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Russian aggression on Ukraine and forced migrations: the role of Poland in the first days of the crisis

In this special issue of CMR Spotlight, a team of CMR researchers describes the most important facts about forced migrations caused by the Russian aggression on Ukraine, its effects, the reaction of the EU, the Polish state and Polish society. Also some recommendations for further actions to mitigate the effects of the crisis are proposed.



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Russian aggression on Ukraine and forced migrations: the role of Poland in the first days of the crisis

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On February 24, 2022 in the early morning hours Russia attacked Ukraine, violating all norms of international law and rules of European security. The aggression started with rocket attacks, followed by land forces entering Ukraine simultaneously from the East, South, and West, including from the territory of Belarus. Such a broad Russian offensive and attack on civilian targets caused intense forced migrations. According to the [office of the United Nations High Commissioner for Refugees \(UNHCR\)](#), 1,7 million people fled (data as of March 7, 2022). Most (60%) crossed the border with Poland – 1,270,000; 230,000 people crossed the border with Moldova, followed by Hungary – 180,000, Slovakia – 128,000 and Romania – 202,000. A significant part of those who come to Moldova immediately depart for Romania, which results in these people being counted twice in the above statistics (according to the above data from the UNHCR 123,000 refugees from Ukraine moved from Moldova to Romania). The numbers of people arriving in Poland, Moldova and Romania is rising dramatically, whereas the inflows into Hungary and Slovakia remain

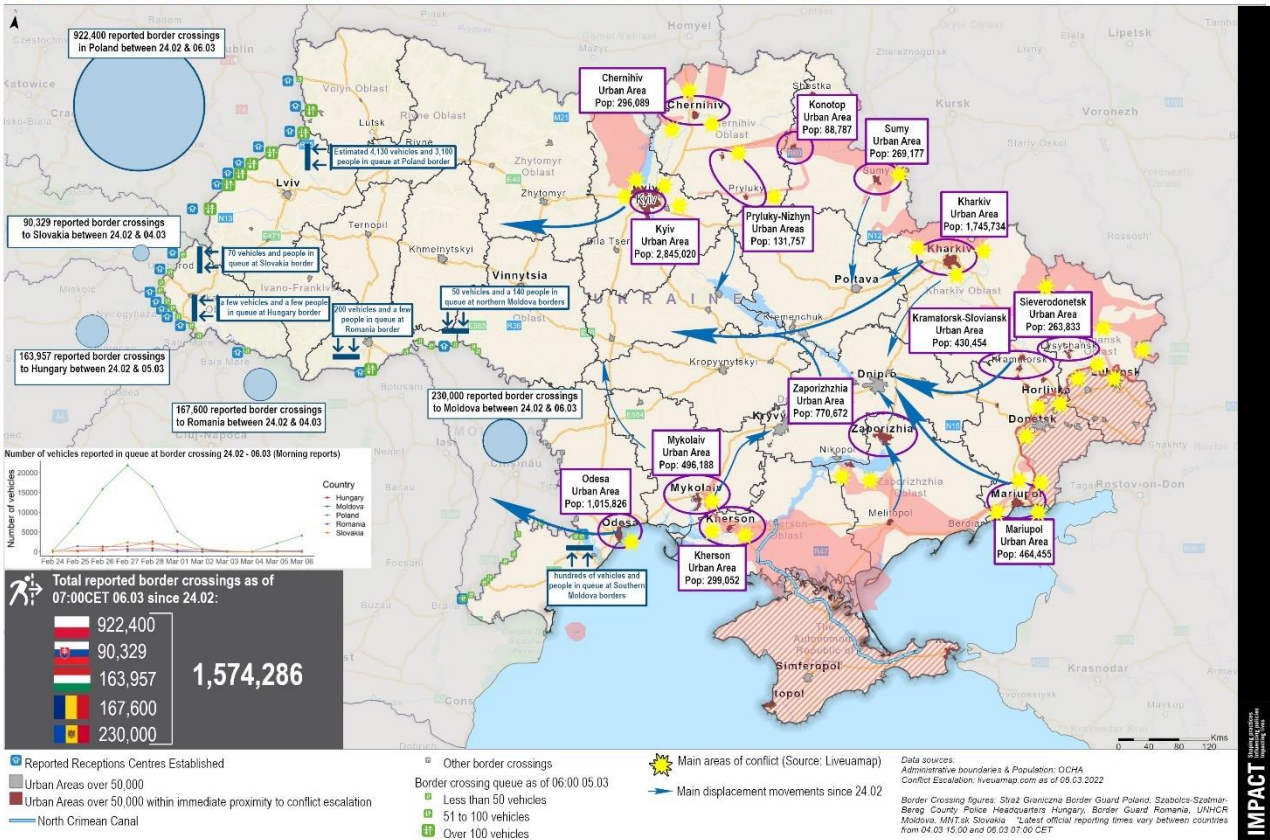
stable. The states accepting refugees from Ukraine, with the exception of Moldova, are European Union members, which is significant for the common EU response regarding the reception and international protection of the people fleeing, which has been a work in progress for the past several days. There are no credible data regarding internally displaced persons (IDPs) – due to the fighting going on in various regions the state and international organizations are not monitoring the situation comprehensively. Initial estimates of the UNHCR from the end of February spoke of [at least 160,000 IDPs](#). During the United Nations Security Council on February 28, [Filippo Grandi, the United Nations High Commissioner for Refugees](#) estimated that the number of refugees from Ukraine can reach 4 million in the coming weeks, and that the exodus is the largest in Europe since the Balkan wars of the 1990s.

