

welcome pack



**Rights and obligations
of foreigners in Poland**



WWW.INTERWENCJAPRAWNA.PL



Fundusz Obywatelski

Inicjatywa wspierana jest przez Fundusz Obywatelski
zarządzany przez Fundację dla Polski

**If you are a migrant or a refugee living in Warsaw,
THIS BROCHURE IS EXACTLY WHAT YOU NEED!**

In it, you will find recommendations related
to staying in Poland, as well as helpful
suggestions concerning problems which
you may face here.

We hope that information contained
in this brochure will make it easier
for you to stay in Poland.



www.interwencjaprawna.pl | FB Stowarzyszenie Interwencji Prawnej

1. I was detained by the Border Guard

REMEMBER!

- Stay calm.
 - Do not lie and do not give false evidence. This could only make your situation worse.
 - Do not sign documents which you do not understand or documents whose contents you do not accept.
 - Memorise the phone numbers of your relatives and your lawyer or legal adviser. Let your relatives know about your detention as soon as possible and tell them where you are.
 - Always have your passport (if you have one), your residence card, or another document confirming your identity with you.
 - Let your relatives or a person you trust know where you keep your immigration-related documents.
 - You may be placed in a guarded centre for a period of 6 months as part of refugee procedure or for 18 months as part of a case regarding obliging you to return to your country.
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YOUR RIGHTS IF YOU ARE DETAINED BY THE BORDER GUARD

- If you do not want to answer any questions asked by the Border Guard, you may refuse to give evidence. If you decide not to give evidence, make that statement clearly. Even if you decide not to give evidence, you should tell the officer interviewing you your full name, citizenship, profession, and place of work or residence.
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- If you do not speak Polish, a translator or interpreter speaking a language you understand should accompany you as part of all activities related to you.
- You have the right to contact a lawyer or a legal adviser while you are in detention. Ask to be allowed to call a lawyer.
- You may also ask to be allowed to contact your country's consulate and notify it of your detention.
- All documents you receive should be translated in full to a language you understand. If you think that not everything in the documents has been translated or that the translation is incorrect or if you do not accept the contents of documents presented to you, you may refuse to sign them.
- You may ask the Border Guard officer who detained you for their full name and service ID number. Write this information down.

YOUR RIGHTS IN COURT

- You may refuse to answer all or some of the questions you are asked. Let the court know about this.
- If you have experienced any form of violence in the past (such as physical violence, psychological violence, sexual violence), remember to tell about it in court.
- If you have any documents confirming your poor health, remember to present them in court.
- If you do not speak Polish, an interpreter speaking a language you understand should be present in court.

- You have the right to ask the judge to appoint a lawyer or a legal adviser for you if you do not have the money to hire such a person on your own.
- You may ask the court to notify the consulate of your country or a person of your choice of your detention.

2. Can I be deported?

You will not be deported until a final and binding decision obliging you to return to your home country has been taken. Before deporting you, the Border Guard first has to issue a decision obliging you to return to your country. You may appeal against such a decision. You have 14 days to do so. If you do so, you will not be deported until a decision has been made by the relevant appeal body (the Head of the Office for Foreigners). If the Head of the Office for Foreigners upholds the decision to deport you, this is not the end yet. You may file an appeal against such a decision with a court. Remember to include an application for stopping deportation in your appeal. You will not be deported until the court has reviewed your appeal.

REMEMBER!

if you submitted an application for international protection in Poland for the first or second time, you are protected against deportation for as long as such proceedings continue.

3. I want to go to another country in the European Union

YOUR RIGHTS

- If you were granted the refugee status or subsidiary protection in Poland, you may travel within the Schengen Area for 90 days out of every 180 days. Remember to always have your passport or residence card with you. You may not take permanent residence in a country other than Poland without an additional permit obtained in that country.
- Unfortunately, if you are still waiting for the relevant bodies to decide whether or not to grant you the refugee status, you may not go to another EU country until your case is closed.

REMEMBER!

- If you go to another EU country before the procedure for granting the refugee status has been completed or after you receive a refusal to grant protection to you, you may be forced to return to Poland. This increases the risk of you being placed in a guarded centre for foreigners.
 - If you are to be sent back to Poland because you went to another EU country illegally, remember to always have your passport or another document confirming your identity with you. If you are ill or suffering from a mental disorder, remember to also have the relevant medical or psychological documentation confirming this with you. When talking with Border Guard officers in Poland, tell them about all your health-related problems and, if you have experienced violence, about having been the victim of violence.
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4. I need the help of a lawyer

YOUR RIGHTS

- If you were refused international protection, contact:

