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## **Chapter 3**

### **Migration as a Political and Public Phenomenon: The Case of Poland**

### 3.1. Introduction

There was hardly any migration policy in Poland at the time of its political transition. The EU accession process seemed to be a natural incentive to develop a legal and institutional framework which, in the case of Poland, was more inspired by the public administration than it was a grass-roots process deriving from actual needs connected with intensive migration patterns. In 1991 Poland began to sign and respect most significant instruments of international law dedicated to the protection of refugees. In 1991, Poland became a member of the Council of Europe, in 1992 joined the International Organization for Migration and in 1993 ratified the Convention for the Protection of Human Rights and Fundamental Freedoms.<sup>1</sup> Poland is generally perceived as an emigration country, which is a result of the increasing number of Polish emigrants since the country joined the EU.<sup>2</sup> Until the recent migration crisis, immigration to Poland constituted only an insignificant percentage, while emigration after 2004 intensified even further.<sup>3</sup> However, for the past couple of years, it has been taking increasing numbers of foreigners, especially from Eastern Europe.

Poland, in spite of the migration crisis, still has a homogenous population with only 1.6% of the population being foreign-born in 2015.<sup>4</sup> What is more, the current migration crisis is not affecting Poland to the same extent, as the most numerous migrant nationalities are culturally similar to Poles. These nationalities are Russians (4,000 in 2014), Ukrainians (2,275 in 2014) and Georgians (720 in 2014).<sup>5</sup> What is more, the number of asylum applications in 2014 decreased compared to 2013 from 13,758 to 6,810.<sup>6</sup> The percentage

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<sup>1</sup> Dz.U. z 1993 r., Nr 61, poz. 284.

<sup>2</sup> I. Grabowska-Lusińska, M. Okólski, *Emigracja ostatnia?*, Warszawa 2009.

<sup>3</sup> *Společne skutki poakcesyjnych migracji ludności Polski*, Warszawa, Komitet Badań nad Migracjami PAN, czerwiec, 2014, pp. 56–59.

<sup>4</sup> “Foreign-born Population by Country of Birth”, 1 January 2015, *Eurostat*, [http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Foreign-born\\_population\\_by\\_country\\_of\\_birth\\_1\\_January\\_2015\\_\(1\)\\_YB16.png](http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Foreign-born_population_by_country_of_birth_1_January_2015_(1)_YB16.png) [accessed: 14.02.2017].

<sup>5</sup> “Asylum in the EU, 53/2015”, 20 March 2015, *Eurostat*, p. 4.

<sup>6</sup> “International Migration Database”, *OECD*, <https://stats.oecd.org/Index.aspx?DataSetCode=MIG> [accessed: 14.02.2017].

of positive first instance asylum decisions is also lower in Poland than the EU average. Of the 2,700 applications in 2014, only 720 (or 26%) were agreed (in comparison to the EU average of 45%).<sup>7</sup> Generally speaking, Polish migration policy and especially admission law, in spite of the fact that adjustments have already been made to meet European standards, is less favourable to migrants. However, Ukrainians, who now constitute one of the most numerous groups migrating to Poland, admit that legal barriers do not restrain the influx of migrants, but rather differentiate strategies of entering Poland.<sup>8</sup> This seems proof of an insufficient and ineffective migration policy so far, and of the need to implement it further.

Table 3.1

Number of Asylum Seekers in Poland 2008–2014

Year	Influx of asylum seekers to Poland
2008	7,203
2009	10,587
2010	6,534
2011	5,086
2012	9,167
2013	13,758
2014	6,810

Source: “International Migration Database”, *OECD*, <https://stats.oecd.org/Index.aspx?DataSetCode=MIG> [accessed: 14.02.2017].

The inadequacies of Polish migration policy must lead to a variety of actions and force further adjustments to be made in this area.<sup>9</sup> Due to its location, economic condition and internal policies, Poland should actually be regarded as a transit rather than an immigration country. The reasons for such a situation derive from Polish economic conditions as well as the general attitude of Poles toward foreigners. At the same time, the Polish government has already acknowledged foreigners as human resources necessary for economic development in a medium- and long-term perspective. The age structure of the Polish population is drastically changing, as is the proportion of active and passive citizens in the labour market. During the Economic Forum in Krynica in September 2016, the Minister of Development, Mateusz Morawiecki, announced the need to supplement the deficiencies of the Polish labour market with workers from Ukraine. This strategy was already voiced in 2015, when the government

<sup>7</sup> “Asylum in the EU, 53/2015” ..., p. 6.

<sup>8</sup> “Poland: Becoming a Country of Sustained Immigration”, [in:] *Idea Working Papers*, eds A. Górny, I. Grabowska-Lusińska, M. Lesińska, M. Okólski, May 2009, p. 99.

<sup>9</sup> Kancelaria Prezydenta RP, 2015, p. 50.

highlighted the need to use an external labour force within the Polish market.<sup>10</sup> This attitude demonstrates Poland's focus on the popular assumption that migration and integration policy should serve socio-economic development. A balance is required here between the implementation of labour market rules and respect for citizens' rights to mobility and free choice of employment and residence. Another challenge is to ensure that the rights of foreign-born workers are equal to the standards enjoyed by Polish citizens.<sup>11</sup>

Many plans and recommendations have been prepared by the PO-PSL coalition government, which were treated as a first step in the preparation for and response to the migration crisis. Thanks to consultations with the Chancellery of the President Bronisław Komorowski, the main pillars of Polish migration policy have been outlined. The first pillar comprises strategies oriented around Polish citizens and aspects of repatriation. The second pillar is based on actions directed at foreigners already on Polish territory. These actions are focused both on labour migrants and those in need of protection. However, the current migration crisis means that once again new circumstances have arisen creating the necessity of reshaping and further adjusting migration and integration policy.

## 3.2. Migration Policy in Poland

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The main goal of this part of the chapter is to comprehensively describe the shape of the legal and institutional framework of Polish migration and integration policy, as well as to identify at least its basic needs and directions. The Polish case is a specific one, as the country has the EU's largest overland external border. In the face of both the European migration crisis and increased migration flows caused by the Ukrainian crisis, it is necessary to carry out an in-depth analysis of the Polish migration policy system.

### 3.2.1. Legal Framework

The history of Polish migration policy has been comparatively short, as it was created in response to the political transition of 1989 and remains an ongoing process. The first stage was completed in 1997 with the enactment of the Aliens Act. This new dimension of Polish migration policy within a democratic system was based on both human rights and the respect of freedom of move-

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<sup>10</sup> *Ibidem*, pp. 52–53.

<sup>11</sup> *Ibidem*, p. 51.

ment, with special regard to the repatriation of Polish citizens (especially from the former USSR).<sup>12</sup> Regulations concerning migrants were included in the new Constitution, adopted in 1997. According to art. 56, migrants are permitted to exercise their right to asylum in Poland on the legal basis of an adequate act. Additionally, any migrant seeking protection in Poland can be granted refugee status according to international regulations.<sup>13</sup> The next stage encompassed the necessary adjustments required by accession to the European Union and the first attempts to create a common visa and asylum system. During that period, and for the first time in Poland, those legal aspects pertaining to general provisions concerning migrants and those relating to the provision of protection to migrants were separated.

Important changes to the Polish legal and institutional framework have been ongoing since Poland's accession to the EU. The first breakthrough for Poland took place in 2007, when Poland joined the Schengen Area, which entailed the abolition of border controls within the EU, combined with increased security regulations at the EU's external borders. A new Aliens Act was also introduced in 2012. The main aim of the proposed adjustments was the harmonization of the Polish legal system with two new European directives on returns procedures for illegal migrants and conditions for receiving migrants from third countries willing to work in highly qualified professions. The next amendment to the Act entered into force in 2014,<sup>14</sup> simplifying procedures for obtaining a residence permit and introducing benefits for migrants working and studying in Poland. This amendment served to limit illegal migration – in the period 2014–2015, there was a 76% increase in the number of applications legalizing residence, when compared with the 2013–2014 period.<sup>15</sup> In 2015, another amendment to the Act was made concerning the provision of protection to foreigners as a result of the migration crisis. The adjustment aimed to enable the relocation of foreigners granted refugee status in another European country.<sup>16</sup> New challenges deriving from intensified migration from Syria and other Middle Eastern countries resulted in the necessity of making further improvements to Polish migration policy and its legal framework.

In 2003, an Act on granting protection was introduced. In this Act, a definition of mandatory refugees was proposed. The Act states that a refugee in Poland

<sup>12</sup> S. Łodziński, M. Szonert, "Niepolityczna polityka? Kształtowanie się polityki migracyjnej w Polsce w latach 1989–2016", *CMR Working Papers*, 90/148, Warszawa, Ośrodek Badań nad Migracjami, 2016, p. 18.

<sup>13</sup> Konstytucja Rzeczypospolitej Polskiej z dnia 2 kwietnia 1997 r., Art. 56, p. 11.

<sup>14</sup> Ustawa z dnia 12 grudnia 2013 r. o cudzoziemcach (Dz.U. z 2013 r., poz. 1650).

<sup>15</sup> *Podsumowanie roku obowiązywania ustawy o cudzoziemcach*, Urząd ds. Cudzoziemców, Warszawa, czerwiec 2015.

<sup>16</sup> Dz.U. z 2015 r., poz. 1607.

is a foreign-born person acknowledged as a refugee by the United Nations High Commissioner for Refugees. It also provides migrants with the following forms of protection:

- granting of refugee status
- provision of additional protection
- permission for a tolerated stay
- provision of temporary protection.<sup>17</sup>

Both the Aliens Act and the Act on granting protection are the two most significant legal documents concerning aspects related to the acceptance of migrants and refugees in Poland. They are additionally supplemented by other legal acts concerning, among other factors, social care provision for migrants in Poland, the conditions of providing citizenship, etc.

One of the most significant aspects of constantly adjusting and developing Polish migration policy is providing for stable economic development and promoting employment among Poles and migrants. Poland has become one of the few European countries to provide an open market for temporary and seasonal workers from Eastern European countries, such as Armenia, Belarus, Georgia, Moldavia, Russia and Ukraine.<sup>18</sup> In recent years, Ukrainians have been one of the most numerous national groups coming to Poland for economic reasons.

Currently, one of the most significant documents on migration policy in Poland is a document entitled “Polish migration policy – current state of play and further actions”, developed by a special Working Group on Migration, which has been working since 2007 and was accepted by the government in 2012. The document appears to tackle the basic areas of migration policy: legal and illegal migration, the protection, integration, naturalization and repatriation of migrants, labour migration as well as legal, institutional and international determinants. The document assumes that Poland will not become an immigration country in the near future; nevertheless, it outlines the need to focus predominantly on aspects deriving from labour market needs and labour migration.<sup>19</sup> It is also worth noting that the implementation plan was adopted by the Polish government on 2 December 2014. According to internal documents, Poland has been progressively improving in such areas as responding to international conditions, emigration and return from emigration and adju-

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<sup>17</sup> Ustawa z dnia 13 czerwca 2003 r. o udzielaniu cudzoziemcom ochrony na terytorium Rzeczypospolitej Polskiej, Dz.U. z 2003 r., poz. 680, p. 5.

<sup>18</sup> *Rozporządzenie Ministra Pracy i Polityki Społecznej z dnia 1 kwietnia 2015 r. w sprawie wydawania zezwolenia na pracę cudzoziemca*, Dz.U. z 2015 r., poz., p. 543.

<sup>19</sup> Rada Ministrów, *Polityka migracyjna Polski – stan obecny i postulowane działania*, Warszawa 2013, pp. 3–4, 11.

sting the institutional and legal systems. Unfortunately, the guidelines created by national institutions show that Poland has had significant difficulties with monitoring migration processes, as well as with the integration of migrants. This aspect was underlined a report prepared by the Ministry of the Interior in the third quarter of 2015.<sup>20</sup>

Also in 2013, the President's Administrative Office developed a working paper concerning the shaping of migration policy doctrine, its terms and its most significant elements. It focuses on a wide variety aspects relating to labour migration.<sup>21</sup> It is worth mentioning the fact that decisions made by the Polish authorities go much further than the law introduced by Directive 2014/36/EU of The European Parliament and of the Council of 26 February 2014 on the conditions of entry and stay of third-country nationals for the purpose of employment as seasonal workers, as multi-seasonal permits were introduced.<sup>22</sup> This legal solution preserved the legal opportunity for migrant workers to work for six months of the year without having a work permit. In practice, this procedure is used especially in the agricultural sector.<sup>23</sup> Controlling the legality of migrant employment should be the joint responsibility of the National Labour Inspectorate and the border guards. The current cooperation of both entities primarily concerns the exchange of experience and a common interpretation of obligatory law.<sup>24</sup>

When analysing the legal framework of Polish migration policy, it must be noted that basic migration laws have been gradually developing since 1989. The first stage encompassed the creation of at least basic provisions on migration, mostly regarding the repatriation of former Polish citizens. Since Polish society was ethnically homogenous, and owing to its noticeably worse economic situation in comparison with Western European countries, it did not attract many migrants, Poland hardly had any provisions concerning migration policy. The next stage was outlined by the EU accession process. This resulted in the need to adjust Polish laws on migration, asylum seeking and the provision of protection for migrants to EU standards, at least to some extent. The construction of Polish migration policy is an ongoing process, influenced by many determinants; among others, it is influenced by changing EU law and other external determinants such as the current migration crisis.

