

**INTERACT – RESEARCHING THIRD COUNTRY NATIONALS' INTEGRATION AS A THREE-WAY PROCESS - IMMIGRANTS, COUNTRIES OF EMIGRATION AND COUNTRIES OF IMMIGRATION AS ACTORS OF INTEGRATION**

***Immigration of Ukrainians and  
Russians into Poland  
Inflow, integration trends  
and policy impacts***

**Magdalena Lesińska**

INTERACT Research Report 2015/06



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Immigrants, Countries of Emigration and Countries of Immigration as Actors of  
Integration**

**Research Report  
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Inflow, integration trends and policy impacts**

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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**

In 2013 (Jan. 1<sup>st</sup>), around 34 million persons born in a third country (TCNs) were currently living in the European Union (EU), representing 7% of its total population. Integrating immigrants, i.e. allowing them to participate in the host society at the same level as natives, is an active, not a passive, process that involves two parties, the host society and the immigrants, working together to build a cohesive society.

Policy-making on integration is commonly regarded as primarily a matter of concern for the receiving state, with general disregard for the role of the sending state. However, migrants belong to two places: first, where they come and second, where they now live. While integration takes place in the latter, migrants maintain a variety of links with the former. New means of communication facilitating contact between migrants and their homes, globalisation bringing greater cultural diversity to host countries, and nation-building in source countries seeing expatriate nationals as a strategic resource have all transformed the way migrants interact with their home country.

INTERACT project looks at the ways governments and non-governmental institutions in origin countries, including the media, make transnational bonds a reality, and have developed tools that operate economically (to boost financial transfers and investments); culturally (to maintain or revive cultural heritage); politically (to expand the constituency); legally (to support their rights).

INTERACT project explores several important questions: To what extent do policies pursued by EU member states to integrate immigrants, and policies pursued by governments and non-state actors in origin countries regarding expatriates, complement or contradict each other? What effective contribution do they make to the successful integration of migrants and what obstacles do they put in their way?

A considerable amount of high-quality research on the integration of migrants has been produced in the EU. Building on existing research to investigate the impact of origin countries on the integration of migrants in the host country remains to be done.

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**Abstract**

This report analyzes migration processes from Ukraine and Russia to Poland from the perspectives of the political frameworks existing in both the sending and receiving countries, with special attention to links between integration and diaspora policies and their roles in shaping migration flows and integration practices. The report is based on both quality and quantitative original research, including the exploratory survey targeted representatives of civil organizations working with migrants conducted in INTERACT project. The research confirms that there is a serious gap between the legal and institutional state's frameworks, and their implementation in practice. The survey results confirm that in the case of Ukrainians and Russians migrants residing in Poland, there is a lack of evidence of any organized support from the country of origin and country of destination with respect to migrants' integration in the receiving country.

**Key words:** migrants' integration, migration policy, Russian and Ukrainian migrants, Poland

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## 1. Introduction

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 (see Górny *et al.* 2010). The size of the foreign population in Poland is still relatively small in comparison with other countries in Europe; it constitutes less than two percent of the resident population. Moreover, immigration has had a predominantly temporary and circular character (as opposed to settlement migration). The major groups of migrants come from eastern neighbouring countries. Among these, Ukrainians dominate in all statistics related to the entry, stay and work of foreigners in Poland.

Poland's profile as migration country is shaped first and foremost by its geo-political position in the European continent. Its accession to the European Union (the EU) in May 2004 and the fact that Poland became an EU border country influenced the dynamic and trends of human in- and outflows. As a result of EU member states opening their labour markets, a massive outflow of Poles took place within a short period after the date of the accession. The emigration reached its peak in 2007 when more than 2.3 million Poles (6.6% of the total population) were registered in other EU states as temporary residents (Fihel 2011: 25). The unexpected mass outflow on the one hand, and intensive economic growth and large investments in infrastructure and regional development (also due to EU funds) on the other, generated significant shortages in the labour market and growing demand for a foreign workforce in a relatively short time. Additionally, the long-term processes, such as serious depopulation (at present noticeable in some regions) and an aging population are expected to have a negative impact on the economy and society in Poland in the long run.

Migration policy in Poland can be described as *in statu nascendi* (in the process of being formed). Due to its marginal scale, immigration is not the subject of any political party interest, and is not a topic of any serious political or public debate, in contrast with Western European countries where immigration is in the centre of political struggles. Despite the political and public "silence" over immigration issues, they have attracted increased attention from public administration bodies in recent years. The key role within the legal and political framework related to immigration is played by the central administration, the Ministry of Interior in particular. In 2012 a document was approved by the government entitled "Migration policy of Poland – the current state of play and further actions" which can be described as the national migration strategy (Ministry of Interior 2012b). It includes an overview of the present migration policy and recommendations for its further development in the area of law, institutional frameworks and integration programmes.

Polish authorities perceive the increasing scale of foreigner inflows to Poland as an inevitable phenomenon due to the global processes taking place in Europe and worldwide. This perception is also related to the fact that as a member of the EU and part of the EU migration regime, Poland's control over human flows within EU borders is limited in practice. Moreover, the negative demographic trends mentioned above, together with a growing demand for a foreign workforce, (especially in some sectors of the economy such as agriculture, construction), require wise political intervention and a thorough strategy to deal with these problems. In Poland, some signs of a transformation of migration policy from an abandonment approach towards an "opening-up" course of action are noticeable, especially in the case of the strategy addressing neighbouring countries (more precisely, Eastern Partnership (EaP)<sup>1</sup> countries). The Eastern Partnership countries and Russia are, and will most likely continue to be, the main source countries of labour migrants in Poland. This pertains to Ukraine in particular. Poland (together with Sweden) initiated and advocated for the idea of the Eastern

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<sup>1</sup> The Joint Declaration of the Prague Eastern Partnership Summit Prague, signed 7 May 2009, established the Eastern Partnership.

Partnership (one of the main aims of which is to liberalize the rules of movement of persons between those states and the EU (including the visa regime).

Aside from the formulation of the state's migration strategy, some other important and promising developments have appeared over recent years which could have an impact on increasing foreigner inflows to Poland. The most important has been the liberalization of labour-market admission rules for foreigners, including the implementation in 2007 of a new simplified scheme addressing short-term foreign workers. It allows employers to hire foreign workers from six Eastern countries (Ukraine, Belarus, Russia, Moldova, Georgia and Armenia) for six months during twelve consecutive months. The aim of the system is to encourage employers to employ foreigners on a regular basis and to persuade foreign workers to use a legal option to enter and work in Poland. Ukrainians have constituted the vast majority of the foreigners entering Poland and taking up employment on the basis of this simplified scheme.

Another novel policy has been the regularization programme implemented in 2012. As the third regularization programme in Poland (the others took place in 2003 and 2007), it turned out to be the most extensive (more than 9,500 people took advantage of the opportunity to apply for the legalization of their stay, and more than a half succeeded). The same year, the new Polish Citizenship Act came into force. It included new naturalization rules, such as the shortening of the qualifying period of residence from five to three years and the acceptance of dual or multiple citizenship. Also, in the area integration policy, some progress was noticeable. In 2013, the document "the Polish integration policy for foreigners – assumptions and guidelines" was published by the Ministry of Labour and Social Affairs; the ministry has continued to consult with non-governmental partners since then.

The main aim of this report is to analyze the migration processes from Ukraine and Russia to Poland from the perspectives of the political frameworks existing in both the sending and receiving countries, with special attention to links between integration and diaspora policies and their roles in shaping migration flows. The report consists of five main sections. It opens with an introduction to the recent immigration processes of Ukrainian and Russian citizens' into Poland. The next section takes a political perspective, discussing the migration and integration policy of Poland as a destination country on the one hand, and Ukraine and Russia's political approach towards emigration as sending countries on the other. The purpose is to analyse the extent to which they either complement or conflict with each other. The final two sections focus on Ukrainian and Russian immigrants' integration trends in Poland and analyse the explanatory factors of these trends.