Association for Legal Intervention
Stowarzyszenie Interwencji Prawnej
phone no. 22 621 51 65
ul. Siedmiogrodzka 5/51
01-204 Warszawa

- If you are detained and you do not have the money to pay for a lawyer, you have the right to ask for a court-appointed lawyer at no cost to you. Ask the relevant officer to record that request in writing.
 - If you are to be placed in a guarded centre for foreigners, you have the right to ask for a court-appointed lawyer. You may also ask for such a lawyer in court. Just tell the judge that you would like to do so during the proceedings in court. If you send an appeal to an administrative court, you may ask for a court-appointed lawyer. You need to fill-in the relevant form and prove that you cannot afford to pay for legal representation.
 - If you applied for international protection not a long time ago and no decision has been taken regarding your case, you may consult a lawyer (for example, as part of free-of-charge assistance offered by non-governmental organisations) but the state will not provide you with a court-appointed lawyer.
 - If there are administrative proceedings for obliging you to return to your country, you may consult a lawyer but the state will not provide you with a court-appointed lawyer.
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REMEMBER!

- There are organisations which could help you even if you do not have the right to get a court-appointed lawyer. This brochure includes a list of such organisations.
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5. I want to work in Poland

YOUR RIGHTS

- If you were granted the refugee status or subsidiary protection in Poland, you may work in Poland - there are no other restrictions and you do not need any more permits. Remember to have a valid residence card. Your employer may want to see it to make sure that you have the right to work in Poland.
 - If you are still waiting for a decision to be taken with regard to your refugee status, you may only start working in Poland if the Head of the Office for Foreigners did not issue a decision about your case during 6 months from the day when you submitted your application. After that time, you need to apply for a certificate granting you the right to work in Poland. Such a certificate, together with a valid temporary foreigner ID card (TFIDC), gives you the right to start working but only for the duration of the proceedings related to your refugee status.
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REMEMBER!

- If you work while waiting for a decision to be taken with regard to your refugee status and then a final and binding negative decision is taken, you lose your right to work in Poland.
 - If you work illegally in Poland, you may be obliged to leave the country and both you and the employer who hired you illegally may have to pay fines.
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- If you work in Poland, remember to always sign a written agreement with your employer. This will make it easier for you to protect your rights in the event of a dispute.
 - If you work in Poland, you must pay taxes. Remember to check that you this is done for you.
 - Make sure that your employer pays all contributions related to employing you. Ask your employer for a confirmation of such payments.
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6. I want to return to my home country

REMEMBER!

- Make sure you know the relevant regulations before you decide to return to your country.
 - If you were granted the refugee status or subsidiary protection in Poland, returning to your country may result in losing international protection. This means that you may not be allowed to enter and stay in Poland when you try to return to Poland from your country.
 - Make sure that returning to your country is safe for you. If you decide to go back to your country and let Polish authorities know about your decision, changing such a decision may then prove difficult or even impossible.
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YOUR RIGHTS

- If Polish authorities refused to grant you the refugee status or subsidiary protection or if you cancelled your application for international protection or if a decision obliging you to return to your home country was issued with a date by which you are to comply with it, you may ask for assistance in voluntarily returning to your country.
- Apply for it as soon as possible. If you cancel your application for international protection, you have 30 days to apply for such assistance, counting from the day when the decision to end your proceedings became final and binding. In other situations you should submit the relevant application before the date when you are supposed to leave Poland.
- You can find more information about assistance in voluntarily returning to your country by contacting the International Organisation for Migration (IOM) in Poland.

You can contact the following organisations to get legal assistance related to legalising your stay in Poland:

Association for Legal Intervention
(Stowarzyszenie Interwencji Prawnej)
phone no. 22 621 51 65
ul. Siedmiogrodzka 5/51
01-204 Warszawa

Helsinki Foundation for Human Rights
(Helsińska Fundacja Praw Człowieka)
phone no. 22 556 44 40
ul. Zgoda 11
00-018 Warszawa

Foundation for Somalia (Fundacja dla Somalii)
phone no. 22 658 04 87
ul. Bracka 18/63
00-401 Warszawa

Polish Migration Forum (Polskie Forum Migracyjne)
phone no. 692 913 993
ul. Szpitalna 5/14
00-031 Warszawa

7. What to do after receiving international protection in Poland:

- Send an application for a **Custom Integration Programme** (CIP) to District/City Family Support Centre [Powiatowy/Miejski Ośrodek Pomocy Rodzinie (PCPR/MOPR)] relevant to the place where you live (for Warsaw: Warsaw Family Support Centre [Warszawskie Centrum Pomocy Rodzinie], ul. Lipińska 2). You have 60 days from receiving international protection to do so. Do not miss that deadline! If you miss it, you will lose your right to CIP for good.