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<sup>20</sup> Sprawozdanie, 2015, p. 1.

<sup>21</sup> *Polityka migracyjna Polski. Zasady i rekomendacje*, Biuletyn Forum Debaty Publicznej nr 36, lipiec, Warszawa: Kancelaria Prezydenta Rzeczypospolitej Polskiej, 2015.

<sup>22</sup> Sprawozdanie, p. 6.

<sup>23</sup> Uzasadnienie, 2016.

<sup>24</sup> Sprawozdanie, 2016, p. 6.

### 3.2.2. Institutional Framework

Similar to the gradual construction of a legal framework for migration policy, an institutional framework has been evolving. In 1989, responsibility for migration and integration policy was taken over by already existing administrative institutions; however, the range of their responsibilities changed.<sup>25</sup> At the same time, new structures were also created. In 1990, the Border Guard was established. In 1993, the Migration Office was created and then transformed into the Migration and Refugee Department within the Ministry of the Interior, which was the most significant administrative nexus responsible for migration policy. Later on, in 2007, the Migration Policy Department was created within the Ministry.<sup>26</sup> Additionally, in 2001, the Office for Repatriation and Foreigners was introduced, the main aim of which was to elaborate the main aims of Polish migration policy.<sup>27</sup> The role of the Office is now providing migrants – both labour migrants and refugees – with complex and professional assistance to help legalize their stay and granting them protection.<sup>28</sup>

Together with administrative institutions such as ministries and departments, other state agencies are also involved in migration policy, albeit indirectly. For example, the larger contribution that could be made by the Internal Security Agency by being able to properly access data from the Wiza-Consul system, should be taken into consideration. If it had access to the system, the Agency would be more effective in facing the challenges of the globalized world. Nonetheless, such a transfer of competences could mean a feud between the Foreign Office and the Agency.<sup>29</sup> Also, the Ministry of Foreign Affairs is partially responsible for migration policy in terms of security. According to the new Act of 12 December 2013 on foreigners, the Ministry of Foreign Affairs is responsible for the creation a central visa system,<sup>30</sup> which consists of data on people allowed to enter Poland, as well as on individuals who have been intercepted at the borders.<sup>31</sup>

#### 3.2.2.1. The Ministry of the Interior and Administration

The Ministry of the Interior and Administration is responsible for all aspects connected with Polish citizenship, the legal aspects of obtaining citizenship for migrants and repatriation procedures. Currently, the legal basis for gran-

<sup>25</sup> S. Łodziński, M. Szonert, *op. cit.*, p. 13.

<sup>26</sup> Zarządzenie nr 26 Prezesa Rady Ministrów z dnia 14 marca 2007 r. w sprawie nadania statutu Ministerstwu Spraw Wewnętrznych i Administracji, M. P. Nr 18, poz. 216.

<sup>27</sup> S. Łodziński, M. Szonert, *op. cit.*, p. 21.

<sup>28</sup> Urząd do spraw Cudzoziemców, <https://udsc.gov.pl/urząd/misja-urzedu/> [accessed: 14.02.2017].

<sup>29</sup> Sprawozdanie, p. 1, 3.

<sup>30</sup> Art. 449 Ustawy z dnia 12 grudnia 2013 r. o cudzoziemcach.

<sup>31</sup> Art. 428, ust 1 Ustawy z dnia 12 grudnia 2013 r. o cudzoziemcach.



ting Polish citizenship to migrants is the Act of 2 April 2009 on Polish Citizenship.<sup>32</sup> According to the Act, a migrant can obtain citizenship after submitting his/her respective application, and only in the case of meeting a number of conditions. The Ministry is also responsible, among other things, for national and ethnic minorities. Within the Ministry, the Department of National and Ethnic Minorities has been working since 2000. Its main focus is the management of state policy on national and ethnic minorities, as well as countering discrimination.

### 3.2.2.2. The Ministry of Family, Labour and Social Policy

The Ministry of Family, Labour and Social Policy has been responsible for implementing and managing integration policy and regulating migrants' access to the Polish labour market since 2004. Integration policy, which has been developed and subsequently implemented by the Ministry, is based on four main pillars: political, legal, institutional and meritocratic.<sup>33</sup> The Ministry carries out its integration policy on the basis of the Social Assistance Act, signed in March 2004. Chapter 5 of the Act is completely dedicated to the social integration of migrants.<sup>34</sup> Additional information concerning conditions for granting support to migrants are included in the ordinance by the Ministry of Family, Labour and Social Policy of 2015.<sup>35</sup>

### 3.2.3. Other Polish Policies Addressing Migration

The migration crisis that has struck Europe in recent years is causing significant confusion for migration policy, both in the EU as a whole and in certain European states. Current legal and institutional solutions to the migration crisis have proved inefficient. Therefore, a wide and far-reaching debate on necessary adjustments has become a significant part of political discussions in Europe.

Assessing Poland's attitude towards migration crisis management has been difficult due to the change of government in October 2016. In spite of a declaration by the new government formulated by Beata Szydło that it would sustain the commitments made by the previous coalition, its formal standpoint changed in the first half of 2016 after further unrest caused by the migration crisis. Konrad Szymański, Minister for European Affairs within the Ministry of Foreign Affairs, pointed out that: "In view of the tragic events in Paris,

<sup>32</sup> Dz.U. z 2012 r., poz. 161.

<sup>33</sup> These aspects are analysed in the latter part of the chapter, as they are dedicated to the social integration of migrants in Poland.

<sup>34</sup> Ustawa z dnia 12 marca 2004 r. o pomocy społecznej, Dz.U. z 2015 r., poz. 163.

<sup>35</sup> Rozporządzenie Ministra Pracy i Polityki Społecznej z dnia 7 kwietnia 2015 r., Dz.U. z 2015 r., poz. 515.

Poland is left with no other political option but to withhold its approval for the relocation of refugees”.<sup>36</sup>

Polish activity in the migration crisis and its potential solutions has undertaken mostly in the arena of the Visegrad Group. All four member states present a rather sceptic view of receiving migrants from the Middle East and the introduction of an EU obligatory refugee quota. For example, in November 2016, the V4 states announced their plans to introduce a migration crisis management centre to coordinate aid for refugees outside of the EU. The main proposals suggested by the V4 mostly focused on providing help for refugees outside of the EU while simultaneously tightening the EU’s external borders.<sup>37</sup>

### 3.2.4. Social Integration

Poland, according to MIPEX 2015 research, ranked 32 out of 38 examined states across the world for its migrant integration policies which seems proof of its ineffective integration mechanisms. The areas in which Poland was evaluated least favourably were political participation and education<sup>38</sup> – both spheres that can provide effective tools for integrating migrants and instilling a feeling of belonging. However, some progress can be observed in the development of new integration policy solutions. Since 2010, Poland has gained an additional five points in the ranking and no longer falls into the category of slightly unfavourable for integration. This improvement has been possible owing to several legal adjustments made in Poland in recent years, the *inter alia* passing of the 2010 Equal Treatment Act, the implementation of the 2012 Polish Citizenship Act and the 2013 introduction of amendments to the Aliens Act.<sup>39</sup> In spite of these improvements, Poland still lacks a comprehensive integration policy, especially when compared to other Western countries. All the shortcomings of its integration policy are becoming more visible at a time of migration crisis when European states, including Poland, are facing new threats to their security and internal stabilization. Without effective mechanisms for the integration of migrants, these threats can become even graver.

<sup>36</sup> “Kukiz: Nieprzyjmowanie uchodźców leży w interesie Polski”, 18 November 2015, *Wprost*, <http://www.wprost.pl/ar/525455> [accessed: 18.02.2017].

<sup>37</sup> “Visegrad Group announces migration crisis management centre”, 21 November 2016, *thenews.pl*, <http://www.thenews.pl/1/10/Artykul/280982,Visegrad-Group-announces-migration-crisis-management-centre> [accessed: 20.02.2017].

<sup>38</sup> “Migrant Integration Policy Index 2015”, *CIDOB and Migration Policy Group (MIPEX)*.

<sup>39</sup> *Ibidem*.

### 3.2.4.1. The Legal Framework of the Polish Integration System

The protection of migrants in Poland is based primarily on the grounds of international commitments: the Geneva Convention and the New York Protocol, as well as EU guidelines. The Ministry of Family, Labour and Social Policy (MPiPS) is currently responsible for formulating and conducting integration policy in Poland. According to MPiPS guidelines from 2013, the main aims of Polish integration policy were already developed in a 2005 document entitled “Propozycje działań w kierunku stworzenia kompleksowej polityki integracji cudzoziemców w Polsce [Proposals of actions aimed at establishing a comprehensive immigrant integration policy in Poland]”, which was associated with Poland’s accession to the EU and the need to meet European integration standards. The document detailed four main levels of integration policy development, which were:

- 1) Political – creating an integration policy compatible with other political areas, e.g., migration, asylum, antidiscrimination, social welfare, labour, education policies, etc.;
- 2) Legal – developing legal solutions and regulations entitling migrants to the same civic rights and obligations as Polish citizens;
- 3) Institutional – choosing institutions responsible for facilitating the integration of migrants as well as establishing cooperation with NGOs engaged in assisting migrants;
- 4) Meritocratic – spreading knowledge of the integration process and all spheres related to integration.<sup>40</sup>

One of the basic documents on the integration of migrations is the Act on Social Assistance from 2004. Part II of Chapter 5 is strictly devoted to integration issues. The Act establishes the rules and mechanisms of integration provided by the Polish government. The district head is responsible for providing support for migrants legally residing in Poland. According to the law, financial aid can only be provided for 12 months in amounts ranging from 446 to 1,175 PLN per person per month, which is intended to cover living costs and language lessons.<sup>41</sup> In 2015, the Act was amended and the terms of financial aid were changed. Currently, the peak of the allowance is 1,260 PLN per month during the first six months and 90% of that amount for the following six months.<sup>42</sup>

<sup>40</sup> *Propozycje działań w celu stworzenia kompleksowej polityki integracji cudzoziemców w Polsce*, Ministry of Social Policy, Warszawa 2005, pp. 5–6.

<sup>41</sup> Dz.U. z 2004 r. Nr 64, poz. 593, Ustawa z dn. 12 marca 2004 r. o pomocy społecznej, p. 64.

<sup>42</sup> Dziennik Ustaw Rzeczypospolitej Polskiej, Rozporządzenie Ministra Pracy i Polityki Społecznej z dn. 7 kwietnia 2015 r., Warszawa dnia 13 kwietnia 2015 r., p. 1.

Additionally, the support provided also encompasses health insurance, social work, professional counselling and the provision of contacts with labour market institutions, local institutions and NGOs. The Act established the mechanism of Individual Integration Programme<sup>43</sup> – an integration tool that is still in use, albeit undergoing some adjustments (discussed below).

Taking into consideration new demographic trends and showing a willingness to provide social cohesion, another document was prepared by MPiPS in 2013. It analyses Polish integration policy and indicates the form it should take. The main areas of integration policy examined are pre-integration, Individual Integration Programmes, access to accommodation, access to the labour market and access to the education system. Pre-integration is already being conducted in refugee centres is perceived as transitional phase preparing migrants for further integration in the receiving country. Its aim is to inform them about the reality of daily life, the labour market situation, social services and accommodation possibilities. As a result, migrants have broader knowledge of their rights and responsibilities, while the negative effects of waiting for asylum decisions are minimized. Such goals are achieved by:

- 1) Providing migrant children with access to education (outside of refugee centres);
- 2) Providing language courses while procedures are conducted;
- 3) Preparing migrants to enter the labour market by offering vocational training and examining professional competences;
- 4) Providing access to the labour market no later than six months after the initiation of the asylum procedure;
- 5) Providing sporting, cultural and other extra-curricular activities;
- 6) Providing the assistance of mentors, social workers and legal aid in refugee centres.<sup>44</sup>

Currently in Poland, there are two reception centres, in which the refugee procedure starts, and eight residential centres.