## **2. Immigration flows into Poland. The case of Ukrainian and Russian nationals**

### **2.1 Inflow of immigrants to Poland – general overview**

During Soviet times, the flows between Poland and the USSR were limited. The most numerous groups circulating between the two countries were petty traders and "false tourists" (entering Poland on a tourist status and engaging in casual work) (Okólski 1997a; Kępińska and Stola 2004). This phenomenon of trans-border trade and participation in the informal labour market was possible due to liberal entry rules and the existence of open-air bazaars in almost every town in Poland. Engagement in petty trade and undeclared work were well known practices from the socialist system and remained popular until the late 1990s. As a result, a high level of trans-border mobility was recorded between Poland and post-Soviet countries.<sup>2</sup>

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<sup>2</sup> According to official data, between 1988-1995 the number of foreign citizens entering Poland increased from 6 million to 82 million. Most of these visits were very short (from one to a few days) and their main purpose was shopping. The migrants were predominantly citizens of ex-Soviet republics, and of Ukraine in particular. (Okólski 1997a: 9-10).

In the 1990s, the predominant type of foreigner inflow to Poland was short-term, economic, circular ('incomplete') migration (Jaźwińska and Okólski 1996; Okólski 1997b; Stola 1997). Migrants' principal goal was to benefit economically through genuine tourism or business (including shopping). They often stayed or worked on an irregular basis, and maintained close and steady contacts with their household in the home country (by means of regular communication, frequent home visits, remitting money, etc.) (Okólski 1997b: 10). Another important type of migration in this period was transit migration. It was comprised of people arriving from far-away regions (South Central and Western Asian and North African countries), the CEE region (Bulgaria and Romania), and neighbouring post-Soviet states. Transit migrants treated Poland as a stopping point on their way to Western Europe (Okólski 1997b: 12).

The data on arrivals shows that Poland's accession to the EU and Schengen zone and its visa and border-control system restrictions had an impact on the number of people coming to Poland from eastern neighbouring countries (the visa regime for neighbouring countries was introduced in 2003; up until 2007, visas for Ukrainians were issued free of charge). There was a serious drop just after the introduction of the visa regime, but shortly afterwards the number of border crossings increased again. This means that migrants acknowledged the new rules and got used to the new application procedures. According to data from the Polish Border Guards, the number of persons crossing the Polish-Ukrainian and Polish-Russian borders has increased every year since 2008 (see Table 1).

**Table 1. Number crossing Poland's border with Russia and Ukraine (2008-2013)**

Year	Foreigners coming across the Russian border to Poland	Change acc. to previous year	Foreigners coming across the Ukrainian border to Poland	Change acc. to previous year
2013	1,648,531	+62.4%	7,288,695	+15.9%
2012	1,015,384	+51.9%	6,290,320	+17.1%
2011	668,476	+54.8%	5,372,806	+19.8%
2010	431,746	+27.2%	4,486,323	+37.3%
2009	339,442	- 12%	3,268,027	+25.3%
2008	385,820	- 45.9%	2,607,986	- 47.9%
2007	712,539		5,003,963	

Source: Polish Border Guards.

The trans-border flows possess a unique local particularity. Poland has signed local border-traffic agreements with all three of its eastern neighbours (Russia, Ukraine and Belarus). At present, two of them have come into force: with Ukraine in 2009 and with Russia (the Kaliningrad area) in 2012. The local border-traffic agreement allows certain groups of residents from border regions to cross the border with special local border-traffic permits instead of visas. However, they are limited to an area of up to 50 km from the border (in the case of Ukraine) and up to 90 days per half-year. There was anxiety that its implementation would create an uncontrolled gateway for irregular flows and smuggling processes. The data from the Polish Border Guard confirms, however, that the level of local border traffic remained at almost at the same level and that no negative impacts (e.g. increases in the irregular inflows) were noticed.

Estimating the number of foreigners residing in Poland is not a simple task. According to the recent National Population and Housing Census (2011), almost 99.7 percent of permanent residents of Poland are persons with Polish citizenship. Among the population of foreigners residing in Poland, the most numerous group are Ukrainians (24,100), followed by Germans (9,200), Belarusians (7,500) and Russians (7,200). This means that the population of Poland is one of the most homogenised in Europe (in ethnic and cultural terms).

In the 2011 Population Census, foreign-born persons were asked to indicate their country of birth according to its current borders. Considering the fact that Poland's territory changed significantly in the aftermath of World War II, this category includes thousands of Polish citizens born in Poland before 1939. Therefore, persons in this category should clearly not be recognized as a group of immigrants in a common meaning of this word. On that basis, 674,900 permanent residents of Poland (1.8%) were registered as born abroad. The major groups of foreign-born persons originate in today's Ukraine (227,500), Germany (84,000), Belarus (83,600) and Lithuania (55,600) (Kaczmarczyk 2014: 32-33). All of these countries are neighbouring countries of Poland. The great majority of these people are now over 60 years old, which suggests that these are Polish citizens who were born either in pre-war Poland or were born abroad and relocated or became displaced during or after World War II.

The number of foreigners registered in the Census as having a permit for settlement or for a fixed period in Poland is very small (63,000). However, it is commonly thought that the real number of foreigners residing in Poland (especially on a short-term basis) is much higher than recorded in the Census. The most important source of data comes from the Office for Foreigners. According to its records at the end of 2012 (31 December), almost 121,000 foreign nationals with valid residence permits (of all kinds) were registered in Poland (see Table 2). Just as in previous years, they were mostly permits for a fixed period (57,500, 47%). Among the most important nationalities were: citizens of Ukraine (37,000, 31% of all foreigners with valid residence permits), Vietnam (13,000, 11%), Russia (12,000, 10%), and Belarus (11,000, 9%). Together, the citizens of three neighbouring countries (Ukraine, Russia and Belarus) comprised approximately half of the foreign population possessing residence permits in Poland at the end of 2013.

**Table 2. Number of foreigners with valid residence permits in Poland (on 31 December 2013) acc. to status of residence (top five countries)**

Country of origin	Complementary Protection	Long-term residence permit	Long-term stay permit for UE resident	Tolerated stay	Refugee status	Residence on fixed term	Total
UKRAINE	7	17,959	2,198	142	1	17,372	37,679
VIETNAM	1	4,340	1,947	368	4	6,744	13,404
RUSSIA	2,243	4,813	425	610	530	4,024	12,645
BELARUS	15	7,077	367	38	92	3,570	11,159
CHINA	4	514	259	16	-	4,223	5,016
<b>All nationalities</b>	<b>2,446</b>	<b>51,027</b>	<b>7,490</b>	<b>1,838</b>	<b>888</b>	<b>57,529</b>	<b>121,218</b>

Source: The Office for Foreigners.

One of the important categories of foreigners (not included in the Office for Foreigners' records) is seasonal workers. They come to Poland using a scheme based on their employer's declaration which allows them to stay and work for six months within a one-year period (see details in Section 3). In 2013 there were 235,000 employer declarations issued (a year before the number reached 243,000). This group is twice as large as the number of foreigners possessing temporary-stay permits and five times as large as the population of foreigners with long-term stay permits. Moreover, most of the short-term migrants come from Eastern Partnership countries. In the period 2006-2009, the share of EaP citizens who arrived from abroad and registered for a temporary stay for longer than three months equalled approximately 40 percent of the total inflow of foreigners (as compared to 3-6 percent in the case of permanent immigrants). Ukraine is definitely the most important origin country of temporary immigrants coming to Poland, followed by Belarus, Armenia and Moldova.

