



## Input by civil society organisations to the Asylum Report 2025

Dear Colleagues,

The production of the *Asylum Report 2025* is currently underway. The annual [Asylum Report](#) presents an overview of developments in the field of international protection in Europe.

The report includes information and perspectives from various stakeholders, including experts from EU+ countries, civil society organisations, researchers and UNHCR. To this end, we invite you, our partners from civil society, academia and research institutions, to share your reporting on developments in asylum law, policies or practices in 2024 by topic as presented in the online survey (**'Part A' of the form**).

We also invite you to share with us any publications your organisation has produced throughout 2024 on issues related to asylum in EU+ countries (**'Part B' of the form**).

These may be:

- reports;
- articles;
- recommendations to national authorities or EU institutions;
- open letters and analytical outputs.

Your input can cover information for a specific EU+ country or the EU as a whole. You can complete all or only some of the sections.

Please note that the Asylum Report does not seek to describe national systems in detail but rather to present key developments of the past year, including improvements and challenges which remain.

All submissions are publicly accessible. For transparency, contributions will be published on the EUAA webpage and contributing organisations will be listed under the Acknowledgements of the report.

All contributions should be appropriately referenced. You may include links to supporting material, such as:

- analytical studies;
- articles;
- reports;
- websites;
- press releases;
- position papers.

Some sources of information may be in a language other than English. In this case, please cite the original language and, if possible, provide one to two sentences describing the key messages in English.





The content of the Asylum Report is subject to terms of reference and volume limitations. Contributions from civil society organisations feed into EUAA's work in multiple ways and inform reports and analyses beyond the Asylum Report.

***NB: This year's edition of the Asylum Report will be significantly revamped to achieve a leaner, more analytical report with streamlined thematic sections. The focus will be on key trends in the field of asylum rather than on individual developments. For this reason, information shared by respondents to this call may be incorporated in the Asylum Report in a format different than in the past years.***

Your input matters to us and will be much appreciated!

\*Please submit your contribution to the Asylum Report 2025 by **Friday, 10 January 2025**.\*





## Contact details

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## General Observations

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Before sharing information by thematic area, please provide your general observations on asylum developments as indicated in the following three fields:

**1. What areas would you highlight where important developments took place in the country/countries you cover?**

General strategic level of migration policy and visas issuance. On October 15, the Council of Ministers adopted the document 'Taking back control. Ensure safety. A comprehensive and responsible migration strategy for Poland for 2025–2030' which stipulates the aims and the most important measures of the country's migration policy.

**2. What are the areas, where only few or no developments took place?**

Labour migration.

**3. Would you have any observations to share specifically about the implementation of the Pact on Migration and Asylum in the national context of the country/ countries you cover?**

The government's stance is that the Pact on Migration and Asylum 'does not sufficiently address the specific situation of the countries bordering Belarus and Russia', therefore, Poland 'will be against individual legislative acts included in the Pact'<sup>1</sup>

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<sup>1</sup> The Ministry of the Interior and Administration, *Komunikat w sprawie Paktu o Migracji i Azylu*, <https://www.gov.pl/web/mswia/komunikat-prasowy-w-sprawie-paktu-o-migracji-i-azylu2>.





## PART A: Contributions by topic

Please share **your reporting on developments in asylum law, policies or practices in 2024 by topic**. Kindly make sure that you provide information on:

- ✓ New developments and improvements in 2024 and new or remaining challenges;
- ✓ Changes in legislation, policies or practices, or institutional changes during 2024.

1. **Access to territory and access to the asylum procedure** (including first arrival to territory and registration, arrival at the border, application of the *non-refoulement* principle, the right to first response (shelter, food, medical treatment) and issues regarding border guards)

The main challenges in this case regard the crisis on the border with Belarus. As the non-governmental organisations report, the policy of pushbacks did not change considerably in 2024<sup>2</sup>. According to the quoted reports, there is no clear policy on who would be allowed to lodge asylum application and who would be pushed back to Belarus. As the official data show, in January-September 2023 there were 11,131 persons who lodged asylum applications in Poland, comparing to 6,312 in the same period in 2023<sup>3</sup>. It is not possible to figure out how many were lodged after the irregular crossing of the Polish-Belarusian border. However, it should be noted that there were 581 people applying in the Border Guard post in Czeremcha (next to the border with Belarus) compared with only 27 in the same period of 2023. Moreover, there was a significant number of applicants holding citizenship of the countries which are vastly represented among people requesting help from the non-governmental organisations<sup>4</sup>: e.g. 441 Eritreans, 431 Somalians, 419 Ethiopians, 389 Syrians, and 198 Afghanis<sup>5</sup>. However, as the quoted reports indicate, the migrants who crossed the Polish-Belarus border inform that they were subjected to different forms of violence by services of both countries.