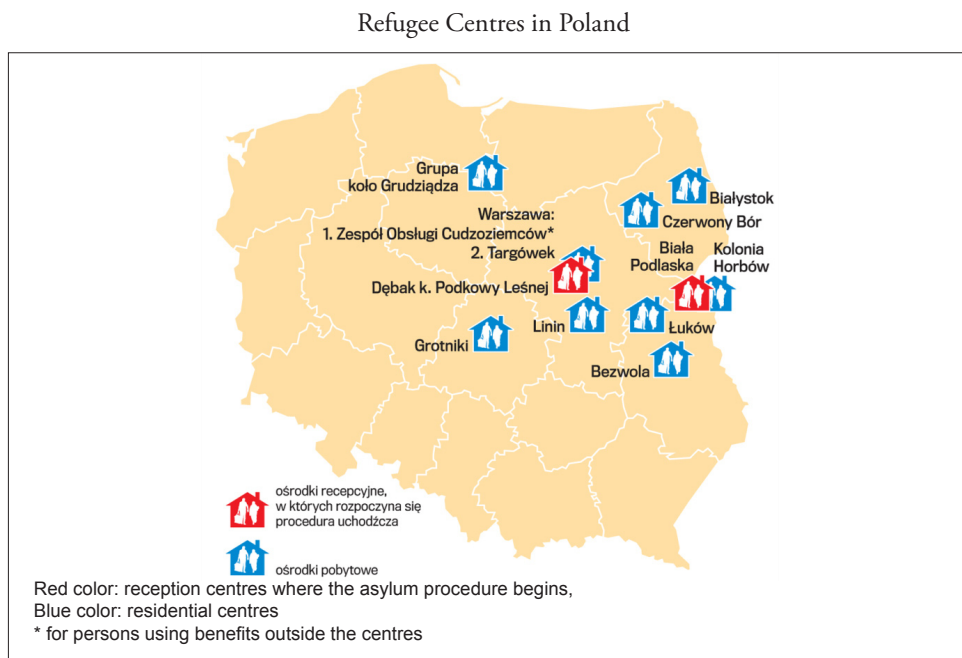
The already mentioned Individual Integration Programmes [Indywidualne Programy Integracji – IPI] play an important role in the integration system and are locally managed. The district head is responsible for signing individual agreements with migrants, encompassing the conditions of the support provided by the district authorities. Their role is to enable more effective integration into Poland by providing assistance with language education and finding accommodation and employment. The general idea is to provide migrants

<sup>43</sup> Ustawa z dn. 12 marca 2004 r. o pomocy społecznej, p. 18.

<sup>44</sup> MPiPS, *Polska polityka integracji cudzoziemców – założenia i wytyczne*, Warszawa 2013, p. 5–7.

with social security and financial support. The IPI are important because they are tailor-made and adjusted to each family receiving this assistance. Improvements are planned for the future, including ensuring a wider range of support and simultaneously guaranteeing more incentives for the migrant to engage.<sup>45</sup> The agreements signed between migrants and local authorities anticipate the engagement of both sides and impose certain responsibilities upon them. The district centres that help families as representatives of the local authorities are obliged to provide migrants with all the necessary information on the IPI, assisting with accommodation arrangements, conducting social work with the migrant and appointing an employee responsible for arranging the specific form of the IPI (programme supervisor) with the migrant. Migrants who are willing to benefit from the IPI are obliged to register themselves in their respective district or province, register with their local employment agency and actively search for employment, attend language courses, make regular contact with their programme supervisor and follow all instructions deriving from individual arrangements (Ustawa z dn. 12 marca 2004 r. o pomocy społecznej).<sup>46</sup>

Figure 3.1



Source: <http://www.polityka.pl/tygodnikpolityka/kraj/1633687,1,osrodki-dla-cudzoziemcow-w-polsce.read> [accessed: 22.01.2017].

<sup>45</sup> *Ibidem*, pp. 9–11.

<sup>46</sup> Ustawa z dn. 12 marca 2004 r. o pomocy społecznej, p. 66.

In 2015, 247 individual programmes were provided for refugees, some of which had already started in 2014. The appointment of IPIs (considering the number of families) was as follows:

Table 3.2

Number of Families (with Refugee Status) Receiving Support through IPIs in 2015

Nationality	Number of families with IPIs
Syria	93
Afghanistan	24
Iraq	20
Belarus	18
Egypt	16
Russia	14
Stateless	12
Turkmenistan	9
Cuba	6
Iran	5
Kazakhstan	4
Kirgizstan	4
Somalia	4
Bangladesh	3
Libya	2
Pakistan	2
Ukraine	2
Algeria	1
China	1
Jordan	1
Lebanon	1
Morocco	1
Palestine	1
Rwanda	1
Sri Lanka	1
Tajikistan	1

Source: Own research based on MPiPS, Świadczenia z pomocy społecznej udzielane cudzoziemcom w 2015 r. na wsparcie indywidualnych programów integracji, [http://www.mpips.gov.pl/gfx/mpips/userfiles/\\_public/1\\_NOWA%20STRONA/Pomoc%20spoleczna/cudzoziemcy/Sprawozdanie%20pomoc%20cudzoziemcom%202015.pdf](http://www.mpips.gov.pl/gfx/mpips/userfiles/_public/1_NOWA%20STRONA/Pomoc%20spoleczna/cudzoziemcy/Sprawozdanie%20pomoc%20cudzoziemcom%202015.pdf) [accessed: 22.01.2017].

These programmes were being carried out in almost in all of Poland's provinces:

Table 3.3  
Number of IPIs for Refugees Carried Out  
in Each Province in 2015

Province	Number of IPI scarried out in 2015
mazowieckie	173
dolnośląskie	16
łódzkie	14
lubelskie	7
podlaskie	7
wielkopolskie	7
małopolskie	5
śląskie	5
pomorskie	4
kujawsko-pomorskie	3
zachodniopomorskie	3
opolskie	1
świętokrzyskie	1
warmińsko-mazurskie	1

Source: Own research based on MPiPS, *ibidem*.

Taking into consideration that in 2015 in Poland, 695 asylum applications were positively granted, the number of IPIs carried out in that year seems rather low.<sup>47</sup>

Currently, a new integration programme is being implemented called “oprowadzanie po domu [Showing around the house]”. It is a specific course of 30–40 hours' duration aimed at reducing tensions between migrants and the society receiving them, as well as improving the accommodation process. They are organized locally by local authorities or NGOs. After completing the course, the attendees receive a certificate, which should then entitle them to certain benefits. During the course, migrants become acquainted with the following information:

- 1) Information on the Polish legal system;
- 2) Information on Polish culture and customs;
- 3) Information on local institutions, local authorities, NGOs and what they offer in terms of integration possibilities;

<sup>47</sup> “Asylum Statistics 2016”, *Eurostat*, [http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum\\_statistics](http://ec.europa.eu/eurostat/statistics-explained/index.php/Asylum_statistics) [accessed: 8.02.2017].

- 4) Practical information on everyday life (e.g., the procedure of renting an apartment);
- 5) Information on migrants' laws and obligations.<sup>48</sup>

The programme was supposed to be fully implemented in 2015. By 2014 it had already been assessed as partially implemented.

### 3.2.4.2. Shortcomings of Polish Integration Policy

The need to develop Polish integration policy has been noted, especially following its accession to the EU; however the integration mechanisms that have been proposed seem inefficient and still lack consistency. The already cited MIPEX 2015 report and Poland's rank indicate that the Polish must still be redefined and improved. In 2012, a catalogue of recommendations for both Polish migration and integration policy was introduced. The recommendations recognized the need for developing integration mechanisms for migrants who are not under international protection, especially in terms of their difficulties in finding employment, mostly due to low qualifications. Other aspects and recommendations concerned:

- 1) Further developing pre-integration programmes;
- 2) Instituting a more harmonious process of passing from pre-integration to integration;
- 3) Introducing mentors as additional assistance to migrants;
- 4) Strengthening the role of NGOs in the integration process.<sup>49</sup>

These areas mentioned in the Council of Ministers document are consensual with the major flaws of the Polish integration system listed in the MIPEX report. These are labour market mobility, education, health and political participation. The main accusation is concerned with the fact that general support in Poland for non-EU newcomers is the third weakest of all the examined countries. Another problem is poor access to vocational training or education for migrants – only 12% of working age migrants took any courses.<sup>50</sup>

The major gap in the Polish integration system seems to be the lack of support for migrants trying to access accommodation. A lot still needs to be done in this area. Most refugees decide to remain in cities where reception centres are located after the process is completed. These locations have often limited possibilities for accommodation provision in terms of community resources.

<sup>48</sup> MPiPS, *Polska polityka integracji...*, p. 21.

<sup>49</sup> "Polityka migracyjna Polski – stan obecny i postulowane działanie, Dokument przyjęty przez Radę Ministrów w dniu 31 lipca 2012 r.", *Ministerstwo Spraw Wewnętrznych*, Warszawa 2012.

<sup>50</sup> "Migrant Integration Policy Index 2015" ...



A good practice has been introduced in Warsaw, where five premises per year are dedicated to persons under international protection.<sup>51</sup> Taking into consideration the fact that there are still not high numbers of refugees coming Poland, this solution seems to be a good practice worth copying in other communities.

Another significant problem of the integration system is the availability of an educational system for migrants. The key regulation is the Ordinance of the Minister for National Education enacted in 2010. It concerns the rules of accepting migrants without Polish citizenship into kindergartens, schools, additional language education, etc.<sup>52</sup> The proposed facilities concern the possibility of accepting migrant children into schools without any certificates or other documents confirming their obtained education. It also clarifies that the system of Polish language teaching should complement the education system. This additional teaching lasts no longer than 12 months. Additionally, the Ordinance enables the provision of classes in refugees' native languages, as well as culture education. Since 2010, it has become possible to employ teaching assistants who speak the refugees' languages. However, this practice is still rather rare – of all of the country's assistants, only several are employed for this purpose and mostly by NGOs.<sup>53</sup>

### 3.3. Public Attitude

(*Robert Łoś*)

Migration means the permanent or temporary abandonment of a person, group or even a whole society of their permanent residence and their moving to another place.<sup>54</sup> It is often common for this new place of residence to be characterized by the significant cultural diversity of the local society. Culture can be defined in various ways<sup>55</sup>: technical and consumer (production, consumption and exchange), language, customs, art, science and education, politico-legal, social awareness, religion, etc.

Migrants import at least certain elements of their native culture, which results in intensive social interactions. Such interactions then result the creation

<sup>51</sup> MPiPS, *Polska polityka integracji...*, p. 11.

<sup>52</sup> Dz.U. z 2010 r., Nr. 57, poz. 361, Rozporządzenie Ministra Edukacji Narodowej z dnia 1 kwietnia 2010, Warszawa 2010.

<sup>53</sup> MPiPS, *Polska polityka integracji...*, p. 15.

<sup>54</sup> P. Kraszewski, "Typologia migracji", [in:] *Migracja – Europa – Polska*, eds W.J. Burszta, J. Serwański, Poznań 2003, p. 11.

<sup>55</sup> W.J. Burszta, M. Januszkiewicz, "Słowo wstępne: kłopot zwany kulturoznawstwem", [in:] *Kulturoznawstwo: dyscyplina bez dyscypliny?*, eds W.J. Burszta, M. Januszkiewicz, Warszawa 2010, p. 8; R. Zenderowski, K. Cebul, M. Krycki, *Międzynarodowe stosunki kulturalne*, Warszawa 2010, p. 313; J. Kmita, *O kulturze symbolicznej*, Warszawa, Centralny Ośrodek Metodyki Upowszechniania Kultury, 1982, p. 72.

of opinions of migrants, according to which cultural aspects, as well as economic ones, are key in assessing foreigners.<sup>56</sup>

For migrants, adjusting to living in new conditions is not easy, especially in terms of accepting social behavioural models and culture in its broadest sense. Foreigners, when in contact with a new society, can adopt different attitudes leading to assimilation, integration, marginalization or separation.<sup>57</sup> The first two scenarios of behaviour are the most beneficial for both migrants and the receiving country. When the adjustment process progresses too slowly, the migrant risks marginalization and separation from the local community. Migrants are not part of social life as a result, and the mutual reluctance of migrants and the receiving society to interact is deepening.<sup>58</sup> In migrant groups, all of the above-mentioned models of behaviour can be observed in most of countries around the world.<sup>59</sup>

Taking into consideration the broad possibilities of free movement, migrants can freely travel between their home country and the receiving country. In sustaining contact with their home country, they create a specific cultural and economic bridges. It enables them to feel at home in the receiving country without losing their own national identity and distinctiveness.

