

06 September 2022

## TEMPORARY PROTECTION IN POLAND: WHAT SOLUTIONS FOR VULNERABLE GROUPS?

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*Large-scale displacement from Ukraine has led to growing concerns about individuals who were considered vulnerable prior to the outbreak of war, as well as those deemed newly vulnerable due to their displacement. Despite the quick rollout of temporary protection, providing adequate support in light of the scale and characteristics of displacement from Ukraine remains challenging – including in Poland, the major destination country.*

[Seven million people](#) have fled across Ukraine's borders following Russia's invasion earlier this year, with the vast majority heading to neighbouring EU countries, including approximately 1.4 million to Poland. Not only is the pace and scope of this displacement different than previous crises, the composition of this group is also distinct. Those arriving are largely women, children, and the elderly. The first two groups account for approximately 94% of registered temporary protection beneficiaries (TPBs) in Poland. Of the children fleeing Ukraine, a sizable number are unaccompanied or separated from their caregivers. Furthermore, available estimates indicate that approximately 10% of TPBs in the EU [suffer from some form of disability](#). It is clear that several groups require particular attention, as they may need specialised support to help them settle in. Meanwhile, mental health and working conditions are also important concerns that necessitate a proactive approach in order to reduce vulnerabilities.

As observed in similar contexts, it has become evident that displacement can compound the existing vulnerabilities of women, children, and the elderly, especially when travelling alone or already being disabled. In addition, some of those fleeing the war may have experienced torture or other serious forms of violence. Displaced persons also risk exposure to individuals and organised crime groups that prey on vulnerable persons, luring them into [sexual or labour exploitation](#) via the internet or directly at the border crossings. In addition, common types of fraud, such as extorting money or charging disproportionate fees for services, exacerbate risks.

To address the needs of vulnerable groups, and in light of the sizable number of newcomers, Poland and other receiving governments are well advised to adapt their existing support systems so that they can offer more robust and targeted support measures, and ultimately, adequate protection. Six months into the conflict, this work is underway, but important gaps remain.

### **Addressing special needs under the Temporary Protection Directive**

The [Temporary Protection Directive](#) requires EU Member States to provide assistance to TPBs with special needs. In this regard, [Romania](#) has issued regulations on the rights of unaccompanied minors, people with disabilities, and elderly people with restricted mobility, while Croatia offers housing specifically for vulnerable groups. An increasing number of countries, including Poland, are also launching [communication tools](#) to raise awareness of the risks of becoming a victim of human trafficking.

In Poland, the country with the highest number of registered TPBs in the EU, specific regulations regarding vulnerable groups are defined in the [Act on the support to Ukrainian citizens in in connection with an armed conflict](#). This represents an important step forward, but more targeted policies serving the specific needs of vulnerable groups are required for adequate protection of individuals particularly at risk.

### **Protecting unaccompanied and separated children**

Children are at particular risk of human trafficking and abuse, especially those crossing the EU border without the company of a parent or legal guardian. Since the outbreak of the war in Ukraine on 24 February 2022, more than 575,000 minors have entered Poland from Ukraine and been registered for temporary protection. Already in May, Poland had become home to an additional [4,000 Ukrainian orphans](#), including those with disabilities, and current numbers are likely much higher. The Polish and Ukrainian systems of institutional care are fundamentally different: In Poland, where in-depth reforms of the system were initiated over decade ago, large care centres no longer exist, but these are still common in Ukraine. The evacuation of entire facilities (of [100-200 children](#) at times) has been challenging due to the lack of similar institutional capacities and mechanisms in Poland.

The majority of children entering Poland are accompanied by relatives or other caregivers who are not their legal guardians, meaning that their care needs to be formalised. With existing foster care systems overburdened, special and more flexible measures have been introduced, namely the institution of a temporary guardian. Under this system, a temporary guardian is either a Ukrainian or Polish citizen with whom the child has crossed the border, or a person

with no prior connection to the child (e.g., a volunteer). The rights of a temporary guardian are identical to the rights of a legal guardian (e.g., a parent).