Such support may include:

- financial support for covering the cost of living and expenses related to learning Polish,
- payment of health insurance contributions,
- the assistance of a social worker, psychological, legal, and family-related assistance

Integration-related assistance is granted for 12 months.

- **Subscribe for free-of-charge Polish lessons**

In Warsaw, there are organisations which make free-of-charge Polish lessons available to foreigners. To learn if such lessons are available at a given time, contact these organisations:

Jesuit Social Centre (Jezuickie Centrum Społeczne)

<https://www.wakcji.org/uchodzczy/>

phone no. 797 907 588

ul. Rakowiecka 61

02-532 Warszawa (entrance from the side of ul. Boboli)

Foundation for Somalia (Fundacja dla Somalii)

<http://fds.org.pl/blog/kursy-jezyka-polskiego/>

phone no. 22 658 04 87

ul. Bracka 18/63

00-401 Warszawa

With Bread and Salt Project (Inicjatywa Chlebem i Solą)

<https://www.facebook.com/polacydlauchodzcow/>

kontakt@polskagoscinnosc.org

Salvation Foundation (Fundacja Ocalenie)

phone no. 22 828 04 50

ul. Krucza 6/14a

00-537 Warszawa

→ **Make use of psychological support:**

The Empowering Children Foundation

(Fundacja Dajemy Dzieciom Siłę)

phone no. 22 616 65 05

ul. Mazowiecka 12/25

00-048 Warszawa

Polish Migration Forum

(Fundacja Polskie Forum Migracyjne)

phone no. 692 913 993

ul. Szpitalna 5/14

00-031 Warszawa

Warsaw Family Assistance Centre

(Warszawskie Centrum Pomocy Rodzinie)

phone no. 22 599 71 00

ul. Lipińska 2

01-001 Warszawa

Fundacja Ocalenie (Salvation Foundation)

phone no. 22 828 04 50

ul. Krucza 6/14a

00-537 Warszawa

→ **Make use of translation-related assistance:**

The Association for Legal Intervention (Stowarzyszenie Interwencji Prawnej) makes volunteer activists available who speak Russian, English, and French and can help you in language-related problems connected with contacting doctors or officials and with document translation. To get such assistance, contact Volunteer Centre Coordinator, **Olga Hilik** o.hilik@interwencjaprawna.pl, +48 729 302 830.

→ **Become a part of the social and cultural life of the city! Where?**

Association for Legal Intervention

(Stowarzyszenie Interwencji Prawnej)

phone no. 22 621 51 65

ul. Siedmiogrodzka 5/51

01-204 Warszawa

Foundation for Somalia (Fundacja dla Somalii)

phone no. 22 658 04 87

ul. Bracka 18/63

00-401 Warszawa

Jesuit Social Centre (Jezuickie Centrum Społeczne)
phone no. 797 907 588
ul. Rakowiecka 61
02-532 Warszawa (entrance from the side of ul. Boboli)

Multi-Cultural Centre (Centrum Wielokulturowe)
phone no. 22 648 11 11
ul. Jagiellońska 54
03-463 Warszawa

Salvation Foundation (Fundacja Ocalenie)
phone no. 22 828 04 50
ul. Krucza 6/14a
00-537 Warszawa

Ethnology (Etnoliga) (a multi-cultural football team)
+48 502 070 701
ul. Angorska 19
03-913 Warszawa

Cultural centres where theatrical classes, arts and crafts classes, sports classes, and other activities take place:

Dom Kultury Kadr
phone no. 22 843 88 81
ul. Wincentego Rzymowskiego 32
01-001 Warszawa

Dom Kultury Praga
phone no. 22 618 41 51
ul. Dąbrowszczaków 2
03-474 Warszawa

Open Jazdów District (Otwarty Jazdów)
<https://jazdow.pl/>
00-467 Warszawa

FreeWord Zone of Powszechny Theater
(Strefa WolnoSłowa przy Teatrze Powszechnym)
(projekty teatralne)
info@strefawolnoslowa.pl
+48 668 403 924
ul. Zamoyskiego 20
03-801 Warszawa

Sputnik Team (Kolektyw Sputnik) (photography projects)
<http://www.sputnikphotos.com/contact/>
ul. Chłodna 20
00-891 Warszawa

Kuchnia konfliktu
(restaurant where migrants and refugees are employed)
ul. Wilcza 60
00-679 Warszawa

