

## LEGAL AND INSTITUTIONAL SYSTEM OF REFUGEE PROTECTION AND SUPPORT IN POLAND AFTER 1989

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**Abstract.** The aim of the article is to present legal and institutional solutions to support and help refugees in Poland after 1989. The article presents the rights and obligations of foreigners who have been granted refugee status or, in the case of persons who do not meet the conditions for granting refugee status, subsidiary protection. The system of support and protection of foreigners in Poland is shaped on the basis of international, EU and national law. Foreigners with international protection may receive: social, medical, material and integration assistance. The article characterizes each type of assistance that foreigners who have been granted international protection can count on. Today, Poland is increasingly becoming a destination for immigration and foreigners seeking shelter. As a consequence, the question arises – is the system of support and assistance for refugees in Poland sufficient? As indicated by the adopted solutions in this regard, in many areas such as material or integration assistance, the adopted solutions are insufficient.

**Keywords:** refugee; refugees; migrations; international protection; integration

### INTRODUCTION

Migrations and refugees are not new phenomena, however, in recent years, these phenomena have gained an unprecedented pace. The reasons for this state of affairs can be seen in many factors of a legal, economic, cultural, religious or political nature. Stephen Castles points out that contemporary migrations are the result of three groups of factors: the social dynamics of migration movements, factors related to globalization and factors present in political systems [Castles 2004, 857]. Contemporary forced migrations are an important security issue, not only from the perspective of individuals, but also from the perspective of countries. It is the states, as the most important entities in shaping population movements, that strive to maintain and implement a certain state of security. Relations between migration and the state also concern the sphere of sovereignty. Gary Freeman argues that immigration is changing the traditional notions of sovereignty, nationalism and citizenship, and the current understanding of these

concepts is now untenable [Freeman 1997, 48]. The state's migration policy is the answer to the dynamics of migration processes. It is worth noting that the state policy towards migration does not explain their causes, but rather responds to them by acting on possible consequences for the society, economic system or state security. Marek Okólski claims that migration policy is a specific type of state activity. This is because it concerns sovereign prerogatives, areas of key importance for the security of citizens [Okólski 1998, 4]. State policy is one of the elements shaping migration, as it is important in the context of decisions determining the movement of people to their destination. It is through a specific model of policy that foreigners obtain the opportunity to stay in the destination country after meeting the necessary conditions, they acquire citizenship, they are guaranteed rights, but also obligations. State policy is important for the size of migration flows, as it regulates the conditions of entry to, stay in and departure from the country. Thus, migration policy includes the multidimensional nature of the issues it regulates. One of the aspects of its implementation is helping refugees.

Social, economic and political changes that took place in Poland after 1989 result in an increasing percentage of foreigners living or working in Poland. These changes had a significant impact on political, social, economic and cultural life. The fall of communism, which for almost 45 years ideologically determined the way of conducting politics, opened up new perspectives for the Polish state. New opportunities to travel and employ foreigners were created, they also gave the opportunity to shape the support system for those who seek protection in Poland. Agnieszka Florczak points out that the reasons for the influx of refugees to Poland after 1989 include, among others, democratizing the political system, improving the economic situation, accepting international commitments in the field of human rights protection, tightening the conditions for granting refugee status in Western European countries or the transit location of the country [Florczak 2003, 101-102].

## 1. LEGAL BASIS FOR INTERNATIONAL PROTECTION OF FOREIGNERS IN POLAND

As already mentioned, refugee migrations have various causes. Most often they include political and religious persecution, racial persecution, wars, changes in state borders, expulsions, ethnic cleansing or natural disasters. Exile also often has a transnational dimension. The legal regulations concerning the protection of foreigners have a twofold character. We can distinguish international protection, governed by the provisions of international law or EU law, and the second type, concerning national protection, governed by the provisions of national law, which is valid only on the territory

of a given state. The forms of international protection in Poland include: refugee status, subsidiary protection and temporary protection. In turn, the forms of national protection in Poland include: asylum, residence permit for humanitarian reasons, tolerated stay permit, temporary residence permit for victims of trafficking in human beings, temporary residence permit issued due to respect for the right to family life and the rights of the child.