Other categories of migrants include asylum seekers and recognized refugees. The number of persons under international protection in Poland is small – 5,100 persons under different forms of protection or possessing valid stay permits were registered at the end of 2013 (including 800 refugees, 2,400 persons with a tolerated-stay status and 1,800 with complementary protection status). A significant increase in the number of applications for refugee status was noticeable in the last two years. The highest number of applications ever registered was in 2013 (15,000). The vast majority of them were submitted by Russian citizens (almost 85%; mostly by persons declaring Chechen nationality), followed by Georgians (8%), Syrians (2%), Armenians (1%) and Kazakhs (1%). Most of the applications were denied as unjustified. In 2013, only 1% of applicants were granted refugee status according to the Geneva Convention, 1.5% were granted tolerated-stay status and 0.5% – complementary-protection status.

Taking into account the different statistics, it can be assumed that the stock of foreigners in Poland is approximately 100,000-150,000 (meaning those who possess stay permits for longer than 3 months). Additionally, the number of seasonal foreign workers is approximately 250,000 a year. It should be stressed that when analysing the qualitative studies on immigration to Poland, the temporary (seasonal) type of inflows clearly dominates (Górny *et al.* 2010). Immigrants from Ukraine, Russia and other post-Soviet countries have limited interest in seeking permanent settlement in Poland.<sup>3</sup> The factors influencing this fact are related to the immigrants' main strategy, which can be described as "earn here, spend there", and to their motivation to work abroad to improve living conditions at home. Moreover, the current legal and political framework (in terms of admission and employment) gives them the opportunity to circulate, encourages and sustains short-term mobility, and at the same time discourages long-term or settlement migration (Lesińska 2013).

## 2.2 The migration patterns of Ukrainians and Russians to Poland

The largest and most frequent group of foreigners arriving to Poland are citizens of Ukraine. They represent an immigrant group 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. The majority of Ukrainian migrants who reside in Poland come from Western Ukraine, which has historic connections with the Polish state, and where a substantial Polish minority continues to live. As a result, widespread cross-border contacts and mobility have existed over the Polish-Ukrainian border for decades.

Ukrainian nationals in Poland represent first and foremost a short-term type of labour migration. Most of them circulate between Poland and Ukraine and do not intend to settle in Poland. Before 2007 (when Poland became a member of Schengen zone), there were no serious barriers to entering Poland and therefore Ukrainians often applied for tourist visas, which allowed them to cross the border and stay for up to three months. During the time spent in Poland some of them overstayed their visas and/or worked irregularly. However it is difficult to estimate the scale of this phenomenon (Górny *et al.* 2010). In structural terms, Ukrainian immigration to Poland is strongly feminine, young and relatively well-educated.

In contrast with Ukrainian migrants, who were intensively investigated by researchers over the last two decades (Jaźwińska and Okólski 1996; Stola 1997; Bieniecki and Pawlak 2009; Górny *et al.* 2010; Kindler 2011), migration strategies and structural features of Russian nationals in Poland are far less recognized and studied. The scale of the inflow of Russians to Poland is marginal in comparison with that of Ukrainians. However, it must be noted that Russians are the top nationality registered in asylum-seeker statistics (comprising approximately 90% of total asylum seekers every year). Also, in

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<sup>3</sup> It is difficult to predict if and how this situation will change, given the unstable political situation in Ukraine related to the conflict with Russia.

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.

Both groups – Ukrainian and Russian nationals – are spatially dispersed over the territory of Poland. The only region with a high concentration of these migrants is the Mazowieckie region (which includes the capital city of Warsaw). They are also noticeable in eastern (border) regions (Podkarpackie and Lubelskie), which have relatively weak economic potential but a strong presence of migrant networks, in Małopolskie (in Kraków), Śląskie (in Katowice), and Pomorskie (in Gdańsk) (Fihel 2007; Duszczyk, Góra, and Kaczmarczyk 2013).

The data from the Ministry of Science and Higher Education shows a steady increase in the number of foreign students coming to Poland. In the academic year 2012/2013, more than half the foreign students were nationals from EaP countries (13,500 of 24,200). The most numerous groups were Ukrainians (9,400), who constituted 33.4% of all foreign students in Poland, and Russians who numbered 500.<sup>4</sup>

An important characteristic of the inflows, which should be mentioned here, is related to ethnic patterns that were institutionalized by the Polish state through the introduction of the Polish Card (Karta Polaka) in 2007. These cards directly target ethnic Poles who are citizens of the former Soviet states. The main conditions for obtaining a Polish Card can be fulfilled by confirming Polish origin; confirming an active connection to “Polishness” by demonstrating at least a basic knowledge of the Polish language; and by proving that at least one parent, grandparent or two great grandparents were of Polish nationality or had Polish citizenship. Applicants must also confirm active involvement in Polish linguistic and cultural activities within the Polish community of their region for a period of at least the past three years.<sup>5</sup>

The Polish Card entitles its holders to apply for a visa that allows multiple entrances to Poland (the cost can be reimbursed by the Polish state). It also provides a set of practical entitlements to its holders, such as an exemption from the obligation to have a work permit, the right to set up a company on the same basis as Polish citizens, and the right to study and participate in other forms of education. In practice, having a Polish Card simplifies the most difficult legal obstacles, such as the obligation to obtain a work permit and go through frequent visa-application procedures, and therefore serves as a pull factor, enabling migrants to come and work in Poland. The Polish Card became more and more popular among persons of Polish decent who were willing to come and live in Poland. In 2008-2012, more than 100,000 Cards were issued, approximately 90% of which were granted to citizens of Ukraine and Belarus. Far fewer were issued to Lithuanians, Russians and other nationalities. The majority of applicants have been young persons, often students, who use the card as a tool to simplify procedures related to arrival, stay and study in Poland.

### **2.3 Ukrainian and Russian citizens in the Polish labour market**

As already mentioned in the introduction, the general approach to labour immigration in Poland started to change after its accession to the EU. Growing demand for a workforce in sectors which are traditionally popular among foreigners, such as agriculture and construction, led to significant changes towards the simplification of admission rules and employment procedures for foreigners. Poland decided to liberalize legislation on the employment of third-country nationals gradually, which is manifested in its facilitation of work-permit issuing regulations on the one hand, and expansion of the categories of foreigner groups allowed to work in Poland without a permit, on the other.

It should be noted that any estimate of the scale of foreign employment in Poland is unreliable due to the ineffective labour-market monitoring system there and the unknown scale of irregular

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<sup>4</sup> Data according to Fundacja Edukacyjna Perspektywy 2013.

<sup>5</sup> Act of 7 September 2007 on the Polish Card (Journal of Laws of 2007, No 180, item 1280).

employment. The main sources of data related to this subject are statistics from the Ministry of Labour and Social Policy. There are two main streams of employment of foreigners in Poland's labour market: the work permit system and a simplified scheme based on an employer's declaration of intent to employ a foreigner.

Poland's eastern neighbours are recognized as its most important source countries for labour migration. The Polish government (despite its political orientation) has been the greatest advocate of the Eastern Partnership and the liberalization of the movement of persons from EaP countries to the EU. When analysing the data related to work permits issued, it is clear that firstly, the overall number of work permits is growing dynamically year after year and that, secondly, citizens of eastern neighbouring countries prevail in the statistics. In 2013, more than a half the work permits (52.2%) were issued to Ukrainians and 2.1% to Russians (see Table 3).