The numbers prove the necessity of such a measure – as of 2 June, 19,200 temporary guardians were appointed [for 23,000 minors from Ukraine](#). In line with a new [EU Anti-Trafficking Plan](#), Poland has also launched a special ICT system (within the Ministry of Family and Social Policy) to register this group of children and has intensified cooperation with Ukrainian counterparts to prevent threats such as human trafficking, the illegal movement of children abroad, and adoptions that run counter to Ukrainian legislation.

While it does promptly address the legal situation of an unaccompanied or separated child, the temporary guardian system has a number of flaws. Firstly, it can be challenging for social workers to reliably verify an application for temporary guardianship where relevant information is limited or absent. A lack of adequate background checks can increase the risk of child mistreatment. Secondly, it is equally difficult to monitor the quality of care under temporary guardian arrangements as TPBs often change their place of residence within Poland and across the EU, or even return to Ukraine. Supervision guidelines, and more generally the whole support ecosystem of psychologists, advisors, and legal consultants, have yet to be designed and implemented.

Finally, a shortage of social workers and the limited experience of relevant institutions (e.g. guardianship courts, Welfare Centres, and the foster care system) in working with non-Polish clients poses another challenge. This may be due to the relatively small scale of unaccompanied minors in the Polish protection system in the past (e.g., only [200 of 7,700 applications](#) for international protection in 2021 came from unaccompanied minors). Combined with limited knowledge of relevant Ukrainian regulations, this situation can easily create gaps in child protection – particularly when proceedings need to be finalised extremely quickly (the guardianship court is supposed to verify the case and decide within three days). Increasing the number of social workers employed by local governments, as well as an expanding training on working with migrant/refugee children, should be a part of the long-term solution to these challenges.

### **Channelling persons with disabilities into mainstream policies**

According to conservative estimates from July, approximately [15,000 individuals with disabilities](#) have arrived in Poland from Ukraine, but similarly to unaccompanied minors, many have not been caught by the statistics. It is critical to ensure the proper recognition of the needs of people with disabilities, including adequate assistance such as orthopedic or

rehabilitation equipment, access to medication, and/or information regarding available support.

Currently, there is no reception system (or broader support system) designed specifically for this group of TPBs. One of the initiatives working to address some of the specific needs of this group is the [‘Assistance to Ukrainian citizens with disabilities’](#) programme, launched by the State Fund for the Rehabilitation of Disabled People, with a budget of PLN 130 million (EUR 27 million) that is available to municipalities and NGOs. Civil society organisations that offer support to Polish citizens are also now [assisting TPBs with disabilities](#) by providing accommodation, medical equipment, and legal and psychological support, as well as relocating individuals to other EU Member States where specialised support is more accessible, often in partnership with the private sector. However, their resources and capabilities are not meeting all the needs, and many people with disabilities still have difficulties in accessing assistance.

While they are legally incorporated into mainstream policies for disabled persons, the reality is far more complicated. Immediately upon arrival, the lack of reception facilities that are adapted to the needs of people with disabilities poses a serious challenge. Prolonged stays in temporary group reception centres are commonplace and may be especially challenging for those with disabilities. Certainly, a lack of adequate housing for vulnerable groups more generally (especially for people with disabilities) has been a long-standing challenge in Poland, one that has been exacerbated due to the large number of arrivals.

Significantly, Ukrainian certificates of disability are not recognized in Poland, limiting access to state support. Obtaining a Polish equivalent is cumbersome, particularly given that people crossing the border often do not carry with them full (or any) medical documentation. There are also key differences in the disability certification systems in Poland and Ukraine, as well as reasons for declaring a disability. Those with access to their certificates need to have their Ukrainian medical documents translated into Polish. In practice, the process for acquiring a Polish certificate is complicated, expensive, and time-consuming for all parties involved.

Even when granted, accessing support in the short term may be difficult due to the scarcity of available services, showcasing the limitations of the disability service system and health care more broadly, both of which have been under significant strain since the outbreak of the COVID-19 pandemic. [Practitioners stress](#) that children with disabilities arriving from Ukraine also suffer from trauma caused by the war, evacuation, and journey, further complicating the diagnostic picture and subsequent treatment needs.