The issue of international protection of foreigners is largely based on international obligations, which does not mean that there are no legal solutions in the analysed scope under national law. On April 2, 1997, a new Constitution of the Republic of Poland was adopted.<sup>1</sup> Chapter II, entitled “Freedoms, Rights and Obligations of Man and Citizen”, contains provisions on the legal protection of foreigners. It is worth mentioning that the general principles defining the status of an individual mean that a foreigner is entitled to common and basic values of every human being, and these are: dignity, freedom, equality before the law, prohibition of discrimination [Kumela-Romańska 2017, 102-103]. Article 56 of the Constitution provides that “1. Foreigners may take advantage of the right of asylum in the Republic of Poland on the terms set out in the Act; 2. A foreigner who seeks protection against persecution in the Republic of Poland may be granted refugee status in accordance with international agreements binding on the Republic of Poland.” In the indicated Article, two forms of assistance to foreigners were given a statutory rank – the status of an asylum seeker and a refugee. The conditions for obtaining the status of an asylum seeker or refugee must be regulated by statutory provisions, especially since upon obtaining the aforementioned status, foreigners enjoy protection and rights under the Constitution. At this point, it should be noted that the freedoms and rights in question cannot be unlimited. Barbara Kowalczyk, analysing the content of the provisions contained in Chapter II of the Constitution, points to the dualism of rights and freedoms due to the entitled entities. He comes to the conclusion that there are rights and freedoms that everyone is entitled to, regardless of nationality.<sup>2</sup> At the same time, it indicates that the Constitution contains a general limiting clause that allows for the introduction of restrictions on the rights and freedoms of foreigners by statute. Article 37(2) of the Constitution does not list the catalogue of grounds and principles for the scope of restrictions on rights and freedoms. The regulations contained in this article determine the conditions for differentiation in the treatment of citizens and foreigners regarding the exercise of rights and freedoms recognized by the Constitution as human rights and freedoms.

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<sup>1</sup> The Constitution of the Republic of Poland of 2 April 1997, Journal of Laws No. 78, item 483 as amended [hereinafter: the Constitution].

<sup>2</sup> Cf. Wróbel 2002, 154; Kowalczyk 2014, 58.

Apart from the Constitution of the Republic of Poland, regulations concerning the legal protection of foreigners are also included in international agreements ratified by Poland, community law, normative acts of statutory rank and regulations. In the context of the legal situation of refugees, the so-called the 1951 Geneva Convention<sup>3</sup> and the 1967 New York Protocol.<sup>4</sup> The indicated acts of international law were ratified by Poland in 1991. By ratifying both documents, Poland became a party to two basic acts of international law in the field of migrants and refugees. The Geneva Convention defines the concept of a refugee and who can be considered a refugee. It sets out the basic standards that states parties should meet for the refugees they protect. The Convention also defines the obligations of the refugee in the host country. Thanks to the ratification of these documents, Poland was recognized as a safe third country.

As mentioned, the Geneva Convention introduces a definition of a refugee. Article 1 of the Convention defines a refugee as a person who “owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group or political opinion, is outside the country of his nationality and is unable or owing to such fear, is unwilling to avail himself of the protection of that country, or who, not having a nationality and being outside the country of his former habitual residence as a result of such events, is unable or, owing to such fear, is unwilling to return to that country.” The Convention identifies five types of reasons that give grounds for granting refugee status. These are persecutions due to: race, religion, nationality, political beliefs and belonging to a particular social group. According to Karolina Łukasiewicz and Witold Klaus, due to the fact that this document was created in specific socio-political conditions and due to the passage of time, it requires amendments in several areas. The authors point out that there is no gender factor among the reasons for persecution. This results in the necessity of interpreting this condition from another one listed by the Convention, namely “membership of a social group”. Secondly, there is no central authority to which individuals could lodge complaints about state malfunctions. Thirdly, according to the authors, the Geneva Convention defines the term “refugee” too narrowly. Łukasiewicz and Klaus believe that the document mainly touches on the premises of political persecution without taking into account those of a climatic nature [Łukasiewicz and Klaus 2018, 358].