Not without meaning are the strategies adopted by certain states, determining the type of behaviour adopted by these states and their policies concerning migrants. They are often described as melting pot, multiculturalism, exclusion or segregation.<sup>60</sup> The first two strategies treat migrants as future members of the community, actively participating in the cultural and social life of the receiving society.

Since Poland has a homogenous population – according to Eurostat data from 2015 in Poland, the country has the lowest percentage of non-nationals in its resident population<sup>61</sup> – the state has not been concerned with migration or integration policy to a great extent. However, the recent migration crisis evo-

<sup>56</sup> T. Hammar, *Democracy and the Nation State. Aliens, Denizens and Citizens in World of International Migration*, Aldershot 1990, pp. 23–24.

<sup>57</sup> J.W. Berry, “Conceptual Approaches to Acculturation”, [in:] *Acculturation. Advances in Theory, Measurement and Applied Research*, eds K.W. Chun, P.M. Organista, G. Marin, Washington, American Psychological Association, 2003, pp. 17–37.

<sup>58</sup> A. Chodubski, “Migracje i imigranci a współczesne przemiany europejskie”, [in:] *Integracja kulturowa imigrantów. Wyzwania i dylematy*, ed. J. Balicki, Warszawa, Fundacja Konrada Adenauera, 2007, pp. 103–121; J. Grabowska-Luzińska, M. Sokólski, *op. cit.*; J. Balicki, *Imigranci i uchodźcy w Unii Europejskiej. Humanizacja polityki migracyjnej i azylowej*, Warszawa 2012.

<sup>59</sup> M. Skoczek, “Imigranci w społeczeństwach przyjmujących: izolacja i marginalizacja”, [in:] *Imigranci i społeczeństwa przyjmujące. Adaptacja? Integracja? Transformacja?*, ed. Zamojski, J., Warszawa 2000, pp. 7–13.

<sup>60</sup> A. Banasewicz, “Konsekwencje demograficzne i społeczne imigracji do krajów OECD”, [in:] *ibidem*; Z. Kawczyńska-Butrym, *Migracje. Wybrane zagadnienia*, Lublin 2009.

<sup>61</sup> “Share of non-nationals in the resident population”, *Eurostat*, 1 January 2015, [http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Share\\_of\\_non-nationals\\_in\\_the\\_resident\\_population,\\_1\\_January\\_2015\\_\(%25\)\\_YB16.png](http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Share_of_non-nationals_in_the_resident_population,_1_January_2015_(%25)_YB16.png) [accessed: 5.12.2016].

ked new discussions concerning on the possibility of migrants coming to Poland. At this time, the rather negative attitudes of Poles towards migrants and foreigners in general became visible.

The reasons for this are manifold – beginning with the period of Communist rule, which imposed restricted border controls on Poland. The possibility of free movement was significantly restricted; therefore, migrants coming to Poland mostly came from other states in the Soviet Bloc. After World War II, Poland did not accept refugees and it was not a signatory of the Geneva Convention of 1951 nor the New York Protocol of 1967.<sup>62</sup> While other Western European societies became ethnically diverse (also due to their colonial past) and more familiar with both multicultural societies and possible methods of dealing with this new phenomenon, Poland and other V4 states remained rather hermetic.<sup>63</sup> Immigration was mostly limited to migrants from other friendly countries also under Soviet influence.<sup>64</sup> This was a significant reason for the visible differences not only within the legal framework for migration policy in Western and Eastern Europe, but also in emotional attitudes towards and perceptions of migrants. Poland, after 1989 had to rapidly change its legal system in terms of migration and asylum. What is more, day by day, Poland has changed from a hermetic and closed state to an open one. Nevertheless, mass migration has never seemed to be a problem for Poland, as it is not perceived as a settlement country or even a longstanding destination.<sup>65</sup>

Concerning the various above-mentioned determinants, Polish society can be defined as less tolerant of migrants, especially those from distant countries, where racial and cultural differences are particularly evident. As the migrant population is not numerous in Poland, racial identity is a significant issue. States with large diasporas, like the USA for example, seem to have a more favourable attitude towards and a wider acceptance of foreigners.<sup>66</sup> What is more, from Africa in particular face difficulties with integrating into Polish society, as their racial distinctiveness is visible. According to Maciej Ząbek they “(...) are generally perceived as foreign even if they have been living in Poland for over thirty years or were born here. Particularly when there are so few Africans

<sup>62</sup> S. Łodziński, “Refugees in Poland. Mechanisms of Ethnic Exclusion”, *International Journal of Sociology*, Fall 2009, Vol. 39, No. 3, p. 81.

<sup>63</sup> M. Okólski, *European Immigrations: Trends, Structures and Policy Implications*, Amsterdam 2012.

<sup>64</sup> A. Grzymała-Kazłowska, “Clashes of Discourse: The Representations of Immigrants in Poland”, *Journal of Immigrant & Refugee Studies*, 2009, Vol. 7, pp. 58–81, <http://www.tandfonline.com/taylor-francis.han3.lib.uni.lodz.pl/doi/full/10.1080/15562940802687272> [accessed: 13.02.2017].

<sup>65</sup> Indicators of Immigrant Integration 2015”, *OECD*, <http://www.oecd.org/els/mig/Indicators-of-Immigrant-Integration-2015.pdf> [accessed: 13.02.2017].

<sup>66</sup> M. Ząbek, “Africans in Poland. Race Relations in Contemporary Polish Society”, *International Journal of Sociology*, Fall 2009, Vol. 39, No. 3, pp. 68–69.

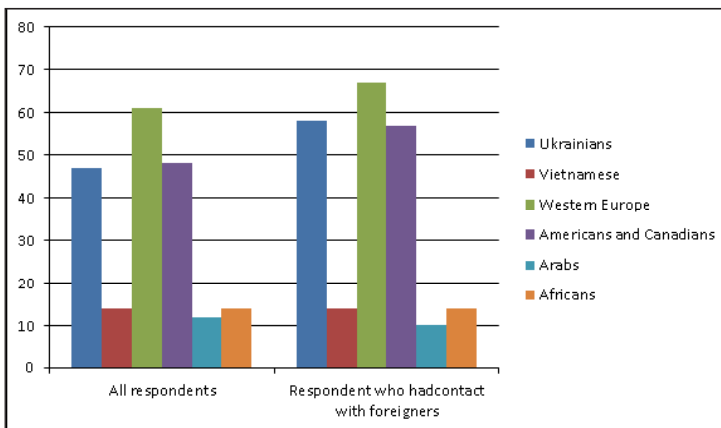
living in Poland today, the ones who do live here are all the more noticeable, and constantly feel as though they are on public display, attracting the notice of passers-by and being pointed at, even in big cities.”<sup>67</sup> The Polish intolerance of and negative attitudes towards migrants were not of such importance until the recent migrant crisis. Xenophobic attitudes were bolstered as a result and nationalist groups came into being.

In June 2015 and September 2016, a survey was conducted aiming to examine the attitudes of Poles towards migrants. The respondents were asked questions concerning certain nationalities: Ukrainians, Vietnamese, citizens of Western European countries, North Americans, Canadians, citizens of African countries and Arabs.<sup>68</sup>

In the survey, several questions were asked, concerning the cultural proximity of the examined nationalities, among others.

Figure 3.2

Assessment of the Cultural Proximity of Certain Ethnic Groups from the Polish Perspective in 2015



Source: own research, based on: *Badanie na temat postaw wobec cudzoziemców w Polsce, IPSOS for IOM, Warszawa 2015; Badanie na temat postaw wobec cudzoziemców w Polsce, IPSOS for IOM, Warszawa 2016.*

In 2015 citizens of Western European countries were perceived as being the most culturally similar to Poles (61% of positive responses), with Americans and Canadians in second place (48%) and Ukrainians in third (47%). The ethnic groups considered to be the most culturally distant from Poles were Arabs (12%), Africans (14%) and Vietnamese (also 14%).

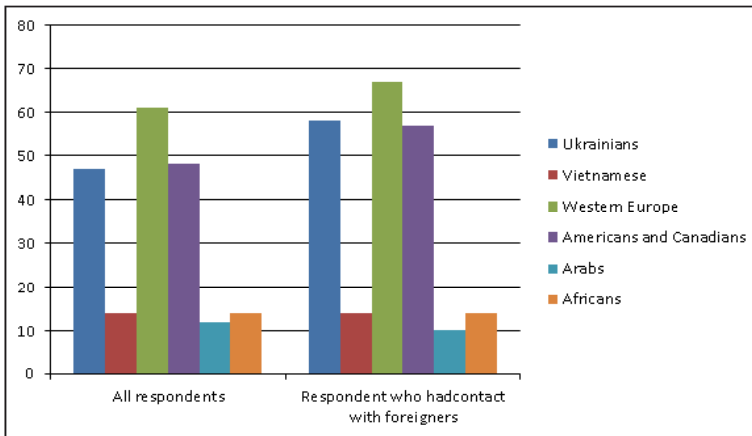
<sup>67</sup> *Ibidem*, p. 74.

<sup>68</sup> “Badanie na temat postaw wobec cudzoziemców, Warszawa, czerwiec 2015 i wrzesień 2016”, [www.iom.pl](http://www.iom.pl) [accessed: 13.02.2017].

The study was repeated a year later and the results turned out slightly differently. The general positive perception of Western European countries, the USA and Canadians remained stable; however the percentage of respondents perceiving Arabs as culturally similar decreased. It was especially visible in the group that had direct contact with migrants – only 3% of them thought that their culture was close to Polish culture, compared with 10% in the previous year.

Figure 3.3

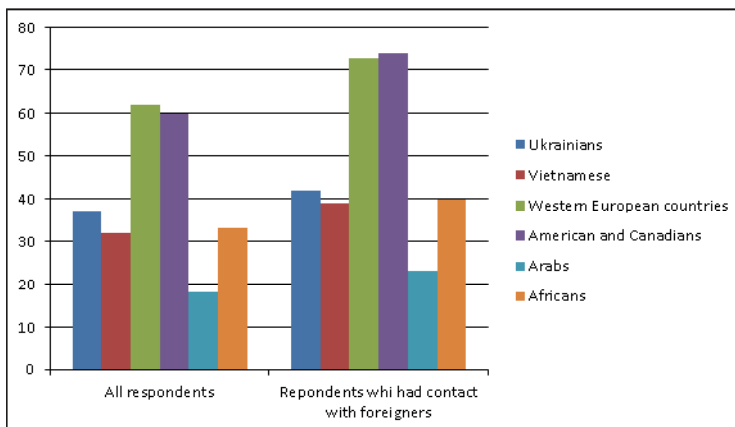
## Assessment of Cultural Proximity in 2016



Source: own research, based on: *ibidem*.

Figure 3.4

## Positive Assessment of Foreigners in Terms of Trust in 2015

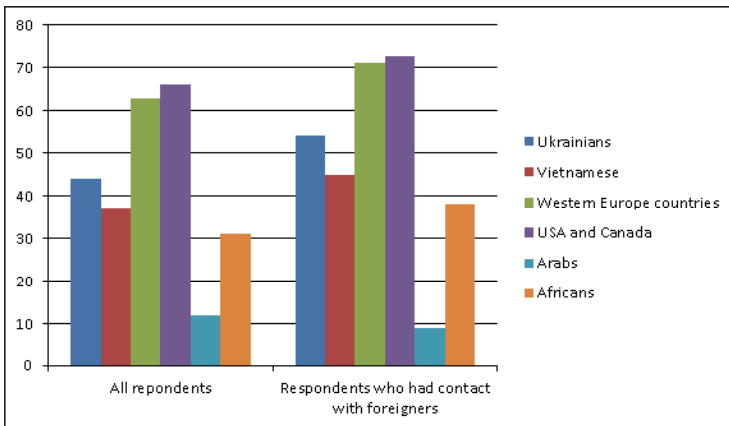


Source: own research, based on: *ibidem*.