## Addressing mental health issues

As with other refugees, people fleeing the war in Ukraine are at a higher risk of experiencing mental health challenges. Although not everyone affected will develop a mental health disorder or need clinical mental health services, additional mental health care capacity is required, in addition to a variety of [other, non-clinical mental health support](#). And while displacement creates new mental health challenges, some refugees will also wish to continue receiving therapy or other services that they had accessed prior to the war. TPBs in Poland are entitled to free psychological assistance provided by the municipality – however, the shortage of specialists (especially in the field of child psychiatry) remains a key issue. The number of psychological institutions in Poland employing Ukrainian- and Russian-speaking staff is growing, but the scale of their activities and [availability is limited](#), pointing to access barriers. It is clear that the capacity of the mental health care system must be bolstered in general and for refugees in particular.

Informal initiatives and NGOs play a vital role in complementing Poland's psychological support system. There are a number of specialised NGOs, particularly in Poland's larger cities, that are supporting persons with mental health conditions, whether they are pre-existing or emerged as a consequence of displacement. Such NGOs include the [Polish Migration Forum](#), which provides support as part of [ICMPD's KOMPLEKS project](#). While several NGOs are providing ad hoc support, a greater challenge arises when psychiatric treatment is recommended. In tandem with increasing the capacity of Poland's mental health care system, scaling up complementary NGO-led initiatives presents a workable strategy to address acute refugee mental health needs.

## Work-related vulnerabilities

Finally, other risks and vulnerabilities must be addressed, particularly those related to the labour market. A growing number of Ukrainians are now working in Poland: Equipped with the right to work granted by the Temporary Protection Directive, around [420,000](#) have already found employment in the country. With low-skilled labour being the most readily available, many (often overqualified) TPBs are accepting employment in poor working conditions and/or below [minimum wage](#). The scale of undocumented work should not be underestimated; refugees' [vulnerability to trafficking](#) and forced labour increases if their rights are not safeguarded. Intensifying the scale of controls regarding irregularities in the labour market, as well as information campaigns among both TPBs and employers, is therefore necessary.

## **A bumpy road ahead?**

There is no doubt that the scale and pace of arrivals from Ukraine would test the capacities of any EU Member State – especially countries such as Poland, which has traditionally been a destination for labour migrants and has little prior experience in dealing with vulnerable migrant groups. Despite significant challenges, the current situation has also created a window of opportunity for new measures to be taken in the areas of migration and integration policy. Significant changes include the adoption of the temporary guardianship system (long recommended by experts), a registration database for unaccompanied minors, and immediate access to the health care system for TPBs. These policy developments are a positive signal, but they do not yet adequately address the needs of groups requiring specialised support, especially persons with disabilities and mental health conditions. At the same time, various stakeholders outside of government have been critical in filling (some of the) service gaps.

A lack of information exchange and coordination remains a major issue across all stakeholders involved. Working in silos often leads to a duplication of efforts, especially as new stakeholders with no prior experience of working with migrants or refugees become involved. New networks and joint initiatives emerging from primarily migrant-focused stakeholders, as well as those specifically supporting people with disabilities, have been created. However, these are often ad hoc and unstructured interventions, and may not be sustainable in the long run. [ICMPD's KOMPLEKS](#) project is attempting to help mitigate this challenge by fostering networking and strengthening cooperation among the various stakeholders now active in addressing the needs of vulnerable migrants. The creation of a database with details on available housing, health services, and NGO support would support these information exchanges and foster stronger collaboration.

Supporting persons with special needs is '[not a sprint run but rather a marathon](#)' – particularly given that the majority of TPBs are expected to stay in Poland for a longer period as the war does not appear to be ending anytime soon. Many of the challenges faced by Poland's housing, mental health, and other systems supporting TPBs are ones faced by other countries and experienced by publics more generally. Moving forward, it will be crucial to both bolster capacity and systematise cooperation among various levels of government, local Social Welfare Centres, other public services, the private sector, and NGOs. Some of these solutions constitute low-hanging fruit for stakeholders trying to strengthen support for vulnerable TPBs. At the same time, without adequate and tailored support, the situation of some groups, especially persons with disabilities, will remain dire. Now is the time to build on the momentum to strengthen protection for those most at risk.

*This commentary is based on work conducted under the project [Comprehensive Support for People in a Vulnerable Situation in the Polish Migration Management System \(KOMPLEKS\)](#). It is co-financed by the "Internal Affairs" Program of the Ministry of Interior and Administration implemented under the Norwegian Financial Mechanism for 2014-2021.*

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