At the same time, it is worth noting that Poland, by becoming a member of the European Union, has committed itself to implementing EU law into

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<sup>3</sup> Convention relating to the Status of Refugees of 28 July 1951, Journal of Laws of 1991, No. 119, item 515.

<sup>4</sup> Protocol relating to the Status of Refugees of 31 January 1967, Journal of Laws of 1991, No. 119, item 517.

national law, also in the field of refugees. As an example, the so-called a procedural directive setting out minimum standards for procedures for granting refugee status.<sup>5</sup> The most important acts of national law regulating the protection of foreigners, in addition to the above-mentioned constitution, include: 1) Act of 13 June 2003 on granting protection to foreigners within the territory of the Republic of Poland;<sup>6</sup> 2) Act of 12 December 2013 on foreigners;<sup>7</sup> 3) Act of 12 March 2004 on social assistance.<sup>8</sup>

The first of the above-mentioned acts regulates the principles of granting protection to foreigners on the territory of Poland, together with an indication of the competent authorities in matters of granting it. Article 13(1) GPF states that refugee status is granted in the event that a foreigner “due to a well-founded fear of persecution in the country of origin due to race, religion, nationality, political beliefs or membership of a particular social group is unable or unwilling to avail itself of the protection of that country.” The Act also indicates the premises of persecution, in other words, what persecution may consist of and the elements that the competent entity should take into account when assessing persecution. The Polish legislator indicates that persecution, due to its nature and repetition, must constitute a violation of human rights or be an accumulation of various actions or omissions, also constituting a violation of human rights, having severe consequences such as persecution (Article 13(3) GPF). In turn, the legislator in Article 13(4) GPF indicates a catalogue of circumstances that may be considered persecution. These are: a) physical or psychological violence, including sexual violence; b) application of legal, administrative, police or judicial measures in a discriminatory manner or of a discriminatory nature; c) initiating or conducting criminal proceedings or sanctions in a disproportionate or discriminatory manner; d) no right to appeal to a court against a disproportionate or discriminatory penalty; e) initiation or conduct of criminal proceedings or punishment for refusal to perform military service during a conflict, if performing military service would constitute a crime or a crime against peace, a war crime or a crime against humanity as defined by international law, actions contrary to the purposes and principles of the United Nations set out in the Preamble and Article 1 and 2 of the United Nations Charter, a crime of a non-political nature outside the territory of the Republic of Poland before submitting the application for international protection; f) acts directed against persons because of their gender or minority.

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<sup>5</sup> See Council Directive 2005/85/EC of 1 December 2005 on minimum standards on procedures in Member States for granting and withdrawing refugee status, Official Journal of the EU L 326 of 13.12.2005.

<sup>6</sup> Journal of Laws of 2023, item 185 [hereinafter: GPF].

<sup>7</sup> Journal of Laws item 1650 as amended.

<sup>8</sup> Journal of Laws No. 64, item 593 as amended [hereinafter: SA].

Moreover, the Act specifies the circumstances of refusal to grant refugee status or deprivation of it. In Poland, each application for protection in the territory of the Republic of Poland by a foreigner is treated as an application for refugee status, unless he/she indicates that it is about asylum [Grzymała-Kazłowska and Stefańska 2014, 205]. If a given foreigner does not meet the criteria for granting refugee status, the grounds for granting subsidiary protection are examined in the course of the proceedings. In Article 15 GPF, the legislator indicated cases when a foreigner may be granted this form of protection. Thus, a foreigner who does not meet the conditions for granting the refugee status is granted subsidiary protection if returning to the country of origin may expose him to a real risk of suffering serious harm by: imposing the death penalty or execution, torture, inhuman or degrading treatment or punishment, serious and individualized threat to life or health resulting from the widespread use of violence against civilians in a situation of international or internal armed conflict – and due to this risk, he cannot or does not want to use the protection of the country of origin.