As well as an examination of cultural proximity, questions concerning trust also came up in the survey. The results of these questions seemed to correspond with general perceptions of cultural similarity – both Arabs and Africans seem to be the least trusted ethnic groups in Poland. Comparing the results from 2015 and 2016, it is visible that cultural distance goes hand in hand with a lack of trust – in 2015, 23% of respondents declared their trust in Arabs, while in 2016 only 9% of them did. However, it is interesting to note that the Vietnamese population, which is perceived as culturally distant to Polish culture, actually evokes rather positive connotations. This decline directly results from the migration crisis, and both Europeans and Poles are mostly afraid of the rapidly growing Muslim diasporas in Europe.

Figure 3.5

## Positive Assessment of Foreigners in Terms of Trust in 2016



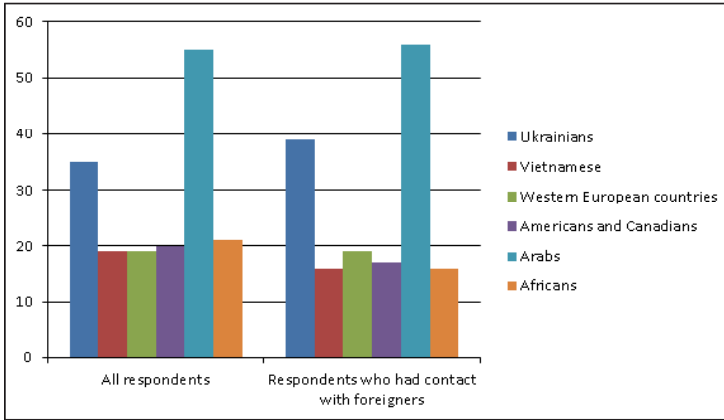
Source: own research, based on: *ibidem*.

One of the most significant questions asked by the survey concerned possible threats posed by migrants to state security, as migrants are often accused of terrorism, delinquency, smuggling, drugs dealing, participating in the illegal arms trade, human trafficking and causing social and religious conflict.<sup>69</sup> Opinions from the 2015 and 2016 surveys show that these concerns are connected mostly with Arabs; negative perceptions in this regard grew by 15% age points from 2015 to 2016 and reached 73%. Also, when considering the African population we can also observe a growth in anxiety, however not to such a great extent.

<sup>69</sup> B.R. Barber, *Dżihad kontra McŚwiat*, Warszawa 2000, p. 25; M. Golko, *Cywilizacja. Europa. Globalizacja*, Poznań 1999, p. 155.

Figure 3.6

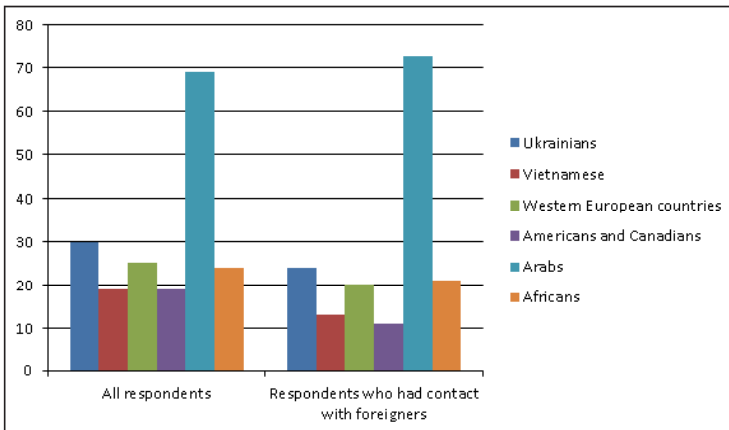
Polish Opinions of Foreigners in Terms of Their Threat to Poland's Security, 2015



Source: own research, based on: *ibidem*.

Figure 3.7

Polish Opinions of Foreigners in Terms of Their Threat to Poland's Security, 2016



Source: own research, based on: *ibidem*.

Accepting foreigners means the introduction of new cultural elements into the receiving society, which can have both advantages and disadvantages. Immigrants contribute both material and spiritual values to the receiving society. The former value contains, among others, architecture, clothing and cuisine. The latter comprises beliefs, religious rituals, customs, lifestyles and family patterns.<sup>70</sup>

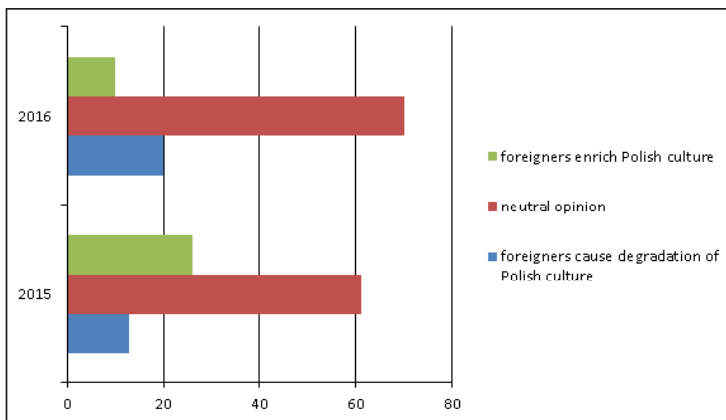
<sup>70</sup> K. Arrow, "The Theory of Discrimination", *Working Papers*, Princeton University 1971, No. 403, pp. 21–37.

As long as these values do not collide significantly with the dominant society, the coexistence of different cultures can have a positive and enriching effect. However, when these values are too contradictory, the migrant society is the one that loses more. When talking about advantages and disadvantages, it can be said that the country accepting migrant cultures can profit from such diversity.<sup>71</sup> Nowadays, it can frequently be observed that foreign cultures can endure even far from their place of origin, even if the receiving country does not provide any kind of legal assistance allowing the recognition of ethnical and cultural differences.<sup>72</sup>

The migration crisis has inspired a change of attitudes towards migrants and foreigners in general, which is evident from the change in the percentage of negative opinions, especially concerning migrants from African and Arab countries. Migrants are assessed rather negatively in terms of their influence on Polish culture. This also derives from globalization, with European regionalism voicing the fear that excessive universalism will lead to the dusk of Western culture. The indicator of the negative influence of migrants on Polish culture increased by seven percentage points between 2015 and 2016. An even more radical change can be observed in the positive perception of the influence of migrants on Polish culture – the indicator decreased from 26% in 2015 to only 10% in 2016.

Figure 3.8

## Opinions on the Influence of Foreigners on Domestic Culture



Source: own research, based on: *ibidem*.

<sup>71</sup> K. Boski, J. Fons, R. Wijver, A.M. Chodnicka, *New Directions in Cross-cultural Psychology*, Warszawa 2002.

<sup>72</sup> A. Górny, "Multiple citizenship in Poland", *CMR Working Papers*, Warszawa 2003, No. 53, pp. 56–70.



When talking about migrants, we can observe different anxieties surrounding their potential destructive influence on the receiving society. Among them, we can name social pathologies, begging, being in conflict with social values and norms, generating conflicts and social unrest and difficulties in adapting to changing social and civilizational reality.<sup>73</sup>

Therefore, taking into consideration the above facts, both concerning the influence of history and past experiences of Soviet rule in Poland and the current migration crisis, we can issue the following conclusions:

- 1) Civilization and cultural differences are not decisive in the positive or negative assessment and perception of foreigners, since the Vietnamese, in spite of being perceived as culturally different to Poles, were assessed rather positively
- 2) However, the current international situation and general circumstances have had a significant impact on the way foreign-born populations are being seen. This is a valid conclusion when considering the period of Communist rule in Poland, which led to the creation of a closed and hermetic country with almost no foreign-born population. Furthermore, when considering the migration crisis, opinions have also been formed by repetitive terrorist attacks and incidents involving migrants.

### 3.4. Political Implifications

*(Anna Kobierecka, Michał Kobierecki)*

The aim of this chapter is to investigate the issue of the Polish political party system in the light of the European migration crisis. Issues related to the migration crisis and migration policy in the programmes of political parties seemed to have a significant impact on the 2015 Polish parliamentary elections. Together with the intensification of refugee inflows into Europe, more frequent incidents motivated by ethnic differences and the growing frustration of receiving societies, political discourse on migration and its threats gained much attention. The fact that the Polish parliamentary elections took place in October 2015 had a natural impact on the relevance of the migration crisis for the shape of the Polish political party system.

Poland, as an EU member state, faced the threat of the imposition of certain regulations for the resolution of the migration crisis, such as refugee

<sup>73</sup> A. Chodubski, "Wartości współczesnego życia kulturowego. Tożsamość Polaków w rzeczywistości diasporalnej", [in:] *Wspólne drogi Polaków w kraju i na obczyźnie (1918–2008)*, eds L. Kacprzak, M. Szczerbiński, Piła, Polskie Towarzystwo Historyczne 2009, pp. 375–389.

quotas for all EU member states. Poland, together with the other V4 countries, opposed this idea; however, the *Polskie Stronnictwo Ludowe* [Civic Platform-Polish People's Party, PSL] government, afraid of isolation and its lack of influence on the decision-making process in tackling the crisis, decided in the end to back the plan.<sup>74</sup> However, two months later the government was overtaken by the conservative and Eurosceptic Law and Justice Party, which had already loudly voiced its standpoint regarding the migration crisis during the election campaign; this prominently influenced Poland's response to new potential threats deriving from intensified migration. What is more, no left-wing parties exceeded the threshold needed to be elected to the Polish Sejm, whereas two newly-established political formations succeeded in winning mandates. It is therefore indisputable that the Polish party system has been transformed.

The aim of this chapter is to investigate the reasons why the Polish party system changed so significantly after the 2015 parliamentary elections. Not only did new formations enter the Parliament at the expense of left-wing parties, but also the *Platforma Obywatelska* [Civic Platform, PO] lost to Law and Justice for the first time in eight years, meaning that the latter was able to form a government independently. This research will make an attempt to verify a hypothesis stating that attitude of Polish political parties to the migration crisis has affected the party system in Poland. It will also attempt to answer a research question concerning the reasons for Civic Platform's standpoint on the refugee crisis.

In order to conduct this research, it was essential to determine the attitude of the analysed parties (present in the Sejm of the seventh and eighth terms) towards accepting migrants in Poland. These attitudes were not present in the official political programmes of the respective parties, so the statements of key politicians affiliated to the respective parties had to be considered. The only exception refers to the PO and PSL before the 2015 elections, as their standpoint could be assessed based on the decisions of their government, although of course this has been additionally verified by statements from key politicians. The results were then examined in conjunction with the number of seats that the analysed parties occupied in the Sejm before and after the elections – the pre-election figures have been based on the number of members of the respective parliamentary groups, while the post-election figures are based on its results.

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<sup>74</sup> "Jest decyzja w sprawie kwot uchodźców. Tylko cztery państwa przeciwko", 22 September 2015, *Gazeta Wyborcza*, <http://www.tvp.info/21736781/jest-decyzja-w-sprawie-kwot-uchodzcow-tylko-cztery-panstwa-przeciwko> [accessed: 13.12.2016].

### 3.4.1. Polish Political Parties before the 2015 Elections

At first sight, the Polish party system could be perceived as stable, as two dominant parties can be named – Civic Platform and Law and Justice. However, the Polish electorate seems to be floating and uncertain as, since 1989, one party has ruled twice in a row only once. The current internal and external situation is affecting the electorate and its voting decisions. Since Central-Eastern European societies exhibit a stronger intolerance of and a greater hesitance towards foreigners, it is not surprising that the whole V4 area reacted strongly to the ongoing migration crisis. In a survey conducted in Poland in 2015 by IPSOS for the International Organization for Migration, 22% of respondents claimed that they perceive Arabs as friendly, while 65% claimed that their attitude towards Arabs was negative. What is more, 56% of respondents perceived Arabs as a threat to Polish security.<sup>75</sup> These survey outcomes are evidence of the significance and meaning of a political party's view of migration in the eyes of the potential electorate.

The issue of migration was indirectly discussed on the occasion of the Polish accession to the European Union. While some older member states concentrated on safeguarding their labour markets, the Polish government voiced its concern regarding the possibilities of the unlimited right to purchase land. Therefore, the Polish delegation negotiated adequate restrictions limiting these rights for foreigners. This also highlights Poland's natural, primal and rather negative attitude towards foreigners, and the fear of their potential growing influence in Poland.

