

RESCUE

**Protection
Monitoring
Report**

September -
December 2023



Protection Monitoring Report

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More than 14.6 million people within Ukraine require humanitarian support, of which 3.7 million are internally displaced. As of the end of December 2023, there are approximately 6 million refugees from Ukraine in Europe. There are currently about 952,106 refugees registered in Poland (UNHCR, 2024).

More than 71% of IRC's Protection Monitoring respondents, indicated their intention to stay in Poland for at least the next 3 months. Based on UNHCR projections: 1.1 million refugees from Ukraine are expected to stay in Poland in upcoming year (UNHCR, 2024a). Ukraine remains on the IRC Emergency Watchlist in 2024, as one of 20 countries at greatest risk of humanitarian emergency (IRC, 2023).

Perma-crisis and permanent needs

Two years after the escalation of the conflict in Ukraine and Russia's full-scale attack, and a decade since the war began, it appears that the situation is evolving into a phase of protracted conflict. Concurrently, this situation may lead to prolonged displacement for Ukrainian refugees and internally displaced persons (IRC, 2024; UNHCR, 2024a).

IRC's Protection Monitoring data over the last four quarters reveal that we are dealing not only with a prolonged conflict (also referred to as a "permacrisis") but also with persistent needs (perma-needs), many of which remain unmet (IRC, 2024).

As IRC Protection Monitoring data shows, the four main urgent needs consistently identified in each quarter of 2023 are: accommodation, employment, material assistance, and access to healthcare. At the same time, these fundamental needs intersect with the necessity of legal status protection, incorporating socio-economic inclusion in refugee responses, as well as integration processes within local communities.

“Nothing changes because maybe we don't change our approach? Perhaps we still see emergency and crisis needs because we still react to them in an emergency way. We need to try to respond more in a structural way to the still-visible urgent basic needs, and to those that are emerging at this stage.” (KII, local NGO coordinator)

¹ “Protracted refugee situation” is defined by UNHCR as “one in which refugees find themselves in a long-lasting and intractable state of limbo. Their lives may not be at risk, but their basic rights and essential economic, social and psychological needs remain unfulfilled after years in exile”. Typically, this term is not applied to urban refugees, nor to highly industrialized countries. Nonetheless, years after the so-called “migration crisis” in Europe and the situation of limbo of those seeking international protection in EU - it has gained meaning in this context as well.

According to IRC's Protection Monitoring, the protracted conflict is also perpetuating protection risks among the displaced population in Poland, with a range of issues remaining constant over the past 12 months.

These include challenges in accessing specialised and essential healthcare, a growing phenomenon of labor exploitation, housing instability and eviction risks, and protection risks related to discrimination. Additionally, a significant protection risk is the situation of youth and children not participating in the education system, or those experiencing bullying in schools.

This cycle warrants special attention to the uncertainty of legal status and the risk posed by access to legal identity. Furthermore, we highlight the risk of escalating issues related to uncertain accommodation - to the risk of a homelessness crisis. Similarly, as observed in Q3 2023, we note an increasing visibility of domestic violence and Intimate Partner Violence (IPV) among female refugees.

Additionally, through the collaboration between the Protection Monitoring and MEAL (Monitoring, Evaluation, Accountability, Learning) teams at IRC in Poland, efforts were made to identify challenges related to online education and homeschooling among Ukrainian refugee children. Moreover, in response to the urgent and increasing need for 'legal support', IRC conducted a survey to identify the current legal needs among Ukrainian refugees.

Legislative highlights

The intricate nexus between Protection Monitoring and the legal framework governing the status and rights of displaced populations in Poland remains a pivotal focus. Throughout the fourth quarter of 2023, the legislative landscape remained relatively stable despite the backdrop of parliamentary elections and subsequent governmental transitions.

Nonetheless, a notable concern arose from the absence of explicit regulations addressing the extension of temporary status beyond March 2024, causing anxiety among both displaced individuals and service providers.

Of particular significance during this reporting period was the enactment of the Act on support benefits, effective from 1 January 2024. Specifically, the exclusion of individuals with temporary protection status resulted in the disqualification of disabled adults and caregivers from Ukraine to receive respective social benefits (Centrum Pomocy Prawnej im. Haliny Niec, 2023a).

Protection Risks in Ukraine

From the viewpoint of Protection Monitoring in Poland and Ukraine, it is crucial to note the overlap of certain protection risks between the refugees' country of origin and their host country. Just as in Poland, IRC Protection Monitoring in Ukraine highlighted the risk of homelessness among displaced individuals in December 2023, primarily in relation to the Cabinet of Ministers of Ukraine's adoption of Resolution No. 930.²

Over 45% of internally displaced persons (IDPs) who participated in PM reside in collective accommodations or educational institution dormitories. However, with the adoption of Resolution No. 930 by the Cabinet of Ministers of Ukraine, facilities failing to meet new standards face closure risks (IRC Ukraine, November 2023).

This regulatory change significantly heightens the homelessness risk among IDPs lacking alternative housing options. The vast majority (67.7%) of IDPs who participated in an IRC PM survey, cited security concerns as a major barrier to returning to their areas of origin. Additionally, in November, economic insecurity and inability to provide for household are referred to as the main protection concern for both male and female respondents (IRC Ukraine, December 2023).

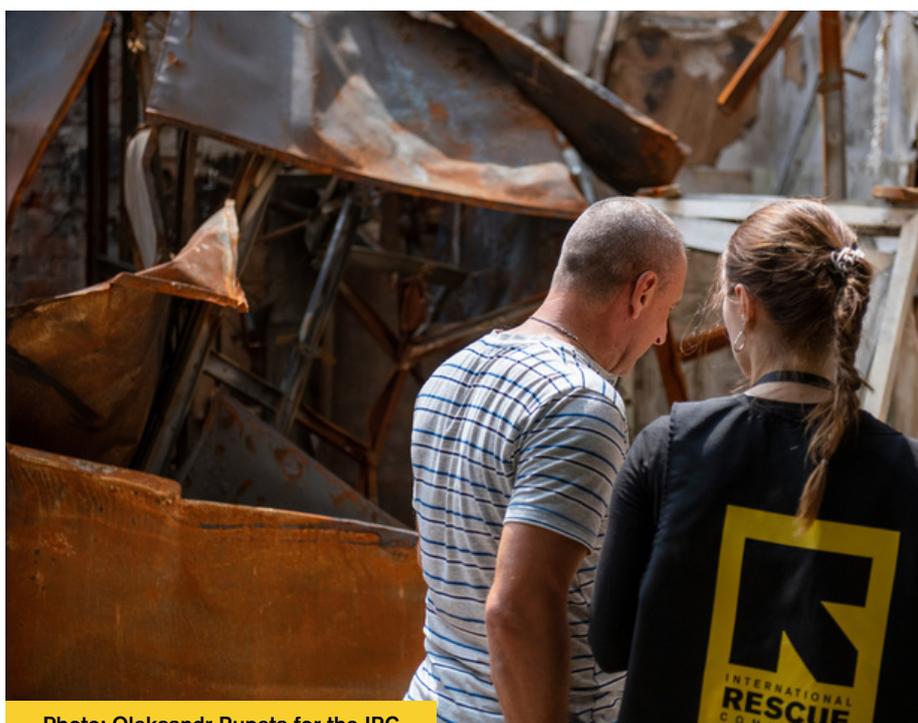


Photo: Oleksandr Rupeta for the IRC

² Cabinet of Ministers adopted the Resolution #930 on collective sites addressing key aspects related to the well-being and living conditions of internally displaced persons (IDPs).

METHODOLOGY & LIMITATIONS

From September to December 2023 the IRC's Protection Monitoring Team conducted 286 individual interviews with refugees across Warsaw, Poznan, and Katowice.

The IRC conducts Protection Monitoring to regularly collect and analyze data about the protection situation of refugees from Ukraine in Poland and monitor changes over time.

Protection Monitoring aims at identifying and analyzing risks and trends relevant to the protection and assistance of affected populations to allow informed decision-making and the design of evidence-based humanitarian responses.

Interviews are conducted in various locations, including local NGOs' locations, community centers, collective accommodation sites, information, and assistance points, transit locations and reception/registration centers. This protection monitoring analysis is published quarterly and is mainly based on the above-mentioned information, complemented by secondary sources.

The quantitative data were further contextualized based on qualitative data, collected mainly through stakeholder interviews (KIs). Qualitative data in Q4 are based on 5 conducted KIs and 4 focus group discussions (FGDs) and observations.

In addition to the General Protection Monitoring, as of June 2023, IRC conducts Child Protection (CP) Monitoring.

IRC Protection Analysis Framework

Protection Monitoring is integrated with Protection Analysis Framework (PAF). PAF is an analytical process undertaken to identify and understand protection risks with the aim of informing strategies and responses.

The analytical conclusions are to guide the development of strategies for reducing protection risk. In this cycle, based on the needs, IRC Protection Monitoring Team in collaboration with IRC's MEAL Team additionally conducted a monitoring based on the Legal Aid Assistance Framework.

Sampling

Convenience, non-probabilistic sampling was used.



Methods

Mixed approach (qualitative methods together with quantitative ones).

- Individual Household Survey
- Semi-structured interviews (KIs)
- Participant observation
- Desk Review
- Thematic and statistical analysis

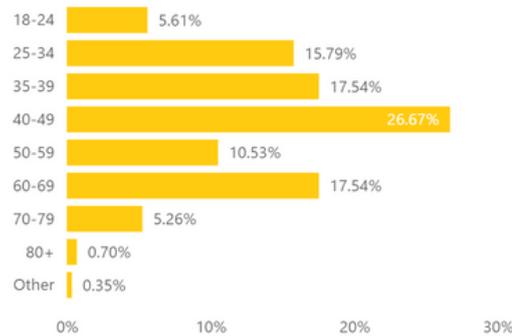
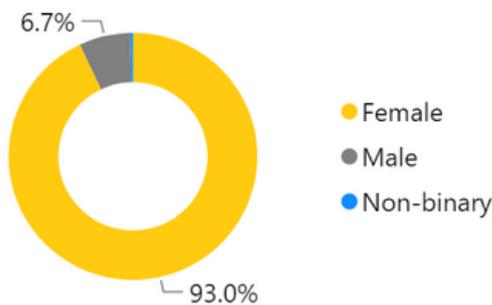
Limitations

Participants are identified in the selected locations and asked for their consent to be interviewed using a harmonized questionnaire. The results presented in this report should be interpreted according to the limitations of the methodology and the context.

- Convenience, non-probabilistic sampling was used. Therefore, these results should not be generalized for the overall population and represent only the situation of the surveyed population described in detail in the "Demographics" section of this report.
- All participants are Ukrainian citizens. No third-country nationals (TCNs) were surveyed in this round of Protection Monitoring.
- Most of the respondents came in February or March, or April 2022. PM activities captured only 10,7% of people that arrived in Poland in 2023.
- Some of the participants do not live in the location where the interview was conducted. Therefore, the results may not be fully accurate for place of residence.