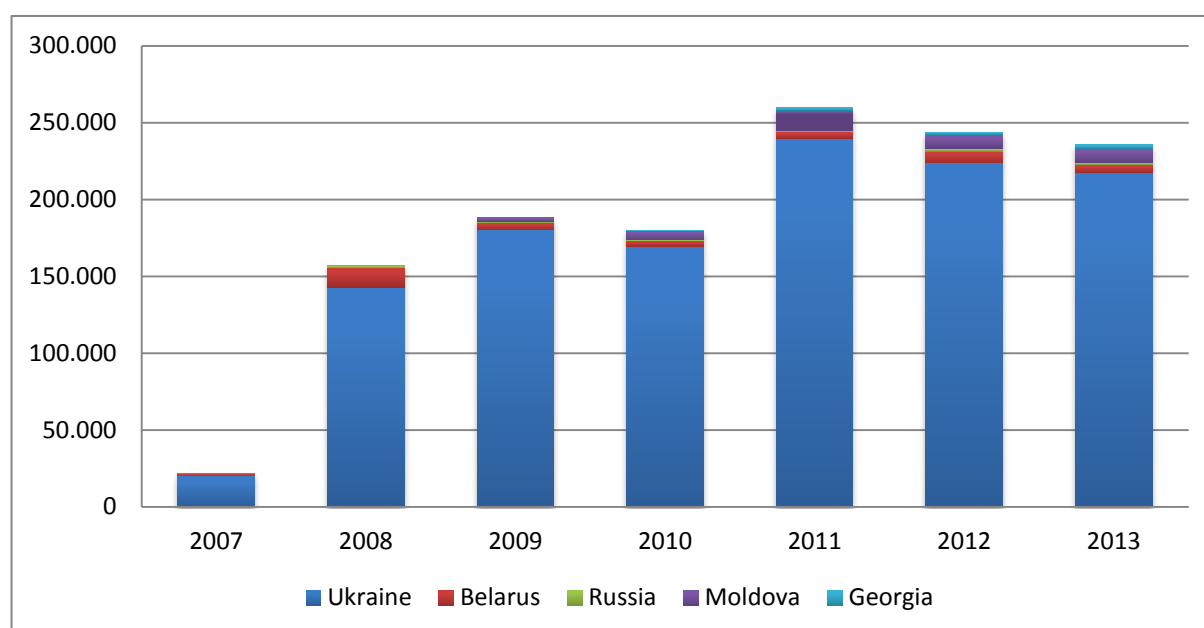
The majority of Ukrainian migrants (up to 90%) undertake work while staying in Poland, and thus the notion 'labour migrants' seems particularly fitting. The majority of them work in Poland in the secondary sectors of the labour market (such as agriculture, the construction sector and household services). According to data from Ministry of Labour and Social Policy, the sectors of the labour market in which Ukrainians are most commonly employed using the work permit scheme are construction and household services. Russians, on the other hand, are present in trade and the professional services sector.

**Table 3. Work permits issued in Poland for citizens of Russia and Ukraine, 2008-2013**

Year	Country		
	Ukraine	Russia	All
2008	5,400	420	18,022
2009	9,504	540	29,340
2010	12,894	491	36,622
2011	18,669	549	40,808
2012	20,295	719	39,144
2013	20,416	822	39,078

Source: Ministry of Labour and Social Policy

In 2007, the supplementary scheme to the work-permit system, namely an employer's declaration of his or her intent to employ a foreigner, was implemented. Its main aim was to simplify access to the labour market for short-term (seasonal) workers and to reinforce circular migration from eastern neighbouring countries. At the beginning, the declaration scheme was addressed only to citizens of Ukraine, Russia and Belarus. In 2009, it was extended to Moldovans and Georgians, and as of 2014, it also applies to Armenians. The foreigners employed on the basis of the employer declaration system are not obliged to have a work permit. Importantly, the procedure was originally limited to several, mostly typical, seasonal sectors, but has since been extended; today it includes a broad range of economic sectors (including highly-skilled ones). Just within the last 2-3 years this scheme became an entry gate for thousands of labour migrants (see Figure 1.).

**Figure 1. Number of employer declarations issued in 2007-2013**

Source: Ministry of Labour and Social Policy

A year after the declaration scheme came into force, the number of employees hired in this manner began to rise significantly (from 21,000 in 2007 to 259,000 in 2011). It is important to note that the increase continued even during the economic downturn. Especially among Ukrainians, the employer declaration scheme has gained growing popularity over last years (see Table 4). In 2013, more than 217,000 declarations (92% of the total) were issued for Ukrainians. The scale of declarations issued for Russians is at a much more moderate level: 1,200 declarations were issued in 2013 (0.5%).

**Table 4. The number of employer declarations, by nationality of workers, 2007-2013**

Year	Nationality of worker					Total
	Ukraine	Belarus	Russia	Moldova	Georgia	
2007	20,260	1,347	190	-	-	21,797
2008	142,960	12,606	1,147	-	-	156,713
2009	180,133	4,860	674	2,747	0	188,414
2010	169,490	3,623	595	5,912	453	180,073
2011	239,646	4,370	963	13,024	1,774	259,777
2012	223,671	7,636	1,624	9,421	1,384	243,736
2013	217,571	5,194	1,260	9,248	2,343	235,616

Source: Own elaboration based on the data from the Ministry of Labour and Social Policy

Analysing the official statistical data, one notices that Ukrainian citizens employed in Poland on a temporary basis are particularly concentrated in agriculture, construction and service sectors (around 2/3 of all employer declarations are received from the first two sectors). In cases of more settled Ukrainian migrants, the variety of sectors is wider, including education and health services (Fihel 2007). Russians are characterized by much less sectoral concentration, and in addition, the sectors are different – most of them are employed as professionals and in the trade sector. The distribution of declarations issued over a calendar year clearly shows the seasonality of employment based on the employer declaration scheme. Most of the declarations are registered by employers between February and May, and a very small number are registered in autumn and winter, which proves that this scheme is popular for employing foreigners in seasonal sectors such as agriculture, horticulture and construction.



Despite the recent liberalization of access to the labour market, the scale of the employment of foreigners in Poland is still very limited. Simultaneously, a trend of growth can be observed, particularly as regards seasonal employment based on declarations issued to foreigners. The analysis of foreigners' nationalities demonstrates that regardless of employment type, nationals from Ukraine and other EaP countries dominate. On the basis of the presented patterns of inflow, it is clear that the inflow of Ukrainians and Russians to Poland has a short-term character; the migrants are more interested in finding temporary employment in Poland and circulating between the two countries than in settlement. This can be described as "permanent temporariness" – the visits to Poland are short-term but the repetition of them makes migration a lasting phenomenon. This type of flow is also sustained by the existing legal and political framework implemented in Poland.

### **3. Institutional and policy framework and its impact on immigration flows of Ukrainian and Russian nationals to Poland**

#### **3.1 General overview**

In the early 1990s, Poland, among many other challenges related to its transition period, had to face its own transformation from a state with a restrictive exit policy and the forcibly-repressed spatial mobility characteristic of the communist regime (Stola 2001; Okólski 2004) to a democratic state with open borders. This change was difficult, given the fact that Poland has traditionally been a country of emigration, with little experience in regulating foreign inflows. After a relatively liberal admission policy post-1989, Poland's accession negotiations with the EU led to the introduction of new and stricter rules and regulations (Weinar 2006). The first Aliens Act of 1997 narrowed the possible legal channels of migrant entry and tightened border controls. The 2003 Aliens Act included even more restrictive legal provisions regarding border control, the visa system and residence rights. The Act introduced visa requirements for citizens of a number of countries (including the closest neighbouring countries, and for Ukrainians and Russians) who had previously enjoyed visa-free movement. An even stricter admissions policy was generally implemented once Poland became part of the EU (2004) and the Schengen Group (2007). There is no doubt that membership in the EU is a crucial milestone in the development of immigration policy in Poland (Kicingier 2005; Weinar 2006; Duszczuk 2012). The requirements that Poland was obliged to fulfil as a new member constitute the key impulse for the development of the current legal and institutional system. Moreover, this process has been top-down, in response to external EU administrative guidance and pressures rather than to local immigration processes (Lesińska 2010: 58). In addition, due to its small scale, immigration is not yet perceived as a major social or political problem. It is not an issue in any political or public debates (in contrast to post-accession emigration issues). In fact, the process of the formulation and implementation of the policy can be described as a purely technocratic one.