Polish society, until now, could be considered as homogenous – the percentage of immigrants and the native-born offspring of immigrants is less than 5%.<sup>76</sup> According to Eurostat, only 1% of the Polish population was born abroad.<sup>77</sup> What is more, Poland is classified as country with an immigrant population shaped by border changes or national minorities. This means that, until the recent migration crisis, it has not faced any critical or grave threats from ethnic diversity<sup>78</sup>. Nevertheless, during most recent campaign, owing to specific circumstances and the rapidly growing numbers of refugees seeking protection in Europe, the issue of migration became an important part of the struggle for political power between the most significant political parties. The migration

<sup>75</sup> “Badanie na temat postaw wobec cudzoziemców w Polsce”, *IPSOS*, Warszawa 2015.

<sup>76</sup> “Indicators of Immigrant Integration 2015. Settling in”, *OECD*.

<sup>77</sup> “Five main citizenships of (non-EU) asylum applicants, 2015 (number of first time applicants, rounded figures)”, *Eurostat*, [http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Five\\_main\\_citizenships\\_of\\_\(non-EU\)\\_asylum\\_applicants,\\_2015\\_\(number\\_of\\_first\\_time\\_applicants\\_rounded\\_figures\)\\_YB16.png](http://ec.europa.eu/eurostat/statistics-explained/index.php/File:Five_main_citizenships_of_(non-EU)_asylum_applicants,_2015_(number_of_first_time_applicants_rounded_figures)_YB16.png) [accessed: 13.12.2016].

<sup>78</sup> “Indicators of Immigrant Integration 2015. Settling in”, *OECD*.

crisis also resulted in visible divisions and the weakening of the European Union as an organization, which additionally exacerbated the discussion of these issues in the Polish parliamentary elections.

The European migrant crisis has been on the agenda since April 2015, when five boats with almost 2,000 migrants on board sank on their way to Europe. More than 1,200 people died. The crisis itself is associated with a rapid rise in the number of immigrants arriving in the European Union, who are a combination of economic migrants and refugees. Their great number is a result of certain ongoing conflicts in countries in North Africa and the Middle East.<sup>79</sup> The growing number of migrants in certain EU countries such as Italy and Greece, which lie along migrant routes, forced the European Union to act in order to stabilize the situation.

The relocation of refugees and migrants appeared to be the answer to the issue. The European Council decided in September 2015 to transfer migrants from the most affected states as part of the emergency relocation scheme based on the percentage of member states per quota.<sup>80</sup> However, the much-debated compulsory quota system revealed differences between member states.<sup>81</sup> The decision to relocate 120,000 refugees was made by voting. Most EU member states supported the solution, including Poland. Only the Czech Republic, Slovakia, Hungary and Romania were against the relocation, while Finland abstained from voting. It was widely discussed that the Polish government had abandoned its V4 allies.<sup>82</sup> According to Polish ministers, voting against the decision was senseless because of the vote distribution. According to the Deputy Minister of Internal Affairs, Rafał Trzaskowski, opposing the decision would only have led to Poland's having less influence on the final outcome.<sup>83</sup>

The decision of the Polish government to support the European Union's position on the relocation of migrants in the light of the refugee crisis symbolized a clear division between Polish political parties on this issue, which was reflected by the party system in Poland. The political landscape in Poland since 2005 has been dominated by two major parties, namely Civic Platform and Law and Justice. The PiS government ruled Poland between 2005 and 2007, but as a result of the breakup of a coalition with the populist *Liga Polskich Rodzin* [League

<sup>79</sup> R.M. Townsend, *The European Migrant Crisis*, 2015, p. 1.

<sup>80</sup> R. Samaddar, *A Post-Colonial Enquiry into Europe's Debt and Migration Crisis*, Kolkata 2016, p. 110.

<sup>81</sup> L. Radu, "More or Less Europe? The European Leaders' Discourses on the Refugee Crisis", *Romanian Journal of Communication and Public Relations*, July 2016, Vol. 18, No. 2 (38), p. 22.

<sup>82</sup> "UE podzieliła uchodźców, było głosowanie. Cztery kraje przeciwko, Polska jak większość", 22 September 2015, <http://www.tvn24.pl/wiadomosci-ze-swiatea,2/szefowie-unijnych-msw-uzgodnili-podzial-uchodzcow,579199.html> [accessed: 13.12.2016].

<sup>83</sup> "UE przegłosowała decyzję o podziale imigrantów. Polska cofnęła swój sprzeciw", 22 September 2015, <http://www.polskieradio.pl/5/3/Artykul/1509225,UE-przeglosowala-decyzje-o-podziale-imigrantow-Polska-cofnela-swoj-sprzeciw> [accessed: 13.12.2016].

of Polish Families, LPR] and *Samoobrona* [Self Defence] and its inability to govern independently, it decided to hold early elections, which were eventually won by PO, which formed a coalition with the agricultural Polish People's Party. This coalition was the first in post-Communist Poland's history to continue in power for two consecutive four-year terms. In 2015, however, PiS won by a significant margin and was able to rule the country without a coalition partner. It is a similar story for Polish presidents. Since 2005 only PiS and PO members have been elected: consecutively, Lech Kaczyński (PiS), Bronisław Komorowski (PO) and Andrzej Duda (PiS). Therefore, it appears legitimate to claim that the Polish party system is a competition between PO and PiS, with other parties playing a rather modest role, or at least it has been so far.

PiS and PO have contrasting opinions on a number of relevant issues. In this context, the fact that they were supposed to build a coalition together after the 2005 parliamentary elections appears surprising. Law and Justice is usually regarded as a conservative party. In its programme, there are statements about rejecting political correctness and the erosion of independence of EU member states; supporting the diversity of Europe is thus against unification. Law and Justice believes that Polish decision-makers have led the country to lose the tools to independently realize its national interests.<sup>84</sup> Economically, PiS supports the idea of the state playing an active role.<sup>85</sup> In its programme, it also criticizes the post-Communist development of Poland, both pre-2005 and post-2007 – the latter period is described as “Tusk's system”<sup>86</sup> in reference to former Prime Minister and PO leader Donald Tusk.

The attitude of Law and Justice to accepting migrants in Poland was not revealed in its political programme. Still, it could be derived from speeches and declarations made by politicians in this party. Generally, the party has been much more reserved on the issue of welcoming refugees. As PiS spokesperson Elżbieta Witek said in July 2015, the government should take care of Poles living in Eastern, post-Soviet countries rather than accept migrants from other countries.<sup>87</sup> The party also expressed the view that Poland should engage in counteracting the reasons for the migrant crisis, such as the operations of ISIS in the Middle East, rather than reacting to its results.<sup>88</sup> PiS leader Jarosław

<sup>84</sup> “Program Prawa i Sprawiedliwości 2014”, Warszawa 2014, p. 12–13, 149, <http://pis.org.pl/dokumenty> [accessed: 14.12.2016].

<sup>85</sup> *Ibidem*, p. 14.

<sup>86</sup> *Ibidem*, p. 43.

<sup>87</sup> “Choroba terroryzmu? PO i PiS o przyjmowaniu uchodźców”, 20 July 2015, <http://wiadomosci.dziennik.pl/polityka/artykuly/495707,choroba-terroryzmu-po-i-pis-o-przyjmowaniu-uchodzcow.html> [accessed: 15.12.2016].

<sup>88</sup> G. Osiecki, “PO i PIS jednym głosem w sprawie imigrantów. Decyzje dopiero po wyborach”, 1 September 2015, <http://www.gazetaprawna.pl/artykuly/891340,po-i-pis-jednym-glosem-w-sprawie-imi-grantow-decyzje-dopiero-po-wyborach.html> [accessed: 15.12.2016].

Kaczyński pointed out during a debate in the Polish Parliament that accepting even a small number of migrants could initiate the process of more migrants coming to Poland who do not abide by Polish law and practices.<sup>89</sup> Although this has not been said directly, generally PiS has embodied a sceptical view of accepting migrants.

In the Polish political landscape, Civic Platform appears to have more liberal views of certain issues. PO was a ruling party between 2007 and 2015, alongside PSL. During this period, the Polish government pursued a pro-European policy, which resulted the appointment of the party's members and former Polish prime ministers to important European positions: Jerzy Buzek became President of the European Parliament between 2009 and 2012, while Donald Tusk has been President of the European Council since 2014. Under PO leadership, Poland was praised in the West for maintaining economic development despite the financial crisis and for its skilful diplomacy as part of the EU. This allowed the Polish government to achieve important goals in its European policy, namely expanding the Union's budget and being exempted from climate rules.<sup>90</sup>

This pro-European attitude from PO could also be seen when the Polish government was facing the challenge of the European migration crisis. In contrast to many other EU member states, Poland, under the leadership of PO and PSL, was more reluctant to accept migrants, but retained the position that decisions should be taken voluntarily by member states, even if it was willing to help at the same time.<sup>91</sup> Generally, PO found itself in a difficult situation. On the one hand, it was asked by the Eurocrats to engage more, as Poland had benefited so excessively from the Eurofund, but on the other hand it was aware of the Polish population's attitudes towards accepting migrants. According to one of the surveys, two-thirds of Poles share a negative attitude towards immigrants. This was a great problem in the 2015 parliamentary elections.<sup>92</sup>

Differences in the attitudes of the major political parties on the issue of relocating migrants was clearly visible during the debate in the Polish Sejm on 16 September 2015. Prime Minister Ewa Kopacz said during her speech that "turning our backs on those who need help in the European family morally and

<sup>89</sup> "Kaczyński przeciwny przyjęciu imigrantów. Ostrzega przed szariatem: Czy tego chcecie?", 16 September 2016, <http://wiadomosci.dziennik.pl/polityka/artykuly/500599,sejm-kaczynski-przeciw-przyjeciu-imigrantow.html> [accessed: 15.09.2016].

<sup>90</sup> "Poland's Progress. Donald Tusk's Appointment Caps Poland's Journey to Europe's Core", *The Economist*, 6 December 2014, <http://www.economist.com/news/europe/21635506-donald-tusks-appointment-caps-polands-journey-europes-core-polands-progress> [accessed: 15.12.2016].

<sup>91</sup> "Poland under Pressure to Adopt EU Migration Strategy", 14 May 2015, <http://www.thenews.pl/1/10/Artykul/206807,Poland-under-pressure-to-adopt-EU-migration-strategy> [accessed: 15.12.2016].

<sup>92</sup> A. Leszczyński, "Poles Don't Want Immigrants. They Don't Understand Them, Don't Like Them", *The Guardian*, 2 July 2015, <https://www.theguardian.com/world/2015/jul/02/pires-dont-want-immigrants-they-dont-understand-them-dont-like-them> [accessed: 15.12.2016].

mentally leaving this community". She also stressed that EU membership obliges Poland to undertake certain activities. The Prime Minister added that the Parliament had to decide between the credibility of Poland and the actual fears of Poles, and that responsibility and common sense must reign. PiS leader Jarosław Kaczyński responded by asking the question of whether the government "has the right to make decisions under external pressure and without the nation's acceptance, which may very probably have a negative effect on our lives, everyday reality, public life, public space, the actual sphere of freedom and finally, our safety".<sup>93</sup> Both of these speeches directly expressed the attitudes of both parties attitude towards the issue of accepting migrants and refugees, with PO being for, and PiS being against. The upcoming parliamentary elections made the situation even harder for the ruling party, thus giving Law and Justice extra opportunities to gain new voters.

The government's decisions on the migration crisis appear to reflect this discrepancy. As was noted earlier, the Polish government supported the idea of relocating immigrants in the European Union, siding with the majority despite generally being against it, although it opposed the mandatory quotas imposed by the European Commission. As Minister of the Interior Teresa Piotrowska said, "we are prepared to accept migrants but not quotas".<sup>94</sup> Already in August 2015, Prime Minister Kopacz declared that the country would consider accepting more migrants than the 2,000 previously declared within the next two years, but realistically it could not offer a very high level of refugee welfare services.<sup>95</sup> As Kopacz said, "Poland will accept refugees, not immigrants. As many as we can afford: not one more, nor less".<sup>96</sup> Therefore, even though support for the EU's decisions on relocating migrants might have been unpopular in Poland, the PO-PSL government was apparently trying to manoeuvre between its responsibilities to other EU member states and Polish public opinion, which was, as has been stated, rather lukewarm on the topic of hosting migrants.