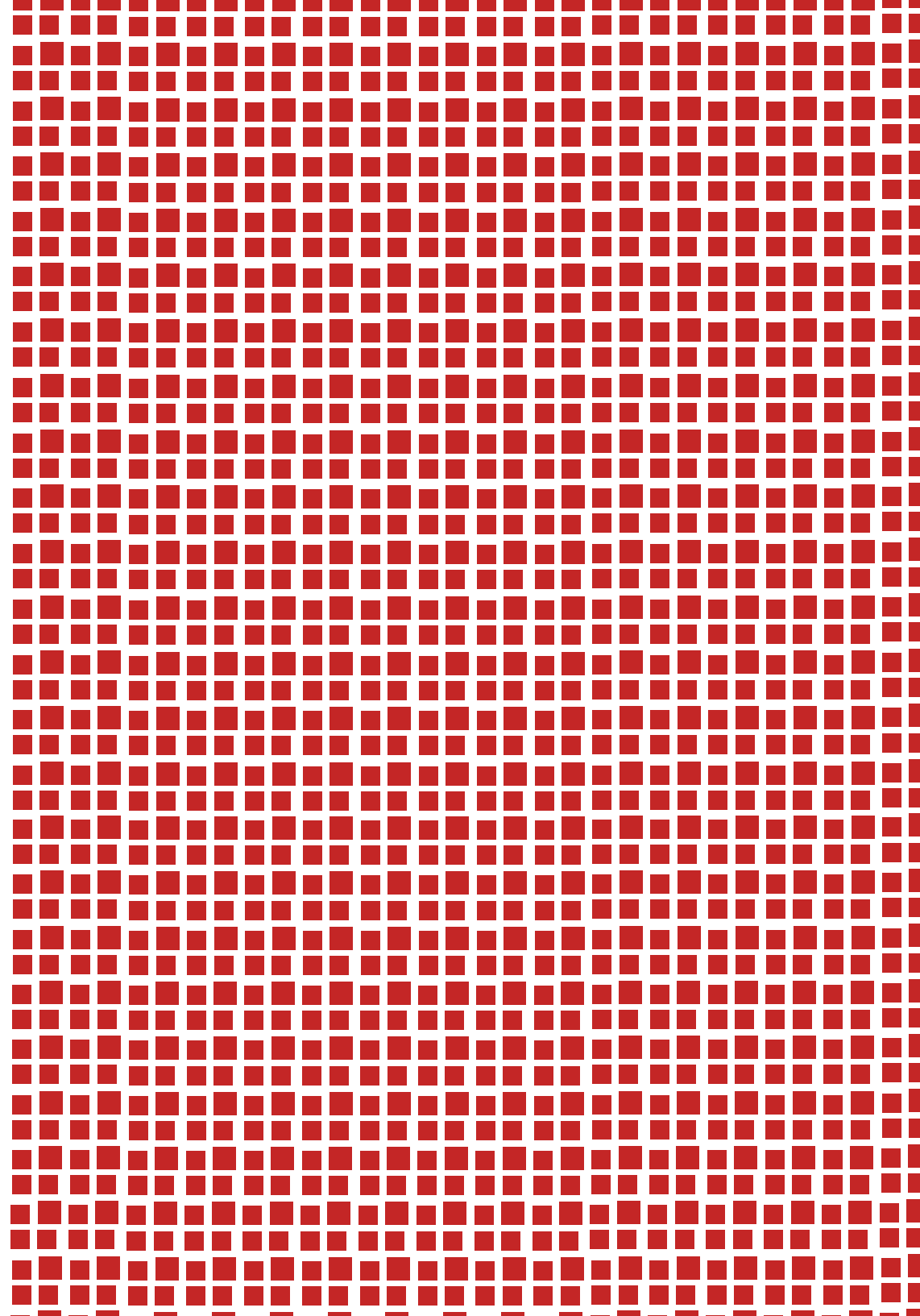
„Nowolipie” Centre for Intergenerational Activities
Centrum Aktywności Międzypokoleniowej „Nowolipie”
phone no. 22 838 34 96
ul. Nowolipie 25b
00-001 Warszawa

REMEMBER!

After receiving international protection in Poland:

- You may legally stay in Poland for as long as you wish.
 - If you return to your country (even if only for a very short time), it is likely that your international protection will be cancelled.
 - You may make use of medical and social assistance the same way Polish citizens do.
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- After 5 years have passed from the date when you applied for the refugee status, you may apply for permanent residence.
- After 2 years have passed from the date when you were granted the right of permanent residence due to having been a refugee, you may apply for Polish citizenship.
- After 3 years have passed from the date when you were granted the right of permanent residence due to having had subsidiary protection, you may apply for Polish citizenship.



**Stowarzyszenie
Interwencji Prawnej**

**Siedmiogrodzka 5/51
01-204 Warszawa**

biuro@interwencjaprawna.pl

(+48) 22 621 51 65



www.interwencjaprawna.pl | FB Stowarzyszenie Interwencji Prawnej