DEMOGRAPHICS

In the Q4 protection monitoring cycle, 93% of participants were female, whilst 6.7% were male. The largest age group represented in this report falls within the 35-49 years old category (as in previous cycles), comprising almost 44% of the sample. Refugees over 50 years old make up 38% of the sample.



Data of arrival

As in the second cycle of PM, most respondents primarily arrived at the beginning of the conflict. In this cycle 45.6% of people arrived in March, and 9% in February, another 9% in April 2022. People that arrived in 2023 constitute 10.7% of respondents.

Education

Almost 55.4% of respondents have a higher education. In Q4 respondents declared technical and vocational level of education, comprising 16.5%.

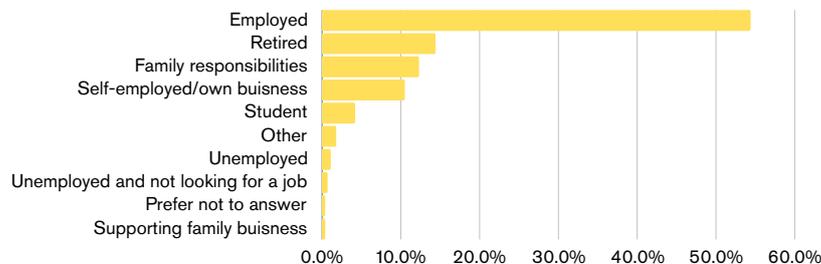
Main activity before leaving Ukraine

Before leaving Ukraine, 54.4% of respondents were employed. Some of the respondents were self-employed or owned a business, accounting for 10.5%. The second biggest group were respondents who were retired (14.4%). Almost 12.3% were occupied by family responsibilities.

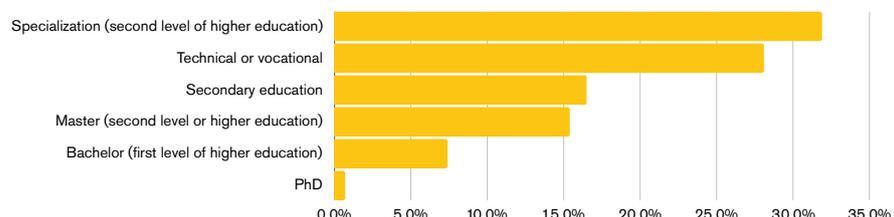
Region of Ukraine

The largest groups of respondents came from the regions of Kharkiv and Kyiv (both 12.3%) followed by Zaporizhzhia (11.2%) and Dnipropetrovsk (9%), as well as Donetsk (7%).

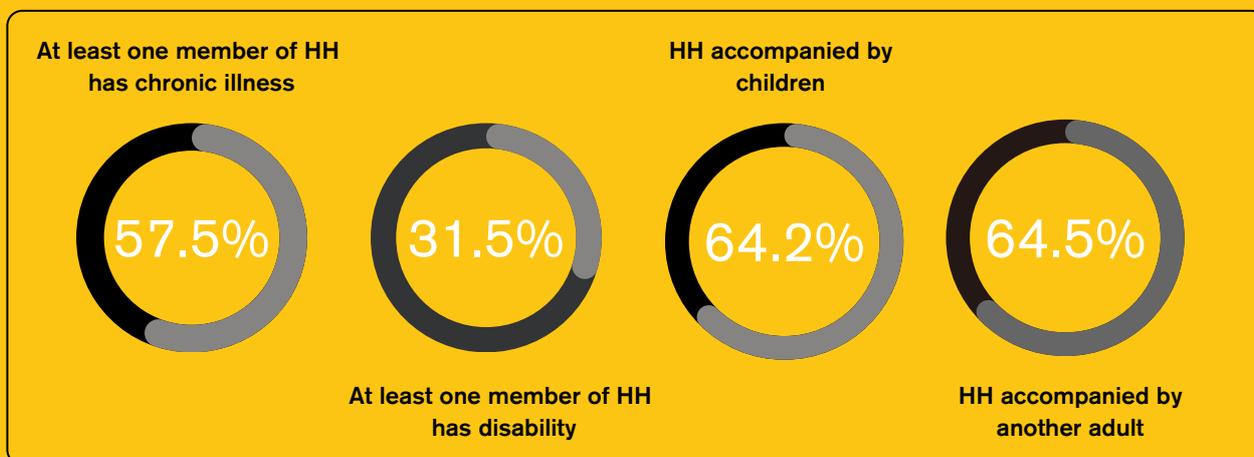
Main activity before leaving Ukraine



Level of education



Household composition



Around 57.9% of respondents reported being accompanied by at least one other adult, and 64.2% were accompanied by at least one child.

Around 31.2% of households include at least one person with a disability.

The prevalence of households containing at least one individual with a chronic illness is 47%. This statistic may not exclusively reflect the respondents' health.

Access to territory

Most of Ukrainian refugees arrived directly through Polish-Ukrainian border, while merely 6% of the respondents chose alternative routes, bypassing direct crossing of the Polish/Ukrainian border.

These alternatives involved transit through third countries, including Russia (16 people, comprising 40% of those), Latvia (12%), Lithuania (7%), Belarus (7.5%).

More respondents (but still marginal %) reported problems while crossing the UA border (2% in Q3 and 5.3% in Q4).

Among these, 8 male respondents mentioned difficulties related to martial law. 7 participants declared other protection incidents, another two mentioned difficulties due to lack of documentation.

Additional challenges highlighted include "restricted border crossings," extensive delays, and obstacles in departing from the occupied territories, as well as the variable conduct of certain border guards, described as lacking in tolerance and sensitivity.

SITUATION IN THE HOST COUNTRY

Access to documentations and benefits

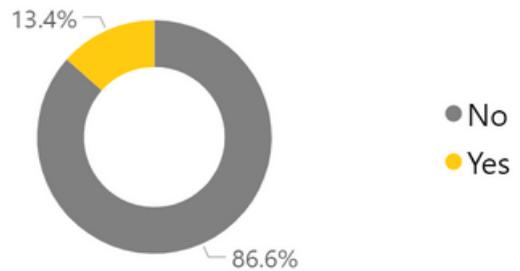
Most participants, 76.1%, possess all the necessary civil documentation, while around 20.8% reported that they did not have an international passport. Among them, 80% reported that it would be possible to obtain missing identity documentation.

In the previous cycle, one of the main noticeable risks was the termination of PESEL UKR and the associated access to social benefits.

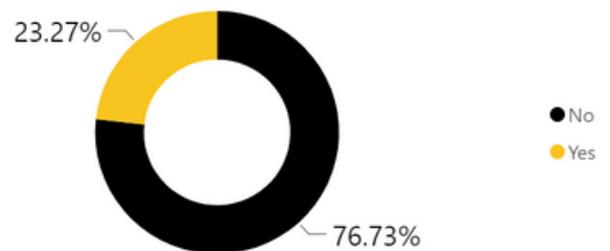
Almost all (99.3%) participants have a PESEL UKR number. Nevertheless, more than 13% had to re-apply for PESEL UKR at least once, among them 23% encountered difficulties in this process.

The most reported issue was long waiting times or queues (78.9%), followed by a smaller number of people declaring lack of available information (5.6%), or refusal of access to the registration procedure (4.2%).

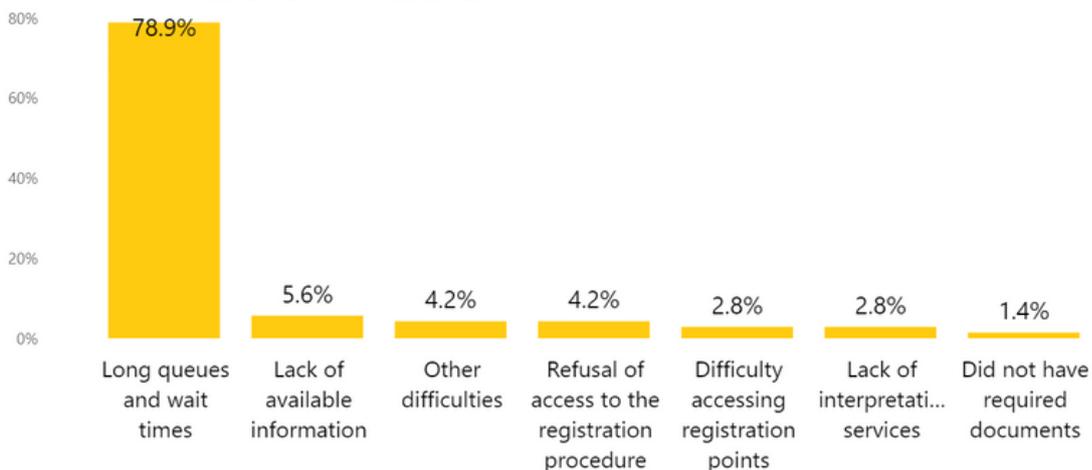
Did you have to re-apply for PESEL UKR?



Did you have any problems re-applying for PESEL?



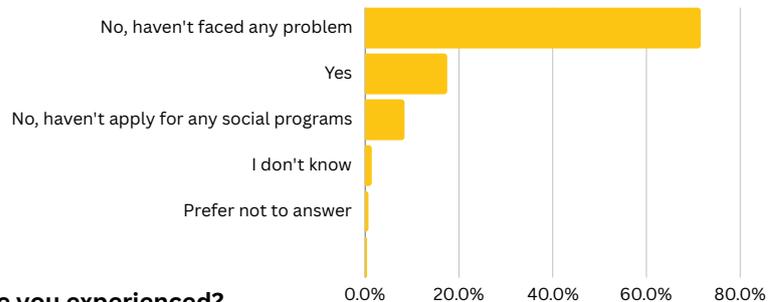
Difficulties when applying or re-applying for PESEL



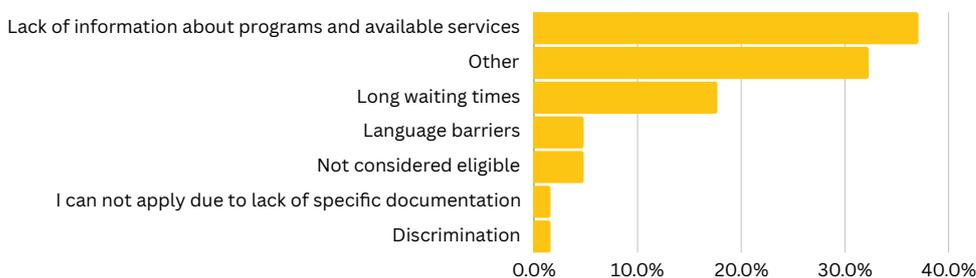
SITUATION IN THE HOST COUNTRY

Social Services and Benefits

Did you or any HH member face any difficulty accessing social benefits in Poland?



What difficulties have you experienced?



