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KEY FINDINGS

## *Corridor Report on Poland: the case of Ukrainian and Russian immigrants*

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### *Summary of migration profile of Poland*

Although Poland has been and still remains a net emigration country, its migration status is changing, and the transformation process into an emigration-immigration country is (slowly but steadily) becoming noticeable. The size of the foreign population in Poland is still relatively small in comparison with other countries in Europe, constituting less than two percent of the resident population. Moreover, immigration has had a predominantly temporary and circular character – as opposed to settlement migration – with most migrants coming from eastern neighbouring countries. Among these, Ukrainians dominate in all statistics related to entry, stay and work of foreigners in Poland. They represent an immigrant group that is perceived to be the closest to Polish society due to geographic, cultural and linguistic proximity; past and present ties between the





two nations; common history; and last but not least, well developed migration networks. Poland is also home to a smaller, less well-understood population of Russian nationals.<sup>1</sup> In contrast with Ukrainian migrants, who have been intensively investigated by researchers over the last two decades, the migration strategies and structural features of Russian nationals in Poland are far less recognized and studied.

Ukrainian nationals in Poland represent first and foremost a short-term type of labour migration. The majority of Ukrainian migrants who reside in Poland come from Western Ukraine, which has historic connections with the Polish state as well as a large, long-standing Polish minority. As a result, widespread cross-border contacts and mobility have existed across the Polish-Ukrainian border for decades. Most of them circulate between the two countries without any intent to settle in Poland. However taking into account the recent conflict between Ukraine and Russia, this trend could change in the very near future.

### *Legal and political framework related to immigration in Poland*

In recent years, several important developments related to immigration policy have been noticeable. They all follow a trend which can be summarized as an evolution towards a slow and controlled opening-up of Poland to foreigner inflows. These developments, however, have some serious limitations. They promote circular (as opposed to settle-

ment) labour migration. Poland's migration policy has shifted from protection against inflows to facilitation for desirable groups of migrants. Direct incentives are addressed primarily to EU citizens and nationals from eastern neighbouring-countries, and are focused on the legal and economic spheres (not socio-cultural or political). The most important legal and political provisions that could be perceived as drivers of migration are related to the liberalization of labour-market entry rules for foreigners (a far-reaching simplification of legislation concerning work permits and the introduction of the employers' declaration system).

In general, there is no complex, long-term and systematic state strategy concerning the integration of foreigners in Poland. The legal and institutional framework created to address this issue has been developed mostly in response to EU requirements and under EU guidance to align Polish migration laws with relevant EU legislation. Therefore, the development of integration policy in Poland can be portrayed as a reactive, centralized and top-down process.

Integration policy in Poland is a set of *ad hoc* measures dedicated to particular groups. There is no coherent integration doctrine, and any legal provisions and integration programmes until now have been addressed only to two incoming groups, namely recognized refugees and repatriates and their families. This can be explained first of all by Poland's limited experience with long-term immigrants requiring integration programmes, and secondly by policy makers' lack of interest in encouraging settlement migration.

Despite the state's generally passive attitude to the integration of foreigners, a more active approach is noticeable in the NGO sector. The interest in the implementation of projects aimed at migrants and support for their integration is strictly related to

1. For example, on 31 December 2013, the difference in the number of valid residence permits issued for citizens of Ukraine was 37.6 thousand versus 12.6 thousand for Russians. However, it must be noted that Russians are among the top nationalities registered in asylum seeker statistics (comprising approximately 90% of total asylum seekers every year). Also, in 2012, 24% of all persons obtaining a right to stay on the basis of supplementary protection had Russian citizenship. The vast majority of asylum seekers from Russia declare Chechen ethnicity.