In the 'Taking back control. Ensure safety. A comprehensive and responsible migration strategy for Poland for 2025–2030' the government set the possibility to 'temporarily and spatially' suspend the right to asylum. As it was claimed in the document<sup>6</sup>, it would regard the situation

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<sup>2</sup> We Are Monitoring, *We have only one war here: immigration, you. The policy of pushback and border forces violence on the Polish-Belarusian border*, [https://wearemonitoring.org.pl/wp-content/uploads/2024/10/RaportGranica\\_srodek\\_ENG\\_online.pdf](https://wearemonitoring.org.pl/wp-content/uploads/2024/10/RaportGranica_srodek_ENG_online.pdf); We Are Monitoring, *Chcę zostać w Polsce. 12 miesięcy nowego rządu w relacjach z granicy polsko-białoruskiej*, <https://wearemonitoring.org.pl/wp-content/uploads/2024/12/Chce-zostac-w-Polsce.-12-miesiecy-nowego-rzadu-w-relacjach-z-granicy-polsko-bialoruskiej.pdf>.

<sup>3</sup> Border Guard, *Informacja statystyczna za okres styczeń-wrzesień 2024 r.*, <https://www.strazgraniczna.pl/pl/granica/statystyki-sg/2206.Statystyki-SG.html>.

<sup>4</sup> See the statistics of We Are Monitoring: <https://wearemonitoring.org.pl/en/statistics/interactive-dashboards/>.

<sup>5</sup> Border Guard, *Informacja...* op. cit.

<sup>6</sup> Chancellery of the Prime Minister, *"Odzyskać kontrolę. Zapewnić bezpieczeństwo" – strategia migracyjna na lata 2025 – 2030*, <https://www.gov.pl/web/premier/odzyskac-kontrolę-zapewnic-bezpieczenstwo---strategia-migracyjna-na-lata-2025---2030>.





of instrumentalisation of migration by other parts (such as Belarusian regime) and in the media the representatives of government precised that it would pertain people who behave aggressively.

On 19 December, the government sent to the parliament a proposal of amendment of the law on granting the protection to the foreigners in Poland. In the proposal there are the following changes. Firstly, there is a definition of instrumentalisation of migration set which would be: 'conducting by a state bordering the Republic of Poland or another entity actions to enable foreigners the crossing of the border contrary to the provisions of external border law as defined in the art. 2 point 2 of Regulation (EU) 2016/399 of the European Parliament and of the Council of March 9, 2016 on the EU Code on the rules governing the movement of persons across borders (Schengen Borders Code) (OJ EU L 77 of 23/03/2016, p. 1, as of late amended 1)), in particular using violence against officers protecting this border or in combination with the destruction of border infrastructure, that may result in destabilisation of the internal situation in the territory Republic of Poland'.

Secondly, there are new articles added (33a-c) which introduce the possibility to suspend the right to asylum. The conditions necessary to apply this suspension would be: 1) instrumentalisation as defined above, 2) occurrence of a 'serious and a real threat to the security of the state or society', 3) other measures are insufficient to ensure security. The suspension could be introduced, by regulation, by the Council of Ministers, at the request of the minister responsible for internal affairs, 'taking into account the need to prevent destabilisation of the internal situation in the Republic of Poland and aiming to limit the rights of foreigners as little as possible intending to apply for international protection'. The first period of the suspension could be no longer of 60 days. It is possible to prolong the suspension after that time for another 60 days but only upon the agreement of the Parliament. There would be exceptions envisaged for such applicants as minors, pregnant women, 'people may require special treatment, in particular due to to their age or health condition', people 'who are at real risk of suffering serious harm in the country from which they came directly' or citizens of the state applying instrumentalisation. However, the exception cannot be made in the case of people 'against which it was necessary to apply measures of direct coercion or the use of weapons, immediately after they crossed or attempted to cross the border with the use of violence and in cooperation with other people'.

## **2. Access to information and legal assistance** (including counselling and representation)

No changes.

## **3. Provision of interpretation services** (e.g. introduction of innovative methods for interpretation, increase/decrease in the number of languages available, change in qualifications required for interpreters)

No changes.





- 4. Dublin procedures** (including the organisational framework, practical developments, suspension of transfers to selected countries, detention in the framework of Dublin procedures)

No changes.

- 5. Special procedures** (including border procedures, procedures in transit zones, accelerated procedures, admissibility procedures, prioritised procedures or any special procedure for selected caseloads)

No changes.

