 of the Act of 14 April 2023 introducing changes to the Act on assistance to Ukrainian citizens in connection with the armed conflict on its territory and to some other acts	2023	Legal stay of Ukrainian nationals and their family members who fled the war was extended until 4 March 2024, in some cases until 31 August or 30 September 2024.	<a href="#">Link (PL)</a>

## Laws and policies indirectly impacting migrant irregularity

Sr. No.	Title of policy/law	Year	Description: How it relates to migrant irregularity	Weblink to source
1	Act of 9 July 2003 on employment of temporary workers	2003	It regulates the terms of employment of temporary workers by temporary work agencies and transfer of such workers to perform temporary work in favour of client employers. This legal mechanism has an effect of semi-regularity related to employment.	<a href="#">Link (PL)</a>

2	Act of 15 June 2012 about consequences of employing foreigners who stay on the territory of Poland contrary to the law	2012	The Act regulates sanctions for actors who employ non-EU nationals staying in Poland without valid documents. It introduced severe penalties for employing victims of human trafficking.	<a href="#">Link (PL)</a>
3	National strategy "Social and economic priorities of migration policy"	2018	The strategy implicitly refers to irregular migration by listing the following task as one of the migration policy priorities: 'Strengthening the system enabling control over legality of foreigners' stay and compliance with employment standards'.	<a href="#">Link (PL)</a>
4	The Act of 6 March 2018 on the rules governing the participation of foreign entrepreneurs and other foreign persons in economic transactions in the territory of the Republic of Poland	2018	The Act regulates business activities of foreigners in Poland. Only selected categories of migrants are entitled to the same rights of carrying out business activities as Polish citizens. Particularly, foreigners cannot be self-employed unless they fulfil a number of conditions. This is a popular form of employment in Poland and is often forced by the employers. With no access to self-employment, foreigners might opt for undocumented jobs. Furthermore, the interviewed stakeholders mentioned a recent trend on the Polish labour market when foreigners join fictitious business partnerships which allow employers to bypass regulations concerning minimum wage and social security. These forms of business activities and fictitious employment are sometimes called "Ukrainian joint ventures" (PL_GOV_05).	<a href="#">Link (PL)</a>
5	Regulation No. 6 of the Minister of the Interior and Administration of February 15, 2019	2019	A new Team for Counteracting Trafficking in Human Beings was created. The new Team took over tasks related to the evaluation of the implementation of programmes aimed at combating and preventing trafficking in human beings, preparing projects of	<a href="#">Link (PL)</a>

			National Action Plans against Human Trafficking, etc.	
6	n/a	2020	The European Return Liaison Officer established in Uzbekistan, whose activities also extend to Kyrgyzstan and Tajikistan.	<a href="#">Link (PL)</a>
7	Poland's National Security Strategy	2020	The document speaks about the need to coordinate migration, security, economic, and social policies and that the migration policy should take into account labour market needs, appropriate integration of migrants, and counteractions to possible threats to public safety.	<a href="#">Link (PL)</a>
8	Act of 28 October 2020 on changes to the Act on foreigners and some other acts	2020	It entitled the foreigners who stay in Poland based on, among others, humanitarian visas with the right to work without a work permit.	<a href="#">Link (PL)</a>
9	Instruction nr 392 of the Head of the Council of Ministers of 18 September 2023 concerning the Interministerial Group on Countering Human Trafficking	2023	A new interministerial body under the aegis of the Council of Ministers is created and tasked with providing expertise with respect to programs and policies aimed at countering.	<a href="#">Link (PL)</a>

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