*Political and institutional framework of emigration/diaspora policies: Ukraine v. Russia*

	Ukraine	Russia
<b>Legal framework for emigrants/diaspora</b>	Formal and organized structure	Formal and organized structure
<b>Approach towards emigrants</b>	<ul style="list-style-type: none"> <li>To protect the social and economic rights and interests of Ukrainian workers abroad;</li> <li>To encourage emigrants to send remittances;</li> <li>To engage Ukrainians residing abroad in development activities</li> </ul>	<ul style="list-style-type: none"> <li>To protect of the rights of labour migrants in destination countries;</li> <li>To develop strong relations with the mother country;</li> <li>To implement projects that strengthen international ties;</li> <li>To cooperate closely with Russians living abroad and to promote a positive image of Russia abroad</li> </ul>
<b>Main state-actors</b>	<ul style="list-style-type: none"> <li>Ministry of Foreign Affairs;</li> <li>Ministry of Labour and Social Policy</li> <li>Ministry of the Interior</li> </ul>	<ul style="list-style-type: none"> <li>Federal Agency for the Commonwealth of Independent States, Compatriots Living Abroad and International Humanitarian Cooperation (<i>Rosstrudnichestvo</i>);</li> <li>President and Government of the Russian Federation, Ministry of Foreign Affairs, Federal Migration Service</li> </ul>
<b>Main official documents</b>	The State Programme for Cooperation with Ukrainians Living Abroad up to 2015 (adopted in 2012)	Programme of Work with Compatriots Residing Abroad in 2013-2014
<b>Socio-economic rights</b>	Bilateral agreement on social security (signed 2012)	Bilateral agreement on the avoidance of double taxation of income and property (signed in 1992)
<b>Political rights</b>	Right to vote in parliamentary elections	Right to vote in presidential and parliamentary elections
<b>Language and cultural rights</b>	Provision of financial and organisational support to Ukrainian nationals residing abroad for their cultural and educational networks	Promotion of Russian culture and Russian language abroad, including teaching Russian via courses provided by the Russian Centres for Science and Culture
<b>Dual citizenship</b>	Accepted	Accepted when Russian citizen obtains second citizenship, but when a foreigner applies for Russian citizenship - he/she is obliged to renounce the previous one

opportunities to apply for financial support from the EU (particularly from the European Fund for the Integration of Third-Country Nationals, EIF Fund). Since 2007, diverse integration activities have been implemented by non-governmental and local institutions following best practices adopted in other EU countries (language and adaptation courses, information campaigns, inter-cultural education

programmes and training courses) using the support of the EIF fund. This means that in practice, the NGOs sector is a partial substitute for state administration when it comes to the implementation of integration policy.



*Main reasons for migration to Poland in cases of Ukrainian and Russian migrants (averages for 2010-2012)*

Country of origin	Family	Education	Remunerated activities	Refugee status	Subsidiary protection	Other reasons	Total migrants surveyed
Russia	19.20%	2.19%	21.05%	3.76%	19.91%	33.89%	17,020
Ukraine	12.97%	4.17%	63.67%	0.00%	0.01%	19.19%	90,385

Source: INTERACT survey

***Emigration / diaspora policies of Ukraine and Russia***

The available analyses of emigration / diaspora policies in Ukraine and Russia underline that the primary focus of decision makers is linked to labour migration (specifically to nationals working abroad as a part of the international labour market) and to its negative consequences to the country, such as brain-drain. Also, the return migration of nationals from abroad has become an attractive issue recently in the media and political campaigns in these countries. Although it is difficult to say that there are separate diaspora policies adopted by the authorities of Russia and Ukraine, the emigration issue is included in various legislative acts and in bilateral agreements that regulate various aspects of the movement of people and the employment of nationals abroad. The legal framework is focused mostly on the protection of the rights of labour migrants abroad as guaranteed by bi- and multilateral agreements.

***Main conclusions from INTERACT project***

According to survey results, immigration from Russia and Ukraine to Poland is structurally different (see table below).<sup>2</sup>

- An important remark must be made concerning the profile of Russian and Ukrainian migrants who benefit from the assistance of the organizations that were surveyed in Poland. The organizations that work with the Russian migrant population in Poland deal with refugees and/or asylum seekers who have Russian nationality (and Chech-

An overwhelming majority of Ukrainian migrants to Poland constitute labour migrants (this is supported by other data sources as well). The second most important category (family reunification) is of much lesser importance. In the case of Russian citizens, the structure of incoming migrants is far more diverse with approximately 20% of persons coming to Poland for family reasons, over 21% for work-related reasons and over 20% for humanitarian reasons (the majority of those people are Chechen asylum seekers).