The refugee procedure itself begins when a foreigner submits an application to the Head of the Office for Foreigners through the commanding officer of the Border Guard unit or post. The authority conducting the proceedings for granting international protection decides in the first place on granting or refusing to grant the foreigner refugee status, and in the case of refusal to grant the refugee status, decides on granting or refusing to grant subsidiary protection (Article 47(1) GPF).

## 2. KINDS OF SUPPORT AND ASSISTANCE TO FOREIGNERS HAVING OR APPLYING FOR REFUGEE STATUS

Foreigners who apply for international protection may receive social and medical assistance. The forms of social assistance that may be used by foreigners staying in a refugee center include: accommodation in a refugee center, meals, pocket money for small personal expenses, cash support for the purchase of cleaning and personal hygiene products in the amount of PLN 20 per month or cleaning and hygiene products personal, one-off cash assistance in the amount of PLN 140 or gift vouchers for the purchase of clothing and footwear. In addition, providing a cash equivalent in exchange for food for children up to 6 years of age and children fulfilling the school obligation in the amount of PLN 11 per day. Persons staying outside the center may receive a cash benefit to cover the costs of staying in Poland on their own. It should be noted that the cash benefit does not cover medical assistance.

Norbert Rafalik sees two important, positive issues in the help provided outside the centre. He believes that foreigners living outside the center can integrate faster with the environment in which they stay. The problems they face force foreigners to take action to solve them. The second argument raised by Rafalik is the difference in the cost of living for immigrants staying in the centers and those who live outside them. He believes that the cost of living for foreigners who do not live in the center is much lower, which in turn translates into lower expenses from the state budget [Rafalik 2012, 31]. A cash benefit may be granted when it is justified by organizational reasons or when it is necessary to: ensure the safety of a foreigner, taking into account the special situation of single women; protection of public order; protecting and maintaining family ties; preparing a foreigner to lead an independent life outside the centre, after receiving a decision on granting the refugee status or a decision on refusal to grant the refugee status in which subsidiary protection was granted (Article 72(1) GPF).

Social assistance is provided until the application is considered and the final decision on international protection is issued. The amount of financial assistance is regulated by the Regulation of the Minister of the Interior and Administration on the amount of assistance for foreigners applying for refugee status.<sup>9</sup> The amount of the cash benefit for one person staying outside the center is PLN 25. If the foreigner stays in Poland with his spouse or children, the cash benefit varies depending on the number of people. In the case of two, it is PLN 20; three people – PLN 15; four and more – PLN 12.5 per person per day.

**Table 1.** Cash benefit under social assistance granted to foreigners applying for international protection to cover the costs of stay on the territory of the Republic of Poland

Number of family members	Daily amount per person	Monthly amount per person
1 person	25 PLN (approx. 6,25 EUR)	750 PLN (approx. 187,5 EUR)
2 persons	20 PLN (approx. 5 EUR)	600 PLN (approx. 150 EUR)
3 persons	15 PLN (approx. 3,75 EUR)	450 PLN (approx. 112,5 EUR)
4 persons	12.50 PLN (approx. 3 EUR)	345 PLN (approx. 93,75 EUR)

**Source:** own study based on the Regulation of the Minister of the Interior and Administration of 19 February 2016 on the amount of assistance for foreigners applying for international protection, Journal of Laws item 311.

<sup>9</sup> Regulation of the Minister of the Interior and Administration of 19 February 2016 on the amount of assistance for foreigners applying for international protection, Journal of Laws item 311.