During the seventh term of the Polish Sejm, apart from Civic Platform and Law and Justice, three other political parties were present in Parliament:

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<sup>93</sup> "Specjalne posiedzenie Sejmu w sprawie uchodźców. Cała Europa obserwuje co się dzieje w polskim parlamencie", 16 September 2015, <http://www.polskieradio.pl/5/3/Artykul/1505868,Specjalne-posiedzenie-Sejmu-w-sprawie-uchodzcow-Cala-Europa-obszerwuje-co-sie-dzieje-w-polskim-parlamencie> [accessed: 15.12.2016].

<sup>94</sup> J. Barigazzi, M. de la Baume, "EU Forces through Refugee Deal", 21 September 2015, <http://www.politico.eu/article/eu-tries-to-unblock-refugee-migrants-relocation-deal-crisis/> [accessed: 15.12.2016].

<sup>95</sup> M.M. Sobczyk, "Poland Says It Will Accept More Refugees Than Previously Promised", 31 August 2015, *The Wall Street Journal*, <http://www.wsj.com/articles/poland-says-it-will-accept-more-refugees-than-previously-promised-1441054277> [accessed: 15.12.2016].

<sup>96</sup> "Poland Will Take On as 'Many Refugees as It Can'", 15 September 2015, <http://thenews.pl/1/10/Artykul/221238,Poland-will-take-on-as-%E2%80%9Cmany-refugees-as-it-can> [accessed: 15.12.2016].

*Ruch Palikota* [the Palikot Movement], later renamed *Twój Ruch* [Your Movement], the Polish People's Party (PSL) and *Sojusz Lewicy Demokratycznej* [the Democratic Left Alliance, SLD]. PSL was a member of the government coalition, so its position may have been at least to some extent associated with the government's stand. PSL politicians discussed the issue of accepting migrants in a balanced way. For example, the PSL leader and Polish Vice-Prime Minister, Janusz Piechociński, declared that he believed that a nationwide debate was needed concerning the immigrant issue,<sup>97</sup> while MP Piotr Zgorzelski declared that PSL's position was that Poland could accept those in need, but that they could only stay on Polish terms.<sup>98</sup>

SLD and *Twój Ruch* (the new name of *Ruch Palikota*) were rather to the left of the Polish political landscape, and formed an electoral coalition before the 2015 elections. Both parties generally expressed a rather pro-European attitude. Similarly, their representatives did not express that they were against accepting migrants. The leader of *Twój Ruch*, Janusz Palikot, said in an interview that the Polish government should try to limit the number of immigrants arriving in Poland "because we are a poor country", although did not directly say that he was against accepting migrants.<sup>99</sup> The coalition's candidate Barbara Nowacka, who became Prime Minister, declared unambiguously in an interview that refugees should be accepted.<sup>100</sup>

A review of the standpoint on the migration crisis of the parties that were members of the seventh term of the Sejm revealed three general positions. PO and its coalition partner, PSL, appeared to be balancing between pressure from the European Union and Polish society's sceptical attitude towards accepting migrants. The more conservative PiS, although it never claimed unequivocally that it was against letting refugees to Poland, consequently remained reserved, raising fears and pointing to the government's subservience to the European Union. Left-wing parties (SLD, the Palikot Movement), which ge-

<sup>97</sup> "Janusz Piechociński chce wielkiej debaty w sprawie imigrantów", 8 September 2015, <http://wiadomosci.dziennik.pl/polityka/artykuly/499916,pomysl-wicepremiera-janusza-piechocinskiego-na-imigrantow-lider-psl-chce-wielkiej-debaty.html> [15.12.2016].

<sup>98</sup> "Zgorzelski: nam zalew emigracji nie grozi, będziemy co najwyżej krajem tranzytowym", 17 September 2015, <http://www.tvp.info/21668890/zgorzelski-nam-zalew-emigracji-nie-grozi-bedziemy-co-najwyzej-krajem-tranzytowym> [accessed: 15.09.2016].

<sup>99</sup> "Janusz Palikot o przyjmowaniu imigrantów: na pewno nie można wpuszczać każdego", 17 September 2015, <http://www.polskieradio.pl/7/129/Artykul/1505991,Janusz-Palikot-o-przyjmowaniu-imi-grantow-na-pewno-nie-mozna-wpuszczac-kazdego> [accessed 15.12.2016].

<sup>100</sup> D. Grzędziński, "Barbara Nowacka, 'Uchodźców należy przyjąć. Nie ma co gdybać o odsetku terrorystów'", 21 September 2015, <http://www.polskatimes.pl/artykul/8169792,barbara-nowacka-uchodzcow-nalezzy-przyjac-nie-ma-co-gdybac-o-odsetku-terrorystow,id,t.html> [accessed: 15.12.2016].



nerally have the most liberal world view of all Polish parties, appeared much more open to accepting migrants, raising economic reasons (if any) limiting the number of people to be relocated to Poland.

### 3.4.2. Polish Political Parties after the 2015 Elections

The 2015 parliamentary elections in Poland led to a vast change of the Polish political landscape. Civic Platform lost its leading position to Law and Justice, which gained a majority allowing it to create a government without the need to find a coalition partner. Left-wing parties that went into the elections as a coalition failed to exceed the 8% threshold and were not elected into Parliament, while two new parties were – *Nowoczesna* [Modern] led by economist Ryszard Petru and a political movement called Kukiz'15, formed by former musician Paweł Kukiz. The distribution of the mandates in the Sejm after the 2015 elections are shown in Figure 3.9.

It is important to determine what the attitude of the new parties in parliament was towards the migration crisis. *Nowoczesna's* standpoint was rather positive towards accepting migrants, but is hard to be assessed this explicitly. First of all, it is a new political party formed before the previous elections. Secondly, the assessment of its attitude towards migration crisis is complicated as its stand on the issue is floating. *Nowoczesna* does not directly refer to migration issues in its programme, only containing the statement that: “the European Union should effectively counteract terrorism, secure its borders and develop common migration and asylum policies.”<sup>101</sup> The only way to understand the opinion of *Nowoczesna's* members regarding migration is to analyse their official statements to the media. The leader of *Nowoczesna*, Ryszard Petru, kept his tone on the migration crisis rather moderate before the parliamentary elections, saying in an interview in September 2015 that refugees “need to be accepted (...) but wisely, which will eliminate the risk of terrorists coming to Poland”. In the same interview he also highlighted that “the doubts of Poles concerning migrants should be understood, but at the same time it should be observed that Poland is obliged to respect international conventions”.<sup>102</sup> More than a year later, in November 2016, his attitude towards migration crisis had changed significantly, as in his appearance on Polsat News, he admitted that too many refugees had been accepted in Europe and that the problem should be solved at its root by sealing borders and accepting only refugees, not all migrants.<sup>103</sup>

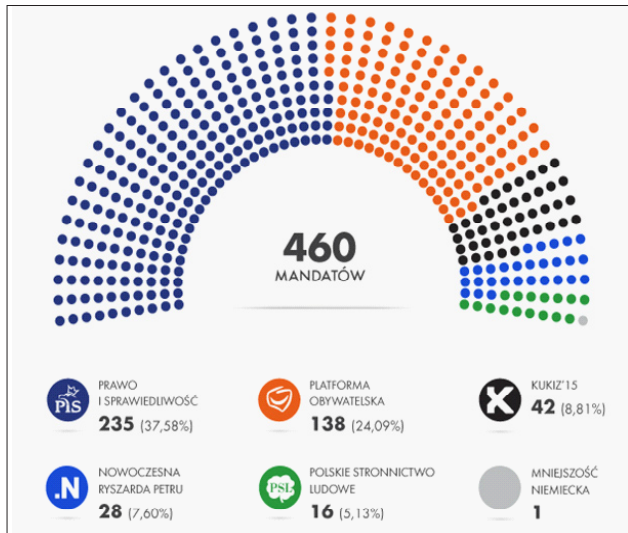
<sup>101</sup> “Program. *Nowoczesna* Polska dla każdego”, <https://nowoczesna.org/program/> [accessed: 21.11.2016].

<sup>102</sup> “Ryszard Petru: Angela Merkel popełniła błąd, a my ws. uchodźców nie mamy jednego stanowiska”, *wpolityce.pl* [accessed: 21.09.2015].

<sup>103</sup> “Petru: przyjęto zbyt dużo uchodźców”, *Polsat News* [accessed: 21.11.2016].

Figure 3.9

## Polish Sejm after the 2015 Elections



Source: “Wybory 2015. Znamy podział mandatów. PiS z samodzielną większością”, <http://wiadomosci.wp.pl/lbid,10341,title,Wybory-2015-Znamy-podzial-mandatow-PiS-z-samodzielną-wiekszością,nazywo.html?icaid=1184a8> [accessed: 19.12.2016].

Another new party that managed to enter the Polish Parliament is Kukiz'15. In this case, similarly to Nowoczesna, the issue of the migration crisis was not officially discussed in its programme, therefore it can only be investigated on the basis of official statements made by its members. In the proposed programme, it can be read that: “(...) we refuse to renounce sovereignty and to pass our government's competences to Europe. Our government will guarantee the realization of Polish national interests in foreign policy. Our government will only take care of Polish interests, instead of German, Russian, Ukrainian or European interests”.<sup>104</sup> This statement suggests that the standpoint of this political party on the migration crisis (only willing to take Polish interests into consideration without any recognition of international commitments, especially those to Europe) can be perceived as equal to negating any forms of European cooperation on developing joint solutions to the migration crisis. Official statements to the media are proof of this assumption. From very moment of forming it, Paweł Kukiz, the movement's leader, did not hide his negative attitude towards

<sup>104</sup> “Strategia zmiany”, *Kukiz'15*, <http://ruchkukiza.pl/content/uploads/2016/04/Strategia-Zmiany-Kukiz15.pdf> [accessed: 21.11.2016].

migrants, either refugees from Africa or those from Ukraine. After the terrorist attacks in Brussels in March 2016, Paweł Kukiz called on the government to reject the quota agreement and suggested conducting a referendum on not accepting migrants.<sup>105</sup>

### 3.4.3. Polish Political Parties and Their Attitude towards Migrants after the 2015 Elections

The parliamentary elections in October 2015 changed the political scene significantly. Law and Justice received 235 mandates,<sup>106</sup> constituting 51.09% of all the mandates in the Polish Parliament. It was tantamount to an independent government and had no need to form a coalition. This was a novelty in the Polish parliament, which is characterized by its high level of fragmentation and high number of political parties able to exceed the electoral threshold. It gave almost full freedom to legislate and decide on most significant political issues. Differences between the former governing party and Law and Justice are, among others, a visible change in migration policy and the general opinion on receiving migrants in EU member states. From the beginning, the Polish government voiced its deep concern about the EU's compromise, highlighting its legal flaws and growing security threats after the Paris attacks in November 2015.

The change of government took place in November 2015 and the new government, with Beata Szydło as Prime Minister, assured that commitments made by previous decision-makers and leaders would be sustained. This appeared to be a surprise, as previous statements and comments, especially those made by PiS leader Jarosław Kaczyński, unequivocally indicated the party's negative attitude towards the migration crisis and decisions made by the Civic Platform government. During a debate in the Sejm in September 2015, Jarosław Kaczyński criticized Ewa Kopacz for making decisions under foreign pressure and against society's will. These decisions were justified by legal and formal restrictions which made changing the decisions impossible.<sup>107</sup> In spite of the formal acceptance of the developed quota system, Law and Justice insisted on passing a new migration law that took effect at the beginning of 2016. In February, the first debates in the Sejm took place. The idea of the new law

<sup>105</sup> "Kukiz apeluje do rządu: Wycofajcie się z decyzji o przyjmowaniu uchodźców", 22 March 2016, <http://wiadomosci.dziennik.pl/swiat/artykuly/516264,zamachy-w-brukseli-kukiz-przyjmowanie-uchodzcow.html> [accessed: 20.11.2016].

<sup>106</sup> See [www.sejm.gov.pl](http://www.sejm.gov.pl) [accessed: 20.11.2016].

<sup>107</sup> M. Fabisiak, "PiS zmienia zdanie ws. uchodźców? Nie mamy możliwości się wycofać", 7 January 2016, [http://wiadomosci.wp.pl/kat,141000,title,PiS-zmienia-zdanie-ws-uchodzcow-Nie-mamy-mozliwosci-sie-wycofac,wid,18084353,wiadomosc.html?ticaid=118473&\\_ticrsn=3](http://wiadomosci.wp.pl/kat,141000,title,PiS-zmienia-zdanie-ws-uchodzcow-Nie-mamy-mozliwosci-sie-wycofac,wid,18084353,wiadomosc.html?ticaid=118473&_ticrsn=3) [accessed: 20.11.2016].

was to condemn attempts to create permanent mechanisms of receiving refugees on the EU level, to criticize the decision to relocate 120,000 people and finally to encourage only obeying national migration and asylum laws.<sup>108</sup> The act was passed by Sejm on 1 April 2016.