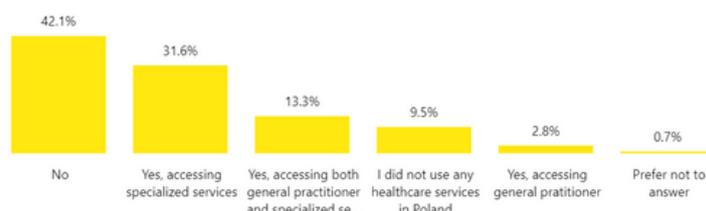
Access to healthcare

Over 42.1% of respondents reported no difficulties accessing medical services in Poland, but 47.7% faced challenges with specialized services, general practitioners, specialists, or both.

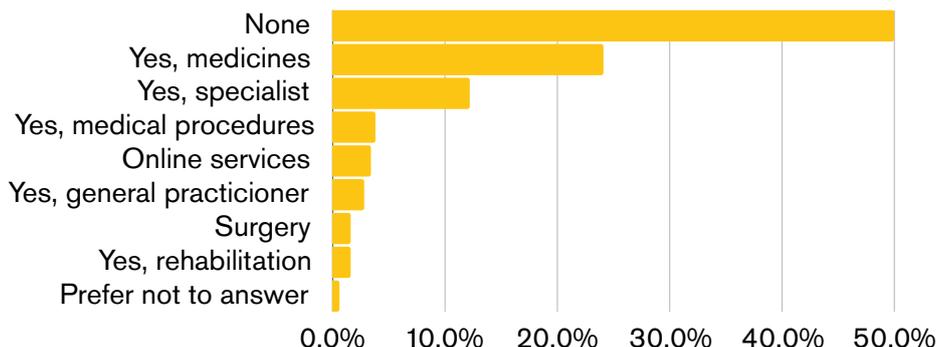
Some participants in Q4 returned to Ukraine to access medical services (around 26%), citing perceived difficulties with access or service quality in Poland, especially linked to a long waiting time.

Notably, 24.6% of respondents returned to Ukraine to purchase medicines.

Did you or any of HH members have difficulties accessing medical services in Poland?



Health services in Ukraine used by refugees, since they arrived in Poland



SITUATION IN THE HOST COUNTRY

Education and childcare

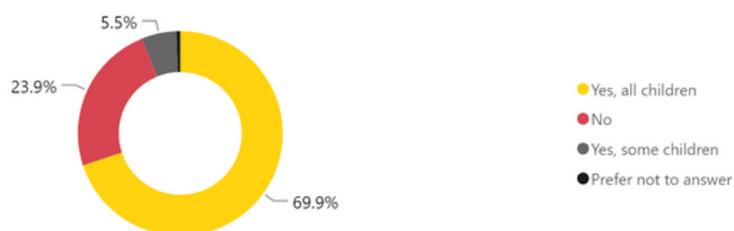
Almost 70% of respondents reported that all children of school age, in their household are enrolled in Polish schools. Nevertheless, almost 24% of refugees declare that children are not enrolled.

Reasons given include a preference to study online (32.6%), language barriers (4.6%) and discrimination (4.6%). More than 58% pointed to "other reasons". Among these, the most common points were participation in a Ukrainian school in Poland, the child's age and development in kindergarten, or university.

Almost 80% of the children of pre-school age access some form of childcare services.

Almost 69% participate in formal childcare system in Poland, and 17.8% declared family members providing informal childcare support.

Are all school-aged children enrolled in school in Poland?



Main reasons why children are not enrolled in Polish school system	
Other	58.1 %
Preference to continue with online/remote learning in Ukrainian curriculum	32.6 %
Discrimination	4.6 %
Language barriers	4.6 %



Photo: Karolina Jonderko for the IRC

See more about the children out of school in the report of IRC, Care & Save the Children. Available at: [Out-of-School-Report_en.pdf \(care.org\)](#)

From October to December 2023, the IRC’s MEAL Team together with the Protection Monitoring Team conducted research for the education modalities of Ukrainian children.

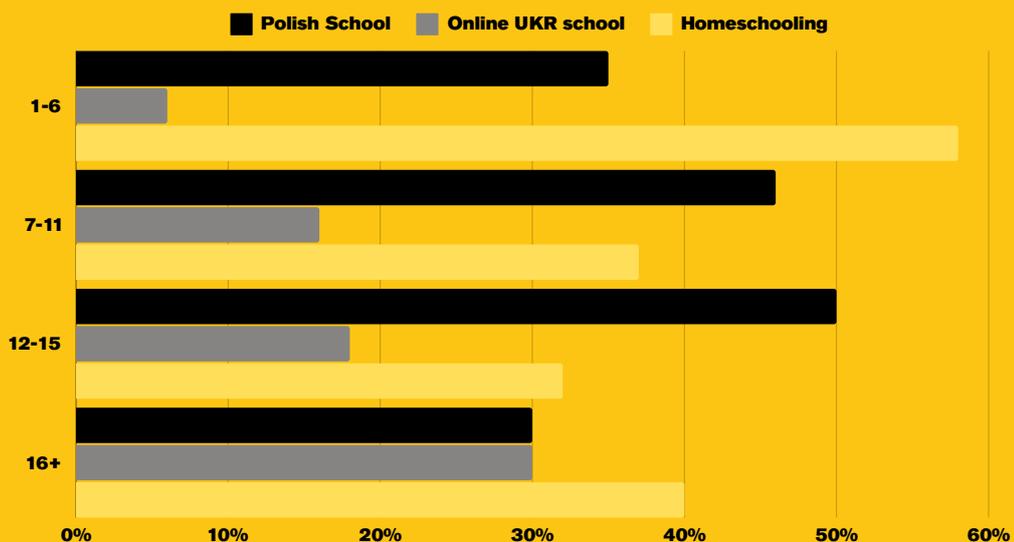
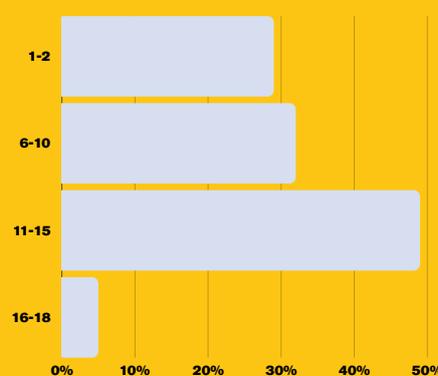
The utilized tool was a standardized survey targeting parents/caregivers which included questions related to different educational strategies, daily time commitments for each, and challenges faced.

The aims of the study were to: identify education modalities (enrollment in Polish schools, Ukrainian schools, or online/homeschooling). Moreover, the objectives were to discover the challenges faced in different ways of studying, weekly time commitment, and the specific type of parental support required. The overall number of children in the interviewed households was 117.

Around 98% of children of participants attend the Ukrainian education system, choosing either online learning or homeschooling. Additionally, 68% of children attend Polish schools.

Children may simultaneously participate in multiple forms of education, such as attending Ukrainian online classes while also enrolled in Polish schools. Therefore, the percentage values do not add up to 100%.

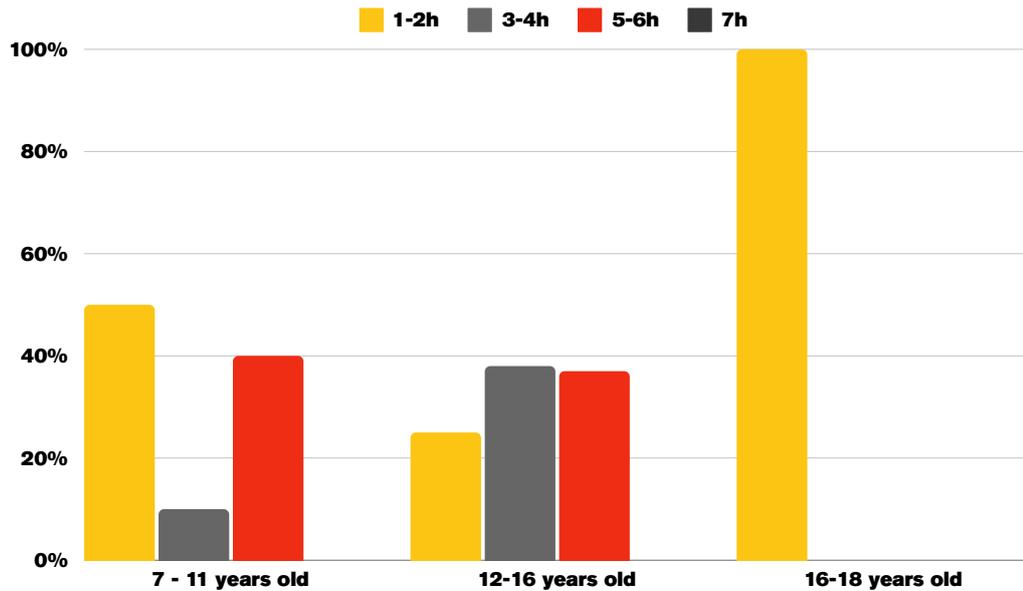
Age of children



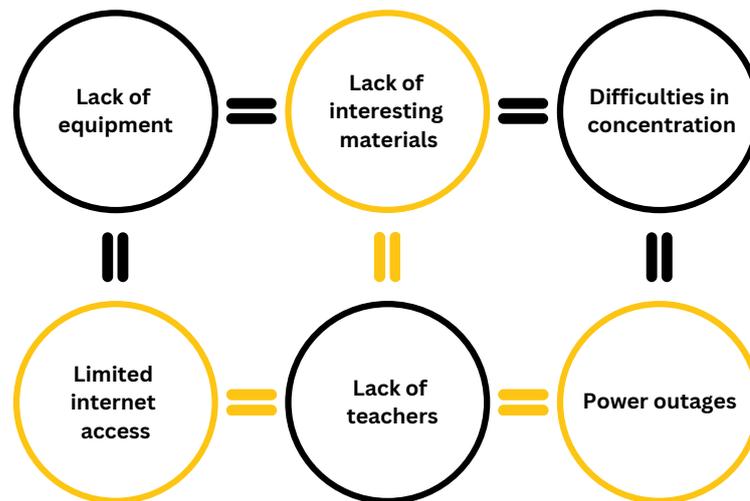
Among the children attending online school, 42% reported spending 1-2 hours per day, while 37% indicated a daily attendance of 5-6 hours. On average, children spend approximately 3.6 hours per day in online classes.

The data suggests a trend of decreasing commitment with age, with younger children and those aged 12-15 showing higher daily involvement

The daily commitment to online school, based on age groups
How many hours children dedicate daily for an online school?



Challenges in online education, identified by participants (n=10)



All challenges for online education were treated equally by the participants.

SITUATION IN THE HOST COUNTRY

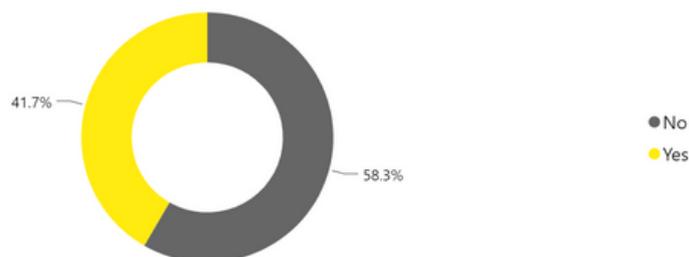
Intentions and returns

Approximately 52.6% of respondents remained in Poland without embarking on a visit to Ukraine since their initial arrival. Around 24% have gone back once, 6% have been visiting 2-4 times.