Over last years, several important developments related to immigration policy have been noticeable (most of which were already mentioned in the introductory part of this text). They all follow a trend which can be summarized as an evolution towards the slow and controlled opening-up of Poland to foreigner inflows. These developments have some serious limitations, however. They promote circular (as opposed to settlement) labour migration. Direct incentives to encourage inflows are directed primarily to EU citizens and nationals from eastern neighbouring countries, and are focused on legal and economic spheres (not on socio-cultural or political ones). As a result of recent economic development and the growing need for a labour force (as well as the mass emigration of Poles in recent years), Poland has become more and more attractive to foreign workers. Poland's migration policy has shifted from protection against inflows to facilitation for desirable groups of migrants. The most important legal and political provisions which can be perceived as drivers of migration are related to the liberalization of labour-market entry rules for foreigners (the far-reaching simplification

of legislation concerning work permits in 2008,<sup>6</sup> and the introduction of the employer declaration system – already mentioned above).

### 3.2 Integration policy in Poland and its impact on immigrants from Ukraine and Russia

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 in order to align Polish migration law with relevant EU legislation. To a lesser extent, it has been developed to solve specific administrative problems that have emerged in practice (in order to remove loopholes and avoid interpretational discrepancies). 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 have until now been addressed only to two groups of incomers, namely recognized refugees and repatriates and their families. This can be explained first of all by Poland's limited experiences with long-term immigrants requiring integration programmes, and secondly – by policy makers' lack of interest in encouraging settlement migration.

The state policy towards immigrants that has been implemented in Poland since the 1990s can be described as incorporation 'via abandonment' (Grzymała-Kazłowska and Weinar 2006). This means that there was limited institutional support from the state and NGOs. In addition, the migrant communities are poorly developed (with few exceptions), and the adaptation of immigrants to life in Poland has been difficult, especially for those of non-European origin. The integration system has been very selective and implemented on a small scale – there were only two special short-term integration programmes for two particular categories of immigrants: people with refugee (or temporary protection) status, and repatriates and their families. While the first was enforced by international law requirements (e.g. the Geneva Convention signed by Poland in 1991), the second resulted from a repatriation policy that has been in force in Poland since the mid-1990s.

The long neglect of integration policy stems from a failure to recognize the emergent ethno-cultural diversity in this otherwise homogenous country, and from a belief that Poland is a transit country with 'unproblematic' immigration, that is to say, dominated by immigrants of European origin with a very limited scale of settlement immigration. The issue of immigrant integration remains a low priority on the Polish political agenda (Lesińska 2010: 76). The official justification of the state's narrow scope of activity in this area can be explained by its relatively low scale of foreigner inflows and their temporary (transit, circular) nature. Moreover, there are only a small number of settled immigrants, most of whom come from neighbouring eastern countries and have no serious integration problems, due to their cultural and linguistic compatibilities.

Up until 2005, there was no official document detailing the integration issue and its scope in a manner other than in simple, general statements. The 'Proposals of Actions Aimed at Establishing a Comprehensive Immigrant Integration Policy in Poland', a document issued in 2013 by the Ministry of Labour and Social Policy (which is officially responsible for integration policy), clearly confirm that "*at present, integrative actions in Poland, within special individual integration programmes, are focused on one group of people only – those with refugee status*". Since then, the scope of beneficiaries of the state's integration programmes has not changed. The only progress is visible in the development of the institutional structure. In 2013, the Working Group on the Integration of Foreigners was established within the Department of Aid and Social Integration (Ministry of Labour

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<sup>6</sup> The Act of Employment Promotion and Labour Market Institutions of 19 December 2008 (the Journal of Laws 2009, no 6 item 33). The Act eliminated the previous extremely-bureaucratized procedures regarding work permits and liberalized the procedures regarding the so-called labour market test.

and Social Affairs). The main aim of the group was to prepare the document “the Polish integration policy on foreigners – assumptions and guidelines”, which at present is being reviewed by non-governmental partners. It is very small, but still, this initiative is progress within the area of integration policy in Poland, given that this subject has been of little interest to policy makers over the last decades. At present, the document has not yet been accepted as an official document by the administration, which means that it currently has no impact in practice.

As regards legislation related to the incorporation of foreigners into the social security entitlements system, Polish law meets European standards. Foreign nationals working legally in Poland possess the same package of social rights as Polish citizens, including entitlements to pensions, medical care and unemployment benefits. With regard to the incorporation of foreigners into its legal-political system, Poland is still one of the most restrictive countries in Europe. Foreign residents have no voting rights at any level (with the exception of EU citizens, whose right to vote and be elected at the local level has been secured in EU law). Poland also did not sign the fundamental document encouraging the political participation of foreign nationals, namely the Council of Europe’s Convention on the Participation of Foreigners in Public Life at the Local Level (adopted in 1992). In addition, foreigners are not represented in any labour union or political party in Poland. This explains why these institutions do not normally include immigration-related issues on their agendas. Moreover, even if the immigrants have the right to establish associations, their number and impact is very limited. Immigrant organizations are not recognized as influential actors by the state administration, and there is no institution – such as a consultative or advisory body – that could function as a forum for communication between immigrants and authorities at the central level.

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

### **3.3 Emigration/diaspora policies of Ukraine and Russia and their influence on the integration of their nationals into Poland as a destination country**

Amidst the factors influencing the patterns, types and scale of inflows, a key role is played by the legal, political and institutional frameworks implemented in both destination and source countries, which include entry/exit rules and the general situation of the economy and labour market. Therefore, a general overview of the policies currently in force in Ukraine and Russia addressing emigration and nationals abroad will be presented below. The aim of the overview is to identify any potential clash or convergence with the migration and integration policies of Poland as a destination country.

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 political campaigns and in the media in these countries (Makaryan 2013).

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.

*Ukraine*

Ukraine is a net emigration country. The size of the Ukrainian population residing abroad is estimated to be more than 6 million people, which means approximately 13% of the country's population. Taking this into account, the emigration / diaspora policy should therefore be one of the priorities of Ukrainian authorities. According to the experts' opinion, however, it is underdeveloped in terms of its strategy, legal and political framework and practical measures (Jaroszewicz and Szerepka 2007; Chumak and Kaźmierkiewicz 2009; Małynowska 2011; Tolstokorova 2012; Ivashchenko 2014). The institutional framework responsible for emigration and diaspora issues includes: the Ministry of Foreign Affairs (protection of the rights of citizens abroad and the development of ties with Ukrainian nationals residing abroad), the Ministry of Labour and Social Policy and the Ministry of the Interior (which plays a supportive role in actions related to the labour migration of Ukrainians) (MPC Team 2013).

The Constitution of Ukraine of 1996 (in Section II: Human and Citizen Rights, Freedoms and Duties) guarantees a wide range of rights to Ukrainian nationals residing abroad, including access to voting rights in state elections, social benefits and cultural and educational services. It also ensures the right to return at any time, and guarantees care and protection to citizens staying abroad. These main principles are directly repeated in various political documents related to emigration and the diaspora which were implemented over last decade by Ukrainian authorities (e.g. the National Programme "Ukrainian Diaspora" for 1996-2000, the National Action Plan "Foreign Ukrainians" for 2001-2005, the presidential decree "the main directions of social policy until 2004" issued on 2000). The state priorities included in these documents are: to provide support to the development of relations between the Ukrainian state and its diaspora and to encourage the preservation of national identity, culture and language (Tolstokorova 2012). The urgency of establishing legal and socioeconomic grounds for regulating labour emigration, and the state's obligation to protect the social and economic interests of Ukrainian workers were mentioned for the first time in the presidential decree of 2000 (ILO 2012: 12). Since then, the issue of emigration and the protection of the rights of Ukrainian nationals abroad has become one of the state's priorities, at least in political documents and declarations.