In addition, all foreigners, regardless of the form of assistance, are entitled to assistance in learning the Polish language along with basic didactic materials necessary to learn the language, coverage, if possible, of the costs of extracurricular and recreational and sports activities for children. In addition, foreigners applying for international protection are entitled to finance travel by public transport in order to participate in the procedure for granting international protection or for the purpose of treatment or vaccination, or in other justified cases. It is worth noting that foreigners, apart from the support offered by the state, may also participate in activities organized by non-governmental organizations. Such forms include, among others: courses of Polish culture, language classes or vocational courses. These activities are referred to as pre-integration assistance [Grzymała-Kazłowska and Stefańska 2014, 206]. In addition, an applicant for international protection may also benefit from the so-called assistance in voluntary return, return to the country to which he has the right to enter and assistance in the event that a foreigner is transferred to another Member State responsible for examining the application for international protection.<sup>10</sup>

One of the forms of assistance provided to foreigners applying for refugee status is accommodation. As previously indicated, these people may be staying in special centres or staying outside them. You can indicate centres that are open and those that are closed. The former are conducted by the Office for Foreigners, while the latter are conducted by the Border Guard. The Head of the Office for Foreigners may commission social organizations, associations or other legal entities or natural persons to run such centres. According to information from the Office for Foreigners, nine centres currently run (May 2023) by the Office are located in four provinces: 1) Kujawsko-Pomorskie: Grupa near Grudziądz, 2) Lubelskie: Bezwola, Biała Podlaska, Łuków, Kolonia Horbów, 3) Mazowieckie: Dębak, Linin, 4) Podlaskie: Białystok and Czerwonny Bór.<sup>11</sup>

The facilities run by the entities selected in the tender must meet certain premises criteria. These criteria apply not only to the conditions of the technical condition of buildings, but also to recreational opportunities, religious practices, facilities for people with disabilities or even equipment of rooms for foreigners. Aleksandra Chrzanowska and Witold Klaus point out that “Initially, the price was almost the only criterion in the selection of centres. Currently, its importance has significantly decreased, successively giving way to other criteria related to raising the living standards

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<sup>10</sup> Regulation 2013/604 Criteria and mechanisms for determining the Member State responsible for examining an application for international protection lodged in one of the Member States by a third-country national or a stateless person, Official Journal of the EU L 180/31 of 29.06.2013.

<sup>11</sup> See <https://www.gov.pl/web/udsc/kontakt-do-osrodkow> [accessed: 06.05.2023].



of foreigners in the centres – starting from the search for facilities smaller than before, ending with various equipment that facilitates the functioning” [Chrzanowska and Klaus 2011, 7]. It is worth noting that a foreigner staying in a centre is obliged to comply with certain rules, such as: 1) complying with the regulations of stay in the centre; 2) following the instructions of the staff of the centre; 3) taking care of personal hygiene and cleanliness of the premises; 4) undergoing medical examinations and sanitary procedures recommended by the doctor providing medical care in the centre; 5) in the event of the occurrence of disease symptoms or the occurrence of a threatening event in case of damage to the property of the centre, the foreigner should immediately notify the staff of the centre; 6) moving to another centre, if it is necessary for organizational reasons (Article 82(1) GPF).

The Act on granting protection to foreigners within the territory of the Republic of Poland also specifies the rights of foreigners staying in the centre. These are rights to: 1) maintain customs, national and cultural traditions and perform religious practices; 2) move freely around the facility, excluding places prohibited from entering; 3) access to information on entities providing free legal assistance in cases for granting international protection; 4) access to information on non-governmental or international organizations whose statutory tasks include refugee matters; 5) access to information on procedures for preventing and responding to cases of violence, including sexual violence or gender-based violence; 6) receive visits to the rooms intended for this purpose; 7) submit to the Head of the Office, in the native language, complaints and requests in matters the functioning of the centre and the conditions of stay there; 8) contacts with his attorney in conditions that do not violate the right to privacy (Article 82a GPF).

Residents of centres for foreigners are also obliged to comply with the internal regulations of the facility. These regulations contain provisions regarding the accommodation of foreigners, the rights of people working in the office or the protection of the centre, the obligations of residents, the rules of entry for people who do not live in the centre and prohibitions applicable to residents.