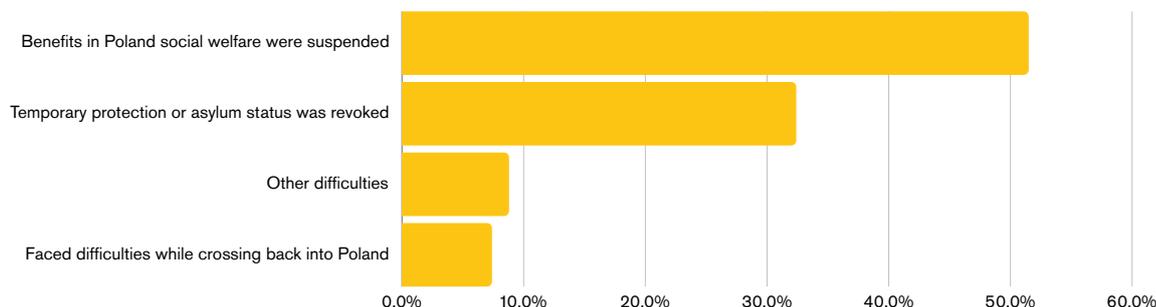
The principal motivation behind these visits in Q4 was a need to visit relatives/friends, or to obtain documentation (20.5%). More than 14% refugees visited Ukraine to access healthcare, and 4% of them decided to check their property.

Currently, 71.6% of respondents don't plan to go back to Ukraine in the next three months, while 14% aim for a short visit home. Among those not returning, 95% will stay in Poland.

Did you experience any difficulties while returning to Poland after traveling to Ukraine?



What kind of difficulties?



Suspended rights

Continuing a trend observed in previous cycles, one of the notable protection risks faced by refugees pertains to the suspension of social benefits.

Alarmingly, over 50% of respondents in our survey reported experiencing challenges, notably the cessation of vital support such as the 500 Plus program. Typically, this arises from erroneous deprivation of status entitling individuals to medical care and social assistance. Refugees from Ukraine have reported instances of losing their Ukrainian UKR status, despite not having left Poland for periods exceeding 30 days (RPO, 2023).³

The absence of UKR status is associated with the loss of entitlements such as access to medical care, benefits, and social assistance.

Social cohesion

Close to 83% of respondents feel completely or mostly accepted by the local community. However, 36.4% have experienced conflicts or tensions within the Ukrainian community, mainly attributed to cultural differences (35%) and language (21.1%).

The majority of respondents cited "other" issues, which largely encompassed discrimination between refugees originating from Eastern and Western Ukraine. In some instances, direct physical violence and bullying at schools among children were mentioned. In several cases, tensions and disputes arose from communal living in collective accommodation, leading to resultant frustrations.

³The UKR status is conferred under the Act on Aid to Citizens of Ukraine in connection with the armed conflict in that country's territory. According to Article 4, Section 17a of the Act, leaving Poland for a period exceeding 30 days results in the loss of Ukrainian foreigner status.

SITUATION IN THE HOST COUNTRY

Main activity

In this cycle, 35% of individuals indicated some form of employment. Furthermore, 13.6% of respondents primarily engage in family responsibilities, while 17.9% are retirees, and almost 26% are unemployed (from which more than 67% were employed in Ukraine).

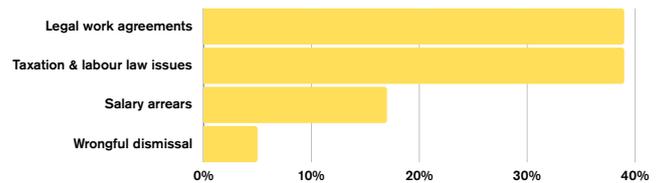
Considering the number of individuals employed before seeking refuge in Poland (55.7%), this represents 17.7 % points decrease in employment within the host country. Around 38% of people living currently in collective sites are employed.

Still the most indicated sources of income continue to be benefits (such as the 500 Plus) program (27.6%), income from employment in Poland (21%) and funds from Ukrainian pensions (14.4%).

In comparison to the indication of employment among 35% of individuals, this may suggest that in some cases, earnings are insufficient to be considered as the "main source of living".

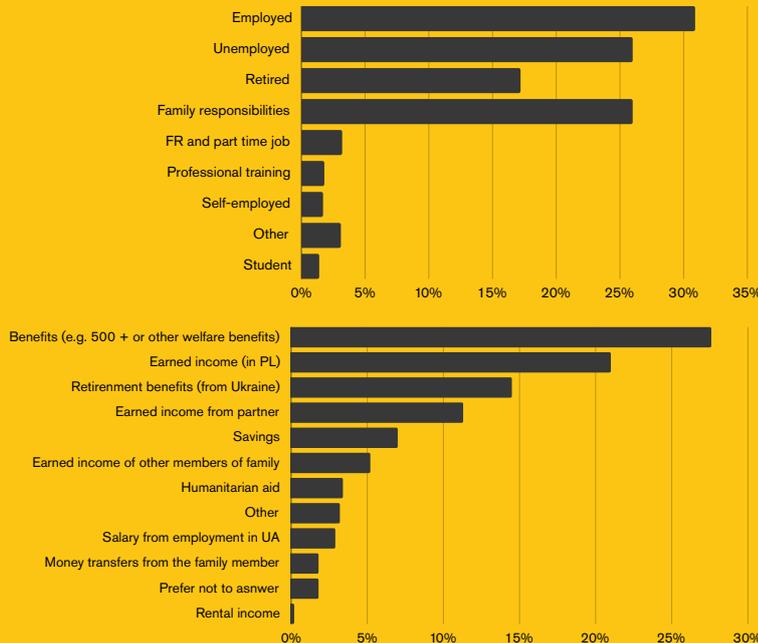
Legal needs for employment

As a part of the IRC's legal aid assessment, PM and MEAL team identified employment-related legal needs of Ukrainian refugees (n=18). They mainly involved work agreements, taxation, and labor law issues (39% each), with 17% needing help with salary arrears and 5% with wrongful dismissal.



Main activity and main source of living

Still the most indicated sources of income continue to be benefits (such as the 500 Plus) program (26.7%), income from employment in Poland (21%) and funds from Ukrainian pensions (14.4%). In comparison to the indication of employment among 35% of individuals, this may suggest that in some cases, earnings are insufficient to be considered as the "main source of living".



SITUATION IN THE HOST COUNTRY

Issue with finding employment

Ukrainian workers are encountering skill mismatches, with over 40% finding their qualifications exceed job requirements in Poland.

Issue with finding employment

In some cases (20.8%), respondents still indicated that they did not experience problems because they were not actively seeking employment. At the same time, language barriers remain the most significant challenge (24%). From KII interviews, it appears that the issue is not the quantity or accessibility of language courses.

More often, the problem lies in the fact that free courses only offer a basic level of language, typically stopping at A1-A2. Based on the CMR (Center of Migration Research) data, approximately half of the respondents lacked proficiency in the Polish language, with only 5% claiming to have a good command of it (CMR, 2023).

Early findings from the 2022 NBP (National Bank of Poland) survey and the CMR (2023) study highlight the importance of language skills in the labor market, alongside robust economic activity.

Refugees display a willingness to work across various job types, from highly skilled positions to simpler roles (NBP, 2023).

However, Ukrainian workers are encountering skill mismatches, with over 40% finding their qualifications exceed job requirements in Poland. This could lead to a depreciation of skills and hinder future career prospects, impacting their well-being both abroad and upon potential return to Ukraine (Kaczmarczyk, 2023; NBP, 2023).



Photo: Tamara Kiptenko for the IRC

SITUATION IN THE HOST COUNTRY

Labour exploitation

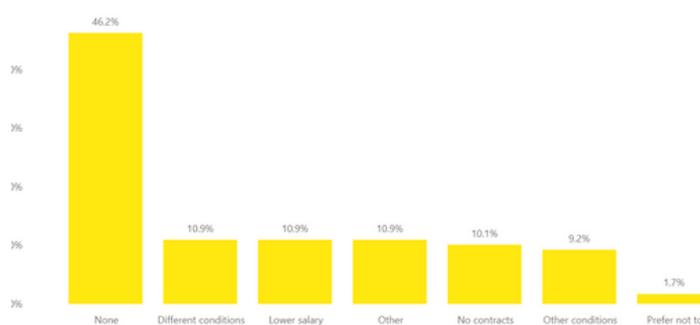
Labour discrimination and exploitation is still a highly concerning protection risk. Almost 53% of respondents indicated at least one form of labour exploitation and discrimination.

Almost 53% of respondents indicated at least one form of labour exploitation and discrimination. This number is lower than in Q3 (66%), but still visible problem, confirmed also by qualitative data.

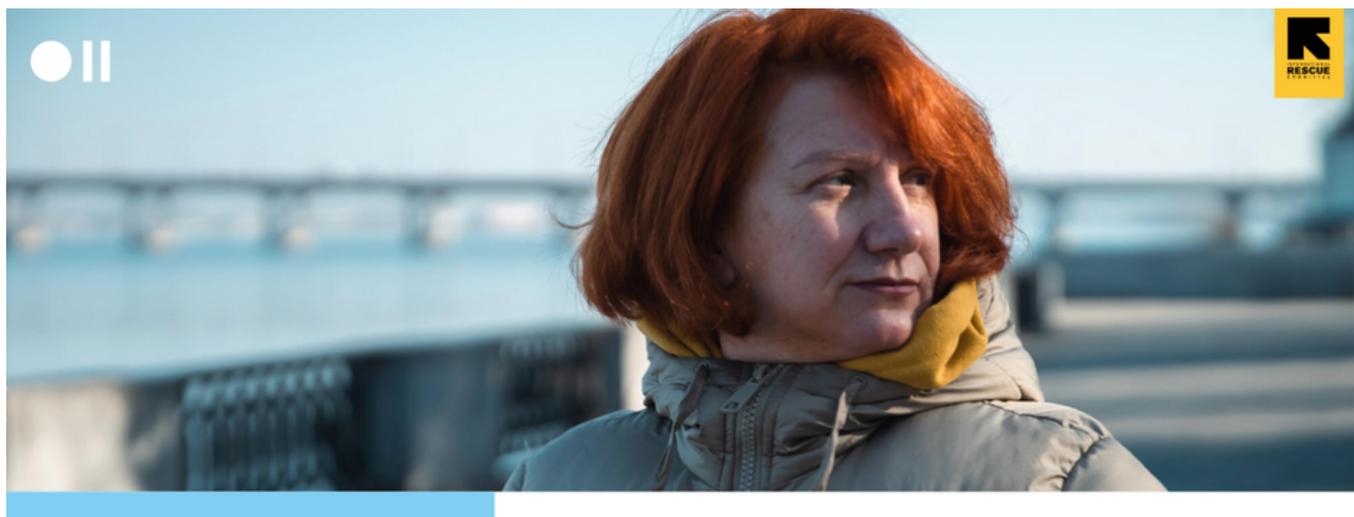
In the case of the PM sample - the phenomenon is affecting mostly women. Some of the refugees mentioned the problem of large commissions charged by labour agencies, others mentioned working more than 12 hours and lack of additional compensation.