Poland is the main country receiving refugees from Ukraine. Ukrainian citizens, as well as citizens of other countries including Belarus, countries of the Middle East and Africa who

Ukraine

Displacement Overview of Conflict Areas & Border Crossings - as of 06 March 2022 06:00 CET

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Picture 1

Number of people who crossed the border fleeing Ukraine (it should be taken into account that some people who came to Romania also crossed the border with Moldova earlier). Source and study: IMPACT / REACH Border Crossing Survey.

lived in Ukraine are attempting to cross the border through eight open road border crossings and rail border points. Most are women, children, and the elderly, since men of recruitment age (18-60) are forbidden to leave the country since February 25. According to NGOs and various help groups, despite simplified border procedures, waiting in the lines to cross lasts many hours and there is no systemic humanitarian aid for the people waiting. However, the lines are becoming shorter and transportation taking refugees from the border to destinations within the country is becoming more effective.

First steps and actions of the central government of Poland: legal and institutional framework

The first reactions of state authorities, including regulating the rules of entry and distributing initial humanitarian aid, result from the Standard Operational Procedure 10, a procedure in case of the mass inflow of refugees inscribed in the State Crisis Management Plan. This plan was last updated in 2019. State authorities, including the Ministry of the Interior and Administration (MSWiA) assure that they have updated the [crisis plan for managing a mass inflow of refugees](#), in cooperation with the voivods of Lubelskie and

Podkarpackie border voivodships. This document has not been made public, except for a government communiqué.

The first legal changes implemented in recent days concerned rules of entry. On February 19, the Polish authorities lifted limitations concerning reason for entry, which had been in place due to the pandemic. From that day, the land border could be crossed in Dorohusk, Korczowa, Hrebenne, Medyka, Budomierz, Krościenko, Zosin and Dołhobyczów. On the day of the aggression, crossing the border was further facilitated based on existing regulations. People fleeing war can enter if they have biometric passport, country or Schengen visa, residence documents or they can apply for international protection. It was also decided that the procedure of so-called extraordinary entry – with permission of the Head of Border Guard – would be widely used (based on art. 32, paragraph 1 of the Law on Foreigners). People fleeing war are not required to quarantine due to the risk of Covid-19, as the [epidemic regulation](#) was amended for those “crossing the Ukraine-Poland border due to the military conflict”. Finally, on February 25, the possibility of crossing the border on foot was introduced in all border crossings.

So called reception points are a basic element of the management of the war-related migration. These are created by the voivods in cooperation with local authorities. During the first two days these points function only in the border voivodships, now they are everywhere in the country and a full list can be found on the web page of the Office for Foreigners ([UdSC](#)). As of March 6, there were 28. Apart from these, information points are being created as needed, for example in train stations (a large part of the refugees are travelling by train, flights have been suspended for obvious

reasons). At the time of writing, there were 17 such points. The reception points offer first humanitarian and legal aid. Persons who have entered Poland based within extraordinary procedure should also be able to receive legal aid and file an asylum claim. Some points also offer temporary lodging, although it is not clear how long people can stay there – this probably depends on the inflows. People with Ukrainian citizenship who have crossed the border legally after February 24 are also entitled to the [same health care as persons insured in the public health care system \(NFZ\)](#). However, this is not yet regulated in detail, for example it is not clear how patients from Ukraine can receive prescriptions.