After the terrorist attacks in Brussels in March 2016, Prime Minister Beata Szydło voiced her concern about growing security threats in Europe stemming from the migration crisis. The need to provide a more united front in the search for effective crisis solutions. These attacks also gave the government the opportunity to make their standpoint more determined. Beata Szydło almost immediately used it as an argument to withdraw from previous commitments by saying that: “I see no possibility for migrants to come to Poland at this moment”.<sup>109</sup> Her words were then confirmed in April 2016 by Konrad Szymański, Secretary of State for European Issues at the Foreign Ministry, who stated that the refugee quota previously accepted by Civic Platform and later by Law and Justice would not be implemented.<sup>110</sup> Later, in May 2016, an act was passed on the defence of Polish sovereignty and its citizens’ laws. According to the new law, the EU’s decisions on migrants were forced on Poland, undermining Polish sovereignty and threatening Polish security, national identity and society itself.<sup>111</sup> By so doing, the Law and Justice government withdrew from upholding the PO-PSL government’s commitments, thus responding to pre-electoral suggestions that it would not let migrants to come to Poland.

Law and Justice’s takeover of power made its rapprochement with the V4 countries possible again. In September, the Polish government together with the other states of the V4 proposed a compromise on EU migration policy, as the previous proposal to introduce refugee quotas on the number of refugees to be accepted in each member state turned out to be ineffective. The new proposal would suggest a more voluntary system of accepting refugees and would enable independent decisions to be made on the extent of engagement in the European Union’s migration policy and migration crisis management. Decisions, according to the V4 countries, should be made on the basis of each state’s

<sup>108</sup> “PiS chce, by Sejm przyjął uchwałę ws. uchodźców”, 9 February 2016, <http://www.tvn24.pl/wiadomosci-z-kraju,3/uchodzcy-w-polsce-pis-chce-uchwaly,617745.html> [accessed: 20.09.2016].

<sup>109</sup> “Polska nie przyjmie imigrantów. Szydło: Nie widzę takiej możliwości”, 23 March 2016, <http://www.newsweek.pl/polska/polska-nie-pryjmie-imigrantow-beata-szydlo-w-wywiadzie-dla-superstacji,artykuly,382568,1.html> [accessed: 20.09.2016].

<sup>110</sup> “Poland thinks EU refugee quota plan is ‘dead’, minister says”, 14 April 2016, *Reuters UK*, <http://uk.reuters.com/article/uk-europe-migrants-poland-idUKKCN0XB0K3> [accessed: 20.09.2016].

<sup>111</sup> “Zbigniew Czachór, Adam Jaskulski, Polska wobec kryzysu migracyjnego w Europie”, 8 June 2016, <http://www.institutobywatelski.pl/25576/publikacje/analizy/spoleczenstwo-analizy/polska-wobec-kryzysu-migracyjnego-w-europie> [accessed: 21.09.2016].

experience and potential.<sup>112</sup> What is more, in October, the Polish Sejm once again discussed in a debate another act recognizing the European Parliament's and the Council of the European Union's decision on the mandatory refugee relocation mechanisms as inconsistent with the European rule of subsidiarity. It is important to note that all parliamentary groups supported the resolution project proposed by Law and Justice, even Civic Platform.<sup>113</sup> This is evidence not only that Law and Justice had changed its standpoint on the migration crisis, but that Civic Platform, which had at first supported Juncker's quota plan in spite of its concerns, had also changed its standpoint on the issue.

PO's shift could be the result of several reasons. First of all, as has previously been indicated, Polish society is rather intolerant, especially towards migrants from Africa and the Middle East; general support for accepting refugees is also lower than it is in Western countries. Public opinion also influences the standpoint of political parties – losing in the elections resulted in Civic Platform re-shaping its position at least to some extent. Secondly, after many incidents with refugees, for example, sexual harassment in Cologne and later in Stockholm, as well as terrorist attacks in Paris, Nice and Brussels, the openness of European societies and political leaders, and not only Polish, has been in constant decline. The political scenes of many European states are changing in a similar manner to Poland's – in France, anti-immigrant parties are gaining more support. The same process is already happening in Sweden, which until now has been considered as one of the most open and tolerant states. Here, the radical and anti-immigrant Sverigedemokraterna party is already a third power in the Riksdag, and its support is continuing to strengthen – in March, 18% of the electorate declared their willingness to vote for the Swedish Democrats.<sup>114</sup>

### 3.4.4. Final Remarks

The main objective of this research was to analyse how the European migration crisis has affected the Polish political party system. The Table 3.4 shows how the distribution of mandates in the Polish Sejm changed after the 2015 elections. This change was confronted with the attitude towards accepting immigrants in Poland by the respective parties. It must be borne in mind,

<sup>112</sup> “Coś drgnęło w Brukseli? Pomysł Grupy Wyszehradzkiej ws. uchodźców zyskuje poparcie Schulza i szefa EPP”, 25 September 2016, <http://wpolityce.pl/swiat/309627-cos-drgnelo-w-brukseli-pomysl-grupy-wyszehradzkiej-ws-uchodzcow-zyskuje-poparcie-schulza-i-epp> [accessed: 20.10.2016].

<sup>113</sup> “PAR, Sejm: kluby przeciw mechanizmowi przymusowej relokacji uchodźców”, 21 October 2016, <http://www.pap.pl/aktualnosci/imigranci/news,680474,sejm-kluby-przeciw-mechanizmowi-przymusowej-relokacji-uchodzcow.html> [accessed: 20.11.2016].

<sup>114</sup> “Sweden's Social Democrat Party Hits Record Low in Poll”, 24 January 2016, *The Local*, <http://www.thelocal.se/20160124/swedens-social-democrats-hit-record-low-in-poll> [accessed: 18.03.2016].

however, that even those parties that were more positive about the issue remained reserved, and none of them claimed that Poland should keep its doors open to everyone in need. In the Table 3.4, parties that were somehow combined before or after the elections have been presented together.

The table shows that political parties which were in favour of accepting refugees lost out significantly in the 2015 elections in comparison to the previous term. The only exception was the new political party *Nowoczesna*; however, this case is rather ambiguous for several reasons, and thus does not contradict the overall observation implying that attitudes towards accepting migrants strongly affected the distribution of the votes and mandates. Those who were open to accepting refugees lost out and those who expressed the view that immigrants should not be let into Poland gained. Of course, it would be an over interpretation to claim that this aspect was critical to the election results. Obviously there were many other factors, such as the quality of the electoral campaign, mistakes made by the former government, promises made by the respective parties, etc. Still, the correlation between attitudes towards accepting immigrants and the results of the 2015 elections explicitly verify the hypothesis that the attitude of Polish political parties towards the migration crisis affected the party system in Poland.

This research has also shown that Civic Platform – a big loser in the 2015 parliamentary elections – has partially reoriented its attitude towards accepting migrants. This, on the other hand, confirms that as the ruling party it became, in a way, a prisoner of its own pro-European policy. The attitude of Poles towards migrants was clear when the migration crisis began and the PO leaders must have been aware that, by supporting their European allies, it risked losing public support. Still, its government managed to win a great deal in terms of European policy. Therefore, it was hard for Civic Platform to turn its back on from the European Union, so the party took a moderate stand and declared its acceptance of a certain number of migrants in Poland. Unfortunately for PO, this proved to be one of the reasons why it lost its dominant position in Parliament.

It might also be observed that all of the Polish political parties, no matter whether they were more eager to accept refugees in Poland, to some extent remained cautious of these issues. None of them openly declared that Poland should let in any number of migrants. These limitations were justified by economic or security reasons. This might stem from the general attitude of Poles towards migrants. By being open to accepting migrants, parties would simply risk losing potential voters.

Table 3.4

Polish Political Parties Pre- and Post-2015 Elections and Their Attitude towards Accepting Migrants

Party	Number of MPs (Sejm 2011–2015)	Number of MPs (Sejm 2015–)	Difference	Attitude towards accepting migrants (+ for acceptance, - for non-acceptance)
PO	197	138	-59	+
PiS	140	235	+101	-
PiS	134			
Zjednoczona Prawica	16			
PSL	38	16	-22	+
Zjednoczona Lewica	46	0 (did not exceed electoral threshold)	-46	+
SLD	35			
Twój Ruch	11			
Kukiz'15	0	42	+42	-
Nowoczesna	0	28	+28	+
Others and non-affiliated	29	1	-28	Not applicable

Source: own research, based on: VII kadencja Sejmu – podsumowanie w liczbach, <http://www.sejm.gov.pl/Sejm7.nsf/komunikat.xsp?documentId=0050D4C29C37-DA62C1257EE5003C48DD> [accessed: 15.12.2016], Państwowa Komisja Wyborcza, Wybory do Sejmu i Senatu Rzeczypospolitej Polskiej 2015, [http://parlament2015.pkw.gov.pl/349\\_wyniki\\_sejm](http://parlament2015.pkw.gov.pl/349_wyniki_sejm) [accessed: 19.12.2016].

### 3.5. Conclusions

Polish migration and integration policies are still not fully developed, as their construction was significantly delayed compared with those of Western European countries. Poland's process of EU accession process naturally boosted the development of migration policy in Poland. The need to regulate cases of migrants had an administrative, rather than a grass-roots, character – Polish society was not concerned with migration and integration problems as the percentage of migrants in the population was very low.

When analysing Polish migration policy, it is necessary to understand the many determinants influencing its current shape and condition. First of all,

there were historical determinants. Under Communist rule, Poland did not respect freedom of movement and therefore, migration policy in its legal and institutional framework was only fragmented in nature. After 1989, all laws concerning migration had to be adjusted to new, democratic realities. Institutions dedicated to aspects of migration also had to be adjusted. Therefore, in the 19<sup>th</sup> and at the beginning of the 20<sup>th</sup> century, Polish law and institutions were undergoing significant changes. The recent migration crisis seems to be the most current incentive for reforming the legal and institutional systems, especially taking into consideration the general perception of already existing mechanisms. All V4 states perceive them to be inadequate and inefficient in the face of growing refugee inflows into Europe. Another important historical determinant of Polish migration policy is the aspect of repatriation, treated as one of the core challenges for policy makers. The case of refugees and the provision of protection for foreigners only seem to be an additional case on the agenda. The role of Polish migration policy is therefore first and foremost about safeguarding the interests of Polish citizens, as well as being economically driven.

Since Poland did not face the challenges of multicultural societies for almost the entire 20<sup>th</sup> century, such problems did not constitute a significant issue matter in the political agenda until recent years, and was not the focus of much social attention. Polish society, ethnically and nationally homogeneous, is not familiar with coexisting with culturally different groups. It may be one of the reasons for which Poles demonstrate rather negative and cautious attitudes towards foreigners.<sup>115</sup> Together with the increasing cultural distance of migrants, negative attitudes towards them grow in proportion. Polish society is strongly embedded in traditional and Christian values, which can at least partially explain these social attitudes. The second reason for the Polish hesitancy towards foreigners is the fear of them being a financial burden. These fears concern both increasing unemployment for Poles and the financial cost of integration programmes (providing free medical care, legal assistance, education, financial benefits, etc.). Another reason for fearing foreigners is negating the far-reaching influence of supranational bodies on national sovereignty.<sup>116</sup> The migration crisis and the attempt to introduce refugee quotas have been seen as the forced erosion of each state's independence. The change of Polish government after the last elections in October 2015 and the takeover of power by Law and Justice (being a rather Eurosceptic political party) could be seen as proof of this. What is more, as a result of the migration crisis, political parties with strict opinions on accepting the quota system proposed by EU and which

<sup>115</sup> See Chapter 2, Public attitude.

<sup>116</sup> B. Bachman, *Diminishing Solidarity: Polish Attitudes toward the European Migration and Refugee Crisis*, Migration Policy Institute, June 2016.



are also more Eurosceptic in general came to power, a topic that was analysed in Chapter 3. What is more, a visible shift from close relations with EU and the Weimar Triangle to the tightening of cooperation and a common standpoint among the V4 countries can be observed.