"They lure us in that if we perform additional duties, they will pay us more - but this never happens."
(Female, 40-49)

Labour exploitation and discrimination



Other respondent from Zaporizhzhya indicated that while currently working as a psychotherapist, she was "delegated to wash windows and clean". In several cases, non-contract work involved strictly night shifts.



Know Your Rights

– social interaction campaign, provided by the International Rescue Committee (IRC), aims to raise awareness and spread information about the employee's rights and educate refugees in order to avoid difficult situations and feel more confident in the Polish labour market.

NEEDS

Urgent needs

The most pressing needs in Q4 remain employment (21.2%), material assistance (16.5%), and medical treatment/items (14.4%). Accommodation ranks fourth at 11.8%.

Among individuals aged 60 and above, material assistance takes precedence at 28.4%, with medical treatment following at 16.4%. Accommodation ranks third.

In individual interviews, respondents frequently cited the need for Polish language courses. They often emphasized the importance of tailoring these courses to current needs, rather than solely offering beginner-level classes.

“Polish language advanced course to be able construct sentences and speak without accent. All courses are very basic” (Female, FGDs participant).

“Another problem is the lack of sufficient Polish language education, especially in residential areas (if they are smaller towns or centers on the outskirts - people sometimes don't have money for a bus ticket). It is also problematic for people with disabilities. Then people are separated from the possibility of learning the language.” (KII, MOPS representative)

Among individuals who indicated "other" needs and had guaranteed placement in shelters, there were highly emotional statements about the necessity for "normal living conditions."

Amid the array of identified needs, there was also a vital requirement for support in securing essential documentation and benefits for individuals with disabilities. Additionally, there was recognition of the necessity for respite care in this context.

“People with disabilities face challenges, but also mothers of children with disabilities face challenges. They need places and activities in the location where they actually live. Essential for these families is respite care so that they can participate in something that meets their needs, and at the same time have care for their children. As we know, problem with respite care exists in Poland, also for Polish citizens.”

(KII, Social Services (MOPS) representative)

Importantly, there were needs related to residency legalization (further described in the third protection risk).

Refugees have highlighted the challenges related to employment and professional integration, including the necessity for retraining programs and assistance in navigating the job market commensurate with their professional backgrounds. Additionally, discussions have addressed obstacles related to diploma recognition, professional certification requirements, and the validation of specialized qualifications.

“Retraining courses are necessary. We can't wait for a year and a half for a Ukrainian diploma nostrification.” (Female FGDs participant)

“Retraining courses are needed, because how I can afford to study full time, the same thing again, for five years here? From where to get money to survive within these five years of studying?” (Female FGDs participant)

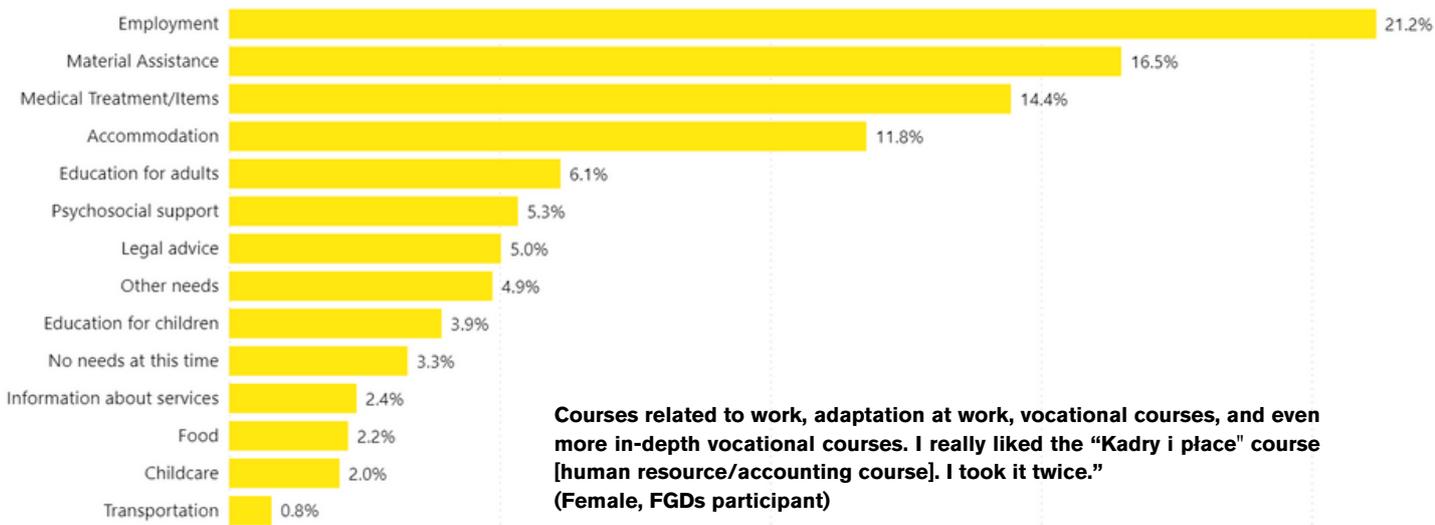
“Old people die from idleness. If a person wakes up and doesn't have any purpose to live, the only thing left is to die.” (Female, FGDs participant)

NEEDS

Urgent needs

In the context of employment, there is also a need for training in entrepreneurship, accounting, legal support during startup establishment, and mentoring support. Another need identified is for courses and workshops described by one respondent as "for the soul."

"Art therapy, something for relaxation, something for women, something thematic so that we can share our experiences. And also - Polish language courses."
(Female, FGDs participant)



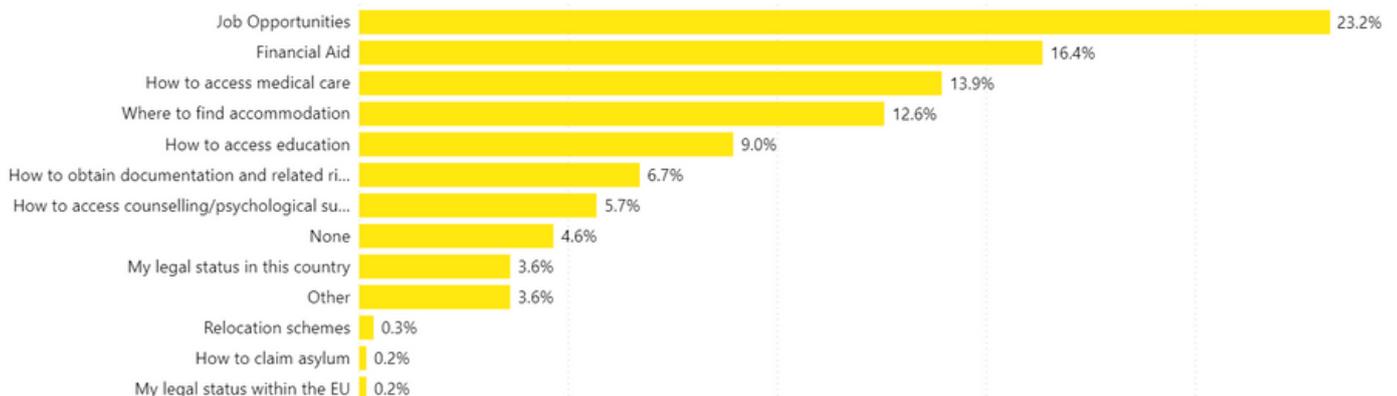
Information needs

Continuity in informational needs is evident: along with information about employment and job offers (23.2%), financial support (16.4%), and accessing medical services (13.9%) reported.

Among older individuals, aged 60 and above, the majority highlighted the need for information regarding financial support (27.2%). Furthermore, having employment and accommodation does not exclude the search for information about humanitarian assistance.

"At this stage, the problem in humanitarian and NGO assistance is lack of information who is doing what. There is no recent and proper service mapping anymore. We don't know where to referral. Also, we lack information about programs of specific organizations."
(KII, NGO worker)

"Even if people work professionally, they still seek humanitarian aid – where they can get diapers for elderly, pads, rehabilitation services or psychotherapist assistance."
(KII, shelter coordinator)



KEY FINDINGS

Protection risk 1: Impediments and/or restrictions to access legal identity

“The issue particularly affects refugees who fled after the war, as many entered without documents, and now it's unclear what steps to take. Sometimes, it's necessary to prompt them to start addressing these matters to avoid problems with legalizing their stay. Those who arrived earlier have their affairs in order because any minor mistake could have led to illegality.”

(KII, local NGO coordinator)

Lack of documentation

Over 20% of survey participants lack an international passport, yet a notable 80% believe they have the potential to secure all their missing documents. In an addendum to IRC's PM data, UNHCR reports that nearly a quarter of refugees are still without essential documents, such as biometric passports (UNHCR, 2024a).

Various obstacles, including the need for additional documentation (which might have been lost or left in Ukraine), lengthy waiting times, and processing fees, complicate refugees' ability to obtain these critical documents.

Additionally, within the surveys and KIIs, there was information about "legalization of residence" needs.

"I need support in legalizing my stay. Because I arrived in Poland two weeks before the war started and couldn't return for obvious reasons, so now I'm having a lot of problems, consequently with access to doctors, sworn translations and others."

(Female, Individual Interview)

“People don't have money to prepare new documents, such as passports and IDs. There's no other way. There's no assistance mechanism in this regard. A person without documents can't do anything. Now it's also time for everyone to check their documents. They entered with a birth certificate, don't have passports, don't have money, and it's a vicious circle.”

(KII, NGO worker)

Temporariness of the Special Act and residency rights extension

Despite the EU's decision to extend temporary protection, the Polish Special Act until recently offered protection and the right of residence for Ukrainians until March 4, 2024, (with exceptions, such as for schoolchildren and their families until the end of August 2024) (Centrum Pomocy Prawnej im. Haliny Niec, 2023).

The looming deadline and lack of action had heightened uncertainty among Ukrainians and about the future of their stay in Poland. It was not until February 6 that a bill was submitted to the Parliament, extending protection for those covered by the Special Act, including the right to reside in Poland until June 30, 2024.

However, this subsequent temporary and short-term extension (which also diverges from the European Union's decision) may continue to cause precariousness and uncertainty regarding the legality of the stay among Ukrainian refugees.