These temporary solutions did not answer the key question: how are refugees from Ukraine to obtain a source of living to support themselves for more than a few days. It is also not clear how the government will include the actions of local authorities and NGOs in the crisis management plan and whether appropriate funds will be devoted to these. The experience of the first few days demonstrates that citizens of Ukraine are not interested in receiving refugee status in Poland, which result in part from fear that they will not be able to travel back. Currently, a special law is in preparation to facilitate help to people fleeing Ukraine. It is to guarantee social aid and financing for local authorities to provide it. As the press has reported, the law concerns only Ukrainian citizens, and not foreigners residing in Ukraine. This may be a big problem for mixed families, refugees and foreign students studying in Ukraine. According to the planned regulations, citizens of Ukraine who entered Poland after February 24 will be entitled to legal residence and employment for 18 months, as well as child and family support. The government is also considering paying out one-time support of 500 PLN for a single

person, or 300 PLN per person for families. According to the project some tasks can be passed down to local authorities and NGOs, but it is not clear how these authorities will be reimbursed for the costs of lodging refugees or other forms of aid. There is a fear that local authorities can be burdened with additional responsibilities without additional financing. On March 7, the project was accepted by the Council of Ministers. It is not yet clear how the regulations will be correlated with the EU directive on temporary protection.

Foreigners without Ukrainian citizenship

Among people fleeing Ukraine, there are also citizens of other countries. [About 80,000 foreign students were studying at Ukrainian universities](#). Among the 100,000 people who entered Poland from Ukraine on February 28, about 10,000 held a non-Ukrainian passport. According to the Border Guard, all persons fleeing Ukraine are let into Poland. If they do not hold a document, their identity is verified. Persons who do not hold Ukrainian citizenship can remain in Poland for 15 days – during this time they must apply for international protection or return to their country of origin. The Border Guard is organizing repatriation flights in cooperation with various embassies.

The media have reported about the unequal treatment of citizens of Ukraine and other states. The Ministry of the Interior and Administration assured that Poland is helping all persons whose life is in danger, irrespective of nationality. The Chancellery of the Prime Minister also tweeted in English that fake news about racial discrimination should not be believed. The Nigerian Ministry of Foreign Affairs stated that they had been informed by their Ukrainian counterpart that possible problems with departing from Ukraine by non-

citizens are the result of “chaos at the border and at the checkpoints leading to it”. [The Ukrainian Ministry of Foreign Affairs stated that “discrimination based on race, skin colour or nationality was never acceptable in Ukraine”](#).

At present, it is difficult to say how effective the aid offered by Poland to non-Ukrainian citizens will prove, especially if they are not covered by the planned special law. We will soon know how many foreign students from Ukraine have returned to their countries of origin. The others will have to apply for international protection in Poland. If so, they will receive the standard aid offered in such cases by the Office for Foreigners (UdSC). Up to now, person from countries other than the former Soviet Union usually chose to receive aid outside organized living facilities (in the form of a financial subsidy, health care and Polish language course). If rental prices do not increase significantly, this will help people of non-Ukrainian citizenship who remain in Poland. It is worth mentioning that there is already an Indian and Nigerian diaspora in Warsaw. These two nationalities were numerous among foreign students in Ukraine.

Key role of local authorities and NGOs in supporting people fleeing Ukraine

Given the huge dynamics of events and the dramatically growing number of people in need of immediate humanitarian aid, local authorities and NGOs have stepped in to act. This was especially the case in cities and towns near the border, but also those through which people travel and where immediate aid can be offered.

Naturally, a large number of citizens of Ukraine and other countries arrived in Warsaw, travelling in private vehicles, collective transportation, transportation organized by

NGOs, universities, families, friends or strangers. Since the first day, the advisory body on foreigners at the Warsaw City Council (Branżowa Komisja Dialogu Społecznego ds. Cudzoziemców) aimed to coordinate help in terms of information, housing, medical, legal, psychological, and linguistic aid, and using volunteers. Within several days, many organizations focused not only on foreigners but generally people in crisis have joined.

Universities, such as the University of Warsaw and Warsaw School of Economics have also offered their help. A database on various forms of aid was created, which is updated on the city web page. NGOs, because of their less formal and bureaucratic character, can react to the situation in a more flexible way. However, they often have limited infrastructure, resources, and staff. Some also require a legal and institutional framework. That is why the support of the city is indispensable. The city is also the actor negotiating with the voivod and central government.

Warsaw is not an isolated case, as similar initiatives can be observed in many places in Poland. Given the lack of a national legal framework, the Polish local authorities focused on solidarity, humanitarian aid and coordination. One of the most common initiatives was collecting goods which were then passed on to people in need (for example they were sent from Warsaw to Kiev and from Krakow to Lviv).