In 2004, the Programme on the Provision of Rights and Interests of Citizens Going Abroad for Employment and for Children Adopted by Foreigners was adopted. In the document, concluding bilateral and multilateral agreements on labour migration, introducing legal provisions for the control of intermediary agencies and tackling human trafficking were all declared priorities. The main aim of "the State Programme for Cooperation with Ukrainians Living Abroad up to 2015", adopted in 2012, is to provide Ukrainian nationals residing abroad with financial and organisational support for their cultural and educational networks, and to envisage the protection of Ukrainian nationals abroad in the countries of their residence. In the programme above, the broad term "Ukrainians living abroad" was introduced to refer to second, third and fourth generation Ukrainians who lose connection with their historical mother country as well as with their national and cultural identity due to their social and spiritual adaptation to the realities of their countries of residence.<sup>7</sup> The programme also underlines the need to engage Ukrainians residing abroad in development projects in Ukraine. Until now, however, there has been no evaluation of the programme to assess its value, impact and effects.

As in other post-Soviet countries, the authorities of Ukraine link emigration policies to labour migration issues. The migration policy (conceptualized in the "State Migration Policy Concept" adopted in 2011) stresses the state's role particularly with respect to strengthening the social and legal protections of Ukrainian citizens working abroad. One of the strategic points included in this document is "to strengthen the social and legislative protection of Ukrainians citizens working abroad by activating international collaboration, concluding international agreements on the rights of working

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<sup>7</sup> A description of the programme is available (in English) on: <http://www.iom.org.ua/en/legislation/migration-related-legislation/state-program-of-cooperation-with-ukrainians-living-abroad.html> [Accessed 20 June 2014].

migrants, their border crossings and allocations in the countries of employment and establishing favourable conditions for their return to Ukraine in order to decrease emigration flows” (see <http://www.culturalpolicies.net/web/ukraine.php?aid=346> [Accessed 25 January 2015]).

The main political instruments are international cooperation and bilateral treaties aimed at the protection of migrant workers’ rights. As a result, bilateral intergovernmental agreements on social security for Ukrainian migrants were signed between Ukraine and many countries from Central Eastern Europe (including Bulgaria, Latvia, Lithuania, Romania, Slovakia, Hungary, the Czech Republic and Poland). Under the agreements, labour migrants are to be accorded the same rights and obligations as nationals, and benefits acquired in one country may be transferred to another. The bilateral agreement on Social Security between Ukraine and Poland was signed in 2012 (and came into force 1 January 2014).<sup>8</sup> The agreement, which Poles and Ukrainians were deprived of before, guarantees that there will be no negative impact on insurance for citizens of Ukraine and Poland if they change their place of residence or employment to the other signatory country. Provisions of the agreement apply to contract workers and self-employed persons (as well as to members of their families) who are entitled to social insurance in the territories of both countries. It is expected that the agreement, by encouraging the elimination of double payments for businesses operating in both countries, will have a favourable impact on economic cooperation between the two countries. Although bilateral agreements on social security are a step in the right direction (to encourage legal employment and to provide incentives for migrant workers to return to Ukraine), their impacts are limited; they ensure social security rights only for the Ukrainian labour migrants who work legally in the signatory countries (ILO 2012).

The “State Migration Policy Concept” of 2011, already mentioned above, declares that one of the state’s priorities with regard to emigration and the diaspora, is to create favourable conditions and mechanisms for the return of Ukrainian nationals residing abroad, and to take advantage of the socio-economic investments of Ukrainian migrants in order to benefit the national economy (Coupé and Vakhitova 2013). The anticipated measures include stepping up cooperation with the destination countries through the ratification of bilateral agreements on social security and labour migration as well as work placement, arrangements for the recognition of certificates and qualifications and larger national quotas for qualified Ukrainian workers. The document also included policies directed towards return migrants and several proposed concrete incentives: improved opportunities for running small business, improved information about the availability of new jobs through the establishment of a national database of job vacancies and lowered fees for transferring migrants’ remittances (ILO 2012: 13).

Despite all the above-mentioned political programmes and declarations, as of now, none that address return migrants and their families have come into effect as no budget funds have been allocated (Bogdan 2010). Moreover, there are no legal instruments encouraging Ukrainians to start their own businesses after their return and no special taxation relief for those who plan to invest money into the local economy. Problems with double taxation and the portability of social rights for migrants are also not yet regulated in practice.

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<sup>8</sup> The text of the agreement is available (in Polish) on:  
<http://www.mpips.gov.pl/gfx/mpips/userfiles/File/Departament%20Koordynacji/UMOWA.pl.pdf> [Accessed 25 January 2015].

*Russia*

Russia is first and foremost a net immigration country, pulling massive numbers of labour migrants from ex-Soviet countries. In contrast with issues relating to immigration and foreigners in Russia, which became a huge political and social problem over last decade, there has been little interest in emigration and diaspora issues. The situation has changed recently, however, in light of the recent crisis with Ukraine and conflict in the Crimea region. The wide debate on Russian state-obligations towards Russian-speaking persons residing abroad started at that point and the concept of Russian nationals abroad became highly politicized. The problem of depopulation in particular regions of the Russian Federation has also fuelled the state authorities' growing interest in compatriots. Over the last years, there has also been a noticeable active development of a legal and institutional framework related to Russian nationals living abroad.

According to different sources, the number of Russian nationals residing all over the world varies from 25 to 30 million (Tkach 2014). Instead of the term diaspora, expressions such as compatriots, nationals or Russian citizens living abroad are used in official documents related to Russian emigrants. Recently, broader terms – the Russian-speaking community or Russian-speakers – are also often used to refer to Russian diaspora worldwide. The dominant idea of a Russian policy towards Russian nationals residing abroad is based on two main objectives: developing and maintaining cultural ties between Russians abroad and the mother country, and facilitating voluntary resettlement (from the CIS and the Baltic states, in particular) (*ibidem*).

The institutional framework responsible for emigration and diaspora issues includes the President and Government of the Russian Federation, the Ministry of Foreign Affairs, the Federal Migration Service (the Department for Relations with Compatriots), and the Federal Agency for the Commonwealth of Independent States, Compatriots Living Abroad and International Humanitarian Cooperation (*Rossotrudnichestvo*, established in 2008 by Presidential Decree).<sup>9</sup> The main aims of the latter are to implement projects to strengthen international ties, to support closer cooperation with Russians living abroad and to promote a positive image of Russia abroad. One of the agency's key objectives is to promote Russian culture and Russian language abroad, including by teaching Russian via courses provided by the Russian Centres for Science and Culture. Although the agency is represented in approximately 100 countries all over the world, the CIS countries remain its priority and the Government Commission on the Affairs of Compatriots Abroad plays the role of coordinator in the process of implementing the projects addressed to Russian diaspora coordinating role.

The main political document pertaining to Russian nationals abroad is the Foreign Policy Concept of the Russian Federation, which includes key principles, such as the protection of the rights and interests of Russian nationals abroad, and the reinforcement of the status of the Russian language in the world.<sup>10</sup> The more detailed document, which specifies the framework of Russia's diaspora policy, had already been adopted in 1999.<sup>11</sup> This law proclaims different types of support for nationals residing abroad, including human rights protection, economic engagement with the national economy and mutual collaboration in the areas of culture, language and education. These main ideas were developed in a special programme addressing Russian diaspora – the Programme of Work with Compatriots Residing Abroad in 2013-2014.<sup>12</sup>

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<sup>9</sup> See <http://rs.gov.ru> [Accessed 2 July 2014].

<sup>10</sup> The Foreign Policy Concept of the Russian Federation (signed in 2013), available on: [http://www.mid.ru/brp\\_4.nsf/0/6D84DDEDEDBF7DA644257B160051BF7F](http://www.mid.ru/brp_4.nsf/0/6D84DDEDEDBF7DA644257B160051BF7F) [Accessed 25 January 2015].