Barriers in availability and affordability of legal assistance

- Long queues and a problem with consular services registration are reported (additionally confirmed by secondary data from other INGO/NGOs and IRC's partners).
- Prices for services are sometimes unaffordable for Ukrainian refugees, especially the most vulnerable. “Before, we had a psychological crisis, and now we have a financial crisis [among refugees].” (KII, MOPS representative)

KEY FINDINGS

Protection risk 1: Impediments and/or restrictions to access legal identity

One of the obstacles to having complete documentation are sworn translations (and their cost). This is illustrated by an example cited in one of the interviews:

“A woman gave birth to a child. The child is three months old and has no documents. They do not have the financial means to have a sworn translation done [of birth certificate]. No institution offers money. The woman doesn’t know how to deal with this – and the child remains without documents. They [local NGO] found her a lawyer, with a huge discount – it was translated. However, it was not easy.

Later, it turned out that not only the child had no documents but also the mother – a refugee from Ukraine. Moreover, it turned out that the mother has another daughter who was 22 years old, and also had a child – both without any crucial documentation, because they didn’t have money for translation and document processing.”

(KII, local NGO coordinator, Poznan)



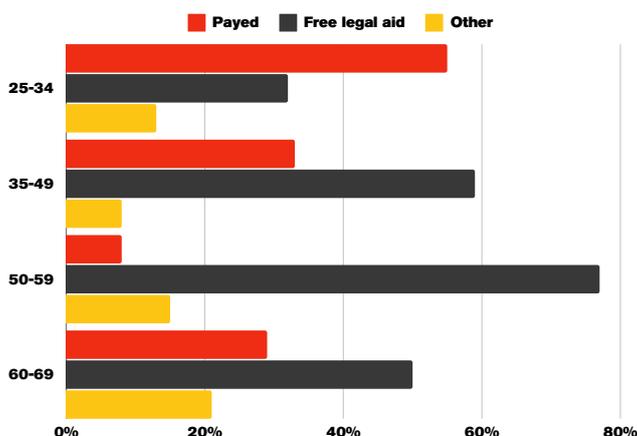
Photo: Karolina Jonderko for the IRC

To comprehend the legal challenges encountered by Ukrainian refugees and the type of legal assistance they've sought, the IRC PM and MEAL Teams conducted a monitoring, using the Legal Aid Assessment Framework.

The overall number of participants is 160, with the regions of Zaporizhzhia, Kyiv, Dnipropetrovsk, Kherson, Kharkiv and Donetsk represented by the highest proportion of participants.

In this quarter, 83% of participants indicated having availed themselves of some form of legal services in Poland. Moreover, approximately 14% explored alternatives methods such as online search, or seeking advice from friends.

Legal services used (by age group)



Current legal needs

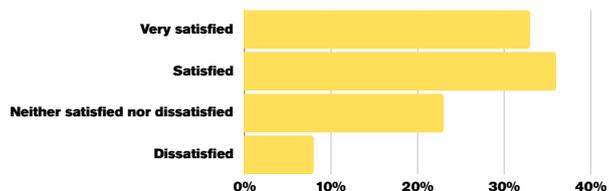
In this quarter, 51% of respondents reported having current legal needs. Of these, 26% specified challenges with navigating the legal system and accessing social benefits. 10% mentioned issues related to PESEL, and another 10% indicated concerns about obtaining disability certificates.

The remaining 40% cited various other needs such as divorce, child support, restoration of payments in ZUS (Social Insurance Institution) and sworn translations of crucial documents.

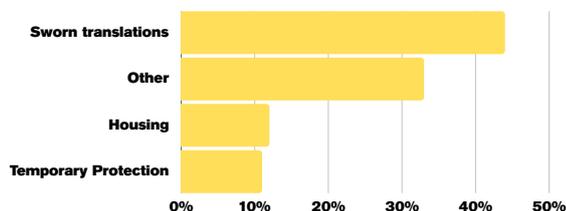
Regarding their plans to address these legal issues, the majority (63%) opted for free legal aid. 15% mentioned seeking advice from friends or conducting online searches.

Legal needs related to social benefits included childcare benefits (43%), disability benefits (25%), benefits for the elderly (18%), living allowance, and access to education (7% each).

Satisfaction from legal services



Paid Legal Services

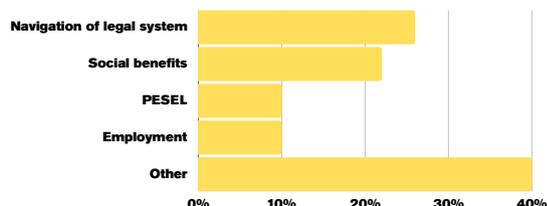


Among those who paid for legal services, 44% utilized them for sworn translations. "Other" services included: international passport, apostille and banking related needs.

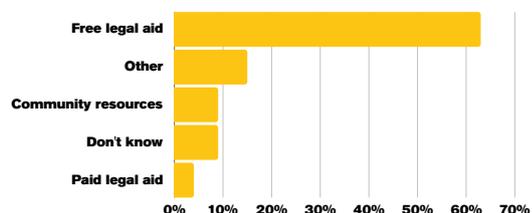
Employment-related legal needs mainly involved work agreements, taxation, and labor law issues (39% each), with 17% needing help with salary arrears and 5% with wrongful dismissal.

Civil document needs included obtaining an International Passport and other documents related to taxes and ZUS matters (both 23%). Property legal needs varied, with 33% associated with the 40+ program and 28% with rent agreements.

Current Legal Needs



Plan to address legal needs



Moreover, 57% of respondents reported no unresolved legal needs in Ukraine. Among those with needs, 25% cited housing compensation issues, while inheritance and mortgage matters were mentioned by 9% each.

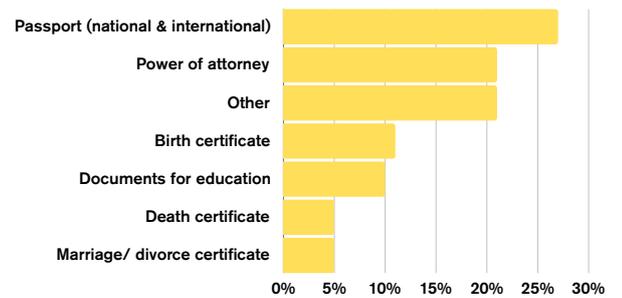
Legal Needs pending in Ukraine

In this quarter, 83% of participants indicated having availed themselves of some form of legal services in Poland. Moreover, approximately 14% explored alternatives methods such as online search, or seeking advice from friends.

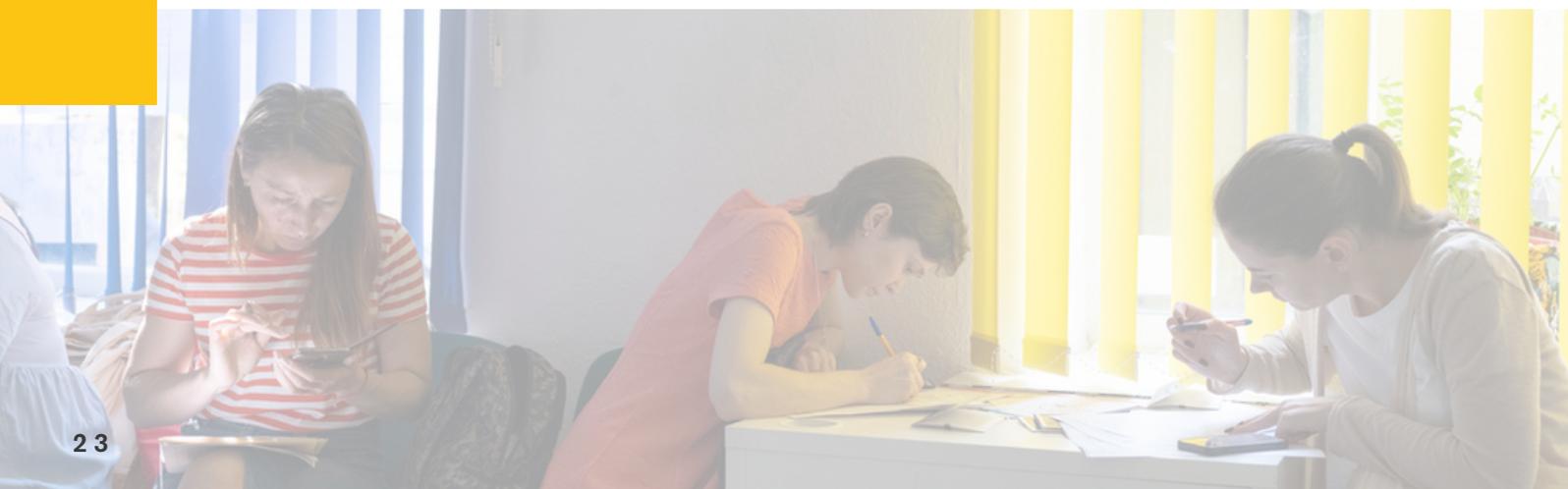
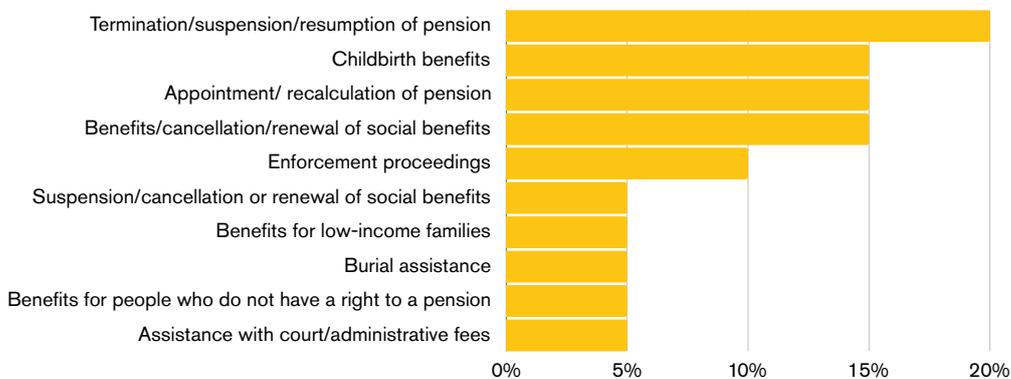
Addressing these needs, 47% intended to use free legal aid services, while 40% mentioned seeking advice from friends or family in Ukraine. Notably, 90% of participants who used free legal services in Poland planned to do so in Ukraine as well.

Regarding specific unresolved legal needs, employment-related concerns included “other” issues such as those related to businesses (27%) and obtaining certificates for income confirmation (15.3%).

Unresolved legal needs for civil documents



Unresolved legal needs for social benefits



THREAT'S EFFECT ON THE POPULATION

Impediments and/or restrictions to access legal identity

- Without proper documentation, refugees face legal vulnerabilities, including the risk of being unable to legalize their stay, facing deportation, and arbitrary arrest or detention. Lack of documentation increases the risk of illegal schemes in the housing or labour environment.
- Lack of documentation restricts access to fundamental rights and essential services such as healthcare, education, and social assistance.
- The uncertainty surrounding legal status, combined with the temporary use of protection measures and the difficulties in accessing legal assistance, contributes to psychological stress and anxiety among refugees.
- The economic hardship and financial burden can exacerbate refugees' financial crisis and lead to further marginalization and social exclusion.