- 6. Reception of applicants for international protection** (including information on reception capacities – increase/decrease/stable, material reception conditions – housing, food, clothing and financial support, contingency planning in reception, access to the labour market and vocational training, medical care, schooling and education, residence and freedom of movement)

The main challenges regard the situation of the beneficiaries of temporary protection (TP) related to war displacement in Ukraine. As of 12 October 2024, there were 985,105 beneficiaries of TP from Ukraine registered in Poland<sup>7</sup>. On 1 July 2024, the new bill regarding the assistance for this group came into force. The most relevant change is prolongation of the TP until 30 September 2025. Furthermore, according to this law, minor children of Ukrainian citizens who do not have Ukrainian citizenship, and children of spouses of Ukrainian citizens who do not have Ukrainian citizenship are also entitled to be granted TP and the assistance stemming from this status. Furthermore, the person has to apply for TP immediately after crossing the border (before it was within 30 days) and only on the basis of a travel document (before any ID document).

Other changes regard the stay in accommodation centres. Before the amendment, minors were exempt from the accommodation fee, but from July 1, parents or legal guardians are obliged to pay a fee for the stay of a minor (for whom no parental benefit is paid), in the amount of PLN 15 per person per day. For adults, the fee remained unchanged. Also, in the case of people hosting beneficiaries of TP in their own accommodation, from July 1, 2024, the benefit will not be paid for the period of stay of a Ukrainian citizen after June 30, 2024. Important change regards the allowance of PLN 800 for a child which will be paid only for children who fulfill compulsory schooling. Some other less relevant allowances were abolished – e.g. the assistance in the form of a one-off cash benefit in the amount of PLN 300 per person, intended for subsistence, in particular to cover expenses on food, clothing, footwear, personal hygiene products and housing fees. There are some minor changes regarding employment: inter alia, the deadline for

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<sup>7</sup> UNHCR, Operational Data Portal, Ukraine Refugee Situation, <https://data.unhcr.org/en/situations/ukraine>.





mandatory notification of the district labor office by the entity entrusting a Ukrainian citizen with work is shortened from 14 days to 7 days from the date of commencement of work.

- 7. Detention of applicants for international protection** (including detention capacity – increase/decrease/stable, practices regarding detention, grounds for detention, alternatives to detention, time limit for detention)

No changes.

- 8. Procedures at first instance** (including relevant changes in: the authority in charge, organisation of the process, interviews, evidence assessment, determination of international protection status, decision-making, timeframes, case management – including backlog management)

No changes.

- 9. Procedures at second instance** (including organisation of the process, hearings, written procedures, timeframes, case management – including backlog management)

No changes.

- 10. Issues of statelessness in the context of asylum** (including identification and registration)

No changes.

- 11. Children and applicants with special needs** (special reception facilities, identification mechanisms/referrals, procedural standards, provision of information, age assessment, legal guardianship and foster care for unaccompanied and separated children)

No changes.

- 12. Content of protection** (including access to social security, social assistance, health care, housing and other basic services; integration into the labour market; measures to enhance language skills; measures to improve attainment in schooling and/or the education system and/or vocational training)

No changes.





### 13. Return of former applicants for international protection

In the Migration Strategy the government announced to make returns more efficient but so far no details have been presented. In case of pushbacks, see the section on the access to territory and access to the asylum procedure.

### 14. Resettlement and humanitarian admission programmes (including EU Joint Resettlement Programme, national resettlement programme (UNHCR), National Humanitarian Admission Programme, private sponsorship programmes/schemes and ad hoc special programmes)

In the Migration Strategy the government set the possibility of a scheme of 'humanitarian stay' but so far no details have been announced.

### 15. National jurisprudence on international protection in 2024 (please include a link to the relevant case law and/or submit cases to the [EUAA Case Law Database](#))

### 16. Other important developments in 2024

No changes.

## Part B: Publications

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1. If available online, please provide links to relevant publications produced by your organisation in 2024:

<https://www.returnmigration.eu/wp-series/externalisation-of-eu-migration-policies-case-of-georgian-citizens-returns-from-poland>  
<https://www.returnmigration.eu/wp-series/legal-and-policy-infrastructures-of-returns-in-poland>  
<https://www.migracje.uw.edu.pl/publikacje/using-the-holistic-integration-model-and-anchoring-to-understand-integration-challenges-and-opportunities-the-reception-and-support-of-ukrainian-forced-migrants-in-poland-in-the-context-of-uncertain/>  
<https://www.migracje.uw.edu.pl/publikacje/community-sponsorship-for-refugees-in-poland-social-attitudes-and-comparisons-with-other-asylum-and-refugee-policies/>  
<https://www.migracje.uw.edu.pl/publikacje/discrimination-in-the-rental-market-in-warsaw/>  
<https://www.migracje.uw.edu.pl/publikacje/long-term-inclusionary-agenda-on-decent-work-for-women-from-ukraine-working-in-italy-and-poland/>  
<https://www.migracje.uw.edu.pl/publikacje/romani-dar-and-romano-marbien-palo-roma-between-fear-and-agency-unequal-citizenships-two-years-into-fullscale-war-in-ukraine/>

2. If not available online, please share your publications with us at:  
[Asylum.Report@euaa.europa.eu](mailto:Asylum.Report@euaa.europa.eu)







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