Another type of assistance provided is medical assistance. It is worth recalling that the legislator obliged foreigners entering Poland to present relevant documents confirming the right to health insurance, which will cover the costs of treatment if necessary. Therefore, the use of social assistance, including health care, as indicated by Magdalena Kumela-Romańska, was based on the principle of financial self-sufficiency of foreigners [Kumela-Romańska 2017, 336]. Foreigners are entitled to medical care for the duration of the proceedings for granting international protection and in the case of granting refugee status or subsidiary protection, and the costs are borne

by the State Treasury. Medical services are provided in all centres for foreigners and medical facilities with which the Head of the Office for Foreigners concluded a civil law agreement. It is worth noting that foreigners with international protection receive health care benefits to the extent that persons covered by compulsory or voluntary health insurance are entitled to under the Act of 27 August 2004 on health care services financed from public funds,<sup>12</sup> however, excluding spa treatment or spa rehabilitation (Article 73(1) GPF). Therefore, immigrants applying for international protection can count on benefits, e.g. in the field of primary health care; outpatient specialist care; hospital treatment; psychiatric care and addiction treatment; medical rehabilitation; long-term care and care services; dental treatment; spa treatment; supply of medical devices, at the request of an authorized person, and their repair, referred to in the Act on Reimbursement; medical rescue; palliative and hospice care; highly specialized services; health programs; medicines, foodstuffs for particular nutritional uses and medical devices available in a pharmacy on prescription; drug programmes; drugs used in chemotherapy specified in the provisions of the Reimbursement Act.

The assistance, its scope and forms provided to foreigners depend on the title on the basis of which they stay in Poland. Integration activities are an important element of supporting refugees in Poland. This is an important part of the assistance provided. This is due to the fact that foreigners, especially refugees, face the problem of adapting to the new conditions in which they find themselves. Confrontation with reality and the related problems result in a kind of closure in a group representing the same cultural circle, language, nationality. In addition, the integration of refugees and foreigners granted subsidiary protection is an extremely delicate issue, as these people most often experienced situations that affected their mental and physical condition. Thus, an individual approach to each person to some extent determines the success or failure of the undertaken integration efforts. Integration is to strive for mutual understanding, both of immigrants and members of the host society. Sławomir Łodziński argues that integration presupposes the mutual participation of the majority and the minority in the main social and political institutions and the possibility for the minority group to maintain its customs, culture and separate ethnic identity [Łodziński 2005, 13]. Integration assistance in accordance with Article 89e of the Act on foreigners of 2013 is entitled to a foreigner who has refugee status or benefits subsidiary protection, in the manner and on the terms set out in the Act of 12 March 2004 on social assistance. Originally, this assistance was available only to refugees, only since 2008 the integration activities have been extended to foreigners with subsidiary

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<sup>12</sup> Journal of Laws No. 210, item 2135.

protection. In turn, in 2014, foreigners staying on the basis of a temporary residence permit as part of family reunification with family members with refugee status or subsidiary protection in Poland were among the persons entitled to assistance.

It is worth noting that the administrative and legal entitlement to use social assistance is vested in the broadest scope in refugees. A foreigner who has received one of the above-mentioned statuses within 60 days may, through the poviát family support center, submit an application to the staroste for assistance in the integration process. The aid is granted for a period not longer than 12 months. It includes activities such as: 1) cash benefits in the amount from PLN 4,463 to PLN 11,753 per month per person for: a) maintenance, in particular to cover expenses for food, clothing, footwear, personal hygiene products and housing fees, b) covering expenses related to learning Polish; 2) paying the health insurance premium specified in the Act of 27 August 2004 on health care services financed from public funds; 3) social work; 4) specialist counselling, including legal, psychological and family counselling; 5) providing information and support in contacts with other institutions, in particular with labour market institutions, with the local community and non-governmental organizations; 6) other activities supporting the foreigner's integration process.