<sup>11</sup> The Federal Law No. 9 on the state policy of the Russian Federation concerning compatriots abroad, available on: <http://rs.gov.ru/node/658> [Accessed 25 January 2015].

<sup>12</sup> The Decree of the Government of the Russian Federation No. 1149-p, 5 July 2013. The Programme of Work with Compatriots Residing Abroad in 2013-2014, available on: <http://www.mid.ru/bdomp/ns-dgpch.nsf/215bdcc93123ae8343256da400379e66/f1e4442a0211341644257bb1002bc70f!OpenDocument> [Accessed 25 January 2015].

In response to the demographic crisis and the pessimistic population prognosis (especially for peripheral regions in Russia which are seriously threatened with depopulation), the authorities attempted to mitigate these negative trends by facilitating the resettlement of nationals from abroad. A dedicated programme was implemented to achieve this aim: the State Program to Assist Compatriots Living Abroad in their Voluntary Resettlement in the Russian Federation, approved by Presidential Decree in 2006.<sup>13</sup> This programme is oriented mainly toward Russians born in the USSR and their descendants – that is, Russian nationals living mostly in the ex-Soviet states, who are not emigrants *per se*. The aim of this program is to help reallocate Russian-speakers into particular regions in Russia (depopulated, strategic border regions and regions with intensive investment policies) (Molodikova 2007: 13). The dedicated institutional and legal structures were developed to implement the programme, including the special department within the Federal Migration Service for the management of work with compatriots. The programme guarantees a compensation package including reimbursement of all travel expenses, and additional assistance with employment and housing. Despite expectations, the programme did not prove popular among Russians living in countries of the former Soviet Union (Tkach 2014).

There are no particular agreements on sending Russian workers abroad. The legal framework on cooperation between Russia and the EU includes the Agreement on Partnership and Cooperation, Establishing a Partnership between the Russian Federation and the EU (1994).<sup>14</sup> It guarantees that Russian citizens can be legally recruited, on equal terms with the citizens of the EU states with regard to working conditions, benefits or dismissal. In 2006, the Agreement on Readmission between the Russian Federation and the EU was also signed.<sup>15</sup> There are also a number of bilateral agreements on double taxation signed with more than 80 states, including EU countries. The Agreement between the Government of the Russian Federation and the Government of the Republic of Poland on the Avoidance of Double Taxation of Income and Property had already been signed in 1992.

One of the instruments to strengthen the ties between nationals residing abroad and their mother country and to keep emigrants interested in the situation of their home country is granting them suffrage in national elections. Russian citizens residing outside the territory of the Russian Federation have full voting rights in federal bodies (including parliamentary and presidential elections) and can also participate in voting on national referenda at ballot stations established abroad. Having dual citizenship is also allowed by Russian law, which means that a Russian citizen receiving citizenship from another country is not required to terminate citizenship from the Russian Federation.

Table 5 summarizes the main characteristics of the legal and institutional frameworks that are related to emigration/diaspora policies in Ukraine and Russia.

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<sup>13</sup> The text of the programme is available online: <http://www.fms.gov.ru/about/structure/management/nash/> [Accessed 6 July 2014].

<sup>14</sup> Available on: <http://eu-law.ru/россия-и-ес/спс/> [Accessed 25 January 2015].

<sup>15</sup> Available on: <http://eu-law.ru/2011/05/coglashenie-o-readmissii/> [Accessed 2 July 2014].

**Table 5. Legal and institutional frameworks of emigration/diaspora policies: Ukraine vs. Russia**

	<b>Ukraine</b>	<b>Russia</b>
<b>Legal framework for emigrants/diaspora</b>	Formal and organized structure	Formal and organized structure
<b>Approach towards emigrants</b>	Protect the social and economic rights and interests of Ukrainian workers abroad; encourage emigrants to send remittances; engage Ukrainians residing abroad in development actions	Protect the rights of labour migrants in destination countries; develop strong relations with the mother country; implement projects to strengthen international ties; support closer cooperation with Russians living abroad; promote a positive image of Russia abroad
<b>Main state-actors</b>	- Ministry of Foreign Affairs; - Ministry of Labour and Social Policy, Ministry of the Interior	- Federal Agency for the Commonwealth of Independent States, Compatriots Living Abroad and International Humanitarian Cooperation ( <i>Rossotrudnichestvo</i> ); - President and Government of the Russian Federation, Ministry of Foreign Affairs, Federal Migration Service
<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>	Provide Ukrainian nationals residing abroad with financial and organisational support for their cultural and educational networks	Promotion of Russian culture and language abroad, including teaching Russian via courses provided by the Russian Centres for Science and Culture
<b>Dual citizenship</b>	Accepted	Accepted when a Russian citizen obtains second citizenship, but when a foreigner applies for Russian citizenship – he/she is obliged to renounce the previous one



#### 4. Integration trends of Ukrainian and Russian migrants in Poland in light of the INTERACT survey

The INTERACT survey was an exploratory survey conducted between December 2013 and September 2014. The survey targeted civil society organisations working in 82 countries (28 EU countries of destination and 54 countries of origin with more than 100,000 migrants residing in the EU). Any organisation dealing with migrant integration in one of the eight dimensions (labour market, education, language, social interactions, religion, political and civic participation, nationality issues, housing) could take part in the survey. Respondents could choose between one and three integration dimensions in which their organisation was active. The survey was translated into 28 languages and over 900 responses were collected online and over the phone. Although the exploratory character of the survey does not allow one to make generalisations about the whole population of civil society organisations, it does shed light onto the ways that these actors' activities impact migrant integration between the origin and destination countries. However, the survey does much more than just mapping these activities in a comparative context; it shows how organisations perceive states of origin and their policies in the context of the day-to-day reality of incorporating migrants into the receiving society. This report presents information pertaining only to Ukrainian and Russian migrant groups in Poland.

In Poland, 24 representatives of organizations working with migrants took part in the survey. Those organizations claimed to work with Russian and Ukrainians migrants residing in Poland, in addition to other migrant groups. Before presenting the general conclusions from the survey, an important point should be noted concerning the profile of Russian and Ukrainian migrants who receive assistance from the surveyed organizations. The organizations which work with the Russian migrant population in Poland deal with refugees and/or asylum seekers who have Russian nationality (and Chechen ethnicity), but this group is not representative of the population of Russian migrants residing in Poland. On the other hand, the Ukrainian migrants who contact the organizations serving migrants in Poland are usually labour migrants pursuing temporary stay and employment in Poland. Taking this into account, the survey evidence must be interpreted with some reservations, and should not be interpreted as referring to the general population of Ukrainian and Russian migrants in Poland.

The most common profiles of organizations whose representatives took part in the survey were foundations and associations. Several international organizations with agencies in Poland also participated.

The results of the survey confirm the fact that immigration from Russia and Ukraine to Poland is structurally different, a fact which is also supported by other data sources (presented in the previous sections). The overwhelming majority of Ukrainian migrants to Poland are labour migrants. 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), see Table 6. below.

**Table 6. Main reasons for migration to Poland in the case of Ukrainian and Russian migrants (averages for 2010-2012)**

Country of origin	Family reasons	Education reasons	Remunerated activities reasons	Refugee status	Subsidiary protection	Other reasons	Total
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: EUROSTAT.

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 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 of 2013 (data from the Polish Ministry for Foreign Affairs); the number of seasonal migrants increased as well – 183,000 of the 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). However, it must be pointed out that Russians are the top nationality registered in asylum seekers statistics (see Section 2). The vast majority of asylum seekers from Russia declare Chechen ethnicity.