Local authorities have also created information points, where employees and volunteers from NGOs offer legal advice, information about possible lodgings, medical services, or psychological support. In some cities, citizens of Ukraine can benefit from free city transportation and parking. Key information in Ukrainian is being published on city web pages,

in the social media or phone helplines. Cities are attempting to coordinate private offers of housing, and also using their own buildings for the purpose, entering into partnerships with private entities, or creating group accommodation (for example in the “Arena Ursynów” sports arena or youth centre “Agrykola”). Schools are also being prepared for the arrival of larger numbers of foreign, mainly Ukrainian, students.

Cities associated in the Union of Polish Metropolises have also started exchanging experiences. They underline that, as was the case during the evacuation of people from Afghanistan in 2021, local governments are willing to step up to the challenge, but this demands cooperation at all levels of the administration, especially legal and financial solutions at the central level.

Apart from the [government portal about aid for people fleeing Ukraine](#), a number of other web pages are being created, run by local authorities (such as [this one in Warsaw](#) in Polish, Ukrainian and English) and NGOs (such as [this legal aid site by the Association of Legal Intervention](#)). In the second week of the invasion, Warsaw authorities have started a coordination point in the Palace of Culture for people, NGOs, informal groups, city structures, public institutions and companies who are helping people fleeing from Ukraine. The aim is to gather information and coordinate activities.

The role of NGOs, who have years of experience of working with migrants, is very important. They offer information, legal, material, and psychological help, and – what is very important – assist with searching for apartments to rent. The third sector also has important experience with long-term activities: employment consulting, teaching Polish, the organization of activities for children. NGOs have years of

know-how on helping refugees and other migrants, and this knowledge could be used by the state for designing various solutions. Local authorities are willing to use the expertise and cooperate with NGOs in various way, but central authorities are reluctant. This is mainly because in the past NGOs held very distinct positions from the government on issues such as the refugee relocation program and the recent human crisis on the Belarus-Poland border. Anna Dąbrowska, the chair of the Homo Faber foundation in Lublin judges that “aid to refugees is on the shoulders of local authorities, social organizations and the fast-networking inhabitants of towns and cities”.

Social solidarity

Apart from government and local government activities, there is a huge and unprecedented mobilization of the Ukrainian diaspora and Polish citizens. People are welcoming refugees in their homes, offering financial aid (through various funding drives for Ukraine), volunteers are working at border crossings, in reception points, in the preparation and distribution of humanitarian aid etc. The help of private persons is made possible through social media. Many people offer their help: transportation in their cars, sleeping in their homes. Those who are hosting refugees share their needs on social media – regarding clothes, food, furniture, toys, employment etc. Facebook groups are full of such announcements, and others immediately respond. All these actions are bottom-up, makeshift, and chaotic, but it would be difficult to offer help in a more coordinated manner to so many people in such a short time. Groups of volunteers (friends, neighbours, work colleagues) create google documents with offers of available aid, geotagged on Google Maps. Aiding people fleeing Ukraine has universal social support: 60% of Poles wish to

accept all refugees from Ukraine, and a further 35% say those most in need or most in danger should be accepted.

It is difficult to say whether such involvement and support in helping Ukraine will last, but after the first ten days it can be said that the event is unprecedented. We believe the key reason for wanting to help people from Ukraine is the Poles’ sense of historical and cultural closeness, as well as numerous personal contacts linked with the presence of Ukrainian workers in Poland up to now. There is also a sense that the Ukrainian cause is also a Polish cause since Polish security will depend on the resolution of the situation in Ukraine. There are no voices against helping Ukrainian refugees in the Polish public debate. It seems that the largest challenge will be to uphold the effectiveness of aid in the long term. This will depend on individual resources (financial and emotional), especially of people hosting refugees in their homes (the government is proposing financial aid for such people), but also on the economic situation impacted by the employment and housing of the newcomers.