Note, however, that the table presents averages for 2010-2012, and this data has changed very recently. Due to recent political events in Eastern Ukraine, the scale of Ukrainian immigration to Poland has increased significantly and in addition, the importance of humanitarian immigration has grown immensely. In 2013 the number of asylum claims by Ukrainian citizens was as high as 46. In 2014, (until the end of October) it amounted to 1,876, i.e. over 40 times higher (data from the Office for Foreigners). Similarly, by the end of October 2014 a total of 707,166 visas had been issued to Ukrainians, as compared to 720,125 for the entire year

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en ethnicity), but this group is not representative of the population of Russian migrants residing in Poland. On the other hand, the Ukrainian migrants who have contact with organizations in Poland are usually labour migrants pursuing employment and temporary stays in Poland. Taking this into account, the evidence from the survey conducted in Poland must be interpreted with some reservations, and should not be interpreted as referring to the general population of Ukrainian and Russian migrants in Poland.



of 2013 (data of the Polish Ministry for Foreign Affairs). The number of seasonal migrants increased as well – 183,000 declarations to employ a foreigner were issued in the first half of 2014, as compared to 137,000 in the first half of 2013 (data from the Polish Ministry of Labour and Social Policy).

Some selected outcomes of the online survey are also worth pointing out here. In Poland 24 representatives from organizations working with migrants took part in the survey. The main findings are as follows:

- Russian and Ukrainian migrant organisations focus on providing up-to-date, reliable information on legal and institutional frameworks, labour-market conditions, and available jobs. Other possible areas of service, such as lobbying for the recognition of qualifications or training programmes, are of secondary importance. That said, organizations catering to Ukrainian migrants appear to offer a much more diverse range of services in comparison to those focusing on the needs of Russian migrants.
- Organizational representatives tend to believe that associations in the country of origin are more important when searching for a job in the destination country than any official instrument implemented by the country of origin, such as governmental initiatives to support the employability of migrants abroad and official pre-departure programmes. In the case of organizations working with Russian migrants, there was significantly less belief in the importance of measures provided by either associations or the government in the country of origin.
- Organizational representatives generally claim that their impact on migrants' positions in the Polish labour market (including impacts on wages levels or occupational skills-matching) is very limited in practice.
- Organizational representatives generally believe that country-of-origin policies pertaining to migrants' social relations positively impact migrants' integration in the destination country. All representatives stated that the governments of the countries of origin do not offer any support for establishing organizations, including schools, religious institutions, and cultural centers in the destination country.
- One of the most striking outcomes of the survey is related to the civic and political participation of migrants. Very few organizations engage with this area, and respondents claim that the civic and political participation of migrants in the country of origin had no effect on any area of their lives in the country of destination. In other words, migrants' participation (or non-participation) in the political and public spheres of their country of origin does not influence social relations, school performance, religious practices or the residential integration of migrants in their country of residence.
- According to respondents, migrants most commonly decide to keep the passport of their country of origin because it is seen as an asset in the country of destination, in case of Ukrainian migrants, and for reasons of sentimentality, in the case of Russian migrants.

To conclude, the survey demonstrates the following:

1. destination-country organizations working with migrants have an insignificant role in Ukrainian and Russian migrants' integration processes;
2. there is no clear evidence of any organized support from the country of origin for migrants' integration process in the country of destination. In other words, there is a gap between the legal and institutional frameworks that officially exist within Russian and Ukrainian state systems addressing nationals living abroad and their implementation in practice; and

3. the activities of organizations working with migrants are focused on assisting them with their adaptation to the labour market in the country of destination. Their role in other areas, such as education or social integration, remains marginal.

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## INTERACT

*Researching Third Country Nationals' Integration as a Three-way Process - Immigrants, Countries of Emigration and Countries of Immigration as Actors of Integration*

The INTERACT project studies the impact of sending countries on migrant integration. It looks at the ways in which institutions and organisations in origin countries thicken transnational bonds by developing tools to boost financial transfers, maintain cultural heritages, enhance migrant political participation, and protect migrants' rights. It seeks to understand how these efforts impact migrant integration, as well as how origin country policies complement or contradict the integration measures of receiving country governments.

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