It is difficult to estimate the real interest of migrants in obtaining assistance from migrant organizations. The organizations that took part in the survey reported that approximately 50 migrants (of Ukrainian and Russian nationality) contacted them asking for assistance in the period of the last twelve consecutive months. According to collected data, the medium-large organizations were the most popular destinations for migrants searching for assistance. The relatively small number of migrants who contact organizations confirms the hypothesis that the most common source of assistance and information for migrants are other migrants and representatives of their social networks.

The results of the survey show that the most common tasks of the organizations that participated in the research first and foremost include the provision of up-to-date and reliable information related to the legal and institutional framework and labour-market conditions in Poland (including information about available jobs). Other possible areas of service offered by these organizations (such as lobbying for recognition of qualifications or support for training) appeared to be much less important. Additionally, the surveyed organizations' areas of activity that address Ukrainian migrants seem to be more diverse (in comparison with activities addressing Russian migrants). Among other things, they provide services such as informing Ukrainian migrants about student opportunities abroad. This is probably related to the fact that among foreign students at Polish universities, Ukrainians are the predominant group. Many young Ukrainians are interested in study opportunities in Poland and other countries.

Several questions in the survey were linked directly to the role of language in relation to the country of origin and country of destination. The representatives of the surveyed organizations were asked to identify the main channels for learning the language of the country of origin while being in Poland. According to their responses, it can be assumed that the main ways are related to kinship, on the one hand, and to cultural events and the media, on the other. Travelling back to the country of origin appears to be another important situation that facilitates the process of learning the country-of-origin language. At the same time, the respondents indicated that schools, religious organizations and other associations play a less important role with respect to migrants and their children learning the country-of-origin language. When asked about the sectors of labour market where the native language could be used and be an added value, respondents indicated sectors such as teaching and translation services, as well as tourism, international organizations and diplomatic missions.

Another section of the survey was dedicated to the labour market. In one of the questions, respondents were asked to indicate the effectiveness of particular instruments in helping migrants to find a job in the destination country. The representatives of organizations working with Ukrainian and Russian migrants tend to believe that associations in the country of origin are more important in this respect than any official instruments implemented by the country of origin (such as governmental policies, initiatives supporting the employability of migrants abroad or 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. The representatives surveyed also admit that their organizations' impacts on migrants'

position in the Polish labour market is in practice very limited. Furthermore, it seems that their impacts on other issues related to the labour market, such as wage levels or occupational skills-matching, also remains marginal.

A separate section of the survey was dedicated to the social integration and civic and political participation of migrants. In general terms, the representatives of the organizations surveyed believe that the country-of-origin policies that pertain to migrants' social relations have a positive impact on migrants' integration in the destination country (however, there were also a few responses that indicated both positive and negative impacts). At the same time, what should be underlined here, in both cases –the Ukrainian and Russian migrant populations in Poland – is that governmental support from the country of origin is in practice very low, and is generally limited to legal assistance available from consulates. All respondents provided negative answers to the question related to country-of-origin governmental support for the establishment of organizations such as official representations, schools, religious institutions or cultural centres in the destination country. It clearly shows a serious gap between the legal and institutional frameworks that officially exist within the state political system in the countries of origin (see Section 3 of this paper), and their implementation in practice.

One of the most striking outcomes of the survey is related to the civic and political participation of migrants. Generally, its level is very low in practice, and moreover, organizations working with migrants do not provide any services in the area of civic and political participation in the country of origin. According to survey results, respondents felt 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, participation (or non- participation) in the political and public spheres of the country of origin does not influence social relations, school performance, religious practices or the residential integration of migrants in the country of residence (this is especially clear in case of Russians). It can be explained, on the one hand, by the characteristics of migrant groups that were the subject of the survey (Ukrainians are not interested in deeper integration into the social and political sphere in Poland because they believe that their residence there is temporary; moreover, it is difficult to expect that Russian migrants (who are in fact Chechen asylum seekers) would be engaged in any political or public activities taking place in Russia. Additionally, the lack of visible institutional support from the countries of origin is an important piece of the puzzle in this picture.

Although, there is no data indicating the number of migrants who keep the passport (and citizenship) from their previous country while naturalizing in Poland, it can be assumed that many do; moreover, Polish law accepts double citizenship. 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 (as in the case of Ukrainian migrants), and for sentimental reasons (migrants feel attached to their country of origin, which is the common answer in the case of Russian migrants).

To conclude, the survey shows the following: 1) organizations working with migrants have an insignificant role in Ukrainian and Russian migrants' integration process in the country of destination; 2) there is no 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 to address nationals living abroad and their implementation in practice; 3) the activities of organizations working with migrants are focused on assisting them with their process of adaptation in the labour market in the country of destination. At the same time, their role in other areas such as education or social integration remains marginal.

## 5. Main conclusions

The migrant profile of Poland is dynamic. Although it remains a net emigration country, the size of the foreign population in Poland is growing. However, this population has a predominantly temporary and circular, not settlement, character. The major groups of migrants come from eastern neighbouring countries, with Ukraine being the main source country. Ukrainian nationals in Poland represent first and foremost a short-term type of labour migration; most of them circulate between Poland and Ukraine with a limited intention of settling down in Poland. However, this situation may change, given the political instability in Ukraine as a result of the conflict between Ukraine and Russia. The second migrant group investigated in this report were Russians, who constitute a much less numerous group of migrants, but at the same time – a much more diverse group. Within the category of Russian migrants in Poland, we can find specialists and highly-qualified workers on the one hand, and refugees and asylum seekers, on the other. It is important to note that every year approximately 90% of asylum applications in Poland are submitted by Russians of Chechen ethnicity.

The report's analyses of the immigration and integration patterns of Ukrainians and Russians residing in Poland cover the role of both the country of destination and countries of origin.

Over last years, there has been a noticeable evolution of migration policy in Poland towards a slow and controlled opening-up to foreigner inflows. This evolution has serious limitations, however, such as the promotion of specific types of inflows (circular, as opposed to settlement) and the fact that the policy targets particular groups of migrants: EU citizens and nationals from eastern neighbouring countries. The most important legal and political provisions which could be perceived as drivers of immigration are related to the liberalization of labour-market entry rules for foreigners (via the simplification of legislation concerning work permits and the introduction of an employer declaration system). Moreover, another important factor influencing corridors of migrant flows and integration patterns is the lack of a long-term and systematic integration policy addressing foreigners residing in Poland. The legal and institutional framework related to migrant integration can be portrayed as a reactive, centralized and top-down system, and by no means should be treated as a driver encouraging migrant inflows and settlement processes. Despite the state's generally passive attitude to the integration of foreigners, a more active approach to the integration of foreigners is noticeable in the NGO sector, which can be described as a partial substitute for state administration when it comes to the implementation of integration policy.

In analysing the emigration / diaspora policies of Ukraine and Russia, it must be stressed that the primary focus of these policies are nationals working abroad and the resulting negative consequences to the country such as brain-drain and depopulation. The return migration of nationals from abroad has also become an attractive issue recently in political campaigns and in the media in these countries. Although it is difficult to say that there are any separate diaspora policies that have been adopted by 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, and on keeping relations between nationals residing abroad and the country of origin as active as possible.

The survey, which was conducted with representatives from various organizations in Poland that work with migrants, adds yet another layer to the picture. The survey results confirm several important conclusions. In the case of Ukrainian and Russian migrants in Poland, they show the organizations' marginal roles in the migrants' integration process in their country of residence. Moreover, according to respondents, there is no evidence of any organized support from the countries of origin with respect to migrants' integration in their country of residence. This means that there is a serious gap between the legal and institutional frameworks that officially exist within the Russian and Ukrainian state systems to address nationals living abroad, and their implementation in practice. These survey results confirm the fact that, in this particular case, neither the country-of-destination nor country-of-origin

governments care about migrant integration. Moreover, the activities of organizations working with migrants are predominantly focused on assisting migrants with their process of adaptation within the labour market, while their role in other areas, such as education or social integration, remains marginal.

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