European Union response to the invasion of Ukraine

Ukraine has chosen a pro-European course in the first decade of the 21st century, and its aim is full membership in the EU. Negotiations regarding the Association Agreement started in 2007, and the agreement was accepted by the EU Council in July 2017, and entered into force in the same year. Such a direction of Ukrainian foreign policy has long been not to the liking of the Russian Federation, which still sees Ukraine as part of its sphere of influence, despite the dissolution of the Soviet Union. Talks about candidate status are not facilitated by problems regarding the territorial integrity of Ukraine – a

result of the earlier stages of Russian aggression in 2014, that is the annexation of Crimea and the de facto war taking place in the Lugansk and Donieck regions, occupied by pro-Russian separatist, with the help of the Russian Federation army. On February 28, only days after the Russian invasion, president Volodymyr Zelensky signed the application for membership and candidate status of Ukraine in the EU. It was accepted by the European Parliament in a [resolution on March 1, 2022](#). This is very important symbolically, as it shows that Ukraine is perceived as a fully sovereign and democratic state, in contrast to the narrative the Russian Federation is trying to impose. In addition to gestures of support, the EU has imposed a number of diplomatic, financial and economic sanctions, which were in place since 2014, but especially since February 24, 2022.

The EU response to the Russian invasion in Ukraine also consists of political, humanitarian, and financial actions directed at the victims, both those in Ukraine and in neighbouring countries. Countries receiving refugees are also the beneficiaries of aid. The most important move so far was made by the European Commission on March 2, 2022 – it triggered the mechanism foreseen in the Council Directive 2001/55/EC of 20 July 2001 on minimum standards for giving temporary protection in the event of a mass influx of displaced persons and on measures promoting a balance of efforts between Member States in receiving such persons and bearing the consequences thereof ([OJ L 212, 7.8.2001](#)). Two days later, the Council unanimously adopted the executive decision on [temporary protection of persons fleeing the war](#). As an instrument of European law, this decision covers three types of persons:

- Citizens of Ukraine living in Ukraine, who were displaced from February 24 as a result of the invasion of the Russian army;
- Third country nationals or stateless persons legally residing in Ukraine, who were displaced from February 24 as a result of the invasion of the Russian army, and who cannot return to the state or region of their origin in a safe and permanent manner due to the situation there;
- Family members of the above two categories, if these family members were in Ukraine when circumstances caused a mass outflow of refugees, irrespective of the fact whether they could return to the state or region of their origin in a safe and permanent manner.

Temporary protection is an extraordinary mechanism, which is to facilitate immediate protection for groups of displaced persons, and also support the national reception and asylum systems, so that persons can benefit from harmonised rules of residence, access to the labour market, housing, medical help and education in the whole EU. On March 5 Ursula von der Leyen, President of the European Commission, informed of the first tranche of financial aid of 500 million euro, and that refugees would receive the right to reside in the EU for at least a year. At the moment, it is not known how the EU fund aid would function, while the temporary protection most likely would be implemented through a special act legalizing the stay of citizens of Ukraine for a period of 18 months. It is worth adding that the US Secretary of State, Antony Blinken informed that the Biden administration has asked Congress for 2,75 billion dollars for supporting humanitarian actions in Ukraine and Poland.

Recommendations

- The amelioration of the situation and shortening of waiting times on the Ukraine-Poland border remains a priority. The long wait in cars and by pedestrians puts in danger the lives and health of people, creates an atmosphere of panic and insecurity. Temperatures are low for this season, and especially near the smaller border crossings there is an insufficient number of tents and other places where people can warm themselves. The situation has improved somewhat after the first days, but in case of a fiasco of the third phase of Ukraine – Russia negotiations (taking place on March 7) and further shelling of cities such as Mariupol, Kharkiv and Kyiv the humanitarian situation will become dramatic. Transit villages should perhaps be created at the largest border crossings.
- The special regulation should be passed as soon as possible, with allowances for basic life needs and housing. The government, together with NGOs, experts, and members of the Ukrainian diaspora, should as soon as possible create a plan of temporary adaptation of refugees in Poland, which should not be based on the assumption that refugees will be hosted in private homes. A system of collective lodging, rentals etc. should be adapted.
- It is key that the knowledge and experiences and good practices of NGOs be used. Voivods should not be the ones to decide up front which NGOs will receive resources for refugee help. Rather, a broad catalogue of publicly financed activities to be executed by NGOs should be defined.
- Cooperation of Poland with EU institutions and other countries is very important. There is no information from the government how the EU directive on temporary protection will be implemented or if the government is negotiating any special resources. In particular, it is not clear how refugees without Ukrainian citizenship, but who had a right of residence or Ukrainian families, will be treated. In the long term, voluntary relocation of refugees within the EU should be considered.
- Both the government and local authorities should be prepared for large numbers of refugees remaining in Poland. This means long-term integration, adjusting the functioning of various institutions in various spheres – the labour market, health care, education etc. It is also necessary – as migration researchers have long postulated – to create an integration policy, which will take into consideration the new challenges.

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