Who is affected?

Older refugees, People with Disabilities and medical needs, Single mothers, People without proper documentation, Refugees from NGCA, People living in collective accommodations, Children, and Unaccompanied Children, and Third Country Nationals

Recommendations

Government	<p>Work towards extending the protection and residency rights for refugees beyond temporary measures. Aligning Polish legislation with EU decisions for a longer-term perspective could provide more stability and certainty for refugees.</p>
Humanitarian sector	<p>Advocating for transparency around issues related to TCNs and respect of human rights for TCNs attempting to access or entering the territory of PL.</p> <p>Collaborating or supporting the Legal Bar Association to provide pro-bono legal assistance to refugees especially the most vulnerable and in hard-to-reach area.</p> <p>Establishing financial aid programs specifically targeted at covering the costs associated with obtaining legal documentation for refugees. This could involve direct financial assistance, vouchers for legal services, or subsidies for sworn translation services.</p> <p>To improve access to free legal aid (both in Poland and Ukraine), efforts should focus on expanding and enhancing existing services. This can involve increasing funding, establishing new programs in remote areas, and raising awareness among refugees about available services.</p>
Donors	<p>Supporting legal aid programs, tailored to provide free legal assistance to refugees.</p> <p>Supporting dedicated CASH programs that can cover the cost of legal needs, like sworn translations of crucial documentation, or fees associated with obtaining essential documents.</p>

KEY FINDINGS

Protection risk 2: Domestic violence

Displacement may lead to cultural norms becoming more tolerant of violence and alter traditions in ways that enable violence (Carlson, 1984). For refugees, preserving their culture and traditions may be vital for coping with lost identity and disrupted family and social networks (Carlson, 2005).

In each of the KIs, as in the previous cycle (Q3), the problem of domestic violence and IPV was indicated. It particularly affects refugee women and children.

Below are the risk shaping factors that emerged from the data (surveys, KIs, FGDs):

- Stigma and shame linked to gender-based violence is deterring women from seeking help, affecting them in their home countries, displacement settings, and in Poland.

“Unfortunately, women keep these tragedies to themselves, do not inform and do not seek help. Sometimes ‘out of gratitude because of all the help in Poland’ and out of gratitude to the Poles. They do not report violence and harm also because of feeling ashamed.”
(MOPS representative)

- Displacement and migration exacerbate women's isolation, destroying peer and family support networks (IRC, CARE, 2023).

“They lack social support groups, bonds of friends or mothers here. Therefore, they feel much more threatened. On the other hand, men feel untouchable here.”
(KI, Social Services representative)

“Just because these people found themselves in a safe country, doesn't mean women and children found themselves in a safe home.”

(KI, NGO worker)

- Traditional patriarchal values underlying gender-based violence do not hold men to account for violent attitudes and behavior.

“If you combine this sense of impunity with weak awareness about their rights and forms of support - the sense of impunity adds even more power to men, and the sense of helplessness among women becomes stronger. This leads to violence.”

(KI, local NGO coordinator)

- Forced family reunification as stated in Q3⁴ Report and confirmed in Q4 qualitative data.

“There have been cases where the war saved them from domestic violence because it separated them from their husbands. Now ‘only’ economic violence and lack of child support remain. But it also happens that the war additionally condemns them to domestic violence.”

(KI, local NGO coordinator)

- Financial dependence on partners or family members due to limited access to employment opportunities in the host country increases refugee women's vulnerability to domestic violence.

⁴ From the Q3 Report: It describes the situation when: “Men were working here as economic migrants even before the escalation of the war. Women were forced to join them due to displacement.” More analysis of the context and risk itself was presented in Q3. Available at: [Protection Monitoring Report Poland Q3 \(July-September\) - Poland | ReliefWeb](#)

KEY FINDINGS

Protection risk 2: Domestic violence

"Imagine, they came as a family during the war, and he beats her, and she doesn't seek help for as long as possible because she's in a foreign country, with a foreign language. Women are afraid they will be left alone – even if the situation affects not only their health and life but also that of their children."

(KII, NGO worker, Katowice)

- The trauma of displacement, displacement-related stressors and the stress of adapting to a new environment can exacerbate the psychological impact of domestic violence. In addition, the experience of fighting on the front lines and potential PTSD can also trigger acts of violence perpetrated by men against female family members.

"If you add to family problems, the experience of war trauma and a man who returns from the front (e.g., occupied territories) you have to reckon with PTSD. I think we know what a man's PTSD can do to women, their wives?"

(KII, NGO worker, Katowice)

- The loss of social status and job alignment with one's qualifications heightens frustration among refugees. According to status inconsistency theory, individuals who feel their family status clashes with societal expectations may resort to violence to reclaim lost power (Yick 2011).

Refugees and key informants frequently mention the challenge of accessing jobs that match their skills. One participant shared: "I wish to work in culture, science, or education, as I did before. That's where I belong. But here, we're only welcomed in factories."

(Female, FGDs Participant)

Among the biggest challenges in addressing the problem of domestic violence are:

- A weak referral system between local organizations and a lack of awareness among aid providers regarding the diverse entities working in the field of gender-based violence (GBV) and domestic violence in Poland.

"Where should a Ukrainian refugee, residing in Poland, run to at night to seek help? What can we do to make it easier for them? We don't know."

(KII, local NGO representative, Warsaw)

- Lack of knowledge about social services (like social welfare services) among refugees, and assistance from local and international organizations or state bodies.
- Refugees in Poland encounter difficulties accessing legal protections. It is mostly due to unfamiliarity with the host country's legal system and language barriers, but also because of the limited capacity of social services.
- Low level of disclosures, due to the lack of trust in institutions, fear of losing a source of income, secure housing, or fear of losing custody of children.

"In 99% of cases, when we talk about legal needs - these are divorce issues. Sometimes, this is a good turn of events because women can free themselves from the violence they experienced in Ukraine."

If the husband stayed there and they can get a divorce – it's their chance for a new "double safe" life in Poland."

(KII, local NGO worker)

KEY FINDINGS

Protection risk 2: Domestic violence

Forced migration may sometimes help break the cycle of violence experienced in the country of origin. Therefore, it is also important to observe patterns of family reunification (both in Poland after the arrival of the man and after the women return to Ukraine) in families where violence previously existed.

“Of course, we also know that in Ukraine, everyone is busy with the war, and no one helps women with domestic violence anymore. In Poland, at least there is such a chance. In NGOs that deal with women, there is wonderful energy, that everyone is unique. Nevertheless, it doesn't mean that the problem is fully addressed.”
(Kil, local NGO coordinator)

Fact: In June 2023, changes to the anti-domestic violence law went into effect. They include:

- The law now includes broader prohibitions against individuals committing domestic violence, such as: orders to vacate the shared residence and its immediate surroundings if their violent behavior makes cohabitation particularly burdensome; prohibitions on approaching the victim, contacting the victim, or entering places the victim frequents, like schools, workplaces, or other regular spots, especially if the perpetrator's behavior poses a threat to the victim's life or health.
- Both the Police and the Military Police (pl. Żandarmeria Wojskowa, in cases involving active military personnel) are granted the authority to issue these prohibitions. Courts can also issue similar orders as part of protective measures.

- The amendment also expands the existing forms of domestic violence to include economic violence and cyberbullying, as well as the scope of the law's subjective application.
- The circle of persons who will be affected by its amended provisions has been expanded to include: a former spouse, a former partner, or any other person currently or formerly in an enduring affectional or physical relationship regardless of cohabitation and household (Ustawa z dnia 9 marca 2023 roku).

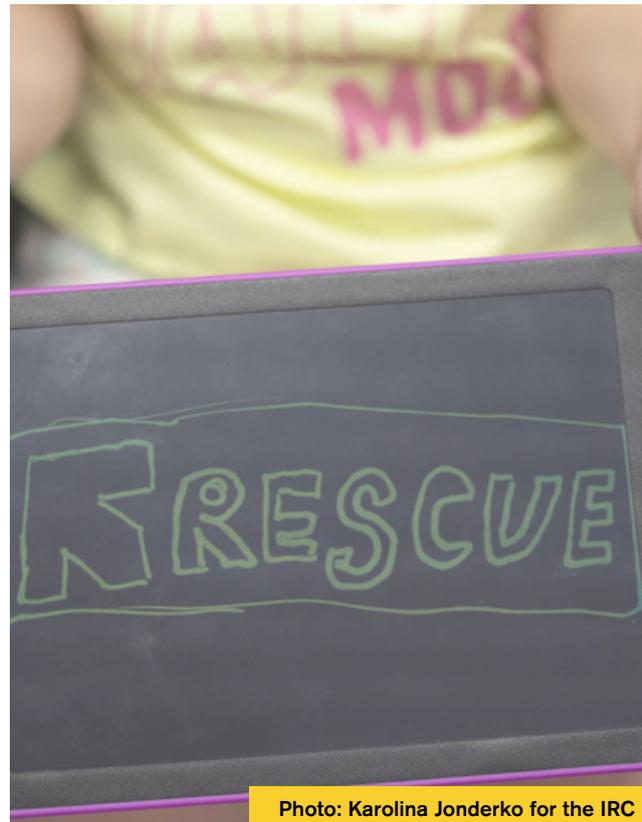


Photo: Karolina Jonderko for the IRC

Fact: Over the past few years, there has been a lively discourse in Poland about withdrawing from the Istanbul Convention, which Poland signed and ratified in 2015. Ukraine has signed but not yet ratified the Convention.

THREAT'S EFFECT ON THE POPULATION

Domestic violence

- Socio-economic consequences like economic dependency, and discrimination, underemployment, and labour exploitation.
- Domestic violence can result in immediate physical injuries and long-term health problems, including sexual and reproductive health issues.
- Cultural norms and stigma surrounding gender-based violence deter women from seeking help, leading to further isolation, erosion of social networks and marginalization within the host community.
- Impact on children witnessing or experiencing violence (psychological trauma, or physical conditions).
- The imperfect referral system between local organizations and a lack of knowledge about available services compound to the limited access to protection and support.

Who is affected?