The instrument by means of which the process of integration of foreigners covered by international protection is carried out is the Individual Integration Program (IIP). An important aspect of the assistance provided under the aforementioned instrument is its individualized character. The forms of assistance provided under the IIP are agreed between the foreigner and the poviát family assistance centre. The individualization of the program is consequently important for the success of the integration process. The implemented program determines the scope and amount of the assistance provided. In addition, it contains the obligations of the parties, i.e. the poviát family support centre and the foreigner in the implementation of the programme. The Social Welfare Act defines the obligations of the poviát family assistance centre under the IIP. These are: 1) providing the foreigner with information on the assistance specified in the program and the conditions for its suspension or refusal; 2) cooperation with the foreigner and supporting him in contacts with the local community, including establishing contact with the social assistance center appropriate for the foreigner's place of residence; 3) assistance in obtaining housing, including, if possible, in a sheltered apartment; 4) conducting social work with a foreigner; 5) other actions agreed with the foreigner resulting from the foreigner's individual life situation; 6) choosing of the employee, hereinafter referred to as the "programme

implementer”, agreeing the program with the foreigner and supporting the foreigner during the implementation of this program (Article 93(1) SA).

Obligations have also been defined towards a foreigner who has been granted refugee status or subsidiary protection. Belong to them: 1) registration of residence; 2) registering at the labor office within the time limit set in the program and actively looking for a job; 3) obligatory participation in Polish language courses, if necessary; 4) cooperation and contacting the program implementer on fixed dates, but not less frequently than twice a month; 5) other activities agreed with the implementer of the program resulting from the individual life situation of the foreigner; 6) compliance with the commitments made in the programme (Article 92(1) SA).

The Individual Integration Program is addressed to foreigners who have also met other requirements necessary to obtain social assistance. These programs are the only form of assistance to immigrants in the integration process and implement the principle of cooperation in the context of assistance for foreigners provided by the state. Based on Article 93(2) and (3) SA, the Individual Integration Program agreed with the foreigner together with its cost estimate is submitted to the voivode. By accepting it, the voivode allocates funds for its implementation. The social worker is the implementer of the program and assesses the foreigner’s progress in the integration process at least once every three months, starting from the day the program starts. Unfortunately, it is worth noting that the IIP tool in practice often boils down to cash withdrawal. In addition, the individualized nature of the program, which should condition subsidies to the needs of the foreigner, is often of a general nature. This is a consequence of too few social workers.

## CONSLUSIONS

Legal regulations in Poland make it possible to grant various forms of protection to foreigners. Initially, after 1989, the Polish policy of helping refugees was based on the regulations of international law, to which it became a party. Then, over the following years, the activities of the legislator in the field of developing forms of protection of foreigners were shaped by EU legislation and the introduction of national legal acts regulating the analysed issue. Currently, the forms of international protection include: refugee status, subsidiary protection. The status granted to a foreigner results in a varied scope and amount of assistance provided to the foreigner. Refugee status is one of the most important forms of protection, which in the case of Poland gives the greatest opportunities to benefit from support in the form of social, medical, financial and integration assistance.

The introduction of various forms of support for refugees seems insufficient. A good example of this is the amount of financial assistance that foreigners with refugee status receive. The costs of living are rising faster than the rates of financial support per person – a refugee and his family – updated by the regulation. Refugees can count on integration support. This space has been widely regulated in Polish law. Individual Integration Programs, which are a form of assistance and an instrument for implementing the integration process, have certain shortcomings. One of them is too short time of implementation of the mentioned programs – 12 months. For people who are significantly different culturally, carrying the burden of mental experiences, having problems with establishing contacts or finding themselves in different living conditions, this period is insufficient. Poland is increasingly chosen by foreigners as a place to work or live. The image of Poland as a leader of socio-economic changes in the region of Central Europe may result in an increasing percentage of foreigners applying for international protection in the near future. This forecast requires the development of instruments to support and help refugees in many areas of social life. Unfortunately, the lack of a migration strategy of the Polish state is not conducive to the development of instruments to support and protect foreigners in Poland.

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