Women, Older refugees, People with Disabilities and medical needs, People without proper documentation, Women living in unstable or collective accommodations, Children, and Third Country Nationals

Recommendations

Government	<p>Addressing the special needs of refugee populations who are survivors of domestic violence in Polish anti-violence practice and legislation.</p> <p>For years, legislation protecting foreigners from domestic violence has not been properly developed (one of the reasons being the smaller number of migrants in Poland). The arrival of refugees from Ukraine may initiate important changes. Currently, Ukrainian refugees can access social assistance, just like Polish citizens. However, when the UKR status is lost or changes in the Special Act create uncertainty about residency legality, addressing the specific needs of foreign nationals becomes essential.</p>
Humanitarian sector	<p>Introduction of the "Blue Line" helpline service, which operates in Polish and Russian - also in Ukrainian. Information and support for survivors of domestic violence is provided by the National Emergency Service for Victims of Family Violence "Blue Line" at 800 120 002.</p> <p>Establishing new and strengthening existing referral options with viable partners, both service providers and community resources.</p> <p>Strengthen GBV response services in Poland through the development, dissemination, and implementation of GBV referral and case management guidelines. This includes: developing guidelines on how to safely refer GBV survivors to services, including the updating of existing service mapping and referral. Using these guidelines to strengthen the capacity of multi-sector service providers on how to safely handle GBV disclosures and refer to appropriate services.</p>
Donors	<p>Supporting the establishment of referral pathways with credible partners, including service providers and community resources.</p> <p>Continue support for protection programs in the context of GBV and CP, aiming to prevent and ensure safe spaces for refugees.</p> <p>Support Protection Monitoring activities, which systematically monitors changes occurring among risks and needs of refugees.</p>

KEY FINDINGS

Protection risk 3:

Insecurity of tenure and risk of homelessness

Access to safe housing enables refugees to rebuild their lives, establish new community connections, reclaim their identities, and navigate the health, education systems and job markets of the host country, aiming for socioeconomic improvement (Arnault and Meralli 2019; Rose 2016).

Almost 39% of respondents can stay in the current accommodation, until they will secure a long-term housing. Still more than 34% can stay no longer than 12 months in current housing.

Only 13% of participants can stay longer than one year, and 12.6% doesn't know how long they will be able to stay. From this group the biggest part lives in collective accommodation (41.7%). More than 18% can stay there no longer than a month (all of them live in shelters).

Payment:

Over half of the respondents renting apartment utilize the 40+ subsidy for their rental housing costs (53%). A smaller portion, 23%, directly covers their rental expenses without subsidies. Meanwhile, only 9% of those staying in shelters are required to contribute to their accommodation costs.

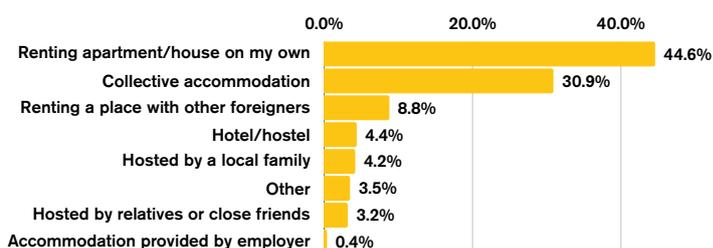
Alternative plans:

Asked what strategy they would adopt if they could not stay in their current place of residence: 44% indicated a plan for another rental, 12.4% for staying in the same city but in another free rental. The percentage of those indicating a return to Ukraine, more than 10%, persists.

Older people at risk:

For those over 60, more than half of our respondents live in collective accommodations. Only 19.4% of them rent something on their own, and more than 12% are hosted by family members or unrelated family. More than 6% rent a room with other people. None of these people pay for housing.

Uncertainty manifests, among other things, in the short time that remains for respondents in their current places of accommodation and in the lack of certainty about how long they can stay there.

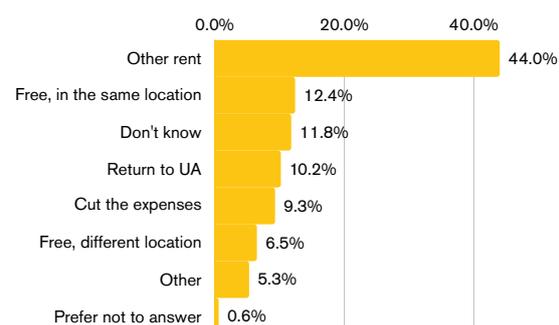


Over 28% of those surveyed can stay in their current place of accommodation for no more than a year. Additionally, over 15% do not know how much time they have left in their current location.



Most individuals indicated a lack of a specific time limit and the intention to stay in the current place until finding "long-term accommodation." The lack of a clear time limit for staying in current accommodations adds to the overall uncertainty, creating challenges in planning for the future and exacerbating protection concerns related to housing stability and security.

Coping strategy



KEY FINDINGS

Protection risk 3:

Insecurity of tenure and risk of homelessness

Collective accommodation

“Collective accommodation centers are ending en masse. I think we will be facing the moment of tragedy and catastrophe. We will meet many people in the homelessness crisis. Some of them, of course, will remain in these hotels like those in Poznan. But, for example, those from Warsaw will be moved, transferred like packages. The braver ones - will rent an apartment, but there will remain a plague of people in crisis who will not have enough for longer than 2 months.”
(KII, local NGO coordinator)

The process of closing the collective accommodation centers began in the summer of 2023. About 600 facilities have been closed. Over the past few months, PM Officers have observed more facilities being closed and people being transferred to other accommodation centers (if there was an option). Among those living in accommodation centers, several pointed to the need for "humane and normal living conditions."

Some described their housing situation, in which they lived “with 7 people in one room, in barracks-like conditions.” KII, surveys with refugees and observations show that conditions in some centers do not meet standards of human dignity.

Among the problems identified are: shared spaces for both genders, children and adults for several hundred people, shared bathrooms and lack of any privacy, violations regarding violence and GBV, and labor exploitation.

Moreover, respondents noticed gaps in the housing system's ability to accommodate vulnerable populations, including those with mental health challenges.

“Creating spaces like these may not be the ultimate solution, and neither is hastily exiting urban areas. It's also important to ensure that refugees don't solely interact within their own communities. By fostering environments that might inadvertently become insular, we risk establishing isolated ecosystems.”
(KII, shelter's coordinator)

“Those in shelters have their motivation reduced not to 0 but to -20.”
(KII, local NGO coordinator)

“Remember that in collective centers, violence occurs among Ukrainians by Ukrainians.

A strange, parallel world is created there, where people feel immune, and somehow it is impossible to intervene. Police comes, but they don't do anything to solve the problem. Perpetrators and victims still stay there, and the violence gets even worse. Mainly psychological abuse. It starts, escalates, frustrates and boils.”
(KII, MOPS representative)

The problem is combined with exorbitant costs for collective accommodation. This leads to increased difficulty in finding suitable and affordable housing, pushing more people towards shelters or group accommodations, or even homelessness.

“In addition to an increasing number of places being closed, the amount to be paid is too high. For example: 1620 PLN per person for a place like in an old dormitory, which is as much as for an apartment in Katowice, or at least for a private room.”
(KII, NGO worker)

KEY FINDINGS

Protection risk 3:

Insecurity of tenure and risk of homelessness

Risk of homelessness crises

With the gradual reduction and alteration of housing support for refugees, such as the decrease of the 40+ program aid and the introduction of accommodation fees for refugees in shelters, Ukrainians are anticipated to face an increased risk of homelessness in Poland.

This is compounded by individual, and social factors (according to the socio-ecological model).

According to the Polish Ombudsman and experts from the Commission for the Prevention of Homelessness, refugees facing a housing crisis without legal housing rights in Poland fulfill the definition of being in a homelessness crisis, as defined in the Act on Social Assistance dated March 12, 2004.

This perspective is also supported by the European Typology of Homelessness and Housing Exclusion (ETHOS), which categorizes individuals living in refugee collective accommodations for a long time - as experiencing homelessness (RPO, 2023; RPO 2023a; ETHOS 2009).

Factors and incidents exacerbating the risk of homelessness among refugees in Poland identified in the Protection Monitoring Q4:

- Discrimination in the housing market and housing exclusion.
- Sudden closure of collective accommodation centers or unspecified temporariness of accommodation.
- High rent rates and the end of support programs.

- Administrative barriers related to assigning refugees from Ukraine to a specific social services facility responsible for funding support for individuals in a homelessness crisis. In Poland, the municipality responsible for covering the costs is the municipality of the person's last registration (pl. meldunek). "Meldunek" is the official registration of a person's place of residence at the appropriate municipal office.
- It is an administrative procedure that allows authorities to maintain a population register. Registration can be permanent or temporary, depending on the anticipated duration of stay in a given place. The legal basis for registration in Poland is defined by the Act of September 24, 2010, on population registration. In the case of refugees, often there is no such registration in Poland, leading to a shifting of responsibility between actors responsible for support.
- Violence and indecent conditions in collective accommodation centers.
- Limited infrastructure for people in a homelessness crisis in Poland (shelters, support centers, and overnight accommodations).

KEY FINDINGS

Protection risk 3:

Insecurity of tenure and risk of homelessness

People at risk: Single mothers in renting housing

“There are people who left collective accommodation centers, went to live independently and rented a housing. However, this is a group that suffers all the time – which faces enormous challenges every day with themselves and their children – to maintain rent, to maintain a job even on night shifts.”

(KII, local NGO coordinator)

According to data protection monitoring in Q4, single mothers (and single households in general) face significant challenges in achieving independence after leaving collective accommodation centers. Despite their efforts to live independently and rent homes, they struggle daily with maintaining rent and employment, often resorting to night shifts to make ends meet.

They prioritize their children's needs over their own, leading to situations where they might skip meals to ensure their children are fed.

High living costs, including rent, school, and kindergarten fees, leave them with little to no money for food. Without familial support like grandmothers to help with childcare, their situation becomes even more difficult.



Photo: Karolina Jonderko for the IRC

THREAT'S EFFECT ON THE POPULATION

Insecurity of tenure and risk of homelessness

- The constant uncertainty and fear of losing housing, or poor living conditions contribute to psychological stress and anxiety.
- The gradual reduction of housing support, combined with the high cost of rent and the closure of collective accommodation centers, significantly increases the risk of homelessness among refugees.
- Refugees living in substandard accommodations or facing homelessness may experience social isolation.
- Poor housing conditions and homelessness increase refugees' vulnerability to various forms of exploitation and abuse, including labor exploitation and gender-based violence.
- Housing instability and homelessness create significant barriers to accessing education and employment opportunities.

Who is affected?

Women, Older refugees, People with Disabilities and medical needs, People without proper documentation, Individuals living in unstable or collective accommodations, Children, and Third Country Nationals

Recommendations

Government

At the end of February, another round of the count of people in a homelessness crisis is planned (Nationwide survey of the number of homeless people). Each subsequent edition should also include foreign nationals and refugees from Ukraine. Expanding the survey to include collective accommodation centers could further help address the issue of relative homelessness and estimate the risk of the problem escalating.

Enforce strict quality and safety standards in collective accommodation centers, ensuring they provide a dignified living environment while respecting the privacy and security of all residents.

Humanitarian sector

One of the key tools for addressing and preventing homelessness is a thorough analysis of the phenomenon, including housing exclusion. Such studies should aim to identify all types of homelessness, determine its extent, and the nature of the issues and needs of those affected.

Establishing landlord-tenant mediation services for discrimination cases and prevention of eviction.

Undertaking a systematic and periodic assessment of the quantity and quality of collective accommodation facilities.

Donors

Support the broadening of social and municipal housing options for refugees, and community-led housing initiatives, such as co-housing projects or sponsorship models, where local communities actively participate in providing housing solutions for refugees.

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